## MEETING OF GOVERNING BOARD

**TIME/DATE 5.00pm, TUESDAY 26th MARCH 2019**

**VENUE GATEWAY CONFERENCE ROOM, PARSONS WALK, WIGAN**

## ATTENDANCE Independent Governors Frank Costello, Chair

Diane Brennan

Ann Harrison

Susan Loudon

Susan Spibey

Katherine Causey

Gai Murphy

Janet Minto

Jenny Bullen

Michael Ferraby

Gill Edwards

Andrea Ferguson

Staff Governors Jennifer Cockram

*Catherine Langstreth*

Student Governors *Rachael D’Arcy*

*Marie Mc Gahey*

Principal Anna Dawe

Clerk to the Governing Board Robert Smith

Vice Principal, Curriculum *Claire Foreman*

Vice Principal, Corporate Services Louise Brown

Finance Director Steve Scott

Assistant Principal, IT, MIS and Dave Harrison

Sub-contracting

Guest Matthew Hirst, Fusion

***Italics denotes absence* PART 1 MINUTES**

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| **Item** |  | **The meeting opened at 5.05pm and was quorate with at least 7 members present.** |
| **1** | **GB/19/03/043** | **APOLOGIES**  An apology for absence was received from Claire Foreman. It was also noted that Gai Murphy’s arrival would be delayed. |
| **2** | **GB/19/03/044** | **DECLARATION OF INTERESTS**  There were no declarations of interest. |
| **3** | **GB/19/03/045** | **PART 1 & PART 2 MINUTES OF THE GOVERNING BOARD MEETING HELD ON 11TH DECEMBER 2018**  The minutes were approved as a correct record for signature by the Chair. |
| **4** | **GB/19/03/046** | **MATTERS ARISING**  The Clerk advised that all items on the Action Sheet were now complete. |
| **5** | **GB/19/03/047**  5.1  5.2  5.3 | **STRATEGIC PLAN UPDATE**  Quality  The Principal provided a presentation on the latest position in relation to the delivery of the Strategic Plan. She highlighted key outturn data for 2017/18, including student achievement rates. It was noted that overall achievement rates and those specifically for 16-18 and 19+ age ranges were now over 4% above 2016/17 national averages. It was also noted that this indicated a three-year trend of improvement. The Principal advised that the 2017/18 national averages were yet to be published.  Members discussed the Department for Education league tables and the Principal explained that for Level 2 Technical subjects Wigan & Leigh College achieved the second highest points score in the Greater Manchester colleges and third highest points score for Level 2 Vocational subjects. The Principal outlined achievement rate performance for Level 3 subjects, although it was noted that changes in the format of data in 2017/18 meant that meaningful comparisons were not possible, with the exception of A Level results. In relation to these, it was noted that Wigan & Leigh College was second for progress score in the Greater Manchester comparison and third for overall grades.  Maths and English achievements were discussed and it was acknowledged that these remained challenging. The Principal explained that the key challenge related to English, where the college was eighth in the comparison group. The Principal explained that the progress score was adversely affected by the entitlement model the college had in relation to English language resits whereby the highest grade at GCSE, often English Literature was used as the baseline for a resit in English language. Members acknowledged that this entitlement model had now changed and therefore the negative impact would be mitigated in future data.  Members discussed outcomes for apprenticeship provision and recognised that performance remained below national average. It was noted that the college’s last apprenticeships sub-contractor had ceased its operations and the learners had been transferred to in-house provision. Members acknowledged that this would impact further on timely completion rates. The Principal reminded members about previous discussions on this subject and advised that an external consultant had been engaged to review apprenticeship activity at the college, which had been reported in detail to the Curriculum & Student Matters Committee. The Principal commented that the review had indicated that the college was now well-placed to bring about improvements but that it would take some time for legacy issues to be resolved and for this to be reflected in data improvements. She reported that the best case outcome for timely completion was now 69.6% and that the college was aiming for 59.4%. She also reported that best case outcome for overall achievement was now 75.2% and the college was aiming for 67.6%. Members acknowledged that progress was being made but stressed the need to maintain focus on delivering improvements in apprenticeships outcomes. The Principal responded that this was an area of strong focus at the college and that a successful application had also been made to the Strategic College Improvement Fund to work with Craven College to help bring about further improvements.  