

**Minutes of the City of Liverpool College Board meeting held on  
11<sup>th</sup> November at 2015 at 4.30pm**

**Present:**

Louise Barry,  
Elaine Bowker (Principal),  
Martin Carey,  
Sue Carmichael,  
Gemma Charters,  
Clare Crowther,  
John Denny,  
Peter Grieve (Chair),  
Viv Lacey (Vice Chair),  
John Nolan,  
Ian Pollitt,  
Phillip Powell,  
Stephen Sankson,  
Peter Tavernor,  
David Wilson.

**In attendance:**

Trudy Burrows (VP Business Development),  
David McIntyre (Deputy Chief Executive),  
Simon Pierce, (VP Curriculum),  
Christine Lenderyou (Clerk to Corporation)

**15.106 Welcome and Apologies**

The Chair welcomed everyone to the meeting. Apologies for early departure had been received from Clare Crowther and John Nolan. The Chair advised that as an Ofsted inspection was currently taking place in the College and it was anticipated an inspector would observe the Board meeting, the agenda would be re-ordered to allow commercially sensitive items to be taken before they joined the meeting.

**15.107 Minutes of Previous Meeting**

The minutes of the previous meeting were approved as a true record.

**15.108 Actions from previous meeting.**

**15.36 & 15.53 Prevent** – all governors had now completed the mandatory training. In addition, Ms Barry and Ms Carmichael had sought and received information regarding the number of referrals from the College under Prevent and the outcomes; there had been four referrals, two of which had not required further investigation and two of which had been investigated further but were deemed low risk. The Chair had also had a positive conversation with Merseyside Police regarding the rigour of the College's processes.

**15.81 Budget and 3 Year Plan** – Dr Carey was yet to meet with the VPC and Deputy Principal but had met with former governor Councillor Nick Small and had discussed local priorities.

**15.93 Apprenticeships and Business Development** – the Chair requested that a date be provided for when the review of provision at Collingwood Dock would be complete.

All other actions were either complete or covered elsewhere on the agenda.

**15.109 Subsidiary Company Update – SharED**

The DCEx ensured the Board were fully conversant with SharEd's current position via a comprehensive report which focussed on operations, people, service review, finance and business development. Governors noted the potential clients and the upcoming pitch at the Association of Colleges' Annual Conference but challenged whether capacity existed to service new clients. The DCEx advised that an upscaling model would be used with business partners having clients allocated to them and the number of business partners would be proportionate to the number of clients. A Project Management Office would be in place for on-boarding new clients. Governors also wanted to know whether there was a diagrammatic, definition of blueprint, capabilities etc which would clarify. The DCEx advised that service offerings with high level service components then individualised sitting underneath would be produced for each client and there would be a maturity assessment around where the client was and what they needed. Governors challenged whether diagnostic capability was in place and were advised that some would be obtained through partners.

Governors noted with interest the range of clients but highlighted that they would be susceptible to the same funding cuts as the College and sought assurance on the sustainability of the business in such circumstances. Dr Tavernor believed that the organisations listed were financially sustainable and the DCEX confirmed that a risk assessment was carried out before taking on a client. Governors also requested clarity around the potential size of the contracts and were informed that one organisation was slightly smaller than the College so proportionally this could be around £Xm. The Chair also stated that dates should be included to provide further clarity. Governors said it would be helpful to receive the strategic plan for SharED **Act: CL**

A number of activities had taken place help embed the culture and values of the company and most staff were now located together in Bankfield Road.

The Board had previously approved a budget for the Group which included SharEd and were assured by the DCEx that the required level of savings was being managed accordingly.

Governors thanked the DCEx for his informative report which provided assurance that all key metrics were being continually interrogated.

#### **15.110 Financial Information**

The DCEx gave a detailed presentation on the financial situation. Key points which were discussed included:

##### Outturn and Statutory Accounts for 2014/15

The Financial Statements were being prepared and the finance team were working closely with the auditors. No significant issues had been highlighted so far by the auditors and the DCEx did not anticipate there being any. The Group Cash Based Operating Surplus was £2.7m, excluding intra-group transactions (2013/14: £2.4m). The Group historical cost surplus was £256k (2013/14: £160k). The financial health score was "satisfactory" and all bank covenants were met. The Board agreed that the clear and consistent information received at each Board meeting would enable them to make an informed decision regarding approval of the Financial Statements at the December Board meeting. While governors acknowledged the impressive financial performance they were clear that the increasingly difficult and uncertain context meant that there could be no complacency.

##### Income and Expenditure

[Removed as commercially sensitive] Governors were able to take assurance from the DCEx's clarity of the issues and that appropriate actions would continue to be taken.

##### Balance Sheet and Cashflow

The Group cash position showed a decrease of £0.5m in month to £4.7m but there were no forecast cash concerns in the year. The Board contrasted this with the stark position in 2012/13 and highlighted that the remarkable turnaround was not fortuitous but was the result of a coherent strategy and decisive actions.

