

**MOULTON COLLEGE**  
**CORPORATION BOARD**

**Minutes of the meeting held on Thursday, 26<sup>th</sup> September 2019 at 9.30am**

**Present:** Mr D McVean (in the Chair), Mr A Clarkson, Ms S O'Connor, Mr B Hansford, Mrs C Harris, Mrs P Hawkesford, Mr I James, Ms L Knapp, Mr T Neville, Mr A Thomson, Mr M Wakeford and Miss L Watson

**In attendance:** Mr D Aldridge, Mr A Baird (Observer), Miss A S Bruce, Mr R Colebourn (Eversheds), Mr G Davies, Mrs G M Hulley, Mr R Plantier, Mrs K Riley (ESFA Observer) and Mr J O'Shea

**Governor CPD Training: Insolvency Regime**

Mr Richard Colebourn, Senior Associate from Eversheds Sutherland attended the start of the meeting to deliver a short training session to the Corporation and Senior Leadership team on the Insolvency Regime. The presentation was in four parts:

- An overview of the Technical and Further Education Act 2017 and how it applied to existing insolvency procedures to FE and sixth form colleges.
- The application of the existing insolvency procedures.
- The introduction of education administration.
- Governor liabilities and disqualification.

The Chair of Corporation confirmed that the College had subscribed to Eversheds governance subscription service. In the event of any questions, these should be directed to the Clerk to the Corporation.

The Chair of Corporation thanked Richard for a very helpful presentation which raised everyone's awareness of what might happen in this situation. A copy of the presentation is available from the Clerk to the Corporation.

Mr R Colebourn left the meeting.

**PART 1**

**19/180 Welcome and introductions**

The Chair welcomed Sophie O'Connor (staff governor) and Lois Watson (student governor) to the meeting. Both had been elected in summer 2019 and the decision ratified at the Corporation meeting on 4<sup>th</sup> July 2019.

The Corporation was joined by two observers. Karen Riley, Deputy Director, FE Territorial Team from the ESFA and Andrew Baird, the current Chair of Hadlow College and mentor to the Chair. John O'Shea, Vice Principal Curriculum and Quality and Roger Plantier, Director Marketing and Commercial had recently joined the College. All were welcomed to the meeting.

**19/181 Apologies for absence**

Apologies for absence were received from Mr A Eastland, Mrs H King and Mr C Matts.

- 19/182**            **Declarations of interest**  
Mr T Neville declared an interest in agenda items 11 and 12.
- 19/183**            **Minutes of the last meeting**  
Part A of the minutes of the meeting held on the 4<sup>th</sup> July 2019 were approved as a correct record and signed by the Chair.
- 19/184**            **Actions outstanding**  
**Action 135:** Today's agenda included training for governors on the implications of the new Education Inspection Framework (EIF) 2019. The Clerk would also be completing further research across the sector around demonstrating impact (**Clerk – 30<sup>th</sup> November 2019**).
- The Chair thanked governors for responding to the recent request to update the skills audit. A summary would be circulated by the Clerk (**Clerk - 30<sup>th</sup> September 2019**). A programme of CPD for governors would be considered by the Search and Governance Committee in October 2019. Governors were encouraged to forward any additional requests for CPD to the Clerk (**All – 17<sup>th</sup> October 2019**). Governors were also invited to reflect on whether they were aware of any individuals from their professional networks who may want to join a Committee on a co-opted basis (**All – 17<sup>th</sup> October 2019**).
- 19/185**            **Governor update**  
The Chair reported that Mrs K Delamain-Blunt had resigned from the Board due to work commitments. She could no longer commit to the time and level of involvement. Mrs Delamain-Blunt was thanked for her valuable contribution throughout her term of office as a governor.
- 19/186**            **FE Commissioner (FEC) Recommendations – Reporting**  
The action plan provided governors with a summary of the FEC recommendations, actions that were being taken and progress against those actions. The action plan had been shared with the FEC team at yesterday's stocktake visit.
- The Principal provided a summary of feedback received following the stocktake visit on the 25<sup>th</sup> September 2019. The visit had been very positive and the FEC team recognised that the Principal and her team were working at a great pace. The team was pleased with the reduced management structure and commented on the clear sense of direction across the College. KPIs (key performance indicators) were good and fit for purpose including the development of the data dashboard. It was agreed the programme of performance monitoring in place across the College was robust. ProSolution was being used appropriately. The curriculum planning process should be brought forward. It was too early to see the impact. The Principal explained that the senior leadership team (SLT) was quite clear that everything that had been put in place and for all the actions that had been taken, it would be imperative to demonstrate impact.
- From a governance perspective, the FEC team looked at the Board skills and recommended the need for more curriculum and HR expertise (**Clerk – 28<sup>th</sup> November 2019**). The Board and associated Committees had sight of a range of KPIs for governors' use. There would also be a governor data dashboard (**VPC&Q – 24<sup>th</sup> October 2019**). The FEC team recommended

that, wherever practicable, priority should be given to presenting executive summaries to Board meetings.

