

**THE FURTHER EDUCATION CORPORATION OF MIDDLESBROUGH COLLEGE
CONFIRMED MINUTES OF THE GOVERNING BODY MEETING 23.10.2023**

PRESENT: R Davies (CG and Chair), R Anderson (CG), J Castor (CG), D Dodds (CG), T Edgcombe (Student Governor), M Gaze (CG), M Lamb (CG), Z Lewis (Principal/Chief Executive), D Lusardi (CG), P Lynn (CG); M McClintock (CG), S Mirsalehi (CG), A Pajura-Jaszczak (Staff Gov), D Still (Staff Gov), P Sharp (CG), J Tait (CG), I Wright (CG).

OFFICERS Z Foster (Clerk), S Marshall (ED); B Robinson (DP), O Rodley (VP), M Russell (VP).

KEY: CG College Governor CO Co-opted Governor DP Deputy Principal
VP Vice Principal Clerk to the Corporation ED Executive Director

1. Apologies for Absence and Welcome

A Adamson (VP), I Anwar (CG), M Cameron (Student Gov), M King (CG), S Lane (CG), K Parkinson (ED).

2. Declarations of Interest – R Anderson in respect of any discussion on LSIP

3. Minutes

3.1 Appointment of Staff Governor

The reappointment of Dan Still as Academic Staff governor backed to 17 October 2023 for his second and final term of office was **approved** by the Governing Body.

3.2 Minutes of 13 July 2023 – were approved as a correct record

3.3 Minutes of 25 September 2023 (Strategic Planning) were also approved as a correct record

3.4 Confirmation of Written Resolutions

- **Student Governor Extension of Term of Office (July 23)**

- **Pay Award (September 23)**

- **TTE Final Approval of Borrowing Terms (September 23)**

All three written resolutions were **formally confirmed** by the Governing Body.

4. Matters Arising – all matters were either resolved or in progress.

5. Strategic Overview

5.1 Strategic Risks Report

Z Lewis outlined the top five risks as detailed in the report. She drew particular attention to qualifications reform including: the recent announcement in relation to the Advanced British Standard; the T Levels agenda both locally and nationally and related defunding plans; possible impact on staff morale (linked to the staffing risk); and an overall positive trajectory for FE exemplified by some recent opportunities. She also highlighted the current positive situation regarding meeting the five year financial plan which could result in it dropping out of the top five risks.

Questions and discussion included: the impact of qualification reform on September 2024 prospectus and advice and guidance for students and parents (affecting three areas for which plans were in place) with a reminder that September 2025 was the bigger risk in terms of number of courses; detail of where a foundation year was being offered ahead of T Levels (currently available for Construction and Engineering) and future roll out and launch for 2026; detail of subject areas where staff resignation was more prevalent and strategies in place to balance this; the role of the business community for T Level placements and potential impact if unfulfilled; the wider government T Level strategy and lobbying; and the views of the Opposition in respect of the L3 defunding programme.

5.2 Principal/Chief Executive's Report

Z Lewis drew out key aspects of her report including: an update on the pensions differential; the self assessment governors validation process on 24 October; and an update on the Leveling Up fund and related bids.

Governors' discussion and questions focused on: greater detail on the 2QS building including current lease and applications.

5.3 Strategic Plan including Corporate KPI Update

O Rodley outlined the year end KPI outcome measures generally and drew out A Level achievement as the main area of concern.

Questions and discussion included: A Level outcomes (including any subjects of particular concern) and related predictions of those outcomes (including mocks) and plans to improve this practice (CPD, robust initial assessment; support and interventions strategy; earlier assessment points, partnering with other colleges; moderation and quality assurance of the process); the high rate of successful destinations; an update on the start to the year for A Levels in terms of behaviour and attendance (both improved); the local picture of lower A Level results and the wider complexity of predictions for this cohort of students; clarification on Access to HE numbers and outcomes and the transformed programme for 2023; and wider assurances via ongoing curriculum external reviews reporting back to Curriculum and Standards Committee over the year.

5.4 Enrolment Update

M Russell confirmed that the overall target should be met, albeit not quite as predicted which he detailed in full for the Governing Body.

Questions included: full analysis of 16-18 numbers which would be available in December; changes to the open evenings and work of the schools team; clarification on adult funding streams and impact on figures; and clarification on progression.

6. Student Experience

6.1 QIP Update

O Rodley detailed the end of year position for the five priorities set for 2022-23.

He then outlined the SAR validation process due to take place drawing out the different approach to governor involvement and validation.

