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| **MINUTES** |
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| *Corporation No 170* |
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| Date: |   | *14/03/2023 (Tuesday)* |   | Time: |   | *18:00–20:00* |
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| Venue: |   | *Bowland Suite* |   | Committee: |   | *Corporation* |
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| Present: |   | *Alison Robinson (Principal), Allan Foster (Chair), Allison Jones, Barbara Godby, Clare James, David Hall, Debbie Clayton, Jane Booker (Vice Chair), Kathryn Townsley, Kevin Burke, Louise Bell, Matthew Chesterman, Robert Wallace, Robin Newton-Syms, Sue Collinge and William Hodges* |
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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: |   | *Ann Harrison, Joanne Platt and Rosie Bryson (Co-opted Member)* |
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| ***Public* Minutes** |
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| Item number: | Item description: |
| (and category) |   |
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| **05.23** | ***Attendance of College Management Staff*** |
| ***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 and 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 however, 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 and confidential agenda items.** |
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| **06.23** | ***Apologies for Absence*** |
| ***Record*** | Apologies for absence had been received from Debbie Clayton. Governor Kevin Burke was not in attendance. |
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| **07.23** | ***Minutes of Previous Meeting*** |
| ***Decision*** | The public minutes of meeting number 168 held on Tuesday 13 December 2022 and meeting number 169 held on 28 January 2023, published on the extranet, were agreed and signed as true and correct records of the meetings. |
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| **08.23** | ***Declarations of Interest*** |
| ***Record*** | There were no declarations of interest made in respect of items on the public agenda. |
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| **09.23** | ***Opening Remarks of the Chair*** |
| ***Decision*** | The Chair informed the Corporation that he continued to join the AoC webinars to ensure he was kept up to date on recent developments including the Chairs question and answer sessions every other Friday. Concern at present centred around cost pressures and pay negotiations. There was a very good webinar recently on Mind the Skills Gap which he attended. Arbor Day and the careers event were well organised as was the curriculum staff meeting he attended.In addition he attends the regular north west Principal and Chairs meetings and continued to meet monthly with the Principal together with the other three Committee Chairs. The College still awaits the call from Ofsted.**Resolved:****That the report be noted.** |
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| **10.23** | ***Appointment of Teaching Staff Governor*** |
| ***Decision*** | The Clerk reported that the Term of Office of theTeaching Staff Governor, Louise Bell would end on 31 March 2023. Louise had decided not to apply for re-election.In accordance with the Instrument and Articles of Government, the Clerk was required to advertise the vacancy. Two members of the teaching were duly nominated and an election held.The Clerk wished to thank Governor Debbie Clayton for organising the election.The successful candidate was Andrew Massey, based at the Old Trafford Centre, and Corporation was requested to consider his appointment as teaching staff representative on the Governing Body, and also the Quality and Standards Committee, for a term of office of four years.**Resolved:****That Andrew Massey be appointed as the Teaching Staff Governor with effect from 1 April 2023 to serve on the Governing Body and also the Quality and Standards Committee.** |
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| **11.23** | ***Link Governor Guidelines*** |
| ***Decision*** | The Corporation considered the recently produced Link Governor Guidelines. As the number of Link Governors increased, partly due to pressure from the Government, the Clerk had produced the guidelines to aid compliance with the role.Quality and Standards Committee had considered the guidelines and recommended them to Corporation for approval together with the appointment of two additional Link Governors.**Resolved:****1. That the draft guidelines as presented be approved.****2. That Allison Jones and Barbara Godby be appointed as Link**  **Governors for HE and English and Maths respectively.** |
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| **12.23** | ***Governor Engagement Programme*** |
| ***Decision*** | The Clerk reminded Governors of the possible events that Governors may attend as part of the Governor Engagement Programme. The current list of opportunities had been circulated previously to all Governors and was circulated again with the agenda.Governors informed the Corporation of any events they had attended since the last meeting.**Resolved:****That the report be received.** |
