

MEETING OF THE GOVERNING BOARD

5.00PM ON TUESDAY 7 DECEMBER 2021

ON MS TEAMS

PRESENT:

Ann Harrison (Chair)	Governor
Kath Causey	Governor
Andrea Ferguson	Governor
David McDonald	Governor
Susan Spibey	Governor
Alison Chambers	Governor
Tony Costello	Governor
Harinder Dhaliwal	Governor
Andrei Gheorghita	Student Governor
Rebecca Turley	Staff Governor
Jennifer Connor	Staff Governor
Anna Dawe	Principal

IN ATTENDANCE:

Joanne Platt	Clerk to the Governing Body
Claire Foreman	Vice Principal, Curriculum:
Louise Brown	Vice Principal, Corporate Services:
Alison Rushton	Vice Principal, Employment & Skills
Steve Scott	Finance Director:
Dave Harrison	Assistant Principal, IT, MIS and Subcontracting
Elizabeth MacKenzie	Guest
Scott Gillon	Wylie Bisset (for Item 6)
Martin Hurst	For Item 11

The meeting was quorate.

Item	Minute No.	Minutes
1	GB21-12-001	<p>APOLOGIES</p> <p>Apologies for absence had been received from Diane Brennan, Jenny Bullen and Susan Loudon.</p>

Item	Minute No.	Minutes
		The Chair welcomed Elizabeth MacKenzie to the meeting as a guest.
2	GB21-12-002	<p>DECLARATIONS OF INTERESTS</p> <p>Andrea Ferguson and Elizabeth MacKenzie declared an interest in Item 5 and left the meeting for that item. There were no other declarations of interests.</p>
3	GB21-12-003	<p>MINUTES OF THE MEETING HELD 12 OCTOBER 2021</p> <p>The minutes of the meeting held on the 12 October 2021 were approved as a correct record for signature by the Chair.</p>
4	GB21-12-004	<p>MATTERS ARISING:</p> <p>The Board reviewed the action sheet and noted that all actions have been completed or are scheduled. It was noted that as this meeting hadn't taken place at Leigh College as originally planned, a future meeting of the Governing Board would be scheduled to take place there this academic year.</p>
6	GB21-12-005	<p>FINANCIAL STATEMENTS AUDITOR'S REPORT</p> <p>The Financial Statements Auditor's Report for 2020-21 was presented to the Board in accordance with the requirements of the Post 16 Audit Code of Practice. It was noted that the report had been considered in detail by the Audit Committee at its meeting on 17 November, when it was recommended to the Board for approval at today's meeting.</p> <p>The Board noted that the Auditor anticipates issuing an unmodified audit opinion subject to authorisation of the financial statements by the Governing Board under Item 9 below and confirmation of no funding clawback in relation to ILR14 from the ESFA.</p>

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		<p>However, confirmation of the Greater Manchester Combined Authority (GMCA) Adult Education Budget allocation (AEB) was awaited. As the difference in figures is material, it was noted that the Financial Statements Auditor cannot sign off the report until after this date and accordingly, the College has written to the ESFA seeking an extension to the filing deadline.</p>
<p><i>Harinder Dhaliwal joined the meeting at 5.10pm</i></p>		
		<p>There are no issues to report in relation to the regularity opinion and the Auditor anticipates issuing an unqualified opinion on the accounts of Wigan and Leigh College for the year ended 31 July 2021. The Board also noted the Auditor's opinion that the College's forecasts and financial projections indicate that the College has a reasonable expectation that it has adequate resources to continue in operational existence for the foreseeable future, and for this reason will continue to adopt the going concern basis in the preparation of its Financial Statements.</p>
<p><i>Susan Spibey joined the meeting at 5.20pm</i></p>		
		<p>It was also confirmed that following an overall review of the governance arrangements and process of internal control in place at the College, the Auditor is of the opinion that the College has strong systems in place to comply with governance requirements. The Auditor has made no recommendations in relation to the year ended 31 July 2021.</p> <p>RESOLVED: to approve the Financial Statement Auditor's Report for 2020-21 subject to any changes to the accounts arising from ESFA and GMCA AEB clawback.</p>
<p><i>Scott Gillon left the meeting at 5.23pm</i> <i>Andrea Ferguson and Elizabeth MacKenzie left the meeting at 5.23pm</i></p>		