**15.111 Performance and Quality Task and Finish Group – Verbal Update from Peter Tavernor (Chair)**

English and Maths

The Board had previously agreed that English and maths would be a key area of focus for the Group so Mary Roberts (Head of English and maths) had attended the PQTFG meeting to update the Group on the current position and strategies in place. Ms Roberts had given a detailed presentation which had focussed on the actions required to drive achievement in maths and English so that it matched the aspirations of the Board and College. It had been clear to the Group that Ms Roberts understood the issues which had contributed to the disappointing 2014/15 results and had been able to identify and implement a series of actions designed to improve success rates, and had been able to make some progress despite only being at the College for a few months. The huge numbers of enrolments (almost 4,500) combined with the ambitious strategy to enrol people on either a GCSE or Level 2 functional skills had proved difficult. While there was tangible evidence that skills had improved, an unacceptable number of students had not achieved their qualification. The Group had noted a large proportion of the College's intake at 16-18 had come from schools which struggled with English and maths as well as attendance so it was always going to be difficult for the College to redress this in a short period of time, but governors and the Executive were emphatic that this meant it was essential the correct strategies were in place. Ms Roberts had been able to confirm that students would be enrolled on Level 1 where initial assessment indicated this was more appropriate but there would be scope for students to be moved to Level 2.

[Removed for reasons of confidentiality].

Ms Roberts outlined the key themes for action including revising staffing structures, increasing accountability, improving rigour, developing a new pedagogy and strengthening assessment and she'd provided detail about how each of the themes would be addressed. The Group had been able to take assurance that Ms Roberts had a clear understanding of where the College was, where it needed to be and the actions required to move between the two positions.

Self-Assessment Report

The Group had reviewed the draft SAR. Each school had its own SAR which sat underneath the top level SAR and contained a detailed analysis although there were some inconsistencies in the presentation. The Group discussed the SAR in some depth with the Deputy Principal and the SAR would come to the December Board meeting for final approval.

The Chair thanked Dr Tavernor and the rest of the Group for their close interrogation of issues identified by the Board as requiring close scrutiny.

**15.112 In Year Performance**

The Board received a presentation from the VPC which focussed on performance to date in the key areas of enrolment, attendance, retention, on-track data and teaching and learning.

Enrolment

HE was above target. 16-18 and Adult Skills were below target but the main risks were loans students and apprenticeships. The VPBD was examining ways to address this with targeted recruitment. Governors noted that 190 enrolled students never attended and challenged as to how this was followed up. Initial analysis had showed a number had gone into employment or had applied to multiple providers and taken up a course elsewhere although the information had limitations as not everyone contacted responded. Although 16-18 numbers were about 3% down, there wasn't a significant financial impact as the programmes were fuller. The Adult Skills Budget was being used more and some work with partners had taken place which may stimulate apprenticeships.

The VPC advised that some products would be launched after Christmas. The Principal added that could look at sub-contracting some loans provision to ensure that the College retained the same loans facility the following year but would rather grow the College's own provision locally in line with the strategic plan.

In response to queries regarding whether a growth case for apprenticeships would be affected by the current Ofsted inspection, the Principal advised that only a grade four would have a significant impact.

#### Attendance

Attendance was higher in each school than at the same point in 2014/15 which was encouraging, but there were still too many schools with attendance below 90%. No national data in a prescribed format existed for comparison purposes. The Board had questions regarding the accuracy of the attendance figures as the current Ofsted inspection team had suggested they had witnessed attendance of around 66% and were reassured to hear that students were physically counted and this was also an aspect of lesson observations; governors were reminded of the national strike which had taken place earlier in the week.

#### Retention

Retention was generally stronger than at the same point in 2014/15, but governors were aware that a strong position was being taken in relation to study programmes and if a student was not engaging with English and maths then they were unable to continue with the rest of the study programme.

#### On-track Data

On-track data ranged from 94.5% to 100% but this contrasted with foundation maths and English which were 88% and 84% respectively. Governors discussed the correlation between staff who used the system effectively and the accuracy of predictions on achievement and agreed with the VPC's assertion that it was a useful tool. Currently 350-400 students were "at risk".

#### Teaching and Learning

83% of observations indicated that practice was effective but the VPC cautioned against taking too much comfort from this. Common Areas for Development included embedding of English, Spelling and Grammar (SPaG) identification, pace of learning, questioning and promotion of values. Common strengths were promotion of employability, embedding of equality and diversity themes and improving differentiation.

Staff absence was below the same point the previous year but above July although absence usually spiked in the autumn term. Governors asked how this compared nationally and were informed that the national rate was 3.8% and this was the target to work towards. The Principal informed governors of the detrimental impact staff absence had on student performance and confirmed that a review would be undertaken to understand what more could be done to improve staff attendance.

Governors were in agreement that the presentation provided a comprehensive analysis of current performance, but underlined that there were significant risks which needed to be managed. The VPC responded to the challenge, providing assurance to the Board that as well as close monitoring, intervention and management of "at risk" situations was continuing.

