

**MINUTES OF THE CORPORATION BOARD MEETING HELD ON
FRIDAY 9 NOVEMBER 2018 AT BLACKBURN COLLEGE (ROOM UC-3-34)**

PRESENT:

Phil Watson CBE	Chair
Mark Allanson	Member
Lillian Croston	Member
Will Doherty	Academic Staff Governor
Shaheen Gul	Member
Garth Hodgkinson	Member
Chris Johnson	Member
Michael Lee	Business Support Staff Governor
Paul Levet	Member
Aiden Pilling	HE Student Governor
Graham Towse	Interim Principal and Chief Executive
Steve Waggott	Member

IN ATTENDANCE:

Nicola Clayton	Director: Business Development and External Engagement
Jennifer Eastham	Vice Principal: Finance and Corporate Services
Sharon Germaine-Cox	Director: Human Resources and Organisational Development
Peter Robinson	Vice Principal: Curriculum and Quality

Jean Tracy	Clerk to the Corporation
Caroline Wilson	Board Administrator

Dr Fazal Dad	Principal and Chief Executive Designate
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It was noted that the meeting commenced at 13:58 and was quorate.

The Chair welcomed all present to the meeting.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Kathryn Lord, Denise Park, Roger Spensley, Les Stove, Eugene Sullivan, Eshah Tirmizi and Professor Mike Wright.

2. BOARD/COMMITTEE APPOINTMENTS

i) BOARD MEMBERS

Following the recommendation from the Governance Panel, the Corporation Board considered and **APPROVED** the following appointments:

- Steve Waggott to be appointed as an External Member of the Corporation Board and as a Member of the Policy and Resources Committee; his Term of Office being until 31 March 2020;

- Eugene Sullivan to be appointed as an External Member of the Corporation Board and as a Member and Chair of the Audit Committee; his Term of Office being until 31 March 2021.

Mr Waggott was welcomed to the Board and provided a short verbal biography for information.

The Chair advised members that there still remained one vacancy on the Corporation Board which the Governance Panel would continue to consider.

ii) FE STUDENT GOVERNOR

The Clerk to the Corporation provided a verbal update advising that the election process had taken place, concluding on Thursday 8 November 2018, for the appointment of the FE Student Governor. There had been two candidates and Eshah Tirmizi (Level 3 BTEC Applied Science) had been elected. Members were advised that due to the timing of the elections and the Board meeting, Eshah Tirmizi had been unable to attend.

The Corporation Board **RATIFIED** the FE Student Governor appointment and also as a member of the Audit Committee; her Term of Office being until 31 August 2019.

3. DECLARATION OF CONFLICTS ON INTEREST

The Chair advised those in attendance that should members of the Corporation Board become aware of any potential conflicts of interest, they should be disclosed at the earliest opportunity during the meeting.

4. MINUTES OF THE CORPORATION BOARD MEETING HELD ON 6 JULY 2018

The minutes of the Corporation Board meeting held on 6 July 2018 were **ACCEPTED** as a true and accurate record and were duly signed by the Chair.

5. MATTERS ARISING

There were no matters arising that did not form part of the agenda for the meeting.

6. i) WHISTLEBLOWING

The Clerk to the Corporation presented the Whistleblowing/Public Interest Disclosure Policy which had been updated to include reference to the Post 16 Code of Practice requirements on informing the Chair of the Audit Committee, the relevant funding body and both external and internal Auditors (if applicable), where any significant instance of fraud, irregularity or major weakness or breakdown in the accounting or other control framework was suspected or discovered. The amended Policy had been considered by the Joint Consultative Committee (JCC) at its meeting on 12 July 2018 and the Committee had been content with the amendment.

The Corporation Board **APPROVED** the amendment to the Whistleblowing/Public Interest Disclosure Policy.

ii) FREEDOM OF SPEECH POLICY

The Board received a Report which provided information on the Code of Practice on Freedom of Speech. The Report had not been considered previously by the Board or by any other Committee, however it had been reviewed by the Interim Principal and Chief Executive and the Director of Human Resources and Organisational Development.

Members were advised that the Code of Practice set out the College's proposed approach to Freedom of Speech and took account of the requirements under Article 10 of the Human Rights Act 1998, the Education (No 2) Act 1986 (section 43) and the Prevent Duty. Setting out the rights

and obligations inherent in supporting the principle of Freedom of Speech and expression within the law, it was noted that the Code's obligations and rights applied to the College, all Governors and staff, all students, the Students' Union and its constituent societies, clubs and associations, any visiting or guest lecturers, any alumnus invited by the College, all contractors and commissioner services, any person or organisation wishing to hire premises controlled by the College for an event and to persons who, if it were not for the provisions of the Code, would have been invited to the event.

The Corporation Board **APPROVED** the Code of Practice on Freedom of Speech, noting that it would be reviewed by the College's Policy and Procedures Committee and any suggested amendments would be brought back to the Board for approval.

iii) TUITION FEE POLICY 2018/19

Following guidance received by the Office for Students (OfS), the Corporation Board received a Report which provided changes to the Tuition Fee Policy for 2018/19 which had been previously approved by the Policy and Resources Committee at its meeting on 26 May 2018.

Members were informed that as part of the OfS application process for course provision, two changes were required to the Tuition Fee Policy, these being:

- a) Inclusion of sponsors as an eligible party to refund/credit/fee waiver under section 3.4
- b) Inclusion of a compensation section should the College stop running a course and be able to provide the learner with an alternative pathway of study (section 3.4.1).

