

HNC FURTHER EDUCATION CORPORATION
Corporation Meeting held on 27th April 2023 at HNC



Confirmed Open Minutes

Present: Ms L Summers (Chair), Mr J Dawson, Mr K Webb, Mr M Smith-Connor, Mr T Hosker, Mr C Bowman, Ms H Doyle, Mr S Williams, Ms L Lomas, Ms P Cooke, Ms C Watterston, Ms M Boryslawskyj (attendance: 92%)

In attendance: Mr J Flynn

Clerk: Mrs C Coupland

1. Apologies for Absence/ Declaration of Interest

Apologies for absence were submitted by Ms S Johnson.

Declaration of interest was declared for Ms C Watterston regarding the corporation's consideration of and approval for her application to serve as an external Governor.

Ms C Watterston left the room.

Ms Boryslawskyj (Chair of S&G) briefed the Corporation on the committee's recommendation in support of Ms Watterston's appointment. All governors present duly agreed with the recommendation and resolved to appoint Ms C Watterston as an External Governor with immediate effect and for her to also be appointed as a member of the Remuneration and Personnel committee.

Ms C Watterston re-joined the meeting.

Ms Summers also advised the Corporation that Mr C Bowman was the newly appointed Student Governor in light of Ms Woodhouse's retirement. The Corporation took this opportunity to formally record their thanks to Ms Woodhouse for her time spent as Governor and for her contributions to the meetings.

Governors present welcomed Ms Watterston and Mr Bowman to their first meeting. Time was taken for introductions to be made.

Resolved:

- For the Corporation to approve the appointment of Ms Cherill Watterston as External Governor for up to 4 years (until end of April Term 2027) and for Ms Watterston to also serve on the Remuneration and Personnel committee.

2. Minutes from Meeting held on 7th December 2022 and 10th February 2023

Resolved:

- That these be accepted as a correct record.
- For the Clerk and Ms Boryslawskyj to discuss and agree the amendments to be made to the December 2022 minutes as approved by the Corporation.

3. Matters arising

There were no matters arising

Ms Summers confirmed that all year-end reports and representation letters had been signed and also forwarded to the ESFA in advance of the deadline 31st Dec 2022

Governors were advised that the Financial Statements and Members Report had also been published on the college's website again in advance of the deadline - 31st Jan 2023.

The Meeting Skills Needs document as approved by the corporation at the strategy planning day had also been published on the corporations website.

Furthermore the additional documents as requested at the strategy planning day had been presented at tonight's meeting for corporation consideration and deliberation.

4. Verbal update on academisation conversations/exploration (Confidential)

5. Curriculum Offer 2023 and beyond (confidential)

6. Strategic Plan 2023-26

Mr Smith-Connor advised the Corporation that the revised strategic plan incorporates all feedback received from Governors at the Strategy Planning day. The re-drafted strategic plan 2023-26 provides clarity on HNC's long-term goals and the action plan of the steps to be taken to move HNC in the right direction focusing on the three strategic goals of opening minds, embracing difference and shaping a better future.

The Corporation was satisfied that the relevant KPIS had also been identified to enable governors to effectively track and monitor progress. It was agreed that the plan was clear and focused on its intentions; Governors were however keen to understand how staff are to respond to the new strategic plan in light of the level of current organisational developments and other national changes within the educational landscape. Mr Smith-Connor was of the view that staff are responding positively to the new direction of travel and will, in his opinion, welcome clarity of the strategic goals identified recognising that ownership and implementation from staff is key for the plans success. All present acknowledged however that resistance may still happen and asked for senior leaders to keep the corporation informed.

The Corporation asked for all acronyms to be removed from the final published version.

Resolved:

- **That the strategic plan for 2023/26 be approved.**

7. Part 2 accountability agreement return

The Clerk reminded the Governors that the Skills for Jobs White Paper was followed by two funding and accountability consultations which described how the system will be reformed.

The accountability agreement is therefore a new product emerging from these reforms. It is a 2-part document setting the overall expectations of providers in return for the Department's funding investment.

Part 1 of the agreement (the accountability framework) replaces the existing, annual, grant funding agreement. The college will receive information about the content and structure of the revised part 1 in line with the regular business cycle. This will then be reported to the F&R committee, in line with long standing practice.

