

MEETING OF GOVERNING BOARD**TIME/DATE** 5.00pm, Tuesday 16th October 2018**VENUE** GATEWAY CONFERENCE ROOM, PARSON'S WALK, WIGAN

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| ATTENDANCE | Independent Governors | Frank Costello, Chair <i>Diane Brennan</i> Ann Harrison Susan Loudon Susan Spibey Katherine Causey <i>Gai Murphy</i> <i>Janet Minto</i> <i>Jenny Bullen</i> Michael Ferraby Gill Edwards Andrea Ferguson |
| | Staff Governors | Jennifer Cockram Catherine Langstreth |
| | Student Governors | Rachael D'Arcy |
| | Principal | Anna Dawe |
| | Clerk to the Governing Board Vice Principal, Curriculum Vice Principal, Corporate Services Finance Director Assistant Principal, IT, MIS and Sub-contracting | Robert Smith Claire Foreman Louise Brown Steve Scott Dave Harrison |

PART 1 MINUTES

| Item | | The meeting opened at 5.05pm and was quorate with at least 7 members present. |
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| 1 | GB/18/10/001 | <p>APOLOGIES</p> <p>Apologies were received from Diane Brennan, Jenny Bullen, Gai Murphy and Janet Minto.</p> |
| 2 | GB/18/10/002 | <p>DECLARATION OF INTERESTS</p> <p>The Chair emphasised the importance of always declaring any interest in matters due to be discussed at Board and committee meetings and suggested that, where there is any doubt whether a potential conflict of interest may be relevant, members should make a declaration.</p> <p>There were no declarations of interest in relation to matters to be discussed under the Part 1 agenda for this meeting.</p> |

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| 3 | GB/18/10/003 | <p>APPOINTMENT OF STUDENT GOVERNOR</p> <p>The Chair advised that the student body had nominated Rachael D’Arcy for the position of Student Governor. He provided a short introduction relating to Rachael’s studies at the college and her outside interests. Members and the Executive Team introduced themselves and provided an outline of their role on the Board or at the college.</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> i) That Rachael D’Arcy be appointed Student Governor with immediate effect for a period of four years or until she leaves the college upon the completion of her studies; and ii) That Rachael D’Arcy be appointed a member of the Curriculum & Student Matters Committee with immediate effect. |
| 4 | GB/18/10/004 | <p>PART 1 MINUTES OF THE GOVERNING BOARD MEETING HELD ON 3RD JULY 2018</p> <p>The minutes were approved as a correct record for signature by the Chair, subject to the following minor amendments:</p> <ul style="list-style-type: none"> i) Addition to minute GB/18/07/125 that the lead governor for safeguarding suggested that the Board should receive a presentation from the Safeguarding Team outlining their key activities; and ii) Amendment of the Instrument & Articles clause under minute GB/18/07/119 (vi) to indicate that audio and video conferencing facilities should “only” be allowed in the stated circumstances. <p style="text-align: right;">Action: Clerk</p> |
| 5 | GB/18/10/005 | <p>MATTERS ARISING</p> <p>The Assistant Principal, IT, MIS & Sub-contracting confirmed that advice had now been sought in relation to the need to implement procurement controls in relation to sub-contracting. He reported that these controls did not apply to sub-contracted activity where the partner recruited the learners.</p> <p>The Clerk advised that the planned changes to governor advice prior to Links Visits would be implemented on the next cycle of visits, which was expected to take place in November. He also confirmed that the visits would include an opportunity to follow up on matters raised during the previous cycle.</p> |
| 6 | GB/18/10/006 | <p>STRATEGIC PLAN UPDATE</p> <p>The Principal circulated a printed draft of the proposed “Strategic Vision” document and invited members to review the document outside of the meeting and provide any feedback prior to the final document being produced. The Principal also provided a presentation updating members on strategic progress under the revised strategic priorities of Quality, Place and Sustainability and outlined achievements and challenges under each priority.</p> <p><u>Quality</u></p> <p>Members were pleased to learn that achievement rates in 2017/18 had improved by 2.9% since the previous year. Members recognised that this increase was a significant achievement in one year, particularly as it followed previous improvement in recent years. The Principal advised that the overall achievement rate was now around 5%</p> |

