

# HNC FURTHER EDUCATION CORPORATION

Corporation meeting held on 7<sup>th</sup> July 2023 from 5pm at HNC



## Confirmed Open minutes

**Present** Ms L Summers, Mr K Webb, Ms P Cooke, Ms C Watterston, Ms M Borsylawskyj, Ms L Lomas, Mr C Bowman, Mr T Hosker, Mr S Williams, Mr M Smith-Connor, Mr J Dawson, Mrs S Johnson (joining from agenda item 3). (92%)

**In attendance** Mr M Vayro (for agenda item 1 only)

**Clerk** Ms C Coupland

### **1. Presentation from Heads/Principal on creating a MAT (confidential)**

*Mr Vayro left the meeting at this point.*

### **2. Academisation update (confidential)**

*Ms Johnson joined the meeting at this point.*

### **3. Apologies for Absence/ Declaration of Interests**

Apologies were received from Ms H Doyle.

Ms S Johnson was welcomed to the meeting; Ms Johnson had excused herself from agenda items 1 and 2 due to declared interests given her place of work.

### **4. Minutes from Meeting held on 27th April 2023**

**Resolved:**

- That these be accepted as a correct record.
- It was noted that the Clerk and Ms Borsylawskyj are yet to discuss and agree the amendments to be made to the December 2022 minutes as approved by the Corporation at its last meeting.

### **5. Matters arising**

*Curriculum offer 2023 and beyond*

Mr Smith-Connor explained that a more detailed iteration of the curriculum offer from September 2025 is yet to be re-presented to the corporation; for conversations remain ongoing with staff in determining which other courses to possibly incorporate into the curriculum going forward. Further updates will continue to be provided to Governors via the Corporate report at future board meetings. Mr Smith-Connor confirmed that no changes are therefore proposed to the curriculum at this stage.

*Part 2 accountability agreement return*

The Clerk confirmed that the report had been published on the college's website and returned to the ESFA by the deadline of 31st May 2023.

*R&P Committee*

Ms Summers confirmed that the committee reconsidered the disciplinary policy and the need for a hearing panel (rather than a single hearing manager) for disciplinary hearings as requested by the Corporation. The decision was taken that single hearing managers are to remain. It was noted that the full reasons for this decision were listed within the minutes of the R&P meeting. Furthermore, no additional changes were deemed necessary to the attendance policy.

## 6. College Financial Forecasting Return & Commentary (CFFR)

Mr Smith-Connor presented the report in Mr Flynn's absence.

Ms Summers advised Governors that the Corporation is tasked with reviewing the Finance committee's (and SLTs) recommendations for the college's submissions for the College Financial Forecasting Return (CFFR). The CFFR incorporates an outturn statement for the year 2022-23 and budget forecast plans for the years 2023 to 2024 and 2024 to 2025 and is to be submitted to the ESFA by 31 July 2023.

### *College financial forecasting return – current year 2022-23*

The Corporation was asked to note that although this return is substantively based on actual transactions, there is an element of forecasting to year end.

Mr Dawson explained however that it was to be noted by governors that in the draft report presented to the Corporation; the outturn to date (actual financial performance to end of May 2023) and forecast for the remaining current year were omitted for the version presented only outlined all of the original budgets assumed from the start of the year; it therefore did not accurately reflect the corporation's financial performance which was in a better position than as listed within the report. The corporation asked for the report to be updated to include the correct figures for the outturn statement for the year ended 2022-23 before submission to the ESFA.

### *College financial forecasting returns– budget forecast years 2022/23 and 2023/24*

Mr Smith-Connor confirmed that the budget forecasts for the years 2023/24 and 2024/25 should give a realistic view of the corporation's expected financial performance of the college. It must also reflect the cost of implementing the corporation's strategy including income, expenditure, balances and cash flows associated with projected levels of activity.

Governors reported to be satisfied that sufficient detail had been provided within the accompanying commentary on the assumptions underlying the 2023-24 and 2024-25 years and explanations offered for why the corporation has adopted these assumptions.

Mr Smith-Connor explained that one of the key budget assumptions relates to the level of pay award that might be recommended to the College for the financial years in question. Following discussion with other Colleges and in light of information received from the SFCA, provision for a pay award of up to 5% has been allowed for in 2024-25 (and 2% for 2024-25) for both teaching and operations staff. Governors noted that whilst this is affordable for the College, it may result in some budget flexibility should a lower settlement figure be agreed.

### *Financial Health:*

Governors were advised that the ESFA continues to formally assess the financial health of corporations based on three financial indicators taken from the finance record:

- Solvency
- Performance
- Borrowing

The Corporation agreed that the commentary makes clear the college's rationale for the outstanding financial health self assessment for all accounting periods.