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| **13.23** | ***Student Engagement Report*** |
| ***Decision*** | The Corporation considered a report on student engagement as presented by the Vice Principal which outlined student feedback on all areas of engagement and enrichment which was central to their development.The report detailed issues which had emerged from the various course representative meetings together with details of enrichment activities which were also taking place.Governors sought assurance that issues raised in the report were being addressed by officers. The Vice Principal confirmed that this was the case.**Resolved:****That the report be received.** |
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| **14.23** | ***Association of Colleges Good Governance Guide*** |
| ***Decision*** | The Clerk reported that the Association of Colleges had reviewed their Good Governance Guide. The draft proposals drew on previous comments on the existing guide and were now out for consultation. The current guide which was quite long and consisted of ten principles had been produced in 2015 and adopted by the College in the same year. It had subsequently been amended in 2018 and 2019.The draft guide was shorter consisting of just six principles applied to all FE institutions and was designed to raise standards of Governance. Consultation was due to end on 6 April and the covering letter outlined nine questions the AoC would like answers to as part of the consultation.Whilst Governors were invited to respond to the consultation individually they suggested consideration be added to the Away Event on Friday 17 March 2023.**Resolved:****That consideration of a corporate response be discussed at the Governors Away Event on Friday 17 March 2023.** |
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| **15.23** | ***Further Education Governance Guide*** |
| ***Decision*** | The Clerk circulated a revision of the Further Education Governance Guide produced by the Department for Education.The main changes included a new section on SEND, which looked likely to produce a requirement for a SEND Link Governor, amendments to the section on EDI and elements on the reclassification of Colleges as part of the public sector, especially the requirement on senior pay.Amendments had been made to the section at the end of the document which identified further reading.**Resolved:****That the Guide be received.** |
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| **16.23** | ***Report of the Audit and Governance Committee 31 January 2023*** |
| ***Decision*** | The Chair, Jane Booker, presented the report of the Audit and Governance Committee of 31 January 2023.#**Matters for the information of the Corportion.****i)    Internal Audit Reports** The Internal Auditor, Jane Butterfield, presented two reports on assurance reviews.The first report was an Assurance Review on Business Continuity Planning which included a review of policy/strategy and procedures, organisational responsibilities, plan details for various scenarios and testing. There were no recommendations.The second report was an Assurance Review of the Risk Management Framework covering the overall arrangements for managing risk within the College. There were two routine recommendations.The first was that the Risk Register be updated to include references to key KPI metrics utilised in monitoring performance and the effectiveness of mitigating controls where relevant.Management accepted the recommendation and reported that the KPI’s within the Strategic Goals would be integrated into the risk register and mitigating controls reviewed for effectiveness & completeness. Implementation date was 31 March 2023.The second recommendation was that an annual risk management training programme be put in place for Board Members. Management accepted the recommendation and it was agreed that a training programme would be in place by 31 July 2023.The third report was an Assurance Review of the Key Financial Controls - Budgetary Control which considered the budget preparation process, the monitoring arrangements and reporting to the Board. There were no recommendations.Governors collectively expressed their satisfaction with these reports and the assurance given in three major areas of the College.**ii**)**Internal Audit Progress Report and Summary Report Update.**  The Committee received and noted the above report which contained information detailing progress to date on all recommendations made.One recommendation made in2020/2021 remained outstanding and was currently in progress.In 2021/2022 a total of 11 recommendations were made, of which 8 (73%) had been implemented, 1 (9%) was no longer applicable and 2 (27%) were not yet due, with none outstanding.In 2022/2023 a total of 2 recommendations were made both of which were not yet due.With regard to the recommendation from 2020/2021 relating to Disaster Recovery and the recommendation from 2021/2022 relating to Cyber Security, Governors were happy for officers to treat these as closed. It was recognised that both issues were on-going and would never be concluded but that assurances had been given that officers were continuing to work on both issues to ensure the protection of the College systems.The Committee received the reports.