

KIRKLEES COLLEGE CORPORATION
Minutes of a meeting held from 14.30 to 17.30 on 19 December 2023
Held in the Conference Centre, Waterfront Centre, Huddersfield

Present:	G Hetherington	Independent Governor (Chair)
	P Allison	Student Governor (virtual attendance)
	W Bailey	Independent Governor (virtual attendance)
	R Blackburn	Independent Governor
	F Butt	Independent Governor
	Dr A Conn	Independent Governor
	Dr J Daniels	Independent Governor
	C George	Independent Governor
	D Harding	Independent Governor
	E Highfield	Independent Governor
	F Parvez	Independent Governor
	C Robinson	Independent Governor
	J Robinson	Staff Governor
	J Clement Walters	Independent Governor
	I Wainwright	Independent Governor
	A Williams	Independent Governor
	16/19 = 84%	KPI 80% Quorum: 6 (40%)
In Attendance:	J Arechiga	Vice Principal Curriculum & Innovation
	P Doherty	Vice Principal Finance & Resources
	L Buckley	Assistant Principal, Curriculum & Performance
	P Hughes	Assistant Principal, Quality & Student Experience
	D Rayneau	Executive Director of Business Systems
	H Rose	Director of External Relations and Apprenticeships
	J Green	Outgoing Director of Governance & Compliance
	C Tague	Director of Governance & Compliance (meeting clerk)
	A Tyley	Deputy FE Commissioner (virtual attendance - Item 4)
	J Pretty	FE Adviser (virtual attendance - Item 4)
	R Lewis	RSM (virtual attendance - Item 13)

Item		Action/ Synopsis Item
PRELIMINARY ITEMS		
0	WELCOME AND INTRODUCTIONS The Chair welcomed everyone to the meeting.	
1.1	NOTICE AND QUORUM Director of Governance & Compliance J Green (JG) confirmed that due notice of the meeting had been given and the meeting was quorate.	
1.2	APOLOGIES FOR ABSENCE Apologies were received from Staff Governor A Greaves and Student Governor H-M Smith.	
1.3	DECLARATIONS OF INTEREST All confirmed that, except as previously disclosed, they had no direct or indirect interest in any way in the business to be transacted at the meeting which should be disclosed.	

Item		Action/ Synopsis Item
2	APPROVAL OF PREVIOUS MINUTES RESOLVED: The minutes of the meeting of the Corporation on 23 October 2023 be approved.	
2.3	MATTERS ARISING NOT ON THE AGENDA	
2.3.1	There were no matters arising from the minutes.	
2.4	UPDATE ON AGREED ACTIONS	
2.4.1	Review the threshold for Finance & Resources Committee involvement in capital projects. Actioned - approved as part of the Consent agenda.	
2.4.2	Provide updates on the actions being taken to address a diminution in the quality of careers advice and guidance for learners with special educational needs. Actioned - QPS/SAR Panel.	
2.4.3	Consider the College risk appetite and strategy for HE & Skills. Actioned - considered at Curriculum Strategy Committee.	
2.4.4	Audit Committee to pick up and address the questions relating to Health & Safety raised by a Governor prior to the Corporation meeting. Actioned	
2.4.5	Read Part One of Keeping Children Safe in Education: Rolled over - all Governors to confirm that they have read this.	Govs
2.4.6	Consider whether there is anything further that could usefully be added to the BCPIs in terms of curriculum quality, performance and standards. Actioned – BCPIs submitted for consideration as part of agenda.	
2.4.7	Prepare a Link Governor EDI role description, then circulate written resolutions proposing the institution of the new EDI Link Governor role; the approval of the role description; and the appointment of Dr J Daniels. Actioned - approved as part of the Consent agenda.	
3	CONSENT AGENDA APPROVALS	
3.1.1	J Green (JG), Director of Governance and Compliance presented the Consent agenda for consideration.	
3.1.2	RESOLVED: (i) To approve the use of the Consent Agenda as amended; (ii) No items should be moved from the Consent Agenda to the Main Agenda; and (iii) To approve all Items on the Consent Agenda.	

