THE FURTHER EDUCATION CORPORATION OF MIDDLESBROUGH COLLEGE

CONFIRMED MINUTES OF THE GOVERNING BODY MEETING – 17.10.2019

PRESENT: R Davies (CG and Chairman), A Allen (CG), R Anderson (CG), C Cooney (CG), M Gaze (CG), J Golightly (CG), Z Lewis (Principal/Chief Executive), D Still (Staff Governor), P Studd (CG), A Waller-Amos (Staff Governor), I Wright (CG).

OFFICERS: J Chance (VP), G Cumiskey (DP), Z Foster (Clerk), C Kipling (VP), J Steel (VP).

KEY: CG College Governor EM External Member DP Deputy Principal VP Vice Principal AP Assistant Principal ED Executive Director Clerk to the Corporation

1. Apologies for Absence – R Davies
   H Ashton (CG), A Coleman-Cooke (CG), M Laidler (CG), L Holdsworth (CG), S Lane (CG), T Parkinson (CG), S Mirsalehi (CG), J Hatfield (Student Governor), J Steel (VP).

   R Davies welcomed D Still (Staff Governor) to the Governing Body. Introductions were given.

2. Minutes and Appointments – R Davies
   2.1 Minutes of Governing Body Meeting of 15.07.2019
      Minor amendments were noted and subject to change were agreed as a correct record

   2.2 Minutes of Strategic Planning Session of 23.09.2019 were agreed as a correct record

   2.3 Search and Governance Recommendations
      After consideration, the following recommendations were approved by the Governing Body:
      • The Governance Self-Assessment Areas for Improvement 2018-2019 in principal, subject to final approval at the Governing Body meeting of 16 December 2019, once the College’s Self-Assessment Report has been approved
      • the draft Governance Self-Assessment Areas for Improvement 2019-2020
      • The Code of Governance Annex 2 – Model Statement on the Non Adoption of the HE Senior Staff Remuneration Code, as recommended by the AoC
      • That after a formal elective process Daniel Still be appointed as Academic Staff Governor for a period of four years from 17 October 2019 until 16 October 2023 and that he joins the Standards Committee
      • That S Shepherd’s term of office as External Member be extended for a further and final four year term from 1 August 2020 to 31 July 2024.

3. Matters Arising – R Davies
   Ongoing matters arising were confirmed.

4. Declarations of Interest
   None declared

5. Strategic Overview - Z Lewis
   5.1 Principal/Chief Executive’s Report
   Z Lewis gave a full overview focusing on recent achievements and ongoing areas of improvement. She also detailed the positive financial position. Additionally, she informed that enrolment was

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going extremely well and applications for next year were already up (though it was acknowledged this was very early in the year and could simply be a phasing of applications) which if realized may mean some early discussions in 2020 to accommodate this. Z Lewis then outlined some possible space options including using IoT (in which it was hoped decisions would soon be made); space in Digital City and possibly buying or renting space (through possible T Level funding). She also gave an update to the local FE climate in relation to a possible area review.

Governors discussed fully the potential implications and balance of quality and growth particularly in light of the Strategic Plan in which it was hoped that all student outcomes are in the upper quartile by 2023. This included: whether the strategic aim should still be the focus; measurement of learners progression beyond courses; the importance of widening participation; the impact of the new school; and the impact of additional local competition from next year. After some discussion, it was agreed that this would be returned to in the New Year.

Z Lewis outlined fully the situation with regards to IoT developments and of the hope that there would be resolution with regard to the DfE additional funds request by the end of October. It was expected that a special Governing Body meeting may be required or written resolution as appropriate.

After further discussion and reassurance that both risk and cost could be accommodated, the Governing Body approved the recommendation to increase the professional fees budget of £70,000 (total budget £130,000) for Institute of Technology development. This budget to be spent ‘at risk’ in lieu of funding approval from the Department of Education estimated to be received by the end of October.

5.2 Strategic Plan KPI Update – J Chance

J Chance outlined the headlines from his report including: study programmes which were at the strongest position ever with a significant number of SARs being good or outstanding; that improvements had been made within the Adult Provision (+ 5%) with consistency across the provision being the aim going forward; Apprenticeship headline data remained as last reported though student satisfaction was up and in-year retention data was improved on last year but Apprenticeships would remain a key focus.

Governors’ questions and discussion included: retention and pass rates in Access and national rates; key areas of focus - Maths and English attendance; Maths GCSE and A Level (retention); recruitment of Maths teachers/coaches; HE computer resource resolution and distance learning.

6. Student Experience

6.1 Curriculum Update – G Cumiskey

G Cumiskey gave a comprehensive account of the report and of the areas of focus for the forthcoming year which were: improving the usage of the virtual learning environment; reviews and setting targets and ‘At Risk’ Group interventions.

