

Kirklees College Corporation

CORPORATION

Minutes of a meeting held at 15.00 on 14 December 2020 by Microsoft Teams videoconference

Present:

Mr G Hetherington	Independent Governor (Chair)
Mr H Aslam	Student Governor
Mr B Blank	Student Governor
Ms M Carabine	Independent Governor
Dr A Conn	Independent Governor
Prof S Donnelly	Independent Governor
Ms C George	Independent Governor
Ms M Gilluley	Principal & Chief Executive
Ms F Hussain-Butt	Independent Governor
Mr H Linn	Independent Governor
Ms L Precious	Staff Governor
Mr J Royle	Independent Governor
Mr N Taylor	Staff Governor
Mr M Varyani	Independent Governor
Mr I Wainwright	Independent Governor
Dr A Williams	Independent Governor
Mr J Williams	Independent Governor

Attendance: 17/17 = 100% KPI 80% Quorum: 6 (40%)

In attendance:	Mr M Bennington	Vice Principal Corporate Operations
	Ms C Gonzalez-Eslava	Vice Principal Curriculum, Performance & Innovation
	Ms P Harrow	Asst Principal Safeguarding & Inclusion (from Item 15)
	Ms J Green	Clerk to the Corporation
	Mrs R Meara	Executive Finance Director
	Mr D Rayneau	Executive Director of Business Systems
	Ms J Simpson	Executive Director of HR (from Item 9)

Item

**Action/
Synopsis Item**

PRELIMINARY ITEMS		
0	WELCOME AND INTRODUCTIONS	
i	The Clerk confirmed that due notice of the meeting had been given, that the requirement for all persons participating to be able to communicate with one another was satisfied and that the meeting was quorate. It was noted that the meeting had been initiated from the home address of Corporation Chair Mr G Hetherington.	
ii	The Chair declared the meeting open.	
1	APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST	
i	No apologies were received.	
ii	The Chair invited disclosures of interests. All confirmed that, except as previously disclosed, they had no direct or indirect interest in any way in the business to be transacted which should be disclosed.	

Item	Action/ Synopsis Item
2.0 i	MINUTES OF THE 23 OCTOBER 2020 CORPORATION MEETING <u>RESOLVED:</u> (i) To approve the minutes of 23 October 2020 as an accurate record.
2.1 i	MATTERS ARISING NOT ON THE AGENDA No matters were raised.
2.2 i ii iii iv v vi vii	UPDATE ON AGREED ACTIONS <u>Amendments to previous minutes:</u> This had been actioned. <u>Strategic Risk Session:</u> The Executive Finance Director Mrs R Meara (“RM”) said the internal auditors would facilitate a session on the day of the follow-up to the recent Strategy Development Day in February. <u>HE Link Role Description:</u> This was on the Agenda. <u>Publication of Audit Committee Terms of Reference:</u> This had been actioned. <u>Governors IT Equipment and Software:</u> This was delayed and would roll over. Action (rolled over): To contact Governors to identify any IT needs. <u>Governors Self-Assessment Survey:</u> This had been actioned. <u>Article 10 Selection Panel minutes to be circulated:</u> This had been actioned.
PRINCIPAL’S REPORT	
3 i ii	PRINCIPAL’S REPORT Ms M Gilluley (“MG”) spoke to her Principal’s report, advising as follows: <ul style="list-style-type: none"> ➤ A safe return to face-to-face teaching was a priority for many stakeholders including the Education & Skills Funding Agency (“ESFA”) and learners themselves. Managing the College under the COVID restrictions remained the most important and time-consuming challenge for the senior leadership team (“SLT”); ➤ A meeting with the ESFA was held on 4 December; they were content with the College’s arrangements and response to Department of Education guidance; ➤ As Vice Principal Curriculum Ms C Gonzalez-Eslava (“CGE”) would be leaving in February, senior staff changes were planned. Assistant Principal Ms J Arechiga (“JA”) would fill the Vice Principal Curriculum role and Head of Faculty Creative, Media, Hair, Beauty & Hospitality Ms L Buckley (“LB”) would fill JA’s role. LB’s faculty would merge with the business and IT faculty under common leadership; ➤ Local communities had reacted positively to the opening of Pioneer House; ➤ The Governors’ Strategy Development Day had been impactful and a follow-up was planned for 26 February. The Corporation had reaffirmed the College Mission and Vision, and identified key priorities going forwards; ➤ The anticipated Further Education (“FE”) White Paper was delayed until March but the Commission on the College of the Future report had been published and had been shared with Governors; ➤ The latest edition of KC Chronicle (providing an update on activities, events and achievements of staff and students) accompanied the report. Governors were pleased to hear that there had been no cases of transmission of the