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| 6.2 | <p>above national average.</p> <p>Members were also pleased to learn that retention had shown a small improvement since 2016/17, although there had been a decline in relation to Level 3 courses. The Principal confirmed that a review would be undertaken and actions formulated at course level. The KPIs for programme performance were discussed and it was noted that there had been a 100% pass rate for A Levels (A-E), with 83.5% achieving grades A-C. Again, it was noted that these achievement rates were above national average. The Principal summarised ALPs Value-Added performance and reported that this was graded as 'outstanding'.</p> <p>The outturn results for English and Maths GCSE were discussed and the Principal advised that grades 9-4 for English at age 16-18 (previous A-C grades) had improved by 15% and were now 3.3% above national average. She also advised that the same grades in English for 19+ showed an improvement of 4.7%. It was noted that GCSE Maths showed an overall improvement across both age ranges, but that grades 9-4 had shown a decline. Members recognised that this would remain a key objective in future years, but noted that there had been a decline in Math GCSE results nationally across the FE sector and the college remained above national average.</p> <p>Performance for apprenticeships was discussed and the Principal acknowledged that this remained a challenging area of activity. She reported that overall achievement rates were slightly below national average, but that timely achievement rates remained significantly below the national average. Members accepted that the college's increased focus on apprenticeships in recent years had involved unearthing issues and identifying solutions. It was recognised that this had included identification of disengaged apprentices and bringing them back into learning, which had the effect of increasing the proportion of apprentices that would not complete their programmes in line with timely targets. The Principal confirmed that management and staffing changes in this area were expected to bring about significant improvements during 2018/19.</p> <p>The Chair asked whether sub-contracting had made a significant difference to the performance on apprenticeships. The Principal responded that sub-contracting had impacted negatively on achievement rates, but that direct college apprentices also required improvement. It was noted that plans to reduce reliance on sub-contracting would remove most of the partnership provision during 2018/19.</p> <p>The Principal acknowledged that apprenticeships remained the most significant challenge for the college and advised that this would be made very clear in the college Self-assessment Report (SAR) and Quality Improvement Plan. She reported that the SAR process was progressing well and that the Chair and Co-Vice Chairs had been invited to review the draft documentation before presentation to the Curriculum & Student Matters Committee in November.</p> <p><u>Place</u></p> <p>The Principal confirmed that the Leigh Hair & Beauty Project had been completed on time and within budget and that this had contributed towards a significant change in the vibrancy of the Leigh campus. The Principal also confirmed that the new partnership with Wigan Athletic Community Trust had been launched. She advised</p> |
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that recruitment numbers at Leigh had been positive and that it was clear that the campus was developing a stronger and more positive identity. It was noted that further investment was planned for Leigh and that this would be discussed under the Part 2 agenda. Members discussed changes to the curriculum provision at Leigh, including the launch of a Foundation Degree in Applied Biology.

The Principal reported that a traineeship programme and supported internships had been developed and that sub-contracted activity with Wigan Warriors had been established. She also reported that a post-16 data sharing agreement was now in place and its development had been supported by the WEP Board. Members noted that the college was also working with the Healthier Wigan Partnership and the Public Services Reform Board. They also noted that the college was engaged with the Careers Hub, which had the aim of meeting Gatsby benchmarks for careers guidance and employability across the Greater Manchester area. The Principal outlined discussions at a recent meeting with the Department for Education relating to the integration of the University Technical College as a provider.

The key areas of focus for Place during 2018/19 were discussed, including devolution of the Adult Education Budget (AEB), further development of the Leigh Strategy and the development of an integrated skills offer with a specific focus on employers.

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Sustainability

The Principal outlined plans for the college's estate and learning resources and members were pleased to learn that this included plans to establish FAB Futures and to develop a Clinical Skills Ward at Leigh College. Members were also pleased to learn that work to improve the entry road and cycle shelters at Parson's Walk had been completed during the summer period.

