

The Corporation of New College Durham

**Minutes of the meeting of the Corporation
held on 4 July 2024**

Present:

Ben Fisher (Vice Chair)

Andy Broadbent

Emily Baxter *via MS Teams*

Allen Eccles

Mark Gomersall

Ian Green *via MS Teams*

Jonathan Hamill

Rhiannon Hiles

Chris Patterson

Apologies:

Stephen King

Joyce Drummond-Hill

Suzanne Slater

In attendance:

Karl Fairley (Deputy Chief Executive)

Alison Maynard (Deputy Principal)

Paul Bradley (Chief Finance Officer)

Adele Dowson (Vice Principal)

Andy Stephenson (Vice Principal)

Peter Morrison (Vice Principal)

Colleen Peters (Vice Principal)

Caroline Winter (Head of Governance and Corporation Secretary)

Action**24/52 Chair's introduction and starred items**

The Vice Chair welcomed everyone to the meeting and reminded members to declare their interests in any item of business to be discussed at the meeting. Mark Gomersall declared an interest in Paper L3, which considered his re-appointment as Academic Staff Governor.

It was noted that this would have been the last Corporation meeting for Joyce Drummond-Hill as her term of office was due to expire on 31 July 2024. The Vice Chair asked that in Joyce's absence the Board's thanks for her commitment and contribution over her eight years as a member of Corporation be placed on the meeting record.

Members **confirmed** that they did not require any further discussion about the starred agenda items Papers F2, F3, F7, G, I, J, K, L2, N, O, P and Q.

24/53 Apologies for absence were received from Stephen King, Joyce Drummond-Hill and Suzanne Slater.

24/54 Minutes of previous meeting

The minutes of the meeting held on 23 May 2024 (including confidential minutes) were agreed as accurate and signed by the Chair.

24/55 Matters arising

24/36 – the suggested amendments had been made to the Accountability Agreement Statement prior to submission.

24/38a (confidential minutes) – the Principal updated that the Cost of Living pay award had been well received by staff and trade unions.

24/40 – the Capital Projects Updates now referred to the Construction Centre of Excellence rather than Promotion House.

24/41 – it was noted that two governors were still to complete the online safeguarding training and the Vice Chair reiterated the importance of completing this as a priority.

24/56 Principal's Report (Paper B)

The Principal briefed members about matters of strategic interest including the general election and content of party manifestos, the latest update on qualification reform, North East devolution and the establishment of seven portfolio advisory boards by the North East Combined Authority (NECA). The importance of building relationships in light of the ongoing political change was emphasised and members noted the NECA portfolio areas where FE representation had been sought. The Principal commended the positive approach by NECA which offered the ability to influence policy, and advised that the regional FE Principals were working to ensure representation on each board, supported by a memorandum of understanding or similar mechanism across all North East colleges to ensure a two-way information flow.

In response to a member's question about the impact of a new government's approach to qualification reform, the Principal advised that whilst the curriculum plan was in place, there remained sufficient flexibility to respond to any changes impacting on the plan.

From a College perspective, members were updated on developments in relation to the North East Institute of Technology (NEIoT), including the latest position in respect of the NA College financial position and also on an emerging collaboration with the Manufacturing Automation Digitalisation Electrification North East Cluster (MADE NE) to address the advanced manufacturing skills gaps identified in the Local Skills Improvement Plan (LSIP). The Principal highlighted recent awards successes which had concluded a very successful year for the College, emphasising the value of receiving this external recognition for the College's quality, financial status and reputation. The NECC award in particular reflected the work of every member of staff and these positive messages would be shared at the Team NCD and Back to Business events over the summer.

Members commended the College on the awards, highlighting the achievement in being shortlisted as well as winning. The risk in relation to the NEIoT was discussed, with members emphasising the importance of protecting the students and staff impacted by the situation. Reflecting on the forthcoming election, members discussed the importance of the College as an anchor institution both locally and in the North East and the importance of a joined-up approach in engaging with government moving forward for the benefit of the region.

Members noted the report.

24/57 Receipt of Committee minutes and verbal reports from chairs:

The Vice Chair advised that following feedback received in one of the recent Committee Effectiveness Reviews, the Search and Governance Committee proposed re-introducing verbal updates from Committee Chairs to feedback key discussion points from Committee meetings.

