

# **Heart of Yorkshire Education Group Corporation ('Corporation')**

## **Board of Governors**

### **Minutes of the Meeting held on 12 December 2023 ('Meeting')**

#### **Present:**

Luke Aaron, Faye Banks, Ruth Baxter, Nigel Brook, Claire Corneille, Dmitry Fedotov, Tony Jackson, Jayne King, George Kilner, Andrew McConnell (**Chair**), Mohammed Ayub (until minute 10), David Powell, Martyn Shaw, Vijay Teeluck, Neil Warren and Sam Wright (**Principal**)

#### **In attendance:**

Group Executive Director of Student Experience and Support (**EDSES**), Group Executive Director of Finance and Resources (**EDFR**), Group Executive Director of People (**EDP**), Group Executive Director of Curriculum and Quality Standards (**EDCQS**), Group Executive Director of External Relations and Development (**EDERD**) and the Head of Governance and Legal Services (**Clerk**)

## **1. Welcome and apologies for absence**

**1.1.** The Chair reported that due notice of the Meeting had been given in accordance with the Corporation's Instrument and Articles and its Standing Orders and that a quorum was present. Accordingly, the Chair declared the Meeting open.

**1.2.** The Chair noted that the following members had given their apologies:

**1.2.1.** Bea Bassford.

**1.2.2.** Brian Fisher.

## **2. Declarations of interest**

**2.1.** The Chair noted the following declarations of interest:

**2.1.1.** That he and Martyn Shaw had an interest in agenda item 9(i) regarding his reappointment as Chair and Martyn Shaw's appointment as Vice

Chair of the Board. He noted that he and Martyn Shaw would leave the room while the Board considered the matter.

**2.2.** The Chair asked for further declarations of interest. None were given.

### **3. Minutes of Meeting**

IT WAS RESOLVED THAT the minutes of the meeting of 18 October 2023 be approved.

### **4. Matters Arising**

**4.1.** The Clerk noted the following in relation to the outstanding matters arising from the meeting of 18 October 2023:

**4.1.1.** On matter arising two, HR EDI KPIs were to be developed to enable regular Board updates. The EDP noted that this was under consideration by the Curriculum and Quality Committee and remained a work in progress. Members asked that the Board be kept up to date regarding the creation of HR EDI KPIs.

**4.1.2.** On matter arising four, members suggested they might speak to Councillor Matthew Morley to advocate for improved bus routes to college. Members noted that an update would be provided in due course regarding discussions with the Councillor regarding bus routes.

**4.1.3.** On matter arising five, members asked the Executive Team to reconsider the target for high performing, motivated and satisfied staff. The EDP outlined the revised targets.

**4.1.4.** On matter arising seven, members asked for a breakdown of write-offs by college which it was noted had been provided.

**4.1.5.** On matter arising ten, the Chair invited governors to comment on the effectiveness of the meeting by email. The Clerk outlined the feedback

which was mostly positive save for one request that acronyms in papers be explained more comprehensively.

## **5. Student Update**

**5.1.** The student members noted:

- 5.1.1.** Recent events and initiatives across the colleges, including positive feedback on enrolment and induction processes, equality diversity and inclusion actions, and the activities of the LGBTQ Club. Plans for upcoming events such as an ice-skating trip and a 'meet your Student Union' session were also mentioned, along with ongoing projects like the vape disposal campaign.
- 5.1.2.** Events they attended, such as AoC Governor training, the challenges of student engagement and they reflected on the positive impact of various initiatives.

**5.2.** Members:

- 5.2.1.** Noted the absence of input from the Selby Student member and expressed a desire for this to be rectified going forwards.
- 5.2.2.** Asked whether Selby College students would be attending the ice-skating trip. Transportation issues were noted, with plans to arrange a trip after Christmas to address the issue.

## **6. Chair's Business**

The Chair noted that he had conducted the Principal's appraisal which had been very positive. He took the opportunity to thank the Principal for her outstanding leadership and noted that the College's achievements were, in large part, down to the tone she had set. Members thanked the Principal and her team for their hard work and dedication.