The Principal outlined in-year performance for Study Programmes in 2018/19. This included further improvements in retention for the 16-18 age range, which supported indications that the college was on track to equal or improve on 2017/18 achievement rates. Similarly, it was noted that 19+ performance was on track to maintain improvements from 2017/18. Members discussed progress in relation to Careers Advice and Guidance and were pleased to learn that good progress had been made in delivering against Capacity Delivery Fund objectives. They were also pleased to learn that the Careers Hub had now met six of the eight Gatsby Benchmarks. The Principal also confirmed that the college’s teaching and learning strategies were progressing well and that preparatory work was well-progressed in terms of the changes required under Ofsted’s new Education Inspection Framework.  Place  The Principal reported that the college had increased participation rates at 16-18, Higher Education and at 19+. She also reported that there had been an increase in the numbers of apprenticeship levy paying employers working with the college, alongside an increase in higher/degree apprenticeships, higher education enrolments and the launch of three new higher education courses. It was noted that the college had applied to pilot a number of T Level courses in priority skills areas. It was also noted that significant work was taking place to increase engagement with schools in relation to post-16 opportunities other than remaining in school to study A Levels. The Principal commented that this had been a significant factor in the continuing increase in learner numbers at a time when demographic data would indicate an expected decline in numbers. The Principal outlined key engagement activity, including the offer of sampling sessions. She also presented a video used for engagement with schools and parents, showing the range of vocational options available at the college.  Members discussed the main areas of risk associated with recruitment numbers, including limited funding for non-levy apprenticeships, the need to improve employer satisfaction rates and the need to maximise high needs funding. It was also noted that the availability of reliable NEET data within the Borough made strategic planning difficult in this area.  Sustainability  The Principal reported further growth in 16-18 recruitment numbers and the increased Education & Skills Funding Agency (ESFA) funding as a result. It was noted that this funding had increased from £11.2M in 2017/18 to £14.0M in 2019/20. It was also noted that the yield per learner had increased over the same period. Members were pleased to learn that the Adult Education Budget funding had been confirmed for 2019/20 and that the levels of funding year-on-year remained unchanged. They were also pleased to learn that the Greater Manchester Combined Authority had confirmed that this funding level was also expected to remain unchanged for 2020/21.  Members discussed the challenges and risks associated with future funding and recognised that non-levy apprenticeship funding would remain a challenge and that higher education funding could be threatened by the introduction of two-year degrees and an expected increase in higher apprenticeships. However, members were pleased to learn that applications for 2019/20 had increased for both 16-18 and 19+. They were also pleased to learn that higher education applications were in line with the same period in 2017/18.  The Principal outlined financial elements of the college’s sustainability objectives and advised that mid-year financial performance indicated that there would be an opportunity to invest a further £609K in the 2018/19 budget year. She advised that this was planned to be invested as £131K to curriculum, £294K to estates, £163K to ILT and £20K to business support. The Principal also outlined the current position on capital projects, including the approval of both funding and planning permission for the Pagefield Centre project and that in Leigh. It was noted that plans for completion of a Clinical Skills Ward at Leigh College would be implemented over the Easter break. It was also noted that an options appraisal for Wigan School for the Arts was in progress. |
| **6** | **GB/19/03/048** | **16-18 APPRENTICESHIP FUNDING UPDATE**  The Principal reminded members that she had previously reported a significant risk to the college’s apprenticeship funding and provided an update on the matter. She reported that the ESFA had now agreed to fund the college’s over-recruitment of 16-18 apprentices, with the exception of £160K which would be reviewed in May 2019. Members were pleased to learn that the risk had now been largely addressed. However, the Principal also reported that a cap on 16-18 non-levy apprenticeship funding was expected in 2019/20 and that this would impact significantly on the college’s ability to deliver growth in this area. She also advised that the government had announced that the 10% apprenticeship contribution required from relevant employers would be reduced to 5%. However, it was noted that to date college funding had not been increased to take account of this reduction.  The Staff Governor asked whether there was anything that could be done to cater for future 16-18 apprentices where funding was unavailable. The Principal responded that the college would work with schools to identify appropriate candidates for known apprenticeship vacancies to try to ensure that as many as possible would successfully complete. She also advised that the college would continue to offer study programmes to potential students that would work around work commitments to ensure that those in work still had an opportunity for further study. |
