

## Preston's College

### Redacted and Abridged Minutes of the Board Meeting held 15<sup>th</sup> October 2020 at 5pm via Zoom

#### Present:

Mr J Boydell	Chair
Dr E Smith	Principal and Chief Executive
Mr S Browne	
Mr M Collard	
Mr M Driver	(from minute 7)
Mr S Edwards	
Ms J Garcia	
Ms L Hornsby	(from minute 12)
Mr J Jepson	(from minute 6)
Ms J Jones	(from minute 6)
Mrs L Mason	
Cllr J Mein	
Mr D Patel	from minute 5
Mr T Readett	
Mr J Taylor	(from minute 8)
Ms G Turner	(from minute 6)
Ms K Williams	

#### In attendance:

Mr S Nixon	Executive Director Resources
Ms M Haworth	Vice Principal Quality, Teaching, Learning and Learner Support
Mr M Noblett	Vice Principal - Curriculum Delivery and Planning
Mrs C Rayner	Clerk to the Board
Ms G Thornton	Head of Human Resources (from Minute 8)

#### 1. Welcome and apologies

The Chair welcomed everyone to the meeting.

The Clerk reported that Ms Hornsby and Mr Taylor would join the meeting as soon as possible.

It was noted that a quorum was present.

The Chair reported that Ms Hornsby, Vice Chair of the governing body, had indicated that she would retire from the Board in December 2020.

The Chair asked members to contact the Clerk if they wished to self-nominate for the role of Vice Chair.

#### 2. Declarations of interest

The Board noted that Cllr Mein would leave the meeting during the Board's consideration of her induction review and Mr Browne and Mr Taylor would leave during discussion on extending their term of office.

### 3. Minutes of previous meetings

The Board approved the Minutes of the Board meetings held on 9<sup>th</sup> July 2020 as a correct record.

The Board approved the Minutes of the Board meetings held on 3<sup>rd</sup> September 2020 as a correct record.

**Resolved: The Minutes of the Board meetings held on 9<sup>th</sup> July 2020 and 3<sup>rd</sup> September 2020 were approved as correct records.**

### 4. Matters arising

The Board noted a report, dated October 2020, on progress of matters arising since the previous meeting. The Chair reported that progress against some of the actions had been delayed due to management focus on Covid related matters and would be progressed as soon as possible.

**Resolved: The matters arising report was noted.**

### 5. Report of items agreed in writing – September 2020 and items sent between meetings

The Clerk referred to a report on the Board's approval of the appointment of Miss Georgia Turner as independent governor and a member of the Search and Governance Committee by written resolution.

The Clerk also referred to emails sent over the summer:

- a link to a speech made by the Secretary of State for Education, Gavin Williamson, on his vision for further education, July 2020;
- confirmation that the Principal and Chief Executive would retire in 2021 and plans for an additional Board meeting to appoint a SPH Selection Panel;
- details of forthcoming webinars, including a webinar with Stone King, Association of Colleges and the Independent Commission on the College of the Future.

The Clerk also referred to documents uploaded to the Governors' Portal as additional reading:

- Staff Survey 2020;
- HE Update;
- *Keeping children safe in education Statutory guidance for schools and colleges Part one: Information for all school and college staff*, updated September 2020.

She explained that the minutes at which the relevant committees discussed these reports would be included on the December Board agenda.

The Clerk reported that Association of Colleges briefing emails were also available on the Governors' Portal.

**Resolved: The Board noted the report of resolutions agreed in writing – September 2020 and other items sent between meetings.**

## 6. Principal and Chief Executive's Report

The Principal and Chief Executive's presented her report. She reported:

- the coronavirus situation was continually changing and it was possible that the Preston area would soon move into coronavirus tier 3 and there was also the possibility of a full lockdown. College management continued to review government guidance and restrictions;
- the College continued to operate a blended learning model, with occupancy on site c. 50% capacity;
- the number of Covid cases at the College to date this term;
- the week before half term all lessons where possible would be delivered remotely and staff would work from home. This would provide the opportunity to test the ability to deliver all elements virtually in preparation if the College had to enter a second phase of lockdown;
- outturn forecast position was expected to be a surplus, subject to audit and before FRS102 pension adjustments, which was a positive outcome in difficult circumstances and a testament to staff;
- encouraging enrolment progress to date;
- the challenges of engaging learners remotely.