**iii)           Subcontracting Arrangements 2022/2023**The Audit and Governance Committee considered the report on subcontracting arrangements for 2022/2023.The report detailed the present levels of committed sub-contractor delivery for 2022/2023, as required by the ESFA, particularly with regard to any sub-contracted delivery in excess of £100,000 funded provision. Current provision funding value was £828,853 and covered 93 students.Governors expressed confusion as to why the report had come to Committee and what they were being asked to consider as the financial costs were included in the budget. A similar report was presented to the Finance and Resources Committee to monitor the level of expenditure, and also to the Quality and Standards Committee who monitored the performance of the subcontractors.The Deputy Principal, Finance and Corporate Services, undertook to review the overall reporting of the subcontracting provision and report back to the next meeting.**iv)           Strategic Risk Register**Audit and Governance Committee considered the Strategic & Governance Risk Report for 2021/2022 as presented by the Deputy Principal, Finance and Corporate Services.The Committee received the report.**vi)        Data Returns Reports**Audit and Governance Committee considered the report which listed the completion and timing of statutory returns required by the relevant funding bodies for the year end 2021/2022 and the completed returns as well for the current year 2022/2023.All returns had been submitted on time.The Committee received the report. **vi)        Governance Quality Improvement Plan 2022/2023**The Committee considered progress on the Governance Improvement Plan for 2022/2023.The Clerk reported progress on the individual items in the plan and stated that the specification for quotes to review commercial systems for the possible replacement of the Governor Portal system, was nearly complete and should be issued early next week.A small number of Governors would be invited to serve on the assessment team, together with a range of officers, in order to review the submissions received and attend demonstrations. It was hoped to report the outcome to the May Corporation meeting.The Committee noted the report.**vii)       FE Student Governor**Following the resignation of the FE Student Governor last year the Students Union had promoted the vacancy, considered nominations received and held an election.The Clerk was pleased to inform the Committee that following the election, William Hodges, Level 3 Agriculture Engineering, was elected as the FE Student Governor for the remainder of the 2022/2023 Academic Year.To ensure that William was able to take up the role as soon as possible the Chair of Corporation, under Chair's Action, had confirmed his appointment.The Committee received the report.**viii)      Teaching Staff Governor**The Clerk reported that the Teaching Staff Governor, Louise Bell, would come to the end of her term of office on 31 March 2023. She had indicated that she did not wish to be considered for a further term of office.The Clerk had subsequently notified the teaching staff of the vacancy and sought nominations for the role. To date one nomination had been received.  Applications for the role closed on 3 February 2023 and he had today reminded staff of the vacancy and closing date.Should more than one nomination be received an election, amongst the teaching staff, would be required.The Committee noted the report.**Resolved:****1. That the report be received.****2. That the Chair's Action in approving the appointment of William Hodges as the new FGE Student Governor be endorsed.** |
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| **17.23** | ***Report of the Quality and Standards Committee 7 February 2023*** |
| ***Decision*** | The Chair, Allison Jones, presented the report of the Quality and Standards Committee held on 7 February 2023.**Matters for the information of the Corporation.**i)             Performance Data 2022/2023Performance data for 2022/23 was reported to the Committee. The Committee had reviewed the information as follows:**a)            Strategic Plan Progress Report 2022/2023.**  **b)             In Year Performance Data 2022/2023:**                  -    FE                                    -    HE  **-    Apprenticeship and Skills.** The first report was now based on the revised Strategic Plan and related to the first strategic goal of Learning.  