



HUDDERSFIELD NEW COLLEGE FURTHER EDUCATION CORPORATION

Corporation Meeting held on November 12th 2019 from 5.00pm.

Confirmed Minutes

Present: Ms L Summers (Chair), Mr J Dawson, Ms T Wright, Mr A Nelson, Mr K Webb, Ms J Rowlands, Ms A Williams, Ms K Fleming, Ms M Dean, Ms R Drury, Ms H Richards, Mr A Leach, Ms H Haigh (93% attendance)

In attendance Mr C Madej and Mr G Rossetter (present for agenda item 1 only), Ms E Montgomery (present for agenda items 1 – 5), Mr L Goddard (present for agenda items 1 – 7) and Mr M Smith-Connor.

Clerk: Mrs C Coupland

1. Presentation on Special Education Needs and Disability

Governors received a SEND presentation by Mr C Madej (Director of ALSS) and Mr G Rossetter (High Needs Manager) covering the underlying principles of the Code of Practice, the graduated approach and the different areas of need.

The Corporation welcomed the opportunity to receive a contextualised update which identified an increasing trend of need amongst the student cohort. Mr Madej and Mr Rossetter advised the Corporation of headline statistics:

- 93% of students with an Education, Health and Care Plan (EHCP) achieved expected final grade or above
- Of the 11 Students who were identified as Looked After Children (LAC) 100% passed their qualifications with 64% surpassing expected final grade, the remaining 36% achieved one grade below expected final grade (EFG).
- Of the 56 students who were young carers, 71% (40 in total) achieved or surpassed expected final grade whilst 16 (29%) achieved one grade under their expected final grade but still 100% pass rate.
- 100% of students with autistic spectrum disorder attained their EFG with 50% securing high grades (HG).
- The college secured 100% pass rate for Students who disclosed emotional/behavioural difficulties, with 80% achieving EFG.
- Of the Students with a physical disability there was 100% pass rate with 100% HG.
- 100% pass rate for all Students with dyslexia with 85.7% achieving EFG and 58% securing HGs
- 100% positive destinations. All students have accepted university placements or apprenticeship opportunities.

The Corporation sought views from staff on the increasing challenges to identify and effectively meet the demand of the number of students requiring assistance and additional support. Mr Madej and Mr Rossetter advised governors that as there is the same academic, vocational ambitions for all learners, the College therefore remains diligent at the pre-enrolment stage to ensure that students satisfy entry criteria's and are only enrolled onto courses that can secure successful grades for the student and deliver on positive destinations. To inform decision making, staff ensure that disclosed student personal, social and health needs can be appropriately accommodated without presenting a challenge to the individuals' or others' learning experience. Difficult decisions, especially regarding accommodating complex needs of learners, continue to be made to ensure that the full spectrum of needs within each student cohort remains manageable for the college to support and resource.

Time was also taken to brief Governors on the changes in staff personnel and to explain the quality assurance monitoring processes in place to underpin the new Education Inspection Framework in respect of high needs focus, study programmes, work placements and positive destinations.

Ms Fleming (SEND Link Governor) advised the Corporation that she is of the opinion that the students' successful outcomes and progression routes are evidence of how hard staff work in order to support individuals developing long term personal independence and resilience to learning. Governors endorsed this view.

The Corporation thanked Mr Madej and Mr Rossetter for their presentation and for their successful work in this important area.

2. Apologies for Absence/ Declaration of Interest

Apologies for absence were submitted by Ms M Boryslawskij.

There were no declarations of interest recorded.

3. Minutes from Meeting held on 17th October 2019

Resolved:

- **That these be accepted as a true record of the meeting.**

4. Matters arising

Teaching, Learning and Assessment overview for 2019/20 including how it satisfies Ofsted framework in particular assessing understanding of curriculum intent :

The Clerk proposed that training for Governors on the new Education Inspection Framework could take place as a joint CPD initiative with Governors from Greenhead College and Kirklees College, delivering on the post 16 Kirklees Colleges' Collaborative Forum objectives. The Corporation endorsed this approach. It was agreed however that should it prove difficult for the Clerk to secure dates of mutual availability amongst all three colleges in the spring term, senior leaders are to present to HNC governors at the strategy planning day on 28th February 2019.

Audit Committee Meeting held on 8th October 2019:

The Clerk confirmed that the Principal's report considered by the Audit Committee relating to the Confidential item had been distributed to all Governors to provide appropriate context to the minutes.

