

Riverside College

Widnes & Runcorn

MINUTES OF BOARD MEETING HELD ON 18TH OCTOBER 2021 REMOTELY VIA MICROSOFT TEAMS

Present:	Valerie Allen	External Governor
	Michele Bacon	External Governor (Vice-Chair)
	Karen Banks	External Governor (Vice-Chair)
	Jayne Edwards	External Governor
	Andrew Macmanus	External Governor
	Neil McGrath	External Governor (Chair)
	Tom McInerney	External Governor (minutes 10 to 61)
	Mary Murphy	Principal
	Lynn Pegler	External Governor
	Wesley Rourke	External Governor
	Chris Sikorski	Staff Governor
	Susan Smith	External Governor
	Ryan Turner	Staff Governor
	Molly Whittle	Student Governor
In Attendance:	Ben Barton	Deputy Head of Cronton Campus
	Thalia Bell	Deputy Principal
	Alan Brown	Assistant Principal
	Julie Holland	Deputy Principal (Finance & Resources)
	Lesley Venables	Clerk to the Governors

PART ONE

APOLOGIES FOR ABSENCE

1 There were no apologies for absence.

DECLARATION OF INTERESTS

2 No declarations of interest were received.

APPOINTMENT OF STUDENT GOVERNOR

3 The Clerk reported that following a recent recruitment process, Molly Whittle had been selected for appointment as one of the student governors. A further process would be taking place shortly in relation to the second vacancy in this category.

4 **Resolved -** That Molly Whittle be appointed as a student governor for a term of office to 31st July 2022

ANNUAL REPORT & UPDATE ON STRATEGIC ISSUES

5 The Principal presented the Annual Report for 2020/2021 and an update on strategic issues in both the internal and external environments.

6 Governors were advised that all targets for quality and finance had been met or exceeded for 2020/2021 and that the College was in a strong position at the start of 2021/2022, which was a significant achievement against the background of the COVID-19 pandemic.

7 The Principal advised that the total number of positive COVID-19 cases since the start of term in September was 190 and 33 'live' cases, which compared favourably to the school sector. The College was moving to an 'amber' rating after half-term, involving the reinstatement of mask-wearing in communal areas, due to the likely increase in the spread of infection in the local community.

8 A governor asked whether the impact of COVID-19 had been measured in terms of finance, student outcomes and staffing and if these had been reflected in the strategic plan. The Deputy Principal responded that there had been some cost savings as a result of the closure over the winter of 2020/2021 and the College had received additional funding for testing facilities and tuition arrangements. Staff absence rates had reduced until June 2021 and, although some extra agency staffing had been needed, no new permanent staff had been employed and the College had not participated in the Government's furlough and job retention schemes.

9 Following a question on the likely level of the learner outcomes for the current academic year compared to 2020/2021, the Principal reported that, nationally, results would be between those for 2019/2020 and 2020/2021. There had not been significant increases in the College's grade profile.

Tom McInerney joined the meeting at this point.

10 As part of its campaign around the Comprehensive Spending Review the Association of Colleges had put forward proposals for growth in the 16-18 funding rate, an educational recovery package, net zero skills, plans for improving health and levelling up. Many of the sector's suggestions for the FE White Paper had been adopted by the House of Lords (such as the involvement of FE colleges in the development of LSIPs). Reforms of the examination and assessment regimes were being considered by the DfE.

11 The AoC had developed a list of challenges for the sector, namely: equality, diversity and inclusion; digital skills; net zero; collaboration with higher education; mental health issues; place-based economy; and "keeping the show on the road". In response to questions on how the College was working with higher education partners, the Principal reported that courses in the Green Economy were being developed in conjunction with HE Institutions and local employers. Universities were keen to work closely with FE colleges, particularly on the Level 4 and 5 technical skills programmes mentioned in the Skills White Paper.

12 Governors were advised that a new Code of Good Governance had recently been published. In response to questions the Clerk reported that adoption of the Code was voluntary and the Code was divided into 2 elements – the 'musts', which required the College to comply, and the 'shoulds', against which the College should state whether it complied or explain why it did not meet the standard. The Code was effective from 2022/2023 and the Clerk would be assessing the current level of compliance and developing proposals to address any gaps or areas for improvements. These would be presented to the Search & Governance Committee for recommendation to the Board.