Part 2 of the agreement (the annual accountability statement) is a new document that is owned by the college. It is to be used to set out a small number of outcome targets for areas of the curriculum to reflect

how the college is contributing to emerging local and national skills priorities.

The guidance makes clear that for Sixth Form Colleges, curriculum planning is more focused on academic provision, and therefore does not deliver more vocational focused programmes, but the expectation is that all providers plan to support both local and National Skills Priorities (that is, providing an offer that enables learners to progress in all/some of the national priority areas as published by the Government of Construction, Manufacturing, Digital and Technology, Health and Social Care, Haulage and Logistics, Engineering, Science and Mathematics).

The Clerk informed the corporation that the ESFA has issued guidance on what the annual accountability statement should cover as a minimum. The drafted Accountability Statement had been drafted with these expectations in mind.

The Corporation considered the proposed Accountability Statement; all agreed that it was concise and conveyed the key information required by the ESFA. It was also noted that it reflected the Corporations recently published report on meeting skills needs.

Those present agreed for the report to be published on the college's website and to then be forwarded to the ESFA in advance of the deadline – 31st May 2023.

Resolved:

- **That the report be approved for publication on the college's website and for return to the ESFA by 31st May 2023.**

Ms Cooke left the meeting at this point.

8. Corporate report

Mr Smith-Connor provided a comprehensive report to the board on the action taken by the Senior Leadership Team since governors last met. Key areas raised within the report included the following:

Performance:

Progress Point 3 data demonstrates that achievement, retention and pass rates continue to be at or above 2019 national levels for all qualification types. It was noted however that high grades and A level and L3 BTEC value added scores are areas of less strength. This data is to be presented to and reviewed by the Quality & Standards committee at their next meeting.

Safeguarding & Wellbeing

Mr Smith-Connor explained that in a recent Teams meeting between the police and DSLs, the prevalence of Urban Street Gangs (USGs) was discussed. This is very high profile with the police following a number of tragic murders of young people in the region. A police intelligence portal (PIP) is being pushed heavily by the police to schools / Colleges in order to collect intelligence. The College has made a number of reports.

The Governors welcomed the news that HNC and Salendine Nook High School SLTs have approved a "Safer Student Police Officer" to be shared between the two establishments, which will mean a police officer is onsite 5 days per week, due to the shared site. It is expected that the Safer Student Police Officer, once appointed by the police, will help with sharing intelligence, improving relationships between students and the police, and delivering educational material.

The Corporation agreed it necessary for USG to remain as a standing item of this section of the corporate report alongside sexual harassment.

On the back of the faculty deep dives, each of which included bespoke safeguarding deep dives, additional signage will be placed in various areas of the College highlighting unacceptable behaviours. This is in response to students appreciating the drop-down banner in reception referencing that sexual harassment is not tolerated, and giving examples of sexual harassment.

A newly qualified Ofsted inspector shadowed one of the Safeguarding deep dives and confirmed that it was a robust process and that all of the correct questions were being asked in the appropriate environment.

Timetable consultation and working time directive consultation

Mr Smith-Connor explained that SLT continue to consult with teaching staff with regards to a new College timetable structure for 2023/24 and the associated Working Time Directive. Both the timetable structure and the WTD have been amended based on the feedback received from staff. Mr Cormac asked when students are to be informed of the changes to the calendar given that students may need to rethink travel plans and/or change working commitments etc to fit in with any new changes to the college day. Mr Smith-Connor confirmed that the revised calendar will be shared with all students by the end of the academic year.

Modular build progress update

Despite earlier setbacks and delays, Mr Smith-Connor advised the corporation that the modular build construction is nearing completion despite further lapses in handover dates. All DfE grant has now been claimed (and paid) with the exception of the final retention amount (£57k) as this will be paid 12 months after practical completion. Classroom furniture has now been delivered and ICT installation took place over Easter. The teaching spaces provided are spacious with good natural light and the rooms represent a welcome addition to the College estate.

Resolved:

- **That the report be received**
- **For updates on USGs to feature in all future corporate reports, alongside sexual harassment, as a standing item under the safeguarding section.**

9. Quality & Standards Committee 16th December 2022 and 31st January 2023

Quality & Standards Meeting held on 16th December 2022

Ms Summers noted that there were no formal recommendations made to the Corporation from this meeting; however Ms Summers explained that as this was very much a planning meeting given that this was the first committee meeting held; time was spent reviewing the Committee set-up and agreeing the meeting schedule for the remainder of the academic year.