The Principal provided a summary of financial outturn performance for 2017/18 and outlined the ways in which investments had been made into the college's estate and learning resources. She highlighted that there had been increased spend/utilisation of the AEB budget at the same time as reducing sub-contracted activity within this income line, there had been increases in HE and high-needs funding income and 16-18 numbers had increased. She commented that it was encouraging that the college had been able to retain its good financial health and achieve a positive financial surplus, whilst also investing in the future. The key risks for 2018/19 were discussed, including 'hidden costs' associated with current skills capital funding bids, uncertainties relating to AEB devolution, increases in pension costs and the continuing need to further invest in the college's estate.

Growth in recruitment was discussed and members recognised that the college was on target to achieve or exceed its 2018/19 recruitment targets for 16-18 age groups. The Principal commented that recruitment growth in the current year would be very positive, given that the college had already seen growth in recent years and that this was against a backdrop of a reduced demographic position that would usually lead to reductions in recruitment numbers. The Principal highlighted the need for the Board to consider how the college could respond to further growth during future years when an upturn in demographic data was expected. She commented that the college's estate may not have the space to cope with increased demand and explained that the Executive Team would bring further reports to the Board presenting proposed strategies to accommodate further growth in recruitment numbers.

19+ recruitment was considered and members were pleased to learn that further growth was expected. It was noted that enrolled learner numbers had increased year-

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| 6.4 | | <p>on-year and that there had also been a significant increase in ESOL enrolment numbers. However, the Principal cautioned that the college could expect a significant number of withdrawals and 'no shows' for this activity. Further expansion in distance learning provision was also discussed and members noted that the college continued to reduce its reliance on sub-contracted provision.</p> <p>The Principal explained that apprenticeship recruitment targets had been set at a modest level in order to reflect the recruitment volatility during 2017/18. However, she was pleased to report that the college expected to exceed its 16-18 recruitment targets and, whilst it would be challenging, the college was also positive about meeting its 19+ targets. The Principal alerted members to a possible concern relating to availability of funds for 16-18 growth in light of a national change to the Apprenticeship Funding & Performance Management Rules. She explained that there would be no assumption that 16-18 apprenticeship over-performance would be funded during 2018/19.</p> <p>The Principal reported that Higher Education and high needs funding were on track, but that full cost recovery, advanced learner loans and other managing agents activity were unlikely to reach income targets. However, she explained that further recruitment activity was planned to minimise any income shortfalls.</p> <p>It was noted that future strategy would need to retain focus on upgrading the estate, redeveloping the estate to accommodate future growth and continuation of investment in infrastructure and staff.</p> <p><u>Key Achievements</u></p> <p>Members were pleased to note the key achievements during 2017/18, which included becoming the FE College of the Year in the 2018 Educate North Awards, highest regional student satisfaction rates in the FE Choices Survey and securing the Beacon Awards AoC Mental Health & Wellbeing Award. Members noted that this was in addition to the excellent student recruitment and achievement data already discussed and sustaining the college's good financial health.</p> <p>The Chair commented that 2017/18 had been a very positive year, although some challenges remained, including the improvement of apprenticeship outcomes. The Chair of the Audit Committee congratulated the Executive Team and the rest of the college's staff for an excellent performance and commented that the college's clear focus on areas for improvement had helped to deliver improved outcomes. The Chair of the Resources Committee suggested that improvements had also been supported by the Executive Team's proactive identification of problems and finding solutions before adverse impacts materialised. Other members concurred with these comments and agreed that results and recruitment were both positive, although some areas of challenge would require continued focus to bring about further improvements.</p> |
| 7 | GB/18/10/007 | <p>CAREERS STRATEGY</p> <p>The Principal explained that the new Careers Strategy had taken effect from the start of the current academic year and outlined the key college responsibilities in relation to this initiative. She advised that activity was well-advanced and that a Careers Leader had been appointed. She also advised that the Careers programme had been published on the college's website as required. It was noted that monitoring of the Careers Strategy implementation would be facilitated through further reports to the Curriculum & Student Matters Committee.</p> <p style="text-align: right;">Action: Clerk</p> <p>The Chair advised that he had been given written feedback from one of the governors</p> |

