

BARNSELEY COLLEGE BOARD OF GOVERNORS

MINUTES OF THE MEETING OF THE BOARD OF GOVERNORS HELD ON TUESDAY 17 OCTOBER 2017

PART I

PRESENT:

G Beever	Governor
N Bowen	Governor (Vice Chair)
S Brian	Governor
P Clarkson	Governor
K Dickinson	Governor
H Jaggar	Governor
C Moss	Governor
C Partridge	Governor
S Perryman	Governor
D Shepherd	Governor (to 17.137)
C Webb	Governor (Principal)

IN ATTENDANCE:

A J Oaks	Clerk to the Board
Y Koursis	Deputy Principal
L Lawton	Vice Principal Finance
L Leek	Vice Principal Curriculum
P Briscoe	VP Quality and Student Experience
V Dalton	VP Funding Data and Compliance
T Johnson	VP Corporate Services

The Chair welcomed L Leek to the meeting in her capacity as Vice Principal Curriculum.

APOLOGIES FOR ABSENCE

17.183 Apologies for absence were received from S Turton and R Hooley.

RESIGNATION

17.184 The Chair informed that Board that R Pourali had tendered her resignation from the Board on 9 October 2017. The Chair commented that Roya had intended to resign earlier in the year but had agreed to continue for a short time to support the Board. Ms Pourali was thanked for her commitment and contribution to the Board which had been highly valued during her time in office by both members and senior leaders.

DECLARATION OF INTERESTS

17.185 The Chair reminded members of the requirement to declare any financial or personal interests in the agenda items. Declarations of interest were made by G Beever, C Webb and Y Koursis in respect of Wellspring Academy Trust and by C Webb and K Dickinson as Directors of the subsidiaries. C Partridge's standing declaration was noted.

17.186 C Moss declared an interest in Agenda item seven which referred to a review of HE. For members benefit, C Moss explained that his role at the University was broad and one aspect of it involved education partnerships where senior staff reporting to him had responsibility for managing relationships with Colleges. Due to this arrangement, he was able to confirm that he personally had no involvement with the UCB or provision of HE at the College. The Chair thanked C Moss for providing clarity around any perceived conflict of interest.

17.187 Members reserved the right to declare interests should any arise during the course of the meeting.

MINUTES

Minutes of the meeting held on 18 July 2017 (Part I)

17.188 The Minutes of the meeting held on 18 July 2017 (Part I) were agreed as a true and accurate record and were signed by the Chair.

MATTERS ARISING

17.189 The Board received and noted the list of actions arising from previous meetings. The VP Curriculum provided an update to the Board in relation to the action around E&D data that had been requested by R Pourali on her last visit as a link Governor. The VP Curriculum reported that some concerns had been identified where achievement gaps had been identified in-year. Of the two groups identified, Looked After Children (LAC) showed a significant negative difference from non-LAC. Management had already taken action to address this swiftly through a working group to ensure students who are looked after were being fully supported. She added that she would update the Board further at the next meeting when the Annual Report for Equality and Diversity was presented.

PRINCIPAL'S REPORT

17.190 The Principal presented his report, which highlighted the excellent results at the end of the year. Outcomes for all adult provision, 16-18 vocational and apprenticeships had improved, and although A level results had fallen slightly from the previous year the results remained above national averages. GCSE English and maths results were broadly in line with national averages, with progress measures predicted to be positive. Financially the College had performed very well, exceeding its EBITDA target and continuing to manage staff costs very well. Results for HE had been disappointing and Governors had been made aware of this at a presentation on 26 September 2017. A report from the Deputy Principal further on the Agenda would present proposals in this regard. The Principal was extremely pleased that in terms of outcomes the College had successfully achieved its core purpose.

17.191 Discussion took place around the 2017 national pay negotiations and the AoC recommended pay award. In response to questions from members, the VP Corporate Services commented that the College had always made every effort to reward staff, and management were hoping to be able to make a pay award that was affordable and to maximise this as far as possible. Proposals for a staff pay award would be presented to the Board in December.

17.192 The Principal advised the Board that following a successful recruitment campaign all vacant Executive and SMT posts had been filled including two interim posts: Principal of the Sixth Form College and the Director of Business Development. The Chair, on behalf of the Board, congratulated the Principal for bringing about greater stability amongst the senior team, commenting that the outstanding outturn at the end of the year was commendable.