## **7. Committees' Update**

- 7.1.** The Chair of the Curriculum and Quality Committee noted there had been two meetings of the Committee since the previous Board meeting. The most significant issue discussed was the validation of the Self Assessment Report ('SAR') and the Quality Improvement Plan ('QIP'), noted to be crucial documents for the College's future direction. The validation process involved thorough scrutiny and conversation, lasting about two hours, with a focus on ensuring confidence in the quality of the documents. Appreciation was expressed for the hard work of officers.
- 7.2.** The Chair of the Finance, People and Resources Committee noted that several key issues had been highlighted at its recent meeting. In terms of the 22-23 financial position, the EDFR had presented a significant improvement from previous reports. Additionally, the pension position had transitioned from a deficit to a net asset, and discussions were had on its treatment on the balance sheet. Updates to the Reserves Policy and Estates were discussed, with grant funding supporting improvements to facilities, although frustrations were expressed regarding delays in construction projects due to planning issues. Procurement risks and compliance were addressed, along with updates on People Services including initiatives aimed at retention and gender parity. Finally, the EDFR presented the Annual Health and Safety Report, noting no major safety incidents and positive feedback on statutory compliance. The Committee expressed gratitude to officers for their support and quality reporting.
- 7.3.** The Chair of the Audit Committee noted that several key topics had been discussed. The main focus was on the risk associated with declining Apprenticeship numbers, which was offset somewhat by increased numbers in the 16 to 18 age group. Internal audit reports on financial systems were generally positive, although one advisory report raised concerns regarding the readiness of

Castleford and Wakefield Apprenticeships to meet ESFA audit requirements. It was noted that a team was to be established to validate evidence and address potential gaps. While this issue was identified as a concern, it was noted not to be as extensive as the subject of the recent ESFA audit. Updates were also provided on procurement compliance, the annual internal audit report, and governance processes, all of which were generally satisfactory.

- 7.4.** The Chair noted that during the recent Search and Governance Committee meeting, discussions were held regarding membership and efforts to identify specialists to fill a SEND gap on the Board. The reappointment of the Chair and appointment of a Vice Chair was recommended, along with discussions on skills training for governors, with a focus on individual training plans. The meeting also included consideration of the Committee's annual report. The need for student governor involvement in training was raised and opportunities to address this via the Education and Training Foundation were noted.

## **8. Principal's Update**

- 8.1.** The Principal noted:

- 8.1.1.** The recent progress in student enrolment, highlighting an increase in student numbers. It was noted that the College had exceeded its allocation. The anticipation of additional funding in the new year, was also noted.
- 8.1.2.** The surge in student numbers had led to accommodation and staffing challenges, especially in subjects like Maths and English. While these issues had been addressed, adjustments to timetables and increased reliance on agency staff were necessary initially. Additionally, the planning consent for the construction workshop at Castleford College had

been obtained, albeit with many planning conditions, which were currently being addressed.

- 8.1.3.** That retention had been positive. However, there had been an increase in mental health challenges among students. Despite ongoing efforts to support student well-being, the complexity of issues had escalated, often due to external factors such as online interactions and family dynamics.
- 8.1.4.** Regarding work placements for T-level students, successes in securing industry placements, with partnerships such as with Wakefield District Housing, which provided valuable opportunities.
- 8.1.5.** The recent graduation ceremonies as well as upcoming events, including a skills event to which many stakeholders, including employers, would be invited. The focus on strategic priorities and engagement with stakeholders was emphasised as part of the College's continuous effort to meet the needs of the community.
- 8.1.6.** An upcoming meeting with ESFA officials to discuss the College's recent Apprenticeships ILR audit report. Concerns were raised about the implications of the report leading to further audits. She explained that an extension until 31 January 2024 had been granted for submission of the financial statements.
- 8.1.7.** The challenges of staff retention and recruitment and that the staffing ratio was projected to increase further.
- 8.1.8.** In terms of future plans, the focus on recruitment for the next academic year, with efforts to build relationships with schools and improve recruitment at Selby College being highlighted. The Principal emphasised the importance of monitoring application numbers.

## **8.2. Members:**

- 8.2.1.** Asked what the funding consequences would be of completing late on the Castleford Construction Workshop. The EDFR noted that he had disclosed to the ESFA that completion would not hit the specified deadline, but they had remained silent on the matter. He did not anticipate this to be an issue, but members asked him to keep them updated.
- 8.2.2.** Asked the Student Governors for their opinions on the student experience. Student Governors shared positive feedback, highlighting, in particular, supportive classroom environments. They noted that, the overall atmosphere at the College remained positive. Members were grateful for the feedback emphasising the importance of understanding student perspectives to better address their needs and enhance their college experience.
- 8.2.3.** Asked officers to comment on the College's capacity to meet the increasing demand for mental health and emotional support, given the rising enrolment numbers, highlighting the need for resources to support students effectively, particularly during their initial transition to college life. The ability of agency staff to deal with such issues was also highlighted. Officers gave assurances regarding the College's ability to meet need and the resources available as well as outlining staff training relating to mental health.
- 8.2.4.** In relation to T-Levels, members commended the College's efforts to engage with employers and support students in gaining practical experience.