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| | | <p>unable to attend the meeting and highlighted the need to continue to engage with employers to shape the curriculum and develop careers pathways and workplace opportunities. He also reported that the feedback included the need to facilitate governors' monitoring of outcomes. The Principal agreed to consider the written feedback further and to modify approaches if required. It was also noted that key performance indicators would be in place for the Careers Strategy and that performance would be benchmarked against other providers.</p> <p>The college's approach to placement arrangements was discussed and the challenges in achieving the required numbers of placements discussed at the previous meeting were again noted. The Chair of the Audit Committee commented that the current staff utilisation rates at the college indicated that it may be challenging to accommodate the additional careers-related requirements. The Principal responded that adequate staffing investment had already been made to meet the requirements.</p> <p>RESOLVED: That the Careers Strategy be approved.</p> |
| 8 | GB/18/10/008 | <p>EXTERNAL STAKEHOLDER ENGAGEMENT UPDATE</p> <p>The Principal provided an update in relation to the college's external stakeholder engagement, including relationships with Wigan Council, the Greater Manchester Combined Authority, schools and employer forums. She also circulated a brief summary of her own recent external stakeholder engagement activity, including meetings with the Wigan Association of Schools & College Leaders, the GM College Group, the Wigan Forward Board and attendance at the GM Economic Growth Conference. Governors recognised the wide variety of engagement activity and asked for further information about employer engagement. The potential for governors meeting with employers was discussed and the Principal commented that college managers and staff met with employers on a daily basis and suggested that governor involvement in employer engagement could be considered further if clear purposes were identified and the way in which the engagement would fit into the overall engagement strategy was also clear.</p> |
| 9 | GB/18/10/009 | <p>SEARCH & GOVERNANCE COMMITTEE</p> <p><u>Board Self-Assessment</u> (including Code of Governance Compliance checklist)</p> <p>The Chair advised that the committee had reviewed the draft Board Self-Assessment and now recommended this for approval by the Board. He also provided a summary of the outcomes of the governors' self-assessment questionnaire. Members were pleased to note that responses indicated that members were positive about their own contributions, the work of the Board and its committees and the effectiveness of the Chair of the Board.</p> <p>It was noted that the draft self-assessment document had been left ungraded in order that the whole Board could determine appropriate grades under each of the self-assessment sections and an overall grade. Members determined the grading under each of the four main headings and an overall self-assessment grading of 'good'. The Clerk agreed to add the grading to the final version of the self-assessment document.</p> <p style="text-align: right;">Action: Clerk</p> <p>It was also noted that the self-assessment documentation included a Business Checklist detailing the actions required of the Board to meet statutory obligations,</p> |

