

The Corporation of New College Durham**Minutes of the meeting of the Corporation
held on 7 November 2024****Present:**

Stephen King (Chair)
Andy Broadbent
Emily Baxter
Davey Benson
Allen Eccles
Jonathan Hamill
Rhiannon Hiles

Kathryn McCloghrie
Beatrix Murray English
Chris Patterson
Philip Pollard
Suzanne Slater
Hailie Warren

Apologies:

Mark Gomersall
Ben Fisher

In attendance:

Karl Fairley (Deputy Chief Executive)
Alison Maynard (Deputy Principal)
Paul Bradley (Chief Finance Officer)
Colleen Peters (Vice Principal)
Andy Stephenson (Vice Principal)
Adele Dowson (Vice Principal)
Peter Morrison (Vice Principal)
Rob Grainey (Vice Principal)
Caroline Winter (Head of Governance and Corporation Secretary)
Chloe Freeman (observing)

Action**24/108 Chair's introduction and starred items**

The Chair welcomed everyone to the meeting. It was noted that Ian Green had decided to stand down as a governor and that the Chair would write to Ian on behalf of the Corporation to thank him for his contribution and send the traditional paperweight gift.

The Chair thanked members for their involvement in the ongoing SAR validation sessions, commenting on the useful insight they provided into curriculum and school activity.

Rhiannon Hiles joined the meeting at 4.06pm.

The Chair reminded members to declare their interests in any item of business to be discussed at the meeting. None were declared.

The Chair explained the use of starred items as there were a number of starred reports on the agenda. It was emphasised that whilst these were a mechanism to manage the volume of business at meetings, it was important that members felt comfortable asking questions or seeking a discussion on these items where required.

Members **confirmed** that they did not require any further

discussion about the starred agenda items F3, I1, I2, I3, I5, I6, L or M. It was noted that Paper I4 was withdrawn as the only membership change related to Ian Green, who had resigned.

24/109 Apologies for absence were received from Mark Gomersall.

24/110 Minutes of previous meeting (Papers A1 & A2)

The minutes of the meeting held on 26 September 2024 (including confidential minutes) were agreed as accurate and signed by the Chair.

24/111 Matters arising not appearing elsewhere on the agenda

24/96 – Capital projects update – a visit to the Construction Centre of Excellence (CCoE) would be arranged as early as possible in the Spring Term.

24/96 – members were updated on the arrangements for NCD students at the CCoE, including delivery of College services and enrichment activity at the site to ensure an equivalent student experience to the main campus.

24/112 Principal's Report (Paper B)

The Principal briefed members about matters of strategic interest including: the first budget under the new government which included announcements on additional 16-18 funding, confirmation of the increase in national insurance, an increase in the National Minimum Wage, extension of VAT to private school fees (but no change to the FE position) and additional FE capital funding. Members also noted the recent announcement to increase HE fees and maintenance loans.

From a College perspective members were updated on significant areas of emerging risks including: cyber security, economic and financial risks, recruitment challenges and ongoing skills shortages, political and regulatory uncertainty, environmental and sustainability challenges, student and stakeholder expectations and geopolitical risks. In addition members noted the latest position on current enrolments and in-year growth funding, strategic planning activity relating to the College estate to address continued growth, an update on HE partnerships, a recent visit by a delegation from Durham County Council's Economy and Enterprise Overview and Scrutiny Committee and the recent submissions to the AoC Beacon Awards.

In response to a member's question about the impact of the budget on local companies' support for apprenticeships it was noted that apprenticeship recruitment was holding up well but the affordability challenges for companies to continue to invest in staff development were recognised following the increase in national insurance and both the national and real living wage. Members commented that

the position did present an opportunity for companies to invest in apprenticeship level development which was likely to be lower cost than development of experienced and longer-serving staff. In response to a member's question about the impact of Skills England Andy advised that it was difficult to judge potential success at such an early stage of the new government and members noted the delays experienced in implementing other policy initiatives.