The Report was noted and received.

D Shepherd left the meeting.

PERFORMANCE AGAINST 2016/17 STRATEGIC OBJECTIVES

17.193 The Board received a report highlighting the progress made against the 2016/17 Development Plan. The data confirmed that the College continued to perform strongly, both qualitatively and financially, with indicators confirming it as one of the best performing colleges in the sector. The Principal believed that the performance had transformed the lives of thousands of young people and adults in Barnsley in meeting its stated purpose and that the College continued to benefit from an outstanding and dedicated workforce. Progress against the specific targets had been detailed within the report for Governors' information and the Principal spoke more about these to inform discussion.

D Shepherd returned to the meeting.

- 17.194 The Chair invited link governors to comment. Noting that targets in HE had not been met, the Vice Chair believed the report accurately reflected the position at the year end, which was as expected. The Chair congratulated the Principal and senior team for the excellent outturn.

The Report was noted and received.

BALANCED SCORE CARD

- 17.195 The Board received its first example of the balanced score card, the aim of which was to provide the Board with clarity and assurance in its oversight of all three strategic themes of quality, sustainability and reputation. All strategic goals had been rag rated in order for the Board to quickly identify any areas they may wish to interrogate further. Within the Quality pillar, the score card highlighted that the quality of HE provision was a major concern with NSS and Destinations of leavers from HE Survey (DHLE) being below average. Associated with this, in the Sustainability pillar, the income target from HE was forecast to be missed despite increased applications and visits during open events. Both areas had therefore been rag rated red. The Deputy Principal had provided a supplementary report in relation to these areas to inform debate.
- 17.196 In respect of the two areas rag rated amber, the Board was given assurance that the senior leadership team would continue to monitor these areas closely and would report appropriately to the Board should they move to red. The forecast provided overall confidence about the achievement of the strategic goals.

K Dickinson left the meeting.

- 17.197 The Chair thanked the Deputy Principal for the work undertaken and asked members to comment on the format. He added that further work over the next few months would help to refine the governance arrangements and reporting mechanism between the Board and its Committees. The Chair referred to the forthcoming governance event in January and to the strategic seminar, where there would be opportunity to discuss governance arrangements in more detail. In order to ensure the Board and its Committees discharged their responsibility in terms of appropriate oversight, the Committees would continue to operate in accordance with their Terms of Reference in the interim, and would receive the more detailed balanced score card showing progress against each of the success measures. This would allow the Chairs of the Committees to provide assurance to the Board that any areas of concern had been fully discussed and that they had challenged management with regard to the actions being taken to bring about improvement.
- 17.198 Members commented, agreeing that the new balanced score card was visually appealing and very clear with regard to highlighting areas of concern. Further observations were made with regard to the reporting mechanism, particularly around the strategic goals within the Reputation pillar.

K Dickinson returned to the meeting.

- 17.199 H Jaggar commented that it would be helpful for governors, particularly at Committee level, to understand the methodology adopted for assessing the 'tipping point' or tolerance level at which the rating would change. The Deputy Principal provided further detail around the HE targets by way of explanation to show how this had triggered a red rag rating and emphasised that the rating was a result of senior leaders' professional judgement against what had been solid measures at the outset.

The Report was noted and received.

STRATEGIC GOAL – ENHANCING THE QUALITY OF HE PROVISION

- 17.200 The Deputy Principal referred to the supplementary report which provided additional background information around the HE qualitative and financial targets. Given the recent performance in HE, management were proposing to undertake a full review of HE.

Governors' observations with regard to the proposed membership of the group were noted by management. Further observations and comments were made with regard to the process, including suggestions for bringing in an element of external challenge and critique to ensure there was a balanced approach, which the Principal said he would welcome. The Chair emphasised that this was clearly a management driven task and that the Board would not wish to become operational, but suggested that it may be helpful as part of the review to utilise the expertise and strength of governors as critical friends. The Principal thanked the Chair, stating that this would offer a safe and creative space for management which they would find extremely useful.

