

Preston's College

Redacted and abridged¹ Minutes of the Board Meeting held 18th March 2021 at 5pm via Zoom

Present:

Mr J Boydell	Chair
Dr E Smith	Principal and Chief Executive
Mr S Anyon	
Mr S Browne	from Minute 6
Mr M Collard	
Mr M Driver	
Ms J Garcia	
Mr J Jepson	
Ms J Jones	
Mrs L Mason	
Mrs J Mein	
Mr D Patel	
Mr T Readett	
Miss A Renfree	
Mr J Tansley	
Mr J Taylor	
Ms G Turner	

In attendance:

Mr Davies	AA Projects
Mrs M Haworth	Vice Principal Quality, Teaching, Learning and Learner Support
Mr S Nixon	Executive Director of Resources
Mrs C Rayner	Clerk to the Board
Mr M Noblett	Vice Principal Curriculum Delivery and Planning

Apologies: Mr S Edwards – apologies received retrospectively

1. Welcome and apologies

The Chair welcomed everyone to the meeting. He reported that as this was the Principal and Chief Executive's final Board meeting before her retirement there would be an opportunity for the Board to record thanks at the end of the meeting.

It was noted that that no apologies had been received and a quorum was present.

The Chair referred to his previous request for expressions of interest from independent governors to serve as Vice Chair and nominated Mrs Mason as Vice Chair. The Board appointed Mrs Mason as Vice Chairperson.

The Chair reminded members that the Board could appoint a second Vice Chair and asked independent governors to contact him with expressions of interest.

¹ Please note that any matters which the Corporation is satisfied should be dealt with on a confidential basis have been removed from these minutes.

The Chair reported that this was the first full Board meeting since the College had achieved the accreditation of *Investors in People* at Gold level at the end of 2020. On behalf of the Board, the Chair recorded congratulations to all staff for their contribution to this significant achievement.

2. Declarations of interest

No declarations of interest were made.

3. Minutes of the previous meeting

a) Part 1

The Board approved the Minutes of the Board meeting held on 10th December 2020, 28th January 2021 and 25th February 2021 as correct records.

b) Part 2

The independent Board members approved the Minutes of the Board meeting held on 10th December 2020, 18th December 2021, 28th January 2021 and 25th February 2021 as correct records.

Resolved: The Part 1 Minutes of the Board meeting held on 10th December 2020, 28th January 2021, 25th February 2021 were approved as correct records.

The Part 2 Minutes of the Board meeting held on 10th December 2020, 18th December 2021, 28th January 2021 and 25th February 2021 were approved as correct records.

4. Matters arising

The Board noted the report on progress of actions from previous meetings.

Resolved: The Board noted the report on progress of actions from previous meetings.

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

The Clerk referred to the report on items sent between meetings. She reported that in addition to the items listed she had added the Governor and Staff Newsletter, Spring 2021, and correspondence from Sir Richard Atkins CBE, Further Education Commissioner, dated February 2021, to the Governors' Portal. The Board noted the report.

Resolved: The Board noted the report on items sent between meetings.

6. Principal and Chief Executive's Report

The Principal and Chief Executive presented her report. She referred to:

- the government's FE White Paper *Skills for Jobs: Lifelong Learning for Opportunities and Growth on 21st January 2021* and referred to her summary of the report in Appendix A;
- the College awaited confirmation from examination bodies regarding examinations arrangements and the significant workload for staff where teacher assessment of grades was required;

- the College's Covid testing centre, run by staff volunteers, was efficient and well organised and provided staff returning to College with some reassurance. She explained that, whilst the College had now largely moved to home testing, a small testing facility would remain on site;
- the decision of the University of Derby to withdraw validation of the College's HE provision and the response of the College to date; it was noted this would be discussed further during the HE Update item;
- ongoing meetings with the University of Central Lancashire and the scope of the discussions.

