

Preston College

Redacted and Abridged¹ Minutes of the Board Meeting held on 7th July 2022 at 5.30pm, Skills Hub

Present:

Mr John Boydell Chair
Mr Steve Browne
Mr Marcel Driver
Ms Joanne Jones
Miss Lisa Keegan
Mr Robert Marshall-Slater
Mrs Laura Mason
Mrs Lynda Mason
Mr Dipesh Patel
Miss Georgia Turner

In attendance:

Mr Simon Nixon Executive Director Resources
Mr Mick Noblett Vice Principal - Curriculum Delivery and Planning
Mrs Clare Rayner Clerk to the Board
Ms Gill Thornton Head of Human Resources

Absent:

Mr Martin Collard
Ms Ashley Dalton
Mrs Janine Garcia
Miss Maty Gueye Seck
Ms Marie Haworth Vice Principal Quality, Teaching, Learning and Learner Support

1. Welcome and apologies

The Chair welcomed everyone to the meeting.

It was noted that apologies had been received from Ms Dalton and Mr Collard.

It was noted that a quorum was present.

The Board noted that Mr Steve Edwards, Miss Jessica Hopwood and Mr Nevan Hunter had resigned since the last Board meeting and Miss Firdaus Patel would not join the Board following a sabbatical approved by the Board.

On behalf of the Board, the Chair recorded thanks to Mr Edwards and Mr Hunter for their contribution as members of the Governing Body. It was noted that Miss Hopwood had been appointed as student governor (FE) but had not been able to attend any Board meetings.

2. Declarations of Interest

The Board noted the inherent interest of all staff in the HR policies for approval and noted that staff would not be required to leave the meeting for these discussions.

¹ Please note that any matters which the Corporation is satisfied should be dealt with on a confidential basis have been removed from these minutes.

The Board noted the interest of Miss Keegan, as the College's Health and Safety Officer, in item 7 – the Health, Safety and Welfare Policy. The Board noted that Miss Keegan was not required to leave the meeting but could not count as part of the quoracy for this item.

FOR APPROVAL

3. Minutes of the previous meeting – 17th March 2022

The Board approved the Minutes of the Board meeting held on 17th March 2022 as a correct record and the matters arising report was noted.

Resolved: The minutes of the Board meeting held on 17th March 2022 were agreed and signed as a correct record and the matters arising report was noted.

4. Decisions Taken and information Sent Between Meetings

The Board noted the report on Board decisions taken between meetings and information sent to members between meetings. The Board noted that the following written resolutions had been carried since the previous Board meeting:

18 th March 2022	Approval of Special Board Minutes – 17 th March 2022.
25 th March 2022	Approval of publication of the College's Gender Pay Gap data on the Government and College website by 30 th March 2022 using a snapshot of data based on the staffing establishment on the 31 st March 2021.
16 th May 2022	Approval of a staff pay award.
22 nd June 2022	Approval of the appointment of Beever and Struther as the College's external auditors for a period of three years, which could be extended by a further year at the discretion of the Board, from July 2022.
22 nd June 2022	Approval of the appointment of Mr Malcolm Goulding to the Corporation Board as an independent governor for a four year term and the appointment to the Audit Committee and Search and Governance Committee, subject to compliance checks.
22 nd June 2022	Approval of the re-appointment of Mrs Lynda Mason for a second term of four years (Mrs Mason to review after two years).
22 nd June 2022	Approval of the re-appointment of Ms Joanne Jones for a second term of two years.
22 nd June 2022	Approval of the Policy for the Appointment and Re-appointment of Governors.
22 nd June 2022	Approval of the Procedure for the Appointment and Re-appointment of Independent Governors.

22 nd June 2022	Approval of the Procedure for the Election and Appointment of Staff Governors.
22 nd June 2022	Approval of the Procedure for the Election and Appointment of Student Governors.
22 nd June 2022	Approval of the revised College Equality Statement.

The Clerk also referred to confirmation issued to the Board on 1st April 2022 that the Board of Passport to Apprenticeship Ltd, a College subsidiary company, had met and approved the striking off of the company.

Resolved: The Board noted the report on Decisions Taken and Information Sent Between Meetings.

5. Quality and Standards Policy Review

The Clerk reported that the Quality and Standards Committee had recommended to the Board that the current Special Educational Needs and Disability (SEND) Policy was extended until March 2023, pending the government's publication of a Green Paper which was required before the policy could be revised. The Board approved the extension of the current SEND Policy until March 2023.

Resolved: The Board approved the extension of the current SEND Policy until March 2023.

6. Employment Policy Update

Ms Thornton, Head of Human Resources, presented her report on Employment Policy Update.