Members discussed the challenges around accommodation and the lead-in time and funding for capital projects and queried whether the College's strong financial position impacted negatively on bids for DfE funding. Andy confirmed that whilst this had been seen previously, the College would be viewed as a lower risk due to its financial position. DfE capital funding for key projects would continue to be pursued but where bids were unsuccessful the College would seek to fund development from reserves. Members commented that as match funding was likely to be the preferred government funding model in future the College was in a strong position but the importance of balancing reserves and expenditure was recognised. Members were updated on plans to free up teaching space on the main campus through the relocation of some support staff, in addition to ongoing planning for the next 24 months.

Members discussed the local and regional political context following the budget and noted updates on the FE Principals' agreed approach to engagement and dissemination of input to and from the North East Mayoral Combined Authority advisory boards. Andy updated on progress in joint working across FE and HE in the region and confirmed that the College remained well-placed in relation to relationships with key political and other stakeholders across the County and region.

Members noted the report.

24/113 Receipt of Committee minutes and verbal reports from chairs:

Audit & Risk Committee (Papers C1 & C2) – the Chair approved minutes of the meeting held on 16 September 2024 were received. The Committee Chair summarised the key areas of the Committee's discussions relating to HE partnership risks and the NA College financial position as detailed in the minutes and updated at the previous Corporation meeting. Members asked about further developments since the previous updates and Peter Morrison updated on follow up work within the HE partnerships team to increase capacity in audit activity at key points during the year to ensure any risks from the College's HE partnerships were fully mitigated. It was also noted that discussions were taking place with the DfE around sharing intelligence to support fraud prevention. Members noted that discussions were ongoing around the treatment of NA College grant funding within the annual accounts.

Finance & Resources Committee (Paper C3) – the Chair approved minutes of the meeting held on 9 October 2024 were received. Members noted that a number of the reports considered the latest position on papers considered at both the current and previous Corporation meetings in relation to financial monitoring, capital projects and student enrolments. The Chair drew members' attention to the very useful report on sickness absence trends, monitoring and the College's response and also an update provided on the Mental Health and Wellbeing strategy following the merger of the strategies for staff and students. The Chair commended the assurance gained from the Cyber Security update on the strength of the College's security infrastructure.

Search & Governance Committee (Paper C4) the Chair approved minutes of the meeting held on **21 October 2024 were received**. The Committee Chair updated on the reports considered and advised that the substantive items were included on the current Corporation agenda.

24/114 Academic Performance 2023/24 (Paper D)

Alison Maynard presented Paper D, which updated on the final academic performance position for 2023/24. Members noted the College achievement rate which had improved on the previous year and were updated on achievement across 16-18 provision, functional skills, GCSE maths and English, High Needs Funded students, adult education, apprenticeships and Higher Education for Durham and partnership provision. Alison drew members' attention to performance concerns and advised that interventions were in place to improve performance. Members noted that the overall performance for the College presented a very positive picture for last year and it was anticipated that the College would feature at the high end of national achievement tables.

Members commended the overall performance position and in response to a question on how maths performance compared against other colleges, Alison explained that the key area was at Level 1, and that performance impacted on overall achievement. Members that had been present at the Self-Assessment Report (SAR) validation sessions commented on the detailed discussions held and challenge provided. Members emphasised that it was important for Corporation to maintain oversight and monitor the position moving forwards but were assured that a plan was in place to address the issue.

Members queried whether there was a position at which performance would plateau, so that the resources required for continuous improvement might become too great. It was noted that this balance had previously been discussed in the context of Ofsted gradings.

In response to a member's question, Alison confirmed that whilst the legacy from covid had impacted on attendance, last year's bus strikes had also been significant, but also that progress was being made in some cases where students had extremely low attendance at school but the College had helped to improve their attendance levels significantly.

Members noted the report.

24/115 Enrolment Update - 2024/25 (Paper E)

Alison Maynard presented Paper E, which provided the latest update on FE, Apprenticeships and HE recruitment. Members were briefed on full time FE enrolments and the breakdown across schools with most schools exceeding their curriculum planning targets and significant growth overall in 16-18 learners. Members noted that waiting lists remained in place and Alison advised that the Council had requested for support in relation to a large number of learners previously referred by the College that had not been able to be placed. Alison explained how the College was responding to the impact of ongoing curriculum reform in current enrolments and highlighted concerns over the impact of the reforms on Level 2 students in future years.