The Principal and Chief Executive described her tenure as Principal and Chief Executive for the last 10 years as a huge privilege and how proud she was of how staff had participated in the journey and always acted to the benefit of learners, with many challenges and successes along the way. She referred to considerable ongoing efforts of staff and learners during the challenges of the Covid. She recorded thanks to the Board for being instrumental in driving the way forward and for the personal support and challenge she had received from members. She referred to how proud she was of the collective achievements at the College and her confidence that the Executive Leadership Team and staff would continue on the journey to outstanding.

The Chair thanked the Principal and Chief Executive on behalf of the Board and reiterated that there would be an opportunity for members to record their thanks at the end of the meeting.

The Board discussed the government's FE White Paper and considered:

- reception of the content of the White Paper within the FE sector;
- how the White Paper might impact the College and in particular influence the College's curriculum.

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

7. Five Year Plan Update

The Principal and Chief Executive presented the update report on the Five Year Plan. She made reference to:

- milestones and deliverables for resources, curriculum delivery, teaching and learning and quality in Year 3 with RAG ratings;
- the Five Year Plan report should be read in conjunction with the Management Accounts and the Risk Register;
- whilst Covid had a significant impact on delivery of the Five Year Plan there had been progress in some deliverables;
- the decision of University of Derby to terminate the partnership with the College and the impact on risk;
- significant risks due to the impact of Covid.

The Board discussed progress of the Five Year Strategic Plan with management, and in response to questions from members, noted:

- outcomes for learners in 2020/21 and how this had been impacted by Covid. The Board noted retention had been achieved by engaging learners in remote learning and as more learners returned to College timetables had been adjusted to ensure learners received the practical elements of their curriculum which had been more challenging to deliver remotely or could not be delivered remotely;
- considerable ongoing work on teacher assessed grading;
- the impact on apprentices that had been furloughed;
- the College awaited guidance on end point assessments for apprenticeships;
- additional support provided to learners, particularly vulnerable learners, in response to the pandemic;
- whilst there were no plans to use the College's outdoor amphitheatre at present this would be explored in the future;
- the risk relating to the University of Derby's decision to end the partnership with the College had been discussed in detail at the Audit Committee's last meeting and any proposals going forward required careful consideration;
- ongoing discussions with University of Central Lancashire.

Resolved: The Board noted progress made against the second set of milestones within year 3 of the Five Year Plan.

8. Management Accounts

Mr Nixon, Executive Director Resources, presented his report on the Period 6 Management Accounts and commentary. Mr Nixon reported:

- on ongoing efforts to mitigate the impact of Covid on income and cost savings plans in place;
- on the financial position, and risks with the potential impact on the College's outturn for 2020/21 and into 2021/22.

Mr Nixon referred members to extracts from the Governors' Dashboard for Funding and Income which showed: income by funding stream, surplus and income forecasts for 2020/21 and performance ratios.

The Board discussed the Management Accounts with management.

Resolved: The Board noted the Period 6 Management Accounts, commentary and dashboard.

9. Risk Management Register

Mr Nixon referred to his report on the Risk Management Register and referred members to the Risk Management Register, dated March 2021, at Appendix A. Mr Nixon highlighted that the

significant risks discussed earlier in the meeting and considered at the at the Audit Committee on 10th April 2021.

The Board considered the Risk Management Register for March 2021. Following a suggestion from a governor, the Board agreed the Audit Committee should review adding to the Risk Register a specific risk relating to changes in Board membership and leadership. It was noted that this would be reviewed by the Audit Committee at its next meeting.

Mr Nixon referred members to the Covid Risk Assessment at Appendix B. He reported that the wider re-opening of the College in the week commencing 8th March 2021 had been successful and staff and learners had undertaken Covid lateral flow testing in College and at home.

Members discussed the ongoing significant risks involved in re-opening colleges and commended management for the comprehensive Risk Assessment and their cautious approach to fully re-opening the College.

A staff governor provided her insights into staff and learners returning to College and the supportive and sensitive approach taken by management. She explained how the Covid Risk Assessment and safety precautions in place at the College continued to provide assurance to staff.