| **7** | **GB/19/03/049** | **AUDIT COMMITTEE – 13TH MARCH 2019**  The Chair of the Audit Committee presented the draft minutes of the meeting of 21st November 2018 and reported that the committee and other governors had taken part in a development session delivered by the Internal Auditor about the role of the auditor and of the committee.  In relation to the Internal Audit Progress Report, the Chair advised that reports had been positive and drew members’ attention to the summary provided within the minutes. She highlighted a concern of the committee in relation to the delay of the expected Payroll audit and advised that the committee had asked for the audit to be carried out later in the current year, rather than being delayed until the 2019/20 cycle. The Chair also advised that the Audit Action Tracker had progressed well with only one action now outstanding. She also provided an update on the college’s risk register and advised that only one risk had increased in intensity and that this related to sub-contracting. Members noted that the risk specifically referred to the ability of the college’s final apprenticeship sub-contracting partner to complete their learners. They acknowledged that this risk had now materialised as reported earlier in the meeting.  The Chair advised that a tender exercise for the appointment of the college’s External Auditor had been carried out and that the committee had met as a selection panel to hear a presentation from two shortlisted companies. It was noted that the assessment and scoring process had indicated that the current auditor, Wylie & Bisset, should be re-appointed. It was also noted that the committee had considered the value-added elements of Wylie & Bisset’s services and would be providing additional clarity on the committee’s expectations to the auditor at its next meeting.  **RESOLVED:**  That the appointment of Wylie & Bisset as External Auditor for a period of three years, with an option to twice extend for a further year, be approved. |
| **8** | **GB/19/03/050** | **CURRICULUM & STUDENT MATTERS COMMITTEE – 12TH MARCH 2019**  The Chair presented the draft minutes of the meeting of 27th November 2018 and highlighted key topics of discussion. It was noted that the committee had received a presentation from the Animal Management curriculum area and that this had previously been identified as an area for improvement. The Chair was pleased to report that the area had made clear progress in terms of delivering improvements. He also explained that the area had been subject to significant additional demand in recent years but would be an area where further growth would be challenging. The Principal commented that the area relied on the hire of external facilities, which made future planning challenging, particularly in relation to further growth in student numbers. She also commented that the college had a duty to plan growth in numbers alongside known levels of job and career opportunities in this area.  The Chair also outlined the current position in relation to the Curriculum & Quality KPI Dashboard. |
| **9** | **GB/19/03/051** | **RESOURCES COMMITTEE – 7TH MARCH 2019**  The Chair of the Resources Committee presented the draft minutes of the meeting of 22nd November 2018 and reported that the committee had commented on the quality of reports presented by the Executive Team. She explained that the new reports were better-focused and easier to understand  The Chair highlighted commentary within the minutes relating to current sickness absence data and comments of members in relation to staff utilisation. It was noted that levels of utilisation were particularly high and that, whilst this indicated efficiency, it could also present some challenges with managing workloads. The Chair explained that this had not been fully addressed at the start of the academic year because of reported risks associated with apprenticeship funding. Members were pleased to learn that, as the funding issue had now been resolved, a number of staffing solutions had been put in place and investment in preparation for the start of the next academic year.  