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	<p>coronavirus in College as far as management was aware. There was agreement that this was an excellent result, given the numbers and amount of traffic within the College.</p> <p><u>Ofsted Published Report</u></p>	
iii	<p>The Ofsted report on the October 'interim visit' was discussed and the contents noted.</p> <p><u>Business Critical Performance Indicators ("BCPIs")</u></p>	
iv	<p>The meeting discussed College performance against the BCPIs. The COVID impact was apparent, with all income lines except 16-18 study programmes below target.</p>	
v	<p>In response to a question about the factors underpinning some of the judgements, RM reminded Governors that the principal reason for apparent discrepancies between current data and the RAG ratings was that the judgements were concerned with 'progress made' against 'expected progress', rather than performance against the financial plan targets and they reflected management's view of the prospect of improving the position in each case. There was agreement that the report narrative should identify any factors influencing the judgements that Governors would not be aware of.</p>	
vi	<p>As previously reported, while Apprenticeships performance was under target, the worst case scenario contemplated in July had been avoided. MG said management was hopeful of some additional starts in the New Year.</p>	
vii	<p>Adult activity, including adult learner loans, had reduced across the sector due to adults shielding, concerns about travel, lack of childcare and reducing support from employers. Consequently, there was a high risk of failure to meet the overall target and, although it had relaxed its requirements in 2019/20, the ESFA intended this year to revert to a 3% tolerance level, in which case the College would need to achieve at least 97% of funding to avoid clawback. Management was discussing possible mitigations for implementation from January onwards.</p>	
vii	<p><u>RESOLVED:</u></p> <p>(i) To ratify the Strategic Development Day reaffirmation of the Mission and Vision.</p> <p>(ii) To note the status of the Business Critical Performance Indicators.</p>	Synopsis Item 1
QUALITY AND CURRICULUM ITEMS		
4	QUALITY, PERFORMANCE & STANDARDS COMMITTEE REPORT	
i	<p>The minutes of 30 November (the "QPS minutes") were received and the items of report noted. The Committee Chair Dr A Williams ("AW") said the meeting was in two parts; in the second part, the Committee had acted as the 2019/20 Self-Assessment Report ("SAR") validation panel (the "Panel") with Independent Governors Ms M Carabine and Mr J Williams and Student Governor Mr H Aslam joining. The Chair thanked Panel members and congratulated them on the thoroughness of their work.</p>	
5	COLLEGE SELF-ASSESSMENT REPORT AND QUALITY IMPROVEMENT PLAN	
	<u>Self-Assessment Process</u>	
i	<p>CGE introduced the SAR, outlining the process by which it had been compiled and validated. She reminded Governors that, unusually, no national data had been published, due to the cancellation of the public examinations, making comparison with other providers impracticable. The College had therefore decided to use its own internal performance data for the 2019/20 self-assessment.</p>	
ii	<p>In line with good practice, the SAR validation had been supported by an external expert:</p>	

	<p>this year, Kirklees Council's Post 16 and Progression Head of Service Dr Phil Mark. Several Governors attending had participated in curriculum area validation panels ahead of the 30 November Panel session and they had brought some valuable insights.</p> <p><u>College Performance</u></p>	
iii	<p>CGE shared the learner performance headlines, highlighting that:</p> <ul style="list-style-type: none"> ➤ Adults and 16-18 were an improving picture; ➤ Apprenticeships had seen a slight decline due to the pandemic impact; ➤ Progress measures had improved for the fourth consecutive year; ➤ Over a third of students had improved their English and maths GCSE grades; ➤ 91% of students had met or exceeded their target grades, up 7% from 2018/19; ➤ Students on free school meals had 5% higher retention than their peers; ➤ 87% of students had a positive destination (93% for high needs); and ➤ Gaps in performance had been narrowed or closed. 	
iv	<p>The achievement data for 16-18 and 19+ learner-responsive provision was shared; the past three years had seen an improving picture as follows:</p> <ul style="list-style-type: none"> ➤ 16-18 achievement had improved by 5.7%. At 84.7%, it was 1.3% above the last available (2018/19) national rate and performance data shared with the College on a voluntary basis suggested that 16-18 was still performing well in this regard; ➤ Although Adult achievement and overall achievement had improved by 3.3% and nearly 5% respectively, they were not yet at the (2018/19) national rate. 	
v	<p>CGE said all evidence showed the College was a highly inclusive environment and that its safeguarding and quality governance arrangements were highly effective.</p> <p><u>Aspect Grades</u></p>	
vi	<p>In the Panel discussion, two aspect grades had received particular attention. Governors had initially challenged the 'Requires Improvement' grade for Adult programmes but had eventually concluded that the draft SAR narrative had overemphasised the positives, there being numerous new initiatives and improvements to describe. The consensus had been that, despite the improved performance outcomes and achievements for Adults, the fact that the College was not yet at national rate undermined the case for a grade 2 - and the narrative in the SAR should reflect that there was still work to do.</p>	
vii	<p>In respect of 'Apprenticeships', the proposed 'Good' grade had secured the Panel's support after careful discussion. The Panel was satisfied that the SAR narrative was sufficiently detailed to contextualise the College's performance and explain why a 'Good' grade should stand despite the pandemic's impact on achievement rates.</p>	
viii	<p><u>RESOLVED:</u></p> <p>(i) To approve the 2019-20 College Self-Assessment Report for submission to Ofsted, subject to amendments discussed at the validation panel. To note its contents and thank all involved in its production.</p> <p><u>Quality Improvement Plan</u></p>	Synopsis Item 2
ix	<p>The Quality Improvement Plan ("QIP") was discussed and was agreed to reflect the areas for improvement identified in the SAR. A Governor commented on the need for the Corporation to dedicate ample time, including Committee time, to monitoring the quality of the provision and emphasised the importance of the SAR and QIP in this regard. This was agreed.</p>	

