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| **MINUTES** | | | | | | |
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| *Corporation No 174* | | | | | | |
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| Date: |  | *26/09/2023 (Tuesday)* |  | Time: |  | *18:00–20:00* |
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| Venue: |  | *Bowland Suite* |  | Committee: |  | *Corporation* |
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| Present: |  | *Allan Foster (Chair), Allison Jones, Andrew Massey, Barbara Godby, Debbie Clayton, Jane Booker (Vice Chair), Kathryn Townsley, Matthew Chesterman, Robert Wallace, Robin Newton-Syms, Sue Collinge and Wes Johnson (Principal)* | | | | |
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| Attending: |  | *Joanne Sherrington (Deputy Principal), John Wherry (Deputy Principal) and Steven Downham-Clarke (Vice Principal)* | | | | |
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| Clerks: |  | *Ron Matthews (Clerk)* | | | | |
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| Guests: |  | *Rosie Bryson (Co-opted Member)* | | | | |
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| Apologies: |  | *David Hall* | | | | |
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| ***Public* Minutes** | |
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| Item number: | Item description: |
| (and category) |  |
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| **89.23** | ***Attendance of College Management*** |
| ***Decision*** | Standing Order 13 states that:As a matter of policy all meetings of the Corporation and its Committees will be held in private. The agendas, minutes and supporting papers of its public business will be made available to the general public.  However:  (a) The Principal shall be authorised to invite members of staff to attend in their employed capacity for both public and confidential business as appropriate and in accordance with Standing Order 25.  (b) The Corporation may exclude members of staff from attending any business that it deems necessary  .(c) Attendance by other persons shall be at the discretion of the Corporation following advice from the Principal or Clerk.  **Resolved:**  **That Management attend for the public, confidential and strictly confidential agenda items.** |
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| **90.23** | ***Apologies for Absence*** |
| ***Record*** | Apologies had been received from Jane Booker, David Hall, and Andrew Massey. |
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| **91.23** | ***Declarations of Interest*** |
| ***Record*** | There were no declarations of interest made in respect of items on the public agenda. |
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| **92.23** | ***Minutes of Previous Meeting*** |
| ***Decision*** | The public minutes of meeting number 173 held on Tuesday 4 July 2023 and published on the extranet were agreed and signed as a true and correct record of the meeting. |
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| **93.23** | ***Governor Clare James*** |
| ***Decision*** | |  | | --- | | The Clerk reported that he and the Chair had been contacted by Clare indicating that she was resigning with immediate effect. Pressure of work and a review of her career were the determining factors. |   The Board accepted her resignation and asked the Clerk to convey to Clare their thanks for her past services and to wish her well in the future. |
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| **94.23** | ***Governors Allison Jones, Robin Newton-Syms and Robert Wallace*** |
| ***Decision*** | The first term of office of Governor Allison Jones would come to an end on the 30 October 2023.  For Robin Newton-Syms and Robert Wallace their first term of office would come to an end on 30 November 2023.  All three Governors had expressed a wish to continue in office and serve a second term of four years.  The Corporation was asked to review the performance of each of these Governors during their first term of office and decide whether to agree to their individual request to serve for a further term.  Following a discussion on the performance of each Governor it was  **Resolved:**  **That Governors Allison Jones, Robin Newton-Syms and Robert Wallace be appointed to serve a further term of office.** |
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| **95.23** | ***Governor Vacancies*** |
| ***Decision*** | The Clerk reported that, following advertisement, four application for the position of Governor had been received. One applicant had subsequently withdrew their application.  On Wednesday 13 September 2023 the Chair and Vice Chair, together with the Principal and the Clerk, interviewed three potential candidates to fill vacancies on the Board.  Following the interviews the panel agreed that Simon Gerrard, currently the Chief Executive Officer of the Lancashire Football Association Limited based in Leyland, would be a suitable College Governor.  The Corporation was therefore asked to agree the appointment of Simon Gerrard to the Myerscough Board.  The Clerk reported that the search to fill the remaining vacancies was ongoing.  **Resolved:**  **That Simon Gerrard be invited to serve as a Governor at the College and to also serve on the Quality and Standards Committee.** |
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| **96.23** | ***Career Link Governor*** |