**8.2.5.** Asked why attendance at Selby College recruitment events had been lower than at the other colleges. Event cancellations and transport issues were cited as issues but it was explained that applications were strong.

**8.2.6.** Raised concerns about the impact of unfilled vacancies on the staffing cost ratio and asked about the main factors contributing to the increase. The pay award was cited as a significant factor. Members noted they were not unduly concerned about the ratio given the College's ability to meet its capital needs but stressed again the need for a better understanding of the figure.

## **9. Governance Update**

**9.1.** The Clerk noted:

**9.1.1.** The Search and Governance Committee had recommended that the Chair continue as Chair of the Board for a further two years from the date of the Meeting and Martyn Shaw be appointed Vice Chair of the Board for two years from the date of the Meeting.

**9.1.2.** The Chair and Martyn Shaw each left the Meeting during the respective deliberations regarding their appointment.

**9.1.3.** The discussion primarily revolved around the rationale for the Chair's reappointment, considering his long-standing tenure. Members noted his exceptional leadership qualities, especially in navigating challenges post-merger and, despite the length of his service, it was deemed appropriate, given the stability and continuity he provided, in what was deemed to be a difficult post-merger period, that he continue. It was noted that the Constitution documents allowed for such extensions, particularly in unique circumstances like the merger.



**9.1.4.** Members agreed that Martyn Shaw would be an excellent appointment to the Vice Chair role with a view to progressing to Chair at the end of his term.

**9.1.5.** The Governance Self-Assessment Report and Improvement Action plan was carefully reviewed as were the Curriculum and Quality Committee Terms of Reference.

**9.2. IT WAS RESOLVED THAT:**

**9.2.1.** the Chair and Martyn Shaw be appointed as Chair and Vice Chair of the Board for a period of two years each from the date of the Meeting.

**9.2.2.** The Governance Self-Assessment Report and Improvement Action plan be approved.

**9.2.3.** The amended Curriculum and Quality Committee Terms of Reference be approved.

**10. SAR and QIP**

**10.1.** The EDCQS noted that the Curriculum and Quality Committee had delved into the SAR and QIP in detail, as previously heard, and had recommended the documents for approval.

**10.2. Members:**

**10.2.1.** Asked about the robustness of the validation review process. Curriculum and Quality Committee members gave positive feedback.

**10.2.2.** Referred to emerging risks and the need for transparency in addressing them within the context of the QIP which the EDCQS acknowledged.

**10.2.3.** Suggested that Maths and English attendance progress be reported to the Board. It was noted that this would be picked up via the committee updates.

**10.2.4.** Expressed satisfaction with the documents and emphasised the importance of continuous improvement in line with the QIP objectives.

**10.3.** IT WAS RESOLVED THAT the SAR and QIP be approved.

## **11. Annual Equality, Diversity and Inclusion Monitoring Report 2022/23 and Objectives 2023/24**

**11.1.** The EDP noted:

**11.1.1.** The College's strengths, noting no significant achievement gaps, strong high needs performance and fair treatment.

**11.1.2.** That the objectives outlined in the report were similar to those previously in place.

**11.1.3.** That the data included in the appendix was intended for public display, although there were still some gaps, particularly in historical statistics and metrics.

**11.2.** Members:

**11.2.1.** Noted an error in the data relating to race.

**11.2.2.** Expressed concerns with the focus on white British ethnicity in the race data, suggesting that it might exclude other ethnic backgrounds. This prompted a discussion about the importance of inclusivity in data presentation.

**11.2.3.** Raised questions about the balance between reporting on workforce data and learners. Suggestions were made to set objectives for target activities related to the People Strategy to address this.

**11.2.4.** Suggested the inclusion of a gender pay gap objective which the EDP said she would consider.

**11.2.5.** Raised questions about achievement gaps by ethnicity. It was noted that there were no significant achievement gaps and clarification was provided on the thresholds for inclusion within the report.

**11.2.6.** It was agreed that the Annual Equality, Diversity and Inclusion Monitoring Report 2022/23 and Objectives 2023/24 would be recirculated for later consideration by the Board following amendment.

## **12. Health and Safety Annual Report 2022/23**

**12.1.** The EDFR noted:

**12.1.1.** There had been no major health and safety incidents or accidents to report, with the organisation maintaining good compliance with health and safety legislation.

**12.1.2.** An issue regarding Legionella control at Selby College, although measures had been implemented to address this concern, including additional checks and hiring a new Legionella contractor. Despite this, overall, there were no significant negative findings in the report.

**12.1.3.** That reporting of near misses had substantially increased, and a new online health and safety management system had been rolled out.