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| | | <p>Audit Code of Practice requirements and other internal and external expectations. Members noted that there was strong compliance with these requirements. It was also noted that improvement actions had been identified in the main Board Self-Assessment document.</p> <p>The Chair advised that a review had taken place in relation to compliance with the Code of Good Governance for English Colleges. He outlined the findings of the review and members were pleased to recognise that there was a strong level of compliance with the Code both by the Board and by the college Executive. Again, it was noted that improvement actions had been identified in the main Board Self-Assessment document.</p> <p><u>Instrument & Articles of Government</u></p> <p>Members discussed proposed changes to the Instrument & Articles of Government and noted that most changes were to effect factual changes or previous decisions of the Board. Other changes were included to reflect Internal Auditor recommendations and to provide clarification of website publication requirements. It was noted that one small amendment would be made to the final version in line with comments made earlier in the meeting relating to the minutes of the previous meeting.</p> <p><u>Search & Governance Committee Terms of Reference</u></p> <p>Members discussed proposed changes to the committee's terms of reference. Again, it was noted that most changes were to reflect factual changes or previous decisions of the Board. It was also noted that recent recommendations made by the Internal Auditor had also been reflected in the proposed amendments.</p> <p><u>Policy / Document Reviews</u></p> <p>The Chair explained that three new draft documents had been reviewed by the committee and that these were now recommended to the Board for approval. Members discussed the content of the member Expenses Policy the Governor Role Description and the Chair of the Board Role Description.</p> <p><u>Re-appointment of Members and Probationary Reviews</u></p> <p>The Chair reported that the committee had discussed the re-appointment of Diane Brennan and Sue Loudon as their terms of office were due to expire. He advised that the committee had carried out a formal review of the members' skills audits and the skills needs of the Board and had concluded that both governors had skills and experience that helped to provide the Board with a strong balance of expertise, coupled with outstanding commitment to the college. He confirmed that the committee had concluded that re-appointment of both governors provided the Board with a better option than seeking to recruit new members externally.</p> <p>The Chair also reported that the committee had discussed the probationary reviews of Jenny Bullen, Janet Minto, Mike Ferraby, Gill Edwards and Andrea Ferguson. He advised that the committee had concluded that all five of the new governors had shown an excellent commitment to the college and that their continued appointment should be recommended.</p> <p><u>Search & Governance Committee Annual Report</u></p> <p>The Chair presented the committee's annual report to the Board and explained that this provided a brief summary of the committee's activity during 2017/18. He confirmed that the committee had discharged all of its responsibilities as contained within its terms of reference and within the Instrument & Articles of Government.</p> |
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| | | <p>RESOLVED:</p> <p>i) That the draft Board Self-Assessment for 2017/18 be approved;</p> <p>ii) That the Board Self-Assessment Grades be added as follows:</p> <ul style="list-style-type: none"> • Capabilities & Representation – 2 • Strategy & Direction – 1 • Overview & Scrutiny – 2 • Governor Involvement – 2 • OVERALL – 2; <p>iii) That the proposed revisions to the Instrument & Articles of Government be approved;</p> <p>iv) That proposed revisions to the Search & Governance Committee terms of reference be approved;</p> <p>v) That the draft Member Expenses Policy be approved;</p> <p>vi) That the draft Governor Role Description be approved;</p> <p>vii) That the draft Chair of the Board Role Description be approved;</p> <p>viii) That, following a formal review by the Search & Governance Committee, Diane Brennan and Sue Loudon both be re-appointed for further four-year terms of office or until the next Board meeting after a period of four years;</p> <p>ix) That, following completion of the probationary periods of Jenny Bullen, Janet Minto, Mike Ferraby, Gill Edwards and Andrea Ferguson, continuation of the full four-year term of office for each member be approved; and</p> <p>x) That the Search & Governance Committee Annual Report be approved.</p> |
| 10 | GB/18/10/010 | <p>FINANCE: MANAGEMENT ACCOUNTS JULY 2018</p> <p>The Finance Director presented the draft management accounts for July 2018, which represented the final year-end position. He reminded members that a significant income shortfall for apprenticeships had been identified early in the year and that a revised reporting surplus forecast of £348K had been agreed at that time. He also reminded members that he had been instructed to utilise some of the likely surplus for further investment in learning resources. Members noted that a £195K re-investment had been made and that the final reporting surplus position was now £154K. The Finance Director outlined those areas of activity that had performed better than expected and those where income was below expectations. This included the significant shortfall in apprenticeship income against the original budget.</p> <p>The Finance Director summarised the college's cash position and members were pleased to learn that this stood at £4.46M at year end, which represented 59 'cash days'. It was noted that this was above expectations within the budget. The Finance Director also confirmed that the outturn position was in compliance with the college's banking covenants.</p> <p>Members recognised the college's stable financial position and were pleased to acknowledge that good financial health under Education & Skills Funding Agency criteria had been established for the third consecutive year. The Chair commented that this was a positive outcome reflecting the hard work of the Finance Director, the Executive Team and the Resources Committee.</p> <p>RESOLVED: That the Management Accounts for July 2018 be approved.</p> |
| 11 | GB/18/10/011 | <p>ANNUAL SUB-CONTRACTING REPORT AND FEES & CHARGING POLICY</p> <p>The Assistant Principal provided an update on the delivery position for sub-contracted activity and highlighted variances since members first approved the sub-contracting values for each partner. Members recognised that, whilst increased activity was carried out with some partners, the overall activity value was below that originally approved.</p> |