| ***Decision*** | The Clerk reported that following the resignation of Governor Kevin Burke there was a vacancy for a Career Link Governor.  Governor Rob Wallace had offered to fill the vacancy and the Corporation was asked to confirm his appointment.  **Resolved:**  **That Governor Rob Wallace be appointed to the position of Career Link Governor.** |
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| **97.23** | ***Opening Remarks of the Chair*** |
| ***Decision*** | The Chair reported that he had been kept informed of national developments by attending video conferences with the North West Principals and Chairs Group and also joining several meetings with the AoC. He had attended Croxteth and Preston Awards events and a number of SAR validations.  He had met with the new Principal, Wes Johnson soon after his appointment and subsequently met Principalship regarding the issues in the Strictly Confidential agenda.  **Resolved:**  **That the report be received.** |
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| **98.23** | ***Governor Engagement Programme*** |
| ***Decision*** | Please find attached the first compilation of the Governors Engagement Programme for 2023/2024.  If Governors wish to attend any of the activities on the list could they please go through the Clerk. This will ensure that any attendance is added the Governor CPD report.  A link governor report from Kath Townsley, the SEND Link Governor, was also attached for information.  Staff Governor Debbie Clayton asked Governors if they had any suggestion for the position of Fellow at the 2024 Award ceremonies. Will Sill, a former Myerscough student and manager of the French Club Reims, had already agreed to fill one of the two roles. A small number of suggestions were made drawn from the farming community.  **Resolved:**  **That the report be received.** |
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| **99.23** | ***Report of the Finance and Resources Committee 12 September 2023*** |
| ***Decision*** | The Corporation considered the report of the Finance and Resources Committee held on 12 September 2023.  **MATTER REQUIRING APPROVAL OF THE CORPORATION**  **Bank Account**  The Deputy Principal, Finance and Corporate Services, requested the Committee to give permission for the College to open a bank account with Handersbanken to take advantage of the advantageous interest rates currently being offered. The College had previously held an account with the bank.  The Committee resolved:  **That the Corporation be requested to approve that a bank account be opened with Handersbanken.**  **MATTERS FOR THE INFORMATIONM OF THE CORPORATION**   1. **Election of Chair and Vice-Chair of the Finance & Resources Committee for** **2023/2024**   The Committee reappointed Sue Collinge as Chair but following the recent resignation of Clare James decided to defer the appointment of a Vice-Chair at the present time. ii)           The Principals Strategic Plan Progress Report 2022/2023;                 Financial Position Statement including Income and                 Expenditure, Investment Funds and Interest, Capital and                 Revenue Cash Flow, Ventures and Capital Expenditure for                 Period Ended 31 July 2023; The Committee received all of the above regular reports on the various aspects of the College finances for the period ended 31 July 2023.  It was pleasing to note that the finances of the College remained in a healthy state with the balance sheet remaining strong.  The Committee considered the Strategic Plan Progress Report for the Finance and Resources Committee. The key performance indicators related to income, the Capital Plan, Human Resources Statistics and financial performance. The report was based on the new Strategic Goals of People and Sustainability.  Staff sickness was better than target although staff retention was slightly higher than target The Riddor accident rate remained below target of less than 3%. The remaining targets under People related to student satisfaction and in general these expressed good/strong responses although completion rates for the staff survey were below target. Sustainability indicated that, apart from student numbers, the financial indicators were on, close to, or above target. However, subcontracting number were higher than budget. Apprenticeship numbers were all positive including the related income target. The Capital Plan was anticipated to be delivered within target.   The finance report was presented by the Director of Finance who indicated that it was a first draft and did not include the year-end adjustments and reconciliations which would be represented in the final audited Financial Statements as at 31 July 2023.  The Control Budget for 2022/2023 showed an operating surplus, prior to FRS102 pension costs, of £618k against a forecast of 36k in the original budget. However, the actual surplus of £941k was £595k ahead of the control budget and £346k ahead of the forecast. After FRS102 pension adjustments the College made a surplus of £618k.   The accounts included an additional adjustment of £257,535 following the final reclaim from the ESFA Audit.   Pay costs were 56.6% of income comparable to the control budget of 58.31%.   Overall College income was £36.8m against a control budget of £36.7m. Cash balances at the period-end remained strong at £15.06m, with cash days at 151 days remaining very strong. Financial Health remained Outstanding.   