

**Minutes of the meeting of the Governing Body held on 21<sup>st</sup> April 2016  
at Bistro 36, Roby Campus**

**Present:** Mark Flinn (Chair), Pam Jervis, Anne Pryer (Principal), Tim Molton, John McDonough (Student), Joe Keegan, Jim Pinsent, Tim Gill, Terry Holmes, Julia Tinsley, Beth Harrison, Denise Connolly (Staff) and Benjamin Bennett-Stanley (Staff)

**In attendance:** Gill Banks (Deputy Principal), Kevin Williams (Finance Director) and Craig Williams (Clerk to the Governing Body).

**ACTION**

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|----|--|----------|
| 1. | <p><u>Apologies for Absence</u></p> <p>Apologies from Aiden Sergent and Gary See.</p>  | Noted    |
| 2. | <p><u>Determination of Observers/Attendees</u></p> <p>The Governing Body agreed attendees/observers at the meeting as per the above attendance list.</p>   | Noted    |
| 3. | <p><u>Declaration of Interest</u></p> <p>None</p>  | Noted    |
| 4. | <p><u>Minutes of the meeting held on 12<sup>th</sup> February 2016 (including confidential items) and the confidential minutes from the Extraordinary Board Meeting 13<sup>th</sup> April</u></p> <p>The minutes of the meeting held on 12<sup>th</sup> February (including confidential items – small typo) and confidential minutes from 13<sup>th</sup> April 2016 were agreed as a true record.</p>  | Approved |
| 5. | <p><u>Matters Arising</u></p> <p>Governors considered the report on matters arising from the Ordinary Governing Body meeting on 12<sup>th</sup> February 2015 and noted the status outlined.</p>   | Noted    |
| 6. | <p><u>Report on Audit (24<sup>th</sup> Feb), F&amp;GP (2<sup>nd</sup> March) and S&amp;G and QA (23<sup>rd</sup> March) Committees</u></p> <p>The Clerk spoke to the report which aimed to inform the Board of the key activity from Committee meetings from 13<sup>th</sup> February to 20<sup>th</sup> April 2016.</p> <p>The Clerk reported on the items from the Committees that had been approved and those which have been recommended to the Board whilst making reference to the items that were due to be considered by the Board that afternoon.</p> <p>The Board received the report, noted the activity outlined and approved recommendations from Committees (whilst noting that some items were being covered in more detail as part of the meeting agenda).</p> | Approved |
| 7. | <p><u>Chair's and Governors' Communications</u></p> <p>The Chair reported on the Governor Briefing on the Liverpool City Region Area Review (with AP, PJ and TM).</p>  |          |
| 8. | <p><u>Principal's Report</u></p> <p>The Principal gave a verbal report covering the government's interest in and review of out of area sub contracted provision, recent press on removal of A levels in Knowsley and need for a local A level strategy, 14-19 University Technical College (UTC – business led) developments, internal focus on achievement and indicated that student stories would be supplied</p> <p>The Board questioned how the UTC issue fitted in with the thinking of local Heads or academy trusts and views and management comment on their understanding as it stood.</p>   |          |