13 The Principal reported that positive relationships with Halton Borough Council and other key local partners continued and the College was a key member of initiatives such as the Halton Learning Alliance and the Runcorn Town Deal. Governors were advised that the latter was still at an early stage and the College was considering the establishment of a joint health and education hub with the NHS. Any such project would need to be financially viable and the draft proposals would require approval by the Board.

14 After visits to both sites and meetings with College staff, the education department from Knowsley Council had been impressed with their findings and were convinced that the provision offered by the College met the needs of the young people of Knowsley.

15 Governors queried how the College was adapting the curriculum to meet local and regional needs. The Deputy Principal responded that there was already a close alignment between the College's provision and the Liverpool City Region's skills priorities such as nursing, construction, engineering and hospitality. Recently there had been significant growth in demand for courses in English for Speakers of Other Languages and Catering.

16 When asked if there was any evidence of adult students retraining for new careers the Deputy Principal advised that there had been an increase in enrolments on evening engineering and construction programmes, together with courses in green technology. However, many of the College's learners were still employed in their original fields, such as the cohort of students from the National Grid who were acquiring additional skills, rather than retraining.

17 The Board was reminded of the ongoing priority given to safeguarding. For many students the return to College-based learning had been difficult, which was evidenced in the high levels of anxiety and mental health issues. There had been a total of 142 safeguarding cases since September, which management expected to increase significantly now that students had returned to College.

18 Governors received for information a copy of the College's Health & Well-Being Strategy which had been launched in September 2021.

19 The Senior Management Team was asked about the impact of COVID-19 on achievement levels, which were 89.3% overall. The Principal responded that adults had been the most affected by the various lockdowns over the past 18 months. Achievements for apprenticeships were currently 72% (a reduction of 5% compared to 2019/2020) and timely achievement was 49%. The latter was a national issue and stemmed from some apprentices either being furloughed or not being able to complete their end-point assessments due to the pandemic.

20 A governor questioned how the College was addressing the additional challenges of maximising achievement rates in areas such as hospitality. Management acknowledged that this had been more difficult for practical-based subjects and that this area had been impacted far worse than sectors such as accountancy. However, every effort had been made to support these students and the College was confident that this would be evidenced in the final outturn for 2020/2021.

21 For higher education courses the pass rate was 100%, with a higher proportion of first class degrees awarded compared to previous years. Progression rates and destinations were positive and a more detailed report on this would be submitted to the Quality & Standards Committee in November.

22 The College continued to develop its digital strategy, which now included videoing lesson observations as part of the Great Teaching Initiative. The College leadership programme had been re-instituted for 2021/2022.

23 Currently, the College was forecast to make a surplus of £1.836m (including pension costs) for 2020/2021, compared to the budgeted figure of £1.669m, and continued to be graded as in 'outstanding' financial health.

24 The Health & Wellbeing building project at the Cronton Campus was progressing well. At the July Board meeting governors had approved the submission of two bids to the ESFA's Capital Transformation Fund and Post-16 Capacity Fund. Additionally, governors had agreed expenditure of £3m from the College's reserves on the Green Technology Hub at the Kingsway Campus, if the College's bids for grant funding were unsuccessful. Further discussion on this took place under a later agenda item.

25 Governors received for information a copy of a letter from the Interim Chief Executive of the ESFA, which included some new requirements on governance and financial reporting.

26 Enrolments for 2021/2022 were higher than in the previous academic year, continuing the long-term growth trend. A further 184 16-18 year olds had joined the College compared to 2020/2021 (making a total of 3613). Full-time adult enrolments had decreased compared to the previous year, but part-time enrolments were higher and management was confident that the Adult Education Budget targets would be met. Apprenticeships had enrolled 147 individuals, which was approximately half of the target for the year and it was noted that the Government's incentives for employers taking on apprentices had been extended to January 2022, which could boost the total further.

27 On behalf of the Board the Chair thanked the senior management team and the staff for their leadership and for the high level of positivity that pervaded the College at such a challenging time.