Governors queries and discussion included: any links to English and Maths performance and staff turnover (not disproportionately so) and the wider English and Maths strategy in relation to recruitment within a very tight market for colleges; and a wider discussion on links to teacher changes and attendance across education.

Governors asked for any linked data between staff turnover and student attendance to be added to the next report.

6.2 Quality of Education Update

B Robinson detailed the five main areas of concern and forthcoming deep dives and enhanced areas of support and focus for those departments within 2023-24.

Key questions and discussion from governors included: an update on Business which included staffing; changes to scheme of learning and curriculum and employer engagement; whether guest speakers impacted positively on learners and examples where this was more ingrained within the College (e.g. digital and TTE); and the wider skill balance.

6.3 PDBA Update

Z Lewis drew out the significant year on year improvement within this area which had brought the College to life.

Governors' questions included: whether the conflict in Israel had affected students in College; the positive impact of the Thrive programme on students and staff through their portals; and value of themed days.

6.4 Safeguarding Update

Z Lewis highlighted the new style of reporting which split out welfare and low and high level safeguarding aiding analysis.

It was clarified that the figures related to both 16-19 and adults (albeit adult figures were much fewer).

6.5 Safeguarding Annual Report 2022-2023

(This item was taken before Item 6.4)

Z Lewis presented the annual report which summarized the themes, trends and training over 2022-2023.

Governor questions and comments included: percentage of those feeling 'unsafe' and discussion on generally being safe in College and safeguarding related issues of feeling safe (which were not the same); student surveys and responses to areas of concern generally and via departments; positive to see support for staff involved with safeguarding; reasons for increased reporting; effect of cost of living crisis on student population and how this is supported and monitored (including the difficulties relating to Free School Meals take up).

The Governing Body **approved** the Safeguarding Annual Report 2022-2023 for publication.

6.6 Written Update – Student Voice

T Edgcombe gave a summary of the written update which focused on: the successful Freshers Fest; timetable arrangements; staff reps recruitment; feedback on the College meal deals; planning for the first Cross College meeting; Cleveland Police's knife crime campaign in College; and the Student Leaders Conference due to take place in November.

Governors discussed: an update on the meal deal provision and reasons for the change; stop and search practices; and police activities in College and views of student population on this.

The Governing Body thanked the student governors for their impressive report.

7. Corporate Updates

7.1 Audit and Risk Recommendations

I Wright gave a brief account of the Audit and Risk Committee's comprehensive role and recent self evaluation and drew attention to the healthy culture of transparency with the College Management Team on issues of internal control.

After consideration, the Governing Body **approved** the following:

- The 2022-2023 Regulatory Audit Questionnaire
- The outcome of the 2022/ 2023 Performance Indicators for the Internal Auditor (*RSM*) which was received for information and approved for accuracy.
- Confirmation of the re-appointment of the Internal Auditor (*RSM*) for a period of one year commencing 1 August 2023.
- The outcome of the 2022/ 2023 Performance Indicators for the Financial Statements / Regularity Auditor (*Mazars*) which was received for information and approved for accuracy.
- Confirmation of the re-appointment of the Financial Statements / Regularity Auditor (*Mazars*) for a period of one year commencing 1 August 2023
- The 2023 / 2024 Performance Indicators for the Internal Auditor (*RSM*)
- The 2023 / 2024 Performance Indicators for the Financial Statements / Regularity Auditor (*Mazars*)

Governors had a general discussion on the sector wide difficulties with auditor tendering (both internal and external) in the current climate and sector.

7.2 Management Accounts July 2023

M Russell gave a brief overview of the accounts and highlighted an issue relating to high needs income which seemed to be a wider local problem. Governors discussed this in some detail and requested an update on any outcome with the Local Authority.

M Russell detailed the situation regarding the lagged funding methodology for governor clarity.

7.3 Health and Safety Annual Report 2022-2023

S Marshall gave a short account of the annual report impressing the improvements made across the year which had resulted in all audit actions having been closed off. She highlighted the focus on the fire risk assessment going forward and of the ongoing monitoring, support and challenge in this area by both the Audit and Risk Committee and P Sharp as Health and Safety Link Governor.

She also updated Governors on additional aspects including: a full complement for the Health and Safety team enabling a more positive and collaborative culture; risk events updates; traffic marking and carparking work; confirmation there was no RAAC concrete in the College; an update on a recent civil injunction; external behaviour and actions and staff portal work improvements.

The Health and Safety Annual Report 2022-2023 was **approved** by the Governing Body.

7.4 Staff Recruitment and Turnover

Z Lewis highlighted a positive position for the first two months of the academic year and B Robinson updated governors on the altered staff appraisal system which allowed for access to two further points on the teachers scale as one of the measures to support retention.