The Corporation Board **APPROVED** the revisions to the Tuition Fee Policy for 2018/19.

7. i) RISK MANAGEMENT – RISK REGISTER 2018/19

The Board received the Risk Management – Risk Register for 2018/19 that had been previously reviewed by the Executive Team and considered by the Audit Committee on 24 September 2018.

Members were advised that there had been no changes to the Risks contained within the 2017/18 Risk Register and the three Risks that remained high due to recruitment challenges were reported as being failure to meet enrolment targets, failure to meet international targets, and failure to meet income targets. Action plans were in place to mitigate these Risks.

One member queried Risk 'C3' *'Failure to deliver Quality Improvement and achieve successful outcomes at Ofsted and Quality Assurance Reviews with partners'* following the recent Support and Challenge Visit by Ofsted. The Vice Principal: Curriculum and Quality advised members that the Risk Register had been considered prior to the visit and also prior to the outcomes for 2017/18 being finalised. The likelihood and impact of the Risk had been reviewed since and the next Risk Register presented to the Board and associated Committees would reflect a change to the score. The Vice Principal: Curriculum and Quality continued that the College would continue to work towards the next Ofsted Inspection and adapt to the outcome of that Inspection.

Another member advised that under GDPR, schools had experienced difficulty in obtaining progression data from the College. The Vice Principal: Finance and Corporate Services confirmed that she had been aware of this issue and it was now resolved.

The Corporation Board **APPROVED** the Risk Register 2018/19.

ii) RISK MANAGEMENT ANNUAL REPORT

The Risk Management Annual Report for 2017/18, which had been previously considered by the Audit Committee at its meeting on 24 September 2018, was received by the Corporation Board.

The Report provided a summary of the College's Risk Management activities that had taken place in 2017/18 to inform the Audit Committee in line with one of its role in Governance, linking the Risk management processes with the Strategic Plan.

The key Risks during the year which remained high included changes/reduction in Government funding; failure to meet income targets; and failure to meet enrolment targets.

The Corporation Board **APPROVED** the Risk Management Annual Report for 2017/18.

iii) REGULARITY AUDIT 2018 SELF-ASSESSMENT QUESTIONNAIRE

The Vice Principal: Finance and Corporate Services reminded the Board that it was required to make a statement on regularity, propriety and compliance within the annual financial statements.

To support the Board in making the assessment and to ensure completeness, a self-assessment questionnaire had been developed which provided clarity over the framework, including the funding bodies' interpretation of the key requirements and the type of evidence that should be considered. The questionnaire was presented which had been considered by the Audit Committee at its meeting on 24 September 2018.

Members were advised that there were no contentious issues to report and **APPROVED** the Regularity Audit 2018 – Self-Assessment Questionnaire to be signed by the Chair of the Corporation Board and the Interim Principal and Chief Executive, as recommended by the Audit Committee.

The Interim Principal and Chief Executive formally requested that it was noted the work that had taken place in ensuring the Self-Assessment Questionnaire was completed and thanked those involved.

iv) INTERNAL AUDIT ANNUAL REPORT 2017/18

The Vice Principal: Finance and Corporate Services presented the Annual Internal Audit Report and opinion for the year ended 31 July 2018 which provided the Board with assurances following the work undertaken by the College's Internal Audit Provider, RSM.

Members were advised for the 12 months ended 31 July 2018, the Head of Internal Audit opinion for Blackburn College was *'The organisation has an adequate and effective framework for risk management, governance and internal control. However, our work has identified further enhancements to the framework for risk management, governance and internal controls to ensure that it remains adequate and effective'*. The Vice Principal: Finance and Corporate Services explained that this opinion had been given due to the high priority management action related to reviewing the information included in the Student Progress tracker snapshot report to ensure information was reported on an ongoing basis. The Vice Principal: Finance and Corporate Services confirmed that a further Internal Audit would be taking place as part of the programme for 2018/19 to test the use of ProMonitor following the implementation of the actions.

The Annual Report also provided detail of the factors and findings which informed the opinion; the performance of RSM and how they added value; and a summary of the Internal Audit work completed in 2017/18.

The Corporation Board **APPROVED** the Internal Audit Annual Report for 2017/18, as recommended by the Audit Committee.

v) AUDIT COMMITTEE ANNUAL REPORT 2017/18

The Board received the Annual Report for 2017/18 which provided a summary of the activities undertaken by the Audit Committee, in line with its Terms of Reference, over the course of the

financial year 2017/18, alongside the work carried out by the Internal Auditors RSM and the External Auditors BDO. Members were further advised that the Annual Report was submitted to the Education and Skills Funding Agency (ESFA).

The Report provided assurances to the Corporation Board and the Principal and Chief Executive, as the Accounting Officer, that the audit processes and procedures were effective within the College.

The Corporation Board **APPROVED** the Annual Report of the Audit Committee for 2017/18. As approval had only just been committed, the Chair requested the Clerk to the Corporation confirm who should sign the Annual Report as the Chair of the Audit Committee, for the reportable period, had since left the Corporation Board.¹

ACTION: Clerk to the Corporation Board

8. i) DRAFT FINAL MANAGEMENT ACCOUNTS 2017/18 INCLUDING FINAL UPDATE AGAINST BUDGET FOR 2017/18

A Report on the draft Final Management Accounts for 2017/18, including a final update against the budget for 2017/18, was received which had been previously considered by the Policy and Resources Committee at its meeting on 1 October 2018.

