

GOVERNING BODY

Minutes of the meeting of the Governing Body held at the Mid Devon Campus in D14a/b at 17:00 on 7th October 2019

Present:	Kevin Finan (Chair), Andrew Champion, Ro Day, Sean Mackney, Lena Marvão, Maxine Padgham (Items 6-14), Steve Richardson (Items 6-14), Iain Springate, Lindy Stacey, Lee Thommen, Jenny Wallace and Chris Williams
In Attendance:	Bill Blythe, Jane Hanson and Sheena Murphy Collett (Items 6-14)
Governance Advisor:	Jane Barton

The meeting commenced with a Governor Development briefing, with input from Sean Mackney, Principal & CEO and Jane Hanson, Vice Principal Quality Curriculum and Learners. During week commencing 30th September two very experienced retired HMI Inspectors carried out Education Inspection Framework (EIF) coaching sessions across the organisation (including with Governors).

It was reported that the coaching sessions were very helpful and provided the College, its staff and Governors with a clearer idea of what we might expect when the EIF Inspection happens and what further work needs to be done to ensure our readiness.

Action: The Governance Advisor to circulate a list of the questions asked, together with the responses, in the Governors Leadership and Management session.

Minutes

1. Membership and Apologies for Absence

Apologies were received from Sam Bryant-Jones and Mark Rogers.

2. Declaration of Interests

No conflict of interests were declared.

3. Confidential Items

It was agreed that item 14 remain confidential to the Governing Body (excluding the Academic and Support Staff Governors) and that part of item 10, the re-appointment of two External Governors and the Academic Staff Governor, would be taken as a confidential item without the two External Governors and the Academic Governor present.

4. Business brought forward by the Chair

SW IoT

As approved at the July Board, the Chair confirmed that the College Seal had been used on the SW IoT contract.

5. Matters for Report and Approval:

19FGB01

The minutes of the previous meeting of the Full Governing Body held on Monday 22nd July 2019 were approved and signed by the Chair.

Matters Arising:

Higher Education Access and Participation Plan (APP)

Governors were advised that following further input from an Office for Students (OfS) advisor and with some very useful advice and support from the Principal & CEO, version three of the APP has now been submitted.

6. Update on Strategic and Operational Priorities for 2018-2019

19FGB02

The Principal & CEO noted that Governors had received a report on the progress of the Strategic and Operational Priorities for 2018-2019 at the July Board. Governors acknowledged receipt of the updated report, noted that good progress had been made in achieving the priorities for 2017-2018 and welcomed the thoughts on the Strategic Priorities for 2019-2020 from the new Principal & CEO.

The description of operational delivery of the strategy in 2019-2020 was noted. Governors provided the following challenge:

In relation to **Partnership and External Engagement** the Academic Governor sought assurance that the increased numbers of learners committed to within the SW IoT contract was realistic; and the Vice Principal Finance & Resources acknowledged that the target was stretching but believed it achievable. The Department for Education (DfE) would be proactively marketing the IoT; nevertheless it was accepted that should Petroc fall short of its recruitment target there is the potential that the College would be subject to a financial penalty. However, any risk of this maybe mitigated by over recruitment by other partners within the SW IoT.

In relation to **Growth and Innovation** Governors challenged the commitment to the Mid Devon Campus (MDC) and sought assurance that the on-going need to seek efficiencies hadn't significantly impacted on the agility of the Campus to deliver the curriculum and that appropriately skilled staff were in place.

The Board were assured that the College is discussing the skills needs with its local employers, that it is reviewing Labour Market Information (LMI) and is proactively seeking all avenues that enable Petroc to build the curriculum offer at MDC. With regard to staffing; it was acknowledged that the continued need to save expenditure had been challenging; but Governors were assured that there is a real commitment in place to ensure the necessary resources available that supports the delivery of an efficient and cohesive curriculum.

Governors also questioned the Executive Management Team on Higher Education (HE) growth. The Board noted that the College is working closely with many local employers, to develop the aspiration of their employees and to develop further the HE offer available both to those that live and work in our area and potentially beyond. It clearly resonated with local employers that providing HE opportunities close by helped them maintain a highly trained workforce.