The Clerk confirmed that with the Corporation's approval, the CFFR financial data will now be recorded on the ESFA template for the information to be extracted and processed by the ESFA. The accounting officer's declaration within the cover sheet of the CFFR template confirms that the corporation has approved the CFFR and that it supports the college's strategic objectives. The accounting officer also confirms that the supporting commentary has been prepared with due regard to the financial planning handbook and the opening cash balances have been reconciled to bank statements.

**Resolved:**

- **That the CFFR be approved and submitted to the ESFA by 31 July 2023, with the agreed amendments:**
  - **Outturn – year ending 31 July 2023 (with the required amendment)**
  - **Budget – year ending 31 July 2024**
  - **Forecast- year ending 31 July 2025**
- **That the financial self assessment for the college for 2023/24 and 2024/25 is outstanding.**

## **7. Safeguarding Policy Review**

Mr Smith-Connor, in Mr Goddard's absence, reminded Governors that the Safeguarding policy is normally presented annually to the Corporation in the autumn term. A rationale for this is that Keeping Children Safe in Education is not a live document until September, and there may need to be adjustments to the policy based on KCSIE. However, it does leave the college working from a policy that refers to outdated KCSIE guidance. This could be problematic for new parents / carers and students reading the policy in the first half term.

It had therefore been agreed last year for the safeguarding policy to be subject to an initial review for approval at the final corporation meeting of the year, in order to be fully up to date for the start of the new academic year. A further review by the Corporation may also be deemed necessary during the autumn term (alongside receiving the safeguarding report) to ensure it is still up to date following the Keeping Children Safe in Education document being live on 1<sup>st</sup> September.

The proposed amendments to the policy were considered by the Corporation. Post deliberations, all tracked changes were duly approved.

**Resolved:**

- **That the revised policy be approved**
- **That a further review by the corporation is undertaken in Autumn term if required (alongside annual safeguarding report).**

## **8. Corporate Report**

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

### *Performance*

The Corporation was informed that ProP 4 data is indicative of raw outcomes in line with 18/19 results for A level courses and similar to last year's results for RQF BTECs. Value added is lower for both AL and BTEC (although value added measures still need to be treated with caution given the ongoing impact of cancelling exams). It was noted that a full ProP 4 report is to be submitted to the Quality & Standards Committee at its next meeting.

#### *Student and other stakeholder views*

A recent parental / carer survey was conducted asking the same questions that Ofsted would ask in their parental / carer survey. This is the second year that we have taken this approach, which allows for consistent analysis to take place and actions to be determined.

89% of parents / carers said that they would recommend HNC to another parent. This is the exact same percentage as last year, and is above the national benchmark of 85%.

Governors noted that the areas for celebration (an improvement in enrichment and wider personal development) and action (communication with parents from teaching staff) have been shared with all staff, and will form the basis for discussion for next year's Quality Improvement Planning.

#### *Careers*

Mr Smith-Connor explained that the College was first assessed for the Quality Standard in Careers Education Information, Advice and Guidance (CEIAG) in 2003, and successfully awarded accreditation. This has since become the national Quality in Careers Standard, fully aligned with the Gatsby Benchmarks. This assessment takes place every three years, and HNC's most recent assessment took place in June, and the college successfully retained accreditation. HNC has since received a detailed report with action points that are to be implemented. The Corporation asked for this report (and the action plan) to be shared with the CEIAG Link Governors.

#### *Kirklees College meeting & collaboration*

It was noted that HNC SLT participated in a half day meeting with KC SLT, on 16.06.23 at the Waterfront Centre entitled, 'A new dawn - collaborative working, shared impact, providing an education that is good enough for all our students.' Both principals led on this day, challenging perception and misconception. The two SLTs spent time discussing and sharing ideas on areas that we can collaborate on. The intention of the session was to create an environment in which the senior teams could have open and honest debate and start to build a relationship of trust.

In practical terms, both colleges have started to work closely to review our curriculum offer and map it jointly with the key focus being what is right for the student. We will continue our work to remove any overlapping provision to enable young people to make fully informed decisions about their future progression pathways.

#### **Resolved:**

- **That the report be received.**
- **That the Report and action plan from the recent CEIAG assessment be shared with Link Governors, Mr Webb and Mr Williams.**

#### **9. BAF assurance reviews**

- i) **Poor wider college experience for students**
- ii) **Failure to anticipate and/or respond quickly and appropriately to local, regional or national developments**
- iii) **Failure to effectively lead change (new risk for 2022/23)**

Ms Summers advised the corporation that the individual risk titled 'Poor wider college experience for students' had been included on the agenda by error and was in fact to be subject to an assurance review by the Quality & Standards Committee at its next meeting.

The remaining assurance reports were however presented to the corporation by Mr Smith-Connor. The Governors agreed that the reports provided a comprehensive review of the individual risks and provided the necessary assurances that the existing controls in place are adequate and effective and in proportion to the individual risks being managed. It was noted however that the risk identification and articulation (cause and effect) for 'failure to effectively lead change' needed to be more contextualised, to better reflect the college's circumstances, rather than describing the theory intended behind the process of change management.