<p>The Board received the report and noted the information provided.</p> <p>9. <u>Structural Options – (Confidential Item)</u></p> <p>This item is the subject of a discrete and confidential minute</p>	Noted
<p>10. <u>Area Based Review (ABR)</u></p> <p>The Principal and Chair verbally reported on the initial phase of the ABR, the briefing session for Governors held on 19<sup>th</sup> April and the pending visit by the Commissioner’s office on 6<sup>th</sup> May to gather information on the College.</p> <p>The Board noted the verbal update.</p>	Noted
<p>11. <u>Estate Strategy Update</u></p> <p>The Principal spoke to the report which aimed to update Governors on the latest developments in the accommodation strategy in relation to Stockbridge Lane, Roby and the Kirkby site.</p> <p>The Principal reported that the College has achieved the £7 million spend required by 31st March to achieve the full SFA grant funding and that the SFA continue to monitor the College spend. The College still awaits the Funders’ approval (now due 6<sup>th</sup> May) and the College continues to drive an accelerated build programme.</p> <p>The Board congratulated the Executive and all involved for the delivering the £7m capital project expenditure by the end of March which is a key part of the Estate Strategy and a high risk project that the Board and College had committed to earlier this year.</p> <p>The Principal reported that the offer of £2.9 million for the Kirkby site still stands, and that the College had received guidance as to the value of covenant release and had made an offer to the local authority. The College is progressing planning and the build programme for the Logistics Academy in Kirkby.</p> <p>The Principal reported that the Roby site will now go to the KMBC Planning Committee in June 2016 (because of local elections) and that the Developer team at CBRE have compiled marketing materials for the Roby Campus - these will go out ahead of planning approval to ensure the programme remains on course. The Principal reported that the Capital Working Group will be considering Roby issues at its meeting on 4<sup>th</sup> May.</p> <p>The demolition at Kirkby was reported as making good progress and the College had employed a relocation specialist to support the move from Roby to Stockbridge lane.</p> <p>The Board questioned the Council’s position over the covenant issue in Kirkby in terms of the principle or finance and also discussed the potential negotiation angles. The Board questioned how the College may avoid the time delays experienced with Barrett Homes at Larch Rd and management comment on the sale strategy post-planning which would mitigate the risk and that the agents (who have indicated that there is interest in the site) would be driving a receipt on a timely basis in line with the College’s needs based on a cost benefit analysis. The Board questioned the financial plans involved with the Estate Strategy and requested that the community is included in the planned site visits. The Board questioned as to whether the KCC capsule at Kirkby was being moved and management indicated that this would be looked into.</p> <p>The Board received the report and noted the latest developments for the</p>	Noted

Stockbridge lane campus, the latest developments for Kirkby campus and the latest developments for Roby site.

12. Notice of Concern (Finance) – Confidential Item

This item is the subject of a discrete and confidential minute.

13. Revised Strategic Plan & Update

The Principal spoke to the report which aimed to make Governors aware of the latest changes to the plan following the Strategic Away Day on 12th February.

The Principal reported on amendments to aim 3 which is now 'The Entrepreneurial College' following discussion and comment at the Away Day and the SLT would be updating the strategic objectives in light of the recent Ofsted Inspection and government policy. The Principal confirmed that an updated set of strategic objectives will be shared with Governors at the next meeting.

Principal

The Principal reported on updates to the Strategic Operational Plan on outcomes for 2014-15, Apprenticeship success rates, Attendance (which continues to present as an issue for the College and played a major part in the outcomes of the recent Ofsted Inspection), challenges with regards to retention, the Post Inspection Action Plan (see item 18), staffing contract changes, new marketing initiatives, curriculum plans, challenges involved with Stockbridge lane, Kirkby and Roby and the Logistics Academy.

The Principal reported that the internal considerations would be brought back to the July Board.

Principal

The Board received the report, noted the changes made to the strategic aims, the recent update to the Strategic Operational plan and the progress against the all four strategic aims.

Noted

14. Management Accounts (February 2016)

The Finance Director (FD) spoke to the accounts which aimed to provide Governors with an update on the College's current financial position and financial performance to date.

The FD reported on the key points as outlined in the overview and on comments received by Board members on local outstanding loan, SFA claw back (no longer relevant), cash flow considerations in January 2017 and potential claw back on additional learning needs for vulnerable groups in January 2017 – the FD indicated that he would clarify the January 2017 claw back on 22 April.

FD

The Board questioned mitigation plans for the cash flow pressure early in January 2017, requested that the College produce a risk analysis (June F&GP) and a breakdown of the receipt and income to the College (CWG). The Board questioned 16-18 Apprenticeship financial performance and expressed concerns over its year on year performance and management commented on the in-year drive on quality which now needs to move on volumes of students recruited.

FD

The Board approved the management accounts (subject to comments) for February 2016.

Approved

15. Learner Numbers and Funding report

The FD spoke to the report which aimed to provide an update on learner numbers against target and against allocations from the both the Education Funding Agency (EFA) the Skills Funding Agency (SFA).

The FD reported on the current EFA numbers (1,099), the 2016-17 allocation (1,100), current education and training numbers, 24+ loan numbers, recruitment activities regarding NEET students and plans for in year courses.

Management reported that Barclaycard were looking to work with the College on the NEET programme and 'Get into Logistics' with the Princes Trust.

The Board sought and received clarification on Princes Trust activity with St Helens College.