Members noted that part time adult provision and apprenticeship recruitment were on track. HE enrolments were down but work was underway to deliver a January offer. Overall the recruitment picture was very positive, particularly in comparison with other colleges.

Members asked about support for the students that still needed places and Alison outlined ongoing work with partners to provide places. In addition young people were engaged with Durham Works focusing on developing softer skills until they were ready to attend college. The challenge was countywide and other colleges would be working through similar issues with Durham and other councils but the size of the County and the College's strong reputation presented a significant challenge in numbers. The Principal commented on the impact on the college environment of the increased numbers at their peak and advised that options were being considered to create more teaching space.

Alison explained that actions detailed in the report that were now being progressed in response to the start of year position including a review of the catering offer, monitoring the impact of oversubscribed curriculum areas, review of areas with lower recruitment, a dynamic approach to apprenticeship recruitment across the year, market research in the HE position as well as a plan for January starts and a strategic review of the curriculum offer across FE and HE to ensure alignment with the local labour market.

In response to a member's question Alison confirmed that the College worked with external advisors on curriculum trends and horizon scanning. Members queried the focus of the catering review and Alison advised that work was ongoing with the industry to try and understand the decline in enrolments as well as bringing in more adult learners to ensure the continuation of valuable skills for a sector of key importance within County Durham.

Members noted the current position.

24/116 Annual Report on Risk Management and Key Risks (2023/24) (Paper F1)

Paul Bradley presented Paper F1 the annual report on risk management which summarised risk management activity over the previous year. The report was considered by the Audit and Risk Committee on 16 September 2024 and recommended to Corporation.

Members noted the current number of high, medium and low priority risks, the changes to the risk register over the course of the year and the College's top ten risks. Members considered the areas of emerging risk and Paul confirmed that these areas were kept under review and that some would move into the risk register over time as circumstances developed. Paul advised members that as well as regular review by the Audit and Risk Committee, the full risk register would be circulated at alternate Corporation meetings in future to ensure members had a regular opportunity to consider and discuss any changes or developments in the key areas of risk as a board.

Members recognised that regular strong assurance was provided on the College's cyber security but queried whether arrangements should be reassessed in the context of the recent increase in cyber-attacks.

Karl Fairley provided further context on the measures in place to protect the College's network with core systems prioritised. Members commented on the significant risk in cyber security presented by the human factor and welcomed the specific actions to engage staff in prevention. The attacks demonstrated the importance of the College's processes implemented as part of Cyber Essentials Plus accreditation which had again been confirmed. The College continued to work with the JISC service and they had advised that the College was doing everything possible to protect against attacks. Additional measures included the forthcoming internal audit review of cyber security, regular communications across the FE sector and members noted the ongoing work with the police to seek support and their advice to engage with the North East Cyber Crime Unit as the body set up to deal with cyber crime activity. In response to a member's question, Karl confirmed the position on insurance coverage.

Members expressed assurance in relation to the protections in place, the regular updates from the Executive Director of ICT and Corporate Services and the ongoing investment in the College's cyber security infrastructure

Members noted the key risks and the annual report.

24/117 Financial Monitoring to 30 September 2024 (Paper F2)

Paul Bradley presented Paper F2, which provided the financial position of the College at 30 September 2024.

Members noted the enrolment position, the College's top ten risks, the key financial indicators which confirmed the College as financially outstanding and the current surplus position. Paul detailed a number of factors to provide members with the wider context for consideration of the financial position for the year ahead including: the likelihood of in-year growth funding due to the significant increase in full time 16-19 students, new contracts that had been confirmed with the region's two combined authorities, the prudent approach to budgeting for HE partnership recruitment, the positive variance arising from staffing vacancies, which although presented some delivery challenges was currently manageable, the latest updates in relation to pay negotiations across the sector, recent budget announcements around funding the increase in national insurance and the implications of the living wage increase, the pressures on space across the College and the need to create additional capacity to accommodate current and future growth, the critical issue of timing in progressing capital projects and the forthcoming sixth form building project.

Members noted the financial position at the end of September 2024.

24/118 Financial Monitoring – Westfirst Limited to 30 September 2024 (Paper F3)

Members received Paper F3 and noted the Westfirst Limited financial reports to 30 September 2024.