Commercial Services accounts showed that the overall margin, excluding the farm, was £1,224k, £36k ahead of forecast of £1,285k. The farm was currently reporting a loss of £162k against a control budget predicted loss of £165k. The accounts continued to meet the FE Commissioner's financial benchmarks and it was confirmed that the College remained a Going Concern. The approved capital expenditure for the year was £3m with £1,257k being brought forward from monies unspent in 2021/2022. An in-year allocations of £1.224m had been added. Underspend for the year was £2,246m which would be carried forward into 2024/2025 2024/2025.  Following questions the Committee received the reports. iii)               External Audit Regularity Questionnaire The Committee considered the above questionnaire and the responses provided by the College. The document would be used as the basis for the Regularity Audit by the  Independent Auditors. It was required to be signed by the Chair of Corporation and the Accounting Officer in advance of the reporting of the audit in compliance with the Post 16 Audit Code of Practice.  The Committee note the responses to the questionnaire and authorised the Chair and Accounting Officer to sign the document. iv)             Counter Fraud Policy – Review The Committee gave consideration to the report of the Deputy Principal, Finance and Corporate Services, on a review of the Counter Fraud Policy. The policy had been substantially rewritten in September 2021 and there was minimal amendment this time.  The Committee agreed the reviewed Counter Fraud Policy. **v)            Overseas Visits Policy Review and Annual Report for the Year**  **ending for the Year Ending 31 July 2023** The Deputy Principal, Finance and Corporate Services, presented a report on a review of the Overseas Visits Policy. Only minor changes had been made to the policy.  An appendix to the report was a summary of overseas visits taken in 2022/2023. There were 13 overseas visits in 2022/2023 made by 30 staff and 165 students. The total costs of the visits was £71,227.08 of which £65,357.31 was funded by third parties, leaving £5,869.77 funded by the College. This represented just 8% of the total cost.  The Committee noted the report and agreed the Overseas Visits Policy.  **vi)           College Value for Money Policy Review**  The Deputy Principal, Finance and Corporate Services, presented a report on a review of the College Value for Money Policy. The report included details of savings achieved during the last twelve months.  The report included details of the savings achieved during the last twelve months.  The Committee approved the report.  **vii)           Strategic Risk Register**  The Committee considered the Strategic Risk Report for September 2021/2022 as presented by the Deputy Principal, Finance and Corporate Services. Included in the report was a reference to the risk appetite statement, risk assessment framework and risk heat map.  The report identified the top five risks for the College. Partnership arrangements, particularly with UClan, Reputational Damage and Governor recruitment, due to recent resignations, all now featured in the top five risks.  The Committee noted the report. viii)             Subcontracting (Including Supply Chain Fees and                     Charges) Policy and Procedure – Review The Committee considered the report of the Vice Principal on a review of the Subcontracting (Including Supply Chain Fees and Charges) Policy and Procedure.  The aim of this policy was to ensure that all sub-contracted provision was managed effectively and efficiently whilst focusing on quality.  The policy governed all sub-contracting within the College. Roles and responsibilities for the College and sub-contractors were clearly defined from the outset of the partnership and all sub-contractors were required to agree and sign both a Contract and Service Level Agreement  The Committee agreed the Subcontracting Policy and Procedure. ix)            Review of the Health and Safety Policy The Committee considered the review of the College Health and Safety Policy. There were no significant amendments to the policy other than to update contacts and job titles and to include of the recently agreed Menstruation Policy, otherwise it was judged to remain fit for purpose.  The Committee agreed the revised policy.  **x)           Annual Cycle of Business 2023/2024**  The Committee approved the annual cycle of business for the coming year.  **Resolved:  1. That Corporation agree to the College opening a bank account with the Handersbanken.  2. That remaining items in the report be noted.** |
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| **100.23** | ***Strategic Risk Register*** |
| ***Decision*** | The Corporation considered the overall Risk Policy developed by the Deputy Principal, Finance and Corporate Services. The policy outlined the approach to the risk appetite statement, the risk assessment framework and the use of the risk heat map.  The report also identified the top five risks which had recently changed due to issues Governor recruitment and recent issues of concern.  **Resolved:  That the risk report be noted and the Risk Policy be agreed.** |
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| **101.23** | ***Governance Self-Assessment Report*** |