Item	Action/ Synopsis Item
Items approved/noted via the Consent Agenda:	
Monitoring: The Strategic Priority Action Plans.	C1
Approved: To ratify the uses of the Corporation Seal detailed in the report at Item C2.	C2
Approved: With immediate effect:- <ul style="list-style-type: none"> (i) to appoint P Allison as Student Governor and J Firth as Independent Governor; and (ii) to make the following Committee appointments:- <ul style="list-style-type: none"> • D Harding to join the Audit Committee and to be removed from Finance & Resources for the time being • J Daniels appointed as EDI Link Governor and role description agreed 	C3
Approved: 2023-24 Quality Targets	C4
Approved: To approve the Letters of Representation and authorise the Chair of the Corporation and the Principal to sign on the Corporation's behalf.	C5
Approved: To approve the proposed amendments to the Financial Regulations.	C6
Approved: To approve the revised QPS Committee Terms of Reference.	C7
Monitoring: The new format risk register and current status of college risks.	C8
Monitoring: The ESFA Financial Health Assessment and Financial Dashboard.	C9
Monitoring: The Corporation notes the details of three written resolutions passed since the previous meeting, which approved: <ul style="list-style-type: none"> • To amend the Students' Union Constitution (17/12/23) • Appoint new Staff Governor (21/11/203) • Adjust College minimum pay band to match the newly announced National Living Wage rate of £12/hr. 	C10
Monitoring: Health & Safety Committee 7 November 2023 minutes	C11
Monitoring: Quality, Performance & Standards Committee 10 November 2023 minutes	C12
Monitoring: Audit Committee, 2 October 2023 minutes	C13
Monitoring: Quality, Performance & Standards Committee, 9 October 2023 minutes	C14
Monitoring: Equality, Diversity & Inclusion Strategic Group, 23 October 2023 minutes	C15
Monitoring: Student Union Accounts 2023	C16

Item		Action/ Synopsis Item
	<p>Noted: Upcoming dates:-</p> <ul style="list-style-type: none"> Briefing/Training/Outreach: 25 January 2024 15:00-17:30 Corporation Meal: 25 January 2024 18:00-21:00 Strategic Away Day: 26 January 2024 09:00-16:30 	C17
THE STRATEGIC CONVERSATION		
4	CURRICULUM EFFICIENCY AND FINANCIAL SUSTAINABILITY SUPPORT REVIEW FINDINGS REPORT	
4.1	Vice Principal Finance & Resources P Doherty (PD) introduced a report in relation to the review of Curriculum Efficiency and Financial Sustainability Support (CEFSS) which was led by the FE Commissioner's team (FEC) and commenced in June 2023.	
4.2	Andrew Tyley (Deputy FE Commissioner) and Jo Pretty (FE Adviser) who led the Colleges' review joined the meeting virtually to deliver a presentation as to their key findings. In outlining the CEFSS process, it was noted that the review had been instigated at the request of the College, with the aim of identifying potential improvements in the College's curriculum planning methodology and to explore the scope for potential efficiency opportunities.	
4.3	The presentation outlined the review process and data analysis undertaken, which included on-site visits and meetings with various managers. Senior leaders were thanked for providing the information required.	
4.4	It was noted that of 10 standard sector-wide curriculum planning issues, 2 had been identified as amber, namely the potential to improve efficiency by tighter recording and monitoring of staff utilisation data; and that contribution rates at course level would be more meaningful if non pay costs were included.	
4.5	Key areas of strength included clear strategic objectives that informed the curriculum plan, a proactive approach to delivering a curriculum which met local needs as well as effective and joined up planning tools. Contribution rates were strong and data was effectively used to inform provision, with good monitoring of enrolment and conversion rates. From the College's perspective, PD highlighted the journey of financial recovery and the move to good financial health.	
4.7	Governors welcomed the review findings and the independent assurance provided, adding that the fact that there were no surprises validated the processes in place. The supportive relationship with the Commissioner was also highlighted.	
4.8	Governors thanked the commissioners for their work and support and also thanked SLT and their staff for their hard work achievements in moving the college forward.	
4.9	<p>RESOLVED: The Corporation:-</p> <ol style="list-style-type: none"> Notes the progress made in completing one of the College's Strategic Priorities for 2023/24 by undertaking a Curriculum Efficiency and Financial Sustainability Support (CEFSS) review; and Welcomes the FEC's CEFSS report and thanks the FEC commissioners for their presentation on the report's key findings. 	

