

## BARNSELEY COLLEGE BOARD OF GOVERNORS

### MINUTES OF THE MEETING OF THE BOARD OF GOVERNORS HELD ON TUESDAY 21 OCTOBER 2014

#### PART I

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**PRESENT:**

G Beever	Governor
P Bird	Governor (Staff)
C Booth	Governor
N Bowen	Governor
S Brian	Governor
S Burkinshaw	Governor (Student)
P Helm	Governor
G McSkimming	Governor
C Partridge	Governor
R Pourali	Governor
D Shepherd	Governor
J Thirkell	Governor (Chair)
M Wesson	Governor (Staff)

**IN ATTENDANCE:**

A J Oaks	Clerk to the Governors
D Harding	VP Quality and Adults
T Johnson	VP Corporate Services
J Miccoli	VP Teaching, Learning & Student Support
A Fairest	VP Property Development

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**APOLOGIES FOR ABSENCE**

14.165 Apologies had been received from A Eckford, M Taylor and G Vaughton.

C Partridge and D Shepherd were welcomed to the meeting.

14.166 The Board received a presentation from A Thorne from EMIS, highlighting the impact of the College on the local economy, following the results of an Environmental Impact Study undertaken by the College. The results of the study had been used to the College's advantage in a variety of different ways and it had helped to strengthen the College's bargaining position with the LEPs, funding bodies, Ofsted, and in generating additional income.

14.167 The results showed growth of £110m per year in additional workforce skills was being generated within the region, with £130m being the total economic impact to regional income. The College contributed 1.1% of the economic growth in this area, which was very significant and demonstrated high added value. Following a consultation on Outcome based success measures, an analysis showing a total of 65,000 jobs across 10 occupations to generate growth was being used by colleges to shape the curriculum offer. Following questions from governors on the accuracy of the level of the qualifications against each of the broad occupations, Mr Horne agreed to return to this and circulate the information to the Board. Overall, it was clear that Barnsley College was significantly proactive in the sector in terms of how it was using the data to respond to the skills needs of employers and the community.

**DECLARATION OF INTERESTS**

14.168 The Chair reminded members of the requirement to declare any financial or personal interests in any agenda items. Declarations from C Partridge and D Shepherd were noted in respect of their appointment. Directors of Wellspring Academy Trust, G Beever, J Thirkell, C

Booth and J Miccoli declared their interest in item 10. M Wesson declared an interest in item 13, Health and Safety Annual report.

## **MANAGEMENT STRUCTURE**

14.169 The Principal tabled an updated Management structure to the Board together with a paper setting out the roles and responsibilities of each member of the senior management team, following changes implemented in August 2014. Governors were also provided with a copy of the Master Target file for 2014/15.

## **MINUTES**

### **Minutes of the meeting held on 15 July 2014**

14.170 The Minutes of the Board meeting (Part I) held on 15 July 2014 were agreed as a true and accurate record and were signed by the Chair.

## **MATTERS ARISING**

14.171 The Board received a list of actions arising from previous meetings. The Chair noted that in July the Board had requested sight of a data dashboard. The Principal confirmed that the Ofsted data dashboard would be brought to the pilot meeting of the Q&S Committee on 11 November to allow Governors the opportunity to determine the level and format of the data required. With regard to Minute 14.138, N Bowen confirmed that arrangements had been made for an inspection to take place. Governors had received a copy of the Action Plan in respect of the International strategy as requested.

**RESOLVED 14.171** to establish a Quality and Standards Committee the pilot meeting of which would take place 11 November 2014 to agree Terms of Reference.

## **GOVERNANCE AND SEARCH COMMITTEE BUSINESS**

14.172 The Chair referred to the Minutes of the recent G&S Committee meeting and recommendations to appoint two new members to the Board, Clare Partridge, Director of Audit at KPMG, and David Shepherd, Service Director for Economic Regeneration at BMBC. Formal introductions were made. Further recommendations were put to the Board to reappoint Ms R Pourali for a further term of four years, and to set a target for attendance at 82%. Following consideration of all recommendations, it was

**RESOLVED 14.172.1** to appoint Ms Clare Partridge as a member of the Board for a term of office of four years;

**RESOLVED 14.172.2** to appoint Ms Clare Partridge to the Audit Committee and to take the Chair of the Committee from January 2015;

**RESOLVED 14.172.3** to appoint Mr David Shepherd as a member of the Board for term of office of four years.

**RESOLVED 14.172.4** to appoint Ms R Pourali as a member of the Board for a second term of office of four years.

**RESOLVED 14.172.5** to set the target for Governor attendance at 82%.

14.173 The Chair referred to the self assessment process that had been undertaken earlier in the month (papers were appended); and to the Governance improvement plan identifying actions for 2014/15. She considered the process to have been extremely thorough and productive this year, particularly the additional support provided through the National

Leaders of Governance programme which had given a 360<sup>0</sup> external view. As a result, the Board was to focus on monitoring quality matters and rigorously challenging management with the establishment of a Quality and Standards Committee which would allow more in-depth scrutiny. A pilot meeting would take place on 11 November 2014.