24/119 Capital Projects Update (Paper F4)

Paul Bradley presented Paper F4, which updated on the College's major capital projects.

Paul briefed members on the latest developments in relation to the Artificial Grass Pitch and Car Park relocation and the Sports and Sixth Form Building, confirming this project would be further reviewed on receipt of tenders early in the new year. Paul advised that following completion and handover of the Construction Centre of Excellence (CCoE), the current report would be the final update on the first phase of the project, as work progressed on the proposed layout of the second warehouse. In relation to the

strategic site masterplan, Paul confirmed that designs were being progressed for development of a green skills building as previously discussed, in order to have an 'off the shelf' project ready subject to availability of funding.

In response to a member's question around preserving a separate identity for the sixth form while the capital project progressed, Paul confirmed that the sixth form only corridor had worked well it was proposed to maintain this as sixth form space until moving across to the refurbished building. It was acknowledged that capacity was currently stretched and any concerns over the current space and usage could be raised with the Head of School and Vice Principal.

Members considered the ongoing capacity challenges and discussed the matching of capacity against local demographics. Members noted the opportunities presented by the second warehouse at the CCoE and queried whether there was scope to move staff there to avoid concerns over potential fragmentation. It was confirmed that the centre was an industrial unit converted by the College to enable teaching of property maintenance and related provision so more suited to expanding teaching rather than accommodating non-teaching functions. Relocating the Business Development Unit off campus would help free up much needed on site teaching space as well as opening up opportunities to develop adult training provision in response to employer need. Members commended the College's approach in continuously exploring ways to meet local skills needs. In response to a member's question about the potential for employers to contribute to a shared training space, members noted the challenges around differing approaches and competition between employers but welcomed their engagement in exploring opportunities to base their training with the College.

Members acknowledged the significant resource challenges associated with ongoing growth but agreed these were good problems to have and that the College was in a good position to respond.

Members noted progress on the Artificial Grass Pitch and Car Park Relocation Project, the Construction Centre of Excellence and the Sixth Form and Sports Building.

24/120 Update from SEND Governor (Paper G)

Suzanne Slater presented Paper G, which updated on her termly meeting as SEND Governor.

Suzanne summarised the feedback from her first meeting with the Vice Principal and recently appointed Head of Learning Support. The purpose of the initial meeting had been to define the scope of future meetings and clarify priorities as SEND Governor: understanding the SEND learner population and the curriculum offer for SEND learners, maintaining an overview of the academic

performance of SEND learners in comparison to their peers, looking at the wider achievement of independence and developmental skills as supported by the College, a focus on funding of Education Health and Care Plans (EHCPs) and staff training to ensure they are equipped to meet individual needs and statutory duties. Suzanne emphasised the need to ensure that learners with high levels of special educational needs and disabilities had a curriculum designed to meet their needs.

Members noted the feedback from the Head of Learning Support on her initial findings on joining the College, that the staff resource was strong and had relevant experience in working with learners with SEND, but that the challenge of high needs funding (HNF) support continued to limit the staffing resource for Learning Support Assistants. The meeting had considered the SEND funding challenge in detail and agreed this would remain on future agendas to maintain an overview of the position. Members noted the College was collaborating with the other Durham colleges to influence the Council's position on HNF. Suzanne had received assurance over the robust process for approval of EHCP learners into the College and confirmed her overall view that SEND provision at the College was in safe hands with the new leadership demonstrating significant ambition that would take the service forward.

Members noted that a complaint had been submitted to the Council in respect of progressing the College's allocation of HNF and asked about the response. It was confirmed that the concerns had not been addressed and the College had requested a further review. There had been a 48% increase in HNF applications over the last three to four years however the allocation had remained at 32 places. The College recognised the resource challenge facing the Council and was keen to maintain the relationship. A specific challenge was the timing of confirmation of the students that would be supported which was late into the term, however the College was continuing to support all of the relevant students regardless of allocation.

Members welcomed the College's commitment to supporting these students despite the funding challenges and noted the position for learners with SEND for November 2024.

24/121 Skills and Employer Engagement update (Paper H)

Alison Maynard presented Paper H, which provided an updated overview of how the College was meeting local skills needs.