The Board noted the Principal and Chief Executive's Report.

**Resolved: The Board noted the Principal and Chief Executive's Report.**

## 7. Five Year Plan and priorities for 2020/21

The Chair welcomed Miss Turner, the new independent governor, to the Board meeting.

The Principal and Chief Executive's presented her report. She referred members to the table at Appendix A which outlined the activities, milestones and deliverables for 2020/21. She reported:

- changes to the strategic objectives approved by the Board in July 2020 to reflect the College's move to blended learning;
- that, whilst the long term ambition was to become an "outstanding" College by 2022/23, during 2020/21 the College had to deal with Covid and its impact on the College's ability to support learners, drive forward income and deliver the agreed budget;
- that a dashboard was under development and would be shared with the Board.

The Board discussed the report with management.

Members discussed how management would monitor quality of campus and remote learning. Ms Haworth reported:

- that staff were undertaking informal learning walks remotely and on campus;
- staff would be encouraged to share good practice for remote learning;
- more formal observations would commence following half term for campus and remote sessions.

During discussion with management, members noted:

- positive feedback from a staff governor that teaching staff were working co-operatively;
- staff monitored learner feedback and were engaging with learners regularly;
- it had been a quick learning curve for staff and learners and it was important to try new ideas, particularly as learner engagement did vary depending on the course.

In response to a query on the longer term milestone of reducing staff costs to 65% of income, it was noted that, whilst the College would not achieve this for 2019/20 as income had been impacted by Covid, the percentage had been reducing.

The Board noted the Five Year Plan and priorities for 2020/21.

**Resolved: The Board noted the Five Year Plan and priorities for 2020/21**

## **8. Period 11 Management Accounts/outturn forecast**

Mr Nixon, Executive Director Resources, presented his report on the Period 11 Management Accounts/outturn forecast. Mr Nixon reported:

- a surplus was expected, subject to audit and before adjustments for FRS102 pension adjustments, which despite the challenges of Covid, indicated a strong underlying performance for the College;
- the performance had been achieved by protection of grant funding, cost controls, cost savings and because apprentice income had not been as badly affected by the lockdown as initially anticipated;
- cash balances were well protected;
- impact of pension adjustments and how these were calculated;
- the College would retain good financial health and fully met bank covenants.

The Board discussed the Period 11 Management Accounts with management and noted:

- an explanation of trade debtors and the College's bad debt provision;
- the impact of Covid on pension adjustments and on the College's cash position.

Following discussion, the Board noted the Period 11 Management Accounts.

**Resolved: The Board noted the Period 11 Management Accounts.**

## **9. Bank Loan Arrangements**

Mr Nixon presented his report on Bank Loan Arrangements.

**Resolved: The Board agreed the approach to take going forward.**

## **10. Capital budget outturn 2019/20**

Mr Nixon presented his report on Capital Budget Outturn 2019/20 making reference to:

- actual spend on the refreshed IT infrastructure;
- the timely improvement of IT infrastructure when the College switched to remote teaching and working for lockdown in March;
- the remaining balance had been mainly used for additional laptop purchases, joinery equipment for Construction and other notable investments included new barbering chairs, security cameras, and improvements to the 3G pitch.

The Board noted the Capital Budget Outturn 2019/20 report.

