

MINUTES OF A MEETING OF THE BOARD OF LEICESTER COLLEGE CORPORATION



HELD ON 31 OCTOBER 2018

Present:	Jonathan Kerry (Chair) John Allen Jim Bowditch John Burton Hannah Byrne Laura Hadland Verity Hancock	Brigitte Heller Andrew Hind Ruth Ingman Chan Kataria Zubair Limbada Mandeep Singh Tom Wilson
In Attendance:	Louise Hazel Shabir Ismail Kieran McKee Kully Sandhu Tina Thorpe Claire Willis	Director of Governance and Policy Deputy Principal Head of learning Support (items 1-4) Vice Principal Adult and HE Vice Principal 14-19 Director of Quality Improvement (items 5-8)

The Chair welcomed Hannah Byrne (student governor) and Jim Bowditch (staff governor) to their first meeting.

1 DECLARATION OF INTERESTS

- 1.1 Previously declared interests in item 12 were noted. Tom Wilson and Jonathan Kerry declared interests in item 10 which mentioned the St Philip's Centre.

2 APOLOGIES FOR ABSENCE

- 2.1 Apologies for absence were received from Danielle Gillett and Sadie Robertshaw.

3 MINUTES OF PREVIOUS MEETINGS AND MATTERS ARISING

- 3.1 **The minutes of the meeting of 4 July 2018 were received and agreed as an accurate record.**
- 3.2 **The confidential minutes of 4 September 2018 were received and agreed as an accurate record.**

4 SAFEGUARDING ANNUAL REPORT 2017/18

- 4.1 The Deputy Principal introduced the Annual Safeguarding Report 2017/18. The

following points were highlighted:

- 4.1.1 The report showed themes consistent with previous years.
 - 4.1.2 There were 158 referrals to the Safeguarding Team, an increase of 41 on 2016/17. However, the number of safeguarding referrals in 2016/17 was unusually low and the 2017/18 number was more in line with previous figures.
 - 4.1.3 Trends by gender and ethnicity were similar with most referrals for female students; the majority were from learning mentors and Childcare, Health, Social Care and Sciences had the highest number of referrals. The reasons for this were known and as previously reported to Corporation.
 - 4.1.4 Cases of self-harm were still the highest reason for referral after cause for Concern.
 - 4.1.5 The College was focussing on E-safety; the growth in use of smart phones was making this harder. An E-safety action plan was in place and monitored by the Safeguarding Committee.
 - 4.1.6 The Cyber Essentials kite mark had been achieved and the College was now working towards Cyber Essentials Plus.
 - 4.1.7 Looked After Children did well at Leicester College. There had been 101 students many of whom presented with increasingly complex needs.
 - 4.1.8 A lot of work was also underway to support mental health. Additional staff had been recruited to support students and the College was part of a trailblazer bid with the hospitals.
- 4.2 Governors **asked** what was covered by bullying and harassment incidents. This varied but could include physical or psychological actions; some included intimidation of vulnerable students. The fact that so few progressed to a Student Service Disciplinary panel indicated that the incidents were being well-handled in Curriculum Areas.
- 4.3 **Governors noted the report.**

5 COMPLAINTS REPORT 2017/18

- 5.1 The Director of Quality Improvement presented the Complaints Report for 2017/18. The following points were highlighted:
- 5.1.1 There had been a 21% increase in complaints compared to the previous year: 193 complaints against 160 in 2016/17. However given the size of the College this was still a small number.
 - 5.1.2 There had also been an increase in compliments with 50 compared to 44 in 2016/17.
 - 5.1.3 Areas with higher numbers of complaints had experienced particular performance management and other staffing issues which were being addressed. For Engineering, complaints had not previously been properly recorded but now were, affecting overall figures.
 - 5.1.4 Reasons for the number of complaints in some areas were explained; for example Aeronautical complaints related to staffing recruitment