Retention and learning across all FE, HE and Apprenticeships was strong and above target. The main area of concern was both FE and HE recruitment which was below target and therefore had financial implications.Whilst recruitment for FE was behind target subcontracting provision did help. Overall, this contributed to the College falling 108 below the ESFA allocation of 1981 for 2022/2023 despite having 193 subcontracted students.Apprenticeships and Skills was on target for this time of the year.However, HE recruitment was behind target across all sectors bar postgraduate. This would impact income both directly and indirectly through services such as residential and catering.For FE, HE and Apprenticeships retention remained strong with improved attendance. Apprenticeship recruitment was performing well despite a national decline of 6%, whilst 14 -16 recruitment was also buoyant. There were 224 14-16 year old students funded by both local authorities and the ESFA.Current FE retention stood at 98.8%. Overall, with authorised absences, attendance was 92% against a target of 95%. Presence in the classroom, also an area of focus, was 85.3%.Maths and English remained a priorityHE retention was 99.7% against a target of 97%, with overall levels of attendance at 90%. UCAS applications were below previous years. There was considerable work being undertaken around recruitment including progression from FE courses.The report also detailed the current situation on progress with UCLan with the course review submissions.An additional report provided progress on the registration requirements from the Office for Students.Governors noted the issues around both FE and HE recruitment but noted strong performance of the apprenticeship provision which appeared to be out performing national trends.The committee received the reports.**ii)            Quality and Standards Report**The SAR process identified some poorly performing provision in 2021/22, particularly in Animal, Equine and Horticulture.  English and Maths remained a key priority.  The report highlighted that Ofsted training had been undertaken with all staff in the light of a possible inspection in the near future.The report referred to the Landex Inspection which took place in November 2022. The full report appeared later on the agenda.Lesson observations, undertaken with a member of the Senior Leadership Team, had commenced with 48% now completed.The Committee noted the report. **iii)           Quality Improvement Plan 2022/2023**The Committee considered progress on the Quality Improvement Plan 2022/2023.English and Maths remained a key priority.The Committee noted the report.**iv)           Learner Voice Report**The Committee considered the report on Learner Voice which focused on the Student Induction Surveys.  Results remained strong with 98% of FE, 97% of HE, 100% of Apprenticeships & Skills and 14 - 16 age group students at 95% all indicating that they felt safe in College.Response rates for FE stood at 84% with HE at 72% and for 14-16 age group it was 85%. Responses for both FE and HE were both slightly lower than in 2021/2022 with the 14-16 age group slightly higher. An identified action was to try to improve the response rates in the future.The Committee noted the report. **v)            In Year Report - Safeguarding**The Committee considered an update report on Child Protection and Safeguarding and the Action Plan.There was a dedicated, experienced and knowledgeable team supporting safeguarding issues.However, there continued to be a significant increase in safeguarding concerns this year over the previous year. The College was seeing a year on year increase in alerts. The reasons were widespread, covering all aspects of safeguarding with the majority relating to mental health issues. The report also covered safer recruitment, safeguarding audit, sexual harassment and sexual violence, campus security and online safety.Governors echoed the comments made at previous meetings, which expressed concerns at the large increase in the number of safeguarding alerts, the ability of staff to respond and the well-being of the staff concerned.The Committee noted the report**vi)           FREDIE Update and Action Plan 2022/2023**The Committee considered the FREDIE, (Fairness, Respect, Equality, Diversity, Inclusion and Engagement) Action Plan for 2022/2023.The Plan detailed all activities and improvements for 2022/2023.The Committee received the report.**vii)         LANDEX Peer Review Report**The Committee considered the report of the Landex Peer Review which took place on 10 and 11 November 2022.The report reviewed the action plan from the previous visit and listed four actions for the coming year.The issues raised had been addressed in both the curret FE and the Quality Performance and Standards reports.The Committee received the report.**viii)        Link Governor Guidelines**The Committee considered a report on proposed draft guidelines for Link Governors.Based on current advice from the DfE there was an increase in the number of Link Governors and it was now necessary to formally outline the responsibilities of the role.Currently there were Link Governors for Safeguarding/EDI, Send, Sustainability and Careers.In the light of the current priorities of the College it was proposed to create a Link Governor role for English and Maths and HE. The report identified two Governors who were prepared to undertake these roles.The Committee recommended the Guidelines to Corporation and it was agreed that Barbara Godby be appointed the Link Governor for English and Maths and that Allison Jones be appointed the Link Governor for HE.The Guidelines appear later in the agenda.