Further Education Quality Curriculum and Students Committee (Paper C1) - the Chair Approved minutes of the meeting held on 13 June 2024 were received. Members noted this had been the last FEQCS meeting for the Committee Chair and that she would be a significant miss to the College and the Committee. The Committee had considered a number of high quality reports, received an update on the current year's Accountability Agreement and held a detailed discussion on maths as an area of ongoing concern. Members had been updated on the actions in place to improve performance, which were feeding into the Quality Development Plan.

Audit & Risk Committee (Papers C2 & C3) - the Chair Approved minutes of the meeting held on 17 June 2024 were received. The Committee Chair designate updated on the Committee's discussions on audit planning and advised that the external auditors had identified income recognition, sub-contracting and partnerships as their key areas of focus. Internal audit reports on Capital/Asset Management and Personnel and Payroll were reviewed, both of which provided substantial assurance and the Committee discussed the latest strategic risk register, focusing discussions on the NEIoT financial risk and the emerging risk of further bus strikes and lessons learned from the Go North East strikes earlier in the year.

Finance and Resources Committee (Paper C4) - the Chair Approved minutes of the meeting held on 19 June 2024 were received. The Committee had a good discussion in response to a detailed presentation on Marketing and the efforts to enhance HE enrolments for September 2024. The Financial Monitoring report was positive and members thanked the Executive Director Finance and Corporate Services for his prudent projections since the start of the year with the expectation of a healthy surplus at the end of

the year. The NA College risk was discussed and members noted the situation had moved on since the meeting. Members reviewed the two-year financial forecast, and commended this as a thorough, risk-focused and prudent piece of work. The report highlighted the significant contribution from HE partnerships and members recognised the foundation this provided for ongoing capital investment and pay awards. Committee members also gave assurance that they had reviewed the sixth form and sports building development proposal in detail.

Higher Education Quality Curriculum and Students Committee (Paper C5) - the Chair Approved minutes of the meeting held on 20 June 2024 were received. The Committee Chair advised that the key areas discussed were the review and amendment of Strategic KPIs for 2024/25, and a detailed discussion on the Freedom of Speech consultation and development of a Policy and Code of Practice responding to the new requirements placed on HE providers.

Search & Governance Committee (Paper C6) the Chair Approved minutes of the meeting held on 21 June 2024 were received. The Committee reviewed governor attendance which showed an improvement in committee attendance and a decline in Corporation attendance. It was however noted that the final position needed updating to include attendance at the June round of committees. Members noted that 12 applications had been received to join Corporation with five shortlisted applicants to be interviewed by a panel of the Committee before the end of July.

24/58 Approval of mission, vision and values (Paper D)

Andy Broadbent presented Paper D, which provided a revised draft of the Statement of Purpose for New College Durham, which incorporated feedback from the recent Strategic Review and subsequent member feedback. Andy advised that the key issue emerging from feedback was that the existing version did not resonate with the governors in the context of the College's current status and direction of travel. There was a balance between the need for more positive language against continuously changing the statement while trying to build the College's culture around it. A move back to Mission, Vision and Values was proposed together with more aspirational wording, however a further suggestion to pause on the existing version and arrange a facilitated workshop to develop a new statement had also been proposed. Members expressed a mix of views and discussed the pros and cons of holding a workshop or accepting the revised version. Members considered the merits of external consultation and wider stakeholder involvement, the fact that the College was not receiving negative feedback on the existing version, whether a consultation exercise would divert attention and resources that could be better focused on other priorities, the overall value in and purpose of updating the statement, the importance of focusing on

delivery and the need to minimise change to the values in light of the effort that had already gone into embedding them with staff.

It was agreed to offer a further short window for additional comments rather than undertake a wider stakeholder consultation. **Members agreed to approve the revised Statement of Purpose subject to a one-week window to provide any final comments.**

24/59 Internal Audit Plan 2024/25 (Paper E)

Allen Eccles presented Paper E, the Internal Audit (IA) Plan 2024/25.