**Resolved: The Board noted the Capital Budget Outturn 2019/20 report.**

## **11. Estate condition funding**

Mr Nixon presented his report on Estate Condition Funding. He referred to:

- a grant letter from the Education and Skills Funding Agency (ESFA), at Appendix A, which outlined details of an allocation to support improvements in the condition of the College estate;
- works undertaken between 29<sup>th</sup> June 2020 and 31<sup>st</sup> March 2021 could be funded through this allocation;
- the funding must be matched by the College at a rate of 25% i.e. the College would need to demonstrate a specified spend over the same timescale. It was envisaged that this should be possible without committing any additional funds beyond what would normally be spent on ongoing improvements, but this would be kept under review;
- the funding must be used to improve the condition of buildings rated B (Satisfactory), C (Poor) or D (Bad). However, within all other areas, there was flexibility to undertake works as necessary to make condition improvements;
- an initial return must be submitted to the Department for Education by 16<sup>th</sup> October 2020 summarising how funds would be spent.

Mr Nixon undertook to ensure the Committee and the Board were kept up to date on progress.

Members welcomed the additional funding and agreed with management that the College's downsizing estates strategy would need to be revisited following developments in blended learning and as the current campus size had facilitated the introduction of social distancing.

In response to a query, Mr Nixon explained that the College's estates team would complete routine maintenance tasks and larger projects were out sourced.

Following discussion, the Committee welcomed the additional funding and noted the report.

**Resolved: The Board noted the Estate Conduction Funding report.**

## **12. Curriculum and Quality Update**

Ms Haworth, Vice Principal Quality, Teaching, Learning and Learner Support and Mr Noblett, Vice Principal - Curriculum Delivery and Planning, presented their report on Curriculum and Quality.

Ms Haworth outlined the challenges posed by Covid to learner outcomes. She referred to:

- some learners had been unable to achieve their licence to practice as practical examinations had not taken place or had been delayed;
- exam results had been delayed from some awarding bodies;
- anticipation of the final Individual Learner Record (ILR) for 2019/20 based on indicative outcomes;
- despite breaks in learning, the College was expected to achieve last year's achievement rates;
- a number of learners had been furloughed and concern of the impact of this on 2020/21 achievement rates;
- many staff and learners had continued work and study throughout July and August to achieve the required practical elements.

In response to queries, the Board noted:

- it would be difficult to benchmark against other colleges as Ofsted would not be publishing inspections/visits during the pandemic;
- impact of the use of estimated grades for 2019/20;

Mr Noblett updated the Board on Curriculum delivery and the impact of Covid. He reported on:

- managing staff and learner safety and wellbeing, and the restructuring of the College timetable, including the staggering of lunch periods;
- the positive response from learners;

- how blended learning helped reduce the number of learners required to isolate following a positive Covid case;
- the importance of monitoring non-starters;
- early indications for learner recruitment 2020/21,
- challenges for timetable capacity due to Covid restrictions;
- strong recruitment profile to date;
- the impact of not being able to showcase the campus to prospective learners and efforts to mitigate this including virtual tours.

The Board discussed the report with management, and in response to queries noted:

- guidance from DfE on test and trace depending on proximity of learners to the person with a positive Covid test result;
- initiatives such as staggered start and finish times and lunch breaks;
- Preston Bus had allocated a dedicated bus for the College route;
- the College could not control mixing of learners on public transport and outside of College. However, once learners were on campus they were encouraged to go straight to their classes;
- whilst test and trace outside the education setting was outside the College's remit, the College was doing everything possible on campus to reduce the spread of the virus;
- if a number of cases of Covid were identified in a single class the whole group could be switched to remote learning. However, to date positive cases had been isolated.

The Board noted the Curriculum and Quality Update.

**Resolved: The Board noted the Curriculum and Quality Update.**

### **13. Risk Management Register**

Mr Nixon referred members to the Risk Management Register for October 2020 and the Covid Risk Assessment which had been updated to reflect the College's experiences since the wider re-opening of the College campus.