It was agreed that there were a number of independent assurance sources cited within the reports to support the corporation's recommendation for green assurances. Furthermore, governors agreed with the revised risk scores assigned to these risks given the significant level and effectiveness of the risk controls currently in place.

Ms Summers advised the Corporation that the college's strategic risk register is subject to review by the Audit Committee in light of the new strategic plan for 2023-26. Further updates will therefore be provided by the committee after its next meeting.

**Resolved:**

- **To assign green assurance rating to each of the individual risks**
- **For the clerk to update the Master BAF (and for the individual risk to be updated as agreed)**

#### **10. Quality & Standards Committee held on 4<sup>th</sup> May 2023**

The Corporation was asked to note by Ms Summers that there were no items requiring approval from the Corporation from the committee's last meeting.

Ms Summers confirmed that the Committee was to next meet on 13<sup>th</sup> July 2023.

**Resolved:**

- **That the minutes be received.**

#### **11. Remuneration & Personnel Committee meeting held on 12<sup>th</sup> June 2023**

Ms Summers confirmed that no matters required approval from the minutes.

No questions were raised in relation to the minutes.

**Resolved:**

- **That the minutes be received.**

#### **12. Search & Governance Committee Meeting held on 15<sup>th</sup> June 2023**

Ms Boryslawskyj briefed Governors on the business of the Committee.

Governors were reminded that an external governance review (which should not be a peer or auditor's review) must be undertaken by July 2024 (and every 3 years after that) to independently evaluate governance effectiveness.

Ms Boryslawskyj advised that the tender process has now concluded and that the corporation is asked to appoint Rockborn to undertake the college's external governance review during the spring term of 2023/24. This will ensure that the required review will be completed by 31<sup>st</sup> July 2023 – therefore compliant with statutory guidance.

Ms Boryslawskyj explained that the Declarations of Interest Policy and Procedure (previously titled Managing Conflicts of Interest Policy) has been reviewed by the committee and substantial changes had been recommended to better clarify the purposes and scope of the policy, to explain how perceived or actual declarations will be used at the college and to confirm the intention for declarations to be shared more widely internally and also to be published on the college's website.

The corporation agreed that the changes proposed also better explain how to identify and manage

perceptions of conflicts and loyalties not just declared conflicts of interest. Ms Boryslawskyj also confirmed that Privacy statements for Governors, committee members and applicants have also been updated to reflect the changes to current practice which have also been recirculated.

The Corporation went on to approve the amendments proposed for i) standing orders, ii) Governors Code of Conduct, and iii) the scheme of delegation. Ms Borsylawskyj confirmed that all Governors and Co-Opted members are asked to sign and return the form confirming that they shall agree to observe this code of conduct to the best of their abilities.

**Resolved:**

- **That the minutes be received**
- **To appoint Rockborn to undertake the External Governance Review as recommended by the committee.**
- **That the revised and retitled declaration of interests policy be approved for immediate implementation**
- **To approve the changes to the standing Orders.**
- **That the changes to the Scheme of Delegation be approved**
- **That the changes to the Code of Conduct be approved and for all governors to confirm by email to the Clerk that they shall agree to observe this code of conduct to the best of their abilities.**

### **13. Audit Committee Meeting held on 20<sup>th</sup> June 2023**

The minutes from the committee were presented to the Corporation. Governors' attention was drawn, in particular, to the revised Risk Management Policy which had been subjected to a formal review by the committee.

Governors were asked to note that the changes to the policy, as recommended by the committee, aim to make distinction between positive and negative risks and proposes to rebrand the risk register as the college's Threats and Opportunities Register. The register is also to now include reference to the risk appetite area too to better embed the risk appetite statement to further support HNC's risk management philosophy, and to influence culture and wider operating style.

The redrafted policy in the corporation's opinion better explains the College's key principles in Risk Management and methods of Risk Management. It continues to provide for effective risk management by requiring risks to be anticipated, identified and assessed regularly, and actions to be taken to best manage the risks, whether these are positive or negative. Governors agreed it prudent though to retain the title 'risk register' to ensure that stakeholders (including auditors) understand the core purpose of the register and the Corporation also asked for a section on the Board Assurance Framework to be incorporated into the policy.

**Resolved:**

- **That the minutes be received.**
- **That the Risk Management Policy be approved subject to the agreed changes.**

### **14. Finance & Resources Committee Meeting held on 21<sup>st</sup> June 2023**

Mr Dawson briefed Governors on the remaining business of the Committee

Mr Dawson advised Governors that the proposed changes to the Financial Regulations, as recommended by the committee, are required to better reflect current practice as well as good practice initiatives as highlighted in the recent procurement assurance audit undertaken by the college's internal auditors in May 2023.

