



MINUTES

BOLTON COLLEGE BOARD

Minutes for the meeting held on Tuesday 11 February 2020 – (PART A)

Time: 5.00pm

Venue: Boardroom

Members present:

Dr Andrew Roberts (Chair)
Mr Andrew Fawcett (Vice Chair)
Ms Rebecca Davison
Mrs Kate Flood
Mr Luke Jones
Mr Josue Losasa
Dr Sue Lomax
Ms Stephanie Nixon
Mr Roger Peet
Mr Tony Unsworth
Dr Gill Waugh
Mr Bill Webster (Principal)

In Attendance:

Mr Mark Burgoyne
Ms Tracy Clarke (Director of MIS)
Ms Joanne Green (Director of Quality)
Ms Fatema Hussein (Clerk)
Ms Jane Marsh (Director of HR)
Mr Tim Openshaw (Assistant Vice Chancellor, Planning & Student Experience) (UoB)
Ms Kate Wallace (Director of Apprenticeships)
Ms Karen Westsmith (Director of Adult & Higher Education)
Mr Garry Westwater (Director of Finance)
Mrs Patricia Foster (Secretary)
Miss Deborah Bradburn (Group Governance Manager)

1. SECTION A - BUSINESS MATTERS

1.1 WELCOME TO MEMBERS

The Chair welcomed everyone to the meeting, which commenced at 5.05pm. He confirmed that the meeting was quorate.

Mr Josue Losasa was welcomed to the meeting as the newly elected Student Governor.

1.2 APOLOGIES FOR ABSENCE

Apologies for absence had been received from Dr Chris Ball, Mr Dave Haslam, Ms Gulnaz Brennan, Professor G E Holmes, Dr Kondal Kandadi, and Professor HH William Morris.

1.3 DECLARATIONS OF INTEREST

The Chair reminded everyone present to declare any interests that they may have on matters to be discussed. Standing declarations were noted particularly in relation to the University of Bolton reciprocal governance arrangements and also paid positions.

1.4 REQUEST FOR AN ITEM TO BE UNSTARRED

Members were reminded that starred items on the Agenda would be taken as read rather than being presented. However, Members could ask questions of the report author, or ask for any item to be unstarred for full discussion.

The Chair requested that Agenda Item 2.8* (ii), Group Risk Register be unstarred for discussion and this was agreed.

1.5* MINUTES OF PREVIOUS MEETINGS:

1.5* (i) Minutes of the Meeting held 12 November 2019 – confidential and general publication

The minutes of the meeting held 12 November 2019 had been previously circulated to members for consideration.

It was **RESOLVED** that the minutes be approved as a correct record and authorised for publication (Part A).

1.6 MATTERS ARISING FROM PREVIOUS MINUTES

Members received a summary of actions arising/outstanding from previous meetings, noting that most items had been completed/implemented.

The Chair requested that an update on the Digital Strategy was provided at the next meeting.

ACTION:

**Principal
Clerk / Agenda**

It was **RESOLVED** that the matters arising be noted.

1.7 MINUTES (SUB-COMMITTEES):

1.7 (i) Resources Committee of 21 January 2020

Members received the minutes of the meeting held 21 January 2020.

It was **RESOLVED** that the minutes be received as detailed.

1.7 (ii) Standards & Performance Committee of 22 January 2020

Members received the minutes of the meeting held 22 January 2020.

The following points were highlighted:-

- The Quality Improvement Plan had prepared the College well for future developments (in particular, preparation for T Levels, a continued drive to improve English and Maths, and the development of pastoral support for adult learners).
- A short Ofsted Inspection of the University's Apprenticeship Provision had taken place on 29-30 January 2020. Mr Andrew Fawcett had (along with Professor HH William Morris) met with the Ofsted Lead Inspector and he reported that the questioning had been very learner-focused with questions regarding the intent and impact on learners and the ways in which success was measured, rather than on the data. The Ofsted Inspection had concluded that the University continued to be a 'good provider of apprenticeships'.

It was **RESOLVED** that the minutes be received as detailed.

2. SECTION B - COLLEGE MATTERS

2.1 PRINCIPAL'S REPORT

The Principal presented the seventh report under the new 'Designated Institution' Bolton College, which provided an overview of key issues. He highlighted the following key points:-

Early Years (Nursery) Ofsted

Members were aware that the College had recently been required to 're-register' its nursery provision. The Principal confirmed that following the Ofsted registration visit on 10 January 2020, the College's application had been approved. As this was classed as a 'new' setting, under Ofsted's rules, the nursery had been given a new URN reference and would fall into the scope for inspection within the next two years.