	<p>The Board received the report and noted the current volumes of students enrolled for 2015-2016 and potential funding implications.</p>	Noted
16.	<p><u>Contract Changes and Staffing Efficiencies Update</u></p> <p>BBS and DC declared an interest.</p> <p>The Principal verbally updated the Board on the position on contract changes and staffing efficiencies since the last meetings.</p> <p>Management reported on activity to date regarding proposed changes to staffing contracts. The Principal noted that the college continued to work with UCU to progress a solution with regards to the proposed changes for teaching staff contracts (which involved bringing teaching salary costs in line with the regional 'norm'). The Principal reported on the consultation process (previously reported) and the College's financial position. The Principal reported that the majority of the teaching staffing body had not signed their contract. The College has initiated a dismissal and re-appointment process for parties who have not signed the new contract. The Principal also reported on a letter received from the Union (UCU) that day. The Principal reported that following the discussion further considerations and reflections on the proposed changes would be explored with the Chair and brought back to the Board.</p> <p>The Board queried the process and implications for staff dismissal and re-appointment on new terms and the subsequent impact on staff morale.</p> <p>The Board noted the verbal update.</p>	Principal
17.	<p><u>Northern Logistics Academy – awarding of main contract</u></p> <p>The FD spoke to the report which aimed to secure retrospective approval for the awarding of the main contract in relation to the Northern Logistics Academy which is predominantly (75%) funded from Liverpool City Region Local Enterprise Partnership (LEP).</p> <p>The FD spoke to the covering report and indicated that the SDA Consultancy report provided a thorough comparison and summary of the tender submission from six prospective contractors. The FD reported on the issues with the assessment of submitted tenders, planning approval and letter of intent issues and drive for value engineering with John Turner Construction Group. The FD reported on pressures to complete for September 2016 and made reference to financial regulations requirements for the approval of the main contract.</p> <p>The Board received the report and approved the awarding of the main contract to John Turner Construction Group in relation to the Northern Logistics Academy.</p>	Noted  Approved
18.	<p><u>Ofsted Report and Post Inspection Action Plan (PIAP)</u></p> <p>The Deputy Principal (DP) spoke to the report which aimed to provide an update to the Governing Body on the outcomes of the Ofsted Inspection which took place in early March 2016. The report outlined the headlines from the Ofsted report and progress against actions in the College PIAP.</p> <p>The DP reported that as the college was given an Overall Effectiveness grade of Requires Improvement (Grade 3), the college will have a 'support and challenge' intervention in May and be inspected again within a timeframe of 12-24 months. An Ofsted Inspector will be allocated to monitor the progress of the PIAP, improvements made and who will provide a supportive yet challenging role. Reports will be produced but not published onto the Ofsted portal.</p> <p>The DP reported that Ofsted will expect to see rapid improvements particularly for the actions under 'What Does the Provider Need to do to Improve Further' from the Inspection report and that all of these areas for improvement have been included in the PIAP. The DP reported that the PIAP had superseded the QIP as the monitoring document for the college and the Ofsted support and challenge arrangements. The DP reported on 5 key elements attendance, progression, tracking and monitoring, achievement and personal development / behaviours and welfare under an internal brand - 'Challenge 41' for all staff on the five key points. Management commented on discussions with the educational attainment group and partnership work with education on common issues.</p> <p>The DP reported that Ofsted had outlined many strengths particularly for adults and learners with high needs, reported on the key findings in terms of strengths and</p>	

areas for improvement and indicated that the detailed PIAP will be subject to regular monitoring through the relevant internal college groups and Quality Assurance Committee.

The Board questioned what more they could do given Ofsted's comment on analysis and management responded on the need for outcomes to be reported to Board and that management analysis would be more fine-tuned. The Board also reflected on the value of internal reports on best practice and the need for broader thinking on attendance and retention to address local cultural barriers.

The Board received the report and noted the Ofsted Inspection report and the content of the College PIAP.

Noted

19. Curriculum Plan 2016-17

The DP spoke to the report which aimed to inform Governors of the outline Curriculum Plan for 2016-17 plus an update on progress against the Curriculum Planning timeline.

The DP reported on the accountability and transparency involved with the curriculum planning process and the resulting assurance that Faculty plans are aligned to the College's strategic priorities, funding allocations and quality improvement drivers. The DP reported that the sum of Faculty plans meet or exceed all volume and quality targets within the budgets set.

The DP reported on the timeline involved with the process, LMI and LCR considerations, local opportunities and progression, financial sustainability (costed and blended courses) considerations, growth plans and partnership plans for 2016-17 (with Lee Stafford Hairdressing Academy and the Prince's Trust).