Members noted that in considering the draft plan the Audit and Risk Committee had taken into account the risk register, prior internal audit coverage and reports, and discussed with the Chief Finance Officer and other members of the management team. The Committee had challenged the inclusion of some areas and suggested changes, arriving at the six recommended audits. Procurement was an area of key spend and was subject to new legislation, cyber security remained a high risk with increased digital activity and therefore risk exposure, use of agency staff had been broadened at the Committee's request to consider the wider recruitment and retention approach as well as the resilience of staff and their departments, mental health and wellbeing was selected as an area of regular focus and concern at Corporation and committees, apprenticeship funding was recognised as an important area of revenue for the College and members noted that the audit would take into account the external audit work in this area. The final audit would be the Follow Up Review, which was a procedural exercise to ensure management was implementing the agreed actions. It was noted that the paper also provided a high-level view of the work programme over the next three years, however this was subject to change and review moving forward to respond to emerging issues.

The Chief Finance Officer reiterated that links with the external auditors would ensure there was no duplication of work. The Principal queried whether the procurement review would consider the alignment of NCD policies with the new regulations and test both practices and policies. It was confirmed that this would be covered and that whilst the intention was to schedule the review for Term 2 to provide 3-4 months of testing data, this would be reviewed and could be moved to later in the timetable if more appropriate and this would be discussed with the internal audit service.

PB

Subject to resolving the question on timing of the procurement review, **members approved the proposed Internal Audit Plan for 2024/25.**

24/60 Financial Monitoring to 31 May 2024 (Paper F1)

Paul Bradley presented Paper F1, which detailed the financial position of the College at 31 May 2024. Members noted the projected year-end surplus, current student numbers for FE, HE and Apprenticeships, the update in relation to the Teachers Pensions Employer Contribution rate which provided additional funding, updates to the College's top ten risks, the potential financial implications of the NA College financial position and the College Capital Programme.

Members noted the report.

24/61 Financial Monitoring – Westfirst Limited to 31 May 2024 (Paper F2*)

Members received and noted the Westfirst Limited financial reports to 31 May 2024.

24/62 Capital Projects Update (Paper F3*)

Members received Paper 3, which updated on the College's major capital projects and noted progress on the Artificial Grass Pitch and Car Park relocation Project and the Construction Centre of Excellence.

24/63 Budget for 2024/25 and Two-Year Financial Forecast (Paper F4)

Paul Bradley presented Paper F4 and explained that as the previous financial monitoring report covered the outturn position for the current year, his presentation would focus on the proposed budget for 2024/25, which was recommended for approval by the Finance and Resources Committee.

Members noted the estimated surplus for 2024/25 and reviewed the income and expenditure assumptions and the balance sheet position. Members considered the sensitivity analysis on both the year-end outturn and the 2024/25 budget and noted the potential areas that could challenge the key assumptions in the budget. Members reviewed the analysis of the worst and best case scenarios on the basis of the assumptions made in the 2024/25 budget forecast.

Paul confirmed that the proposed budget had been discussed extensively at the Finance and Resources Committee where members noted and recognised that the HE collaboration funds were driving the projected surplus. The Vice Chair commented that the paper was very thorough, and following careful consideration of the underlying assumptions and sensitivity analysis, members agreed to:

- Note the forecast outturn for 2023/24, the proposed budget for 2024/25 and the forecast budget for 2025/26, and
- Accept the Finance and Resources Committee recommendation to **approve the budget for 2024/25 and the two-year financial plan which will be used for the College Financial Forecasting Return (CFFR) return due for submission at the end of July 2024.**

24/64 Medium Term Financial Plan 2024/25 to 2028/29 (Paper F5)

Paul Bradley presented Paper F5, the Medium Term Financial Plan (MTFP) for 2024/25 to 2028/29.

Members reviewed the national and local landscape and Paul highlighted the political developments and resulting and ongoing changes as key areas that could impact on the plan. Members reviewed the 5-year financial forecast, noting that this did not include the sports and sixth form development proposed later on the agenda, and also the reserves position.

Paul emphasised the role of the MTFP in improving financial planning and strategic financial management, which demonstrated the College was looking ahead within a financial context that remained challenging and uncertain.

Members approved the Medium Term Financial Plan 2024/25 to 2028/29.

24/65 Sixth Form and Sports Building Development Proposal – Business Case (Paper F6)

This item is recorded confidentially under confidential minute 24/65a.

24/66 Reserves Policy (Paper F7*)

Members received and **approved the enhanced Reserves Policy** and noted the level of free reserves required as detailed in the report.