- 28 **Resolved -**
- 1 That the Annual Report for 2020/2021 be approved
 - 2 That the Quality-Efficiency-Growth Strategy for 2021/2022 be approved
 - 3 That the Strategic Plan targets (dashboards) for 2021/2022 be approved

SAFEGUARDING

29 The Deputy Principal gave a presentation on Safeguarding and governors' responsibilities. This included the requirements under the latest version of the Department for Education's statutory document, "Keeping Children Safe in Education", and the measures in place to ensure compliance with these regulations. Specific training was provided on the extensive new focus on sexual abuse, sexual violence and sexual harassment, as well as all other KCSIE updates.

30 Governors were asked to indicate via e-mail whether a further training session should be arranged later in the term. A revised Safeguarding Policy would be submitted for approval to the December Board meeting.

MANAGEMENT ACCOUNTS

31 The Deputy Principal presented the management accounts to 31st July 2021. These indicated that the actual underlying operating surplus of £3,895k was higher than that planned (£2,635k).

32 There were favourable variances on income and non-pay expenditure. Cash balances remained positive and the actual position at the end of July 2021 was £17.320m compared to the budgeted figure of £13.708m. This variance was mainly due to expenditure for building works not yet being invoiced and other cost savings as a result of the College closure during the earlier part of the year.

33 The projected cash flows remained well within the bank's covenant limits. The annual capital expenditure of £4.334m was within the total amount approved in the budget for 2020/2021 (£5.768m).

34 All financial targets had been met or exceeded and the College's financial health continued to be graded as 'outstanding'. Total income for 2021/2022 was forecast to be £29.747m and it was possible that this would increase further due to additional growth in 16-18 learner numbers for 2021/2022, taking the College's overall income to over £30m.

35 Governors queried the increase in the College's contribution to the ESFA's Capital Transformation Fund from £3m to £4m. The Deputy Principal (Finance & Resources) advised that the final costs for both projects had been received a week prior to the bid submission deadline, which did not allow the College to seek alternatives. In view of the higher costs the ESFA would expect the College to make up the shortfall, which was why the College's contribution would now need to be £4m. Governors noted that the additional £1m had been held as a contingency anyway and had already been approved as part of the budget for 2021/2022.

36 Management was of the view that the cladding project should be pursued, regardless of whether the College's grant application was successful, but that this could be undertaken on a gradual basis over a number of years. Any such project would be brought back to the Board for approval.

37 A governor asked whether the recent increases in energy prices would adversely impact on the budget for 2021/2022. The Deputy Principal responded that any additional costs in this area would be offset by savings on other items. The College was confident that its energy consumption would actually reduce as a result of the efficiency measures it had introduced throughout the estate.

- 38 **Resolved -**
- 1 That the College's contribution to the bids to the ESFA's Capital Transformation Fund be approved at £4m
 - 2 That the intent to undertake the project to re-clad the Kingsway building be noted, subject to affordability and submission of detailed proposals for consideration by the Finance & Resources Committee, with a recommendation to the full Board

AUDIT COMMITTEE – 27TH SEPTEMBER 2021

39 The Chair of the Audit Committee presented a summary of the meeting held on 27th September 2021.

40 The ESFA Sub-Contracting Audit Report for 2020/2021 (which was a condition of funding) was received for formation. The credit checks carried out on one sub-contractor had been flagged as a concern but the Committee had received reassurance from management that the mitigating controls in place were sufficient to deal with any risk in this area. The report and accompanying certificate issued to the College by KPMG would now be submitted to the ESFA.

41 An Internal Audit Report on Benchmarking of Support Staff Costs was received for information. Further work needed to be carried out on the conclusions of the report, which would be reviewed and discussed by the Finance & Resources Committee.

42 Governors had considered the annual Risk Management Review for 2020/2021 and recommended the Risk Management Policy for 2021/2022 for approval by the Board.

43 An updated Internal Audit Strategy for 2021/2022 had been considered by the Committee and was recommended for approval. This comprised a total of 29 days of work and covered a wide range of financial and non-financial aspects of the College, to provide a suitable level of assurance to the Board and to management.

