

Approved

Minutes of Corporation Board – Part 1 14 December 2022

Board Members:

B Kaczmarczyk (Chair)	J Hemper
J Battye	E Pearson (Staff Governor - Support)
P Bond	S Martin-Standley
T Campbell	L McKenzie
E Cheshire (Student Governor)	L Mycroft
J Croot	L Needham (Staff Governor – Curriculum)
H Freeman	J Richards (Principal and CEO)

In attendance:

J Shore (Head of Governance)	D Malone (Deputy Principal)
H Taylor-Toone (VP – Finance & Corporate Services)	C Acaster (VP – People & Culture)
M Greaves (Head of Teaching, Learning, Quality & Digital Innovation)	

Apologies: E Cheshire, L Needham, S Martin-Standley, J Hemper

CH = Challenge

19/2223 Declarations of Interest

Members were reminded of the need to disclose an interest in any item of business to be considered at the meeting. Nothing was declared.

20/2223 Minutes of the Previous Meeting & Matters Arising

The minutes (Part 1) of the previous Corporation Board meeting held 20 October 2022 were reviewed and agreed as a true and accurate record. The review of confidential minutes is recorded under Part 2.

The action log was reviewed and there were no matters arising. Previous actions were updated and either marked as complete or carried forward as appropriate. (*Refer to Corporation Action Log – 14.12.22*)

Resolution: The Board approved the minutes (Part 1) of the previous meeting.

21/2223 Performance Report

The Deputy Principal (DM) provided an overview of the Performance Report, which in addition to the key focus items below included an overview of teaching, learning and assessment activities. It was noted that Equality, Diversity and Inclusion would also be updated on as a standing item in future reports, alongside Safeguarding and Prevent.

Inspection Feedback

Following the recent Ofsted inspection in November, the College has been judged as 'Good' against all aspects of the framework. It was also given the highest grade of 'Strong Contribution' for the new enhanced skills element for its contribution to meeting skills needs, and it was noted that the College was one of three to have achieved this grade to date.

DM shared feedback from the draft report received from Ofsted following the College's inspection in November. The Board were advised that the report reflected the feedback received from inspectors during the inspection and at the final meeting which was attended by the Senior Management Team and the Chair of Corporation. There are a small number of factual inaccuracies regarding funding which have been requested for amendment prior to issue of the final report which will be published. Ofsted reported that the College has developed long-term and highly regarded partnerships across all four aspects of the inspection framework; community, employers, civic and education. The lead inspector for skills commented on the college's success in securing external funding and working in partnership to successfully deliver the skills requirements for both now and in the future.

BK/LMy informed the Board of the strong and favourable feedback provided by inspectors in relation to the College's culture. DM advised that a very positive response had been received from staff throughout the inspection, as well as an overwhelmingly glowing response to the stakeholder survey response, which was issued to over 5k individuals, including students, parents, employers and other stakeholders. It has been requested that this aspect is also strengthened within the final report. DM noted that excellent feedback had been received in response to the valuable work of the LEAP Mentors and

he expressed thanks to EP and her team, and to the governors for the knowledge and understanding which they conveyed during their meetings with the inspectors.

The Board discussed the College's key strengths identified through the inspection and summarised within the Performance Report, as well as the areas which it has improved on since the previous inspection. DM provided an overview of the identified areas for improvement and the Board were assured that there was nothing of concern and that all required measures would be addressed through the Quality Improvement Plan and appropriate action would be taken to drive the College forward to achieve 'Outstanding' at its next inspection.

The Board commended the Senior Management Team and the whole College for its well-deserved 'Good' outcome and successful stakeholder engagement which led to the achievement of a 'strong contribution' for meeting skills needs. The Chair expressed thanks to all staff and governors who were directly involved with the inspection.

Action: Final Ofsted Report to be shared with all governors once issued.

Performance Data

A summary of the current position for 2022/23 data was included within the report and DM shared a top-level overview of the key points, noting that attendance has remained fairly strong and is in line with the previous year. It was highlighted that whilst 19+ attendance is lower compared to last year, this has been impacted by the ESOL provision, which has grown from 22 to 200 student this year and has c.75% attendance at present due to varying factors outside of the students' control; if the ESOL figures were not taken into account, the attendance figure for 19+ would be higher than the previous year. DM reported that the College has excellent communications with the support networks, in particular for the Ukrainian Refugees, and will continue to work closely with the ESOL students and accommodation managers to provide support and improve attendance. ESOL courses have also been shortened into an intensive programme to help ensure students achieve, DM advised that achievement is strong and will put the College in a good position for AEB.

