

MEETING OF GOVERNING BOARD**TIME/DATE** 5.00pm, Tuesday 27th March 2018**VENUE** GATEWAY BOARDROOM, PARSON'S WALK, WIGAN**ATTENDANCE** Independent Governors

Frank Costello
 Diane Brennan
 Ann Harrison, Chair
 Susan Loudon
 Susan Spibey
Katherine Causey
 Gai Murphy (by skype)
 Janet Minto
 Jenny Bullen
 Michael Ferraby
 Gill Edwards
Andrea Ferguson

Staff Governors

Jennifer Cockram
 Catherine Langstreth

Student Governors

Amanda Ammekk
 Declan Harrison

Principal

Anna Dawe

Clerk to the Governing Board

Robert Smith

Vice Principal, Curriculum

Claire Foreman

Vice Principal, College Services

Louise Brown

Head of Finance

Steven Scott

Assistant Principal, College IT Services, MIS Dave Harrison
 and Sub-contracting

Steven Scott

MIS Dave Harrison

and Sub-contracting

PART 1 MINUTES

Item		The meeting opened at 5.00pm and was quorate with at least 11 members present.
1	GB/18/03/80	APOLOGIES Apologies were received and accepted from Frank Costello, Katherine Causey, Andrea Ferguson and Jennifer Cockram.
2	GB/18/03/81	ELECTION OF CHAIR In the absence of Frank Costello, Ann Harrison was elected Chair for this meeting.
3	GB/18/03/82	DECLARATION OF INTERESTS There were no declarations of interest.
4	GB/18/03/83	PART 1 MINUTES OF THE GOVERNING BOARD MEETING HELD ON 6TH FEBRUARY 2018

		The minutes were approved as a correct record for signature by the Chair.
5	GB/18/03/84	<p>MATTERS ARISING</p> <p>The Principal provided an update in relation to the management of apprenticeships and business services. She advised that an existing Assistant Principal would be taking responsibility for Business Services, and that an additional Assistant Principal would be appointed.</p> <p>The Vice Principal, Curriculum circulated an update in relation to final English and Maths GCSE results for 2016/17, following an appeal to the examination board. Members were pleased to note that, as a result of the appeal, the final overall result for English GCSE had increased to 23.5% from an original overall result of 18.0%.</p> <p>The Principal advised that the Clerk would provide an update to the Audit Committee regarding requirements for publishing information on the college website and the college's compliance with these requirements.</p> <p style="text-align: right;">Action: Clerk</p> <p>The Principal also advised that information relating to the Greater Manchester Strategy and careers strategy would be included in the pack of information to be circulated in advance of the forthcoming Strategic Workshop.</p> <p style="text-align: right;">Action: Principal</p> <p>It was noted that all other items included on the Actions Sheet had either been completed or would be covered under subsequent agenda items at this meeting.</p>
6	GB/18/03/85	<p>AUDIT COMMITTEE 14TH MARCH 2018</p> <p>The draft minutes of 14th March 2018 were approved.</p> <p>The Chair of the Audit Committee reported that the committee had received a detailed update in relation to the college's preparation for the implementation of the General Data Protection Regulations (GDPR) in May 2018. She explained that the college had made significant progress and congratulated managers and staff for the level of progress made to date. However, it was noted that further work would be required to complete preparations and that GDPR would remain on the risk register until there was clear confidence that new arrangements were effective and embedded into college systems.</p> <p>The Chair outlined the Internal Auditor's findings in relation to the annual ESFA Sub-Contracting Assurance Audit. She reported that the Auditor had confirmed that the audit did not give rise to any significant concerns and the college was fully compliant with most of the audit requirements, and that she was satisfied that recommended improvement actions were being put in place as agreed. The Chair advised that a draft audit report for Corporate Governance and HE Strategy had been presented, but would be considered fully at the next committee meeting. It was noted that the draft actions for Corporate Governance would be reviewed by the Auditor and the Clerk before finalising the report. The ILT Strategy audit was discussed and members were pleased to learn that no improvement actions had been identified. The Chair commented that it was pleasing that internal audit outcomes had improved considerably and that this reflected on the work of managers and staff to improve college systems of control.</p>