5. Equality, Diversity and inclusion Reports 2018/19

The Clerk advised the Corporation that previously the Equality and Diversity Annual Summary presented at this meeting served to provide a full update to Governors on the College's approach to promoting equality, diversity and inclusivity (EDI) and tackling discrimination amongst student cohorts, and that additional information on the analysis of staff as well as Governors EDI data was also included. However, it is proposed by the Clerk and Senior Leaders that given the extended remit of the Remuneration and Personnel committee, all staff related data will now be submitted to this committee. Furthermore, EDI data for Governors is now to be considered by the Search & Governance Committee to inform succession planning and quality development plans as necessary. The Corporation welcomed the proposal. Governors reported to be satisfied that the suite of executive reports, intended to replace the one summary report, would be more informative and better support the corporation in complying with key legislation that informs the college's strategic approach to equality and diversity.

The Clerk advised the Corporation that when determining the meeting schedule for 2020/21, consideration will be given to only holding two corporation meetings in the autumn term (in October and December) rather than 3 given i) agenda rationalisation in light of recent changes to committee agendas – namely Remuneration and Personnel committee and ii) changes to reporting mechanisms with regards to EDI data.

5.i. *EDI Promotion and Achievement 2018/19 :*

Ms Montgomery advised the Corporation that the College's equality, diversity, inclusion and engagement vision is for a College in which the diversity of staff, students, governors and visitors is valued, everyone has opportunities to develop and fulfil their potential, and respect for others is paramount. Ms Montgomery explained that the equality and diversity vision links to the College's overall vision, mission, values and behaviours, where staff and students actively demonstrate that they are: respectful, passionate, ambitious, supportive, encouraging and inspiring.

Ms Montgomery confirmed that the EDI team has a strategic link to the new OFSTED Education Inspection Framework 2019, particularly:

- SEND (Judgement 170)
- Behaviour and Attitudes (Judgements 192-200)
- Personal Development (Judgements 202-206)

Governors recognised that harnessing the college's diversity will help the college to create and maintain a positive and productive environment in which to work or study, and in which everyone feels valued, talents are fully utilised and individuals are able to develop their potential and achieve their personal, professional and educational goals.

Governors agreed that the summary report celebrated all the good work undertaken by staff and students in the last 12 months and provided a comprehensive review of the accolades and awards achieved during 2018-19. In particular that the college has for the third consecutive year received high praise from the National Centre for Diversity in January 2019, by achieving two national awards in recognition of the colleges outstanding contribution and pioneering commitment to the promotion of Equality, Diversity and Inclusion – Organisation of the Year (No.1 in the UK) for EDI and Further Education Provider of the Year 2019.

Ms Haigh (EDI Link Governor) confirmed her agreement with the report. The Corporation wished to record its thanks to the good work of the College's Diversity group who continue to lead and manage the promotion of equality and diversity.

Resolved :

- **That the report be received**
- **To record thanks to the College's Diversity Group for its continued good work.**

5.ii. *Student Outcomes 2018/19*

Mr Smith-Connor explained that the new inspection framework continues to place emphasis on equality and diversity and narrowing the achievement gap between different groups of learners. In future it is proposed that the Equality and Diversity Report on student outcomes is to be presented to the corporation at the first meeting of the academic year alongside the Outcomes report. Governors agreed that presentation of this information at that point would be most useful.

Mr Smith Connor confirmed that the college's inclusive ethos is clearly demonstrated by the make-up of the Level 3 cohort. For A level provision there are fewer than the national average in the top prior attainment band (5.5 and above) and more than the national average in the lowest prior attainment band (4.7 and below); a full breakdown and 4-year trend (extracts from the 2018/19 Six Dimensions Reports) were considered by the Corporation. It was noted that the broad 4-year trend across all Level 3 qualifications (the proportion of higher prior attainment students has increased whilst the proportion of lower prior attainment students has decreased) means that the College's 2018/19 cohort was very close to matching the average sixth form college's cohort in terms of prior attainment for both vocational and academic provision. Mr Smith-Connor advised the Corporation that this pattern could be explained by the College's increasing popularity as the first choice provider for Level 3 qualifications in the region meaning that more of our students fully meet the entry criteria for their chosen study programme. Assurance was provided to Governors that the College has retained its inclusive ethos and culture and every student who applies on time, has a good attitude to learning (as evidenced by their school report and attendance record), and meets the entry criteria for their chosen courses is offered a place at the College.

Mr Smith-Connor advised that the College analyses the performance of different groups of students according to the following key criteria:

- Prior attainment
- Gender
- Ethnicity
- SEND

Any performance differences are further analysed at course level to identify clear improvement strategies for the identified cohort of students. These are reported in curriculum Self-Assessment Reports and actions to address any issues noted in the corresponding Quality Improvement Plans (QIP). QIP Priorities identified include:

- revamping of the Aspire Programme and embedding evidence-based strategies to improve A level high grades
- addressing the changing nature of the A Level cohort in terms of prior attainment and implications for the teaching and learning strategies utilised by staff.
- Relatively poor retention of Indian and Pakistani heritage students (26 were not retained on A levels) requires further exploration. The relatively low retention rate for other Mixed background students will also be investigated although this cohort only relates to a small number of students who were not retained (5).
- male High Grades lower than female, but this needs to be viewed within the context of outstanding value added on all key measures

The Corporation was satisfied that the college continues to monitor the performance of different groups of learners, according to: incoming attainment; gender; ethnicity; learning difficulty, and disability. It was

confirmed that data for other protected characteristics, although collated, remain too small in numbers to render any significant findings.

Resolved :

- **That the report be received.**

5.iii. Gender Pay Gap Report

Ms Williams presented the Gender Pay Gap Report outlining the median hourly pay gap, as requested by the Corporation in April 2019.

The report included a 3 year analysis (back dating to 2017/18) of the Gender Pay Gap by median hourly pay. The median hourly pay gap is the hourly rate difference between the employee in the middle of the range of male wages and the employee in the middle of the range of female wages.

The median hourly pay gap difference for the 237 employees (headcount) is 47.2%. Ms Williams explained however that calculations without cleaning staff (predominantly female) is 35.1% and this compares more closely to the 29% gender pay gap at a similar size Sixth Form College in terms of employees, who outsource their cleaning.

Ms Williams explained that the gender pay gap difference of 47.2% for 2019/20 for all staff reflects the gender distribution of the 237 staff and the high proportion of females in this distribution, and the higher proportion of females in the distribution of the part-time roles. Females make up 64% of the College's workforce and 75% of the College's support staff workforce. Part time female support staff make up 72% of the support staff workforce, and part time female teaching staff make up 76.5% of the teaching workforce.

The College is not anticipating that this gender different part time working pattern will alter significantly going forward. Within the workforce females continue to be more like to apply for, and to request, part time flexible working.

Governors noted that the gender pay gap does not reflect pay inequality. There is equal pay for equal work at the College. All teachers are placed on the nationally defined SFCA Teachers Pay Spine, according to a consistent criteria, and all support staff placed on the nationally defined NJC Support Staff pay spine, subject to benchmarking to similar positions in other Sixth Form Colleges, as detailed in the annual SFCA Workforce Report. It is not therefore an equality issue. Neither was it a 'glass ceiling' issue, as it was acknowledged that females dominate the more senior posts at the College, as demonstrated by the Senior Leadership team, where 3 out of 5 are female, and by the Middle Leadership team, where 12 of the 22 are female.

The College has a headcount employee total of 237, below the 250 threshold to publish this report outside of the College. The next Gender pay Gap Report to Governors will be for 2020-21 and will be presented to the Corporation by March 30th 2021. The Corporation asked for future submissions to include a bell curve graph to visually depict the data.

Resolved :

- **That the report be received**

6. Safeguarding Annual Report 2018/19

Mr Goddard presented his report to the Corporation providing a detailed summary of the College's approach to safeguarding in the period September 2018 to August 2019 inclusive.

The Corporation welcomed the case studies within the report which clearly demonstrated the impact of the work undertaken by the Safeguarding Support Team – which enables vulnerable young adults to stay safe at college and to also continue with and succeed in their studies.

The Corporation was advised by Mr Goddard that the latest Kirklees Safeguarding Children Board (KSCB) audit was submitted by the college in January 2019. It is understood that KSCB has reviewed the audit process so that it will be a constantly live document. It is therefore expected to be open to update in January 2020. Feedback received however was that the College rated in the highest category for compliance. Ms Wright (Safeguarding Link Governor) contributed to the Audit process and approved the college's submission.

Mr Goddard advised Governors that the safeguarding team continue to keep up to date on current developments on Safeguarding and Prevent and also ensures that all stakeholders are also kept abreast of developments. Staff and Governors continue to receive regular training and updates related to safeguarding including WRAP training for all. It was noted that WRAP training for Governors was listed within the Governors' training plan as submitted by the Search & Governance Committee.

Mr Goddard drew Governors attention to the staffing changes to the Safeguarding Team; Safeguarding posters with photographs of the senior safeguarding personnel; which are displayed around the college, have been updated.

Mr Goddard confirmed that the College's commitment to safeguarding is issued in a statement located at the main entrance to the College. The policies relating to safeguarding are also on both the College's website and Moodle. Mr Goddard explained that the college's Safeguarding policy is reviewed annually. Mr Goddard informed Governors that policy reviews are informed by the Kirklees Safeguarding Children Board policy. However, it is understood that this is currently being revised and is only available in draft form. The updating of the College policy will reflect this once ratified. Governors were reassured that the review of the college's safeguarding policy will take place by Christmas regardless of whether KSCB policy has been finalised.

Ms Wright (Safeguarding Link Governor) confirmed her agreement with the report and her satisfaction with the work done in this area.

Resolved:

- **That the Safeguarding Report be received.**
- **That the Safeguarding Policy be reviewed by end of term**

7. BAF Initial Assurance Review: Failure to fulfil statutory responsibilities – Safeguarding, Prevent, SEND, Health and Safety, Employment and Equality of Opportunity

Mr Goddard explained to the Corporation that this specific risk covers the statutory responsibilities of the College in the following areas: HR, Estates Safeguarding, Prevent and SEND. A range of staff are therefore contributing to the monitoring of the risk.

Mr Goddard confirmed that key areas within this risk have seen a high turnover in staffing at a managerial level. Mr Goddard acknowledged that this high turnover of staff made the management of this risk across 2018-19 more difficult, and has highlighted that in some areas (HR and Estates), this risk management has to be more robust. The assurance report has therefore been updated for this risk with this ambition in mind.

Ms Williams also advised Governors that she proposed to omit all the promotion of EDI content within the assurance report as this is not statutory and not therefore essential to this risk. Governors endorsed this approach.

The Corporation were of the opinion that the supporting report provides a comprehensive review of the risk and in particular the robustness of the measures in place / being put in place to manage this individual risk more effectively going forward. Governors reported to be confident in the different levels of assurance identified within the Board Assurance Framework. It was therefore agreed that an overall green assurance level shall be assigned to the risk.

Resolved:

- **To assign Green overall assurance to the risk**
- **For the Clerk to update the Master BAF**

8. Finance & Resources Committee Meeting held on 21st October 2019 Mr Dawson briefed governors on the business of the Finance Committee Meeting.

Mr Dawson advised the Corporation that the summer project works were exceptionally well managed by the college's Project Consultant and that although the works completed slightly exceeded the allocated budget, this figure included work which wasn't originally planned for (specifically further remedial work to the Mezzanine floor in Room 505). Mr Dawson confirmed that all works were completed and areas handed back for College use within the agreed timeframe for completion and there was no impact upon teaching and learning.

Mr Dawson advised Governors that an extraordinary request for additional finances had been made by the senior leadership team to the Chair of the Corporation and to him as Chair of Finance & Resources.

A combination of poor Estate management over time, combined with the heavy rains in September had regrettably left estates staff fire-fighting on several fronts. An indicative costs of the most pressing emergency works had been presented and capped at £100,000. A comprehensive report had been submitted to the committee to explain the extraordinary request and to reflect discussions had. The Chairs action was endorsed by the committee. It was agreed necessary for Estates managements to now feature as a standing agenda item at all future meetings to enable the committee to receive and review regular updates on the planned maintenance programme. The committee's proposed changes to the term of references was endorsed by Governors to oversee capital projects and campus maintenance, on behalf of the Corporation.

Mr Dawson confirmed that the management accounts for July 2019, the final month of the 2018-19 financial year, were presented to the committee – these are to form the basis of the annual financial statements. The Corporation was advised that the management accounts to September 2019 were also presented. Mr Dawson confirmed that all current financial targets are expected to be at least met by July 2020, with student enrolment on target to at least meet the 2456 funded number, and that the latest forecast cash position as at July 2020 of £2,242k being £119k above the budget. The Corporation was also informed that the Financial Regulations have been subjected to a further review as recommended by the Audit committee at their last meeting (8th October 2019). The amendments proposed ensure that the Financial Statements better reflect the expectations of the ESFA, as cited within the Post 16 Audit Code of Practice, with regards to reporting significant instances of fraud. The Corporation approved the recommended changes.