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<p>6</p> <p>i</p> <p>ii</p>	<p>STUDENT SUCCESS BUSINESS CRITICAL PERFORMANCE INDICATORS</p> <p>The QPS Committee had discussed the proposed performance measures and targets with management and recommended that the Corporation approve and adopt them. Following discussion with the Committee, Governors agreed that they were satisfied with the level of challenge the proposed measures and targets had received.</p> <p><u>RESOLVED:</u></p> <p>(i) To approve and adopt the proposed Student Success Business Critical Performance Indicators.</p>	Synopsis Item 3
<p>7</p> <p>i</p> <p>ii</p>	<p>HIGHER EDUCATION COMMITTEE REPORT</p> <p>The minutes of 25 November were received and discussed. It was noted that staff and students had participated in the discussion, which had included:</p> <ul style="list-style-type: none"> ➤ an update on Higher Education (“HE”) recruitment by curriculum area - a table of data accompanied the minutes; ➤ an update on the maintenance of the policy framework; ➤ monitoring of achievement data and the use of it; ➤ aspects of the support being given to learners to help them benefit from and succeed in HE, despite the pandemic impact, in particular access to learning resource centres and new purpose-built facilities; ➤ consideration of student representative feedback concerning the inflexibility of coursework deadlines despite COVID-related cuts to HE teaching time; ➤ the impact of COVID on outreach activities and the adaptations that had been made to deliver outreach initiatives to those statistically less likely to enter HE; ➤ opportunities for partnership working with HE Institutions; and ➤ consideration of a marketing report, which was also shared with the Corporation. <p>ii It was agreed that the Committee’s activities had provided some positive assurance in respect of compliance with the ongoing conditions of Office for Students registration. A Governor commented positively on the quality of the marketing plan and congratulated the team that had put it together. Other Governors agreed, saying they had seen excellent advertisements for Pioneer House on social media.</p>	
<p>8</p>	<p>There was no Item 8.</p>	
GOING CONCERN - MATTERS OF FINANCE, REGULATION, LEGAL ISSUES		
<p>9</p> <p>i</p>	<p>FINANCE COMMITTEE REPORT</p> <p>Committee Chair Mr H Linn (“HL”) presented the minutes of the 20 November meeting and the ‘items of report’ were noted. In particular, it was noted that, in the context of approving requisitions, the Committee had discussed the College’s insurance retender and the level of insurance provided.</p>	
<p>10</p> <p>i</p>	<p>EXECUTIVE DIRECTOR OF FINANCE REPORTS</p> <p><u>The current financial position for 2020/21</u></p> <p>It was noted that the headline financial indicators were all ‘Green’ - although it was early in the year to make firm predictions. RM said the key concern was the Adult Education Budget, particularly given the ESFA’s position on clawback. On the positive side, with pay costs and other expenditure down against budget, financial health was still on track to be as planned at year end.</p>	