		<p>It was noted that the committee had reviewed the college's risk register and a new risk relating to the implementation of the Estates Strategy was discussed. The Chair commented that risks associated with sub-contracting would be considered further under a later agenda item.</p> <p>The Chair reported that the committee had received the annual Anti-Fraud Report, which had indicated that no instances of fraud had been identified since last reported. It was noted that the Risk Management Policy, Risk Appetite Statement and Whistleblowing Policy had been reviewed by the committee and the Chair sought Board approval of the unchanged policies and inclusion of the Risk Appetite Statement into the existing Risk Management Policy. The Clerk outlined a number of minor corrections to the Risk Management Policy suggested by one of the members who had been unable to attend the meeting.</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> i) That, subject to minor corrections, the Risk Management Policy be approved; ii) That the Risk Appetite Statement be approved for inclusion within the Risk Management Policy; and iii) That the Whistleblowing Policy be approved.
7	GB/18/03/86	<p>RESOURCES COMMITTEE 15TH MARCH 2018</p> <p>The draft minutes of 15th March 2018 were approved.</p> <p>In the absence of Katherine Causey, Diane Brennan outlined discussions at the Resources Committee meeting. She explained that the committee had been pleased to note significant engagement levels in relation to the recent staff survey and good levels of positivity in terms of staff responses to survey questions. It was noted that the committee had discussed recruitment challenges in relation to some specialist teaching posts, including Maths & English and other specialist areas, such as Civil Engineering.</p> <p>Ms Brennan highlighted discussions regarding the reporting of mitigating actions to address income shortfalls and it was noted that the committee had asked that reporting be made clearer when the ability to mitigate was the result of a built-in 'cushion' within the college's pay budget, rather than specific actions to cut costs elsewhere within the budget. She also outlined discussions relating to the requirement to publish data on the college's gender pay gap reporting. It was noted that the committee had discussed the college's Estates Strategy and wider approach to capital investment, but that this would be considered in greater detail under the Part 2 agenda at this meeting.</p> <p>Members discussed guidance provided in relation to governor challenge in a letter from the previous Chief Executive of the Education & Skills Funding Agency. The Interim Finance Director explained that the letter outlined eight questions for consideration by governors and that the committee had considered each of these and the way in which each had been risk-rated by the college. It was noted that three of these questions had been rated as an 'amber' risk and none had been rated as a 'red' risk. The three 'amber' risks were discussed in detail.</p> <p>Members recognised that the Board was expected to review whether it possessed sufficient financial skills and experience amongst its membership and that the Search and Governance Committee had previously agreed that this was an area for further</p>