The Vice Principal: Finance and Corporate Services advised that the College had not achieved the income target however due to the management of costs, a small operating surplus of £35k was shown in the draft Management Accounts. Members were advised that this was a positive result given the challenges with recruitment and the Pensions charges.

The draft Accounts were reported as being in line the FE Commissioner's 3-5% ratio and other compliance metrics, including the Bank Covenants. It was further noted that the published accounts would show the reversal of the accrual for loan break fees and the cash reserves were positive.

At this point of the meeting, the Chair provided an update to members on the decision taken for a pay award for 2017/18; this followed the delegated authority received by the Chair and Vice Chair from the Corporation Board at its meeting on 6 July 2018. The Chair reported that the finances had been considered in great depth and it had been agreed that a pay award would not be made.

The Corporation Board **APPROVED** the draft Final Management Accounts for 2017/18, including a final update against the budget for 2017/18.

ii) MANAGEMENT ACCOUNTS – PERIOD ENDING 30 SEPTEMBER 2018 AND UPDATE ON 2018/19 COLLEGE BUDGET

The Management Accounts – period ending 30 September 2018 were received by the Corporation Board; these had not been considered by any other Committee.

The Vice Principal: Finance and Corporate Services reported that the recruitment of learners was behind target in a number of areas, however the shortfall in Higher Education recruitment was an issue that needed to be addressed and had been reflected in the accounts. Budget holders had been tasked with creating plans to save costs within their teams to address the initial concerns. The current Operating Surplus was reported as being a deficit of £275k.

Pay and Non-Pay costs were performing favourably against the budget and forecast.

¹ Report signed by the Chair of the Corporation Board, noting the recommendation for approval by the Audit Committee.

The Balance Sheet to September 2018 was in line with expectations and it was reported that the impact of the reforecast saw no material movement in the project year-end position.

The Board noted the financial health 'autoscore' of 'Good'.

The Corporation Board **APPROVED** the Management Accounts – period ending 30 September 2018.

iii) GOING CONCERN STATEMENT

The Corporation Board received a Report to consider the current 'going concern' situation of the College, in line with the fundamental accounting concept in the preparation of the Financial Statements. The Report had been considered by the Policy and Resources Committee at its meeting on 1 October 2018.

The Report detailed key factors to provide Governors with assurance in assessing 'going concern' to prepare the accounts on a 'going concern' basis, these included: Forecasts/Budgets; Capital Expenditure Plans; Pension Costs; Funding environment; Borrowing Facilities; existence of Contingent Liabilities or the Political Environment.

The Corporation Board noted the recommendation from Policy and Resources Committee and was advised that there were no material uncertainties leading to significant doubt about going concern and **APPROVED** that a statement to this effect would be included within the Financial Statements.

iv) MODERN SLAVERY ACT

The Vice Principal: Finance and Corporate Services presented the Slavery and Human Trafficking Statement, made pursuant to section 54(1) of the Modern Slavery Act 2015, which set out the steps to ensure that there was no modern slavery or human trafficking in any part of the institution or in so far as was possible to require its suppliers to hold the similar ethos for the financial year ending 31 July 2018.

Members were advised that the statement would be published on the College's website within 6 months of the organisation's year end and any actions taken before the 31 July 2018 included as part of the disclosures in the Financial Statements.

The Corporation Board noted the recommendation from Policy and Resources Committee and **APPROVED** the statement for adoption by the College.

v) SCHEME OF DELEGATION

Following the approval of the Scheme of Delegation by the Corporation Board in October 2017, the Clerk to the Corporation advised that the Scheme had been reviewed and updated to take account of the changes to the Board's Instrument and Articles of Government, Committee names and Terms of Reference together with changes under the Post 16 Audit Code of Practice 2017 to 2018. The updated Scheme had been considered by Policy and Resources Committee at its meeting on 1 October 2018 and the Committee had agreed to recommend the Scheme to the Board for approval.

The Clerk to the Corporation talked through the minor changes that had been made and these were **APPROVED** by the Corporation Board.

9. HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT ANNUAL REPORT 2017/18

The Director of Human Resources and Organisational Development presented the Annual Report for 2017/18 which provided information on the core Human Resources and Organisational Development data sets for the period 1 August 2017 to 31 July 2018. The Report had been previously considered by the Policy and Resources Committee on 1 October 2018.

- As at 31 July 2018 929 staff (671.18 Full Time Equivalent (FTE)) were employed by the College on different contracts; the actual head count was 903. This was noted as being a reduction from the same point in the previous academic year where the number of staff employed on different contracts had been 1,006 and the head count had been 912.
- The proportion of Minority Ethnic staff continued to improve and stood at 16.68% compared to 15.22% in the previous academic year. The College's position was better than the England and Wales census 2011 where 14% of the population was from a Minority Ethnic Group. Representation at management level continued to be a challenge, however an Aspiring Managers programme had been launched which would assist in the progression to future leadership roles.
- The proportion of staff with a declared disability continued to increase and was 8.07%.
- Staff turnover had increased to 15.76% compared to 13.92% in the previous academic year. This remained below the FE sector national norm of 17.4% but was comparable to the regional norm of 15.6%.
- Absence statistics showed an increased trend from the previous academic year (3.91% compared to 3.80% for the same period in the previous year). This was above the FE sector norm (3.0%).
- The overall completion rate for Performance Appraisals for the reporting period was significantly below those that had been completed in the previous academic year. The Director: Human Resources and Organisational Development advised members that completion was below the required standard, advising that the main areas of non-compliance had been in the academic areas.
- There had been a focus on Staff Development in relation to re-affirming and communicating the standards expected for Teaching, Learning and Assessment. It was reported that this had been delivered through a series of individualised learning and development plans for 170 FE academic staff, with 90% staff completion of activities recorded.
- Information on the collaborative relationships with Lancaster University was also provided in the Report.