The committee also agreed format of college reports to be presented in future to best support governors in effective scrutiny and oversight of the standards and student experience of teaching, learning and assessment.

Quality & Standards Meeting held on 22nd February 2023

Ms Summers confirmed that again no formal recommendations were being made to the Corporation from the meeting held on 22nd February 2023. However Ms Summers took the time to appraise the Corporation on the key matters which had been discussed by the Committee.

The committee was advised that the high grade (A*-B) performance of male and disadvantaged students on A level courses remain areas for development. Attendance across the board had also reduced. However, of the 5 student-facing improvement priorities for the College within the College Quality Improvement Plan 2022-23, 4 were RAG-rated amber at the end of the first term and one was green. This was an apt snapshot of the progress that is being made – improvements have occurred which now need to be embedded to ensure that they are sustained. Securing staff understanding of the need for change and subsequent buy-in remains an important element of the overall strategy as already explored.

Ms Summers also advised the corporation that the committee was advised that the overall findings from all of the Deep Dives completed supports the analysis of quality of education contained in the College SAR; affirming that achieving consistently high standards throughout the College's provision remains the key priority. It was noted that all faculties have now been subject to deep dives.

Governors were informed that additional training and support has been provided in faculties where

necessary in relation to quality first teaching (meeting the needs of all students) following their deep dives. The impact of this is to be monitored and reviewed by the committee.

Resolved:

- **That the Minutes be received**

10. Search & Governance Committee 28th February 2023

Ms Boryslawskij briefed the Corporation on the remaining matters of the S&G Committee.

The committee was satisfied that good progress was being made on most of the actions agreed within the Governance Quality Improvement Plan. It was agreed that efforts should now be focussed on stakeholder engagement opportunities.

The committee established that the governance portal on Moodle was up to date to support inspection preparation should the college receive notice of an Ofsted visit. There is a lot of information made available on the intranet; The Clerk has therefore been tasked with creating a more user friendly document which will be circulated to all Governors.

Ms Boryslawskij advised that at present the Corporation comprises of 13 Governors in light of Ms Watterston's appointment. The Corporation also agreed with the reported changes as approved by the committee which were:

- For Ms Summers to be reappointed as the R&P Committee Chair for the interim period in light of Ms Drury's resignation from Governor responsibilities
- For Ms Drury to remain as a co-opted member of the R&P Committee.
- For Mr Williams to be appointed as the CIEAG Link Governor designate and for the Clerk to support the handover process. (in light of Mr Webb's pending retirement from the corporation at the end of the calendar year).

In line with the College's Scheme of Delegation; a number of corporate policies and procedures had been subject to an annual review with no changes required; The College's Conflicts of interest policy had however been comprehensively reviewed in light of the recent disciplinary hearing. Post deliberations, it was agreed by the committee that although the changes proposed by the Clerk were sensible; the policy needed to better explain how to identify and manage perceptions of conflicts and loyalties not just declared conflicts of interest. The committee therefore asked for a reworked policy to be presented for consideration at its next meeting.

The Corporation also agreed with the Committees thoughts on the merits of sharing the College's register of interests more openly amongst the corporation, the senior leaders and other key staff leading on procurement to ensure that all perceived as well as declared interests and loyalties for individuals and connected persons are widely published and therefore managed more appropriately. This thinking is therefore to be added to the revised policy with Governors to be advised of the intention for declarations to be published internally.

Resolved:

- **That the minutes be received**
- **For the College's register of interests to be more openly shared in future; for the revised declarations of interest policy to include reference to this.**

11. Audit Committee 14th March 2023

Key points from the minutes were drawn to the Corporation's attention.

Governors were informed that no critical or high risk cyber issues affected the College adversely in term 1; College security, networks and data had therefore been maintained due to the high level of protection systems in place. The Committee remains assured that the college is doing as much as it can to mitigate against cyber security risks. And in particular are continuing to follow all business processes and procedures designed to protect the college from fraud. It was noted that future iterations of the data protection and security report was to now include a comprehensive analysis of all termly data security

activity not just IT related breaches, as recommended by the Data Protection and Security Group.

The Corporation was also advised that the committee is satisfied that the identified procurement and purchasing errors previously noted are not symptomatic of a systemic failing throughout the college but remains to be an isolated event. Progress updates of all action plans agreed are however to be presented to the committee at each meeting for monitoring purposes.