Resolved:

- **That the minutes be received.**
- **That the following be added to the Finance & Resources Terms of Reference: To ensure appropriate governance and management of estates, including asset management, capital projects, maintenance and repair and facilities management.**
- **That the amendments to the College's Financial Regulations be approved.**

9. Search & Governance Committee Meeting held on 8th November 2019

Mr Nelson (in the absence of the Committee Chair – Ms Boryslawskij) briefed governors on the business of the Search & Governance Meeting.

Mr Nelson advised the corporation that the committee had reviewed governor attendance data for 2018/19. It was noted that the Governor Average for overall attendance (for all Committees & Corporation) had remained at 86% (same as 2017/18) which is above the sector average (81%).

The Committee scrutinised the attendance data for all Corporation and Committee meetings during 2018/19. It was agreed necessary going forward that the new sector average attendance of 81% be adopted for the governor attendance target for corporation meetings only for 2019/20. It was noted that committee attendance, at times, fell below the sector average attendance given only one member's non-attendance. In recognition of the reduced numbers in committee membership it was therefore determined realistic for committee attendance targets to be reduced to 75%. The Corporation agreed with this decision. Mr Nelson also took this opportunity to remind Governors of the importance of attendance in order for the Board to continue to perform effectively.

Mr Nelson explained that the Committee was disappointed with the low return rate of the Governors completing the self-assessment this year. Governors acknowledged that the low number of responses were not robust enough for it cannot accurately identify skills gaps and board training needs.

The training and development programme 2019/20 had also been circulated with the minutes. It was noted that key training needs identified for this academic year include for Governors to undertake required training in Safeguarding and Prevent, to have access to a range of presenters for information gathering purposes to inform decision making on i) Strategic Planning Initiatives and ii) Curriculum / Cross College developments as well as providing opportunities for joint working, through the Kirklees Colleges' 16 – 19 Collaborative Forum.

Search and Governance Committee recommendations on governor and co-opted member appointments were duly considered by the Corporation and subsequently approved.

Resolved:

- **That the reports be received**
- **That the training plan for 2019/20 be received**
- **That Ms Needham be appointed as External Governor for 4 years as of December 2019 (to January 2023) in accordance with Instrument 2(1)(a) and to serve on the Finance and Resources Committee.**

- That Ms Boryslawskyj be reappointed to serve for a final term of office as of April 2020 for a period of 4 years (to Easter 2024) in accordance with Instrument 2(1)(a) and to also continue to serve as Chair of the Search & Governance Committee
- That Ms Sivori be appointed as a co-opted member of the Remuneration and Personnel Committee for a term of office as of January 2020 for a period of 4 years (to January 2024).

10. Any other Business

There was no other business.

11. Learner Impact Reflection

The impact of discussions and scrutiny of the College's work in improving the outcome and experience of all learners was considered and the following agreed:

- Through receiving annual reports, Governors ensured compliance with legislation and assurance was also gained that the College continues to be a safe and secure place for students to attend and learn.
- Scrutiny of EDI reports ensures Governors' focus, challenge and support in improving teaching and learning experiences for all Students.
- To ensure that HNC continues to succeed and is able to continue to deliver a high quality of student outcome and experience.
- By remaining an inclusive sixth form college, we can continue to offer post 16 education and opportunities to a diverse range of students and personal needs.
- The variety of events and initiatives held by the college and accolade of awards reinforced HNCs proactive approach to promoting equality, diversity and inclusion and raising awareness of wider issues.
- Assurance received that the College continues to provide a welcoming, safe and supportive environment for all students to develop personally and emotionally.
- Ability to financially support all elements of the Strategic Plan for the College, potentially impacting on all areas of student learning, experience and outcome
- An informed Board of Governors is effective in its scrutiny, challenge and support of the senior leadership team thus ensuring positive outcomes and progress for all students.
- The Annual Summaries demonstrate the positive impact of the colleges extensive support arrangements on different groups of students (e.g. students in receipt of free school meals).
- Assurance received that the college remains fair and objective in its principles and procedures and continues to act in accordance with all relevant legislation.
- Assurance that the college strives to create a transparent, fair organisation that is attractive to work in and learn at.

12. Determination of confidentiality

The Corporation resolved that the case studies listed within the safeguarding report (agenda item 6) are to remain confidential.

It was determined that supporting papers for agenda item 7 should also be determined as confidential.

13. Date of next meeting: 12th December 2019 from 5pm.