Challenges or observations from the Corporation (*and responses shown in italics*) were in relation to:

- a. Where will the FEC action plan be scrutinised? *The Chair explained that the Audit Committee should ensure that there was rigour in what was being reported through the tracker. The TLA Committee owned a significant proportion of the action plan in view of its emphasis on the quality of the student experience. Other Committees would then maintain an oversight as and when appropriate.*
- b. There is a need for Audit to provide a quick assurance that the processes underpinning the tracker are rigorous and robust so what they are then looking at, is rigorous and robust (**Audit Committee – 18<sup>th</sup> November 2019**).
- c. Health and Safety doesn't seem to be included? *It is on the risk register and runs through absolutely everything. It is not on here as it is not a FEC recommendation.*

**Resolved:** That the FEC recommendations' action plan was received.

19/187

**Governor CPD Training: Ofsted inspection framework (2019)**

The Principal presented a series of slides on the new EIF. The slides focused on: the changes to inspection from September 2019; judgements; provision types; inspection practice; and, the report.

Challenges or observations from the Corporation (*and responses shown in italics*) were in relation to:

- Have all the staff received this presentation? *It has been disseminated amongst management level but not yet to course team meetings.*
- Will it? *Yes. We are also developing skills and expertise around schemes of work and lesson planning; all linked to the EIF.*
- Capability of people was raised in the last inspection and one of the issues was because of the high staff turnover we had had in the previous 12 months. *We did restructure to make sure people are in the right jobs. Two new Assistant Director will be joining the College in November. Both are associate inspectors and up to date with Ofsted practice.*
- What about training for part-time and agency staff? *We have a new staff intranet and we have Monday CPD sessions. Both are ideal opportunities to disseminate this information.*
- What work is being completed in terms of assessment so that students know exactly what they have to do to improve? How far has that been disseminated to staff and then monitored by managers? *That is a very good point and something we need to develop further.*
- Where the learner journey is concerned, how will you ensure that there is a collective responsibility from staff? *I have made this clear to all staff at briefings at the start of the term. Students are everyone's responsibility from start to finish including English and maths; not just those who teach. During learning observations, we will ask vocational tutors how they have assisted people with career goals and curriculum planning. This will continue to be a priority.*

The Corporation was informed that one Ofsted inspection under this new framework had already taken place in the region and the college concerned

had been very complimentary about the process. There was far more focus on the student experience. Governors were encouraged to be more involved in learning walks. The Clerk would circulate a schedule of learning walks together with a prompt sheet to help governors on learning walks (**Clerk – 1<sup>st</sup> November 2019.**)

**19/188**

**Principal's update including Key Performance Indicators**

The report provided an overview of progress towards the 2 main priorities in relation to the quality of provision and financial stability. The quality of the student experience was paramount if the College was to achieve further growth. It was absolutely essential that students were retained. The Principal provided an update on the latest recruitment figures for 16-18 and 19+. Final numbers should be available by the end of the following week. A number of strategies had been put in place to support retention. In terms of good news stories, there was now a new staff intranet system with a data dashboard that was clearly displayed. The development of a new sports hub at Higham Ferrers would give Moulton further opportunities for growth in this area, dependent on student need. This would open in the next 18 months.

The report generated a lot of discussion around the KPIs and the Chair recommended that a further piece of work was required to ensure that what was being reported to governors was included. At the moment, some KPIs were missing as they featured in another report. There was a need to link everything together or to create a 'governor set' (**Principal – 28<sup>th</sup> November 2019**). The Chair also emphasised the importance of using governors to communicate certain messages, for example, around recruitment and finding the right mechanism to do this.

**Resolved:** The Principal's update was noted.

**19/189**

**Quality Improvement Plan 2019-20**

The quality improvement plan (QIP) was based on Ofsted recommendations, the FEC report and the College's self-assessment process. It responded to a range of identified weaknesses and where the College needed to improve throughout the College. The Vice Principal Curriculum Quality explained that if the QIP had one risk, this related to the sheer volume of actions that were being targeted; the pace that everyone was working to; and, whether such pace can be maintained. Staff had fully embraced the challenges ahead of them and their workloads had increased as a result. It was important, however, to be mindful of their health and wellbeing to keep this process going. In response to a discussion raised in the previous agenda item, members' attention was drawn to the 7 main areas of focus for the College including safeguarding, health and safety in section 6.