		<p>focus in terms of governor recruitment. The Clerk advised that he had also received governor feedback supporting further recruitment of financial expertise. However, it was noted that recent appointments had brought significant additional financial expertise and it was agreed that the current risk rating could be reduced to a 'green' risk.</p> <p>Members discussed the second 'amber' risk relating to the college's ability to accurately forecast its financial performance. Members acknowledged that the previously-reported issue relating to an apprenticeship funding shortfall was largely out of the control of the college. It was agreed that the primary concern in such circumstances should be the ability of the college to respond quickly to income shortfalls in a way that maintains its ability to generate an end of year financial surplus. It was noted that the college had been able to demonstrate the required financial agility to ensure this was the case and agreed that the question could be reduced to a 'green' risk.</p> <p>The Interim Finance Director highlighted the third 'amber' risk, relating to governor scrutiny of commercial activity. It was noted that the college had very little general commercial activity and that sub-contracting activity was monitored in detail throughout the year. It was agreed that this question could be reduced to a 'green' risk, subject to a request from Members that commercial income and costs be clearly identified during curriculum planning in order that the extent of commercial activity can be easily understood.</p> <p style="text-align: right;">Action: Finance Director</p> <p>Ms Brennan sought Members' views as to whether the Internal Auditor should be further consulted in terms of any additional guidance relating to assurances available in relation to the questions raised in the ESFA Chief Executive's letter. It was agreed that this advice should be sought.</p> <p style="text-align: right;">Action: Clerk</p>
8	GB/18/03/87	<p>CURRICULUM & STUDENT MATTERS COMMITTEE 13TH MARCH 2018</p> <p>The draft minutes of 13th March 2018 were approved.</p> <p>In the absence of Frank Costello, the Chair circulated a brief written overview of the committee's discussions provided by the Chair of the Committee. It was noted that a presentation by the Health & Social Care curriculum area had provided the opportunity to hear about improvements in student outcomes, with positive movements in retention, attendance and student satisfaction. The presentation had also made it clear that these improvements had been accompanied by general improvements in student behaviour. Members were pleased to learn that the area had been able to secure similar outcomes for Maths & English, as to those of the main course aims. It was acknowledged that this was indicative of excellent progress in helping students to understand the importance of Maths & English as part of their overall courses. The Chair highlighted improved staff stability in the area as a key ingredient in delivering recent improvements.</p> <p>Members noted that the committee had also discussed the college's HE Strategy and the implications of the introduction of the new Office for Students and the new Teaching for Excellence Framework. Potential issues were recognised in relation to whether the National Student Survey would bring into scope the college's part-time students. It was also acknowledged that the Chair of the Committee had highlighted the importance of</p>

		<p>ensuring that student expectations were realistic and that college commitments for HE courses were delivered as expected.</p> <p>The Chair pointed out that the committee had discussed challenges associated with sub-contracted provision, although this would be discussed in more detail under a subsequent agenda item. It was noted that the committee had also discussed alignment of college provision with local, regional and national skills strategies, which would be considered in more detail at the forthcoming Strategic Workshop.</p> <p>The Chair drew Members' attention to three documents requiring Board approval: the Equality & Diversity Report; the Safeguarding Children Policy; and the Safeguarding Vulnerable Adults Policy. It was suggested that a reference to "local community schools" on Page 4 of the Equality & Diversity Report may be misleading and agreed that the word "community" should be deleted so the report simply referred to "local schools". It was also suggested that references within the document to "disabled people" be changed to "people with disabilities". It was agreed that this was more appropriate terminology and in line with current expectations.</p> <p style="text-align: right;">Action: Vice Principal, Curriculum</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> i) That, subject to the minor amendments detailed in the above text, the Equality & Diversity Report 2016/17 be approved; ii) That the Safeguarding Children Policy be approved; and iii) That the Safeguarding Vulnerable Adults Policy be approved.
9	GB/18/03/88	<p>CURRICULUM PLANNING</p> <p>The Vice Principal, Curriculum provided a presentation and highlighted key changes for 2018/19 in the college's planning of 16-18 Study Programmes, Adult Programmes, Apprenticeships and Higher Education.</p> <p>In terms of Study Programmes, Members discussed 2017/18 growth in recruitment for both existing courses and for new provision. It was noted that new 16-18 starters had grown from 1,348 in 2016/17 to 1,423 in 2017/18 and that this had been subject to the Education & Skills Funding Agency's 'lagged funding' principle, which would mean that associated funding would not increase until 2018/19. The Vice Principal outlined those areas where student numbers had increased. However, it was noted that 19+ infills into Study Programmes had decreased in 2017/18, and that numbers of sub-contracted learners had also decreased in line with the previous strategic decision to reduce focus in this area of activity.</p> <p>The Vice Principal drew Members' attention to proposed changes in Study Programmes for 2018/19, including the modernisation of some provision to focus more clearly on current careers opportunities. She highlighted the example of cyber security becoming a more important element of IT teaching. It was noted that consideration would be given to expanding curriculum options and the introduction of some new provision. The Vice Principal also advised that the college would aim to further increase the availability of Traineeship Programmes and to increase the provision available at the Leigh campus. Members asked whether there would be significant resource implications in the expansion of provision at Leigh. The Vice Principal responded that courses would generally be expected to be self-supporting financially, although the college may run smaller cohorts in some areas in the knowledge that cohort sizes often increase after the first year.</p>