On consideration of the information, one member asked why the percentage of staff turnover, case management and sickness absence had increased. The Director: Human Resources and Organisational Development responded that as well as the restructuring which took place during 2017/18, performance management, a number of long term critical illnesses cases, and case management had been contributing factors.

The Corporation Board discussed at length the completion rate of the Performance Appraisals during the 2017/18 academic and required that all staff should have an annual Appraisal. The Interim Principal and Chief Executive responded that the position going forward would improve as a result of actions and investment which had taken place towards the end of the 2017/18 academic year. The College was introducing a new on-line system for the delivery and recording of Appraisals, which would provide live data on the completion rates. In addition, common objectives/targets had been developed for academic staff and managers. The Director: Human Resources and Organisational Development said that the implementation of the system was taking longer than planned and was delaying the completion of appraisals.

The Board requested assurance that Appraisals were being adequately managed and moving in the right direction and a Report was to be provided to the next meeting of the Corporation Board on the Appraisal process and completion for 2018/19. It was requested that information on the percentage of staff having had appraisals, rather than just the number, should be provided to the

Board and that the Governors' Dashboard should be updated as necessary. It was also agreed that the Board would receive a demonstration on what information is being collated in relation to staff appraisals.

ACTION: Director: Human Resources and Organisational Development

10. STRATEGIC PLAN KEY PERFORMANCE INDICATORS

i) 2017/18 – A Report detailing the progress against the Key Performance Indicators (KPIs) for 2017/18 was received. The Report had been considered by the Policy and Resources Committee on 1 October 2018 and the Standards, Quality and Student Experience Committee on 2 October 2018. Members were advised that the final 2017/18 KPI Report would be presented once the final ILR data was available.

Of the 38 KPIs (including sub targets), 8 were on target, 17 were on target in part, 8 were under target, 2 were not yet reportable due to data not being available, and 3 had closed. The Report provided detail of those targets which were performing under target and were unlikely to improve.

The Corporation Board noted the content within the Report and **APPROVED** the Strategic Plan Key Performance Indicators for 2017/18.

ii) Proposed Targets 2018/19 – The Key Performance Indicators Report for 2018/19 was received which incorporated the KPIs as agreed by the Corporation Board at its meeting on 6 July 2018; these had now been populated to include the prior year's performance, benchmark data or national averages (where available) and targets for 2018/19. Members were advised that since the Support and Challenge Visit on 10 October 2018, a further KPI for Student Progress had been added.

The Interim Principal and Chief Executive advised that the new format for the KPI Report followed feedback from the FE Commissioner's Diagnostic Assessment Visit in January 2018 for targets to be linked to senior leaders for classroom performance.

A detailed discussion took place regarding the Student Progress target which had been incorporated within the Report and how realistic the 80% target was for the proportion of students meeting or exceeding expected progress (all ages, levels and qualification type) at Snapshot 5 (24 May 2019). The Interim Principal and Chief Executive responded that there was no comparative measure for the current academic year, however the College was aiming for 80% of their learners to stay, achieve and ensure they met or exceeded their expected progress. Tangible improvement of progress needed to be shown in 2018/19. The Chair of the Standards, Quality and Student Experience Committee advised members that his Committee would lead and scrutinise the data linked to this target, along with the data linked to the Dashboard which all Governors had access to. Whilst still at the start of the process, the College had already made headway.

A further question by a member of the Board was the progress monitoring of Apprenticeships and non-graded provision. The Interim Principal and Chief Executive explained that there was still work to be carried out to have aspirational targets for non-graded provision and members were advised that a system called 'OneFile' was used for Apprenticeships. At the time of the next Inspection, the Head of Operations (Apprenticeships) would provide the percentage completed in the Framework. It was requested that monitoring of one Apprenticeship cohort commenced, as a pilot, showing progress against baseline targets and the in-year progress being made. This needed to be incorporated within a dashboard to support the FE student progress dashboard and be reported to the Standards, Quality and Student Experience Committee. The Interim Principal and Chief Executive is to provide the timeline as to when this information will be included on the Dashboard.

ACTION: Director of Business Development and External Engagement/Interim Principal and Chief Executive

The Vice Chair confirmed that Management had taken account of the feedback from the Support and Challenge Visit but requested the KPI data was relooked at to take into account additional progress targets for each student type.

ACTION: Interim Principal and Chief Executive

The Corporation Board **APPROVED** the proposed Strategic Plan Key Performance Indicators for 2018/19.

11. APPLICATION OF THE CORPORATION SEAL

The Corporation Board formally **RATIFIED** the application of the Corporation Seal to the:

1. Legal Charge between Blackburn College and Santander relating to the freehold land at Feilden Street comprised within title number LA837679 and known as the Beacon Centre
2. Legal Charge between Blackburn College and Barclays Security Trustee Limited relating to the freehold land at Feilden Street comprised within title number LA837679 and known as the Regional Automotive Technology Hub (RATH) building.