17.201 Discussion took place with regard to the process by which the review would be undertaken and reported back to the Board. It was agreed that regular updates on progress should be presented to the Quality and Standards Committee, with the final findings/ proposals presented to the Board. In the interim, it was suggested the Deputy Principal arrange an initial workshop/ inception meeting to discuss interim findings and agree the scope of the review. It was also agreed that an invitation could be extended to governors who were not currently members of Q&S to attend meetings of the Committee.

17.202 The Chair thanked the Deputy Principal for highlighting the emerging issue around HE and bringing it to the Board's attention. The Board was content to adopt the proposed methodology going forward, with the high level balanced score card and associated reports presented to Board, whilst the Q&S and F&R Committees would review progress against the more detailed measures.

RESOLVED 17.203.1 that management progress a formal review of HE, the process for which shall include reports on progress being presented to the Q&S Committee of the Board during the course of the review;

RESOLVED 17.203.2 that final findings from the review be presented to the Board.

AUDIT COMMITTEE BUSINESS

17.204 The Chair of Audit summarised the business undertaken by the Committee at its meeting on 28 September 2017. The Committee had been reassured by the proactive approach taken by the College in respect of terrorist attacks and critical incidents, which had been reported by the VP Corporate Services. The Annual Internal Audit Report had provided good overall assurance of the work undertaken by ICCA during the year, which provided good evidence for the Board in respect of securing economy and efficiency to support the corporate governance statement within the Financial Statements Auditors report. The Committee had received and considered the Board Assurance Framework (BAF) which was also presented for consideration to the Board. The Chair of Audit emphasised the importance of the Board owning and understanding high level risks and of the mitigating actions.

17.205 Discussion took place with regard to the BAF, and the process by which management sought to identify risks through different sources. The VP Corporate Services explained the process of identifying and mapping risks to the strategic goals, stating that the BAF provided a greater level of assurance to the Board than the previous high level risk register. The VP CS commented that the Board should note that due to timing in presenting the report, the emerging issue and actions relating to HE had not been reflected within the BAF. However, a decision had been taken by SLT to change the owner of this particular risk to the VP Quality and SE at the P12 performance review meeting due to the risk being related mainly to Quality. Further questions were raised by governors with regard to the process to understand how relevant information was captured to ensure risks were sufficiently controlled and evidence could be triangulated.

D Shepherd left the meeting.

17.206 The Chair of Audit reported that the Committee had also discussed proposed changes to the Financial Regulations in relation to systems and controls, and were recommending Board approval subject to F&R endorsing the amendments.

Further to discussion, the Board

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| RESOLVED 17.207.1 | To approve the Annual Internal Audit Report for 2016/17 |
| RESOLVED 17.207.2 | To approve the Regularity SAQ as recommended by the Committee and authorise the Principal and Chair to sign; |
| RESOLVED 17.207.3 | To approve the Financial Regulations |
| RESOLVED 17.207.4 | To endorse the Board Assurance Framework. |

FINANCE AND RESOURCES COMMITTEE BUSINESS

- 17.208 The Chair of F&R summarised the business conducted by the Committee at its meeting on 3 October 2017. The Committee had considered the draft financial outturn at the end of the year and had been extremely pleased with the year-end position and control over pay costs. The Chair emphasised that whilst the ESFA financial health grade had moved to Good, it was important to recognise that as the cash was spent on the OML remedial works the grade would move back to Satisfactory, as agreed by the Board as one of its key financial targets.

D Shepherd returned to the meeting.