Alison emphasised that addressing skills needs at local, regional and national levels was a key part of the College's Strategic Plan and the College was continuing to perform this role very well. Members' attention was drawn to the numerous skills initiatives to address the evolving needs of the regional economy as well delivering adult skills funded provision, the Lifetime Skills

Guarantee and achieving substantial impacts through Skills Bootcamps to over 1,500 learners. The College continued to act as the lead for the North East Institute of Technology in collaboration with key FE and HE partners alongside two key anchor employers, with strategic priorities in construction and advanced manufacturing established for 2024/25.

The key areas of focus moving forward were to maintain the 'strong' skills judgement of Ofsted and progress exciting and innovative approaches to meeting skills needs through strong employer engagement. Members noted that a mapping exercise was about to be undertaken to refresh the College's understanding of its key stakeholders and gain an ongoing understanding of skills gaps in the region and ensure these were being met.

Members noted the report.

24/123 Governance Self-Assessment Report 2023/24 and Governance Development Plan 2024/25 (Paper I1)

Members received Paper I1, the annual self-assessment of governance and review of governing body business for 2023/24, which had been endorsed by the Search and Governance Committee and recommended for approval.

The report provided details of membership changes, meeting attendance, review of meeting arrangements, development and training activities, major items of business conducted, review of prior year governance development plan, analysis of governance surveys, draft governance development plan for 2024/25, review of compliance with the AoC Code of Good Governance for English Colleges and conclusions on governance. Appendices also comprised individual attendance data, an updated Governor skills audit, diversity monitoring data, summary of the Governors' Register of Interests. Overall attendance at Corporation and Committee meetings was 83%.

Members expressed thanks for the work in preparing the detailed report, commenting that whilst there were a small number of actions to take forward following the AoC Code review, it had been an extremely thorough exercise and provided assurance on the Corporation's governance arrangements.

Members agreed to:

- note the review of governing body business 2023/24
- endorse the outcome of the review of compliance with the AoC Code of Good Governance, the conclusion of the governance self-assessment and the key priorities for 2024/25 and
- **approved** the Governance Development Plan for 2024/25, subject to inclusion of the actions emerging from the AoC Code review.

24/124 Search Committee Annual Report 2023/24 (Paper I2)

Members received and noted Paper I2, the Search and Governance Committee Annual Report for 2023/24. The report provided details of committee membership and attendance, terms of reference and a review of work undertaken during the year.

24/125 Governor Training and Development Plan 2024/25 (Paper I3)

Members received Paper I3, the Governor Training and Development Plan 2024/25 recommended by the Search and Governance Committee.

Members **approved** the refreshed Training and Development plan as presented.

24/126 Committee Composition (Paper I4)

Paper I4 was withdrawn as the proposed committee membership change related to a governor that had resigned from the Corporation.

24/127 Review of Instrument and Articles of Government and Committee Terms of Reference (Paper I5)

Members received Paper I5, the recommendation from Search and Governance Committee to approve proposed changes to the Instrument and Articles of Government and Committee Terms of Reference.

Following the comprehensive review undertaken of all the Corporation's core governance documents in 2023, a light touch review was undertaken this year and a number of practical changes were proposed in the documents to provide further clarity and consistency and reflect the Corporation's current operating arrangements.

Members **approved** the revised Instrument & Articles of Government and Committee Terms of Reference as presented.

24/128 Review of Succession Planning Policy (Paper I6)

Members **approved** the Succession Planning Policy as presented.

24/129 Strategic Monitoring - Corporate Services

Karl Fairley presented Papers J1 and J2.

2023/24 Strategic KPI Update (Paper J1)

Members reviewed Paper J1, the year-end update on the progress made on the Corporate Services KPIs in 2023/24, covering Estates and Facilities, Finance and Procurement, Human Resources, and

ICT and Systems Development and Reporting. Karl advised that 3 KPIs did not achieve the annual target, relating to staff sickness absence, health and safety breaches due to two RIDDOR reportable accidents and two network disruptions. Each area had been the subject of a detailed report to and discussion with the Finance and Resources Committee during the year. Overall the position represented a good year in terms of performance.