## **AUDIT COMMITTEE BUSINESS**

14.174 The Audit Committee had met on 16 September and on 15 October to follow up matters identified within an internal audit report of the College's subsidiary Think Development. In the absence of M Taylor, Chair of Audit, P Helm provided a verbal update to the Board which is recorded in Part II of the Minutes as the item was confidential.

14.175 Recommendations had been made to the Board to approve the Annual Internal Audit Report for year ending July 2014 and the updated Whistleblowing Policy. The Committee had been very pleased with the quality of the IASs performance and the College's approach to the reviews and findings. The Clerk explained that under the new audit regime, the Board would no longer be able to rely solely on the IAS's opinion as to the adequacy and effectiveness of the College's internal controls for risk management and governance processes. The requirement to submit the IASs report to the SFA together with the Financial Statements to support the opinion had been removed and replaced with the requirement for the Board to submit its own Annual Report. C Partridge reiterated this, emphasising the importance of the Board receiving appropriate assurance in this regard prior to signing off the financial statements in December.

**RESOLVED 14.175.1 That the Annual Internal Audit Report for year ending 31 July 2014 be approved.**

**RESOLVED 14.175.2 To approve the revised Whistleblowing Policy.**

## **ANNUAL SAFEGUARDING REPORT**

14.176 The Board received an Annual report which set out the College's approach to safeguarding students, staff and visitors during the last year. Full details were provided of key actions taken by the College to ensure learner and staff safety. A total of 185 disclosures had been made, the analysis identifying the number in each category. Learner surveys had identified 97% of students felt the college was a safe place to learn compared to the national BM of 89%.

14.177 Examples of enrichment workshops and details of the range of additional support services provided to meet complex learning needs and ensure inclusivity were summarised. The College was represented externally on a number of external boards and committees which were summarised for information. R Pourali commented on the Faith Group which the College now contributed to. The level of staff training and related safeguarding training events demonstrated the College's commitment to safeguarding. For 2014/15, the College aimed to promote a stronger focus on safeguarding, particularly in the out of town campuses, in workplace settings and within subcontracted provision. D Shepherd observed that the highest number of disclosures related to sexual abuse, and given the adverse publicity concerning Rotherham Borough Council, asked what else the College might do to provide additional assurance. The VP responded, explaining the mechanisms in place and different roles played by staff to deal with referrals. She added that the college also had a good relationship with the appropriate agencies. She believed the College's procedures to be exemplary with staff working to their best ability in this area. The Principal commented that the increase in disclosures was a direct result of increased awareness and training.

14.178 The Chair commented that she would be undertaking her safeguarding link visit in the coming weeks when the designated member of staff returned to work. The VP Teaching and Learning commented that in the absence of the designated Safeguarding officer, members of SMT had shared this responsibility to ensure that all learners and staff were adequately supported. R Pourali commented that the Equality Forum would be holding an event in

March focusing on the issues identified in the report on RMBC and that the College would be participating.

The Chair thanked the VP for the Report, which demonstrated the College's continued rigour with regard to keeping its learners and staff safe.

*J Miccoli left the meeting.*

M Wilson, CEO of Wellspring Academy Trust, joined the meeting.