- issues.
- 5.1.5 The highest number of complaints for service areas was about Campus Wardens. This was in large part explained by the fact that they were the staff who tended to challenge students on behaviour and wearing of lanyards.
 - 5.1.6 Overall, there were no patterns in the complaints and no major areas of concern.
 - 5.1.7 Following previous discussion at Corporation the response timescale had been increased from 10 to 15 working days as a more achievable timescale.
 - 5.1.8 The revised policy and procedure also involved taking responses in the Customer Service Centre to avoid complainants being passed around. It was explained that because of changes to the Policy and the central recording of all complaints it was possible that the number of recorded complaints would increase in the current year.
- 5.2 Governors **commented** that there appeared to be no obvious themes and the explanations given were helpful in providing context. They **asked** a number of questions including:
- 5.2.1 **Whether the College could learn from the complaints for example around Aeronautical; was the College able to make a proper offer if it experienced staffing difficulties.** It was confirmed that staff in the area were able to deliver the programme and the temporary issue had been addressed.
 - 5.2.2 **Whether there was clarity around internal (informal) and other complaints.** There now was; all complaints would be taken and recorded centrally and managed through the Quality Team.
- 5.3 **Governors noted the Complaints report including the increase in complaints in some areas, and the factors influencing them. They also noted that the complaints policy had been changed for 2018/19 and that informal complaints were now being recorded.**

6 WHISTLEBLOWING ANNUAL REPORT 2017/18

- 6.1 The Director of Governance and Policy presented the Whistleblowing Report for 2017/18. The following points were highlighted:
- 6.1.1 There was one whistleblowing incident in 2017/18. This was reported to the Corporation in January 2018 and then in more detail to the Audit Committee in June and October 2018.
 - 6.1.2 It concerned allegations of theft and non-compliance with the College Equal Opportunities and E-Communications policies.
 - 6.1.3 Actions had been taken to investigate the allegations. The Whistleblower had been given appropriate protections.
- 6.2 **Governors asked whether staff had sufficient training in terms of reporting any allegations to the LADO.** It was confirmed that staff were aware of where and how to report safeguarding issues and the Safeguarding

- Team had good links with the LADO.
- 6.3 **Governors noted the report.**

7 FINANCE REPORT (PERIOD 12 ACCOUNTS)

- 7.1 The Deputy Principal presented the Period 12 Finance Report which had previously been considered by the F&GP. The following points were highlighted:

- 7.1.1 The accounts were subject to External Audit. The draft management letter had been received; the final funding management letter was awaited.
- 7.1.2 The year end result was an operating deficit after restructuring costs of £1,526k compared to the forecast deficit of £1,921k and an operating deficit before restructuring of £850k which was £300k better than forecast.
- 7.1.3 The latest data return suggested that the College had exceeded its 16-18 learner number target.
- 7.1.4 The overall AEB was slightly ahead of the summer reforecast figure due to an increased number of students being supported through the learner support fund. There would still be a shortfall against the original allocation, which would be clawed back by the ESFA.
- 7.1.5 Apprenticeships income was in line with the revised summer reforecast estimate but below the original budget. Apprenticeship legacy income was better than planned; co-invested was below target although there would be some carry-ins to 2018/19. Levy income remained an ongoing challenge.
- 7.1.6 Pay and non-pay costs were in line with the summer reforecast. The College had achieved efficiencies of £1.8 million going into 2018/19. Restructuring costs to achieve these efficiencies were £678k.
- 7.1.7 The main variances were associated with the AEB and the learning support fund, other educational contracts with more income than planned through CITB, and exam fees which were higher than planned.
- 7.1.8 Bank covenants would be met.
- 7.1.9 Cash flow would be impacted by failure to meet the AEB and claw back to the ESFA payable in December.