In terms of retention, DM reported that the 42-day retention period for 22/23 was the best retention period the College has had in recent years with 99.4% overall retention for 16-18 class-based (8.4% above KPI) and 98.9% retention for 19+ class-based (7.9% above KPI) at the time the report was written post-42 days. T

For apprenticeships, the best-case achievement is strong with both the college and LU Derby currently exceeding KPI by 16.2% and 11.2% respectively. However, it was noted that there has been some decline in areas such as Construction. The Workbased teams are working with all apprentices and employers to ensure the best possible achievement.

CH: The Board asked how likely it was for the apprenticeship achievement figures to remain the same given the current pressures within the industry sector. DM advised that for LU Derby, achievement is expected to remain high and not move significantly from 79.3% due to the nature of the apprentice and provision. However, it is expected that the best case of 76.2% will decrease but the College's aim is to keep the figure within the 70% bracket.

PB advised that she is meeting with Staff Governor EP, in her capacity as Student Services Manager, on a frequent basis to review vacancies, as well as providing details of opportunities with other training providers for at risk students who are not going to achieve at College and would become NEET otherwise.

College SAR and QIP

It was noted that the College Self-Assessment Report 2021/22 (SAR) and Quality Improvement Plan 2022/23 (QIP) had been scrutinised by the Standards & Performance Committee, with feedback and input from members at the drafting stage, and final Board approval had been recommended by the Committee.

Resolution: The Board **approved** the College Self-Assessment Report 2021/22 and Quality Improvement Plan 2022/23.

Safeguarding Update

The Board were provided with an overview of the developments on the mental health and wellbeing agenda, which remains a focus for the college with planned activities and awareness events scheduled throughout the year. Details of the Fika mental fitness app were provided, DM reported an increased use of the app by all staff, students and apprentices via team meetings/activities, teaching and learning act, and independent activities.

Preventative education and proactive safeguarding continue to gain momentum, with external guest speakers and workshops planned throughout the academic year. The Christmas Safety event held 12/12/22 provided students, apprentices and staff with the opportunity to attend workshops around mental health and drugs, decisions and consequences. A marketplace activity in the Heartspace hosted a number of stalls by external partners, with support and signposting services around spiking, sexual health, harassment and abuse, housing, debt, exploitation, Prevent, mental health etc. A further awareness event in January will focus on mental health and suicide prevention, again with many external partners and agencies keen to support the college community with activities, workshops and market stall presence.

Safeguarding referrals and concerns remain high, with 376 referrals responded to since the start of the academic year. Mental health continues to remain the highest reported concern, with sexual harm, harassment and abuse reported on a daily basis. DM advised that usual safeguarding practices are still in place and placement counsellors are also proving effective in managing the high levels of counselling referrals in a timely manner. It was flagged that a rise in referrals is anticipated following the Christmas break. The Board discussed and agreed the importance of all staff switching off from work over the break in order to safeguard their own mental health and wellbeing; the Principal (JR) advised that a communication will be issued to all staff prior to the break to emphasise this message.

The development of the new safeguarding dashboard is proving a great success, allowing access to more data and enabling the Safeguarding team to identify specific themes and trends within curriculum areas and mapping localities for wider comparison with county statistics. This will improve the contextualised safeguarding processes within the college community and localities.

It was flagged that there has been a rise in knife related incidents within colleges nationally, outside of the buildings, with 3 reported stabbings in the month and one College put into lockdown as a consequence. DM advised that this is something Chesterfield College is aware of and will raise awareness with staff and students.

Thank You and Farewell

It was noted that this was DM's last Board attendance prior to him starting his new position as Principal at Calderdale College in the New Year. On behalf of the Board, the Chair expressed sincere thanks to DM for his work and dedication to the College, including his tremendous efforts in supporting the College to achieve a 'Good' judgment at the recent inspection. The Board commended DM and wished him every success for the future.

Resolution: The Board **received** and **noted** the contents of the Performance Report.

22/2223 Finance & Corporate Services Report

The Vice Principal of Finance & Corporate Services (HTT) presented the Finance and Corporate Services Report.

Corporate Services

An overview of the key developments within the corporate service support areas was provided within the report.

Confidential Items

Confidential matters are minuted under Part 2.

Resolution: The Board **received** and **noted** the Finance & Corporate Services Report.

23/2223 Corporate Report

The Principal (JR) presented the Corporate Report which, in addition to the key areas discussed below, included an update on the National Picture, Government Policy & Legislation (including the Cost of Living) and Strategic Relationships & Events.