Mr Nixon reported on:

- 16-18 year old enrolments for 2019/20 had been positive to date, combined with an increase in the base level of funding,
- enrolment numbers to date;

- reference had been added to Risk Register to the potential impact of change of Principal and Chief Executive on delivery of the Five Year Plan;
- impact of Covid cases to date. He explained that as most positive cases at the College were isolated, with the last attendance in College more than 48 hours earlier, no further action had been required other than that the individual self-isolating. This was a clear benefit of the blended learning/remote working approach;
- potential for the number of Covid cases to increase and therefore the necessity for increased remote learning;
- the move to remote learning for the majority of classes the week before half term and the rationale for this;
- impact of the pandemic on staff and learner well-being and the importance of taking a break during half term.

**Resolved: The Board noted the Risk Management Register and Covid Risk Assessment and agreed the current risks, actions completed and further actions still to be completed are agreed.**

#### **14. Governance matters**

##### **a) Board terms of office 2020 and Committee membership**

The Clerk referred members to the Terms of Office report for October 2020, at Appendix A, and the Search and Governance Committee's discussion on governor succession planning.

The Clerk outlined governor recruitment activities to date. She explained that whilst there had been interest in the role, she had not received any applications by the closing date set and she would contact all interested parties again. However, since the closing date the Board had appointed Miss Turner to the Board, who had applied via Governors for Schools.

*Mr Browne and Mr Taylor left the meeting.*

The Clerk reported that the Board carried one independent governor vacancy and there would be a further vacancy from December 2020. She reported that the second terms of office of Mr Browne and Mr Taylor would end in March 2021. It was noted that in normal circumstances, in line with good governance practice, members would not normally be re-appointed after two terms. However, the Clerk suggested that in the context of the coronavirus pandemic, the recruitment of a new Principal and Chief Executive and a number of new governors joining the Board, consideration was given to extending the terms of office of Mr Brown and Mr Taylor. The Board also noted that Mr Browne and Mr Taylor were chairs of committees and members of the Senior Post Holder Selection Panel for the appointment of the new Principal and Chief Executive.



The Board agreed that the experience of Mr Browne and Mr Taylor was valuable for continuity, stability and succession planning during a period of change and uncertainty. Following discussion, the Board agreed the Clerk should contact Mr Browne and Mr Taylor after the meeting to invite them to extend their term of office on the Board for up to four years.

*Mr Browne and Mr Taylor re-joined the meeting.*

The Board noted the Committee Membership report, as of October 2020, at Appendix B.

**b) Link Governor**

The Board appointed Mr Edwards as link governor for Partnerships.

**c) Induction review**

*Cllr Mein left the meeting.*

The Board considered an Induction Review report for Cllr Jennifer Mein who had been appointed to the Board in July 2019 and attended her first Board meeting in October 2019. It was noted that the report included information on Cllr Mein's Board and Committee attendance, training and other contributions during her first year on the Board, including participating in the Governors' Question Time event. It was noted that the Search and Governance Committee had recommended that Cllr Mein should complete her term of office following a successful induction year.

Following discussion, the Committee agreed that Cllr Mein should be complete her term following a successful induction year.

*Cllr Mein re-joined the meeting.*

**d) Board attendance 2019/20**

The Board noted the Board and Committee attendance for 2019/20. The Board noted that Board attendance had not been negatively impacted by the move to remote meetings and was in line with national FE benchmarks. However, the Search and Governance Committee had undertook to continue to monitor committee attendance.

**e) Code of Conduct for Corporation Members**

The Clerk referred members to a draft Code of Conduct for Corporation Members which she had developed from an Eversheds Sutherland template. She reported that whilst there was reference to governor Code of Conduct in the Standing Orders, she had recommended a more detailed Code of Conduct. She reported that the Search and Governance Committee had reviewed the draft and recommended it to the Board for approval.

The Board approved the Code of Conduct for Corporation Members.

**f) Board Evaluation 2020**

The Clerk outlined her proposal for Board evaluation 2020 – the Board’s evaluation of its own effectiveness. She recommended that the Board evaluation took place using the 2019/20 questionnaire to allow year on year comparison. However, as 2020 had been an unprecedented year, she suggested that members submit feedback and comments on their committees on the same questionnaire as the Board evaluation. However, she advised that committees should revert back to the original questionnaire format in 2021.