**12.2.** IT WAS RESOLVED THAT the Health and Safety Annual Report 2022/23 be approved.

## **13. Finance Report**

**13.1.** The EDFR noted:

**13.1.1.** That good news included a significant increase in funding for 16 to 18-year-olds and growth in adult student enrolment, reflecting the College's strong curriculum and reputation.

**13.1.2.** That less positive news included a decrease in FE tuition fee income, lower than budgeted apprenticeship starts, challenging recruitment and a

significant pay award, pushing pay costs significantly higher than budgeted, which had been implemented early to prevent industrial action.

**13.1.3.** That despite some challenges, the College was still forecast to achieve a 'Good' financial health rating, although the EBITDA had declined significantly, requiring careful monitoring. The year-end cash position was also projected to be strong, partially due to delays in construction projects and additional funding.

**13.2. Members:**

**13.2.1.** Raised questions about the increase in management costs and recruitment expenses. The EDFR explained that the rise in management costs was influenced by the pay award and increased spending on agency staff to cover vacancies, particularly in areas like Maths and Engineering.

**13.2.2.** Asked about the treatment of F-Block. The EDFR mentioned receiving several offers for its sale but revealed plans to potentially refurbish it.

**13.2.3.** Asked about energy price controls, to which the EDFR responded that while short-term price increases had been anticipated and factored into forecasts, long-term energy costs remained a concern.

**14. Castleford Construction Workshop Procurement**

**14.1.** In relation to the Castleford Construction Workshop project, the EDFR noted:

**14.1.1.** A proposal to utilise the 'YorBuild 3' buying framework, established by several local authorities in Yorkshire. The two options within this framework were outlined: running a mini competition or appointing a contractor directly. William Birch, a contractor based in York with experience in educational projects, was identified as the top choice.

**14.1.2.** That he sought permission to proceed with this procurement route.

**14.2.** Members acknowledged that while appointing William Birch could save time and reduce the risk of grant withdrawal, concerns about cost control were raised. The EDFR noted that, to mitigate this risk, thorough checks on pricing would be conducted, with independent verification and the requirement for multiple subcontractor quotes to select from.

**14.3.** IT WAS RESOLVED THAT it be approved that the EDFR make a direct appointment as proposed above.

## **15. Briefing Papers**

The Clerk noted that no questions had been submitted relating to the briefing papers but that, should any be received, they would be answered by email.

## **16. Review of Effectiveness of Meeting and Identification of Emerging Risk**

**16.1.** The Chair asked whether any risks not discussed during the Meeting needed to be discussed.

**16.2.** Members:

**16.2.1.** Asked about the College's preparedness for a cyber-attack. The EDFR outlined the organisation's plans to achieve Cyber Essentials Plus accreditation as well as work on backups and network rebuilds. Members asked for an update to be provided to the Audit Committee.

**16.2.2.** Questioned whether the Board focussed enough on HE. Officers noted that this would be a topic for discussion at the next Curriculum and Quality Committee and would be reported back to the Board via the committee updates.

**16.3.** The Chair invited governors to comment on the effectiveness of the Meeting via email to the Clerk.

**16.4.** The Chair declared the Meeting closed.

A. McCall

Signed ..... Date 12.03.2024

## Actions

No.	Minute	Details	Deadline	Responsibility
1	4.1.1	Members asked that the Board be kept up to date regarding the creation of HR EDI KPIs.	The next Board meeting	EDP
2	4.1.2	Members noted that an update would be provided in due course regarding discussions with the Councillor regarding bus routes.	The next Board meeting	Members
3	5.2.1	Members noted the absence of input from the Selby Student member and expressed a desire for this to be rectified going forwards.	The next Board meeting	The Clerk

4	8.2.1	Members asked the EDFR to keep them updated of any risks to funding associated with late completion of the Castleford Construction Workshop.	The next Board meeting	EDFR
5	8.2.6	Members stressed again the need for a better understanding of the staffing cost ratio figure.	The next Board meeting	EDFR
6	10.2.3	Members suggested that Maths and English attendance progress be reported to the Board. It was noted that this	The next Board meeting	Chair of the Curriculum and Quality Committee



		would be picked up via the committee updates.		
<b>7</b>	11.2.6	It was agreed that the Annual Equality, Diversity and Inclusion Monitoring Report 2022/23 and Objectives 2023/24 would be recirculated for later consideration by the Board following amendment.	The next Board meeting	EDP
<b>8</b>	16.2.1	Members asked for an update to be provided to the Audit Committee regarding cyber security.	The next Audit Committee meeting	EDFR

<b>9</b>	16.2.2	HE was to be a topic for discussion at the next Curriculum and Quality Committee and would be reported back to the Board via the committee updates.	The next Board meeting	Chair of the Curriculum and Quality Committee
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