MINUTES

BOLTON COLLEGE BOARD

Minutes for the meeting held on Tuesday 7 February 2023 – (PART A)

Time: 5.00pm
Venue: Boardroom / Video Conference

Members present:
Dr Andrew Roberts (Chair)
Mr Andrew Fawcett (Vice Chair)
Dr Adrian Brooks
Mrs Kate Flood
Dr Sue Lomax
Mr Tom Martin
Mr Tony Unsworth
Mr Michael Walker
Ms Sharon White
Dr Gill Waugh
Dr Bill Webster (Principal)

In Attendance:
Mr Mark Burgoyne (Deputy Principal)
Ms Deborah Bradburn (Clerk)
Mr Garry Westwater (Executive Director of Finance)
Ms Jane Marsh (Executive Director of HR & Estates)
Mrs Karen Westsmith (Assistant Principal, Curriculum and Quality)
Mrs Catherine Langstreth (Assistant Principal, Curriculum, Stakeholder and Student Services)
Mrs Tracy Clarke (Assistant Principal, Curriculum Development, Information & Technical Services)
Mr Tim Openshaw (Assistant Vice Chancellor, Planning & Student Experience) (UOB)
Miss Jill Hebden (Minute Taker)

1.   SECTION A - BUSINESS MATTERS

1.1   WELCOME TO MEMBERS

The Chair welcomed everyone to the meeting, which commenced at 5.08pm. He confirmed that the meeting was quorate.

Mr Michael Walker was welcomed to his first Board meeting as a Student Governor.

The Chair informed Members that Rebecca Davison had resigned from the Board. The Board thanked Rebecca for her contribution to the role.

1.2   APOLOGIES FOR ABSENCE

Apologies for absence had been received from Gulnaz Brennan, Sayeeda Warsi and Fardean Farooq.

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.

A declaration of interest was noted for Mr Chris Ball (Item 4.1 – Board Membership).

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.

There were no requests for items to be unstarred for discussion.

1.5*   MINUTES OF PREVIOUS MEETINGS:

Minutes of the Meeting held 8 November 2022 - general publication

The minutes of the meeting held 8 November 2022 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).

1.7   MATTERS ARISING FROM PREVIOUS MINUTES

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

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

1.8   MINUTES (SUB-COMMITTEES):

1.8 (i)   Resources Committee of 17 January 2023

Members had received the minutes of the meeting held 17 January 2023.

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

1.8 (ii)   Standards & Performance Committee of 19 January 23

Members had received the minutes of the meeting held 19 January 2023.

The Deputy Chair of the Standards and Performance Committee informed the Board that extensive discussions on the quality and strategic planning process had taken place with a review of the College SAR process with a lot of work undertaken to complete the three distinct elements of the process. It was agreed that it was beneficial to complete the SAR process before the festive break as it enabled the College to focus and implement improvements in the New Year.

The Committee agreed that the reports were clear and transparent and thanked the team for the work completed in their preparation. The majority of quality and strategic planning panels were attended by Board Members.

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

2.   SECTION B - COLLEGE MATTERS

2.1   PRINCIPAL'S REPORT

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

External Environment:

- The sector continued to face a challenging environment with financial pressures in the form of high inflation, energy costs and staff pay.
- There had been a strong push from the Greater Manchester Mayor's office for greater devolution, with a focus on the technical skills agenda and the 16-18 budget.
- The College had received confirmation of its annual strategic conversation meeting with the DfE and the office of the FE Commissioner that would have a focus on the skills agenda.

ONS:

- The reclassification of colleges into the public sector was announced on 29 November 2022 and would take immediate effect.
- The DfE recognised that the circumstances of 'designated institutions' required further review. The College awaited the outcome of the review and feedback.
- There would be potential disruption with a change to the end of the financial year in 2024.

Financial Update:

- A one-off uplift was expected from GMCA, the College awaited the confirmed details.
- There would not be any ESFA in year support but there would be base rate increases for 2023/24.

Accountability Agreement:

- The agreement would set out the College annual priorities and was a condition of DfE funding. The agreement would not be assessed or have an impact on funding.
- The College had to submit the agreement by 31 May 2023 that required Board approval.

Wellbeing and Mental Health Support:

- The College had developed an on-line tutorial focused around sexual violence and sexual harassment that was shared at the AoC annual conference. A senior HMI Ofsted Inspector met with a number of learners and staff involved in the development of the tutorial.

Governor Questions:

Will the LSIP be ready in time to inform the accountability agreement?

This was raised at the Chair and Principal's Group with the expectation that it would be. There was the commitment to have a draft ready by 31 March 2023. Greater Manchester colleges were helping to facilitate discussions between the GM Chamber of Commerce and employers.

The skills position statement mirrored what was expected in the accountability statement, including details of stakeholders and employers the College engaged with.

What are the risks following the Greater Manchester Mayor's press release?

GMCA would have greater control over the budget with a potential risk if they decided not to ring fence monies for colleges and diverted it to independent training providers. We could find that funding is distributed to those areas of greater need. Strong relationships have been built and continue to ensure that discussions continue.

Will the College banking arrangements change following the ONS reclassification?

We are not expecting that existing arrangements will change. The Executive Director of Finance is part of the consultation on the financial monetary handbook.

What impact will the reclassification have on future staff pay?

We should not assume that the College will go into the national pay band.

Has the staffing situation changed since the self-assessment reports were produced?

We have secured a permanent appointment for a curriculum leader. Health and construction are more stable than before with new appointments made, although they still remain fragile. In some subject areas agency staff do not want to become permanent members of staff as they can earn more under agency arrangements. Other colleges, that pay more than we do, are still experiencing the same recruitment issues that we are.

The Board noted that it was good to see the 'grow your own' route was in place and that the recruitment of trainee teachers in FE had increased. DfE had announced that teacher training for FES would match the QTS programme bursary figures.

ACTION:

Contribution to Skills Network 2023 diagram to include the Chamber of Commerce.

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

2.2   FINANCIAL UPDATE INCLUDING LOAN COVENANTS

The Executive Director of Finance presented the Financial Update and Loan Covenants, the following key points were highlighted:

- The College had moved towards a deficit position of -£500k. This would mean that the College would not pass the loan covenants and would alter the current ESFA financial health grade to 'Good'.
- £488k AEB funding clawback for 2021/22 was profiled for repayment from December 2022 to March 2023 and would be accounted for with a prior year adjustment in the 2022/23 financial statements.
- To mitigate the deficit position, expenditure had been restricted to essential spend only with discussions held on partial closure of buildings over the half term periods and scrutiny on any teaching staff requests.
- Continued Government support on energy costs beyond April 2023 was announced, extending but reducing support until March 2023.
- The pay award for this year had been budgeted for in the forecast whilst the College retained a strong cash position. A revised forecast would be shared with the Resources Committee and Board following LEO2.

Governor Questions:

Was there a chance that the ESFA could relax the financial health criteria?

The measure may be moved as all colleges were in the same position. The College was at the high end of 'Good' on the cusp of 'Outstanding'. The current grade was disappointing after all of the hard work completed with colleges operating in a difficult environment.

Is there any merit to looking at further subcontracting opportunities considering the competition from training providers?

It has been made very clear through our discussions with the DfE that we would need an incredibly strong reason to be able to increase our subcontracting provision. Independent training providers operate at much lower operating margins, have fewer capital requirements and do not address learners with a SEND background etc.

It was **RESOLVED** that:

(i) The update on GMCA AEB funding/clawback be noted;
(ii) The forecast of an operating deficit of -£500k be noted; and
(iii) The potential impact of a deficit on bank covenants / financial health be noted.

2.3   OFSTED PREPARATIONS

The Assistant Principal of Curriculum and Quality presented the Ofsted preparations and outlined the following key points:

- A recap was provided of the Ofsted report from 2017 under the Common Inspection Framework in which all aspects were graded 'Good'.
- Work with learners was a continuation of the work the College already did and was not anything different for Ofsted. Learners were surveyed at points throughout their course with safeguarding being a key element.
- Training continued with the college management team on the Education Inspection Framework (EIF) and all contributions to the self-assessment report and quality improvement plan referenced the Ofsted handbook.
- Targeted time had been allocated to focus on the themes that came from the Teaching, Learning and Assessment conference.
- Team discussions were underway to identify stakeholders and how they should be contacted to provide consent to be interviewed. There were 65 employers identified as having strong relationships with the College with evidence on how those relationships worked operationally.
- Board Members were involved in the shaping of curriculum through their attendance at the Quality and Curriculum planning panels.

ACTION:

Provide an electronic copy of the Ofsted Preparation document to Board Members. Any feedback and/or queries to be provided to Jill Hebden.

It was **RESOLVED** that the Ofsted Preparation be noted.

2.4   SELF ASSESSMENT REPORT 2021/22

The Assistant Principal of Curriculum and Quality presented the Self-Assessment Report 2021/22. The following key points were highlighted:

- The document provided an overview of the College mission, values and data on the overall learner profile in addition to the curriculum SAR.
- Learners with additional support needs benefited from high expectations and were able to make progress.
- Learners with profound learning difficulties had aspirational targets.

The SAR process ratified that three departments were self-assessing as 1 – 'Outstanding':
- Community Regeneration
- Early Years, Education and Social Science
- Hairdressing and Beauty

Two departments were ratified as self-assessing as 3 – 'Requires Improvement':
- Health and Social Care
- Skills Technical

Behaviours and Attitudes:

Policies and processes continued to be applied consistently and fairly. The College had a welcoming atmosphere that enabled learners to feel safe and learn.

Personal Development:

There was a strong tutorial programme which enabled development and delivered employability skills. A key focus was to increase attendance across all areas, both vocational and English and maths. There were still concerns in roofing, particularly in terms of where the end point assessment could take place and, in some instances, employers had not wanted to release employees to undertake them. Awarding organisations were looking to remove the qualification from the standard as learners were leaving when they achieved the qualification and had not continued to complete the end point assessment.

Governor Questions:

Does the College have a good story to tell on employment outcomes?

The College has a good story to tell regarding employer activity. Sector Based Work Academies deliver week long intense courses to jobseekers after which they will be interviewed by a particular organisations. The most recent had thirty-three job seekers joining with five jobs available.

Is there more refining or training needed to complete the self-assessment report and quality improvement plans?

Yes, the new process used this year essentially combined two half day processes and condensed them into one. This will be more streamlined next year and will continue to improve year on year.

It was **RESOLVED** that the Self-Assessment Report 2021/22 be approved.

2.5   COLLEGE KPI DASHBOARD

The Assistant Vice Chancellor (Planning & Student Experience) (UoB) presented the College KPI Dashboard, which detailed the key sustainability indicators and those indicators on areas monitored by the ESFA.

The key change from the previous update was the change from 'Red' to 'Amber' for English and maths.

It was noted that some Board Members did not fully understand the reporting aspects of T Levels with a request for further information to be brought to the next Board meeting with the data reported separately to the 16-18 study programmes.

ACTION:
- Clerk /Board Agenda
- T Level data to be shown as a separate reporting item.

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

2.6   Maths and English Update

The Assistant Principal of Curriculum, Stakeholder and Student Services presented the Maths and English Update. The following key points were highlighted:

- The College focused on a one grade improvement that was a large step for learners. Grade improvement was the measure of progression with some learners that had a starting point of a Grade 1 or 2.
- Attendance had improved since last academic year but was not aligned to that of the vocational areas. New curriculum leaders for English and maths were in place and would hold attendance and progress monitoring meetings with Heads and curriculum leaders to ensure interventions and actions were robust and had the intended impact.
- Documents for English and maths were used to inform curriculum areas of the key themes and topics to be covered each term to ensure that vocational teachers could contextualise the topics in lessons.
- In the November resits, 55% of learners achieved a Grade 4 or above in maths and 33.3% achieved a Grade 4 or above in English.

It was **RESOLVED** that the English and Maths Update be noted.

2.7*   STARRED ITEMS

(i)   ANNUAL MODERN SLAVERY STATEMENT

Members had received and reviewed the Annual Modern Slavery Statement for publication on the College's website.