### **15.113 Self-Assessment Report and Quality Improvement Plan**

The Board referred back to the discussions held at PQTFG regarding the draft SAR and QIP and agreed with the recommendations made in respect of reviewing borderline grades further and ensuring that there was consistency of presentation. Governors were confident that the SAR reflected the information which had been presented to the Board in various ways throughout the year (PQTFG, Board meetings, strategic planning events).

The QIP informed the areas for development in the current year and had been produced from the draft SAR and were also supported by underpinning QIPs for each school.

In summary governors agreed the College's strengths were:

- Adult learners - 7000 of 11000 learners (proportionality),
- Success rates for high needs learners – better than national rates,
- Apprenticeships above national success rates (and improved by 14% in a year)
- Support/Pastoral/Behaviour
- High percentage of known destinations (93% - high for sector)

Areas for improvement included:

- English and maths,
- Study programmes - vast majority on Level 3 were above national rates but there was underperformance at Level 2. English and maths was impacting negatively on study programmes.

The Board agreed that although there were good outcomes the overall position required debate and was far from clear cut; this would then inform a decision on the SAR grade for Leadership and Management.

There was some discussion around whether a workshop to discuss final SAR grades should be arranged and this would be considered further.

#### **15.114 Anti-Corruption Policies**

The DCEx presented three policies for approval: the anti-fraud policy, the anti-bribery and corruption policy and the whistleblowing policy. The Audit Committee had reviewed the policies and recommended them for approval on the basis that they reflected the College's statutory duties and were appropriately structured. The Board considered the policies and were in agreement that they provided the College with a suite of policies which clearly outlined the correct behaviours. The anti-corruption policies were approved and would be reviewed in three years or sooner if there were changes to the relevant legislation.

#### **15.115 Disciplinary Policies and Procedures**

The DCEx explained that governors were being asked to approve an amendment to the existing policies for staff and senior post-holders. The amendment reflected the updated social media policy and safeguarding policy and made clear that contravening either policy could be gross misconduct. The Board discussed the proposed amendment and agreed that it was essential for there to be consistency across the policies and that the amendment was reasonable although governors also highlighted that while the Prevent agenda had only been a statutory requirement for Colleges from September 2015, there may be pre-existing policies which it may impact upon and this should be considered when reviewing policies. The Board approved the amendment to the policies.

The Clerk advised that some colleges requested that governors sign up to a social media policy but that she believed the existing code of conduct was sufficient.

#### **15.116 Update from Audit Committee – Verbal Report from John Denny (Chair)**

The Committee had met on 13<sup>th</sup> October. The internal audit annual report had been received and the Chair was pleased to report that all key areas had been rated as green, which was an improvement from green and amber/green the previous year. Three internal audit reports had been received, two of which (Governance and Extended Follow Up Report of Transformation) had been relatively reassuring. The third report on Group Business Development had been discussed at length as a number of recommendations had been made and the Committee felt

that the Board would need more assurance in that area. The Committee acknowledged that the report reflected a particular point in time and that there had been significant changes to that portfolio since, but in order to provide the level of assurance the Board would require, the VPBD had been asked to attend Audit Committee to give a revised management response to the entire report rather than simply updating the progress of each individual recommendation.

The Board agreed with this course of action and requested that the Committee provide a further update.

**ACTION: TB/AUDIT CTTE**

The annual report on anti-fraud and whistleblowing had also been received and Mr Denny was able to advise that the Committee were assured that actions taken were appropriate and effective.

Mr Denny was thanked for his update which had provided the Board with comfort around risk management and internal control.

**15.117 AOB Ofsted**

The Principal advised that she had an update to share with the Board regarding the ongoing Ofsted inspection and news from that afternoon. [removed for reasons of confidentiality]

*Ms Crowther and Mr Nolan left the meeting during this item.*

**15.118 Principal's Report**

Governors were aware that the main events in the College had been the Skills Funding Agency Funding Assurance Review which had been very positive, the current Ofsted inspection, and the Financial Statements and Regularity Audit currently taking place. There were no updates in relation to Area Reviews as governors had received a briefing very recently. Governors noted the continued efforts by the Principal and the senior team to increase the College's profile in the City Region.

**15.119 Any Other Business**

Mr Wilson was retiring as a governor and the Chair thanked him on behalf of the Board and the College for his commitment over the years. Mr Wilson had been a valued governor who was never afraid to challenge and ask uncomfortable questions and he would be missed. However Mr Wilson would remain as an independent governor on the First 4 Skills Board. The Clerk advised that she would be organising a farewell meal for Mr Wilson in the College's restaurant and would inform governors once a date had been settled on.

**15.120 Confidentiality of Items**

All items which were commercially sensitive or related to third parties/individuals would remain confidential for the time being.

**15.121 Date of Next Meeting**

9<sup>th</sup> December as per the Board business cycle.

*Ms Charters and Mr Powell left the meeting at this point.*

**15.122 Confidential minutes of previous meetings**

The confidential minutes were approved as a true record. There were no outstanding actions to report on.