

Meeting of the Governing Board – Wednesday 7 December 2022

Present:

David Meakin – Chair
Jim Sutcliffe
David Brown
Gillian Bardin
Karen Buchanan
Mohammad Urahman
Gareth Jones
Curtis Wilson

Fiona Lugiano
Guy Thomas
Richard Robinson
Philip Turner
Paul Henderson
Anita Wright
David Tomlinson
Steve Wilkinson

Contributed:

Richard Thorley

In attendance:

Simon Jordan
Stuart Arnfield
Neil Burrows
Sarah Crossley
Tracy Kennedy
Charlotte Ashworth
Simone Lomas
Kate Wallace

Apologies for Absence

- 1 Jennifer Fawcett
Gerald Griggs
Annette Weekes

Welcome and Introductions to Student Governors

- 2 Eshan Bilal and Benji Crampton, the potential new Student Governors were introduced to the Board. Eshan is an A Level student and Benji is an advanced vocational Public Services student who are both representing the College's Sixth Form cohort. The decision to approve their appointment will be considered at Appendix D.

External Audit Requirement

- 3 To ensure compliance with the Audit Code of Practice the audit findings are required to be presented at the Full Board. Charlotte Walsh from RSM joined the meeting remotely.
- 4 Charlotte summarised the audit findings, the auditor's role is to establish whether the financial statement opinion provides a fair view of the position, whether the funding and income is being used for what it is intended for. The audit was conducted professionally by all parties with support from Susan Williams and Stuart Arnfield. Charlotte confirmed that there had been no significant issues.

There were no questions from Governors.

Safeguarding Training

- 5 Tracy Kennedy introduced herself as the Head of Safeguarding and Wellbeing at the College, she explained that each year one of the cornerstone pieces of legislation for safeguarding is the Keeping Children Safe in Education. Tracy introduced Charlotte Ashworth, Safeguarding and Wellbeing Lead, who delivered an update, including the key changes along with information in relation to the Prevent Agenda, looking at local referrals and priorities.
- 6 Jim Sutcliffe asked about the training that was being delivered to the wider College staff, he asked how the delivery team were able to establish whether their training had been successful and the staff were fully aware and up to date.
- 7 Charlotte explained how she was able to establish that staff are fully engaged with the Safeguarding agenda and its impact by the way staff were referring students, for the correct reasons, using the correct processes and understanding the priorities. A register of staff who have undertaken the training is completed and recorded.
- 8 David Tomlinson asked whether vulnerable adults are included in the Keeping Safe in Education legislation. Tracy confirmed that they are part of the scope and that the Safeguarding teams service extends to all students attending the College.
- 9 Governors were informed that a link to the training for this session would be emailed to them.

Action: Simone Lomas

- 10 David Meakin on behalf of the Governing Board thanked Tracy and Charlotte for the update and training session.
- 11 Jim Sutcliffe asked for a second opinion and further assurance on whether the training is satisfactory and whether key people in the College were proficient in the required level of Safeguarding knowledge.

Action: Karen Buchanan

- 12 David Meakin introduced David Tomlinson, the most recently appointed Governor who has joined the Audit Committee.

Declaration of Interest

- 13 There were no declarations of interest noted.

Draft Minutes of the Board meeting held on 5 October 2022

- 14 The draft minutes of the Board meeting held on 5 October 2022 were accepted as an accurate record of the meeting, proposed by Steve Wilkinson and seconded by David Brown.

Matters arising from the minutes

- 15 Paragraph 10 – a Safeguarding update and training session has been delivered at this meeting.
- 16 Paragraph 11 – Simone Lomas confirmed that the Safeguarding and Child Protection Policy has been published on the College's website.
- 17 Paragraph 15 – Neil Burrows updated governors with data in relation to apprentices who had been made redundant during the pandemic.

- 18 Paragraph 20 – Simone Lomas confirmed that the issue of co-opting governors to the Board was discussed at the Search and Governance Committee meeting.
- 19 Paragraph 31 – Simone Lomas confirmed that the Instruments and Articles of Governance have been published on the College's website.
- 20 Paragraph 37 – Karen confirmed that the staff turnover is high. Analysis on the data has been undertaken and the findings will be presented at the HR Committee.

Minutes of the Committees Safeguarding Minutes – 5 October 2022

- 21 David Brown referred to the safeguarding presentation in particular the referral themes and how they had been reflected in the minutes of the meeting. The data associated to the number of lower level mental health referrals and the emerging themes of suicidal ideation are a very serious concern. The presentation this evening gave us assurance that the SMT are taking it very seriously.