In relation to **Our People** Governors asked how the College would approach the need for further financial savings and were assured that the College would be committed to improving Business efficiency, greater resilience and agility. To this end staff were being trained in Business Improvement Techniques.

Governors reiterated their commitment to the College and asked the Principal & CEO if they could do anything further to help. In responding the Principal & CEO stressed that he wished the Board to continue to be a critical friend, to be an advocate of the College, to maintain the robust challenge received in the past and to continue to provide the expert advice in support of the College Strategy and its operational activity. The Executive Management Team thanked the many Governors who, during the course of the last academic year, had provided their expertise.

Governors noted the report and thanked the Principal & CEO for an excellent paper.

7. Quality, Curriculum and Learners Reports

19FGB03

The Board received, from the Vice Principal, Quality, Curriculum and Learners, a report on Provisional Results for 16-18 and HE Learners in 2019-2020 Governors provided the following challenge:

Whilst recognising that that the final Achievement rates would not be available until late November Governors asked if there were any early indications that cost saving efficiencies had impacted negatively on results; in feeding back the Vice Principal Quality Curriculum and Learners indicated that until the data firms up there was nothing specific to report; there were some improving trends but also some emerging areas requiring improvement. It was noted that staff continue to do the best they can for the learners despite the many challenges faced by Petroc and the sector overall.

The Board noted the provisional headline data and looked forward to receiving the final data set in due course.

Academic Development Board Minutes:

19FGB04

Governors recognised that the Academic and Business Development Board was formed to ensure that the College's strategic aims are developed and met through strategic (rather than responsive) curriculum and business development. In reporting the actions of the Academic Board to the Full Governing Body the College ensures that Governors are appropriately informed about curriculum development (including the use of LMI), the curriculum approval process and the mechanisms in place for assuring quality and standards of the provision.

Governors asked for an update on the University of Bolton relationship. The Board were informed that validation by the Nursing Medical Council was expected to occur in January 2020; however the College was keen to ensure that a 'mock' validation exercise was conducted prior to this.

The Board noted the Academic Development Board Minutes.

8. Finance and Resources

19FGB05

The Vice Principal Finance and Resources presented Governors with the 2018-2019 Month 12 update, a report on the Indicative Enrolments for 2018-2019.

Month 12 Update

The Vice Principal Finance and Resources presented the Month 12 update. It was confirmed that the Financial Statements Audit is underway.

The surplus, subject to final confirmation by the Financial Statements Auditors, is £162,000 (prior to the effects of LGPS) with a cash balance outturn of £4.136m. Governors were advised that the primary variances were as due to the shortfall in achieving the Adult Education Budget (AEB) allocation and the higher than forecasted restructuring costs; on the positive side the in-house Catering service out performed expectations and Project activity performed well.

Governors were also informed that the College is currently undergoing an ESFA led Full Assurance Audit; where there is an issue with way the College has reflected the requirements for early completers 'Off the Job' (OTJ) training for Apprentices. The ESFA are asking the auditors to review situations if an apprentice completes earlier than originally planned their OTJ plan cannot be recalculated to represent 20% of their actual duration, this means that all learners must meet their original planned hours. Petroc, along with many other providers, as confirmed by the Auditors, have recalculated the OTJ plans based on actual dates on completion and allowed learners to be completed on this basis. Similarly we have also increased learners plans where they are extended beyond their original planned end date, the ESFA have also confirmed that this isn't necessary. We, along with other providers, have been requested to supply a report of all early completers indicating their planned OTJ hours compared to their actual hours completed to enable the ESFA to take a view on their approach to resolve this misunderstanding.

Currently the file is with the ESFA. It is hoped the ESFA will conclude this issue as a management point and not one that requires any funding clawback. The Full Assurance Auditors recognised that the College has acted with good intent and also commented that our records were amongst the best they have seen. The Board will receive, via the Audit Committee, an update on this matter when available.

Governors were further advised about a change to financial reporting. A January ESFA Financial Plan will, overtime, replace the ESFA Financial Record and the July budget. The Financial Plan will come to the Board in January and will include an extended (2 year) monthly financial forecast.

Governors note the outturn.