<p>ii</p> <p>iii</p> <p>iv</p> <p>v</p> <p>vi</p> <p>vii</p> <p>viii</p>	<p><u>The status of financial returns submitted to the Department for Education and ESFA</u></p> <p>RM said by the end of January, colleges were required submit to the Department for Education (“DfE”) a full Integrated Financial Model (“IFM”) and to the ESFA a finance record approved - either in advance of submission or very shortly after - by their corporations. She said the College finance team ordinarily would undertake a full budget reforecast in February and it would not be in a position to bring forward the exercise to meet the end of January deadline. She therefore proposed that the Corporation:</p> <ul style="list-style-type: none"> ➤ receive and challenge the November return information (Appendix 10.2 to her report “Commentary to the Cashflow Return November 2020”); ➤ note the SOCI (Statement of Comprehensive Income¹) and Balance Sheet data from which the cashflow November return was derived (Appendix 10.3 to her report); ➤ approve that data to be incorporated into the new finance record template and submitted to the ESFA along with other documents e.g. financial statements and Audit Findings Report in January; and ➤ receive the final submitted document at the Corporation meeting on 29 January. <p>Governors commented sympathetically on the ever-increasing burden of DfE and ESFA mandatory data returns and acknowledged the particular challenge of complying with the new requirements, which had been announced with almost no notice on 2 December. Following a short discussion, they confirmed they were happy with RM’s proposed approach.</p> <p><u>RESOLVED:</u></p> <p>(i) To approve the use of the 2020/21 financial forecast data from the November ESFA return in the January 2021 finance record and IFM return.</p> <p><u>Estates Projects</u></p> <p>The Pioneer project was essentially complete and Governors congratulated the College team on a fantastic outcome. The final overspend against the whole Dewsbury Learning Quarter project was detailed in RM’s report; it was hoped that the costs could be claimed against the FE Capital allocation.</p> <p>With the Chair’s permission a late confidential paper on the proposed disposal of some land on Halifax Road (the “additional paper”) had been added to the meeting pack, as a revised offer had been received from the intending purchaser and approvals were needed for the disposals of:</p> <ul style="list-style-type: none"> ➤ the old Dewsbury College site on Halifax Road WF13 2AS: the freehold land shown edged with red on the attached plan of Land Registry title number WYK797655 but not including the land shaded pink on the title plan (the “Property”); and ➤ an adjacent piece of land shaded pink on the title plan (“Oldroyd”), which the Corporation held on trust for another charity (the “other charity”). <p>The confidential paper proposed terms (the “proposed terms”) for the disposals of the Property and Oldroyd (together “the whole site”) and for the allocation of the proceeds of sale (“the proceeds”) as between the Corporation and the other charity.</p> <p>Noting that the proposed terms would need to be discussed separately by the Corporation acting in its capacity as charity trustee for the other charity, the Chair declared the meeting adjourned to allow that discussion to take place.</p>	<p>Synopsis Item 4</p>
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¹ <https://www.gov.uk/government/publications/financial-planning-handbook/integrated-financial-model-for-colleges-web-accessible-version#descriptions-of-the-sheets-in-the-ifmc>

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<p>16.00 <i>The meeting adjourned to allow a meeting of the sole trustee of the other charity. At the end of that meeting, the meeting reconvened with the same persons present and in attendance.</i></p>	
<p>ix When the meeting reconvened, the Chair reported that the disposal of Oldroyd had been approved on the proposed terms, subject to the Corporation also approving the disposal of the Property on the proposed terms.</p>	
<p><u>Power of sale</u></p>	
<p>x It was noted that the Corporation was the owner of the Property and, pursuant to s19(4) of the Further and Higher Education Act 1992, had power to sell it, provided that it appeared to it to be necessary or expedient to do so for the purpose of or in connection with the exercise of any of the Corporation's principal powers. As an exempt charity for the purposes of Part 3 of the Charities Act 2011, the Corporation did not require authorisation from the Charity Commission to dispose of the Property.</p>	
<p><u>Good Faith and only in the Interests of the Charity</u></p>	
<p>xi The Chair reminded Governors that they were required to fulfil their general trustee duties when dealing with a land disposal, in particular the duty to satisfy themselves that disposing of the Property on the proposed terms was in the best interests of the charity (meaning the Corporation) disregarding for example the interests of the other charity and, to a large extent, the interests of stakeholders such as the local authority.</p>	
<p><u>Sufficiency of Information</u></p>	
<p>xii The Corporation had obtained a professional valuation for the whole site, which had been advertised for sale on the open market. The Property and Oldroyd had been marketed as a package on the advice of commercial property agents. Solicitors, including an expert in the law around relocating and removing mobile phone masts and telecoms sites (there being a mast situated on the Property) had been instructed to advise on the sale and transfer, including to ensure that the necessary statements required by the Charities Act 2011 were included in the disposal documents. An aerial map showing the location and perimeters of the Property in Dewsbury was included in the confidential paper for Governors' information.</p>	
<p><u>Relevant and Irrelevant Factors</u></p>	
<p><i>This matter is restricted and therefore the discussion is recorded in a confidential annex marked Annex 1, 14.12.20.</i></p>	
<p>xiii <u>RESOLVED:</u> (i) To approve the disposal of the Property on the proposed terms set out in the additional paper submitted to this meeting.</p>	Synopsis Item 5
<p>17.05 <i>Mr H Linn left the meeting.</i></p>	
<p>11 AUDIT COMMITTEE REPORT</p>	
<p><u>30 November minutes</u></p>	
<p>i The minutes were received and the items of report noted. The Committee Chair Mr J Williams ("JW") said RM had produced an exemplary paper on going concern, which had given the Committee a great deal of comfort and should give the Corporation similar levels of assurance.</p>	