Resolved: The Board noted:

- **the Risk Management Register and agreed the current risks, actions completed and further actions still to be completed;**
- **the Updated Risk Assessment for wider re-opening of College w/c 8th March 2021.**

Actions: To add a specific risk relating to changes in Board membership and leadership to the risk register for review and approval of the Audit Committee at its next meeting.

Mr Davies joined the meeting.

10. Estates Strategy

The Chair welcomed Mr Davies, from AA Projects, to the meeting.

Mr Nixon, Executive Director Resources, presented his Estates Strategy report which outlined progress on the development of the College's Transformation Fund application since the discussion at the previous Board meeting on 25th February 2021. He referred to:

- the draft Executive Summary of the Estates Strategy, at Appendix A, which had been developed through various consultation meetings with stakeholders, and a Business case, at Appendix B, for the proposed project which had been identified as the highest priority;
- the deadline for submission of bids had been extended until 22nd March 2021;
- a workshop had been held on 3rd March 2021 with governor representatives, the Executive Leadership Team and Mr Davies to review the proposed project in more detail;
- rationale for selecting theme of proposed project;
- construction had already received investment in support of the introduction of T Levels at the College.

Mr Davies provided further details on the proposed project.

The Board discussed the bid with management and Mr Davies.

Following discussion, the Board noted the Estates Strategy report, approved the Executive Summary of the Estates Strategy, together with the business case for the preferred initial project option, and agreed the College should submit a Stage 1 Transformation Fund application on 22nd March 2021.

Resolved: The Board approved the Executive Summary of the Estates Strategy, together with the business case for the preferred initial project option, in order to submit a Stage 1 Transformation Fund application on 22nd March 2021.

Mr Davies said it had been a privilege to work with the Principal and Chief Executive and recorded his thanks and best wishes on her retirement.

Mr Davies left the meeting.

11. Pay Framework for Business Support Staff and Managers – Review of Job Family Group

Ms Thornton, Head of Human Resources, presented her report on the Pay Framework for Business Support Staff and Managers. She referred to:

- the College's implementation of a new Business Support Staff and Management pay framework from 1st January 2020, which introduced the concept of pay progression for these occupational groups into the College;
- the pay framework was based on the AoC harmonised pay spine which reflected the flat management structure adopted by the College in 2016/17 and was based on Job Family Groups (JFG) into which all relevant roles in the College were evaluated;
- in recent months it had become apparent that there might be occasions when there were requirements to lead performance and drive cultural change at a higher level than JFG1 on a permanent basis and outlined the proposal to introduce additional spinal column points on the harmonised pay spine be permitted through a linked job family group, JFG1A;
- the recommendation of the Resources Committee, at its meeting on 11th February 2021, that JFG1A should be introduced.

The Board noted the Pay Framework for Business Support Staff and Management report and the Proposed Model Pay Ranges for Business Support and Management at Appendix A.

Following discussion, the Board approved the introduction of JFG1A to the Pay Framework for Business Support Staff and Managers as an extension to the existing JFG1 for "Heads of" required to take on significant additional responsibility and autonomy on a permanent basis.

Resolved: The Board approved the introduction of JFG1A to the Pay Framework for Business Support Staff and Managers as an extension to the existing JFG1 for "Heads of" required to take on significant additional responsibility and autonomy on a permanent basis.

12. Harmonised Pay Spine - Review of Low Pay

Ms Thornton presented her report on Harmonised Pay Spine - Review of Low Pay.

The Board noted the considerations of the Resources Committee and the update on discussion with unions to date in relation to the pay award.

Resolved: The Board approved Option 3 – to address the impact of the statutory increase to the National Minimum Wage with effect from 1st April 2021; and to provide the opportunity for Board to review the retrospective implementation of the AoC recommended pay award based on affordability. The Board agreed to:

- **make a statement of intent to implement the AoC recommended pay award of 1% or £250, whichever was greater; and to defer the decision to make a pay award, until later in the academic year when the impact of the pandemic on the College’s 2020/21 financial position was clearer;**
- **increase SCP 9 from £8.7203 to £8.9100 per hour i.e. by £366 per annum from 1st April 2021;**
- **increase SCP 10 from £8.8551 to £8.9899 per hour by £260 per annum with effect from 1st April 2021;**
- **retrospectively increase SCP 10 by a further £101 per annum if a decision is taken to apply the AoC recommended pay award from 1st April 2021;**
- **revisit the College’s longer term aspiration to pay a ‘real living wage’.**

Actions: Mr Nixon and Ms Thornton to provide further information on the costs of implementation of a ‘real living wage’ at the College.

13. Gender Pay Gap Reporting 2021

Ms Thornton presented her report on the College’s Gender Pay Gap Reporting 2021 and referred members to the draft report on the College’s Gender Pay Gap Report 2021 at Appendix A. She reported:

- that as a public sector body, the College was required to publish its Gender Pay Gap data on the Government and College website by 30th March 2021 using a snapshot of staff data on 31st March 2020;
- the Resources Committee had considered the draft report at its meeting on 11th February 2021 and recommended it to the Board for publication.

The Board considered the Gender Pay Gap Report and approved it for the publication within the legislative timeframe.

Resolved: The Board noted the Gender Pay Gap report and approved it for the publication within the legislative timeframe.

14. Corporate Equality and Diversity Objectives 2021 – 2025

Ms Thornton presented her report on Corporate Equality and Diversity Objectives 2021 – 2025. She made reference to:

- changes in the external equality and diversity landscape, with the scope broadening beyond the nine protected characteristics defined in the Equalities Act towards facilitating an inclusive culture and environment where everyone felt welcome and engaged;
- following a College review of the current objectives, it was proposed that Objective 1 was retained as it remained relevant and Objective 2 was changed in order to move away from referencing specific activity relating to the statutory defined protected characteristics towards reflecting a more inclusive culture for staff and learners;
- plans for an Inclusion Cross College Working Group to refine the detail of the Corporate Equality Objectives and oversee the development of a Diversity and Inclusion (D&I) Operational Plan with deliverables to guide the College to achieve progress against the objectives. It was noted that once this work was completed, consideration would be given to governance reporting and reviewing mechanisms.

The Board noted the report and approved the proposed Corporate Equality Objectives for 2021 to 2025.

Resolved: The Board approved the:

- **proposed Corporate Equality Objectives for 2021 to 2025:**
 - **Objective 1. To develop and deliver action plans focusing on narrowing gaps in student performance; and**
 - **Objective 2. To actively enhance our inclusive College culture, providing opportunities for all, regardless of individual characteristics.**
- **publication of the Corporate Equality Objectives within the legislative timeframe.**

15. Policy Approval – Quality and Standards

Ms Haworth, Vice Principal - Quality, Teaching, Learning and Learner Support, and Mr Noblett, Vice Principal – Curriculum Delivery and Planning, referred members revised to the Further Education Admissions Policy, at Appendix A, the revised Anti-bullying and Harassment Policy for 2021/24, at Appendix B and the proposed extension of the Student Protection Plan, at Appendix C.

The Board noted:

- that the Quality and Standards Committee had discussed revised policy documents at its meeting on 4th March had recommend the revisions to the Board for approval;
- the existing Admissions Policy 2016, Admissions Procedure 2018 and HE Admissions Procedure were available on the Governors' Portal in the Additional Reading section for reference;
- the Student Anti-Bullying Policy with track changes was available in the Additional Reading section for reference;

- rationale for the proposed extension of the Student Protection Plan until 31st July 2021;
- the proposed Covid 19 addendum to the Student Protection Plan at Appendix D.

The Board approved the revised policies.

Resolved: The Board approved:

- **The revised Further Education Admissions Policy;**
- **The revised Anti-bullying and Harassment Policy for 2021/24;**
- **The extension of the Student Protection Plan until 31st July 2021 and noted the Covid 19 addendum to the Student Protection Plan.**

16. Fees Policy

Mr Nixon presented his report which outlined proposed changes to the Fees Policy following the annual review. He outlined the main proposed changes, shown in track changes at Appendix A. were:

- charging of fees to learner from EU and EEA countries, due to the UK leaving the EU;
- the requirement for non-levy paying employers to use the Digital Apprenticeship Service to reserve funds.