The Board noted:

- the policy statement regarding the management of allegations of a safeguarding nature made against staff had been included as a section within the College's overarching Safeguarding, Child Protection and Prevent Policy;
- the Managing Allegations of a Safeguarding Nature Procedure, at Appendix A, had been reviewed by Resources Committee at its meeting on 5th May 2022 and the changes requested by the Committee to the draft procedure and associated flowchart, at Appendix B, had been made;
- a clarification that the Managing Allegations of a Safeguarding Nature Procedure would be added to the Schedule of Delegation when it was next reviewed and Article 16 of the Instrument and Articles of Government would not be amended;
- changes to the Pay Principles Policy were subject to a successful conclusion to the on-going trade union consultation.

A member of the Resources Committee thanked Ms Thornton for making the changes and revising the flow chart as requested by the Resources Committee.

The Board approved the Managing Allegations of a Safeguarding Nature Procedure, at Appendix A, the revised Performance Improvement Policy, at Appendix C, the revised Recruitment of Employees and Casual Workers Policy, at Appendix D, and the revised Pay Principles Policy at Appendix E.

Resolved: The Board approved:

- **the Managing Allegations of a Safeguarding Nature Procedure at Appendix A,**
- **the revised Performance Improvement Policy at Appendix C;**
- **the revised Recruitment of Employees and Casual Workers Policy at Appendix D;**
- **the revised Pay Principles Policy at Appendix E.**

7. Health, Safety and Welfare Policy

Miss Keegan referred members to the Health, Safety and Welfare Policy, at Appendix A, which had been completely revised to make it more accessible for all stakeholders. Miss Keegan reported that the policy had been reviewed by the Resources Committee at its meeting on 29th June 2022 and the changes requested at the meeting had been made.

The Board noted that the revised Health, Safety and Welfare Policy and the General Statement of Intent, had been reviewed by the Resources Committee and recommended to the Board for approval.

A member of the Resources Committee thanked Miss Keegan for making the changes requested at the Resources Committee.

The Board agreed the revised policy was more accessible and easier to read and approved the revised Health, Safety and Welfare Policy, including the General Statement of Intent.

Resolved: The Board approved the revised Health, Safety and Welfare Policy, including the General Statement of Intent.

8. Budget and Financial Plan 2022/23

Mr Nixon, Executive Director of Resources, presented his report on the Budget and financial plan for 2022/23 which includes the proposed budget 2022/23.

Mr Nixon reported:

- that the full proposed budget 2022/23 was at Appendix A and proposed surplus;
- that the financial plan 2021 to 2024 was at Appendix B and the full ESFA spreadsheet model could be viewed on the Governors' Portal;
- provision for staff pay award;
- that it was anticipated that the budget would result in a 'Requires Improvement' health grade. However, it was anticipated, that the College would return to a 'Good' health grade during 2023/24;
- that the budget and financial plan had been reviewed by the Resources Committee at its meeting on 29th June 2022 and recommend to the Board for approval;

- on the planned submission of budget, financial plan and the detailed spreadsheet to the ESFA by the end of July 2022.

In response to queries from members, the Board noted:

- impact of the final salary pension schemes on the budget;
- how increased inflation might affect the budget. Mr Nixon highlighted that a risk in 2023 was increased utility costs. There were also general risks regarding the supply chain in response to the war in Ukraine and the impact of the pandemic.

The Board approved the budget for 2022/23 and agreed the three year plan covering 2021 to 2024.

Resolved: The Board approved the budget for 2022/23 and agreed the three year plan covering 2021 to 2024.

9. Partnerships/Subcontracting Report

Mr Noblett, Vice Principal - Curriculum Delivery and Planning, referred members to his Partnerships/Subcontracting Report which provided an update on partnership and sub-contracting activity in 2021/22 and outlined proposals for sub-contracting arrangements in 2022/23.

The Board noted that the report had been reviewed by Quality and Standards Committee at its meeting on 23rd June 2022 and recommended to the Board for approval.

In response to queries from members, Mr Noblett provided further information on:

- the College's involvement with the Lancashire Institute of Technology (LIOT). Mr Noblett explained that the stage one bid had been successful and LIOT delivery would start in September 2023 with the structural and governance arrangements to be developed during the 2022/23 academic year. Mr Noblett explained how the project would enhance the College's reputation and standing within the community and would also demonstrate how the College met local needs;
- how the LIOT projects would fit with the new local skills statutory duty including the requirement for governing bodies to review how well their institution's provision met local needs;
- examples of collaboration between colleges across the county, which worked to colleges' key strengths and enhanced student offers;
- an update on the Strategic Development Fund (SDF).

The Board noted the Partnerships/Subcontracting Report and approved the proposed sub-contracting arrangements for 2022/23.

Resolved: The Board noted the Partnerships/Subcontracting Report and approved the proposed sub-contracting arrangements for 2022/23.

10. Governance Matters

The Clerk presented her Governance Matters report.