Digital Developments

The College's impact on educational technology had been referenced by the Minister of State for Universities, Science, and Research & Innovation in his speech at the opening of a major technology conference.

Designation Review

Following the ESFA's 2-day review of the Section 28 Designation Trial which took place in December 2019, the College had received a draft report which gave an overall positive picture. The final report had been received and would be circulated at the next meeting of the Board on 24 March 2020 as a reserved item

ACTION:

Clerk to include as an Agenda Item for the meeting to be held 24 March 2020.

Wellbeing

The College continued to embed a range of mental health strategies, including the implementation of the next phase of the 'trauma informed' training.

Community Education

Discussions were underway with Bolton Council with regard to the future location of the community contract (which was currently held by the Council and 100% subcontracted to the College). Although this would not have an impact until 2021/22, there were several strategic issues to be resolved, particularly with regard to the 'concessions' agreement (through which the College operated three community centres on licence), and concerns regarding the state of repairs of the buildings and the impact on learners.

Finances

It was noted that (as reported to the Resources Committee) the College's finances were currently under pressure, and actions were being taken to ensure that bank covenants were not breached. The Senior Management Team (SMT) was working on a range of adjustments to bring the finances back in line.

Governor Questions:

- Were the buildings used to deliver community education owned by the Council or the College?
 - The Buildings were owned by the Council but licensed to the College, although there was a lack of clarity in the licensing agreement.

- What were the risks of the funding moving to a different model under the combined Authority?
 - Currently, funding was provided by means of a block grant. A different funding model was likely to change the way in which funding was targeted and could be more delivery led and have to align with combined authority priorities

- Had a risk assessment been undertaken to assess the possible impact this could have on College income?
 - A risk assessment had not yet been undertaken

- How did other authorities in Greater Manchester deliver community education?
 - They often delivered it themselves, and some colleges had novated their contracts with local authorities to themselves
The ESFA had also launched a consultation process on sub-contracting with the aim to end whole learner subcontracting

- Did College need to take a strategic decision on the delivery model moving forwards?
 - This was on the agenda and the intention was to commence discussions with the Council

(Ms Rebecca Davison joined the meeting at 5.30pm and was welcomed to her first meeting as the new Staff Governor)

It was **RESOLVED** that the Principal's Report be noted.

2.2 ESFA INTEGRATED FINANCIAL MODEL

The Executive Director of Finance presented a report on the ESFA Integrated Financial Model for Colleges (IFMC) and explained that:

- This had been issued in November 2019 to replace several existing templates (Financial Plan, Financial Record; Cash flow for debt servicing; and Cash flow template) in an attempt to improve monthly profiling and income & expenditure reporting and in response to a number of high-profile sector failures.
- The College intended to complete the IFCM by 28 February 2020 as required and to submit forecasts numbers for FY2020/21 and FY 2021/22
- A formal budget report for 2020/21 would be prepared for the Resources Committee/Board to consider in June 2020 as per previous years.

It was noted that:

- The IFMC was extremely complex, and since the November 2019 launch, the ESFA had issued five updates of the IFCM in order to correct numerous errors
- Due to the complexity and ongoing flaws with the IFCM, the ESFA intended to issue a version on 6 February 2020 with the formulae and links unprotected, for ease of completion
- Concerns from a number of colleges and other organisations had been raised regarding the flaws (including concerns regarding the timing and burden on staff), and a response from the ESFA was awaited

Governor Questions

- The timescale for submission was extremely tight – how would this be achieved and how would Governors be given sufficient time to scrutinise the detail before submission?
 - The College had no option but to attempt to meet the deadline. Governors were required to assure themselves that the financial health criteria were being met, but were not expected within such a short timescale to check all the figures contained within the submission
- As the Board had previously approved the budget and financial forecast for the next two years, could these figures be submitted?
 - This was an option – a forecast for the remainder of 2019/20 could be submitted together with the existing budget forecasts for the remaining two years; alternatively, the Board may wish to hold a Special Board Meeting to review and approve the revised submission data.
- Did the current forecasts include additional planned recruitment?
 - No, as at the time it was not known that this was required. There were also other material elements that could change the forecast including ‘unfavourable’ elements such as new rates, pension costs, community education contracts etc.
- What would happen if the data submitted was significantly inaccurate?
 - The Territory Management Team of the ESFA would have a dialogue with the College.
- Should a strong message from the Board be sent to confirm that the Board was unhappy with the process?
 - The Clerk informed Members that they could, if they wished, raise any concerns with the ESFA regarding the flawed model but that this should be done sooner rather than later.

Governors expressed concern that the College was being asked to submit data for the next two years without having had proper discussions regarding demographics, capital expenditure etc.

The University Assistant Vice Chancellor (Resources) commented that in his view the model was flawed and felt it would be useful to see the full guidance from the ESFA, and be guided by that.

Following a discussion, it was **RESOLVED** that:-

- (i) the ongoing issues with the IFCM process be noted;
- (ii) approval be given to delegating authority to the Chair of the Resources Committee and another committee member to meet with the Principal (Accounting Officer) and the Executive Director of Finance to review the data to be submitted
- (iii) Board to approve the IFCM on or before 28 February 2020 after receiving assurance from members of the Resources Committee
- (iv) The IFCM would be returned with the College detailing in each Financial Year (FY) for 2019/20, 2020/21 and 2021/22 the following:
 - Break-even or an operating surplus – with satisfactory cash flow in each financial year;
 - No banking covenants breached in any financial year; and
 - ESFA Financial Health Grade of ‘Good’ was maintained in each financial year

2.3 COLLEGE PERFORMANCE TARGETS 2019/20

The Director of MIS presented an overview of the achievement rates for the College across different categories of funding for 2018/19, together with previous years’ data for comparison. The following points were highlighted:-

- The achievement rate for 2018/19 was 87.6%, an increase of 3.7% on the previous year and the highest achievement rate for class-based adults and young people combined in the last ten years.
- The following targets for 2019/20 were proposed in the report:
 - (i) With regard to Class-based Adults and Young People, a target of 89% achievement for 16-18 provision and a target of 88% for adults.
 - (ii) With regard to Apprenticeships, a target of 70% for apprenticeship overall achievement and a target of 64% for timely achievement.
 - (iii) With regard to Community Learning, a target for accredited provision of 88% (in line with the College AEB proposed target), and a target of 94% achievement for the non-accredited element.
 - (iv) With regard to HE, an achievement target of 83%.

It was **RESOLVED** that:-

- (i) the achievement performance for 2018/19 be noted; and
- (ii) the recommended draft targets for 2019/20 as detailed above be approved.

2.4 SAFEGUARDING REPORT

The Director of Human Resources presented the Annual College Safeguarding Report for 2018/19 together with the plans for 2019/20.

The following points were highlighted:

- The College was fully committed to the safeguarding of all students but had special responsibility for the safeguarding of two specific groups: children aged 0-18, and adults at risk (students aged 18 or over with learning

difficulties/disabilities who required/received additional services or support from external agencies).

- Three key policies and procedures were in place (and reviewed on an annual basis), designed specifically to protect these particular groups:
 - Child Protection and Safeguarding Children (0-18) Policy & Procedures
 - Safeguarding Adults at Risk Policy & Procedures
 - Abuse of Trust Policy.
- The lead Governor for safeguarding was Dr Sue Lomax.
- The College continued to provide safeguarding training to staff, including training on legislative updates, signs and symptoms of abuse (including radicalisation), on-line risks and responding to concerns.
- During 2018/19, the number of safeguarding referrals had decreased from 310 (in the previous year) to 300.
- The College continued to offer the University and the Anderton Centre access to College training and CPD opportunities and to meet informally as required.
- The College had launched a new Wellbeing for Learning and Life Strategy to support the work of the safeguarding team and other College welfare and academic teams.
- A new ACE (Adverse Childhood Experiences) Awareness Training programme would be launched during 2019/20 to allow staff to gain a deeper understanding of how trauma can affect learning and health.
- The PREVENT training was available on-line and the link would be shared with Governors.

The Chair suggested that it would be useful to provide British Values training to Governors at the next Governor Strategic Planning & Training Day on 24 March 2020.

Governor Questions

- The range of training provided to staff was significant and how did this meet the target set by the College?
 - The College had a rolling programme of training, including face-to-face training backed up by on-line training programmes. College would continue to ensure its staff were supported by means of relevant training.
- Did the College have the correct infrastructure in place to deal with the 300 safeguarding referrals?
 - This involved a lot of work and was resource intensive. Going forward, it may be necessary to revisit resource requirements in order to free up staff to deal with the more complex cases and ensure nothing was overlooked. The Looked After Children agenda would place even more pressure on the team.

It was **RESOLVED** that the Annual College Safeguarding Report 2018/19 and the Plans for 2019/20 be noted

ACTIONS:

- (i) **Clerk to share the link to the on-line PREVENT training with Governors**
- (ii) **British Values training to be provided to Governors at the next Governor Strategic Planning & Training Day on 24 March 2020.**

2.5 AUDIT COMMITTEE MEMBERSHIP

The Clerk to the Board provided a verbal update on Audit Committee Membership and explained that the Audit Code of Practice required at least one member of the Audit Committee to have recent and relevant audit experience.

It had previously been agreed that it would be useful to appoint a Co-opted member with relevant experience to the Committee. The Clerk advised that there were a number of options to recruit, and this could include – advertising on the College website, social media, and targeted approaches to local audit companies.

Following a discussion, it was agreed that medium-sized local audit firms would be approached to identify a suitable individual with audit experience, and that Darren Knights, CEO at Bolton CVS, could be approached for any known suitable contacts.

It was **RESOLVED** that the Audit Committee Membership be noted and the steps proposed to appoint a Co-opted Member with audit experience be approved.

2.6 COMMONALITY OF INTERESTS POLICY

The Clerk to the Board presented the Commonality of Interests Policy, as previously approved by the Board in December 2018. The Policy had been produced following legal advice from Eversheds Sutherland regarding potential conflicts for Board Members who had connections to the University of Bolton.

During the Section 28 review visit, Governors had been able to clearly demonstrate a full understanding of conflicts of interest and acting in the best interests of the College and had referred to the above Policy without explicitly mentioning it by name.

Members were referred to the Commonality of Interests Policy as attached to the report and requested that they familiarise themselves with it fully.

It was noted that further guidance on managing conflicts of interest would be provided at the Governors' Strategic Planning & Training Day on 24 March 2020.

It was **RESOLVED** that:

- (i) the report on the Commonality of Interests be noted; and
- (ii) the Commonality of Interests Policy be reviewed on an annual basis.

ACTION:

- **Clerk to obtain the Bolton College branded policy from the University**
- **Clerk to check with the University on the group process for all parties to review and update policy on an annual basis.**

2.7 GOVERNOR TRAINING

The Clerk to the Board presented a verbal update on Governor Training.

Members were informed of two forthcoming Governor training/development events:-

- New Governor Training at Southport College on 2 March 2020
- A Governance Development Session at Runshaw College on 20 March 2020

Any Member interested in attending the above was requested to notify the Clerk to the Board.

It was **RESOLVED** that the verbal update on Governor Training be noted.

2.8* STARRED ITEMS:-

2.8* (i) COLLEGE KPI DASHBOARD

Members received for information the College KPI Dashboard, which detailed the key sustainability indicators and a range of other indicators, which had been selected based on the areas to be monitored by the ESFA.

It was **RESOLVED** that the College KPI Dashboard be noted.

(The following item was unstarred for discussion)

2.8 (ii) GROUP RISK REGISTER

Members had received the Group Risk Register for information, which provided an update on the revised approach to Risk Management adopted (as previously agreed) across the Group for 2019/20.

The report highlighted a Group Level Summary of key risks, together with the individual risks for the University and the College.

Governor Question

- How were the risks being addressed / mitigated against?
- The Assistant Vice Chancellor (Planning & Student Experience) explained that the charts were presented as a Group Level Summary and showed the top-level risks but not the detail behind them. The risk register for each organisation included greater detail on plans /actions to mitigate against the risks.

It was **RESOLVED** that the Group Risk Register be noted.

3. SECTION C - UNIVERSITY GROUP MATTERS

3.1 BCMS FUNDING ARRANGEMENTS

The Principal provided a verbal update on the funding arrangements for the Bolton College of Medical Sciences Project.

The Project was being led by the University as a Group Project, and the University's Board would consider a detailed funding agreement at its meeting next week. Should the Project receive University Board approval, it would be presented to the College Board at its meeting on 24 March 2020.

It was **RESOLVED** that the verbal update on the funding arrangements for the Bolton College of Medical Sciences be noted.

4. SECTION D - ANY OTHER BUSINESS

IT Infrastructure and WIFI

It was noted that the Student Governors had raised the issue of the College IT infrastructure and WIFI, which they felt could be improved and which would then in turn improve the students' learning experience.

The Chair reassured the Student Governors that the College was aware of the issues and was working to find ways to make improvements.

4.1 RESERVED BUSINESS MINUTES

Agreed that: the minutes are approved as a correct record.

4.2 MATTERS ARISING FROM THE MINUTES

Discussed under reserved business.

5. SECTION E – FUTURE MEETINGS

5.1 Governors' Meetings

The dates and times of future meetings were noted as follows:-

- Tuesday 10 March 2020 at 5.00pm (Resources Committee)
- Thursday 12 March 2020 at 5.00pm (Audit Committee)
- Tuesday 17 March 2020 at 2.00pm (Standards & Performance Committee)
- Thursday 24 March 2020 at 5.00pm (Board of Governors)

5.2 Governors' Evening:

23 September 2020 6.00pm - 8.30pm.

5.3 Group Christmas Meal

Wednesday 16 December at 7.00pm.

The Chair thanked members for their attendance and the meeting closed at 6.50pm

Chair's Signature:



Date: 30 June 2020