Members noted the attainment and progress against the key KPIs for 2023/24.

2024/25 Strategic KPI Update (Paper J2)

Members reviewed Paper J2, which detailed the latest performance against the Corporate Services Strategic KPIs for 2024/25.

Karl highlighted that one RIDDOR reportable accident had taken place within the reporting period relating to a slipping injury in the sports hall during a game. Karl explained that this target would always be set at zero due to the importance of compliance in this area. Members noted that the remaining KPIs were on target.

Members thanked the Corporate Services team for their work to develop the agreed suite of KPIs for monitoring over the last year and Karl Fairley confirmed that the Executive Directors welcomed the approach in enabling the figures to be supported by detailed reports providing the wider context and longer-term view citing the recent report and discussion on sickness absence as an example.

Members noted the progress to date on the Corporate Services KPIs for 2024/25.

24/130 Strategic Monitoring - Quality and Curriculum Strategic KPI Update 2023/24 and 2024/25 (Paper J3)

Alison Maynard and Peter Morrison presented Paper J3, which updated on the Quality and Curriculum Key Performance Indicators closing the 2023/24 cycle and presenting early performance for 2024/25.

Members reviewed the performance information and Alison advised that the key issue in 2023/24 was attendance. The position to date in 2024/25 was showing an improvement on the previous year. Members noted that functional skills was GCSE high grade maths were areas of concern at the 2023/24 year-end position and target support was being implemented to drive improvement. Overall whilst there were some areas across FE and apprenticeships that did not meet target in 2023/24, there were no surprises and early indicators for 2024/25 were positive so far with no concerns.

In relation to HE performance, Peter Morrison confirmed that recruitment continued to show a declining trend. Members noted the challenges across the external HE landscape and Peter explained that the government announcement on the HE fees cap would assist in levelling the field between providers. Members were updated on the position for retention, continuation, completion and student satisfaction across Durham and partnership provision and Peter explained that LSC performance had resulted in a negative impact on the overall measures. It was agreed that the performance position reinforced the decision taken earlier in the year against renewing the partnership contract.

Members discussed attendance and in response to a question about the continuing impact of covid, Alison confirmed that whilst this had been a factor in lower attendance, a much more recent issue had been the Go North East bus strikes the previous year. It was however acknowledged that the legacy of covid would continue to impact on attendance and behaviour for another 5-6 years.

Members noted that there were a number of reasons for non-attendance, but travel was a key issue with some students travelling from outside the county or needing to take two or three different bus journeys to attend. Alison advised that a deep dive into attendance was being undertaken to understand the wider picture and individual learner journeys.

Members discussed the student satisfaction surveys and in response to a question about snapshot surveys Alison confirmed that meet and greet sessions were held throughout the year to seek feedback on issues of concern or areas where further information was needed to inform future activities or respond to issues raised. Members asked whether students carried out their own surveys, the student governors confirmed that the key surveys were the in-college surveys, the National Student Survey each January and that feedback was also received through the HE and FE student forum meetings.

Members noted the KPI position at the end of October 2024.

Hailie Warren left the meeting at 6pm.

24/131 Any other urgent business - none

Alison Maynard, Paul Bradley, Colleen Peters, Andy Stephenson, Adele Dowson, Peter Morrison, Rob Grainey and Chloe Freeman left the meeting.

24/132 Remuneration Committee Annual Report 2023/24 (Paper K)

Members reviewed Paper K and noted the Remuneration Committee Annual Report 2023/24.

24/133 Review of Scheme for Remuneration Senior Postholders (Paper L*)

Members **approved** the Senior Postholder salary progression, which dispenses with the operational dimension and measures Senior Postholders on the corporate (strategic) dimension, as presented and recommended by the Remuneration Committee.

24/134 Senior Postholder – Variation to contract (Paper M*)

Members reviewed Paper M and noted the Senior Postholder contract variation approved by the Remuneration Committee, as detailed in the report.

24/135 Receipt of Confidential Committee Minutes – Remuneration Committee – 14 October 2024 (Paper N)

Members received the confidential minutes of the Remuneration Committee meeting held on 14 October 2024.

24/136 Date of next meeting: 12 December 2024

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