**Resolved:** The update to the Quality Improvement Plan was noted.

**19/190**

**FEC Recommendations: Progress Update**

The Vice Principal Curriculum and Quality had circulated a suite of papers to update Board members on a range of issues that had previously been identified by the FE Commissioner. Governors were informed of the achievement outcomes which had been analysed and reported as part of 15 different categories. Governors had not received this level of detail previously. In terms of overall achievements, data showed a further drop compared to 2017-18 and they were also below national benchmarks. An investigation had been undertaken during the summer to establish the factors that had caused

such a disappointing set of outcomes. The findings were shared with the Board. A number of actions had been taken immediately for the start of the new academic year to avoid the same situation arising again. The Board registered its dissatisfaction with the outcomes and questioned what follow up action was taking place for those students who hadn't been successful. The Principal explained a number of actions that were being taken including retakes and for this academic year, ensuring that students were enrolled onto the right courses.

The Principal explained that unlike the previous year, a robust programme of programme management had now been implemented across College. Curriculum KPIs had been shared and understood at the different levels of the organisation. Expectations had been clearly articulated. This new system would ensure the early identification of any issues to make rapid interventions to bring about any changes that were required.

Unlike the previous year where there were no formal observations, one fifth of the staff had already been observed. By October half-term every member of teaching staff would have been observed by a Head of Quality, Director and Head of School. If a member of staff was found to be inadequate, they would be re-observed within 2 weeks. A 10-point support programme had been introduced to help staff reach the right standard. If the standard wasn't achieved, the member of staff would be subject to capability procedures. The staff governor provided feedback on her experience to date with some CPD sessions which the Vice Principal agreed would be helpful information to share at his team meeting with Heads later that day.

To conclude the discussion, the Chair highlighted the importance for governors to be reassured that the changes that had been discussed were having an impact. Governors were actively encouraged to volunteer for learning walks; talking to staff and students during visits to the College; and, being involved in the monthly performance management meetings (**Clerk – 1<sup>st</sup> November 2019.**) Following discussion, *the report was noted.*

**Resolved:** The update to progress with a range of quality improvement actions was noted.

19/191

## **Minutes of previous meetings**

### **a. 30<sup>th</sup> July 2019**

The minutes of the meeting held in July had been circulated previously. Any issues from that meeting had been taken forward to the meeting held earlier in the week.

### **b. 23<sup>rd</sup> September 2019**

The Chair of the Finance and Resources Committee provided a summary of the key points that were discussed in the last meeting which included:

- **Risk register:** This would be reviewed and revised by the SLT and presented to the next Audit Committee in November 2019. The Committee has provided feedback on the need for improvements previously.
- **Management accounts P12:** The management accounts were as expected apart from debtors and pensions. The outturn was as expected and an opportunity had been taken to write off some of the debt. The College would not have those issues going forward. Where pensions were

concerned, this was a problem across the sector following the latest pension review. The bank had agreed to defer the bank covenant so there would not be an issue at the end of the year.

- **Pre-audited final accounts for the year ended July 2019 (Agenda item 7, Paper E)** Received for College Group including the 3 subsidiaries. KPMG were due back at the College w/c 7<sup>th</sup> October 2019.
- **Capital expenditure budget annual review:** A budget of £100k was approved in July 2019. The Committee raised concerns whether the amount was realistic. Actions had been put in place by the College Executive to consider requests on a case by case basis to ensure the student experience would not be affected.
- **Health and Safety:** SLT had agreed to zero accidents; a KPI would be set for this. Challenges were raised about delays with the completion of electrical wire testing and remedial works. These would be completed in early November 2019 (**F&R Committee – 25<sup>th</sup> November 2019**).
- **Marketing plan:** The new Director of Marketing and Commercial had been tasked with producing a new marketing plan (**DoM&C – 24<sup>th</sup> October 2019**). The Committee challenged the College Executive around doing more to find out how students hear about MC; the need to use more role models; capturing feedback from past students; and, the potential for national recruitment opportunities which in turn, would use the accommodation.
- **CPD annual performance:** Members received a detailed report on externally sourced CPD activities. A full CPD report would come to the Committee in the future. The Committee challenged the College Executive around opportunities to deliver more in-house training via cascade methods; the need to report on all types of CPD activity and those funded from other sources of funding; and, the inclusion of all costs in future reports. Following discussion, *the report was noted*.