#### **WELLSPRING ACADEMY TRUST UPDATE**

- 14.179 The CEO of the WAT spoke to the paper that had been circulated to the Board in advance of the meeting. The Trust were seeking an increase to the financial support from the sponsor college to a maximum of £400,000. For newer members, the background to the Trust, established as a multi academy trust in June 2012 and sponsored by the College as Principal sponsor, was provided. By way of an update, the Forest Academy (formerly Kendray primary) had joined the Trust in 2013 and was rapidly improving under the leadership of a new Head. Springwell special school and PRU alternative provision, were due to convert to academy status and join the Trust in November 2014. The Board were aware of the delay to this particular conversion which had been ongoing for 2.5 years. Two further academies in Grimsby, Phoenix House PRU and Phoenix Park were expected to join the Trust in November, with the addition of the Young Peoples Centre in Grimsby converting and joining in December. Post conversion the Academies would be known respectively as Springwell Learning Community, Phoenix Park Academy and Sevenhills Academy.
- 14.180 Under the Free school programme, the Trust had been successful in establishing Elements Primary School in Barnsley, due to open on 1 September 2015. The Vice Chair, recognising the need for additional primary education, asked about the response from existing local schools, to which it was confirmed that there had been a full consultation and public meeting, with no objections. The Chair of the Board commented that the location of the site for Elements was key.
- 14.181 The CEO outlined the current financial position in some detail, which had been caused by the well-publicised delay in conversion of Barnsley schools to academies. A dialogue with BMBC continued to resolve the remaining legal issues with a view to moving forwards as quickly as possible. Governors expressed some concern and a level of apprehension with regard to the request and asked several questions in order to satisfy themselves that there would be no negative impact on the financial position of the College and to its reputation, and that the Trust would eventually become self-sustaining. The Principal advised the Board that it was likely the Trust would reach a break even position within 2- 3 years and was therefore unlikely to repay the debt until after that time. Governors recognised the risks associated with the current financial position, and acknowledged that it was in the Board's interest to ensure its success. However, some governors questioned the initial strategic aims of the Trust given its original intention was to sponsor secondary schools. In order to provide a degree of comfort to members, the Chair invited the CEO to apprise the Board on the impending DfE visit.
- 14.182 The CEO advised that the Forest Academy were about to undergo an inspection from the Open Academies Team, alongside a visit from the new DfE Regional Commissioner. A very positive outcome was anticipated which would provide a high degree of credibility to the College as sponsor, and of the Trust's increasing capacity, paving the way for the Trust to sponsor additional schools. The Principal accepted that while no secondary schools had joined the Trust yet, its main purpose – to help improve educational attainment in Barnsley and surrounding areas by encouraging schools to work together and with each other and the College, remained the same.

14.183 The Chair invited Governors to consider the recommendation and any other option the Board may feel more predisposed to consider as an alternative. Further to a considered and lengthy debate, it was:

**RESOLVED 14.183.1** that the College shall increase the loan to the Wellspring Academy Trust up to a maximum of £400,000

**RESOLVED 14.183.2** that the College shall provide a Letter of Comfort to the Trust setting out its undertaking.

*M Wilson left the meeting.*

## **ANNUAL COMPLAINTS REPORT**

14.184 The Board received the annual report which identified 37 complaints received, one less than in the previous year. The analysis identified an overall reduction in complaints received relating to 'meeting the needs and interests of learners' and 'safeguarding'; and an increase of two in teaching, learning and assessment. The departmental analysis identified the highest number of complaints had been related to FAME. The VP Q&A assured members that complaints were resolved in a timely manner according to procedure. Questions were raised with regard to complaints that were considered to be upheld, and the action subsequently taken. The VP undertook to provide this level of detail within future reports. The 3 year comparison by type of complaint was also queried in respect to the number of complaints in teaching, learning and assessment.

14.185 Governors raised further questions, observing the high level of complaints in FAME. It was noted that together with HE, it was the largest provision in the College and so was proportionate. The VP assured members that the College's intention going forward was to resolve complaints in a timely manner before they reached the formal stage. Discussion took place with regard to the forums whereby learners can voice their concerns and give feedback on their experiences. The Chair thanked the VP for the report.

*D Harding left the meeting.*

## **FINANCIAL OUTTURN**

14.186 The VP Corporate Services referred to the report which set out the financial outturn for 2013/14 which had been scrutinised and discussed in depth at the recent F&R Committee meeting. The draft figures were subject to final audit. An operating surplus of £1,815,000 was reported. The Report was received.

## **ANNUAL HEALTH AND SAFETY REPORT**

14.187 The VP Corporate Services presented the annual report. Accident statistics showed a slight reduction over the year. A breakdown had been provided showing the type and number of accidents at departmental level. As in previous years, Construction and Land Based industries had the highest levels due to the nature of the work, particularly the Farm, which was a larger estate. Key developments were highlighted to provide a level of assurance to the Board of the College's approach to ensuring its compliance with statutory responsibilities and the wellbeing and safety of all its staff and learners.

The Report was received.