- 17.209 The Chair reported that it had been interesting for the Committee to discuss the results of the staff survey and actions being taken by management to improve communications. Further to discussion H Jaggar had questioned whether there was an overarching People /Organisational Development strategy and it had been suggested this might be an area the Board could reflect on further at the strategic away day as it fitted well with the strategic goal “to be an employer of choice” which sat within the Reputation pillar.
- 17.210 Due to the improved financial position the Committee were recommending approval of an additional £200k spend on the annual capital budget for equipment to benefit learners and the learning environment that had been proposed by management.
- 17.211 The Chair of Audit raised a question with regard to Apprenticeship numbers, asking whether there had been any impact on the financial outturn. The VP FD&C responded, stating that while there had been a small dip it was of no immediate concern, and the profile remained on course. The Chair spoke of the challenge around engaging employers and how hard the College was working in this regard through its dedicated sales team.
- 17.212 Making reference to the Committee’s recommendation to approve subcontracting arrangements, the Chair referred to a matter that had been brought to his attention by the Principal where subcontracting arrangements were less than satisfactory with one organisation, demonstrating the need to ensure all subcontractors maintained appropriate and robust processes to keep learners safe. The Principal provided the details surrounding the case, which was still ongoing, and had also been brought to the attention of H Jaggar as the link governor for Safeguarding. The College had withdrawn its learners until such time as the organisation could confirm it was meeting Safer Recruitment practices. In order to seek further assurance around the arrangements, the Chair sought further assurances from management in respect of quality assurance arrangements relating to subcontractors. The VP FD&C responded, explaining that all subcontractors received one unannounced visit every term and that the organisation involved had received a visit in June 2017, the subsequent report from which had raised no concerns. Following further comment from H Jaggar to understand why the issues had not been identified earlier, management stated that going forward there would be greater scrutiny of a providers’ Safer Recruitment policies and practices.

C Moss left the meeting.

- 17.213 To conclude the business of the F&R Committee, the Chair referred the Board to the recommendations.

- RESOLVED 17.213.1 To approve the Financial Regulations for 2017/18**

- RESOLVED 17.213.2** to approve the College's Sub-contracting arrangements for 2017/18
- RESOLVED 17.213.3** To approve an increase of £200k to the annual capital budget to £1.9k.

SUBSIDIARY MEETINGS

- 17.214 The Board received the Minutes of Think Barnsley Board meeting held on 3 October 2017. The Chair, K Dickinson, summarised the business conducted and reported that whilst there had been limited activity, discussion had taken place regarding the company's potential to become a vehicle for growth in Apprenticeships going forward.
- 17.215 The Board received the Minutes of BCDC Board meeting held on 3 October 2017. The Chair, K Dickinson, summarised the business conducted, referring to the OML remedial works which had been the focus of the Task and Finish Group which had met on 21 September. The Minutes of the T&F Group had been circulated to the Board with Part II agenda papers.
- 17.216 The Chair referred to the vacancies on both subsidiary Boards and the intention to fill these by the appointment of staff through G&S Committee and Board of Governors in spring 2018.
- The Minutes were noted and received.

GOVERNANCE AND SEARCH COMMITTEE BUSINESS

- 17.217 The Board received the Minutes of the Governance & Search Committee meeting held on 12 September 2017.

C Moss returned to the meeting.

- 17.218 The Chair summarised the business that had been conducted which included a discussion around the appointment of staff and student members which could be explored further at some point in the future. In respect of student members, the Clerk advised that the Student Union were due to elect an FE and an HE student governor in the coming weeks with a view to appointing them to the Board in December.
- 17.219 The Clerk explained that the current clause in the Student Union Constitution which provided for the SU President to automatically become a Student governor meant that due to annual elections for the President, the student governor would only be able to serve for one year. While some students had enjoyed being President and student governor, others had a preference for one role over the other. The Clerk advised that further to discussion with the Student Union, the SU would be consulting with the Student Council with a view to bringing forward a proposal to change the Constitution to facilitate election of a student governor separately to the President. This would allow students on a two or three year course to remain as Governors for a longer period which would help them to become more effective Board members and provide the much needed learner voice. The proposal was noted by the Board.
- 17.220 The G&S Committee had recommended D Shepherd take up the role of link governor for Health and Safety, which D Shepherd had duly accepted and undertaken a link visit on 6 October 2017. Discussion had taken place at Committee level regarding the mechanism for monitoring strategic objectives going forward, it being noted the number of strategic goals had increased considerably for 2017/18. No link visits in relation to strategic goals had been agreed, but it was anticipated that through monitoring of the balanced score card, Governors would be seeking assurance from the executive around areas where more in-depth monitoring may be required, which could perhaps trigger a visit to a department.
- The Committee had also considered the outcomes of the self evaluation process and agreed that the Chair and Clerk would review progress against the Governance Improvement Action Plan with a view to bringing this to the Board in December.

- RESOLVED 17.221** To appoint D Shepherd as link governor for Health and Safety.

The minutes were noted and received.