- 7.2 **The Chair of F&GP confirmed that this had been discussed in detail. Achievement of the covenant vindicated the Colleges decision to move banks as the previous covenants would not have been met. There were still concerns about levy income but overall it was felt this was a good outturn. The Committee understood that efficiency targets would be challenging.**

- 7.3 **Governors asked a number of questions including:**

- 7.3.1 **Whether the FRS102 could be negative next year.** This was possible.
- 7.3.2 **How close the College would have come to breaching previous**

Barclays covenants. The Barclays covenants were very restrictive. The College had new Santander covenants but a £150k movement could have breached the debt service cover covenant.

7.4 **Governors noted the Period 12 accounts as recommended by the Finance and General Purposes Committee.**

8 QUALITY UPDATE: ACHIEVEMENT RATES 2017/18 AND CASE STUDIES

8.1 The Principal presented the achievement rates for 2017/18. The following points were highlighted:

8.1.1 Overall achievement rates had increased on 2016/17. National benchmarks would not be available until March 2018.

8.1.2 Adult overall achievement had increased.

8.1.3 16-18 had decreased slightly, although not as much as predicted. 16-18 results had been affected by contextual reasons, notably the strategic decision to carry forward two cohorts of students within Engineering and Sport and the move to summative synoptic assessment in the majority of curriculum areas.

8.1.4 English and maths results had held up. GSCE results were above national rates.

8.1.5 Apprenticeship achievement was very disappointing. Some Apprentices had been on programme for a long time. The College had now removed a lot of poorly performing provision. However a forensic review of who is still on programme would be needed. The Director of Quality Improvement would be looking at Apprenticeship achievement and would be producing a detailed action plan.

8.2 Governors **asked** a number of questions including:

8.2.1 **Whether the national benchmarks might reflect the move to synoptic assessment.** This was very possible.

8.2.2 **Whether there were any other areas which were a cause for concern.** There were some individual courses with low rates but action was being taken.

8.3 The Principal explained that the Apprenticeship results could fall below minimum standards although the QAR would not be published until January. The Director of Quality Improvement was seeking advice from the AoC on potential consequences. The provision represented a small proportion of the College's overall provision with 742 leavers and £3.8 million out of £44 million but apprenticeships were a government priority and so would be an area of interest. CSQI would be monitoring progress with Apprenticeships carefully.

8.4 **Governors noted the achievement rates and requested a further update on Apprenticeships at the next meeting.**

8.5 The Principal presented the Successful Learners (case studies).

- 8.6 **Governors noted the case studies and asked how they were used to promote the College.** It was confirmed that there were already widely used in promotion across the website, in newsletters and printed materials.

9 RECRUITMENT AND ENROLMENT REPORT

- 9.1 The Principal presented the recruitment and enrolment report. The following points were highlighted:
- 9.1.1 The College had recruited strongly for 16-18 and adult. Adult recruitment was on track and slightly ahead of the position last year. The impact of the adult low income policy change was not yet evident.
 - 9.1.2 There appeared to be a return of full-time adults but it was too early to know if this was a one-off or a new trend.
 - 9.1.3 There was predicted income of around £990k for loans activity.
 - 9.1.4 HE recruitment was slightly below target although this would be made up through partnership activity.
 - 9.1.5 Apprenticeship recruitment looked healthy although not was currently on track to achieve the target. The area was currently under review but an early decision would be needed about any action required.
- 9.2 In response to a **question** as to whether any college was doing well with Levy recruitment, it was confirmed that all colleges were finding it challenging. It was also reported that meetings had been held with UHL but it was apparent that the Trust had other priorities and using the Levy was not high on its agenda. The College would need to focus on sectors where it was easier to attract apprentices for example Construction.