24/67 Financial Regulations (Paper F8)

Paul Bradley presented Paper F8, which provided a further update of the Financial Regulations, following the annual review in March. Members noted the approval limits on financial commitments outlined in the report, which introduced a requirement for Corporation approval where this was above £1m in value. Inclusion of the Purchase Card Policy at the request of the external auditors was also noted.

Members approved the revised Financial Regulations.

24/68 Annual Review of Single Equality Scheme and Action Plan (Paper G*)

Members received Paper G, which provided an annual overview of equality, diversity and inclusion data, explored the EDI implications of recruitment and retention, staff development and application of formal procedures and provided examples of new initiatives impacting on the student body, examples of good practice and progress against the previous year's objectives.

Members noted the Equality, Diversity and Inclusion Annual Report, particularly the feedback on objectives set for 2023/24 and **agreed the proposed objectives for 2024/25.**

24/69 Annual Report on Sustainability (Paper H)

Karl Fairley presented Paper H, which was the first Annual Sustainability report to Corporation. Karl advised that the report reflected a team effort across Curriculum and Corporate Services in progressing sustainability across the College, and that a significant amount of ongoing activity was not captured in the report. Members reviewed curriculum and business developments, key performance indicators and development in the College estate, external benchmarking information and key areas of risk and opportunity. Members noted the significant potential for growth around the green agenda and welcomed the development of the new report, highlighting in particular the efforts to embed sustainability into the curriculum as well as delivering improvements across the estate.

Members noted the report.

24/70 Update from Careers Education and Guidance Governor (Paper I*)

Members received and noted the update from the Careers Education and Guidance Governor, which provided assurance that the College was meeting the requirements and expectations in relation to careers education and guidance provision

24/71 Update from SEND Governor (Verbal update)

The Vice Chair provided a verbal update on behalf of Suzanne Slater, the recently appointed SEND Governor, as she was unable to attend the meeting. Members noted Suzanne had attended a useful introductory meeting with the Deputy Principal and Vice Principal and would be meeting on a termly basis with the newly appointed Head of Learning Support. Members noted that funding to support learners with SEND remained a significant issue and asked about progress. Karl Fairley advised that the College was working with Durham County Council to try and change the funding application process for high needs students and ensure an adequate level of resources, however it was emphasised that any

changes to the process would ultimately be determined by the Council.

Members were also updated on a recent meeting with Ofsted in which the College had been selected to discuss SEND provision in the context of the Council's role. Ofsted had commended the support the College provides to SEND students and in response to a question about the College's greatest challenge in this area, staff had fed back on the funding challenge. A further update from the Council was currently awaited.

Members noted the update on the College's SEND provision.

24/72 Curriculum & Quality Monitoring Reports – FE and HE (Paper J*)

Members reviewed Paper J, the Curriculum and Quality Monitoring Reports as discussed at the recent meetings of the Further Education Quality Curriculum and Students Committee and the Higher Education Quality Curriculum and Students Committee.

Members noted the curriculum and quality activity and performance across FE, Apprenticeships and HE.

24/73 FE and HE Quality Development Plan updates (Paper K*)

Members reviewed Paper K, the Quality Development Plan updates for FE and HE as discussed at the recent meetings of the Further Education Quality Curriculum and Students Committee and the Higher Education Quality Curriculum and Students Committee respectively.

Members noted the progress against the FE and HE Quality Development Plans.

24/74 Proposed changes to the Corporation Committee Structure and Committee Terms of Reference (Paper L1)

Caroline Winter presented Paper L1, which proposed the merger of the Further Education Quality Curriculum and Students (FEQCS) Committee and the Higher Education Quality Curriculum and Students (HEQCS) Committee.

Members noted that the proposal responded to previous discussions first raised in the 2022 external governance review around the number of corporation committees in the context of overall corporation resilience and individual member capacity. Following a review of the business of each committee the management leads had confirmed that a merger would support an efficient approach to governance across the College's further and higher education provision and was consistent with the merger of the College's Quality function. Members noted the practical

measures proposed to support implementation and reviewed the draft Terms of Reference for a merged committee.

Members approved the dissolution of the FEQCS and HEQCS Committees and the establishment of a single education Quality Curriculum and Students Committee.