The Chair advised that the committee had discussed the outcomes of a recent national staff survey within the sector and that members were pleased to learn that overall satisfaction rates for Wigan & Leigh College staff had been 10% above the national average. The Chair also advised that the committee had discussed the college’s management accounts and the mid-year budget position. She was pleased to report that the mid-year budget review indicated that the expected final surplus had increased by £737K since the budget was set and that this would enable further re-investment as discussed earlier in the meeting. It was noted that the committee had also reviewed the HR and Finance KPI Dashboards and received a brief update on capital projects.  The Chair drew members’ attention to the proposed draft Fees Policy attached to the minutes and advised that this had been drafted prior to the availability of the updated ESFA funding rules. She commented that this would mean the document could only be approved, subject to any amendments that may be required when those funding rules became available. The Chair of the Board sought clarification about the degree to which the college’s Fees Policy ensured that educational provision at the college was accessible and affordable. The Principal confirmed that the proposed fees were in line with those from the previous year and that the fee levels were competitive compared to relevant benchmarks.  **RESOLVED:**  That the proposed Fees Policy be approved, subject to the policy being brought back to the Board for further discussion should any significant or contentious changes be required following the publication of the ESFA funding rules. |
| **10** | **GB/19/03/052** | **DEPARTMENT FOR EDUCATION: COLLEGE INSOLVENCY GUIDANCE**  The Finance Director presented the Department for Education’s guidance on the new insolvency regime that came into effect at the end of January 2019. He drew members’ attention to the sections on governance, including the guidance on areas where governors should seek assurance. The Chair suggested that a position statement would be useful, laying out the assurance mechanisms available to the Board under each of the criteria highlighted within the guidance. The Finance Director agreed to present a position statement to the Resources Committee at its next meeting.  **Action: Finance Director**  Members discussed the risks to college solvency within the guidance and noted that any serious issues that had a potential to impact on the college would be included within its risk register. Members asked a number of further questions, including whether the higher education funding bodies placed similar requirements on the college. The Principal confirmed that this would be considered as part of the review and that relevant assurance mechanisms would be added if required. |
| **11** | **GB/19/03/053** | SAFEGUARDING VULNERABLE ADULTS POLICY, SAFEGUARDING CHILD PROTECTION AND EARLY HELP POLICY & PREVENT STRATEGY  The Vice Principal, Corporate Services outlined proposed revisions to the Safeguarding Child Protection and Early Help Policy and the Safeguarding Vulnerable Adults Policy. She also explained that the Board was being asked to re-affirm its earlier approval of the Prevent Strategy so that the approvals would be in line and that this would mean that all three documents would be subject to review at the same point of time each year.  The Lead Governor for Safeguarding highlighted references to ‘Fundamental British Values’ and questioned whether the college could use alternative terminology. The Vice Principal explained the terminology used was in line with national terminology and expectations.  **RESOLVED:**  That the proposed safeguarding policies be approved and that the earlier approval of the Prevent Strategy be re-affirmed. |
| **12** | **GB/19/03/054** | SAFEGUARDING UPDATE  The Lead Governor for Safeguarding reported on her recent visit with members of the Safeguarding Team and advised that the current meeting had been preceded by a governor development session on safeguarding. She commented that it had been very clear both from her visit and the development session that the college’s Safeguarding Team had excellent commitment and passion to support students affected by safeguarding concerns. She commented that effective safeguarding not only provided a safe environment within college but also supported students where issues occurred outside of college. She also commented that effective safeguarding helped to improve attendance and retention.  Members asked for further information about how students were supported in terms of mental health concerns. The Lead Governor outlined some of the approaches used to support students at the college and expressed her confidence that these safeguarding arrangements were working well. The Vice Principal, Corporate Services provided further information regarding staff training relating to supporting students with mental health concerns. Members also asked whether the college’s safeguarding arrangements complied with the General Data Protection Regulations (GDPR), particularly in relation to reporting concerns to other agencies or sharing information when a student moves from one educational institution to another. The Principal explained that there were data sharing protocols associated with safeguarding and allowable under GDPR. |