The College was not required under Section 54 (Transparency in Supply Chains) of the Modern Slavery Act 2015 to publish an annual statement setting out the steps the organisation would take to prevent modern slavery in its business and in its supply chain as its annual turnover was below £36m. However, it had produced a statement in order to demonstrate its commitment to eradicating modern slavery.

It was **RESOLVED** that the Annual Modern Slavery Statement (to be signed by the Chair) be endorsed.

(ii)   MID-YEAR HUMAN RESOURCES REPORT

Members had received and reviewed the Mid-Year Human Resources Report.

The report provided an update on key areas of HR activity, including data on disciplinary and grievance cases, performance management and mental health first-aid training.

It was **RESOLVED** that the Mid-Year Human Resources Report be noted.

(iii)   GENDER PAY ANNUAL REPORT

Members had received and reviewed the Gender Pay Annual Report.

The report provided the following key information:

The College pay gap for 2022 was 10.04% (mean), this was a slight deterioration from the previous year (8.55%), but remained significantly below the national average for the same period which was 14.9%. The College median figure had moved to 11.73% from 7.90%, indicating that the overall gender pay gap between men and women had increased. This was due to the natural ebb and flow of the staff turnover and reflected the mix of staff leaving and joining the organisation.

It was **RESOLVED** that the Gender Pay Annual Report be noted.

(iv)   HE SELF EVALUATION DOCUMENT

Members had received and reviewed the HE Self Evaluation document.

The document provided an update on the College's submission to the University of Bolton programme plans to evaluate each HE programme for students who completed their courses in 2021/22.

It was **RESOLVED** that the HE Self Evaluation Document be noted.

3.   SECTION C - UNIVERSITY GROUP MATTERS

3.1   CALENDAR OF MEETINGS 2023/24

Members had received and reviewed the draft College calendar of meetings for 2023/24.

It was **RESOLVED** that the Calendar of Meetings 2023/24 be approved.

4.   SECTION D - ANY OTHER BUSINESS

4.1   Board Membership Proposal

The Clerk presented a report on an expression of interest received to be a College Nominated Member of the Board.

Following the resignation of Stephanie Nixon in September 2022 the Board had a vacancy for a College nominated member. The vacancy was considered by the Search and Governance Committee with the recommendation of Dr Gill Smallwood MBE, Chief Executive of Fortalice Ltd. Dr Smallwood had extensive experience in the education and charity sectors with Fortalice being a key stakeholder within the Bolton community.

It was **RESOLVED** on the recommendation of the Search & Governance Committee that approval be given to the appointment of Dr Gill Smallwood MBE as a College Nominated Member of the Board with a recommendation to the University Board for approval.

Ms Sharon White declared a potential conflict of interest as a trustee on the Board at Fortalice that the Board considered was not a risk to the discussion or decision.

(Mr Chris Ball left the meeting at 6.31pm during consideration of the following item)

The Clerk put forward a recommendation for the re-appointment of Mr Chris Ball for a second and final period of tenure from 3 April 2023.

It was **RESOLVED** on the recommendation of the Search & Governance Committee that approval be given to the re-appointment of Mr Chris Ball as a University Nominated Member of the Board with a recommendation to the University Board for approval.

(Mr Chris Ball re-joined the meeting at 6.40pm)

4.2   Meeting Evaluation

Board Members confirmed that the meeting was informative, supportive and provided challenge when needed. There was plenty of opportunity to ask questions with Board papers easy to understand.

(All Members and Officers save for Independent Members left the meeting at 7.10pm)

5.   SECTION E – FUTURE MEETINGS

5.1   Governors' Meetings

The dates and times of future meetings were noted as follows:
Board Meeting - Tuesday 2 May 2023 at 5.00pm

Committees -
Standards & Performance – Wednesday 15 March 2023 at 2.00pm
Resources – Tuesday 21 March 2023 at 5.00pm
Audit - Thursday 23 March 2023 at 5.00pm

 The Chair thanked members for their attendance and the meeting closed at 7.21pm

Chair's Signature:
Date: 2 May 2023