Draft Academic Board – 12 October 2022

- 22 Simon Jordan advised of the three items discussed at the Academic Board: Student Experience, Staff Survey and Health and Safety and Culture. All three reports were extremely positively received.

Draft Search and Governance Committee – 12 October 2022

- 23 David Brown advised that many of the items discussed at the meeting would be presented in the report at Appendix D. He was pleased to note that the Board is at capacity in relation to Business Governor appointments. David thanked the Governors who have been re-elected for a further term of office.
- 24 David advised that the External Review of Governance would be conducted in the next two years. For the review to be useful it will be beneficial for benchmarking and lessons learnt data to be published prior to the College undertaking their review.

Draft Human Resources Committee – 12 October 2022

- 25 Philip Turner explained how the situation relating to the Pay Award had been a key agenda item, with the outcome being discussed this evening in Appendix H.
- 26 The analysis of the data that had been mentioned earlier in this meeting relating to staff turnover in two particular divisions, will be presented at the next HR Committee.

Draft Accommodation Working Group – 2 November 2022

- 27 David advised on the current position in relation to the campus developments including the University Building extension. Stuart Arnfield confirmed that the land purchase for the North Campus had been completed on 28 November 2022.

Student Council – 3 November 2022

- 28 Sarah Crossley advised that the Student Council meeting was well attended. The agenda included the introduction of the Rainbow Flag Award the College is working towards and discussions took place about Student Experiences associated with Learning and Teaching.
- 29 The Student Council were keen to have more regular interactions and have requested that they meet on a monthly basis. Feedback was positive, suggestions were made that will be considered by the College.

Quality Committee – 8 November 2022

- 30 Sarah Crossley informed Governors of the scope of the Committee, that members were representatives of key areas of the College. A review of the Student Code of Conduct and the Student Behaviour descriptions was undertaken. The Committee also received an update on the Teaching Excellence Framework application that the College is making.

Draft Curriculum and Standards Committee – 9 November 2022

- 31 Fiona Lugiano advised Governors that the main items discussed related to the University Courses and reflecting on the partner university feedback which was very positive, the achievement rates for FE and HE were also positive and the challenges with Apprenticeship achievements as a consequence of Covid and the significant changes in how achievements are measured.

Draft Audit Committee – 23 November 2022

- 32 Charlotte Walsh attended the Audit Committee, she was extremely positive in her report. Jim Sutcliffe explained that the Emerging Issues report had highlighted the decision taken by the Office of National Statistics (ONS) to re-classify all sixth form colleges back to the public sector. Karen explained the implications; that although now classed as a public company the College would not receive any VAT relief and that the financial academic year may change and run from April to March. She also noted that universities are being considered for reclassification into the public sector.
- 33 David Brown noted that the most recent AoC governor bulletin provided a useful summary of the position, the rationale behind it and the implications that will fall from it. Simone will arrange to send the bulletin to all Governors.

Action: Simone Lomas

- 34 The committee received a presentation from the Network Services Team relating to the Unified Cloud platform, the new infrastructure to ensure a robust and resilient cyber security network and their plans to keep up to date with new technologies.

Audit Committee Annual Report to the Governing Board 2021/22

- 35 Jim Sutcliffe presented the report confirming that the data demonstrated a positive position. He reported that there had been positive audit opinions and that the Committee had reviewed their Terms of Reference and conducted their Self-Assessment, concluding that improvements in two areas should be implemented.
- 36 The content of the report was summarised with the overall conclusions being that the College continues to offer value for money.
- 37 The Board unanimously accepted and approved the contents of the annual report, proposed by Gillian Bardin and seconded by David Brown.

Corporate Performance 2022 & 2023

- 38 Karen clarified that the report provided an overview of the strategic management cycle and results and a summary of the goals and the progress towards each one, presented to Governors three times a year and to staff twice a year.
- 39 Karen informed Governors of the current position in relation to each of the goals explaining that the data provides headline achievement against the goals for the last 3 years. Karen referred to the recently increased achievement target of 90% adding a cautionary note to the more challenging Apprentice achievement rates that are around 70%.
- 40 Anita Wright asked about the processes or measures the College have in place to ensure that the College's data is good quality and of a high standard. Karen explained how a significant amount of the data comes from the Individual Learner Record (ILR) sent to the ESFA who validate the College's data and audit it. The Risk Assessment register is reviewed regularly by the SMT, this includes the College's data which is validated by many regulatory bodies from a third-party perspective; Ofsted, Association of Colleges, Internal Auditors.