The Board noted the current Board and committee membership as at July 2022, at Appendix A, and noted the update on Board resignations provided at the start of the meeting.

The Clerk referred to the Department for Education's (DfE) publication of the revised FE Governance Guide and also Guidance on External Reviews and the ESFA's publication of the Post 16 Audit Code of Practice and reported these reports were available on the Governors' Portal.

The Clerk referred to the requirement for the Board to have an external governance review every three years. She reported that the timing for this review had been considered at the Search and Governance Committee and the Committee recommended the external review take place in the 2022/23 academic year. The Clerk recommended that, whilst the Board must approve the external reviewer, the arrangements for this review could be delegated to the Search and Governance Committee.

The Board agreed the Search and Governance Committee should:

- review a draft terms of reference for the external review;
- draft a list of preferred suppliers for recommendation to the Board;
- approve the tender documents to be sent to preferred suppliers;
- review all bids received and make a recommendation to the Board on the preferred external reviewer.

The Board noted that the Clerk would support the Search and Governance Committee in progressing the delegated tasks.

The Clerk reported that the Search and Governance Committee recommended that the annual Board and committee reviews should be brought forward in the 2022/23 governance calendar and outlined the benefits of this. The Board agreed that the annual Board and committee reviews timetable should be brought forward and noted the questionnaires from 2021 would be used, with updates regarding Covid. The Clerk reported that, at the request of the Search and Governance Committee, one combined questionnaire for the Board and committees would be issued rather than a separate questionnaire for each committee.

The Clerk reported that the Search and Governance Committee had undertaken its annual review of the AoC Code of Good Governance for English Colleges and had agreed the proposed changes to rag ratings. The Clerk referred to a report on the proposed changes to RAG ratings and the rationale for these changes at Appendix B. The Board agreed the proposed changes to RAG ratings.

Resolved: The Board:

- **noted the current Board membership, Term of Office and membership of committees;**
- **noted the governor recruitment and succession planning update;**
- **noted the update on key governance reforms including the Department for Education's publication of the new FE Governance Guide and Guidance on External Reviews;**
- **noted the ESFA's publication of the Post 16 Audit Code of Practice;**
- **approved plans to commission an external governance review during 2022/23 and delegated the Search and Governance Committee to: work with the Clerk to draft terms of reference for the external review, draft a list of preferred suppliers for recommendation to the Board and approve the tender documents to be sent**

to preferred suppliers, review all bids received and make a recommendation to the Board on the preferred external reviewer;

- approved plans to bring forward the Board and committee effective reviews to summer as one single review using the 2021 templates;
- approved the proposed changes to RAG ratings in the report of the College's compliance with the Code of Good Governance for English Colleges.

11. Governance Meeting Dates and Locations 2022/23

The Clerk presented her report on Governance Meeting Dates and Locations 2022/23. She reported:

- that a more detailed forward work programme would be developed for consideration at the next meeting, including scheduling time for Board/ELT strategy sessions on the new five year plan and, in the interim, the afternoons before the October and December 2022 Board meetings had been identified as possible strategy sessions;
- the Board's Equality, Diversity and Inclusion training session had been planned for 8th September 2022 at 5.30pm;
- additional activities such as governor/staff lunches had been incorporated into the plan for 2022/23 as requested by the Board.

Following discussion, the Board agreed to move the Board meeting in December to 15th December. With this change the Board approved the governance meeting dates for the 2022/23 academic year.

Resolved: the Board noted the report on Governance Meeting Dates and Locations 2022/23 and approved the governance meeting dates for the 2022/23 academic year.

12. TU Facilities Time Report

Ms Thornton presented her TU Facilities Time Report. The Board noted that:

- organisations employing more than 250 staff were required by statute to make an annual Trade Union Facility Time Report;
- the Resources Committee considered the annual report, attached at Appendix A, at its meeting held on 29th June 2022 and resolved to recommend that Board approve it for publication by the statutory deadline of 31 July 2022.

The Board approved the annual Trade Union Facility Time Report 2021/22 to be published on the government portal, the College website and in the College Annual Report.

Resolved: The Board approved the annual Trade Union Facility Time Report 2021/22 to be published on the government portal, the College website and in the College Annual Report.

13. Banking Arrangements

The Board approved a report on banking arrangements and approved the use of the College seal.

FOR DISCUSSION

14. Safeguarding and Prevent Annual Report

As Ms Haworth had sent her apologies for the meeting, Mr Noblett presented the Safeguarding and Prevent Annual Report. He reported:

- that the new MyConcern system showed that many of the safeguarding concerns recorded related to activities outside of College and that for many learners College provided a safe space;
- on efforts to engage learners as they transitioned from school to the College;
- how ensuring there was sufficient staff and resources to address safeguarding matters at the College was considered as part of the Business Planning process;
- on the increase in Looked after Children at the College during 2021/22.