| ***Decision*** | The Clerk presented a report on the outcomes of the Governance Self-Assessment surveys for 2022/2023. The overall findings from the Governor surveys had proved very positive.  However, there were concerns that meetings were too long and that if Governors had read the reports before the meeting there should be no need for lengthy introductions from Officers. It was felt that this issue could lead to a stifling of debate and challenge on some occasions.   Governors also wished to visit the College campus more often and also to gain a greater understanding of the work undertaken by the committees on which they did not serve. The Clerk indicated that proposals were in place to rectify these issues.  It was also noted that there was now a requirement to record both Governor and the Clerk's training records as part of the Governance report in the annual accounts. The revised training programme for Governors provided by the Education and Training Foundation was due to be launched in the autumn and Governors would be kept informed of this very useful training resource.  The findings in the report would be used to inform the overall College SAR training for which was planned for the evening of 14 November 2023.  **Resolved:  That the report be received**. |
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| **102.23** | ***Annual Health & Safety Report*** |
| ***Decision*** | Corporation considered the Annual Report on Health and Safety for 2022/2023 presented by the Deputy Principal, Resources.   The report provided assurance that Myerscough College was discharging its duties relating to the health, safety and welfare of its employees, learners and visitors and that appropriate systems were in place to ensure compliance with the Health & Safety at Work Act and associated regulations.   **Resolved:  That the Health and Safety report for 2022/2023 be received.** |
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| **103.23** | ***Child Protection and Safeguarding Policy and Procedure and the Annual Report for 2022/2023*** |
| ***Decision*** | Corporation considered a report on a review of the Child Protection and Safeguarding Policy and Procedure. Any proposed changes had been highlighted for the information of the Corporation.  The Director of Student Support and Welfare, in the light of an impending Ofsted inspection, also submitted the annual report for 2022/2023.   Following questions it was  **Resolved:   1. That the review of the Child Protection and Safeguarding Policy be agreed.  2. That the Child Protection and Safeguarding Annual Report be received.** |
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| **104.23** | ***Annual Farm Report 2022/2023*** |
| ***Decision*** | Corporation considered the Annual Farm Report for 2022/2023.   Members noted Key Strengths:   * Improving performance. * Good engagement with industry through a range of events and activities. * Utilisation of technology to drive improvement. * Promoting agriculture and the College to a wide range of people and potential future students   Areas for development included:   * Overall financial performance. * Further improvements to enterprise performance. * Continue cost control measures. * Refine the size and skills of the farm team.   The Corporation noted that the farm was close to meeting its budget target although this was still a loss. This still had to be confirmed once the final accounts had been processed. Governors sought views on the viability of the farm. The Deputy Principal indicated that farming was changing and was challenging when moving away from managing subsidy to becoming environmental land managers. Whilst this may be a contentious issue amongst farmers it remains to be seen if the requirement for food becomes important.   The report outlined activities over the year including the development of the remote milking provision.  It was stressed that the farm remained a valuable teaching resource. **Resolved:   That the Annual Farm Report be received.** |
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| **105.23** | ***Review of the Whistleblowing Policy & Procedure*** |
| ***Decision*** | The Clerk presented an updated Policy and Procedure in relation to Whistleblowing.  There were no major changes to the original documentation. However, there was a recognition from the Officers that there was a need for to ensure a greater awareness of the policy amongst staff.  **Resolved:   That the Whistleblowing Policy and Procedure be agreed.** |
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| **106.23** | ***Cyber Security Update September 2023*** |
| ***Decision*** | |  | | --- | | The Corporation considered the report of the Deputy Principal, Resources, on an update of measures taken to ensure the security of the College's IT network. |   Much of the current work of IT and MIS had been to update the underlying elements of the virtual estate to enhance the cyber security posture and to drive compliance.  **Resolved:  That the report be received.** |
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| **107.23** | ***Annual Report on Human Resources for 2022/2023*** |
| ***Decision*** | Corporation considered the Human Resources Annual Report for 2022/2023.  The report provided an annual summary of matters reported to the Finance & Resources Committee during the year and included further information and statistics concerning Human Resources over the same period.  Staff turnover was 19.23% an increase of 3.2% from 2021/2022 and higher than the national average for 2021/2022. A 128 employees left the organisation in 2022/2023 an increase of 17 compared to the previous year.  The average working days lost to sickness was 6.45 and a 2.29% lost time percentage, both similar to the previous year and close to national benchmarks.  Following questions Corporation noted the strengths, targeted improvements and actions taken. Corporation expressed satisfaction with the report.  **Resolved:**  **That the Human Resources Annual Report for 2022/2023 be received.** |
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