Reclassification of Colleges

Following a review by the Office for National Statistics (ONS), the decision has been confirmed to reclassify all colleges in the UK to the public sector. The statement issued by the ONS was shared within the report for information, alongside the Skills Minister's written statement to parliament.

There are no planned changes to the law and colleges continue to be self-governing corporations with charitable status and with responsibility for their educational character, their own courses, contracts, and relationships with staff and students. The new controls from the Department for Education (DfE) involve 16 issues where it will require colleges to gain approval before going ahead; these controls apply immediately.

For most colleges, the most important changes relate to borrowing. There are no changes to existing loans but a clear DfE objective to replace borrowing from banks in the future with grants or borrowing from government.

Further details were provided in the report in relation to the DfE capital grants and other controls and processed which will be put in place. It was noted that aside from this grant, no further financial benefits from the reclassification have been identified.

The College is now awaiting further clarification and will update the Board in due course. The immediate areas of impact for the College were discussed as part of the Finance & Corporate Services Report.

Small Business Reception

In recognition of the college's contribution to support for local businesses, the Principal was invited by His Majesty The King to a reception at Buckingham Palace on 16/11/22. The reception was attended by c.150 small businesses and one other college (Lancaster and Morecambe). Alongside The King, in attendance were Prince Edward the Earl of Wessex, Duke of Gloucester,

Duke of Kent, Peter Jones and Grant Shapps. JR spoke with The King regarding the value of Further Education colleges and shared the College's concerns regarding the funding and the challenges of the apprenticeship market.

The Board commended JR and the College for the fantastic achievement and special honour received.

JB joined the meeting.

Confidential Item

A confidential item was discussed and is minuted under Part 2.

KPI Outturn – 2021/22

The final outturn for the Group's Key Performance Indicators (KPIs) for 2021/22 were presented and discussed. It was reported that 69% of the KPIs were achieved within a 2% tolerance, and that all financial targets had been realigned with Reforecast 1. The Board acknowledged that this was a reasonable outcome for the College under the circumstances of another challenging year due to several national factors such as the cost-of-living crisis and the ongoing impact of Covid, particularly in relation to Apprenticeship recruitment.

JR noted that there had been quite a significant drop-off in students withdrawing in the Spring Term just weeks before completing their qualification, due to job offers, which caused retention to fall to one of the lowest levels the College had seen. The College has worked extremely hard this year to improve retention, in particular 16-18 provision, and is currently in a strong position for 22/23. In relation to English and maths achievement where the KPI was not achieved, the Board were reminded that 21/22 was the first year that these students had sat a formal exam following Covid and Teacher Assessed Grades (TAGs), and this issue was also picked up by Ofsted who confirmed it was a national picture.

The Chair noted that one of the areas for improvement identified within the governance QIP for 22/23, is the requirement for review of a small number of refined KPIs by the Board. JR confirmed that from the New Year, the top level KPIs for Financial, Performance and Corporate will be reported on separately as part of each respective Board report for more detailed review and discussion. A summary sheet will still be provided for all of the College KPIs for information.

KPI Update – 2022/23

The Board received the full KPI summary, noting the commentary provided for each target. As at 31/10/22, the KPI achievement was rag rated as 55% green, 12% amber and 33% red.

Health & Safety

An update from the Health & Safety Committee was included within the report, including agreed actions, statutory audits and reports, and mandatory training. JR confirmed that all mandatory training had been completed and audits were being undertaken in line with the annual schedule.

Resolution: The Board **received** and **noted** the contents of the Corporate Report.

24/2223

Governance Report

The Head of Governance (JS) presented the Governance Report which, in addition to the key items highlighted below, included ratified committee minutes, details of policies approved at Committee-level and the Data Protection Report presented to the last Audit Committee.

Membership

As previously discussed with the Board and in line with the amended Instruments & Articles, it was proposed that the Board's composition also included an Apprentice Governor to represent the College's work-based provision and to further enhance the Board's engagement with learners. JS has met with the College's Finance Apprentice, L Warren, who is undertaking his second year of Level 3 AAT Accounting at College following his first year as a classroom-based student, to discuss the Board's processes and governance requirements. LW is eager to join the Board and will work closely with the current Student Governor to provide updates to the Board as part of the new Student and Apprentice Governor Report.

Resolution: The Board **approved** the appointment of L Warren as Apprentice Governor.

Governance Self-Assessment 2021/22 & Quality Improvement Plan 2022-23

The Chair and HoG presented the Governance Self-Assessment Report for 2021/22 (SAR) and Quality Improvement Plan for 2022/23 (QIP) to the Board for approval, as reviewed and recommended by the Governance & Search Committee on 6/12/22.