The Board welcomed the link to LEP priorities and questioned whether 9iii was the work in progress.

The Board received and noted the Curriculum Plan for 2016-17 (to be confirmed at the next Board meeting).

Deputy Principal

20. Attendance and Retention

The DP spoke to the report which aimed to inform Governors of the attendance and retention rates up to and including March 2016.

The DP reported that attendance remained a key focus for the SLT and College managers with attendance being monitored on a weekly basis at SLT to ensure that areas of concern are highlighted to enable timely interventions to take place. The DP reported on current performance (80.1%) against target (90%). The DP reported on attendance on English and math's sessions and Ofsted's comments on attendance and punctuality on study programmes (16-18). The DP reported that following student feedback managers had re-timetabled English and math's to ensure that students were not having to come in on a different day to other timetabled provision.

The DP reported on the review of actions undertaken at the Management Away day on 17th March to drive rapid improvement and plan for 2016-17. Strategies include a greater focus on reward and incentives, links to employability and constant reinforcement. New reports have been generated to enable Section Managers to have a complete overview of performance at Course Level and ProMonitor has been updated to enable an 'at a glance' view of the student's performance by using RAG rated badges to highlight any concerns around attendance, punctuality, behaviour and work. Heads of Faculty are now reporting on student attendance for classes below 80%.

The DP reported on the current punctuality rate (96%, 2% behind the 98% target).

The DP reported on retention, which from 2015-16 combines both classroom based provision and work placed learning (WPL) into a single measure. Overall in year retention is 91.3% (2.7% points below the year-end target of 94%) - adult retention is 91.9%, with 16-18 retention at 90.8% and comparing the classroom based element to this time last academic year, the current in year retention is 91.9%, compared to 93.4% as at March 2015. The DP flagged that for 2015-16 an automated process had been introduced which ensured the timely processing of student withdrawals, where a student has not attended for more than four consecutive weeks on a particular course and that this process eliminates a lag that previously existed in providing timely in-year retention data.

The Board commented on the need to consider a swifter turnaround of requests for student withdrawal and management reported on a new internal report on absence by course.

The Board received the report, noted the current average attendance and retention rate up to the end of March and the strategies currently being used across College to improve attendance and punctuality.

Noted

21. Progress Against KPIs and Targets

The DP presented the report which aimed to present the updated 2015-16 performance outturns against Key Performance Indicators (KPIs) and targets used in the College to measure success in 2015-16.

The DP highlighted NEET engagement activity, attendance and punctuality, retention, average class size, sickness absence, apprenticeship timely success rates and 2014-15 performance against the new national rates published 5<sup>th</sup> April.

The Board observed the 16-18 performance in relation to the recent Ofsted experience.

The Board received the report and noted the updated KPIs for 2015-16.

Noted

22. Position of Chair and Vice Chair post July 2016

The Clerk verbally briefed the Board on the pending end of term dates for the Chair and Vice Chair. The Clerk reported on succession planning discussions at Search and Governance Committee and discussions with both parties concerned regarding their respective circumstances and the medium term needs of the College.

The Board noted the verbal report.

Noted

23. Code of Conduct

The Clerk spoke to the report which aimed to present the Eversheds Code of Conduct for approval by the Board as the Code of Conduct for KCC Governors (as recommended by Search and Governance Committee on 23<sup>rd</sup> March 2016).

The Clerk reported that the existing KCC Governor Code of Conduct was last considered in October 2012 and that KCC subscribes to the Eversheds Governance (standard service) which gives the College access to their Code of Conduct template which had been edited to reflect KCC. The Search and Governance Committee considered the edited Eversheds Code of Conduct and recommended it to the Board. The Clerk reported that since writing the report Eversheds had published the 14<sup>th</sup> edition.

The Board received the report, approved the revised Code of Conduct and delegated authority to Search and Governance Committee to consider and approve the appropriate amendments in Eversheds 14<sup>th</sup> edition at its meeting on 15<sup>th</sup> June.

Approved  
Clerk

**Date of Next Ordinary Governing Body Meeting – Thursday 30<sup>th</sup> June 2016**

The Chair closed the meeting by thanking Tim Gill for his time and contribution as Governor since 2013. Whilst it was acknowledged that Tim has yet to attend his final governors' meeting (QA on 18<sup>th</sup> May) the full Board wanted to express their gratitude and wish him well for his new role in Sheffield.