- 41 Jim Sutcliffe asked about the timely achievement data being reported in Paragraph 15, table 7. Karen explained how timely achievement rates are measured for apprentices and that Governors would receive a presentation at the Governors Strategic residential, explaining how the data is formulated, the current position and the plans to improve figures.

The content was noted.

Update on Governance Issues for Autumn/Winter term 2022/23

- 42 Simone Lomas presented the report requesting Governors' consideration of the draft redacted minutes attached to the report. Governors unanimously approved them for publication on the Colleges website.

Action: Simone Lomas

- 43 Governors noted that the College Seal had been used on the 23 November 2022 for the land purchase transfer for the North campus and for Section 106 Agreement as part of the planning permission.
- 44 After a rigorous interview process, a recommendation to approve the appointment of the Student Governors, Eshan Bilal and Benji Crampton to the College's Board was made. The recommendation to approve the Student Governors was unanimously approved, proposed by Fiona Lugiano and Richard Robinson.
- 45 Simone advised Governors of the re-election of four governors whose term of office was due to expire, Gillian Bardin, Paul Henderson, Guy Thomas and Fiona Lugiano. Their appointments had been reconsidered and unanimously approved at the Search and Governance Committee in October 2022.

Health and Safety Report 2021/22 and in year update for 2022/23

- 46 Neil informed the meeting of the risk assessments and practices associated with Health and Safety and the new Competency records that have been updated in all areas. Health and Safety Consultant David Shorrocks has visited the College three times throughout 2021/22 focussing on the transition from the Covid pandemic. David has attended the College recently, his findings have been submitted to the College this week, providing evidence of both good practices and those that require attention.
- 47 Jim asked where the locations of the new defibrillators are across the buildings and whether staff are all aware of their positions. Neil confirmed that there are two at this building, two at Fitness Evolution and one at the Gatehouse.
- 48 Guy Thomas asked for the figures to report a subtotal that excludes the incidents, to provide clarity and a realistic picture of the actual accidents and near misses .

Action: Neil Burrows

The report was noted.

Governors Strategic Planning Overview Document

- 49 Karen Buchanan introduced the paper and invited Governors to raise questions and comment on the set paragraphs which had been highlighted with the relevant senior managers' name.
- 50 Following on from information received from Annette Weekes at the last Board meeting Simon advised Governors of the new acting Chief Executive of the LEP, Andy Walker who is assisting the government with the 'Place' agenda and gave assurances to the Board that the SMT will ensure they focus on devolution developments in order to influence and be ready for any impact.

The College Self-Assessment Report (SAR) 2021/22

- 51 Simon Jordan advised that the SAR is a formal document that is placed on the Ofsted hub. Whilst this is no longer a legal requirement, it is recognised as good practice to do so. The SAR summarises where we expect to be against the Education Inspection Framework (EIF). The SAR is externally validated through consultants, and internally validated through divisional and support area reviews comparing performance against national averages and College targets.
- 52 David Tomlinson asked what the plan is to improve the Ofsted result from a grade two to a one. Simon explained how the Ofsted inspection was conducted, that they were interested in how each learner was stretched and challenged, in sequencing in terms of why the program is delivered in a certain way. Simon concluded that across the College there are areas that deliver the requirements very well but that some areas don't always maintain it at the highest level. Our delivery models are strong but we need to show more evidence of impact.
- 53 Kate Wallace added that Apprenticeships have gone through significant change from Frameworks to Standards. The data that she sees when conducting Ofsted inspections aligns to the data being reported at Burnley College and would currently place the College as a grade 2. Consistency of the provision across the College and employer engagement in all aspects are key to a grade one provision.
- 54 David Tomlinson was keen to see the College's development plan providing detail of how we propose to move from a grade two to a one. Simon explained that a session focussing on the development plans for all of the College's funded provision would be presented at the Governors Strategic residential. **Action: Simon Jordan**
- 55 David Meakin thanked Muhammad Urahman for his contribution as Student Governor as his Term of Office comes to a close, he wished him, on behalf of the Governing Board, every success with his studies at College and in the future.

Approved by Chair, David Meakin

Signed: David Meakin

Date: 8 February 2023

NOTE: Final approval of the minutes will be at the following Board meeting.