*A Fairest joined the meeting.*

## **2014/15 RECRUITMENT**

14.188 The Board received a report on 16-18 and adult recruitment for 2014/15. The Principal presented the report, reporting that he anticipated receiving a lagged student number

contract for 4620 in 2015/16 from the EFA, against a 3 year plan target of 4,700. This would result in a lower budget allocation next year of up to £0.5m, without further government cuts. The departments that would be most affected were Sixth Form College and Art and Design. The demographic decline combined with the increase of competition from other local 'good' colleges had had an impact of extra district recruitment. In respect to progression data, discussion took place with regard to the reasons why students were choosing to study with other providers.

#### **LEARNER EXIT SURVEY**

14.189 The Board received a report summarising the results of the learner exit survey undertaken in June 2014. A return of 52% had been made. Benchmarking against 77 other providers in the sector the results indicated an improvement in scores and quartile areas when compared to the previous 'on programme' survey. When analysed as a whole college, all areas were above BM in respect of the majority of questions answered. The Principal drew attention to the analysis by department and provided some background as to why it was likely the scores were lower in some departments, particularly engineering. P Bird agreed, commenting on the technical IT issues that had arisen. The Principal agreed to compare the data against that of other colleges and provide any additional information to governors by way of trends.

*S Burkinshaw left the meeting.*

#### **PRINCIPAL'S REPORT**

14.190 The Principal presented his report highlighting key events and items of interest. Feedback from open days and information evenings was provided. He was pleased to report that the Barnsley Apprenticeship Pledge had been shortlisted for the Barnsley and Rotherham Business Awards. The Pledge had been signed by more than 200 employers.

14.191 A significant part of the report was dedicated to teaching, learning and assessment. The Vice Chair, noting the observation grade profile, commented that 95% good or better was extremely high. The Principal reflected on the data, commenting that he felt confident the College would achieve an outstanding grade for classroom practice. He added that the value added was still a cause of concern and that there was now a focus on the overall management of learning. P Bird commented on the restructuring in engineering, where many staff had left and been replaced with less experienced staff which may impact on the overall grade profile.

14.192 D Shepherd commented that it was pleasing to see the College presence by way of the Sixth Form College construction site in the town centre. The VP PD advised that further to extended discussions with the planning department and Highways regarding the hoardings, notices would be erected within three weeks. Further to discussion Governors were reminded of the Performance Review meeting dates.

*G Beever left the meeting.*

#### **GOVERNOR/LEARNER ENGAGEMENT**

14.193 The Chair drew attention to the Governance booklet that had been issued to all, and emphasised the benefits of Governors engaging with learners. Further details of timings would be made available on application.

#### **COMMITTEE MINUTES**

14.194 The unconfirmed Minutes of the Audit Committee meeting held on 16 September 2014 Part I were received.

- 14.195 The unconfirmed Minutes of the Finance & Resources Committee meeting held on 2 October Part I were received. The Chair drew attention to para 14.110 of the Minutes in which the Committee had made an undertaking to support the College in implementing a formal equal pay audit and job evaluation. The VP Corporate Services was asked to brief the Board. The VP provided details of the dispute between UCU and the College over the introduction of the new contracts and pay scales. He added that some roles in the new structure had been through job evaluation and some had not due to objections raised by UCU some years previously. In order to protect the college, it was necessary to ensure staff were being paid at the right level in terms of the responsibility undertaken in their role. Following a question from the Chair, the VP assured Governors that no reduction in salary was anticipated as a result of a JE exercise, rather, changes would be made to the level of responsibility to bring about the right fit. He was confident that current roles were correctly placed on the pay scale. The Principal commented on the local dispute and strike, which, although called off nationally went ahead at a local level. A total of 84 staff from the college had taken action. The VP summarised the concessions that had been agreed between the College and the Trade Unions at a series of meetings regarding the new Contracts and pay scales.
- 14.196 The Principal believed that the only way to demonstrate a fair and equitable process was to undertake the exercise with the participation of the Trade Unions. However despite several lengthy meetings revisiting the same issues, UCU had raised their objection to the process. The Principal advised the Board that a point had been reached where he was not prepared to negotiate any further concessions, and he did not intend to discuss the matter any further. The Board was fully supportive of the proposed action.

**It was RESOLVED 14.196 to endorse the recommendation of the Finance & Resources Committee to support the implementation of job evaluation and an equal pay audit for all non-management posts that had not previously been through JE.**

#### **DATE AND TIME OF NEXT MEETING**

- 14.197 The next meeting would be held on Tuesday 16 December 2014.

Signed \_\_\_\_\_ Chair

Date \_\_\_\_\_