12. AOC THE COLLEGES SENIOR STAFF REMUNERATION CODE – BLACKBURN COLLEGE CONSULTATION RESPONSE

Following the adoption of the AoC Code of Good Governance for English Colleges by the Board in March 2015, the Clerk to the Corporation advised that the AoC was proposing to amend the Code to introduce a College Senior Staff Remuneration Code. Whilst the use of the Remuneration Code would be voluntary, it was reported that Colleges should either publicly state that they have abided by the minimum requirements of the Remuneration Code or should provide meaningful explanations for non-compliance and how their alternative arrangements meet the Remuneration Code's principles.

The Clerk to the Corporation talked through the three elements of fair and appropriate remuneration and confirmed that, following initial discussions with the Director: Human Resources and Organisational Development, in general the College already took the same approach and should the Remuneration Code be adopted by the College, it would seek to consolidate its current practice into a Policy.

The Corporation Board **AGREED** to give delegated authority for the College's response to the consultation to be agreed by the Chair of the Corporation Board, noting that the College would be asked to consider whether to adopt the Remuneration Code, should the AoC Code of Good Governance for English Colleges be amended, as proposed.

It was AGREED that Item 18 would be taken as the next item of business; the minutes would be recorded in order of the discussion.

18. GOVERNORS' OFSTED OVERSIGHT IMPROVEMENT GROUP – REPORT AND MINUTES OF THE MEETING HELD ON 10 SEPTEMBER 2018

The Chair of the Governors' Ofsted Oversight Improvement Group provided members with a verbal update on the issues that had been considered by the Group at its last meeting on 10 September 2018; the detail of which was presented within the minutes received by the Corporation Board.

Members were advised that the Group had received a presentation from the Assistant Principal: Student Support and Engagement with an overview of the College's PREVENT Strategy and the College's approach to tackling radicalisation with a 94% completion rate for the Mandatory Training linked to this important agenda.

The Group had discussed at length the impact of the actions of the Governors' Ofsted Oversight Improvement Group which included the development of the Governors' Dashboard; the new focussed Key Performance Indicators incorporating past performance to compare targets against; and the improved use of data and challenge given to managers through the Performance Quality Review (PQR) meetings.

A Report of the Progress Observation Policy and Procedure had been received which replaced the previous Policy as this had been considered no longer fit for purpose. Staff and Union colleagues had been involved in the development of the new Policy which focussed on the progress that students were making, the observation of what was taking place within the classroom including the review of work that was being produced and feedback from tutors to determine how well students were progressing.

The College had now received confirmation of funding through the Strategic College Improvement Fund (SCIF) and the Chair of the Group had spoken at length with the Vice Chair of the Corporation Board from Dudley College on data confidence and data dashboards.

On consideration of the update provided, a discussion took place on the readiness for the next Ofsted Inspection. The Board noted that a great deal of work had taken place to build the foundations on the journey of improvement and the College was in a much better position in terms of the use and reporting of data which was used by staff and managers. Whilst results still needed to improve, the College needed to continue on its journey at pace to demonstrate the impact and progress being made by learners.

**15:31 The Corporation Board took a short recess.
Mark Allanson left the meeting.**

**15:42 The Corporation Board meeting reconvened.
It was AGREED that the meeting would move to the Confidential Part II – Not for Publication items of the agenda.**

16:25 The Corporation Board moved to the remaining items on the agenda.

13. CHAIR'S REPORT

The Chair advised that he had no further matters to report which had not already been covered under the agenda or through discussions held at the Strategic Seminar.

It was AGREED Items 15 and 16 would be taken as the next items of business. The minutes would be recorded in the order of the discussion.

15. STAFF GOVERNORS' REPORT

The Academic and Business Support Staff Governors Report provided an update on the activities that had taken place since the last Board meeting in July 2018.

Following a meeting with the Chair of the Corporation Board on how the Staff Governors could fulfil their role, a presentation (over two sessions) to staff had taken place for the Staff Governors to provide an opportunity to explain their role. Members were advised that a number of topics had been discussed at these sessions including communication.

The Report also provided the Staff Governors' viewpoint on the recent Ofsted Support and Challenge visit, the under recruitment within Higher Education and the College's business planning processes and the investment needed to improve and develop leadership qualities of managers and the teaching techniques of staff.

16. STUDENT GOVERNORS' REPORT

The Board received a Report from the HE Student Governor which provided detail of his ambitions and priorities going forward in the role of Students' Union President; the following was noted:

- The campaign to recruit Students' Union Officers and Student Representatives was underway with Officers to be in place by the end of December 2018. Contact had been made with Lancaster University's Students' Union to identify the Officer roles they have in place. A number of scheduled activities would take place over the academic year and an update on these would be provided to the Board at the next meeting. It was suggested that the Students' Union President make contact with the National Union of Students (NUS) for guidance on the appointment of Further Education Representatives.

ACTION: Students' Union President

- Student Voice activities had commenced with participation and involvement in these activities being encouraged. During enrolment and induction 'Stop and Ask' surveys had been carried out with positive outcomes.
- The introduction of an 'ideas tree' at enrolment and during the Freshers' period had been valuable to identify activities and societies students were most interested in to base the foundation of the extra-curricular activities the Students' Union and Student Support and Engagement Team could implement across the College.
- The Students' Union to be developed and promoted across the College to include Further Education students.
- The utilisation of all social media platforms to bridge the gap between the Students' Union and students, to effectively communicate events, societies, enrichment activities, issues and general information.
- Building relationships with local businesses to build upon the student experience and the relationship with the Blackburn with Darwen community.