Governors were also advised that changes to the annual Internal Audit Plan 2022/23 had been approved by the audit committee for the remaining scheduled reviews. The CPD assurance review planned for 3 days during the summer term is to now be replaced with a procurement assurance review to take place over 4 days (1 day to be taken from planned learning support provision review). This is obviously in response with the recent reported financial irregularity. The corporation endorsed this.

The Corporation was informed that substantial assurance had been assigned to the audit with no recommendations made and no operational effectiveness matters identified for Budgetary Control and Business Planning. It was however agreed with the internal auditors for more on site audits to be undertaken, where possible, to allow auditors to dig further into the work culture and lived experience of frameworks, policies and procedures etc – which may determine different recommendations or raise different operational effectiveness matters to that which may be concluded in remote audits only.

Governors also noted that the Senior Leadership Team are to undertake a full evaluation of the structure of the risk register. Consideration is being given to underpinning the risk register to the Education Inspection Framework (EIF) to better guide and inform risk identification; risk measurement and assessment; risk mitigation; risk reporting and monitoring; and risk governance. Further information will be provided to the committee at its next meeting.

The Committee however reported to be satisfied that the current Board Assurance Framework, in its entirety continues to provide an adequate and effective framework for risk management as well as a vehicle for open dialogue between committee members and senior leaders. The committee remains open to recommendations from senior leaders as to the structure of the risk register going forward.

Resolved

- **That the minutes be received.**

12. Finance & Resources Committee 20th March 2023

Mr Dawson reminded the corporation that the College's current KPI's are informed by ESFA metrics, FE Commissioner financial benchmarks as well as longstanding internal financial parameters – all of which are regularly reported in the monthly management accounts and via the corporations finance dashboard.

The committee was therefore of the view that the current KPIS remain sensible and continue to be suitable measures that enables Governors and senior leaders to oversee and assess the financial status and performance of the College and inform judgements and improvements to be made in terms of financial efficiency. The Corporation duly agreed with the Committees recommendation for the existing financial KPIS to be maintained for the period 2023/24 to form the framework used by the college when setting and managing the revenue budget for the financial year.

Mr Dawson went on to explain that all current finance targets are expected to be met by July 2023; Based on the current management accounts forecast, financial health is also expected to remain as outstanding (just) to July 2023..

The corporation was informed that the student number target for 2022/23 is 2,675 (estimated funded student number – day 42 2,667). The difference of 85 students for the funding allocation in 2023/24 has therefore been adjusted and built into budget forecasts going forward.

Mr Dawson confirmed that new contracts are now in place for gas and electricity supply in 2022/23 (as agreed by the Chair of F&R), the invoices received to date are in line with (increase) budgets.

Mr Dawson confirmed that the Committee had had sight of the ESFA Allocation Summary for 2023/24

that had been received by the college. The allocation for 2023/24 is characterised by:

- A fall in funded student numbers of 85 to 2675 students
- An increase in national funding rate per students of 2.2% to £4642
- A slight reduction in retention factor to 1.02782
- A reduction in allocation for level 3 maths and English of £9,605
- A reduction in disadvantage funding of £80,673
- Taking all the above into account, an overall reduction in funding of £300,849 when compared to 2022/23.

Finally, the Corporation was notified that the Health and Safety report now includes a new section providing details of near misses and the actions taken by the college, this improves equipment safety vigilance and maintenance and also encourages a better safety culture. There have also been no reportable incidents in the period September 2022 to March 2023.

Resolved:

- **To receive the minutes**
- **For the Corporation to agree that the existing financial KPIS are maintained for the period 2023/24 to form the framework used by the college when setting and managing the revenue budget for the financial year.**
- **To receive the current financial KPI dashboard**

13. Remuneration and Personnel Committee 28th March 2023

Ms Summers focused Governors' attention on the matters requiring corporation approval.

The Corporation was advised that the NJC agreed to increase NJC pay point 3 to £20,173, providing an hourly rate of £10.46 per hour. As a consequence of this change and the preference to maintain reasonable pay differentials, additional increases to NJC pay points 5, 6 and 7 were also made. The full amendments to the pay spine were shared with the committee. The College implemented these amendments immediately to ensure that support staff on the lowest pay point on the NJC pay spine continue to be paid above the statutory minimum wage. The committee, and in turn the corporation, endorsed this action taken. It was noted that the average pay increase for operational staff is now at 5.55% not 5.48% given changes to the statutory minimum wage.