ii	<p><u>Annual Report of the Audit Committee</u></p> <p><u>RESOLVED:</u></p> <p>(i) To receive the annual report of the Audit Committee and note its contents.</p>	
12	<p>FINANCIAL STATEMENTS APPROVALS</p> <p><u>Financial Statements Auditor's Letter of Engagement</u></p> <p>i It was noted that ordinarily this would have been discussed and approved at an earlier stage but it had been subject to an additional layer of review by the audit firm. Attention was drawn to the proposed limitation of liability in respect of the regularity work and the Audit Committee advice on this was noted. It was agreed to be a reasonable ask.</p> <p>ii <u>RESOLVED:</u></p> <p>(i) To approve Grant Thornton's Letter of Engagement, including the limitation of liability clause.</p> <p><u>Governor Assessment of Going Concern</u></p> <p>iii The Chair reminded the Corporation of its responsibility to assess the College's ability to continue as a 'going concern' for 12 months from the date of signing the financial statements. RM's paper (which had been discussed in detail at the Finance and Audit Committee meetings) outlined the case for this; the management advice was that the 'going concern' method of accounts preparation should apply. Governors noted the contents of the paper and the advice of the Finance and Audit Committees and agreed that the accounts should be prepared on the 'going concern' basis.</p> <p>iv <u>RESOLVED:</u></p> <p>(i) Having taken advice from management and the Finance and Audit Committees, the Corporation is satisfied that the College is able to continue as a 'going concern' for at least the next twelve months and that the accounts should be prepared accordingly.</p> <p><u>Approval of Members' Report and Financial Statements 2019/20 for signature</u></p> <p>v The audited <i>Members Report and Financial Statements</i> (the "Report"), together with RM's summary report, were received and discussed, along with the advice of the Finance and Audit Committees. RM drew attention to page 2 of her cover paper, where she had set out a list of key points to note. In particular, she highlighted that, while the accounts showed a significant operating deficit, this was due to an actuarial accounting adjustment on the pension scheme.</p> <p>vi With the Chair's consent, RM shared her screen to show a necessary addition to the Report: a breakdown of HE income for insertion at note 2 - after the 'Specific Grants' section. She explained that, having agreed the accounts, Grant Thornton had asked that the additional detail be added. The numbers would be unaffected by the change.</p> <p>vii Following discussion, it was agreed that the Report did an effective job of accounting accurately and transparently to stakeholders for the College's performance and prospects and demonstrated its compliance with statutory and regulatory requirements.</p> <p>viii Governors acknowledged their responsibility to ensure compliance with the funding agencies' terms and conditions of funding and regard was had to the Regularity Audit findings. The assurance advice from Grant Thornton was noted.</p>	Synopsis Item 6

ix	<p><u>RESOLVED:</u></p> <p>(i) To receive the Grant Thornton Audit Findings report and note its contents.</p> <p>(ii) The Corporation is satisfied that, in all material respects, the expenditure disbursed and income received between August 2019 and 31 July 2020 were applied to purposes intended by Parliament and the financial transactions conformed to the authorities which governed them.</p> <p>(iii) To approve the Members' Report and Financial Statements 2019/20 for signature, subject to the addition of the breakdown of HE income.</p> <p>(iv) To approve the use of the Chair and Principal's electronic signatures for the purpose of signing the various components of the Members' Report and Financial Statements 2019/20.</p> <p><u>Approval of Grant Thornton's Letter of Representation for signature</u></p>	Synopsis Item 7
x	<p>RM reminded the meeting that the Corporation was required to provide a signed copy of the Letter of Representation to Grant Thornton to confirm that, as far as it was aware, all information relevant to the preparation of the accounts had been provided and Governors understood the key assumptions contained within the accounts. She said once this was received, Grant Thornton would issue their final audit findings report.</p>	
xi	<p><u>RESOLVED:</u></p> <p>(i) To approve Grant Thornton's Letter of Representation for signature.</p>	
17.30 Ms J Simpson joined the meeting.		
13	<p>ANNUAL HR REPORT</p> <p>i Executive Director of HR Ms J Simpson ("JS") presented the report, saying despite a challenging year due to COVID-19, the HR team had made significant progress against its quality improvement plan. She shared some key headlines:</p> <ul style="list-style-type: none"> ➤ Pay costs had outturned within budget. The headcount remained fairly static with 919 employees versus 917 the previous year and 639 FTE² versus 602. ➤ Staff costs to income had outturned at 67.3%, slightly above the 65% target. The reasons were discussed. Governors had previously agreed that the target (national average) should be considered an indicator of efficiency rather than a hard target. ➤ Overtime costs had reduced due to COVID-19 and were expected to remain low. ➤ Case work had increased since 2018/19, particularly around sickness absence, which had reduced since the previous year (although on paper it appeared to have increased due to the adoption of a new formula for calculating it). In relation to other education institutes nationally, the College's absence rate was higher but it remained below the average for Yorkshire and Humber region. ➤ Mental ill health had been the leading cause of long-term absence in 2019/20 and the College had developed a number of initiatives in response. ➤ Staff turnover had increased compared to 2018/19 – due partly to a more proactive approach to performance management during staff probationary periods. ➤ The College had recruited to 91% of harder-to-fill vacancies such as STEM tutors. ➤ Mandatory training completion was at 95%. Details of allocations from the training budget were provided, as was a breakdown of the use of the apprenticeship levy. 	