The Board noted the exciting activities that were taking place and following the discussion at the Strategic Seminar, noted the increased focus on Social Media emphasised the need for a Digital Strategy.

13. CHAIR'S REPORT

The Chair advised that he had no further matters to discuss which had not been covered under the agenda.

14. PRINCIPAL AND CHIEF EXECUTIVE'S REPORT

The Interim Principal and Chief Executive advised that his Report provided updates on key items that had been discussed within other items on the agenda. The Report also provided, for Governors' information, items of good news and successes from across the College including the FE Students Awards; the University Centre Graduation; a member of staff receiving second place in the Association for Learning Technology Awards; the Lancashire Mayor's Civic Tour; a Student saving the life of a member of the public by administering CPR; and the College becoming the first in the North West to be recognised with the Investing in Children Award.

17. GOVERNOR CHAMPIONS' UPDATE

The Governor Champion for Safeguarding and Special Educational Needs (SEND) advised that he had attended a meeting with the key Officers.

The Governor Champion for Equality and Diversity also provided an update advising that she had been reviewing the data regarding the disengagement of White males.

18. GOVERNORS' OFSTED OVERSIGHT IMPROVEMENT GROUP – REPORT AND MINUTES OF THE MEETING HELD ON 10 SEPTEMBER 2018

As minuted above.

19. FE LEARNER OUTCOMES FOR 2017/18

The Board received an overview of the Blackburn College FE Learner Outcomes for the 2017/18 academic year, including the results for Vocational and Apprenticeships. The Vice Principal: Curriculum and Quality advised that aspects of the Report had been considered by Academic Board on 11 September 2018, the Standards, Quality and Student Experience Committee on 2 October 2018 and earlier draft Reports had been shared with the Governors' Ofsted Oversight Improvement Group.

The Report provided a RAG (Red, Amber, Green) rated comparison of performance in 2016/17 and the national averages for 2015/16 which had been the only confirmed results at the time of publication.

The Vice Principal: Curriculum and Quality talked through the detail within the Report and the following key headlines were noted:

- The final overall achievement rate combined for all age groups was 79%; this being 1% below 2016/17 and 3% below the national average. Timely achievement had improved by 2% over 2016/17;
- Retention had fallen by 1% to 88% (89.5% in 2016/17);
- Pass rates were maintained with a slight increase for 16-18 year olds;
- The strongest outcomes by Subject Sector Area against national averages were in Science, ICT and Art and Design. Overall achievement rates in A Level were reported as being good, however Value Added in this area was weaker;
- Vocational areas that needed to improve were noted as being Engineering, Construction, Hair and Beauty and Travel and Tourism;
- In terms of Qualification types, the College had good provision in Awards, A Levels (for achievements) and ESOL. English and maths achievement rates in both functional skills and GCSE 9-4 grades remained a focus for improvement;
- Whilst there had been some improvement for 16-18 at Level 2, overall outcomes remained below the national averages.

The Board was advised that the College had faced and dealt with a range of cultural and systematic issues which linked to some of the outcomes. These had been captured through the College's Self-Assessment Report and College Improvement Plan.

20. COLLEGE IMPROVEMENT PLAN

The Vice Principal: Curriculum and Quality presented the new format for the College Improvement Plan (CIP) which was structured into four main sections that mirrored the Common Inspection Framework. These sections had been populated through feedback from the Support and Challenge process and the on-going Self-Assessment and review processes.

The College Improvement Plan format had been changed to bring in 'milestone' review points that monitor the extent of improvements being made and their impact on key measures. With Executive Team colleagues or managers being responsible for the reporting, actions would be 'RAG' rated at each key milestone to show what should have been achieved by the point of review to keep the pace of improvement clear; the attention of impact and; to raise accountability.

Members were advised that the final version of the College Improvement Plan would be presented at the next meeting of the Corporation Board on 7 December 2018.

21. STUDENT RECRUITMENT UPDATE 2018/19

The Board received a Report which provided an update on Student Recruitment for the academic year 2018/19. Discussions had taken place within other items on the agenda and as part of the Strategic Seminar, however the key headlines within the Report included:

- 16-18 FE enrolments were 84 short of target however enrolment to traineeships continued throughout the year.
- 94% of the full year target had been achieved at the time of reporting for 19+ FE enrolments and the current forecast indicated that the planned delivery would ensure the contract was achieved.
- The Advanced Learner Loans had exceeded target by 2 learners.
- Against planned starts and until the end of October 2018, a further 93 new Apprenticeship starts were required to meet planned numbers and it was anticipated this would be achieved due to the number of Apprenticeships in progress of awaiting final sign up/enrolment.

Activities were being undertaken to continue to recruit the additional learners within Further Education and to ensure the risk of students withdrawing from their courses was minimised.

- As previously reported, the position in terms of Higher Education Full Time recruitment was circa 300 full time learners short of target and activities were in place to reduce the shortfall through improving retention.

There was a detailed curriculum plan in place for the delivery of Commercial courses, split across all three of the academic Centres, which listed all the courses and numbers to support the plan.

22. QUALITY, PERFORMANCE AND IMPACT REPORT

The Vice Principal: Curriculum and Quality presented a Report which provided information on the key Teaching, Learning and Assessment and Student Performance and Experience metrics.