Indicative Enrolments for 2019-2020

The Vice Principal Finance and Resources provided a brief update on the College's 2019-2020 16-18 and HE learner enrolments. In noting the report Governors sought assurance that going forward the focus would be on ensuring business improvement efficiencies and building reliable income growth.

Governors noted the report.

9. Human Resources Report

19FGB07

Governors received an overview of HR developments during the summer term 2018-2019 which included staffing figures, sickness absence figures, recruitment and selection activity and employee relations; the report also covered staff development spend and an employment law update. It was noted that Staff Turnover was on target during the summer term; however when the redundancies are factored into this, it is likely to result in a failure to meet the target in the annual report.

Governors asked if any reduction in sickness absence percentage had been impacted by the redundancies. The Director for Human Resources and Organisational Development stated that there had been no noticeable change as a result of redundancies.

Governors, in a difficult climate, discussed the extent to which the actions taken in the last term have effectively supported the implementation of the People Strategy.

Governors noted that there are two strategic issues for consideration arising from this last term:

How effectively is the organisation responding to the challenges of Reshaping Project? Is it maintaining its capacity to deliver key services to its learners?

The Director for Human Resources and Organisational Development reported that there had been challenges; but the organisation had responded well. A higher level of HR issues would be expected, however, due to ongoing communications with all affected staff, there were no increased issues during the period. Encouragingly efforts to help staff to deal with the uncertainty of the processes through implementing wellbeing support appear to have borne fruit: sickness absence has been maintained at a low level and staff turnover was minimised, suggesting that staff retention had not been damaged by the process. Colleagues are adapting to new roles, and whilst colleagues are developing new ways of working, staff appear to be working flexibly together to deliver.

Is the organisation developing the skills it needs for future success in the next year and beyond?

The Director for Human Resources and Organisational Development assured Governors that the development needs of staff are reviewed through the year, and programmes developed according to immediate needs and skills required in particular areas. Whilst resources have been constrained in the last period, there has been considerable engagement with CPD, which will assist the organisation to deliver against its future strategy. Wellbeing has been a particular focus and the activities have both seen high levels of engagement, but have also be commended by staff as positive and welcome. New workforce development plans have been developed in the period and are being used to target CPD activities and resources for the coming academic year. In addition, within the period the Director for Human Resources and Organisational Development reported that the College had signed up to become a Mindful Employer (supporting managers and staff with mental health matters) and had also signed the LGBT+ Pledge (encouraging staff to be themselves at work and that any forms of LGBT+ discrimination would be addressed).

The Academic Governor commented on issues impacting on staff as a result of efficiency savings and the recent organisational changes (structure, tutorial responsibilities and the creation of on-line learning materials); which he felt might impact on staff wellbeing. The Director for Human Resources and Organisational Development acknowledge the challenge and noted the concerns raised recognising that the pace of change can create fatigue. Governors were assured that staff wellbeing was of utmost importance and that everything was being done to ensure staff were supported.

It was reported that the last staff Survey was conducted in October 2017; the College is now looking to do a Staff Perception Survey in Spring 2020. The clear intent from the College is that Petroc operates within a supportive environment where staff feel empowered to bring matters forward.

Governors also suggested that thought be given to the clarity of communications and that a review of communications as a whole might be useful. The Director for Human Resources and Organisational Development advised that this will be explored through the next staff perception survey.

The Board noted the report and recognised that the data evidenced the impact of increased challenge from managers on absence, disciplinary and misconduct issues.

The meeting was paused at this point in the meeting to celebrate and thank External Governor Ro Day who was retiring from the Board after 19 years of service. During Ro's time on the Board she had been Chair and had been a tireless supporter of the College. Ro's retirement was marked with a presentation and a dinner (which will take place later in the year). Governors also had an opportunity to see the outline drawings for the IoT build.

Search and Governance Committee Report and Recommendations for approval.

Governors were asked to note the draft minutes of the Search and Governance Committee meeting held on Tuesday 17th September 2019 and to note the progress of the following membership matters:

Membership Matters for approval:

External Governors, Jenny Wallace and Chris Williams and Academic Governor Lee Thommen left the room for the following discussion.