The Board noted the Safeguarding and Prevent Annual Report and noted the appointment of increased support staff to support safeguarding during 2021/22 in response to the increased number of safeguarding concerns recorded.

Mrs Lynda Mason, the Safeguarding and Prevent Link Governor, commended College staff for the efficient transition to the new MyConcern system during 2021/22 and the positive impact of the new system for managing safeguarding concerns.

In response to a query on identifying if there were any areas on campus where learners might feel unsafe, Mr Noblett reported that the Staff Council had helped the College with this exercise. He reported that the smoking shelters had been identified and to this additional CCTV cameras would be added in these areas and additional staff had been added to lunchtime duty rotas. The Board discussed with management how a careful balance must be struck as it was not in learners' interests to make the smoking areas attractive to learners but learners must feel safe to use these areas.

Resolved: The Board noted the Safeguarding and Prevent Annual Report

15. Principal and Chief Executive's Report

The Board noted the Principal and Chief Executive's Report which had been prepared by the Executive Leadership Team (ELT).

Mr Nixon reported:

- on a review on the status of FE Colleges in the UK by the Office of National Statistics (ONS). He explained that the review would determine whether the current classification of colleges as part of the private sector should continue, or whether there should be a re-classification to the public sector. He explained that in practical terms, any re-

classification was unlikely to have any immediate significant impact other than in government accounting, although the ELT would continue to monitor this;

- on ethical hacking and staff phishing testing which had been conducted by an external company on behalf of the College. It was noted that the Audit Committee would consider a report on this work;
- the Staff Awards, which would be held on 8th July 2022, had been moved to the College's amphitheatre due to Covid concerns and all governors were welcome to attend;
- ELT would continue to review future funding opportunities.

The Board discussed with management the significant changes within the Cabinet which would mean a new Education Secretary would be appointed.

The Board noted the Principal and Chief Executive's Report.

Resolved: The Board noted the Principal and Chief Executive's Report.

16. Five Year Plan Update

The Board noted the Five Year Plan Update.

Resolved: The Board noted the Five Year Plan Update.

17. Period 9 Management Accounts

The Board noted the Period 9 Management Accounts.

Resolved: The Board noted the Period 9 Management Accounts.

18. Performance Against KPIs

Mr Nixon presented the Performance Against KPIs report.

The Board noted the Performance Against KPIs report.

Resolved: The Board noted the Performance Against KPIs report.

19. ESFA Governing Body Dashboard

Mr Nixon presented his report on the Education and Skills Funding Agency (ESFA) Governing Body Dashboard. Mr Nixon reported:

- on correspondence from Adrian Brook, Deputy Director – Assurance - ESFA, dated 30th March 2022;
- on the instructions for accessing the Online Governing Body Dashboard were provided at Appendix A;

- revised ESFA methodology and the impact of this on the Colleges' financial health grade;
- the dashboard would be updated by ESFA six monthly.

In response to a query, Mr Nixon reported on the College's progress in increasing cash days and the College's surplus position.

Resolved: the Board noted:

- **the ESFA Governing Body Dashboard report and correspondence from Adrian Brook, Deputy Director – Assurance - ESFA, dated 30th March 2022;**
- **that a demonstration of the dashboard had been provided before the meeting.**

20. Risk Register

Mr Nixon presented his report on the Risk Register, dated June 2022.

The Board noted the Risk Management Register; including the current risks, actions completed and further actions still to be completed are agreed.

Resolved: The Board noted the Risk Management Register including the current risks, actions completed and further actions still to be completed are agreed.

21. Higher Education Update

The Board noted the Higher Education Update.

Resolved: The Board noted the Higher Education Update.

FOR NOTING

22. Committee Minutes and Verbal Reports

The Board noted the following Committee minutes:

Resources Committee – 5th May 2022 (Redacted)

Audit Committee – 9th March 2022 (Redacted)

Quality and Standards Committee – 3rd March 2022

Search and Governance Committee – 9th June 2022

Audit Committee – 15th June 2022 (Redacted).

The Chair of Audit Committee reported that he would be meeting with the College's previous external auditors to discuss handover arrangements.

Resolved: The Board noted the Committee minutes:

- **Resources Committee - 5th May 2022 (Redacted)**
- **Audit Committee - 9th March 2022 (Redacted)**
- **Quality and Standards Committee - 3rd March 2022**
- **Search and Governance Committee - 9th June 2022**
- **Audit Committee - 15th June 2022 (Redacted).**

OTHER BUSINESS

23. Any Other Business

On behalf of the Board, the Chair recorded thanks to Miss Maty Gueye Seck, Student Governor (16-18), for her contribution to the Board during her term as Student Governor.

24. Date of Next Meeting

The Board noted that the next Board meeting would be held on 22nd September 2022.