		<p>Members discussed 2017/18 recruitment for adult learners and it was noted that there had been a significant increase in students joining English, Maths and ESOL (English for Speakers of Other Languages). It was also noted that recruitment growth was expected in relation to the recent trial of a distance learning programme. The Vice Principal explained that this related mainly to specialist additions to existing programmes. The Vice Principal also outline proposed developments to Adult Programmes for 2018/19, including revisions to the Pre-Access Programme to increase progression to Level 3, introduction of a pre-nursing option to Access Level 3 Health, and the expansion of vocational courses in partnership with Job Centre Plus. Members sought clarification in relation to the source of ESOL funding and asked whether this related to an increase in support for asylum seekers within the Borough. The Principal confirmed that the funding was part of the college's Adult Education Budget and that the college had taken an active role in helping to provide ESOL support for learners from within and outside of the Borough.</p> <p>Changes relating to Apprenticeships were discussed, including national progress in developing new Standards to replace existing Frameworks. The Vice Principal reported that future T Level qualifications were expected to align to the new Standards. It was noted that the college would seek to adopt relevant new Apprenticeship Standards as each became available. Additional opportunities to work with employers on a commercial fee basis were also discussed.</p> <p>The reduced forecast of Higher Education numbers was discussed and it was recognised that this partly related to Degree Apprenticeships data now being included under Apprenticeships, rather than within HE data. However, it was also noted that numbers had grown through internal student progression and the launch of new courses. Changes to HE provision were discussed, including the introduction of new courses and the withdrawal of relevant existing provision.</p> <p>Members commented on the hand-outs provided for presentations and suggested that these were produced with fewer slides per page to make them easier to read. They also asked that circulation of papers at meetings be reduced, with as much material as possible being circulated in advance to allow consideration of matters in advance of meetings. It was also noted that members attending via Skype were not able to receive hand-outs. The Member attending by Skype also commented that it was difficult to clearly see presentation slides via the remote camera.</p>
10	GB/18/03/89	<p>OFSTED MONITORING VISIT: SUB-CONTRACTING</p> <p>The Principal circulated the recent Ofsted report, following a monitoring visit to review the college's sub-contracted provision. This report had previously been sent electronically to all governors. Members discussed the outcomes of the visit and it was noted that, whilst the feedback in the report found reasonable progress in ensuring high quality training and education with good or better outcomes and ensuring effective safeguarding arrangements, the overall management of provision was deemed to have delivered insufficient progress.</p> <p>It was noted that Wigan & Leigh College appeared to be one of the first colleges subjected to new monitoring visit arrangements announced in February 2018 and that the associated report was the first to be published. Concerns were expressed in relation to publicity and potential reputational damage and the Principal confirmed that the visit outcomes had been reported in both FE Week and the Times Educational Supplement. Members commented that adverse reporting appeared not to have taken into account recent improvements in learner outcomes. The Principal responded that improved in-year data was shared with the inspectors, but that the amount of new data available was not sufficient to impact significantly on the overall findings. However, Members also stressed the importance of responding positively to the findings and ensuring that improvement areas identified were addressed promptly and robustly. The</p>