(Mr Smith-Connor, Mr Flynn and Ms Coupland left the room when the corporation deliberated on the interim pay award due to personal conflicts of interest).

Ms Summers explained that the NJC Employers' Side are keen for teachers to receive a pay increase for 2022/23 and that a joint statement with the teacher unions had been issued to enable colleges to implement an interim increase with the full support of the NJC.

The corporation was informed by Ms Summers that the recommended rates have been increased in line with the previously communicated Employers' Side pay offer, to take effect from the 1st September 2022:

- A 5% to 8.9% pay increase to teachers' on the main pay scale
- A 5% across the board increase for all other teachers, including those on the leadership scale
- A 5% increase to NJC allowances

The headline increase ensures all college teachers receive at least a 5% pay increase, with additional increases for the lowest paid teachers on pay points 1 to 5, as it is recognised that the high level of inflation falls disproportionately on the lower paid. The cost will vary within colleges depending on the

distribution of teachers on the main scale, but for HNC, the actual average increase is to be 5.25%.

The Corporation agreed to the recommended interim Teachers Pay Award for 2022/23.

Time was also taken for the Corporation to approve the material changes for the Attendance Policy, Disciplinary Policy and Management of Change Policy as recommended by the Committee. The Corporation agreed to the majority of the changes recommended but tasked the Remuneration and Personnel committee to review the following points:

- Revisit the need for a hearing panel (rather than a single hearing manager) for disciplinary hearings against Senior Leaders
- Further exploration required to justify the need for differential absence triggers for staff during the first 12 months.

Resolved:

- **To receive the minutes**
- **That the NJC agreement for the interim teachers' pay awards 2022 be approved and implemented immediately.**
- **For changes to the Attendance Policy, Disciplinary Policy and Management of Change Policy be approved with the understanding that :**
 - **the need for a hearing panel (rather than a single hearing manager) for disciplinary hearings against Senior Leaders is to be reconsidered by the committee for inclusion into the Disciplinary policy.**
 - **the use, in the Attendance Policy, of differential absence triggers for staff during the first 12 months of employment is to be further explored by the Committee prior to approval by the Corporation**

14. Link Governors': Update

Careers Education, Information, Advice and Guidance (CEIAG):

Mr Webb confirmed that he had no news to bring to the attention of the Corporation.

Special Educational Needs and Disability (SEND):

Ms Lomas advised the Corporation that she had welcomed the opportunity to observe the Deep Dive Process. She is to meet with Chris Madej to discuss the findings from the SEND Deep Dive.

Student Governor:

The Corporation agreed that at future meetings time was to be afforded at this point for the student governor to report back to the corporation any pressing matters raised by the Head Students and Student Council.

No Link Governors were present for Safeguarding or for Equality, Diversity and Inclusion.

15. Any other Business

Governor Training:

The Clerk confirmed that training will take place on the following days:

Thursday 18th May 2023 10-11am with Mr Joe Poole via Teams

Tuesday 6th June 2023 4-7pm with Mr Ian Ashman at HNC

16. Learner Impact Reflection & Meeting Efficiency Reflection

Learner Impact Reflection:

The impact of discussions and scrutiny of the Corporation's work in improving the outcomes and experience for all learners was considered and the following agreed:

- An informed Board of Governors is effective in its scrutiny, challenge and support of the senior leadership team, thus ensuring positive outcomes and progress for all students
- The Board continues to conduct its affairs as openly and as transparently as possible
- Assurance that the college strives to create a transparent, fair organisation that is attractive to work and learn at
- Assurance received that the governing framework is compliant with statutory responsibilities and regulations.
- The corporation is committed to demonstrating its leadership and stewardship and in doing so helps to protect the college's reputation and provide greater assurances to key stakeholders and partners, including the student community and wider society

Meeting Efficiency Reflection:

It was agreed that the meeting was run efficiently and had enabled opportunity for Governors to contribute allowing for open dialogue to be had between governors and senior leaders.

17. Determination of confidentiality

Supporting papers for agenda item 5 is to remain confidential.

Minutes in relation to agenda items 4 and 5 are also deemed confidential.

18. Date of next meeting: 6th July 2023 from 5pm at HNC.