24/75 Proposed changes to Code of Conduct (Paper L2*)

Members received Paper L2 and accepted the recommendation from the Search and Governance Committee to **approve proposed changes to the Governors' Code of Conduct.**

24/76 Appointment of Staff and Student Governors (Paper L3)

Caroline Winter presented Paper L3, which confirmed that the College's academic staff had nominated Mark Gomersall to serve a further three-year term as Academic Staff Governor. Members also noted that Beatrix Murray English had been nominated by the Students' Union to serve as the second Student Governor.

Members agreed to:

- **reappoint Mark Gomersall as Academic Staff Governor for a period of 3 years until 31 July 2027**
- **appoint Beatrix Murray English as Student Governor for the 2024/25 academic year until 30 June 2025.**

24/77 Strategic Monitoring (Paper M)

- **2023/24 Strategic KPI update**
- **2024/25 Strategic KPIs – proposed KPIs and targets**

Members reviewed Paper M, which updated on FE, HE and Corporate Services performance for 2023/24 and proposed KPIs and targets for 2024/25.

Alison Maynard updated members on the changes to next year's KPI targets for further education and apprenticeships and confirmed that these had been approved by the FEQCS Committee.

Peter Morrison updated on HE performance and drew members' attention to the poor continuation rates, which were impacted by the London School of Commerce (LSC) data. It was noted that separate targets for each HE partner were now being proposed and that a new KPI and targets for attendance were being introduced to support achievement of the Office for Students' expectations around minimum attendance. Peter also updated on the request by the HEQCS committee to amend the target initially proposed for internal progression from Level 3 to permit a more phased approach.

Karl Fairley updated on performance against the Corporate Services KPIs in the current year and the proposed targets for 2024/25. Members noted that there had been an additional RIDDOR reportable incident which was now reflected in the report (SKPIHR5).

Members agreed to:

- note the progress to date against all College Strategic KPIs for 2023/24
- note the Further Education and Higher Education targets for 2024/25
- **approve the updated Higher Education KPIs and targets for 2024/25 and**
- **approve the Corporate Services targets for 2024/25.**

24/78 Annual Review of Safeguarding and Prevent – Curriculum update (Paper N*)

Members received Paper N, which supplemented the Annual Review of Safeguarding and Prevent considered in detail at the previous Corporation meeting on 23 May 2024. The additional paper provided a narrative produced by each Head of School detailing how Safeguarding and Prevent were embedded within the curriculum.

24/79 Corporation and Committee Business 2024/25 (Paper O*)

Members **approved** the Schedules of Business for 2024/25 subject to finalising meeting dates and preparation of a merged schedule for the new Education Quality Curriculum and Students Committee.

24/80 Written Resolutions passed outside of Corporation meetings (Paper P*)

Members noted a Written Resolution which had been passed outside of Corporation meetings - Appointment of the Internal Audit Service (passed 25 April 2024).

24/81 Use of the College Seal (Paper Q*)

Members noted the application of the College Seal to the design and build contract between New College Durham and Cleveland Land Services for the installation of an artificial grass pitch and associated car park relocation on 19 June 2024, which was recorded in the Corporation Register of Seals. The documents were signed by the Chair and Principal on behalf of Corporation.

24/82 Any other urgent business

2025/25 Committee Meetings

Members were advised that a trial of holding Committee meetings online would take place in the Autumn Term. The Vice Chair emphasised the importance of governors continuing to have a

regular presence on site to maintain their engagement with each other and with the College, its students and activities and confirmed that the trial would apply to committees only, with the expectation that members would continue to attend Corporation meetings in person. Members noted that feedback would be sought in December on how the trial had worked to inform whether to continue online committee meetings for the remainder of the year. Members recognised the need for a balance between online and in person meetings and the value in engaging with other opportunities to attend events at the College. It was suggested that Committee Chairs retained a discretion to propose a face to face meeting where the agenda included consideration of certain key items from that committee's annual Schedule of Business.

Governor networking feedback form

The Vice Chair drew members' attention to an email circulated earlier the same day which included a link to a new online form developed for governors to provide feedback on any networking activity or professional contacts that would be useful for the College senior team to follow up. Members noted the form would be added to future agenda sheets in addition to a link on the Governors' SharePoint site.

24/83 Date of next meeting: 26 September 2024

Diary dates:

- HE Graduation Ceremony – 9 July 2024
- Back to Business Day – 27 August 2024

Signed.....**Date**.....