	<p>Principal concurred with Members' comments and provided assurance that the Quality Improvement Plan would address all areas for improvement. She added that the college itself had already identified sub-contracting as a key area for improvement in its 2016/17 Self-Assessment Report and Quality Improvement Plan. It was noted that this had already involved increased investment in the capacity of the Quality Team, resulting in increased quality monitoring. The Principal also confirmed that the Ofsted visit did not highlight any concerns regarding due diligence or levels of management fees.</p> <p>The Principal outlined the current sub-contract arrangements with each partner and the potential maximum contract values for each. She also highlighted which of the current arrangements would continue to align with future strategy and which would be discontinued after the current contracts expired. Members recognised that the impact of these changes would be a far reduced volume of sub-contracting, which would help to alleviate the potential impact of partner performance on overall college achievement data.</p> <p>The Principal outlined the process involved in the monitoring visit, including lesson observations, due diligence reviews, site visits and telephone calls with learners and employers. It was noted that much of the activity reviewed had been positive and that inspectors had witnessed good teaching, learning and assessment, and had received positive responses from many learners and employers. Members acknowledged that this reflected the college's own view of the activity, in that there was a lot of good practice but more work would be required to ensure that this was consistent for all learners. The positive judgments detailed by Ofsted were discussed along with specific areas for improvement. Members also reviewed the latest available in-year data for sub-contracted provision, as well predicted achievement data for 2017/18.</p> <p>Members reflected that in-year data showed expected positive progress and were disappointed that this had not been considered with sufficient weight by inspectors. The Principal was asked whether it was possible to appeal against the judgment on this basis. She responded that an appeal against the judgment was not available, as appeals were generally only accepted if there had been significant failures in the inspection process. The process carried out for the visit was discussed and it was suggested that failure to properly consider available evidence of recent improvement may have constituted a failure of process. Members also expressed concerns that inspectors appeared to have failed to recognise that the Board and its committees had provided robust and regular challenge of the Executive in terms of sub-contracting. The Principal responded that inspectors had reviewed minutes of meetings and had not found details of this level of challenge. It was acknowledged that it was important that minutes clearly recorded governor challenge, so that it could be easily recognised when minutes were reviewed by Ofsted inspectors, funding agencies and others.</p> <p>It was noted that the current curriculum performance dashboard did not separate out sub-contracted apprenticeship provision from the overall apprenticeship data. It was agreed that this would be reviewed outside of the meeting.</p> <p style="text-align: right;">Action: Vice Principal, Curriculum</p> <p>Members requested further information in relation to the management of communications, following the publication of report findings in the educational media, and commented that it was possible that the item could find extended interest in local mainstream media. The Principal confirmed that the college had responded to current reporting and was prepared for further responses if required.</p> <p>Amanda Ammekk left the meeting at 6.30pm and the meeting remained quorate.</p> <p>The Vice Principal, Curriculum circulated the up-to-date Quality Improvement Plan for sub-contracted provision and outlined key actions in place to address and improve</p>
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		<p>performance. She explained that it was important that partner activity was treated as far as possible in the same way as in-house activity in terms of quality assurance and managerial oversight.</p> <p>Members discussed specific improvement actions within the Plan and were satisfied that a robust approach was in place to address the concerns expressed by inspectors.</p>
11	GB/18/03/90	<p>STRATEGIC PLAN</p> <p>The Principal explained that the college's Strategic Plan had previously been a detailed operational document, which decreased the clarity of strategy. She advised that the current plan would be formed of two parts, with the first outlining key strategy, vision and values, and the second providing additional detail of how the strategy would be operationally delivered. The draft of Part 1 was reviewed and Members welcomed the simplification and clarity in the outlining of key priorities. It was noted that the Chair of the Board had provided feedback suggesting that Part 1 of the plan should make specific reference to the strategic aims surrounding sub-contracting. It was also noted that both parts of the Strategic Plan would be considered in detail at the forthcoming Strategic Workshop.</p> <p>Members commented that it was important that the plan should be relevant for staff and students and that it should include a clear focus on Equality & Diversity. The Principal confirmed that staff and students would be given an opportunity to comment on the plan and make suggestions for improvement.</p>
12	GB/18/03/91	<p>SAFEGUARDING</p> <p>The Safeguarding Governor provided a summary of her recent meeting with staff and students and explained that it seemed clear that a recent increase in the number of safeguarding matters reported was at least partly due to staff ensuring that students were aware of the support available, and students becoming more comfortable to report matters to staff.</p> <p>Members discussed increases in the reporting of suicidal thoughts and acknowledged the important role that college staff play in providing emotional support to students. The Safeguarding Governor reported that there appeared to be improvements in the effectiveness of information sharing between the college, the local authority and the police.</p>
13	GB/18/03/92	<p>FINANCE</p> <p>The Interim Finance Director reminded Members that the first three items under this agenda item had previously been considered in detail by the Resources Committee. The Chair drew Members attention to the detail of discussions as recorded in the committee minutes.</p> <p>13.1 <u>Monthly Financial Report and Management Accounts</u></p> <p>The Interim Director explained that his report had been improved in accordance with a number of recommendations from the Resources Committee, including clearer reporting of cashflow performance and compliance with banking covenants. He also explained that the college's financial health remained 'Good' under the ESFA assessment format and was expected to remain 'Good' for the remaining four years of the 5-Year Plan. He circulated the ESFA confirmation of this assessment and a detailed breakdown of the analysis.</p>