44 The Regularity Self-Assessment questionnaire for 2020/2021 had been reviewed and was recommended for approval. The Committee had also received the self-assessment of controls on fraud and irregularity, part of which required individual governors to complete a fraud/irregularity questionnaire, prior to the Chair signing a letter of representation at the December Board meeting to accompany the Financial Statements for 2020/2021.

45 Annex D of the Post-16 Audit Code of Practice, which focused on the College's fraud response plan, had also been considered and was recommended for approval by the full Board.

46 Following publication of the ESFA's revised Post-16 Audit Code of Practice, the Clerk had updated the Audit Committee's terms of reference, which were submitted for approval by the Board.

47 The Committee had considered its own Self-Assessment for 2020/2021 and was satisfied that it had fulfilled its terms of reference.

- 48 **Resolved -**
- 1 That the Internal Audit Plan for 2021/2022 be approved
 - 2 That the Risk Management Policy for 2021/2022 be approved
 - 3 That the Regularity Self-Assessment and associated Annexes of the Post-16 ACOP) for 2020/2021 be approved and signed by the Chair of the Board and the Principal
 - 4 That governors complete the fraud and irregularity documentation as soon as possible
 - 5 That the Audit Committee's revised terms of reference be approved

SEARCH & GOVERNANCE COMMITTEE – 6TH OCTOBER 2021

49 The Chair of the Committee presented a report on the meeting held on 6th October 2021.

50 The Annual Report on Governance for 2020/2021 covered the areas of attendance, membership (including appointments, re-appointments and resignations), recent and planned governance developments, an equality and diversity profile and succession planning.

51 The final percentage for attendance at Board and committee meetings was 87%, compared to 89% in 2019/2020 and against a national benchmark of 88%. All 5 committees had met or exceeded the target attendance level of 80%. There were no ongoing concerns about attendance in 2020/2021 and that this would continue to be monitored systematically.

52 Governors were advised that there were currently no vacancies for external governors. The Clerk would continue to monitor potential forthcoming vacancies and would initiate recruitment processes when required.

53 The terms of office of 4 external governors were due to expire between July and October 2022. The Committee would meet early in 2022 to discuss the future profile of the Board's membership and the required skills to enable it to fulfil its responsibilities.

54 The Board's current overall diversity profile had been considered and work was underway to obtain accurate and detailed information in this area to inform future recruitment activities.

55 The Board received a revised schedule of committee memberships, which removed the ineligibility of staff and student governors to be members of the Audit Committee (as set out in the new ACOP).

56 The Search & Governance Committee had recommended for approval proposals made by the Clerk on the reclassification of confidential minutes relating to the 2020/2021 academic year.

57 The Board received a summary of the outcomes of the Governor Review process undertaken for 2020/2021. This detailed the positive aspects of the Board and individual assessments. Additionally, a number of areas for improvement had been identified, for which actions and further training had been proposed and would take place in 2021/2022. The implementation of this plan would be monitored by the Search & Governance Committee.

58 **Resolved -** That the following items be approved:

- 1 Revised schedule of committee memberships
- 2 Reclassification of confidential minutes for 2020/2021
- 3 Action plan and list of training and development activities for 2021/2022

MINUTES

59 **Resolved -** That the minutes (Parts 1 and 2) of the meeting held on 5th July 2021 be approved as a correct record and signed by the Chair

MATTERS ARISING

60 Governors received a progress report on the actions identified at the previous meeting. It was noted that all of these issues were either in progress, had been completed or were featured on the agenda.

DATES OF FUTURE MEETINGS

29 th November 2021	5.00 p.m.	Audit Committee
30 th November 2021	5.00 p.m.	Quality & Standards Committee
1 st December 2021	5.00 p.m.	Finance & Resources Committee
13 th December 2021	5.00 p.m.	Board

61 The Chair acknowledged that, during the recent review process, the majority of governors had expressed a wish to return to a hybrid model for meeting attendance. However, any such decision would need to be based on a risk-based approach and follow consideration of all factors by the Chair, the Principal and the Clerk.



Signed:

Chair of Board of Governors

Date: **8.7.2022**
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