Item	Minute No.	Minutes
5	GB21-12-006	<p>BOARD APPOINTMENTS</p> <p>The Board considered a report in which a recommendation of the re-appointment of Andrea Ferguson as an Independent Governor was made by the Search and Governance Committee. It was noted that Andrea's first term of office as an Independent Governor is due to end in February 2022 and the Search and Governance Committee considers that she has the skills needed by the Board and in particular in relation to her role in chairing the Curriculum and Student Matters (CSM) Committee.</p> <p>Throughout her first term of office, Andrea's attendance has been excellent and she has made a very effective contribution both with the CSM Committee and generally in meetings of the Governing Board. The Board noted that Andrea has indicated that she wishes to continue to serve as an Independent member of the Governing Board.</p> <p>The Board also noted the outcome of student elections and agreed to appoint Elizabeth MacKenzie to the vacant Student Governor role and as a member of the Curriculum and Student Matters Committee in line with usual practice for Student Governors.</p> <p>RESOLVED: That the Board approves the re-appointment of Andrea Ferguson as an Independent Governor for a term of four years from 6 February 2022.</p> <p>RESOLVED: That the Board approves the appointment of Elizabeth MacKenzie as a Student Governor for a term of two years from 7 December 2021.</p> <p>RESOLVED: That the Board appoints Elizabeth MacKenzie to be a member of the Curriculum and Student Matters Committee</p>
<p><i>Andrea Ferguson and Elizabeth MacKenzie re-joined the meeting at 5.27pm</i></p>		

Item	Minute No.	Minutes
7	GB21-12-007	<p>PRINCIPAL'S UPDATE</p> <p>The Principal gave an update on key issues to the Board. It was noted that the Skills & Post-16 Education Bill was still going through Parliament with some changes, including a one year reprieve to the defunding of BTecs, the achievement of T level qualifications without maths and English which may affect entry qualifications, and Mayoral Combined Authorities now being involved in the development of Local Skills Improvement Plans.</p> <p>Ofsted inspections have resumed with a focus on long-standing outstanding colleges. There is anecdotal evidence that two 'outstanding' colleges have been downgraded to 'Good'. Apprenticeship provision seems to be the main cause of concern. It was noted that the College is now preparing for a full four-day inspection in 2022.</p> <p>Comparing attendance with 2018-19 (pre-pandemic), rates are slightly lower although there has been a 2.3% increase in HE. Retention for 16-18 and 19+ is broadly similar with a significant increase of 9% in HE.</p> <p>T-level enrolment is strong, and the Centre for Advanced Technical Studies is establishing itself as a community asset, being used by the Council's Youth Parliament and the Community Wealth Building Partnership.</p> <p>It is anticipated that the outcome of the IoT submission will be known by the end of the year.</p> <p>The Level 4 and 5 GM Project is commencing, with a pilot project development in Digital HTQ and the profile of technical education is increasing. The 2021 Open Evenings attracted 1,385 visitors compared to 1,034 in 2019-20.</p> <p>Enrolment to date is higher than at the same time last year and it is anticipated that the target will be met by year end. With regard to the Adult Education Budget, utilisation of the GM budget is on track for 97% delivery and the national budget will be circa -£200k against full utilisation. There will be a potential over performance of NSF / L3 Flexibilities and apprenticeship activity is currently on track to outperform the budget target. HE income is also currently ahead of budget.</p>

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		<p>There are challenges in relation to the impact of COVID on the student body and welfare issues, which is a national issue and also continuing challenges in relation to the pandemic and risks to the budget arising from increased utility costs and increased NI contributions from the new 'care tax'.</p> <p>It was noted that one of the College's apprentices had won a World Skills Gold Award, the Marketing Team had won a Silver award and the College has signed up to the Education Staff Wellbeing Charter.</p> <p>In response to a question from a Governor, it was confirmed that the programme planned for Governors in relation to preparations for Ofsted would now be re-scheduled to take place early in 2022.</p> <p>Governors asked if support was in place for teaching staff dealing with COVID / welfare issues and it was confirmed that this was in place and it was noted that there was minimal disruption.</p> <p>Governors asked how students are being prepared for a possible change from planned exams to assessment if the pandemic worsens and it was confirmed that students are well prepared for either eventuality and that their expectations were being managed effectively with support in place for their mental well-being.</p> <p>The Board noted the update.</p>
8.1	GB21-12-008	<p>AUDIT COMMITTEE REPORTS: Audit Committee Annual Report</p> <p>The Chair of the Audit Committee presented the Committee's Annual Report for 2020-21 to the Board for approval. The Board noted the Committee's key activities in 2020-21 and the assurance within the report in relation to the monitoring of risk and systems of control at the College.</p> <p>RESOLVED: to approve the Annual Report of the Audit Committee for 2020-21.</p>

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8.2	GB21-12-009	<p>AUDIT COMMITTEE REPORTS: Internal Audit Annual Report</p> <p>The Board noted the Annual Report of the Internal Auditor, which had been considered in detail by the Audit Committee at its meeting on 17 November 2021.</p> <p>In response to a question from a Governor, it was confirmed that the College had been given a substantial assurance rating by the Internal Auditors, despite limited on-site work during the Pandemic.</p> <p>RESOLVED: On the recommendation of the Audit Committee, to approve the Annual Report of the Internal Auditor for 2020-21.</p>
8.3	GB21-12-010	<p>AUDIT COMMITTEE REPORTS: Regularity Audit Questionnaire</p> <p>The Board noted the Regularity Audit Questionnaire, which provided key evidence for the Financial Statements Auditor when compiling his Annual Report. It was noted that the report had been considered in detail by the Audit Committee at its meeting on 17 November 2021.</p> <p>RESOLVED: On the recommendation of the Audit Committee, to approve the Regularity Audit Questionnaire for 2020-21.</p>
8.4	GB21-12-011	<p>AUDIT COMMITTEE REPORTS: Annual Risk Management Report</p> <p>The Board considered the annual risk management report for 2020-21, which provides a final risk position statement for the year ending 31 July 2021. It was noted that the report had been considered by the Audit Committee at its meeting on 17 November and was recommended for approval by the Governing Board.</p> <p>RESOLVED: to approve the Annual Risk Management Report for 2020-21.</p>

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8.5	GB21-12-012	<p>AUDIT COMMITTEE REPORTS: Risk Register</p> <p>The Board considered the Risk Register for 2021-22, which has been updated to reflect the current year's strategic outlook. It was noted that the risk plan is reviewed regularly by the Executive and an update on the position with mitigation for the risks provided at each meeting of the Audit Committee and Governing Board.</p> <p>The Board noted that the score for eight risks have increased, five have remained the same and three have decreased.</p> <p>The risk plan was considered by the Audit Committee at its meeting on 17 November 2021, when it was agreed that the increased risk scores shown in the termly risk register would be brought to the Governing Board's attention at today's meeting and in particular, in light of the increased risk relating to cyber security and GDPR, the Board was reminded of the importance of using college email addresses for communicating securely with the College.</p> <p>The Board noted the report.</p>
8.6	GB21-12-013	<p>AUDIT COMMITTEE REPORTS: Minutes of the Meeting of the Audit Committee on 17 November 2021</p> <p>The Board noted the minutes of the meeting of the Audit Committee.</p>
9	GB21-12-014	<p>ANNUAL REPORT AND ACCOUNTS</p> <p>The Board considered the draft Annual Report and Financial Statements for the year ending 31 July 2021, noting that this had been reviewed in detail by the Audit Committee at its meeting on 17 November 2021 and was recommended for approval by the Governing Board.</p> <p>It was noted that the Resources Committee had also reviewed the report and accounts at its meeting on 18 November 2021.</p>

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		<p>As discussed under Item 6 above, it was noted that the accounts are yet to be finalised due to delays in receiving confirmation of the outcome of the funding audit and GMCA AEB clawback.</p> <p>Despite this, the report of the external auditors considered under Item 6 above concluded that the audit opinions, for both financial statements and regularity, are anticipated to be unqualified. The report of the auditors also includes drafts of the letters of representation for external audit and regularity that the Board is required to sign alongside the financial statements.</p> <p>The Board noted that the College's Financial Health will continue to be 'Outstanding' based on these results for 2020-21 and the College will remain compliant with all its banking covenants. It was also noted that £4.4m of capital had been spent on upgrades to the estate during the year, in line with previous decisions not to accrue large amounts of reserves but to spend it on upgrading the College estate.</p> <p>RESOLVED: that the Financial Statements Auditor's Letters of Representation be approved.</p> <p>RESOLVED: to approve the Annual Report and Financial Statements for 2020-21, subject to any changes to the accounts arising from the outcome of the ESFA funding audit and GMCA AEB clawback.</p> <p>RESOLVED: to delegate authority to the Chair of the Governing Board to sign the annual report and accounts when confirmation of funding is confirmed, prior to submission to the ESFA.</p> <p>RESOLVED: that signed documents and management letter be submitted to the ESFA as soon as they are signed</p> <p>RESOLVED: that signed Financial Statements for 2020-21 to be published on the College website by 31 January 2022.</p>

Item	Minute No.	Minutes
10	GB21-12-015	<p>STRATEGIC WORKSHOP CONTENT</p> <p>The Board considered the draft agenda for the Strategic Workshop scheduled to take place on 21 January 2022, noting that the focus in the morning will be on the role of Governors in light of new legislation and the launch of the new Code of Governance.</p> <p>This session will be facilitated by the Clerk to the Governing Board with the support of Richard Caulfield from the Association of Colleges and will provide the opportunity for the Governing Board to discuss and determine a response to the changing governance landscape and succession planning.</p> <p>The afternoon session will focus on elements of the new 3 year Strategic Plan and explore the things that will influence the strategic direction of the College over the next 5-10 years, including future proofing the College in relation to financial planning, levels of activity and the development of the curriculum.</p> <p>The Board confirmed the content of the agenda for the Strategic Workshop to be held on 21 January 2022.</p>
<i>Martin Hurst joined the meeting at 6.20pm</i>		
11	GB21-12-016	<p>CAPITAL PROJECTS UPDATE</p> <p>The Board received a presentation providing an update on Capital Projects.</p> <p>In relation to Capital Grant Applications, it was noted that the application to the 16-19 capital expansion fund had been unsuccessful, but the application to the Office for Students HE capital fund had been successful. This will provide funding for the refurbishment / reconfiguration of three rooms on the 1st and 2nd floors plus specialist equipment. The design is currently being developed in readiness for procurement of a contractor, for delivery by the end of March next year.</p>

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		<p>In relation to the FE Transformation Fund capital project, it was noted that Feasibility Study was being finalised and the DfE has now confirmed that net zero CO2 is a key project objective. The scope of the project has evolved to the full refurbishment of the main building and Tower Block and includes the replacement of all mechanical and electrical services and replacement of external elevations / roof.</p> <p>This revised project scope adds complexity, costs and risks but will provide more sustainable estate for the future with the life of the capital asset significantly improved compared to the original plans.</p> <p>It was noted that the DfE Programme Board has given approval to explore this option in more detail. It will include new buildings to replace the School for the Arts, the Main Building / Tower Block, Retention of Gateway Building / University Centre, demolition of all other buildings, car parking and external works.</p> <p>This option will obviate the need for temporary accommodation, although temporary moves are likely. Key benefits are that delivery is likely to be quicker, there will be less disruption to College operations, the risk profile is likely to be much lower and it provides a Net zero solution with reduced energy consumption / running costs / CO2 emissions.</p> <p>Planning for the next stage of the project is underway.</p> <p>In response to a question from a Governor, it was confirmed that the likely timescale for completion of the project is four years.</p> <p>The Board noted the report.</p>
<p style="text-align: right;"><i>Martin Hurst left the meeting at 6.46pm</i></p>		

Item	Minute No.	Minutes
12.1	GB21-12-017	<p>RESOURCES COMMITTEE REPORTS: Health and Safety Policy:</p> <p>The Board considered the College Health and Safety Policy for 2021-22, noting that there have been no legislative updates requiring significant amendment to the Policy, although some small changes have been made to reflect the COVID19 Pandemic and the control of other respiratory viruses. It was noted that the Policy had been considered by the Resources Committee at its meeting on 18 November and was recommended for approval by the Governing Board.</p> <p>RESOLVED: to approve the Health and Safety Policy for 2021-22.</p>
12.2	GB21-12-018	<p>RESOURCES COMMITTEE REPORTS: Finance KPI Dashboard:</p> <p>The Board noted the Finance KPI dashboard that had been considered in detail by the Resources Committee at its meeting on 18 November 2021. It was noted that overall, most KPIs were on target and there are no concerns to draw to the attention of the Board.</p> <p>The Board noted the report.</p>
12.3	GB21-12-019	<p>RESOURCES COMMITTEE REPORTS: HR KPI Dashboard:</p> <p>The Board noted the HR KPI dashboard that had been considered in detail by the Resources Committee at its meeting on 18 November 2021. It was noted that overall, most KPIs were on target and there are no concerns to draw to the attention of the Board.</p> <p>The Board noted the report.</p>
12.4	GB21-12-020	<p>RESOURCES COMMITTEE REPORTS: Minutes of the Meeting of the Resources Committee held on 18 November 2021.</p> <p>The Board noted the minutes of the meeting of the Resources Committee.</p>

Item	Minute No.	Minutes
13.1	GB21-12-021	<p>CURRICULUM AND STUDENT MATTERS COMMITTEE REPORTS: SAR and Quality Improvement Plan</p> <p>The Board considered the College Self-Assessment Report (SAR) which had been reviewed in detail at the meeting of the Curriculum and Student Matters Committee at its meeting on 23 November 2021. It was noted that the overall rating given was 'Good' and that the Committee had agreed that the SAR was a very comprehensive document, with clear justification provided for the ratings given and providing a high level of assurance to Governors.</p> <p>RESOLVED: to approve the College SAR for 2020-21 and Quality Improvement Plan for 2021-22.</p>
13.2	GB21-12-022	<p>CURRICULUM AND STUDENT MATTERS COMMITTEE REPORTS: HE Annual Monitoring Report and SAR</p> <p>The Board considered the HE Annual Monitoring Report and the HE SAR, which provides assurance over the quality of HE provision in the College. It was noted that the annual report and the HE annual self-assessment report had been reviewed in detail by the Curriculum and Student Matters Committee at its meeting on 23 November 2021 and was recommended for approval to the Governing Board.</p> <p>RESOLVED: to approve the HE Annual Monitoring Report and SAR for 2020-21.</p>
13.3	GB21-12-023	<p>CURRICULUM AND STUDENT MATTERS COMMITTEE REPORTS: Curriculum Dashboards:</p> <p>The Board noted the Curriculum KPI dashboards that had been considered in detail by the Curriculum and Student Matters Committee at its meeting on 23 November 2021. It was noted that overall, most KPIs were on target and there are no concerns to draw to the attention of the Board. It was noted that the Committee uses the dashboards and the SAR to identify areas for future curriculum presentations and that Apprenticeships had been selected for a presentation at its next meeting on 8 March 2022.</p>

Item	Minute No.	Minutes
		The Board noted the report.
13.4	GB21-12-024	<p>CURRICULUM AND STUDENT MATTERS COMMITTEE REPORTS: Minutes of the Meeting of the Curriculum and Student Matters Committee held on 23 November 2021</p> <p>The Board noted the minutes of the meeting of the Curriculum and Student Matters Committee.</p>
18	GB21-12-025	<p>ANNUAL SAFEGUARDING REPORT</p> <p>The Board considered the Annual Safeguarding Report, which provided the current safeguarding position and 5 year trends, identified changes to Keeping Children Safe In Education, showed the College's response to the Prevent Duty and how the College works with Subcontractors and Apprenticeship Teams to promote safeguarding. The report also highlighted upcoming safeguarding projects for the current academic year.</p> <p>Governors noted that the report was very comprehensive and provided a useful insight into safeguarding in the College. It was noted that a new Chaplain was to be appointed and that the Chaplain provides crucial counselling support, particularly for male students.</p> <p>RESOLVED: the Board approved the Annual Safeguarding Report for 2020-21</p>
14	GB21-12-026	<p>SAFEGUARDING UPDATE: AUTUMN TERM</p> <p>Due to the absence of the Lead Governor for Safeguarding, there was no update to consider. The Board noted that the Lead Governor had not met with the Safeguarding Team yet this term.</p>

Item	Minute No.	Minutes
15	GB21-12-027	<p>CAREERS AND DESTINATIONS UPDATE: AUTUMN TERM</p> <p>The Lead Governor for Careers and Destinations informed the Board that he had not had a meeting with College staff this term but had a meeting arranged for early in January 2022. A full update will therefore be provided at the next meeting in March 2022. From conversations over the phone, it was clear however that progress was being made and the strategy was continuing to evolve.</p> <p>The Board noted the update from the Lead Governor for Careers and Destinations.</p>
16	GB21-12-028	<p>REVIEW OF CONFIDENTIAL MINUTES</p> <p>The Board considered a list of confidential minutes of meetings held between December 2019 and November 2021, which had been reviewed by the Clerk and the Chair of the Governing Board and noting that some were no longer deemed to be confidential.</p> <p>It was agreed that those minutes deemed to be no longer confidential should be published on the College's website alongside other non-confidential minutes.</p> <p>RESOLVED: to publish minutes no longer deemed to be confidential on the College's website.</p>
17	GB21-12-029	<p>COMMITTEE TERMS OF REFERENCE AND SCHEME OF DELEGATION</p> <p>The Board considered revised Committee Terms of Reference, noting that all had been considered in detail by the respective committees and were recommended for approval by the Governing Board.</p> <p>The Board noted that a corresponding review of the Scheme of Delegation had also been undertaken to ensure consistency with the Committees' Terms of Reference.</p>

Item	Minute No.	Minutes
		<p>RESOLVED: the Board approved the Terms of Reference for the Audit Committee, the Curriculum and Student Matters Committee, the Remuneration Committee, the Resources Committee and the Search and Governance Committee.</p> <p>RESOLVED: the Board approved the Scheme of Delegation.</p>
18	GB21-12-030	<p>ANY OTHER BUSINESS</p> <p>There were no items of other business.</p>
19	GB21-12-031	<p>DATE OF NEXT MEETING:</p> <p>Tuesday 22 March 2022 at 5pm</p>
Part 1 of the meeting closed at 7.07pm		