		<p>The Chair commented that, as the Management Accounts had been reviewed by the Resources Committee, it may be preferable to simply invite further questions not covered in the committee minutes. There were no additional questions.</p>
	13.2	<p><u>Modelling Scenarios</u></p> <p>Members noted that three modelling scenarios had been presented to the Resources Committee and that all three presented a financial surplus.</p>
	13.3	<p><u>Fees Policy</u></p> <p>The Interim Director drew Members' attention to a number of proposed minor changes to the Fees Policy.</p> <p>RESOLVED: That the Fees Policy be approved.</p>
14	GB/18/03/93	GOVERNANCE
	14.1	<p><u>Links Visits</u></p> <p>The Vice Principal, Curriculum provided a summary of feedback from governors, following recent Links Visits. Members were pleased to note that the visits had been positive, with students providing positive feedback and staff showing improved enthusiasm and greater awareness of improvements delivered in-year. Governors who had attended visits provided additional comments and concurred with the Vice Principal that the visits had been generally positive. One issue raised during the visits was discussed and it was noted that students at Leigh had commented that the reliability and strength of the Wi-Fi signal at the campus sometimes caused internet access issues. It was noted short-term rectification works had been carried out to improve the Wi-Fi and that longer-term plans were in place to invest in permanent improvements.</p> <p>Members suggested that it would be helpful to receive feedback on improvement actions when issues had been raised during visits by staff and students. They also commented that the new form for providing visit feedback was overly complicated and prevented prompt response from governors. It was agreed that the form content would be reviewed.</p> <p style="text-align: right;">Action: Clerk and Vice Principal, Curriculum</p>
	14.2	<p><u>Election of Chair</u></p> <p>The Chair asked that this matter be adjourned until the next meeting.</p> <p style="text-align: right;">Action: Clerk</p>
	14.3	<p><u>Discussion Topics for Strategic Workshops</u></p> <p>The Principal highlighted key topics of conversation for the forthcoming Strategic Workshop and it was noted that the primary items would be the Strategic Plan and the Financial Plan. Members concurred that these should be the main topics for consideration. It was also agreed that external strategies, such as the Greater Manchester Strategy and Careers Strategy, would be important topics and should be included. The Principal explained that the day would also include the ways in which the college's curriculum would respond to external changes, included the proposed introduction of T Levels. Members considered whether there should be a further review of the effectiveness of governance arrangements and agreed that this would be an appropriate topic for inclusion.</p> <p>It was noted that the Principal would prepare a draft agenda for the day and circulate it for further comments or suggestions.</p> <p style="text-align: right;">Action: Principal</p>

15	GB/18/03/94	<p>ANY OTHER BUSINESS</p> <p>The Clerk reminded Members of the recent approval of lease surrender in relation to the Leigh Sports Village and the reporting at the last meeting of the Board in relation to the use of the Corporation Seal to execute this transfer. However, he explained that it was a requirement for such approvals to specify named governors to authenticate the application of the seal, and that the Land Registry had enquired whether this had been satisfied in relation to this transfer.</p> <p>RESOLVED: That approval be retrospectively provided for the Principal and Jennifer Cockram to authenticate the application of the Corporation Seal for transfer documents relating to Leigh Sports Village, including the TR1 Land Registry transfer document.</p>
16	GB/18/03/95	<p>DATE OF NEXT MEETING</p> <p>5.00pm Tuesday 3rd July 2018</p>
		<p>Part 1 of the meeting closed at 7.20pm and remaining staff and student governors left the meeting.</p>