**ix)           Curriculum Risk Register**        The Committee considered the Curriculum Risk Register noting the key 'inherentrisks' and actions taken to reduce them.  Against the resulting 'residual risks' assurance statements were provided. Failure to recruit staff, particularly to academic posts and finance, together with cyber security remained the major factors throughout the risk register.The Committee received the report.**Resolved:That the report be received.** |
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| **18.23** | ***Report of the Finance and Resources Committee 28 February 2023*** |
| ***Decision*** | The Chair, Sue Collinge, presented the report of the Finance and Resources Committee of 28 February 2023.**Matters for the information of the Corporation.****The Principals Strategic Plan Progress Report 2022/2023;** **Financial Position Statement for Period Ended 31 December 2022.** The Committee received the above regular reports on the various aspects of College performance for the period ended 31 December 2022.  Whilst FE and HE numbers were below budget as previously reported, Apprenticeships were strong against a national trend of an overall 6% reduction in applications. The provision of 14-16 year olds was buoyant.Sickness levels were increasing and currently slightly above the AoC benchmark, although an Employee Assistance Programme had recently been introduced.Commercial activity was looking stronger following a decline during the pandemic.The actual loss of £236k was £135k behind the control budget and £150k behind forecast, mainly due to HE numbers being below target. Work was continuing to reduce the identified loss before the end of the financial year.Staff costs as a percentage of income was above the target of 58% standing at 61.1%.At period end both cash balances of £13.323m and 145 cash days remained very strong.Current finances and staff costs were below the FE Commissioner's financial benchmarking targets although the financial grade remained good.Apprenticeship numbers and income remained positive with the Farm performing slightly better than budget.As part of the finance report reference was made to the announcement by the ONS that colleges would be transferred to the public sector.Following questions from Governors the Committee noted the report.**ii)         Strategic Risk Register**The Committee considered the Strategic Risk Report for 2022/2023 as presented by the Deputy Principal, Finance and Corporate Services.Included were references to the risk appetite statement, risk assessment framework and risk heat map.The report identified the top five risks for the College. Financial stability and Cyber Security remained two of the main risks identified.A recent Internal Audit review of the risk register highlighted the need to provide Governor training. This would be arranged in the near future.**iii)        Reclassification of Colleges – ONS Update**The Committee considered the report of the Deputy Principal, Finance and Corporate Services, on the reclassification of Colleges. The Department for Education was issuing bite sized guidance on various elements within the revised protocols.The report included notification on Special Payments, Novel, Contentious and Repercussive Payments, Indemnities and Guarantees, Write Offs and Senior Pay Controls.The Deputy Principal was also exploring the potential impact on the College's current loan agreements.The Department was expected to issue a new Financial Handbook for colleges in line with a similar product currently available for academies.Circulated with the report was an article produced by Richard Lewis from RSM, the Colleges Financial Statement Auditors, on the possible implications of the decision.The Committee noted the report.**iv)        Financial Regulations Annual Review**The Committee considered the report of the Deputy Principal, Finance and Corporate Services, on a review of the Financial Regulations.The Financial Regulations required reviewing on an annual basis and the changes to the previous version of the document had been highlighted. These included amendments needed as a result of the decision of the Office for National Statistics for Colleges to revert to the public sector.Due to level of amendments the Committee recommended the revised version of the Financial Regulations to Corporation. A separate item on the regulations appears on the Corporation agenda.