ANNUAL REPORT – SAFEGUARDING AND PREVENT 2016/17

- 17.222 The Board received the Annual Report on Safeguarding and Prevent by way of informing the Board of the work undertaken to safeguard learners, staff and visitors, which was a statutory duty. As a reminder to the Board, the report clearly referenced the relevant legislation and regulatory guidance around safeguarding, which placed duties and responsibilities on the Board, which were acknowledged. The Report, presented by the VP Quality and Student Experience, was comprehensive and included details of key staff, staff training, external relationships, the disclosures made during the year and how these had been addressed. A total of 608 disclosures had been made. In the most recent student satisfaction survey, 99% of learners had responded that they felt safe at the College. 98% of Apprentices said they felt safe in their respective workplace, figures which were significantly above national benchmarks.
- 17.223 The Report provided information regarding monitoring arrangements and it was noted that H Jaggar as the link governor for Safeguarding and Prevent had undertaken her first visit on 16 October 2017. The written feedback report was tabled to members for information. The VP QSE made reference to a series of developments for 2017/18 including training for staff on female genital mutilation and HATE/MATE crime. Governors raised questions with regard to the referrals which had been provided by Department and referral type. In response, the VP QSE commented that where there had been an increase in the number of referral types the college might review its enrichment offer, or discuss at group tutorials. In response to questions around the referrals linked to learners with suicidal thoughts and other mental health issues, the VP assured the Board that there were no concerns related to these, and the increase was positive in that learners felt they could make disclosures in an environment where they felt confident and safe.
- 17.224 H Jaggar referred to her link visit, commenting that the ethos and culture demonstrated there was an environment where learners felt able to come forward in the knowledge they would receive adequate support, which she believed to be exceptional. She had been impressed with the safeguarding links between the various departments in the college and was comfortable with the process and support given by staff to incidents raised.
- 17.225 Further questions were raised in relation to reoccurring incidents and how these would be managed. Discussion followed with regard to the increase in students making disclosures in the category of mental health issues, particularly the high number with suicidal thoughts. Members agreed that this was not only a concern for the college but a national legacy of the society we now live in where pressure on young people was immense. The Principal advised that in terms of improving the College's support in this area, management were visiting a neighbouring college by way of sharing good practice. In response to Governors concerns about continuing support for learners when they left the safe environment of the College, the VP QSE assured the Board that historical records were forwarded to the relevant authority/organisation.
- 17.226 Further to detailed discussion and additional assurance provided by the link governor, the Board was satisfied that it was effectively discharging its statutory duties in relation to Safeguarding.

The Report was noted and received.

ANNUAL REPORT – SEN

- 17.227 The Board received the Annual Report on Special Educational Needs (SEN) which had been provided to give assurance to the Board around how the College discharged its statutory duty in this regard. As a reminder to the Board, the report clearly referenced the relevant legislation and regulatory guidance around SEN which placed duties and responsibilities on the Board which were recognised. The College's Policy on SEN was approved by the Board in 2016.

- 17.228 The report was comprehensive and included details of school reviews, support for students with additional needs, staff training, use of assistive technology, external relationships and learner voice. The Board noted that S Turton as link governor for SEN had made her last visit in the summer, the report of which had been circulated to members in advance of the meeting. The Board noted that the College continued to maintain strong relationships with its external partners to ensure the needs of learners at all levels were met. Learner voice was a high priority in the College and was heard through active student governors and the Student Union. The VP Q&SE stated that all high needs learners were given a person centred annual review which offered them and their family an opportunity to talk about the learners' individual experience, support and aspirations.
- 17.229 The written feedback from S Turton's last link visit provided the Board with additional assurance around the College's policies and procedures and the Board was able to conclude that it was effectively meeting its statutory duties to co-operate with the local authority on arrangements for children and young people with Special Educational Needs.

The Report was noted and received.