- 9.3 **Governors noted the report.**

10 PARTNERSHIPS REPORT

- 10.1 The Deputy Principal presented the Partnerships Report. The following points were highlighted.
- 10.1.1 The College's strategy continued to be to extend its offer locally with subjects or types of provision which it was unable to deliver or to widen participation. It had allocated £1.1 million for subcontracting in 2017/18 which was reasonable for a college of this size. It had achieved £900k although some late contracts had struggled to deliver. Achievement was generally good. Two HE partners had been trialled in 2017/18.
 - 10.1.2 For 2018/19 £1.3 million was allocated to subcontracting to high quality partners.
 - 10.1.3 The College was also looking to manage the HE funding gap with high quality partners. New contracts had been issued for 2018/19. It would minimise the risks by instigating more quality checks and unannounced visits.
- 10.2 **Governors asked** a number of questions including:

- 10.2.1 **Whether the College would continue with Infinity given its poor results.** There would be some carry forwards into 2018/19 but there was confidence that these students would complete. The issues in the organisation had now been resolved.
 - 10.2.2 **Whether the College should do more HE partner delivery.** The College was looking to develop relationships with good partners but did not want to become over-reliant on this; the strategy would be to ensure quality and minimise risks.
 - 10.2.3 **Whether students know they were Leicester College students.** They were informed of this during inductions.
 - 10.2.4 **Whether any of the courses offered by partners could be provided in house or whether it was a geographical issue.** In the main partners were contracted to deliver provision the College could not offer but also to broaden the offer to new geographical areas.
- 10.3 **Governors noted the paper, approved the proposed new contracts as outlined in paragraph 5.5 and 5.6 subject to the successful completion of due diligence processes and approved the indicative partner allocations for 2018/19.**

11 CORPORATION SELF-ASSESSMENT

- 11.1 The Director of Governance and Policy presented the Corporation's self-assessment for 2017/18. The following points were highlighted:
- 11.1.1 The self-assessment had identified positive impacts and evidence of that impact including Clear Mission, Vision and values including EDI
 - 11.1.2 Good engagement with stakeholders and high levels of satisfaction
 - 11.1.3 A very positive Ofsted outcome
 - 11.1.4 Clear, high quality and helpful reports; appropriate levels of information provided to governors enabling effective monitoring of performance and challenge.
 - 11.1.5 An effective mix of governor expertise and specialism.
- 11.2 Areas for development included:
- 11.2.1 Responding to the significant challenges and ensuring financial and curriculum plans are met
 - 11.2.2 Continuing to engage stakeholders including local industry
 - 11.2.3 Continue to recruit governors to fill any gaps
 - 11.2.4 Ensuring sufficient time for discussion of reports and flexibility of meeting times and mediums for sharing information.
- 11.3 These would be followed up through the governance improvement action plan and committee work plans.
- 11.4 **Governors noted the report.**

Zubair Limbada and Hannah Byrne left the meeting.

12 FEEDBACK FROM STRUCTURES WORKING GROUP – CONFIDENTIAL

13 ITEM FROM AUDIT COMMITTEE: RISK STRATEGY

13.1 Governors received and noted the paper.

14 ITEMS FROM SEARCH AND GOVERNANCE COMMITTEE: GOVERNOR ENGAGEMENT AND GOVERNOR APPOINTMENTS

14.1 Governors received and noted the papers.

15 MINUTES OF MEETINGS

15.1 Governors noted the following minutes of committee meetings:

- Student Liaison Committee (10 May 2018)
- Search and Governance (23 May 2018)
- Audit Committee (14 June 2018)
- Finance and General Purposes (2 July 2018)
- Structures Working Group (12 September 2018).

16 DATE OF NEXT MEETINGS

- 29 November (Special Meeting at 5.00pm followed by Christmas Dinner)
- 11 December at 6.00pm
- 23 January 2019 - to be confirmed

17 ANY OTHER BUSINESS

17.1 The Principal advised governors that Tracey Kinsley, Vice Principal for Apprenticeships and Commercial, had taken voluntary redundancy. The College wished to place on record thanks to Tracey for 25 years of service. It was explained that the Deputy Principal would be temporarily leading the team and would be looking at how best to manage the area going forward.