It was noted that there was Government acknowledgement of staff recruitment to the sector with some proposed schemes for graduates to follow.

7.5 Subcontractors Update

B Robinson updated the Governing Body on Subcontractor performance.

He then outlined the request for approval of an additional subcontractor as outlined in the report, to be funded through the Bootcamp and subject to due diligence.

Governors' questions included: detail of the due diligence process including appropriate application of College policies and any related training and support; subcontracting rules for subcontractors themselves; and clarification on the different model used with Bootcamp related subcontracting to that of general subcontractors.

After consideration, the Governing Body **approved** the proposed subcontractor TRL (subject to due diligence which would be reported to Corporate Services Committee as part of the Subcontracting report).

8. Governance Update

8.1 Search and Governance Recommendations

R Davies detailed the recommendations for approval for Governors.

After consideration, the following recommendations were **approved** by the Governing Body:

- A second (and final) Term of Office for Morgan McClintock, at the end of his current term of office, from 19 October 2024 until 18 October 2028
- An extension to the current Term of Office for Caroline Cannon for a further year up to 21 March 2025 to complete her first four year term (with a further four year term a future option)
- That Jane Castor take over as Chair of Corporate Services Committee with immediate effect and also joins the Search and Governance Committee (as a Chair of Committee)
- The creation of a new Sub Committee – Employer Voice and Engagement Committee supported by B Robinson and M Telling (and others as appropriate) with the sub committee meeting at least twice a year ahead of Curriculum and Standards Committee meetings. Membership to be determined on a voluntary basis.
- That the Governance Self-Assessment Areas for Improvement 2022-2023 subject to final approval at the Governing Body meeting of 18 December 2023, within the Governance Self-Assessment Report.
- The draft Governance Self Assessment Areas for Improvement 2023-2024
- Confirmation of adherence to the Code of Governance (as per the mapping exercise approved by the Committee)

8.2 Governance Report

Z Foster gave a brief overview of her report and recommendations within. She also detailed the process for governor walkthroughs this year with the expectation that all governors would endeavor to complete a walkthrough by the end of the Spring term (details would follow via email).

The Governing Body then **approved** acknowledgement of the Public Interest Disclosure Notice for 2022-2023.

8.3 Freedom of Information Summary

M Russell gave an account of the Freedom of Information summary for 2022-2023 which was acknowledged by the Governing Body.

8.4 Complaints Summary 2022-2023

O Rodley presented the complaints summary for 2022-2023 in which there had been 43 formal complaints lodged.

Governors' questions included: clarification on two complaints relating to misinformation of course details and the related complexities of funding; and detail of the complaints process more generally.

9. College Policies and Procedures

9.1 Slavery and Human Trafficking Statement

M Russell highlighted the very minor changes to the annual statement ahead of approval.

9.2 Data Protection Policy

O Rodley detailed the policy which was part of the response to the GDPR audit last academic year. He detailed progress in relation to the procedural updating process for information.

Both the Slavery and Human Trafficking Statement and Data Protection Policy were then **approved** by the Governing Body.

10. Review of Strategic Risks – verbal

The strategic risks were discussed by the Governing Body including: agreement that the external environment was likely to create further risks in the coming months; possible policy shift; the impact of reclassification which had been more positive than anticipated (with funding lift; 6.5% teachers increase; 600K announcement for Maths and English); the accountability agenda in its fullest sense and resulting decrease in autonomy; and the impact of any political shift on employers and indirectly then on College.

The Governing Body concluded that the strategic risks remained the same at the present time.

11. Date and Time of Meetings/Activities for Term 1 2023 -2024

- Governing Body SAR validation - Tuesday 24 October 2023 – all day
- Governing Body Social Evening – Tuesday 24 October 2023 – 6.30pm
- Governing Body (Ordinary) – Monday 18 December 2023 5-8pm

12. Matters for Publication

No restricted matters were identified other than reserved matter 14.1 below.

13. Any other Business

None taken

All College staff and students left ahead of the final item of the meeting.

14. Reserved Matters

14.1 Termination Payments 2022-2023

Z Lewis presented the annual termination payments information which also complied with the requirements of reclassification and Managing Public Money (MPM). She detailed the types of payments within the 'other payment' column for information.

Governor queries included: whether there were any patterns with confirmation that there were not; background information in respect of two further payments; and Z Lewis confirmed the process for reporting such payments to the Governing Body retrospectively.

After consideration, the Governing Body **endorsed** the payments made during the academic year 2022-23.

The meeting ended at 8.13pm