² The Full Time Equivalent is the total of all positions using the percentage of the appointment rather than the number of individual employees.

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<p>➤ There had been no employment tribunal claims in 2019/20.</p> <p>ii Governors referred to a list of key achievements on page 6 of the report and a list of priorities for 2020/21 on page 34. They congratulated JS, agreeing that the report provided strong assurance that the SLT was well-engaged with the College staff and aware of and responsive to the main pressures on them. It also provided strong assurance in terms of employment law compliance.</p> <p>iii A Governor commented on the College's use of its apprenticeship levy; it had used just 34% of its 2019/20 allocation. JS said a key factor was the lack of a clear strategy around apprenticeship recruitment and the need to capitalise on the L5 teaching qualification was reflected in the 2020/21 priorities list.</p> <p>iv <u>RESOLVED:</u></p>	Synopsis Item 8
14	ANNUAL HEALTH & SAFETY REPORT
<p>i JS presented the annual Health & Safety ("H&S") report, explaining that she had taken responsibility for the function in August 2019 following the retirement of the then senior lead. It had been a challenge, particularly with COVID-19. For a small team, there had been several staffing issues, including a maternity cover appointment starting a week before lockdown and the resignation and replacement of the Head of H&S.</p> <p>ii JS said much had been achieved in 2019/20, including:</p> <ul style="list-style-type: none"> ➤ the development of a robust new audit system; ➤ the rollout of IOSH³ <i>Managing Safely</i> training for managers including the SLT; ➤ a full training needs analysis across all business areas and the introduction of H&S Champions, who would promote H&S among their peers; ➤ the development of new policies and templates; ➤ the implementation of a new risk assessment process; ➤ an overhaul of the accident investigation procedures; and ➤ a successful pilot of new software: Smartlog, to be rolled out across the business. <p>iii However, there was still significant work to do, in particular there were gaps in the provision of service, especially around health surveillance⁴, governance and the monitoring and auditing of H&S activities. JS said one of her key objectives was to improve the culture of H&S across the College and it was noted that this had been discussed at the Audit Committee meeting.</p> <p>iv Referring to the 2019/20 accident, incident and near-miss data, JS remarked that the pandemic closure had in all likelihood affected reporting and this would need to be borne in mind next year when comparing data. More accidents had been reported than in previous years however and JS attributed this to improved awareness of regulations and reporting requirements as a result of training. She said all accidents had been investigated internally with none resulting in H&S Executive enforcement action.</p> <p>v The H&S Link Governor Mr A Conn was invited to comment. He said he supported the work JS was doing to improve the function and the direction in which she was taking it. Echoing her comments about the need for cultural change, he said, taken together,</p>	

³ Institution of Occupational Safety and Health, an organisation offering professional qualifications to raise workplace standards of health and safety.
⁴ The Health and Safety Executive defines Health surveillance as a system of ongoing health checks that is required by law for employees exposed to noise, vibration, ionising radiation, solvents, fumes, dusts, biological agents, and other substance hazardous to health or work in compressed air.