**v)         HE Policy and Procedure, Bursary Policy and Tuition Fees for 2023/2024** The Committee considered the proposed Higher Education Policy and Procedure, Bursary Policy and Tuition Fees for 2023/2024. To ensure compliance Myerscough was required to work with UCLan to agree the fee structure for new entrants in 2023/2024 as part of the Access Agreement and also in line with the requirements of the Office for Students.The review of the Bursary Policy and student support package remained similar to last year.The College current recommendations were based on the existing fee cap of £9,250 for full time students.The report included a summary of the fees including part time and international students.The Committee received the report.**vi)       Human Resources**The Committee considered the above report which contained analysis of staff turnover, breakdown analysis of leavers, staff stability index and staff sickness statistics for the year up to 31 January 2023.The Committee noted staff turnover – the percentage of workers who leave – was 18.55% for all staff, 17.5% for management staff, 18.64% for teaching staff and 20% for support staff. As a comparison during the same period last year, staff turnover was 14.6% for all staff, 2.4% for management staff, 12.8% for teaching staff and 16.41% for support staff.Current staff turnover was slightly above the national average for colleges which stood at 17.8%, for the North West the average staff turnover was 17.6%.For the last quarter the College supported 146 vacancies, an increase of 33 compared to the last quarter.Absence was measured by the average number of working days lost per employee and the lost time percentage, which was a measure of the proportion of available working time lost during the year. The average number of working days lost due to sickness at the College was 5.87 and the lost time percentage was 2.26%. For the same period last year, the average number of working days lost due to sickness at the College was 5.63 and the lost time percentage was 2.17%. There were 6 staff long term absent at the end of the reporting period compared with 5 staff for the previous year. Sickness absence remains reasonably static in all categories at this time and is within the average for the sector.Mentioned in the report was the Gender Pay Gap report - March 2022. The College was required to publish the report for the period 1.4.2021 – 31.03.2022 by the end of March 2023.The College median pay gap (middle) had increased by 3.5% (26.47% median pay gap). The mean pay gap (average) had increased by 1.98% (13.66% mean pay gap). The increase was due, in the main, to an increase in female employees in the lower quartiles of the workforce. The report highlighted areas of focus for the year ahead which, it was hoped would serve to reduce the pay gap in the long term.The report also included details of training being undertaken together with the introduction of well-being support for staff.The Committee received the report.**vii)       Health and Safety Report**Members considered the Health and Safety Report for the period ended 31 January 2023 which provided an analysis of accident statistics over the period, together with other Health and Safety activities including policy updates, staff training, free health checks, auditing and inspections.Overall, accidents had increased from 100 to 105 compared with the same period last year. This number was now levelling out post Covid. There were 2 RIDDOR reportable accidents during the period making a total of 3 for the year and, at 1.75%, was below target of less than 3%.Analysis indicated that the 105 accidents involved 7 staff and 97 students and 1 visitor –9 (9%) were taken to hospital - 6 Students, 1 Apprentice, 1 Visitor and 1 Contractor65 (61%) received first aid treatment31 (30%) needed no treatmentThere were no areas of significant concern.The report included details of recent audits, training and drills.The Committee received the report.**Resolved:That the report be received.** |
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| **19.23** | ***Financial Regulation Annual Review*** |
| ***Decision*** | The Finance and Resources Committee considered the Annual Review of the Financial Regulations at their meeting on 28 February 2023. They now incorporated changes required as a result of the ONS reclassifying the Colleges as part of the public sector.In the light of these changes the Committee recommended the revised regulations to Corporation.**Resolved:That the Financial Regulations, as amended, be approved.** |
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| **20.23** | ***Key Strategic Risks*** |
| ***Decision*** |

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| The Corporation considered the Strategic Risk Report for 2022/2023 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 Risk Register now included the five highest scoring risks.**Resolved:That the report on the Risk Register be received.** |
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| **21.23** | ***Governors Away Event Friday 17 March 2023*** |
| ***Decision*** | The Clerk present a draft programme for the Governors Away Event to be held on Friday 17 March 2023.**Resolved:****That the draft programme for the Governors Away Event be agreed.** |
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