ANNUAL REPORT – HEALTH AND SAFETY

- 17.230 The Board received the Annual Report on Health and Safety which had been provided to give assurance around how effectively the College was meeting its statutory duties and obligations to ensure the health, safety and wellbeing of all staff and students at the College. As a reminder, the report clearly referenced the relevant legislation relating to health and safety, and to the College's Policy which was reviewed annually. The report was comprehensive and included details of the health and safety management system, accidents, risk assessments, training and updates to the Disaster recovery and business continuity Plan. The H&S Committee had met four times during the year.
- 17.231 The VP Corporate Services presented the Report, stating that there were no proposed changes to the Health and Safety Policy this year, as management believed it to be appropriate to the College's needs. D Shepherd commented that he had undertaken a link visit on 6 October and was able to provide additional assurance to the Board that policies and procedures were fit for purpose and had been discussed in some detail. The total number of accidents was reported to be 73 indicating a continuing downward trend over the last five years. Discussion took place with regard to the accident by injury types and of the work being undertaken in College to monitor these through performance review.
- 17.232 The Board noted that the Internal Auditors had conducted a review of Health and Safety, Wellbeing and incident management as part of the internal audit plan for 2017/18. The resulting report would be presented to the Audit Committee in November. The report and feedback from D Shepherd, both written and verbal, provided the Board with the assurance it required to conclude that it was effectively meeting its statutory duties in relation to Health and Safety.

The Report was noted and received.

ANNUAL REPORT – COMPLAINTS

- 17.233 The Board received a report highlighting the number of Complaints received at the end of the year, which totalled 46. The Quality and Standards Committee had received reports on Complaints to date at each of its meetings throughout the year which were considerably more detailed. It was noted that the number of complaints received from stakeholders had reduced from 17 to 3, but parental complaints had increased from 10 to 24. Six of the total number of complaints were related to HE. The VP Q&SE presented the report, referring to the breakdown of the complaints by department, by type, and by gender, ethnicity and disability.
- 17.234 H Jaggar commented on the report, suggesting it would be helpful to capture any compliments in future reports, alongside complaints. Governors raised questions about the data to understand reasons for complaints being higher in some departments than others and what management actions were being taken to address this. In response to a

question from P Clarkson regarding malicious or unjustified complaints, the VP QSE confirmed that all complaints were investigated and that many were resolved before reaching the formal stage. He added that the report summarised complaints that had reached the formal stage.

The report was noted and received.

REPORT FROM WELLSPRING ACADEMY TRUST

17.235 The Board received its termly report from Wellspring Academy Trust dated August 2017 in respect of its oversight as sponsor of the Trust. The Report was noted and received.

PRINCIPAL'S GOOD NEWS REPORT

17.236 The Board received the Principal's Good News stories which showcased the commitment and dedication of staff in the college, many of whom went above and beyond their duty to support learners. The Principal commented that management were looking at a system whereby activities undertaken outside of the workplace may also be acknowledged and celebrated. Following a comment from a governor in respect of the number of themed learning walks undertaken in 2016/17, the VP QSE recognised this was substantial and clarified that the expectation for 17/18 was significantly lower. The Principal stated that he would welcome governors undertaking such visits to help understand and evidence how the college was performing.

The Report was noted and received.

REMOVAL OF CO-OPTED MEMBER

17.237 The Chair reported that further to correspondence from the Clerk regarding the attendance of the Co-opted member of the Audit Committee, it was proposed to remove the co-optee as a member of the Committee in accordance with Clause 11 of the Board's Standing Orders. The Co-optee had responded to the proposal explaining her difficulty in attending meetings, which would continue to be an issue going forward into 2017/18 and therefore did not wish to challenge the proposal.

RESOLVED 17.238 to remove A Milanec as a Co-opted member of the Audit Committee with immediate effect.

GOVERNOR LINK VISITS

17.239 Written feedback from link visits were noted and received.

DATE AND TIME OF NEXT MEETING

17.240 The next meeting would be held on 12 December 2017 at 4.00 pm.

17.241 The Chair reminded Board members of the forthcoming Safeguarding training on **4 December 2017** which was being delivered by the Safe and Equal Partnership. Full attendance was expected to ensure Governors could comfortably discharge their duty in this key area.

17.242 Further, the Chair made reference to the forthcoming 'Re-energising governance' event on **18 January 2018** being delivered by Dr Ron Hill which he believed would be stimulating and thought provoking in terms of debating governing and governance practice.

The VP Curriculum, VP Corporate Services, VP Funding D&C, VP Quality & SE left the meeting.

End of Part I.

Signed _____ Date _____