The Board approved the Fees Policy 2021/22.

Resolved: The Board approved the Fees Policy 2021/22.

17. Committee Minutes

The Board noted the Committee minutes:

Quality and Standards - 19th November 2020
 Audit Committee - 25th November 2020
 Resources - 26th November 2020
 Search and Governance - 4th February 2021 (draft)
 Resources - 11th February 2021 (draft)
 Quality and Standards - 4th March 2021 (draft)

The Clerk referred members to a number of matters from the latest round of Committee meetings which had been highlighted on the cover sheet:

- the Internal Audit plan for 2020/21, which had been considered by the Audit Committee during the Autumn term, was available on the Governors' Portal;
- a report on the College's workforce profile from 2019/20, which had been considered by the Resources Committee on 11th February 2021, was available on the Governors' Portal;
- at its meeting on 4th March 2021, the Quality and Standards Committee discussed and noted management's intention to end the formal partnership with the Faith Schools.

Resolved: The Board noted the Committee minutes and the update on the matters drawn to the attention of the Board.

18. Governance Matters

The Clerk presented her report on Governance Matters. She referred to:

- a report on the current Board membership, Terms of Office and committee membership at Appendix A;
- governor recruitment and succession planning activities and highlighted that the Board still carried two independent governor vacancies;
- proposed changes to Standing Orders shown in track changes at Appendix B to ensure consistency with the changes agreed by the Board to the Instrument and Articles at the Board meeting on 10th December 2020 and other amendments required due to reformatting. She also referred to a number of other minor amendments;
- minor proposed changes to the Instrument and Articles shown in track changes at Appendix C to update references to the CE Skill Funding;
- a proposal to add provision for chair's action to all committee terms of reference to mirror changes approved by the Board to Standing Orders on 10th December 2020. She reported that the track change versions of all terms of reference were available on the Additional Reading area of the Governors' Portal for review;
- the proposed introduction of a Schedule of Delegation, at Appendix D. It was noted that the Search and Governance Committee had reviewed an earlier draft;
- proposed changes to the Appeals Committee Terms of Reference, at Appendix E, shown in track changes;
- an update on governor training, including the introduction of online governor training for Safeguarding. She reported that she would send further details by email.

The Board noted the report and approved the Schedule of Delegation and the proposed changes to governing documents including changes to: the Instrument and Articles, Standing Orders, the Appeals Committee Terms of Reference and the provision of Chair's action to all Committee Terms of Reference.

The Clerk referred to her summary of recent governance related external publications. She referred to:

- the UK-wide final report from the Independent Commission on the College of the Future;
- the College Development Network (CDN) and the Association of Colleges (AoC) virtual governance report entitled: *Governing a College using Virtual Meetings* which would provide the Board with useful background information when it considered its approach to governance meetings post Covid;

- the government's publication of its FE White Paper *Skills for Jobs: Lifelong Learning for Opportunities and Growth* on 21st January 2021. She referred to the government's plans for strengthening governance in colleges which were exemplified in a diagram from the Department of Education at Appendix F. She explained that as part of planned changes the Board would need to consider when to introduce an external element to its review process.

The Board noted the updated on recent governance related publications.

Resolved: The Board:

- **noted the current Board membership, Term of Office and committee membership;**
- **noted the governor recruitment and succession planning update;**
- **noted the update on recent governance related publications;**
- **review and approved the proposed changes to governing documents including changes to the Instrument and Articles, Standing Orders and provision of Chair's action to all committee terms of reference;**
- **approved changes to the Terms of Reference of the Appeals Committee;**
- **approved the Schedule of Delegation;**
- **noted the governor training update.**

19. Higher Education Update

Ms Haworth presented her Higher Education Update report. She referred to earlier discussion on the decision of the University of Derby to terminate the partnership with the College, which College management had been unaware of until receipt of a formal notification letter on 9th February 2021, which had been provided as Appendix A. She reported:

- on the impact on existing learners and learners due to start in 2021. It was noted that 'teach out' plans were in place for existing learners;
- that the College had instigated the student protection plan which was approved by the OfS, following the University of Derby's contract notice of termination.

The Board discussed with management the impact of the decision taken by the University of Derby on current and new learners and the risks involved and outlined the action taken by the College to date. Ms Haworth undertook to provide an update to the Board regarding ongoing discussions with the University of Central Lancashire to validate the College's HE provision from September 2021.

Ms Haworth reported that management had reviewed the current Access and Participation Statement, at Appendix B, which set out how Preston's College, as a higher education provider, would improve equality of opportunity at undergraduate level for underrepresented groups to access, succeed in and progress in higher education from 2020/21 and plans to extend the Access and Participation Statement for 2021/22.

Resolved: The Board:

- **noted the current internal and external factors which are impacting on the College's Higher Education provision, in light of the COVID 19 pandemic;**
- **noted that the Access and Participation Statement would be extended for 2021/22.**

Action: Ms Haworth to provide an update to the Board regarding ongoing discussions with the University of Central Lancashire to validate the College's HE provision from September 2021.

20. Board Subsidiary – Passport to Apprenticeship

The Clerk presented her report which outlined a proposal to wind up Passport to Apprenticeship, a subsidiary company of the Board. She reported:

- at its meeting on 10th March 2021, the Audit Committee had discussed the College's subsidiaries and noted that Passport to Apprenticeship Ltd, which was incorporated as a private company limited by guarantee in 2012, was dormant and had no funds. The Audit Committee had noted that, following discussions with the two directors of Passport to Apprenticeship Ltd, Dr Smith and Mr Nixon, and management, this subsidiary was no longer required;
- subject to the Board's approval of the proposed strategy, College management, the subsidiary secretary and subsidiary directors would undertake the necessary legal steps required to wind up Passport To Apprenticeship;
- as Passport to Apprenticeship was incorporated as a private company limited by guarantee a separate winding up process was required including approval by the two remaining directors: Dr Smith and Mr Nixon.

The Board approved the strategy of winding up Passport to Apprenticeship.

Resolved: The Board approved the strategy of winding up Passport to Apprenticeship including plans for College management and subsidiary directors to make the necessary legal arrangements.

21. Any other business

a) Board Effectiveness Evaluation Report 2019/20.

The Clerk referred members to the Board Effectiveness Evaluation Report for 2019/20 which had been deferred from the Board meeting on 10th December 2020 due to the length of the agenda. She reported that she would to arrange a separate opportunity for the Board to complete its self evaluation and suggested that the Board could also incorporate evaluation of the 2020/21 academic year into this discussion.

The Board noted the Board Effectiveness Evaluation Report 2019/20.

The Board noted the Board Effectiveness Evaluation Report 2019/20.

Action: The Clerk to arrange a separate opportunity for the Board to complete its Evaluation.

b) Valediction – Dr Elisabeth Smith

The Chair reported that this was the Principal and Chief Executive's final Board meeting before her retirement at the end of March 2021. He recorded thanks and best wishes to

the Principal and Chief Executive on behalf of the Board for her leadership of the College over the last ten years. He explained that he would be speaking to staff and governors on Dr Smith's last day in the office on behalf of the Board. Members paid tribute and recorded thanks to the Principal and Chief Executive. Members referred to the positive journey which governors, staff and learners had travelled under the leadership of the Principal and Chief Executive to transform the culture, performance and governance of the College.

The Principal and Chief Executive paid tribute to the great progress everyone at the College had made, thanked everyone for their good wishes and expressed her best wishes to all at the College for the future.

c) Interim arrangements for Principal and Chief Executive

The Chair recorded thanks to Mr Nixon on behalf of the Board for acting as interim Principal and Chief Executive.

22. Date of the next meeting – 8th July 2021

The Board noted that the next meeting would be held on 8th July 2021.