Governors had a full discussion on Apprenticeships’ quality and complexities both within College and nationally and when improvements could be realized. The Committee gained reassurances that the College had strategies in place to manage risk (internal and external) and improve quality over the year to effect a Grade 2 by July 2020.

Further discussion centred on the college provision of T Levels from 2021; curriculum reform more widely; the new Ofsted Inspection Framework and College actions to ensure adherence to the EIF (including College Attendance Policy; middle manager support; incorporation of key areas into SARs) and of an increased need for governors to understand the provision and destinations for SEN and disadvantaged students and more widely where value is being added and where the gaps existed; destination data availability (January). The future inclusion of ‘outstanding’ providers from 2020 and a possible financial judgement being included within the Ofsted regime were also debated.
A debate about the local economy in terms of employability; biggest employers and required skills base and the provision of appropriate courses took place with further consideration of strategy to be taken at the February development session.

*It was discussed and agreed that,* through the Standards Committee, the SAR would sum up the College strategy in terms of Curriculum intent which had been discussed at the September development session and would be further picked up at February training. Additionally, appraisal of SEN/Disadvantage would also be raised through the Standards Committee work during the year.

**6.2 QUIP Update – J Chance**

J Chance gave a comprehensive report to Governors drawing attention to the two areas where improvements had not been secured: attendance in English and Maths and timely achievement for Apprenticeships (both which remained static). He outlined the actions to progress improvements which Governors considered in some detail.

A related discussion about some Russell Group universities not accepting T Levels also took place.

**6.3 Safeguarding Update – J Steel**

A full update was given including: detail of early interventions where numbers were increasing; mental health disclosures and areas where interventions had increased (VEMT; homelessness and missing students). She reassured governors that low level interventions were being appropriately recorded, tracked and supported and also informed them how certain disclosures were categorized sometimes outside that of Safeguarding.

Discussion and questions included: rates of mental health disclosures and breakdown of categories and key directorate areas affected and reasons why; HE students support.

Governors welcomed the support within the Safeguarding area for students of the College and acknowledged the tremendous amount of work and dedication this entailed.


J Steel detailed the four parts of the annual report for Governors.

Governors acknowledged the excellent work taken place and approved the *Safeguarding Annual Report for 2018-2019*.

**6.5 Written Update from Student Governor – J Steel**

J Steel provided a brief report in the absence of J Hatfield including: movement of the team to a new, more accessible area of the college; the Vice President Elections and new Student Union Officer roles which and actions carried over.

Governors noted that the College atmosphere was noticeably purposeful and calm.

**7. Corporate Updates**

**7.1 Audit and Risk Recommendations – I Wright**

I Wright fully detailed the recent meeting including: the range of internal audits which had taken place; the detail of the Regularity Audit questionnaire; the value added aspect of the Internal Auditors provision; KPMG benchmarking; Performance Indicators for both sets of Auditors and IT security and Brexit.

A considered discussion took place around the role of internal auditors in the provision of greater valued added going forward into their second year for the College including possible additional direction in providing solutions or ideas in relation to staff workload/culture etc. and in supporting new areas such as the new Gatsby requirements. *Action by Audit and Risk Committee to direct and monitor value added aspect of the Internal Audit provision.*
A further debate considered staff utilization and wider culture, trust, training, upcoming strategic projects (HR processes; customer relations processes; MIU) and recruitment and retention.

**After due consideration the Governing Body approved:**
- The 2018 / 2019 Regulatory Audit Questionnaire for use by the External Auditors (KPMG)
- The outcome of the 2018 / 2019 Performance Indicators for the Internal Auditor (RSM) and the Financial Statements / Regularity Auditor (KPMG)
- Confirmation of the re-appointment of the Internal Auditor (RSM) for a period of one year commencing 1 August 2019
- The 2019 / 2020 Performance Indicators for the Internal Auditor (RSM)
- The 2019 / 2020 Performance Indicators for the new Financial Statements / Regularity Auditor (Mazars)

### 7.2 Recruitment, Admissions and Sales Report – C Kipling/A Waller-Amos
C Kipling drew attention to the headlines including: a strong 16-18 recruitment ahead of plan and the issue of lag funding. Additionally, Apprenticeships had started strongly and there was potential for in-year monies with Adult Education. HE was slightly behind the increased plan and overall the College was on target to maintain its budgeted surplus.

A Waller Amos gave an overview of the Admissions position including early increases in applications for next year and the dedicated and targeted work of the Schools Team.

**Governors debated** the effects of the local demographics on admissions and relationships with employers for work experience placements and T Levels.

### 7.3 Management Accounts (July 2019) and Financial Health Measures Update – C Kipling
C Kipling drew attention to the financial health rating which was now secured as ‘good’ being at the top of the banding and detailed the reasoning for this. She detailed key aspects of the operating position which put the College on a strong footing.

**Governors’ discussion and questions included:** the effect of recent land sales on Financial Health measures and it was confirmed this still would have been ‘good’ as per the plan and LPGS pension charges and resulting liabilities and how the College was dealing with this now and of future potential complexities.

J Chance gave a brief overview of the report which highlighted that the trend of accidents had come down; that the first term resulted in the highest number of accidents and that there had been two RIDDOR incidents. He also detailed improvements within the Fire Evacuation procedures.

**Governors discussed** the recent local fire nearby to the College and were given reassurances on College procedures. It was also confirmed that full lock down procedures had been trialed and the rare circumstances of usage of such procedures were outlined.

### 7.5 Equality, Diversity and Inclusion Annual Report 2018-2019 – G Cumiskey
G Cumiskey drew attention to the early submission of this report to the Governing Body.

Governors considered the report and were impressed that the College had got Gold for the third year running for its practice. Improvements were also discussed particularly the wish to have a staff body which greater represented the student cohort and the promotion of greater diversity particularly within apprenticeships.

**It was agreed to delegate the final Annual Report to the Equality and Diversity Committee**

### 7.6 Subcontractors Update – J Chance
J Chance gave an overview of the provision during 2018-2019 where achievement rates had been very high and the subcontractors grading was outstanding. He reminded governors that the
majority of contractors had been approved in July (mostly for adult education) but there was one learner now requesting to use Stockton Riverside for their technical certificate hence the approval request.

Governors’ discussion and questioning included: an update on the Unicorn Centre and some debate took place about the provision and management of that.

_The Governing Body approved the request for the additional Subcontractor as outlined._

8. Governance Update

8.1 Governance Report – Z Foster

Z Foster drew attention to key aspects of the Governance report including: an update on recent and forthcoming staff and student governor elections; the Public Interest Disclosure Notice for 2018-2019 in which no disclosures had occurred; the usage of the College Seal in two instances in relation to leasing requirement; the Code of Governance mapping exercise; governor training; governor celebratory events; a brief update on the revised skills and competency framework and the dates of the Governance Internal Audit (end of January 2020).

Governors’ discussion and questions included: the recruitment of governors including open advertising and recruiting to specific skilled areas; recent research on the shape of governance in the North East; the positive make up, size and diversity of the current Governing Body, the future Chair vacancy. _It was agreed to keep this under regular review._

_The Governing Body then approved:_
- the retrospective use of the College Seal as outlined
- acknowledgement of the Public Disclosure Notice for 2018-2019

8.2 Complaints Summary 2018-2019 – J Chance

J Chance gave a comprehensive overview of the complaints report presented and detailed the three complaints upheld. He also reminded governors of the procedure for complaints both within the College and beyond (i.e. OfS for HE and ESFA or the qualifying body for FE).

Governors discussed the summary and considered that successful local resolution (as was the case for the majority of cases in 2018-2019) gave a very effective indicator of a good system

8.3 Freedom of Information Summary 2018-2019 – C Kipling

Governors were reminded of the compliance requirement in relation to this item. Governors briefly discussed elements of FOI requests. _The summary was then approved for publication._

9. College Policies and Procedures

The following policies and procedures were presented in turn:

9.1 Slavery and Human Trafficking Statement- Governors were reminded of the annual update requirement of this for the website. _Governors considered and approved the Statement._

9.2 Student Disciplinary Policy- this was an annual update with no major changes. An addition had been the Pre disciplinary action plan. _Governors considered and approved the Policy._

9.3 Disability Statement- a further annual update with an updated equipment list being the main change. _Governors considered and approved the Statement._

9.4 Capability Policy – revised as per the two year cycle. _Governors considered and approved the Policy._
9.5 Safeguarding Policy - Governors discussed the policy and there was some consideration of related reporting for Equality and Diversity (in key areas such as SEN, disability and mental health) in terms of the age range of students and whether considered child or adult.

It was clarified that the policy referred to all learners though the balance of the policy was towards 18 and under as school leavers were the largest category of students (16-18 study programmes). Furthermore, the Education Act and related Safeguarding legislation referred to Children and Vulnerable Adults thereby covering all learners. J Steel confirmed that vulnerable adults constituted a small number of students and that all students and reporting was consistent as per the policy.

After this full discussion, J Golightly offered some technical assistance for the next update which was welcomed. The Safeguarding Policy was unanimously approved by the Governing Body.

10. Date of Next Meeting – R Davies

10.1 Monday 16 December 2019 at 5pm

11. Matters for Publication

With the exception of Item 13 all other agenda items could be made available for publication.

12. Any other Urgent Business – none taken

13. Reserved Matters

Staff Governors and Officers left for this item


J Steel went through the detail of the settlement agreements drawing attention to those few which went beyond the contractual requirement. She also detailed other negotiated arrangements for a small number of staff (7).

Governors discussed the need and circumstance which warranted additional payments and further clarifications were sought on two of the payments.

After due consideration and discussion the Governing Body approved the retrospective termination payments for 2018-2019.

The meeting closed at 8.06pm