The financial regulations have also been updated with additional regulatory and propriety requirements as outlined with the Treasury's Managing Public Money publication on how to handle public funds given

the ONS reclassification decision back in November 2022. The Corporation approved the changes.

Mr Dawson explained to the Corporation that the Committee had agreed it worthwhile to extend the committees terms of reference to include identifying and overseeing the college's response to environment, social metrics as well as to review and scrutinise the Sustainability Strategy, once approved by the corporation. All present agreed this to be a sensible change to the committees terms of reference.

**Resolved:**

- **That the minutes be received.**
- **That the changes proposed to the financial regulations be approved.**
- **For the committees terms of reference to cover sustainability including oversight of the Sustainability Strategy..**

### **15. Governors' and Student Governor Update (as needed)**

Mr Bowman took this opportunity to ask Mr Smith-Connor about the senior leaders' decision to stop the 'hop on hop off' option for students traveling to and from college.

Mr Smith Connor advised the corporation that clarification had been needed to explain to students that the NC shuttle bus to and from town was not affected by the decision to discontinue the Hop-on Hop off service provided up until now on the NC1 – NC 9 buses. Mr Smith-Connor explained the reasons for the withdrawal of the 'hop on hop off' service on the NC1 – NC9 buses.

Mr Smith-Connor advised the Corporation that the NC Shuttle Bus is operated commercially by First with no subsidy from HNC. On the NC Shuttle Bus, either a valid Metro product (MyDay, MyWeek, MyMonth etc) or a single fare of £1 applied. There is no planned change to this service next year but this service is not influenced by College as it is operated by First. Mr Bowman confirmed that students had welcomed the clarification.

### **16. Meeting schedule 2023/24 and Agenda Planner 2023/24**

Mrs Coupland advised governors that the calendar reflects the planned number of corporation and committee meetings for the new academic year. Governors were asked to note that this calendar incorporates an additional corporation meeting held at the start of the academic year – this meeting will be in person and will focus on the headline data of the summer outcomes. This will provide an opportunity for Governors to also ask senior leaders questions and reflect together on the students successes. Furthermore, the senior leadership team will also provide governors with the first draft of the College's Self assessment review and quality improvement plan.

Having an opportunity to hear senior leaders views on the outcome data and areas of improvement will also assist governors in completing their own self assessment review of governance. Normally the self assessment is shared at the end of the summer term with returns expected for start of academic year. This year the self assessment review will be shared with governors after the corporation meeting on 6<sup>th</sup> September 2023. Returns will be needed by 29th September 2023.

Governors were asked to note that the College's Self Assessment Review Validation meetings will take place during the autumn term – as highlighted within the calendar. The finalised meeting schedule will be circulated nearer the time – Governors are required to attend where possible. Virtual attendance can be accommodated via teams.

Ms Coupland also presented the Stakeholder Feedback Schedule to Governors which has been determined by SLT. Ms Coupland confirmed that headline survey summaries shall be provided to Governors via the Corporate report.

**Resolved:**

- **That the schedule and Agenda Planner be approved**

**17. Any other Business**

There was no other business to consider

**18. Learner Impact Reflection& Meeting Efficiency Reflection**

**Learner Impact Reflections**

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

- **Effective leadership is critical in enabling HNC to continue to provide the best learning experience and enrichment opportunities for all students and thereby improve their life choices and their life chances.**
- **A high performing and efficient corporation is able to support the college to achieve its strategic aims and priorities and secure positive outcomes for students**
- **Assurance received that the college is able to financially support all elements of the strategic plan for the college, potentially impacting on all areas of student learning, experience and outcome.**
- **Assurance received that the college has an adequate and effective framework for governance, risk management and control and has fulfilled its statutory responsibility for 'the effective and efficient use of resources, the solvency of the institution and the body and the safeguarding of their assets'.**
- **Assurance received that the college has adequate resources to continue in operational existence for the foreseeable future.**
- **Assurances received that the college remains compliant with regularity and propriety requirements as per the terms and conditions of funding**
- **To continue to ensure that the college and the corporation publishes accurate and honest information about its activities and processes – this is particularly important in relation to information for parents, students and employers**
- **Assurance that the College strives to create a transparent, fair organisation that is attractive to work and learn at**
- **Maintaining high performance amongst Governors enables the Corporation to continue to provide strategic leadership and accountability**

*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. It was asked for the agendas in future to include page numbers for each item to ease navigation through the accompanying papers. The Clerk was tasked with implementing this suggestion.

**19. Determination of confidentiality**

Minutes and Supporting papers for agenda item 1 and 2 as well as supporting papers for agenda item 9 are to remain confidential.

**20. Date of next meeting: 6<sup>th</sup> September 2023 at HNC from 5pm**