The Board was asked to confirm the re-appointment of a further 4 year term for Jenny Wallace and Chris Williams.

Academic Staff Governor Vacancy: The recruitment of an Academic Staff Governor has received one expression of interest from former Academic Staff Governor – Lee Thommen. Lee has served one term of office and will now, subject to ratification by the Board, be invited to join the Board for a final 3 year term of office.

The Board, in recognising the considerable strengths of both External Governors and their contribution to the Board and the Committees on which they serve, approved the re-appointment of both External Governors.

The Board also recognised the contribution of the Academic Staff Governor during his first term of office and were pleased to ratify the re-appointment for a final three year term of office.

The two External Governors and the Academic Staff Governor re-joined the meeting.

The Committee were advised that the role of Student Sabbatical Office had been removed and replaced by a Tutorial Enrichment Officer. As a result of this Governors were asked to consider the proposal to invite the Student Union President to join the Board to represent the Student Union (SU); and to agree that the SU would be responsible for the recruitment of a further student representative from the student body.

Action: The Governance Advisor to work with the SU to facilitate the election of the Student Governor.

Governors approved the change to student representation.

Governor Training and Development Plan:

The Board reviewed the proposed Governance Training and Development Plan for academic year 2019-2020. The plan focusses on developing and strengthening Governor understanding of the College, the sector and legislative regulations as they apply to the College, its staff and Governors.

Governors approved the 2019-2020 Governor Training and Development Plan.

Membership Matters to note:

Search and Governance Committee draft Minutes:

Governors noted the draft minutes of the Search and Governance Committee (17th September 2019).

Governors Engagement Report:

The Board considered the Governor Engagement Report for 2018-2019 noting that overall attendance for Governors in 2018/2019 was 83%, exceeding the target of 80%, close to the previously reported

national benchmark of 80.2%. As the official attendance report only covers governor attendance at Governing Body and Committee meetings, and a report of other activities that Governors have been engaged with throughout the year was discussed. The report also demonstrates that the level of engagement of Governors with the College remains at a high level. The College is reviewing how it engages digital technology to provide better functionality for Governors (and others) to link up via video/tele conferencing this will provide greater opportunities for Governors and key staff to communicate; once done the report outcomes and recommendations will be shared with Governors.

Governors noted the Governors Engagement Report for 2018-2019.

Governance Action Plan 2018-2019:

Governors were invited to note the end year outcome of the Governance Action Plan 2018-2019. It was recognised that the targets set were difficult to measure; going forward, when setting the targets for 2019-2020 the Governance Advisor would ensure that SMART objectives would be in place.

Governors noted the Governance Action Plan 2018-2019.

11. Scheme of Delegation – Annual Review 19FGB09

The annual review of the Scheme of Delegation has taken place and Governors were asked to consider and approve the revised Scheme. Governors were reminded that the Scheme lists documents, policies and procedures that are the responsibility of the Governing Body and cannot be delegated. Governors scrutinised the Scheme and were satisfied that it reflected the requirements and expectations of the Board.

Governors approved the revised Scheme of Delegation.

12. Governance Self-Assessment 2018-2019 and Improvement Plan 19FGB10

Governors received an analysis of the recent Governance Self-Assessment. The Board were asked to consider the analysis of the questionnaire and approve the items included in the Governance Improvement Action Plan 2018-2019, the Self-Assessment Grade for Governance and to note that this grade will contribute towards the College's overall Leadership and Management grade and will inform the Annual Governor Development Plan. The Board noted that overall Governors felt that their understanding and effectiveness had improved significantly over the last twelve months, and collectively Governors viewed that they were more effective in challenging the Executive Management Team.

Action: Thought needs to be given to the method used to Self-Assess Governors – this will be undertaken by the Governance Advisor.

After much discussion Governors approved the Self-Assessment of Governance as 'Good' and ratified the Governance Improvement Plan for 2019-2020.

13. Insurance Cover Summary Report – to note for information only. 19FGB11

Governors noted the summary report on College Insurance cover for the academic year commencing 1st August 2019.

The meeting closed at 7.15 pm.

Date of the next meeting: Tuesday 12th November 2019 at 4.00 pm – North Devon Campus.