The Board was advised that there was a very positive set of results from the Enrolment 'Stop and Ask' survey with 95% of students feeling that they had a positive welcome and introduction to Blackburn College, 94% stating that staff were knowledgeable and gave good advice and 97% would recommend the College to their friends.

138 Learning Walks and 31 Progress Observations had taken place, at the time of reporting, with many of these being dual Observations/Learning Walks to ensure a standardised process. In 38% of Observations, students were seen to be making or exceeding expected progress.

At 88% for the main qualification, attendance was below target but it was accepted and noted that this had been affected by changes to classroom groupings, particularly in English and maths.

The Student Progress measure being introduced, as discussed under Agenda Item 10 (ii) above and this will be presented and made available to Governors as of the end of November.

The Corporation Board noted the information that had been presented.

23. APPRENTICESHIP NON-LEVY UPDATE

The Board received a Report which provided an update on the Apprenticeship Non-Levy contract following the College not receiving a contract for this type of provision from April 2018. As a result the College had entered into a sub-contracting arrangement for funding with Accrington and Rossendale College.

The Director of Business Development and External Engagement reported that Accrington and Rossendale College had submitted a funding growth request to the Education and Skills Funding

Agency (ESFA) in the summer of 2018 in order to fulfil the College's funding requirements. However, the growth funding received by Accrington and Rossendale College for the period August 2018 to March 2019 was not sufficient to meet the demand Blackburn College has.

The College was now in contact with the ESFA regarding the matter and potential subcontracting partners were being sought; a due diligence process had commenced with a funding finder company to support the College with this option.

24. GOVERNORS' PERFORMANCE ASSESSMENT (SAR)

i) Governor Self-Assessment Review – The Clerk to the Corporation advised that, at the time of reporting, 14 out of a possible 17 Self-Assessment Reviews had been completed, including two that had been undertaken by co-opted members of the Audit Committee.

Where areas for further development had been identified by Governors which would assist them to enhance their contribution as Board member, these had been included in the Governor Personal Development Plans and the overall Board Development Plan.

ii) Appraisal of the Chair of the Corporation Board – The Board received a copy of the Summary Document following the completion of the Chair's Appraisal Questionnaire for 2017/18; ten responses had been received. The Board was advised that the outcomes of these responses would be taken forward by the Governance Panel.

iii) Committee Membership/Timing of Board Meetings – Governors were reminded that Member skills and expertise were taken into account when the last review of Committee membership had been undertaken by the Governance Panel. Governors were asked to inform the Clerk if they wished to change their Committee Membership, noting that this and their individual skill set would be considered by the Governance Panel.

ACTION: Corporation Board Members

In terms of the day and timing of the Corporation Board meetings, the Chair advised that this would be considered and he expressed concern regarding the length of the Corporation Board meetings agendas, noting however that this was in part governed by the Instrument and Articles of Government, etc. Members were advised that the Clerk and Governance Panel were looking to streamline the Board and Committee agendas and would report back to the Corporation Board at a future meeting.

ACTION: Governance Panel/Clerk

iv) Performance against Committee Terms of Reference – Members were advised that the full detail of the Committees' review of their performance against Terms of Reference for 2017/18 could be found in the relevant Committee files within the Governors' Portal. The Clerk confirmed that proposals to amend the Terms of Reference had been brought to the Board for approval where necessary.

25. CHARITY COMMISSION – AUTOMATIC DISQUALIFICATION RULES FOR CHARITY TRUSTEES AND CHARITY SENIOR POSITIONS

The Clerk to the Corporation presented a Report with information on the Charity Commission Automatic Disqualification Rules.

Members were reminded in addition to its Instrument and Articles of Government, Further Education colleges must comply with Charity Law. The Clerk to the Corporation advised that the Register of Interest Form had been updated and Board members were now required to confirm that they were not disqualified from membership under Annex A of the Charity Commission's automatic disqualification rules for charity trustees and charity senior positions.

Further, members were advised that as part of the College's registration for the Office for Students (OfS), confirmation was required to confirm members were not aware of any reasons why they would not be 'fit and proper' to serve as a Corporation Board member. The Clerk to the Corporation requested that if any member had any concerns, to speak to either the Chair of the Corporation Board or the Clerk, in confidence.

26. CHAIR APPROVED COMMITTEE MEETING MINUTES

The Corporation Board noted, for information, the following Chair Approved minutes from the Committees to the Board:

- i) Audit Committee meeting held on 24 September 2018;
- ii) Policy and Resources Committee meeting held on 25 June 2018;
- iii) Standards, Quality and Student Experience Committee meeting held on 2 October 2018;
- iv) Governors' Ofsted Oversight Improvement Group meeting held on 10 September 2018;
- v) Governance Panel meeting held on 1 October 2018.

27. EMPLOYER SATISFACTION SURVEY 2018

Members received a Report, for information, which provided detail on the Employer Satisfaction Survey 2018. The Report had been previously received by the Standards, Quality and Student Experience Committee on 2 October 2018.

The Employer Satisfaction Survey, administered and analysed by Ipsos MORI and RCU Limited on behalf of the Education and Skills Funding Agency (ESFA), ran from March 2018 to July 2018. The interim results from September 2018, which the College did not expect to change, identified that 124 employers had responded. In response to one of the questions contained within the Survey, 99 employers said that they were either extremely likely or likely to recommend the College, whilst 16 employers said they were unlikely or extremely unlikely to recommend the College. The Director: Business Development and External Engagement reported that the College only received the percentage of responses by Sector and not the rating so had been unable to identify where the negative responses had been received and noted that the Assessor shortages within the Construction trades could have contributed to the negative responses.

28. OVERSEAS VISITS ANNUAL REPORT 2017/18

The Overseas Visits Annual Report for 2017/18 was received, for information, which provided detail of overseas business trips and overseas educational visits in the academic year 2017/18. The Report had been previously considered by the Policy and Resources Committee at its meeting on 1 October 2018.

During the 2017/18 academic year, there had been no overseas business trips involving any member of the Executive Team and there had been no educational visits to an overseas destination.

Eight overseas trips, linked to Research and Scholarship activities, had taken place and the details of these were contained within the Report.

29. VALUE FOR MONEY REPORT 2017/18 AND PRIORITIES FOR 2018/19

The Value for Money Report provided an update on the progress and plans for the delivery of Value for Money. Information on the purchasing activities in 2017/18 and the priorities and objectives for 2018/19 delivery were contained within the Report.

The Report advised that due to measures put into place to ensure Value for Money was achieved, the draft expenditure for 2017/18 was £10.1m against budgeted activity of £11.5m; it was noted

that this saving had been achieved through a continued 'essential spend' regime and through the use of tender/quotes.

The Report further explained that the priorities for 2018/19 included the improvement of Procurement knowledge within the organisation; the review of a number of contracts which were due for renewal in 2018/19; and ensuring, in line with the Modern Slavery Act, that consideration was given within the terms and conditions and in turn the College's tendering process.

30. CAPITAL PROJECTS UPDATE

The Board received an update on the completion of the last capital project of the College's Masterplan; this was provided for information and had been considered by the Policy and Resources Committee on 1 October 2018.

As previously reported, the stainless steel used in the Blackburn Sport and Leisure Centre remained an issue and whilst the main contractor had employed 'specialist cleaners' to clean all of the affected steel and training had been provided to the Sport and Leisure Centre cleaning team to ensure that the appearance was maintained, there was signs of deterioration.

The main contractors had advised that they had 'made good all defects' and were seeking the release of the retention monies. The College had advised Blackburn with Darwen Borough Council that it was agreeable to a partial release of the retention, subject to there being sufficient retained to replace the stainless steel. No further progress had been made regarding the Stainless Steel as a leak in the pipework supplying the swimming pool had been discovered which required resolution before any retention would be released.

31. VAT ON CAPITAL BUILDS

A Report, received for information, provided an update on the partial refund of the VAT paid on the Beacon Centre and STEM Centre. It was reported that this comprised of two separate independent claims and whilst the outcome of an appeal by Wakefield College meant that the College would not be successful in this part of its claim, the other part would continue. It was also noted that the College had contacted an alternative company for advice regarding the progression of this claim.

32. HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT STRATEGY 2018/19 TO 2021/22 "OUR PEOPLE OUR COLLEGE"

The Board received a Report which summarised the key areas of focus for the new Human Resources and Organisational Development Strategy for 2018/19 until 2021/22. The Report had been previously considered by the College Leadership Team, the Executive Team, the Joint Consultative Committee and by Policy and Resources Committee at its meeting on 1 October 2018.

The Strategy had been split into eight key areas of focus, each having supporting actions, to be delivered over the three year period and had been developed after a series of focus groups with different staff groups and the College Leadership Team.

At the core of the Strategy was the People Vision which would be characterised by staff working collaboratively and constructively in multi-skilled teams, with a defined resource base, clear roles and responsibilities and operating policy and procedures and agreed key performance measures in a self-managed day to day model, where impact on students would be clear and transparent.

The Human Resources and Organisational Development Strategy was received for information.

33. SINGLE EQUALITY AND SAFEGUARDING COMMITTEE ANNUAL REPORT 2017/18

A summary Report of the work of the Single Equality and Safeguarding Committee during 2017/18 was received, for information. The Report had been presented to Standards, Quality and Student Experience Committee on 2 October 2018.

Equality and Diversity was well promoted within the College. Outcomes for students from Indian and Pakistani backgrounds were stronger than those for White students and the performance of White male students was reported as continuing to be an issue.

A significant amount of work had been carried out raising the profile of PREVENT, Fundamental British Values and Radicalisation amongst the College community and this would continue into 2018/19.

It was further noted that there had been no student exclusions during 2017/18.

34. REVIEW OF CONFIDENTIAL MINUTES FOR 2016/17

The Clerk to the Corporation presented a Report which provided information on the Review of Board and Committee Confidential Minutes.

The Report explained that in accordance with best practice and the Corporation Policy on Public Access to Meetings and Publication of Minutes and Papers, the minutes which had been classified as 'confidential' had been reviewed by the Chair of the Corporation Board and re-designated as 'non-confidential' where appropriate.

The Report provided the detail of the Review for the academic year 2016/17 and the Board was advised that a Review for the academic year 2017/18 would be reported to the Board in October 2019.

35. ANY OTHER BUSINESS

There were no items under Any Other Business.

36. REVIEW OF MEETING

The Chair thanked members for their attendance and contribution at the meeting and those who had been able to attend the Strategic Seminar.

37. DATE AND TIME OF NEXT MEETING

Friday 7 December 2018 at 2.00pm

Signed:

Date: