

THE COLLEGE OF RICHARD COLLYER

MINUTES OF THE MEETING OF THE GOVERNING BODY HELD ON Tuesday 06 December 2022 at 16.30

Present: Mr Stephen Avery, Rev'd Lisa Barnett, Mr Joe Bensusan, Mrs Ann Donoghue, Mrs Barbara Hobday, Ms Rach Hughes, Mr Graham Lawrence, Mr Dan Lodge (Principal), Mrs Susan Martineau, Mr Paul Mittendorfer, Dr Grant Powell, Mr Will Power, Mrs Clare Ruaux, Mrs Helen Smith, Mr Dom Valente (via Zoom), Mrs Beverley Valley (via Zoom)

In attendance: Members of SMT
Mr Ian Dumbleton (FD), Mr Rob Hussey ((VP Curriculum)
Ms Andrea John (VP Pastoral), Mr Steve Martell (DP)

Mrs Russha Sellings (Clerk)
Ms Shachi Blakemore, Buzzacott LLP via Zoom

In the Chair: Mr Graham Lawrence

1. Apologies for Absence

The Chair opened the meeting. Apologies had been received and accepted from Mr Karl Banister. Mrs Valley and Mr Valente joined the meeting via Zoom. The external auditor would also join on Zoom for Item 7. The Chair advised there was a full agenda and members were all in agreement to the proposed consent items for which there were no comments to be raised.

2. Urgent Business

None to declare.

3. Declarations of Interest

There were no declarations raised with respect of items on the agenda.

4. Minutes of the Meeting 4 October 2022

The minutes of the previous meeting were approved without amendment.

5. Matters Arising

Briefing - Safeguarding related actions: the Chair advised the matters raised were in hand and a safeguarding update would be reported under Item 15.

Item 8 - Training plans (Clerk): to support Governors with access to their plans on the FutureLearn platform, there would be a short video shown later in the meeting.

6. Resolutions

Resolutions passed since the last meeting: (CIF Funding Bid 23-24)

The Chair wished to thank the DP for all his preparation work and submission of the application for the bid.

Resolved: The minutes record the approval of the resolution taken by relevant members of the Governing Body since the last meeting to confirm the application for CIF funding.

[16.35 – Ms Shachi Blakemore joined the meeting on Zoom]

7. Report & Financial Statements 21-22

Papers: Audit Findings Report, Letter of Representation, Report and Financial Statements for the year ended 31 July 2022

i) Audit Findings Report

A clean audit opinion was confirmed and all outstanding actions from the previous audit recorded as complete. There were no observations or recommendations to be made. The auditors wish to express thanks to the FD and Clerk for their support during the process.

The FD drew Governors' attention to the main audit findings. Governors raised questions on the impact following the ruling on *Harpur v Brazel*. Ms Blakemore explained the background specific to holiday pay and implications for all employers in meeting the new requirements to revise current contracts and also ascertain the liability. The FD advised that action had been taken on a case-by-case basis and confirmation sought from the HR Director on revisions to relevant employment contracts, mitigating any future risk. Governors wished to understand the current liability and whether it was material. Both the FD and Principal believed the level was not of any significance, however it was agreed that the HR team would fully complete the due diligence process and report back on the outcome including a final accounting estimate to the F&GP Committee. **(Action FD/Principal)**

ii) Letter of Representation

The letter was received and approved and would be signed by the Chair, on behalf of the Governing Body, following the meeting.

Resolved: The Governing Body approved the Letter of Representation.

iii) Report and Financial Statements for the year ended 31 July 2022

It was agreed prudent to add a note as a subsequent event relating to the ONS reclassification. There were no further comments. To be signed by the Chair and Principal once finalised. **(Action FD)**

Resolved: The Governing Body approved the annual Report and Financial statements subject to final amendment.

[16.57 – Ms Shachi Blakemore was thanked for the updates and departed the meeting]

8. Principal's Report (revised format)

Paper: Principal's Report

The revised structure of the report had been presented to the Nominations Committee and was received positively by Governors who approved of the succinct yet informative format. Consideration had been given to the totality of reporting with opportunities through the SAR/QIP.

The Principal provided some commentary on the progress of the Autumn term. Another notable development was the ONS reclassification of colleges to the public sector on the 29 November (linked to the briefing papers in Item 9). The Principal, Chair, Vice Chair and Clerk had attended a recent webinar with DfE officials present to answer questions. VAT would not be recoverable however colleges could retain international provision. In terms of implications for governance, the Chair said it was positive that the College would remain a self-governing organisation with Governors' roles being unchanged and remaining crucial to Collyer's. Colleges would need to comply with the Treasury's Managing Public Money (MPM) guidance, to provide clarity an FE financial handbook was expected to be developed in association with the sector.

The Principal acknowledged that commercial borrowing would be restricted and there may be implications for the approach to The Mercers' Company for a long term loan, although it had been agreed on both sides to continue working through the request process. The College would be expected to apply to the DfE for consent and in doing so would need to demonstrate value for money. In response a question regarding Post-16 capacity funding, the Principal confirmed that the timing of the current round of funding was too early and more preparation was required in developing the future estates masterplan. A level of reserves was also needed to be in a position to match fund.

The Chair sought approval on the new format of the Principal's Report, which if agreed would require an amendment to the Rules & Byelaws to remove the detailed report contents on page 20.

Resolved: The Governing Body approved the revised format of the Principal's Report, including the amendment to the Rules & Byelaws.

9. Updates from Working Parties

Papers: Updates from Working Parties (confidential briefing papers)

In continuation of discussions under Item 8, the Principal stated the importance of obtaining project costs to drive forward the vision of the estates masterplan.

There was a question on whether the ONS reclassification might impact colleges looking to academise. The Principal felt the main driver was not funding related and primarily ideological, linked to strategic partnerships. There was a brief update on the recent meeting of the soft federation Heads since the signing of the MoU. It was hoped there would be an opportunity for the local school Chair of Governors to collaborate. Mrs Donoghue (Chair of the SL working party) emphasised the importance of maintaining a proactive approach, through the documented critical path. It was also important to ensure a common level of understanding across the Governing Body and alignment to the next steps; time would be allowed for this at the Learning Walk in early February.

10. Admissions Report (Autumn 2022)

Paper: Admissions Report (Autumn 2022)

Governors observed the positive growth rate in 1A enrolments. For future sustainability, Governors asked what more could be done to address retention post enumeration and whether there were good practice examples from other colleges. The DP said that retention was at pre-Covid levels, in some cases, students were retaking the year. The VP (Pastoral) referred to the disruption over the pandemic on the former KS4 which formed the current cohort and significantly impacted mental health and wellbeing. Robust progression plans were in place to best support students and where needed, track destinations. The VP (Curriculum) also added that the curriculum intent was good, however it was important to balance the provision alongside the College's mission. This challenge was consistent across the sector and the Principal said that some GFE colleges appeared much stronger where they were able to offer a wide mix of vocational courses and pathways. There was some development work for the S7 Colleges, and this may lead to further insights although the factors were quite often co-morbid. A Governor remarked on the findings of Stephen Carville's report and the importance of a retention strategy. Following the Governors' discussion, the contributory factors impacting retention were agreed to be examined in more depth including reporting back to the Quality & Curriculum Committee on destinations via KPIs. **(Action SMT)**

11. Student Voice

Paper: Student Voice termly report

The Student Governors spoke to their report. It was a challenging year and additional student support was welcomed. Mr Bensusan took advantage of the early application process and was well guided through his Oxbridge application. It was observed Post-19 progression routes were likely impacted by Covid with students often making selections closer to home or opting for non-HE destinations.

The Student Governors were thanked for the excellent report.

12. College Quality Assurance inc:

Papers: Self-Assessment Report 21-22, Quality Improvement Plan 22-23

i) Self-Assessment Report 21-22

The VP (Curriculum) was pleased to report the recent release of BTEC results which aligned with the 70% high grade target.

ii) Quality Improvement Plan 22-23

There were no further comments on the QIP.

The Governing Body thanked SMT for all their work.

Resolved: The Governing Body approved the College SAR 21-22 and QIP 22-23.

13) Report – Finance & GP Committee

Papers: ESFA dashboard (SharePoint only), Business KPIs, Q1 Management Accounts, H&S Policy (SharePoint only)

a) Minutes inc. those of Estates S-C

The Governing Body received the latest minutes including those of the Estates Sub-Committee.

b) Consider Recommendations:

i) ESFA Dashboard access

The Committee Chair advised the latest dashboard had now been released. PDF downloads were made available on SharePoint in the F&GP folder, however, should Governors wish to have direct access, the Clerk would arrange for the MIS team to set up individual accounts.

ii) Business KPIs

Retention was raised again in respect of the overlap between Business and Education KPIs. Governors welcomed any information to contextualise the data and consideration to the best approach of serving the local community in development of skills.

iii) Q1 Management Accounts

There were no comments on the Management Accounts.

Resolved: The Governing Body approved the Q1 Management Accounts.

iv) Policies: H&S Policy

There policy was presented as a consent item due to minimal updates as endorsed.

Resolved: The Governing Body approved the H&S Policy.

14) Report – Nominations Committee

Papers: Governance SAR (21-22) & QIP (22-23), top sheet succession planning / Mercer application

a) Minutes

The Governing Body received the latest minutes.

b) Consider Recommendations:

i) Governance SAR (21-22) & QIP (22-23)

The overall grading for the effectiveness of governance had been revisited and the Committee Chair advised the conclusion was 2 'Good' with some areas identified for development. The Governing Body supported the approach.

Resolved: The Governing Body approved the Governance SAR 21-22 and QIP 22-23.

ii) Succession/Governor appointments

There continued to be a focus on developing the Governing Body to ensure a diverse and varied skillset and membership. The Committee Chair highlighted the following matters:

- The receipt of a Mercer Governor application from Mr Teddy Bridges to fill the current vacancy (pending confirmation from the Court of Assistants). Mr Bridges would bring a wealth of financial expertise of most benefit to the F&GP Committee. Further updates to follow once approved.
- Thanks were recorded to Dr Powell who had signified that he would be happy to extend his current term as Mercer Governor by a further year taking him to July 2024.

- The approval of current Co-optee Mr Steven Allen as an Independent Governor to fill the vacancy.

Resolved: The Governing Body approved the appointment of Mr Allen as Governor w.e.f 1 January 2023.

iii) Reporting Review update

Previously discussed at the meeting.

iv) Strategy events inc Learning Walk, UMAD

The Committee had considered future strategy events. The Principal thought it an appropriate point to review cost and event purpose in the years outside the main planning cycle, in particular for UMAD. The Governing Body were supportive of the new approach.

15) Report - Quality & Curriculum Committee

Papers: Education KPIs

a) Minutes

The Governing Body received the latest minutes.

b) Consider Recommendations:

i) Safeguarding update

The Committee Chair highlighted the particular emphasis on safeguarding and the significant issues being addressed by the College at this time. Within the Pastoral QIP, there was a new mental health and wellbeing strategy being developed and Mr Allen had agreed to the assignment of the Governor link for this area as well as sharing the SEND link with Dr Powell in the short term.

The VP (Pastoral) had prepared some slides which would be circulated after the meeting. **(Action Clerk)** It would be useful for Governors to examine trends from the data and it had been agreed the Governing Body would receive more regular updates. A Governor reiterated the importance of continued close scrutiny of safeguarding at the relevant committee level and Dr Powell took an action to discuss this with Mr Allen and the VP (Pastoral). **(Action Dr Powell, VP Pastoral)**

ii) Education KPIs

The Staff Governor commented on a recent meeting with Pearson where it was confirmed the College was one of the larger T-Level providers, which put into context the size of the provision.

iii) Policies: Student Voice Policy

The Clerk advised the policy was included on SharePoint for information. It was agreed to fully delegate to the Q&C Committee.

It was agreed that the update from the Remuneration Committee would be brought forward:

16. Report - Remuneration Committee

Papers: SPH Annual Statement 21-22

a) Minutes

The Governing Body received the latest minutes. The Committee Chair was pleased to report a rigorous oversight of the objectives in this year's performance management cycle.

b) Consider Recommendations:

i) SPH Annual Statement 21-22 (new)

The Governing Body heard of the new requirement arising from the Remuneration Code to publish an annual pay statement for SPHs. There were no further comments.

Resolved: The Governing Body approved the SPH Annual Statement 21-22.

17. Report – Audit Committee

Papers: Audit Committee Annual Report 21-22, Internal Audit Plan (SharePoint only)

a) Minutes

The Governing Body received the latest minutes.

b) Consider recommendations:

i) Audit Committee Annual Report 21-22

The Committee Chair provided an overview of the annual activity covering internal assurance. A new senior appointment with the IT team was confirmed to be starting in the new year which the Committee Chair said would support the development work identified in the action plan.

The Risk Management Group had also met this term as part of the wider risk assurance framework and the Committee Chair informed the Governing Body that some external risks such as pay resonated across the sector.

ii) Internal Audit Plan 22-23

The Governing Body were satisfied with the strategy and inclusion of estates management as a fourth internal review for 22-23.

Resolved: The Governing Body approved the updated internal audit plan 22-23.

It was noted that the Committee were looking at possible retendering of the internal audit provider as a matter of good practice.

The Chair of the Governing Body took the opportunity to thank all the Committee Chairs for the comprehensive updates.

18. Chair's Report inc.

Papers: External Review of Governance top sheet and proposed timeline

i) Chair stakeholder meetings

The Chair gave a brief update on the activity this term. A newly formed Mercers' Chairs' forum had proved a useful collaboration of the 16 school and college Chairs. The Chair had also attended the SFCA south-east meeting of Principals and Chairs and the recent annual strategic conversation with representatives of the FE sector of the DfE.

[18.30 Mrs Valley and Mrs Donoghue departed the meeting]

ii) Governance training

Due to overrunning, it was agreed the FutureLearn guidance video would be circulated via email.
(Action Clerk)

iii) External Review of Governance

The Chair explained the purpose of the review which if conducted well, could be used as a constructive tool for development. There were further updates on potential reviewers since the time of writing. The Chair sought agreement that the selection of the reviewer being made by the Nominations Committee and any developments reported back either at the next meeting or via email and this was agreed as a way forward. **(Action Chair/Clerk)**

Resolved: The Governing Body approved the selection of a reviewer be delegated to the Nominations Committee.

19. AOB

Nothing to record.

20. Meeting Assessment

The Chair sought feedback on the presentation of papers for this meeting which had been split into 4 separate packs for ease of reference.

It was noted the sound quality and ability to interact was somewhat hindered with hybrid meetings.

The Chair reminded Governors of the need to migrate to Collyer’s accounts by the Spring term. Support was available where required.

21. Date of Next Meeting

The next meeting will take place on Tuesday 28 March 2023, 10.30am at Mercers’ Hall.

The meeting closed at 18.41

Chair

Date

RRS 13-12-2022