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| | | <p>Members discussed recent reforms to the apprenticeship arrangements, including the introduction of the Apprenticeship Levy. It was noted that the changes provided additional flexibility for employers to nominate more than one provider for different parts of the activity associated with their apprentices. The Assistant Principal confirmed that, where more than one provider is used, this is not considered to be sub-contracted activity under the new arrangements. However, it was noted that few employers had elected to take advantage of this element of the new arrangements and that most continued to engage a single provider.</p> <p>The Assistant Principal reminded members of recent discussions about arrangements with CITB, where proposals had been raised to enter into reversed sub-contracting arrangements. It was noted that this was now subject to discussions at a national level to determine whether such arrangements would comply with funding requirements, especially as many viewed the CITB contract terms as overly-restrictive. The Assistant Principal advised that the AoC had taken up the matter on behalf of colleges.</p> <p>Members sought confirmation that reductions in sub-contracting volumes were progressing as expected. The Assistant Principal confirmed this to be the case.</p> <p>The Assistant principal also drew members' attention to the proposed Fees and Charges Policy for 2018/19. It was noted that this policy and framework was a requirement under funding arrangements.</p> <p>RESOLVED:</p> <p>i) That the Annual Sub-contracting Report be approved; and ii) That the Fees and Charging Policy for 2018/19 be approved.</p> |
| 12 | GB/18/10/012 | <p>ANNUAL REPORT ON DATA PROTECTION & FREEDOM OF INFORMATION</p> <p>The Assistant Principal outlined Freedom of Information requests during 2017/18 and members discussed the categories of information required by those making the requests. It was noted that required response times had been met on all occasions.</p> <p>It was noted that data protection requirements had changed in-year with the implementation of the General Data Protection Regulations (GDPR) in May 2018. The Assistant Principal advised that this had led to an increase in subject access requests, with 314 requests in total, an increase year-on-year of 191. Members acknowledged that the changes in regulations and highly-publicised launch of GDPR were likely to be the key causes for this increase. The Assistant Principal confirmed there had been no reported breaches of the new data protection requirements during 2017/18. He also confirmed that the college had delivered significant training for managers and staff to ensure that they were well-prepared for the changes.</p> |
| 13 | GB/18/10/013 | <p>REPORT ON THE USE OF THE CORPORATION SEAL</p> <p>The Clerk provided a summary of the use of the Corporation Seal during 2017/18. It was noted that the seal had been used three times as already reported to the Board. These were as follows:</p> <ul style="list-style-type: none"> • Surrender of Leigh Sports Village Lease – 16th January 2018 • Contract between College and Link Contracting Ltd in relation to works to the science lab, interview room and hair salon – 19th January 2018 • Correction of Leigh Sports Village Lease surrender (Form TR1) – 27th March 2018 <p>In addition, the Clerk advised that the seal had been applied to:</p> |

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| | | <ul style="list-style-type: none"> Contract with Whitfield & Brown in relation to the recent Hair & Beauty Project <p>In relation to the latter item, it was noted that the contract approval had been provided by the Chair of the Board under delegated authority, who also gave interim approval for the use of the seal.</p> <p>RESOLVED: That use of the seal during 2017/18 be noted and formal retrospective approval be given in relation to use of the seal for the Whitfield & Brown contract, with authority to Anna Dawe and Jennifer Cockram to authenticate the application of the seal.</p> |
| 14 | GB/18/10/014 | <p>ANY OTHER BUSINESS</p> <p>There was no further business.</p> |
| | | <p>DATE OF NEXT MEETING 5.00pm Tuesday 11th December 2018</p> |
| | | <p>Part 1 of the meeting closed at 6.30pm and staff and student governors left the meeting.</p> |