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vi vii	<p>the rollout of IOSH training, the implementation of Smartlog and the focus on near misses would be an effective tool to influence change.</p> <p>There was agreement that the Corporation could have confidence that it was taking appropriate steps to ensure a safe and compliant working and learning environment.</p> <p><u>RESOLVED:</u></p> <p>(i) To receive the Annual Health & Safety Report and note its contents.</p>	Synopsis Item 9
<p>17.45 Ms P Harrow joined the meeting.</p>		
15 i ii iii iv v vi	<p>ANNUAL SAFEGUARDING REPORT</p> <p>Assistant Principal Safeguarding & Inclusion Ms P Harrow (“PH”) presented the report, reminding the Corporation of its responsibilities for safeguarding, in particular for compliance with the requirements of <i>Keeping Children Safe in Education</i>.</p> <p>The report contained a section on the impact of the pandemic lockdown; the College had continued to provide a comprehensive safeguarding service throughout the period. The challenging year had seen a nearly 10% increase in individual service users - and while concerned by the high level of demand, Governors agreed it was a strong endorsement of the service and the quality of support the College provided.</p> <p>The annual report identified trends and gaps in service users which informed actions and initiatives. It included service user demographic data which showed, among other things, that the College cohort continued to include high numbers of students in vulnerable groups, particularly young carers, increasing year-on-year. The demographic data also showed a shift in the ratio of safeguarding service users by sex. PH said the fact that males, historically underrepresented, now made up 56% of service users reflected her team’s focussed work to ensure male students were confident in discussing their issues and accepting support. Mental health had continued to dominate the causes for safeguarding intervention (23% of all cases) and male students were particularly at risk of suicidal ideation and attempt; there had been 13 cases of serious suicide attempt in 2019/20. Governors were pleased to hear that the College had plans to deliver a range of mental health staff training.</p> <p>Data in the report quantified the risks around knife crime and gang affiliation, incidences of which had increased sharply over the last three years. It was noted that the College had been proactive in addressing the rise in youth crime and violence in Kirklees; the report described its involvement in a Home Office Youth Violence Reduction Programme and its work with the Police, Probation and Youth Offending services.</p> <p>Governors welcomed PH’s report, agreeing that it provided strong assurance in terms of their responsibilities. The Safeguarding Link Governor Ms C George (“CG”) was invited to comment; she praised the Safeguarding team, saying they did remarkable work in challenging circumstances and safeguarding was in safe hands. PH replied that she and her colleagues felt very well supported by the Safeguarding Committee.</p> <p><u>RESOLVED:</u></p> <p>(i) To receive the Annual Safeguarding Report and note its contents.</p>	Synopsis Item 10
<p>GOVERNANCE</p>		
16 i	<p>GOVERNANCE SELF-ASSESSMENT AND DEVELOPMENT REPORT</p> <p>The Clerk presented the draft governance self-assessment report, which set out the</p>	

Item		Action/ Synopsis Item
<p>ii</p> <p>iii</p> <p>iv</p>	<p>identified strengths and achievements of the Corporation, as well as the proposed areas for improvement for 2020/21. Although it was agreed that the report reflected Governors' views, a Governor raised a concern that, while the self-assessment process had been thorough, the relatively low response to the self-assessment survey had somewhat weakened the data. This was agreed. The Clerk acknowledged this and said the survey remained open for additional submissions; alternatively, Governors could raise concerns with her directly, or with management or the Chair.</p> <p>The previous year's governance quality objectives were held to have been substantially achieved. A review of delegations had commenced but it would be a longer term project, to be completed in 2020/21. There was agreement that a more formal framework for appraisal of the Chair was not desired for the time being.</p> <p>Two areas for improvement for 2020/21 were approved. They concerned Governors' understanding of the FE and HE quality frameworks and Ofsted's expectations for learner behaviour and attitudes; and Governors' understanding of the College careers programme, as well as employer engagement. The Clerk would liaise with management to ensure that appropriate training and conversations took place.</p> <p><u>RESOLVED:</u></p> <p>(i) To approve the 2019/20 Governance Self-Assessment Report, including the two areas for improvement for 2020/21.</p>	<p>Synopsis Item 11</p>
<p>17</p> <p>i</p> <p>ii</p>	<p>HE & SKILLS LINK GOVERNOR ROLE DESCRIPTION AND PROPOSAL TO CONFIRM THE CONTINUING APPOINTMENT OF PROFESSOR S DONNELLY</p> <p>A role description for the HE & Skills Link Governor was discussed and approved. Independent Governor Professor S Donnelly, who had previously held the position of HE & Skills Link Governor, had agreed to continue in the role.</p> <p><u>RESOLVED:</u></p> <p>(i) To approve the role description for the office of HE & Skills Link Governor.</p> <p>(ii) To confirm the continuing appointment of Professor S Donnelly as HE & Skills Link Governor.</p>	<p>Synopsis Item 12</p>
<p>18</p> <p>i</p>	<p>PUBLICATION OF AGENDA PAPERS</p> <p><u>RESOLVED:</u></p> <p>(i) In accordance with the Instrument, all items marked with an asterisk on the Agenda shall be confidential and excluded from publication, together with the additional papers relating to the proposed disposal of Halifax Road.</p>	
<p>19</p> <p>i</p>	<p>USE OF CORPORATION SEAL</p> <p>The report was received. It was noted that the Corporation seal had not been used.</p>	
CHAIRS' REPORTS		
<p>20</p> <p>i</p>	<p>CHAIR AND VICE CHAIR'S REPORTS</p> <p>The Corporation Chair reported that he had undertaken some accountancy training, along with HL and CG, and had gained some assurance from the Association of College trainers that the College's practices and arrangements were aligned with best practice.</p>	