The overall judgement for governance at Chesterfield College was self-assessed as Good, based on multiple sources of evidence, findings and feedback detailed within the SAR, including Board Self-Assessment Review Questionnaire, AoC's Code of Good Governance Compliance Checklist, governor self-assessment survey, annual governor appraisals, Committee Self-Assessment Reports, and the Chair's Appraisal survey.

All identified areas for improvement have been incorporated within the overall Governance QIP for 2022/23, which will be reviewed and monitored by the Board on a termly basis.

Resolution: The Board **received** and **approved** the Governance Self-Assessment Report for 2021/22 and the Quality Improvement Plan for 2022/23.

Committee Self-Assessment & Annual Reports

As part of the overall Governance Self-Assessment Report, the Board received the Self-Assessment & Annual Reports for Audit Committee, Standards & Performance Committee and Finance & Corporate Services Committee. All three committees self-assessed as 'Good' with identified areas for improvement, which have been incorporated within the overall Governance QIP for 2022/23.

Resolution: The Board **received** and **noted** the Committee Self-Assessment and Annual Reports for 2021/22.

External Governance Review

At its meeting on 6/12/22, the Governance & Search Committee discussed the External Governance Review (EGR) Process and approach to be taken by the College and Corporation Board. The paper considered by the Committee, which provides an overview of the Corporation's mandatory requirement for an EGR, as well as details of providers and proposed next steps, was shared with the Board for information.

Due to the current financial position of the College and the associated costs of the review, the Committee has recommended that the EGR process is deferred until Spring 2023/24, which is the final year it can be undertaken in line with the statutory requirement for all colleges.

The decision to defer was supported by the recent 'Good' grade received from the Ofsted inspection in November 2022, which judged the College to be 'Good' across all areas, including Leadership and Management, which provides the Board with assurance that its governance function is operating effectively.

Areas for improvement identified in the governance QIP will be addressed in 22/23, with a further self-assessment against 22/23 undertaken at the end of the academic year in preparation for review in the Autumn Term.

Resolution: The Board **endorsed** the proposed approach towards the External Governance Review and to defer until Spring 2023, as recommended by the Governance & Search Committee.

Committee Terms of Reference

The Terms of Reference (ToR) for the Remuneration Committee was shared with the Board for recommended approval by the Committee. Amendments had been made reflect current job titles and the bi-annual review cycle of the ToR.

Resolution: The Board **approved** the updated Terms of Reference for the Remuneration Committee.

Resolution: The Board **received** and **noted** the contents of the Governance Report.

25/2223 Statutory Reporting – Link Governor Updates

Ratified minutes from the Safeguarding, Health and Safety and Equality, Diversity and Inclusion Committee were shared as part of the Governance Report.

EP advised that a new Student Representative has been appointed to the Health and Safety Committee.

It was noted that a new statutory reporting heading for the Sustainability Agenda had been added as a standing item, whereby any key updates from the Sustainability Working Group can be provided to the Board. JR advised that the College is working towards the FE Roadmap and planning sustainability projects with students and the wider community. A Sustainability Fair has also been planned for March 2023, which governors have been invited to.

Resolution: The Board **noted** the statutory updates.

26/2223 Annual Remuneration Report & Statement 2021-22

The Principal, Senior Managers and Staff Governor withdrew from the meeting.

The Head of Governance shared the Remuneration Committee's Annual Report and Statement for 2021/22 with the Board. In line with the Senior Post Holder Remuneration Code, which forms part of the AoC Code of Good Governance adopted by the Board, the College is required to publish the statement which is based on the annual report.

Resolution: The Board **received** and **noted** the Remuneration Committee Annual Report and approved the Annual Statement for 2021/22 for publication on the College website.

Action: HoG to arrange for the Annual Remuneration Statement for 2021/22 to be published on the College website.

27/223 Senior Postholder Performance Review

The HoG withdrew from the meeting (minute provided by the Chair).

The Chair informed the Board of the recommendations made by the Remuneration Committee on 29 November 2022 with respect to the performance review and pay awards of the Senior Post Holders; the Head of Governance and the Principal/CEO. Further detail is minuted under Part 2 as a confidential item.

Resolution: The Board **approved** the SPH recommendations made by the Remuneration Committee

28/223 Date of Next Meeting

- 31 January 2023 (special meeting for final Statutory Account sign-off)
- 9 February 2023 (standard Board agenda)

The meeting concluded.