**Resolved:** The reports for the F&R Committees held on the 30<sup>th</sup> July 2019 and 23<sup>rd</sup> September 2019 was received.

19/192

### **Management Accounts: Period 12**

The management accounts related to Period 12. The College doesn't produce accounts for Period 1 and work had commenced on Period 2. The CFO explained that going forward, there would be a continued focus on cash. The cash flow forecast was being updated all of the time. Property sales would be discussed later in the meeting. There was a bad debt of £384k this year. This was as a result of a number of issues including poor practice. The CFO cited the examples of not ensuring that students had sufficient financing in place prior to starting their course. This had been compounded by the majority of the team being temporary agency staff during the year. Currently all staff were on permanent contracts and there was one vacancy. Over the summer period, £0.25m had been collected. A sum of £40k of old debt had been collected in August 2019. A robust action plan was in place. On a Monday morning, the CFO undertakes credit control and monitoring of cash flow. In relation to year-end accounts, some new disclosures would be included. These related to salaries and the pension deficit (LGPS) which had increased with other colleges being in a similar situation.

Challenges from the Corporation (*and responses shown in italics*) were in relation to:

- I was alarmed by the level of student debt to collect. What actions are being taken to address this? There are companies that can collect debt out there at a good cost? *We have a firm of collectors to collect. We have also got credit control procedures, although these have not been consistently applied in the past. Going forward, we have two credit controllers which will improve the position. I have informed the finance team that as much money is to be taken up front as possible, with a limit on how much credit is given to new and existing customers.*
- Has the Saudi bond now been returned. Do we have written confirmation of this? *The Oxford Partnership has confirmed that the bond has been released. The bank has been asked to confirm this (CFO – November 2019).*
- In terms of training for your team, what else do we need to do to make sure it feels like no matter where you go in the College, it is all about the student experience? *I am making sure that my area is more integrated and visible. All my teams are now in the library so they are visible to students. The Director of HR explained that this was also about a cultural shift and business change. The student experience was the absolute focus for everyone but there is a need for a whole business cultural shift of how the College is doing things.*
- Where pensions are concerned, this wasn't so much an issue for colleges as it is largely LGPS (Local Government Pension Scheme). As a result, the College doesn't have the TPS (Teachers' Pension Scheme) issues which other organisations have got. The pension fund may ask for official security if they thought there was a risk. *The increase in pension deficit relates to the LGPS (Local Government Pension Scheme) only. The TPS (Teachers' Pension Scheme) is unfunded so is not a risk in the same way. The LGPS could ask for security over assets and will review the strength of the Colleges covenant if they thought there was an increase in risk. In the recovery plan, we have set out some golden rules which look at the level of reserves. The bank expects our reserves including pension deficit to be over £12.5m, and excluding to be over £25m. We have met both of these covenant tests even with the changes in the deficit.*

**Resolved:** That the management accounts for year ending 31<sup>st</sup> July 2019 was received.

**19/193**

### **Health and Safety**

The Deputy Principal emphasised that the focus on health and safety was underpinned by having the right culture in the College going forward. A lot of training had been delivered last year. A priority this year would be to focus on practical 1-day training. The College's commitment to health and safety remained strong due to a whole-College commitment to treating health and safety with the seriousness that it deserved and it was paramount to have the right culture in the organisation.

**Resolved:** That the Health and Safety report was noted.

**19/194**

### **Safeguarding**

The report reflected the extensive work that the Safeguarding team had been involved in over the summer holiday and since the start of term. A number of high risk safeguarding issues had been raised. The governor safeguarding champion asked for confirmation of the revised organisation structure in

relation to the designated and deputy designated officers following the management restructure (**VPC&Q – 24<sup>th</sup> October 2019**).

**Resolved:** That the Safeguarding report was noted.

**19/195**

**General Data Protection Regulations Policy**

The policy had been presented for approval. The staff governor provided positive feedback on GDPR training that had been delivered by an external facilitator. The training had been very practice and offered participants insights that were based on real-life experiences. The CFO confirmed that GDPR had been audited and this would be reported on at the next Audit Committee (**CFO – 18<sup>th</sup> November 2019**).

**Resolved:** The GDPR Policy was approved.

**19/196**

**Any other business**

There was no other business.

**19/197**

**Date of next meeting**

Thursday, 24<sup>th</sup> October 2019 at 9.30am in Kelmarsh at the Management Centre.

Ms S O'Connor and Miss L Watson left the meeting.

Meeting finished at 12.01pm.