EXECUTIVE EMPLOYMENT MATTERS		
21	EXECUTIVE EMPLOYMENT MATTERS	
i	It was agreed that this item should be taken last, as attendees would need to leave.	
PAPERS FOR ASSURANCE/INFORMATION PURPOSES ONLY		
22	SAFEGUARDING COMMITTEE MINUTES	
i	The minutes were received and the contents noted.	
23	EQUALITY DIVERSITY & INCLUSION STRATEGIC GROUP MINUTES	
i	The minutes were received and the contents noted.	
24	ESTATES STRATEGY ADVISORY GROUP MINUTES	
i	The minutes were received and the contents noted.	
25	CORPORATE HEALTH & SAFETY COMMITTEE MINUTES	
i	The minutes were received and the contents noted.	
26	ARTICLE 10 SELECTION PANEL MINUTES	
i	The minutes were received and the contents noted.	
27	USE OF THE WRITTEN RESOLUTION PROCEDURE	
i	The report was received and the contents noted.	
28	DATE OF NEXT MEETING	
i	Friday 29 January 2021 at 3pm.	
EXECUTIVE EMPLOYMENT MATTERS		
21.1	INVOLVEMENT OF STAFF AND STUDENT GOVERNORS	
i	The meeting discussed whether Student and Staff Governors should participate in the discussion and decision-making for Items 21.2 and 21.3.	
ii	<p><u>RESOLVED:</u></p> <p>(i) Pursuant to clause 13.5(d) of the Instrument of Governance, Staff Governors should be required to leave the meeting for Items 21.2 and 21.3.</p> <p>(ii) Pursuant to clause 13.9 of the Instrument of Government, Student Governors should be required to leave the meeting for Items 21.2 and 21.3.</p>	
	<i>18.20 All non-Governors except for the Clerk, together with Ms L Precious, Mr N Taylor, Mr H Aslam and Mr B Blank left the meeting, the Chair wishing them a merry Christmas.</i>	
21.2	EXECUTIVE EMPLOYMENT COMMITTEE 9 DECEMBER REPORT	
	<i>This matter is considered confidential and is restricted to Independent Governors at this stage; therefore the discussion is recorded in a confidential annex marked Annex 2, 14.12.20.</i>	

Item		Action/ Synopsis Item
21.3	<p>SENIOR POST HOLDERS AND CLERK'S PERFORMANCE, FUTURE TARGETS/ OBJECTIVES AND REMUNERATION</p> <p><i>This matter is considered confidential and is restricted to Independent Governors only, therefore the discussion is recorded in a confidential annex marked Annex 3, 14.12.20.</i></p>	
21.4	<p>EXECUTIVE EMPLOYMENT COMMITTEE TERMS OF REFERENCE</p> <p><u>RESOLVED:</u></p> <p>(i) To note the advice of the Executive Employment Committee.</p> <p>(ii) To approve the proposed changes to the Executive Employment Committee Terms of Reference and adopt the amended version with immediate effect.</p>	
ii	<p>Action: Amended EEC Terms of Reference to be uploaded to the College website.</p>	JG

Synopsis

#	Details	Minute
1.	The Corporation ratified a decision made at its recent Strategic Development Day to reaffirm the College Mission and Vision.	3(vii)
2.	The Corporation discussed and approved the 2019-20 College Self-Assessment Report.	5(viii)
3.	The Corporation approved and adopted the proposed Student Success Business Critical Performance Indicators.	6(ii)
4.	The Corporation discussed a new ESFA financial return and agreed that it should be completed and submitted based on financial data received at the meeting, with the final version of the return to be brought to the January Corporation following its submission.	10(iv)
5.	The Corporation approved the disposal of the old Dewsbury College site on Halifax Road Dewsbury, having received an offer acceptable to it.	10(xi)
6.	Having taken advice from management and the Finance and Audit Committees, the Corporation determined that the College was able to continue as a 'going concern' for at least the next twelve months and that the annual accounts should be prepared accordingly.	12(iv)
7.	The Members' Report and Financial Statements 2019/20 were approved for signature.	12(ix)
8.	The Corporation received the annual HR report.	13(iv)
9.	The Corporation received the annual Health & Safety report.	14(vii)
10.	The Corporation received the annual Safeguarding report.	15(vi)
11.	<p>The Corporation undertook self-assessment and approved its 2019/20 Governance Self-Assessment Report, including the two areas for improvement for 2020/21:</p> <p>(i) To improve Governors' understanding of the FE and HE quality frameworks and Ofsted's expectations for learner behaviour and attitudes;</p> <p>(ii) To improve Governors' understanding of the College careers programme, as well as employer engagement.</p>	16(iv)
12.	A role description for the office of HE & Skills Link Governor was approved and the continuing appointment of Professor S Donnelly was confirmed.	17(ii)