The Board approved the proposed approach to Board and committee evaluation for 2020.

**g) Training update**

The Board noted the governor training plans for 2020/21 had been reviewed by the Search and Governance Committee. The Clerk referred to:

- approach to governor training in 2020 due to lockdown, with opportunities for governors to attend webinars offered by the AoC and other stakeholders;
- prioritising safeguarding and charity law/insolvency regime training for 2020/21;
- opportunities for forthcoming external governor training.

**h) Correspondence**

The Board noted the termly correspondence from Richard Atkins CBE, Further Education Commissioner, dated 28 August 2020, at Appendix F.

**i) Publications**

The Board noted the Governance Matters report contained links to a number of recent reports and guidance and copies were also available on the Governors’ Portal.

**Resolved: The Board:**

- **noted the current Board membership and Term of Office and committee membership as of October 2020;**
- **noted the governor recruitment update;**
- **noted the update on student and staff governor elections;**
- **discussed succession planning;**
- **approved the Induction Review for Cllr Mein;**
- **approved the appointment of Mr Edwards as link governor for partnerships;**
- **noted Board and Committee attendance for 2019 - 20;**
- **approved the draft governor Code of Conduct;**
- **agreed arrangements for Board evaluation in 2020 - 21;**
- **noted the training update;**
- **noted correspondence from FE commissioner;**
- **noted the update on recent publications.**

**Action: The Clerk to contact Mr Browne and Mr Taylor to invite them to extend their term of office on the Board for up to four years.**

**15. Board forward work programme**

The Clerk referred members to the draft Board Forward Work Programme 2020/21. She reported that she had also added a partnership and sub-contracting report to the Forward Work Programme. She reported that the Forward Work Programme was not a static document and, following liaison with the Chair, might be subject to change if new issues arose during the year. The Board approved the Board Forward Work Programme 2020/21.

**Resolved: The Board approved the Board Forward Work Programme 2020/21**

**16. Policy Approval – Management of Attendance Policy**

Ms Thornton, Head of Human Resources, presented her Employment Policy Review. She reported that at its meeting on 9<sup>th</sup> July 2020, the Board approved a revised version of the Management of Attendance Policy and explained that further discussions had since been held with the recognised trade unions. She reported:

- on the proposed addendum to the Management of Attendance Policy, at Appendix A, which included adoption of the ‘Dying to Work’ Charter to emphasise the support that the College already provided to members of staff who might be diagnosed with a terminal illness;
- the “*Dying to Work Charter*,” provided at Appendix B, was endorsed by the TUC as good employment practice to follow in the case where an employee was diagnosed with a terminal illness. However, the College proposed a change in title to: ‘*Support for Staff Diagnosed with a Terminal Illness*’ and the unions were supportive of this;
- that the support Preston’s College already provided to employees working with a terminal diagnosis was fully in line with the principles and values of the “*Dying to Work*” Charter and included access to Occupational Health support, option of reduced working hours on a partial pension and ill-health retirement options to support staff if they did not feel that they were able to continue working full time or at all. In addition, the Counselling service used by the College acted as an Employee Assistance Program, and provided support and advice to employees about the next steps for them as an individual and their families;
- the College would never seek to dismiss an employee purely because they have been diagnosed with a terminal illness;
- the Resources Committee had recommended the Board approve the addendum.

Following discussion, the Board approved the addendum to the Management of Attendance Policy contained at paragraph 8 of Appendix A, to include a commitment to operating the principles of the ‘*Dying to Work*’ Charter.

**Resolved: The Board approved the addendum to the Management of Attendance Policy contained at paragraph 8 of Appendix A to include a commitment to operating the principles of the 'Dying to Work' Charter.**

**17. Date of next meeting – 10<sup>th</sup> December 2020**

The Board noted that the next Board meeting was scheduled for Thursday 10<sup>th</sup> December 2020.