| **13** | **GB/19/03/055** | CAPITAL PROJECTS UPDATE  The Chair welcomed Matthew Hirst of Fusion to the meeting and invited him to provide a presentation to members.  Fusion provided an update in relation to the GMCA Skills Capital bid for the Pagefield Centre and for Leigh College. Members were pleased to note that bids for both projects had now been approved by the Greater Manchester Combined Authority (GMCA) and that planning permission for the Pagefield project had also been secured. Fusion outlined a number of conditions included in the funding grants and it was noted that some of these had been onerous, particularly in relation to the Pagefield project. Fusion explained that this included a requirement to appoint a Project Monitor, which had appeared overly restrictive given the relatively modest grant value. Members were pleased to learn that representations had been made to GMCA on this matter and that it had been agreed that this requirement would be waived from the conditions. Fusion outlined the key project milestones, including an expectation that a contractor for the Pagefield project would be appointed by the end of May 2019 and that all works were expected to be completed by the end of November 2019  Members discussed options for the re-development of the School for the Arts and Fusion outlined early considerations of an options appraisal for the site. It was noted that this included refurbishment and new build options. It was acknowledged that the existing building had effectively reached the end of its economic life and that refurbishment would be complicated, particularly in relation to working around current usage of the building. Fusion suggested that these complications and the general condition of the building might make refurbishment a more expensive option that rebuilding.  Fusion also outlined the next steps for the projects, including appointment of contractors, liaison with GMCA in relation to funding grants and further work on the School for the Arts options appraisal in advance of the next Board meeting. It was noted that delegated authority would be required to meet expected timescales.  **RESOLVED:**   1. That delegated authority be given to the Chair to approve the appointment of a contractor for the Pagefield project and to formally accept any funding grants from GMCA relating to either the Pagefield or Leigh projects; and 2. That use of the Corporation Seal for completion of relevant documents associated with the projects be approved and that the Chair or either Vice Chair and any other governor be authorised to authenticate the application of the seal for these purposes.   Matthew Hirst left the meeting at 6.55pm. |
| **14** | **GB/19/03/056** | GOVERNORS STRATEGIC WORKSHOP  The Principal reminded members that the governors’ Strategic Workshop would take place on Friday 17th May 2019 at the DW Stadium and advised that further information and papers for the event would be sent in advance. She highlighted key items for potential consideration at the workshop, including a review of the Strategic Plan, Ofsted’s new Education Inspection Framework and the external landscape both locally and nationally. Members discussed the options available in terms of matters for consideration and agreed that it was very important that members were well-informed about national, regional and local political and educational developments. The Chair also suggested that a focus on local and regional developments would allow the Board to consider further the ways in which the college could work in partnership with others to deliver wider objectives, including addressing inequality within the Wigan Borough. He commented that the greatest influence on inequality was education, which meant that the college had an important role to play in meeting these objectives. The Principal agreed to invite relevant speakers to the event in order to share information and help strengthen these partnerships.  Other potential subjects for discussion were considered and it was agreed that the Principal would send out a draft agenda to governors to give an opportunity for further comments.  Action: Principal |
| **15** | **GB/19/03/057** | ANY OTHER BUSINESS  The Chair reminded members that he would be retiring from the Board in October 2019 and highlighted the need to commence an election process for a new Chair of the Governing Board. The Clerk agreed to write to members asking for nominations. It was noted that the appointment of Chair of the Governing Board may lead to the need to change other roles and the Clerk agreed to discuss this with relevant members once potential changes were known.  Action: Clerk |
|  |  | DATE OF NEXT MEETING  5.00pm Tuesday 9th July 2019 |
|  |  | The meeting closed at 7.10pm |