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5	PRINCIPAL'S REPORT
5.1	The Principal P Singh (PS) opened his report by reflecting on the tragic suicide of a college student who had been living in care, with extremely complex social and emotional needs arising from a history of trauma and abuse. This occurred 2 years ago and since then the college had driven forward dialogue in the sector on student suicide and championed FE students in the education system who needed specific support.
5.2	The student's legacy had been an important catalyst, with the setting of a strategic priority for trauma and restorative work, led by Polly Harrow, Assistant Principal for Safeguarding and Inclusion (PH). It was noted that as of 4 December 2023, PH has been appointed as the first ever Further Education Student Support Champion for the Department of Education, which was an important moment in the history of the college, with greater influence in improving the experience of FE students.
5.3	In other matters, the Board were advised of a number of awards and noted that the College had been selected as a finalist in the AoC awards, in the category of trauma informed work which was a huge achievement.
5.4	The Board were advised of a number of recent positive external meetings, one of which was with Sheila Legrave, FE commissioner and 2 governors who had been through the College's intervention period (C George and A Williams), both of whom concurred that the session had been positive, with a recognition that the college had made significant progress and whilst there was still a high level of debt, there were no doubts as to its' management.
5.5	Positive discussions were taking place with Huddersfield New College with a view to co-operative working and offers as to similar engagement had been made to Greenhead College.
6	BCPI MONITORING
6.1	Vice Principal Finance & Resources P Doherty (PD) presented the business critical performance indicators 2023/24 (BCPIs) and outlined the new presentation format, which showed both the year to date and projected full year performance and compared both against the full year position and the previous year's figures for the same performance measures.
6.2	The student retention data was welcomed as was the presentation format.
6.3	RESOLVED: The BCPI monitoring information be noted.
7	FINANCIAL STRATEGY
7.1	Vice Principal Finance & Resources P Doherty (PD) presented the draft Financial Strategy 2023-2025 for consideration.
7.2	The Board were advised that development of the Financial Strategy had been informed by discussions with the Finance & Resources Committee, with the intention of articulating the College's aims in terms of financial performance and deliver a 'strong, sustainable financial performance' aligned to the period covered by the current Strategic Plan. Following the Plan's next update, it was intended to develop a longer-term financial strategy.

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7.3	Members were advised that the financial position was relatively healthy with good enrolment, adult and apprenticeship performance. Strong 16-18 year old enrolment figures would see good funding for next year, however there were likely challenges beyond that, depending on the setting of budgets for the Department for Education. The College continued to use EBITDA and ESFA Financial Health as its primary financial performance measures and despite a low point score deriving from relatively high levels of debt, aimed to achieve an ESFA Financial Health score of at least 200 points (mid-range “Good” grade) for both 2023/24 and 2024/25.	
7.4	It was noted that the revised budget included the pay award agreed in October 2023 and recognised that a new Estates Strategy had not yet been developed so capital investment and the needs of the estate would need to be considered.	
7.5	Governors questioned the level of ‘free cash’ outlined within the report in that it was double the minimum FE Commissioner Benchmark of 25 cash days. It was noted that this would sustain the College to respond to risks and opportunities that might come forward and provide a level of flexibility and agility to respond accordingly.	
7.6	In discussing this, Governors concluded that the ‘free cash’ provided cushioning in terms of future expenditure, options to potentially pay down debt and available capital for a new Estates Strategy and were therefore comfortable with the level of cash held and the cautious approach outlined.	
7.7	Links between the Financial and Curriculum Strategies were also acknowledged, particularly in terms of demographics and rising demand and the need for finance to be an enabler in facilitating that growth.	
7.8	RESOLVED: That the Corporation approves the Financial Strategy 2023-2025.	
7A	CURRICULUM STRATEGY COMMITTEE REPORT	
7A.1	The Chair of the meeting on 6 December 2023 (C George), outlined that the Committee had received a presentation regarding the West Yorkshire Digital Innovation Project and the funding opportunities therein.	
7A.2	The Committee had examined apprenticeship performance against target and were satisfied with answers to questions raised. Challenges within Higher Education provision had also been considered, alongside the need to look at technical qualifications and how best to provide attractive progression for students.	
7A.3	The Committee’s role was also discussed and the need to avoid duplication with the Quality, Performance and Standards Committee.	
7A.4	In response to questions as to HE costs relative to income, whilst it was not felt that money was being lost, it was becoming more challenging and work such as creative timetabling, both for efficiency and an improved student experience, was ongoing.	
SELF-ASSESSMENT REPORT		
8	SELF ASSESSMENT REPORT AND MINUTES OF THE SAR VALIDATION PANEL, 4 DECEMBER 2023	
8.1	Vice Principal Curriculum & Innovation J Arechiga (JA) presented the college’s self-assessment report (SAR) which had been validated through QPS and finally through a	

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	formal panel which took place on 4 December 2023. This consisted of the SAR leads, Governors and two external partners from other FE colleges.
8.2	In considering the report, Governors highlighted that the SAR was an indicator of the progress the College had made, with a number of areas having been identified as close to outstanding. The inclusion of the culture of the college within the report was also welcomed.
8.3	A Governor involved in the self-assessment provided assurance as to the robustness of the process.
8.4	With regards to Leadership and Management and how to move to an outstanding position, a Governor commented that management needed to be of a consistently high quality across the board and there were middle leadership issues in one or two curriculum areas that were not performing quite as well.
8.5	<p>In concluding their discussion, the Corporation agreed that the SAR was:-</p> <ul style="list-style-type: none"> a. benchmarked against national norms; b. addressed the key questions of the Education Inspection Framework; c. dealt with all aspects of the College's activities; d. was self-critical and evidence based; and e. was detailed enough to provide Governors with assurance that the learning experience was being monitored and the appropriate learning resources were being made available
8.6	RESOLVED: The Corporation receives the College's Self-Assessment Report for 2022/23.
GOVERNANCE	
9	CHAIR AND VICE CHAIR REPORT
9.1	The Vice Chair, C George, reported on her attendance at the recent AoC conference which had been positive and generally optimistic, adding that it was pleasing to see Kirklees College catering and hair and beauty students in attendance.
9.2	Whilst there was mixed feedback on some of the breakout sessions at this particular conference, the event was recommended for the excellent networking opportunities and dissemination of best practice.
10	GOVERNANCE SELF-ASSESSMENT GRADE
10.1	J Green (JG), Director of Governance and Compliance asked Governors to reflect on the effectiveness of governance over the past year in order to agree the Ofsted grade (outstanding, good, requires improvement or inadequate) the Corporation should award itself for its leadership of the College. The Board were advised that the judgement would be included in the Financial Statements.
10.2	As part of their deliberations, Governors considered attendance which was well above the sector average, the recent Ofsted report and comments on governance performance therein, as well as the current financial position and compliance with the Code of Good Governance. The balance of skills, backgrounds and experience was acknowledged, as was the progress and positive momentum of the College.

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10.3	In determining the grade, it was agreed that it should reflect that of the institution and therefore be 'Good' with future evaluation as to what actions were required to move to outstanding and how they could objectively be measured.	
10.4	RESOLVED: The Governance Self-Assessment grade be recorded as GOOD.	
FINANCE AND AUDIT		
11	AUDIT COMMITTEE REPORT	
11.1	The Chair of the Audit Committee (J Walters) presented the Audit Committee Annual report and the minutes of the meeting held on 6 December 2023.	
11.2	As this was the last Audit Committee meeting, the Chair expressed her thanks to Mr I Wainwright for his time and contribution to the work of the Audit Committee.	
11.3	RESOLVED: The Audit Committee's Annual Report 2022/23 and the assurances therein be noted.	
12	MEMBERS' REPORT AND FINANCIAL STATEMENTS INCORPORATING THE STATEMENT OF CORPORATE GOVERNANCE AND INTERNAL CONTROL	
12.1	Vice Principal Finance & Resources P Doherty (PD) presented the draft report and financial statements for 2022/23 and advised that they had been presented to the Audit Committee on 6 December 2023, alongside RSM presenting their audit findings report on the financial statements audit and regularity assurance review.	
12.2	The pay accrual provision of £1m and its' application to the financial statements was raised by the Audit Committee and subsequently discussed with RSM. It was confirmed that this had been accepted as a 'bonus' payment in relation to EBITDA.	
12.3	Whilst there had been a number of minor immaterial changes since presentation to the Audit Committee such as minor revisions to the reporting of some capital grants, disclosure of severance payments differentials between contractual and non-contractual staff and the calculation of the Principal's pay in comparison to the median of all staff, the statement of comprehensive income and balance sheet were unchanged.	
12.4	Members were advised that the external auditor had issued an unqualified opinion and a clean report.	
12.5	RESOLVED: The Corporation approves the Financial Statements for the year ended 31 July 2023.	
13	FINANCIAL STATEMENTS & REGULARITY AUDIT FINDINGS	
13.1	Members welcomed the external auditor representative Richard Lewis (RL), from RSM to the meeting via Teams to present RSM's audit findings report. The report confirmed that the audit had been conducted as planned and there were no significant audit findings or instances of non-compliance.	
13.2	In terms of income recognition, a number of recommendations had been made on data quality points, but these control points did not have any impact on ESFA funding. Testing of the ILR indicated that this was in a good place with a positive result, there	

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	was no evidence of management bias and the accounts for the defined benefits scheme reflected a zero-year end position.	
13.3	RL confirmed that an unqualified report had been issued and that he concurred with the Audit Committee's view that an effective control framework was in place.	
13.4	Members welcomed the findings and thanked RL for his report.	
13.5	RESOLVED: The Corporation receives the Regularity Audit findings.	
14	AUTHORITY TO SIGN THE FINANCIAL STATEMENTS RESOLVED: The Financial Statements and the related reports and statements be approved for signature and submission to the ESFA by the 31 December 2023 deadline.	Chair/ PS
15	FINANCE COMMITTEE REPORT, MINUTES 27 NOVEMBER 2023 15.1 In presenting the minutes of the Finance and Resources Committee, the Chair, IR, outlined that the financial report for the first 3 months was positive, with 16-19 recruitment ahead of target, good adult education figures and apprenticeship funding consistent with prior years. 15.2 Members were advised that the ESFA had assessed the College's financial health as good for both 2022/23 (the latest outturn forecast year) and 2023/24 (the current budget year). The ESFA had advised that its assessment of the level of risk to the College's financial health had concluded and that the College would no longer be subject to post intervention monitoring. 15.3 It was noted that the Committee had received a progress report on the development of the next College Estates Strategy. Discussion had taken place as to sustainability but there had been some questions as to links with the curriculum strategy and the appropriate governance and reporting. It was suggested that this may be something for consideration at PCG.	
GOVERNANCE		
16	PUBLICATION OF AGENDA PAPERS RESOLVED: That in addition to the items marked as confidential on the agenda, the minutes of the meeting on 23 October 2023 and the Principal's report shall be excluded from publication in accordance with clause 18.2 of the Instrument.	
16	THANKS AND CLOSE The Principal P Singh (PS) thanked the Board for their support during a long and complex year, highlighting that more students were passing than ever before and the achievement rate of 86% was fantastic, particularly given the range of complex needs. There being no further business, the Chair declared the meeting closed and thanked the Governors and staff present for their hard work and support throughout the year.	

The meeting closed at 1650

AGREED ACTIONS				
	Who?	Action	Min	By
1.	Govs	All Governors to read Part 1 of <i>Keeping Children Safe in Education</i> and confirm that they have done so.	2.4.5	ASAP
2	PD	A grade of GOOD for the Corporation's leadership of the College be recorded in the Financial Statements.	12.5	31/12/23

SYNOPSIS		
	Details	Min
1.	The Corporation received the Curriculum Efficiency and Financial Sustainability Support (CEFSS) review, the completion of which had been a strategic priority.	4.9
2.	The Financial Strategy 2023-2025 was approved.	7.8
3.	The Corporation received the College's Self-Assessment report for 2022/23.	8.6
4.	Following reflection on the effectiveness of governance over the past year, the Corporation awarded itself an OFSTED grade of <i>GOOD</i> for its leadership of the College.	10.4
5.	The Financial Statements for the year ended 31 July 2023 were approved.	12.5
6.	Authority was given to sign and submit the Financial Statements.	14

Signed (Chair): Dated: