

CHAIR APPROVED

The Corporation of New College Durham

**Minutes of the meeting of the Corporation
held on 21 March 2024**

Present:

Stephen King (Chair)
Christine Warren
Ben Fisher
Andy Broadbent
Joy Brindle
Joyce Drummond-Hill
Chris Patterson

Suzanne Slater
Allen Eccles
Mark Gomersall
Davey Benson
Alice Tomlinson
Moss White

Apologies:

Ian Green
Emily Baxter
Colleen Peters

Observing:

Rhiannon Hiles
Jonathan Hamill (*via MS
Teams*)

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)
Caroline Winter (Head of Governance and Corporation Secretary)

Action

24/01 Chair's introduction and starred items

The Chair welcomed everyone to the meeting noting this was his first meeting as Corporation Chair and the first meeting for Rhiannon Hiles and Jonathan Hamill.

The Chair reminded members to declare their interests in any item of business to be discussed at the meeting. No interests were declared. It was noted that Rhiannon Hiles and Jonathan Hamill would withdraw from the meeting for Paper G1 which considered their appointments to the Corporation.

The Chair highlighted the importance of information security in relation to meeting papers and encouraged Governors to review the agenda pack within the College's online network and to ensure any papers downloaded to individual devices were deleted following the meeting.

It was noted that this was the last meeting for Christine Warren as her term of office was due to expire on 31 March 2024. Christine was appointed to Corporation in April 2015 and served 9 years as a member, chaired numerous committees and acted as Corporation Chair between July 2020 and December 2023. On

behalf of Corporation, the Chair thanked Christine for her service to the College and Corporation. Christine commended the progress made by the College, particularly in the last few years, and thanked her governor colleagues and the Senior Leadership Team for their support during her time as a board member.

The Chair reminded members that the Corporation's Standing Orders provided for the use of starred items on the agenda to improve the efficiency of meetings and decision making. Members were asked if they wished to discuss any of the starred agenda items, otherwise it would be assumed that they were agreed. Members **confirmed** that they did not require any further discussion about the starred agenda items, Papers C1 – C8, D, F2, F5, G2, G3, G4, H, L, M, N and O.

24/02 Apologies for absence were received from Ian Green, Emily Baxter and Colleen Peters.

24/03 Minutes of previous meeting (Papers A1 & A2)

The minutes of the meeting held on 14 December 2023 (including confidential minutes) were agreed as accurate and signed by the Chair.

24/04 Matters arising

There were no follow up actions from the previous meeting.

24/05 Principal's Report (Paper B)

The Principal briefed members about matters of strategic interest including the March 2024 Budget which made no changes to education budgets and progress on devolution including key priorities, funding announcements and concerns over regional FE representation in the emerging North East arrangements. Members were also briefed on national and regional concerns over declining attendance in secondary schools which would impact on future cohorts at the College and concerns over the proposed changes to maths and English.

From a College perspective, members were updated on the very positive Annual Strategic Conversation with DfE and the latest activity within the Business Development Unit in relation to the successful national Bootcamp and UKSPF bids, noting discussions with both the DfE and the Combined Authority regional skills lead to provide assurance around capacity to deliver. Members also noted the funding challenges in delivering education for young people with an Education, Health and Care Plan (EHCP) with significantly higher numbers than the high needs funding (HNF) allocation, the success in winning the AoC's prestigious College Engagement with Employers Beacon Award as well as shortlisting in five categories at the forthcoming Educate North Awards, visits to the College and changes to the senior staff.

Members commented on the significance of the funding pressures on all colleges in light of the various updates, noting this provided important context for strategic discussions on the College's income and contribution from partnerships and sub-contracting. Members asked about preparation for the proposals on maths and English and the Principal confirmed that this was a key area of current focus, with options being piloted to consider which activities had greatest impact on attendance and achievement.

In response to a member's question on how the EHCP/HNF position was being addressed, Karl Fairley explained in detail the operation of the current arrangements with the local authority. Members recognised the need to balance provision of an inclusive educational environment to support these learners with the ability to support the increasing number of young people with complex needs, and noted the legal responsibilities placed on the College and that discussions with other local colleges confirmed they were facing the same challenge in balancing student experience and cost. The College had taken legal advice on the position and was working with local authority colleagues to try to find a longer-term solution with the potential to escalate the matter in future.

The Principal updated governors on the proposed outline for the forthcoming Strategic Review day in April. The day would start with consideration of the College's financial position and areas of movement, the three main themes of College, Curriculum and Workforce of the Future and culminate with a reflection on the implications for the longer-term financial plan and legal requirements of the duty to review how provision meets local needs and the Accountability Agreement.

Members noted the report.

24/06 Receipt of Committee minutes and verbal reports from chairs:

Search and Governance Committee (Paper C1, C2, C3 & C4) – the minutes of the meetings held on 18 January 2024, 7 February 2024, 4 March 2024 and 11 March 2024 were received.

Finance and Resources Committee (Paper C5) - the minutes of the meeting held on 7 February 2024 were received.

Further Education Quality Curriculum and Students Committee (Paper C6) - the minutes of the meeting held on 15 February 2024 were received.

Audit and Risk Committee (Paper C7) - the minutes of the meeting held on 26 February 2024 were received.

Higher Education Quality Curriculum and Students Committee (Paper C8) - the draft minutes of the meeting held on 13 March 2024 were received.

24/07 Accountability Agreement – Update (Paper D)

Members received Paper D, which updated on progress against the New College Durham Accountability Agreement agreed in May 2023, and noted the proposed objectives for the 2024/25 Agreement.

24/08 London School of Commerce Contract Renewal (Paper E)

This item is recorded confidentially under minute 24/08a.

24/09 Financial Monitoring to 31 January 2024 (Paper F1)

Paul Bradley presented Paper F1, which detailed the financial position of the College at 31 January 2024. Members noted the first forecasting exercise of the financial year, the projected surplus position, current student numbers for FE, HE and Apprenticeships, updates to the College's top ten risks and the College Capital Programme. Paul advised that the financial indicators confirmed that the College remained financially outstanding.

Members noted the report.

Joyce Drummond-Hill left the meeting at 5.30pm.

24/10 Financial Monitoring – Westfirst Limited to 31 January 2024 (Paper F2)

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

24/11 Annual Update on External Funding Projects (Paper F3)

Alison Maynard presented Paper F3, which notified Corporation of the portfolio of externally funded projects with an individual value in excess of £250,000, in accordance with the College financial regulations.

It was noted that the College was a prime deliverer of externally funded training and educational programmes for adult learners and members reviewed the extensive range of projects across AEB, DWP, Bootcamp and UK Shared Prosperity Fund contracts. Members noted the total income value to the College, the risk rating associated with each project and the volume of participants and sub-contractors. Members were also updated on tenders currently being prepared for submission to the new Mayoral Combined Authority in relation to AEB, Free Courses for jobs and Bootcamps. Members commented on the significant difference in contribution rates between projects and emphasised the need to consider sub-contracting thresholds and work towards an appropriate balance with internal delivery.

Members congratulated the team on its success in securing the range of projects and noted the College's strong track record on delivery.

Members noted the report.

24/12 Capital Projects Update (Paper F4)

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

It was noted that the report contained the final update on The Hub following its completion and members commented on the success of the official opening event held earlier in the day. The event had been a good opportunity to engage with stakeholders with very positive feedback on the College and its students, who were seen as excellent advocates for the College.

Members were updated that all planning conditions in respect of the Artificial Grass Pitch and Car Park relocation project had been achieved and confirmation submitted to the planning authority for sign-off. The expectation was that construction would start in May and a programme of works would be provided to governors as part of a future update. Paul advised that the works to Promotion House were progressing well and on budget.

Members commented that the capital projects had been very successful however it was highlighted that whilst the business case for each project had been reviewed and approved by Corporation, the report continued to reference the site masterplan having been agreed 'in principle'. It was requested that this was reviewed moving forwards.

PB

Members noted the progress on THE Hub project, the Artificial Grass Pitch and Car Park Relocation Project and Promotion House, Langley Moor.

24/13 Financial Regulations and Procedures (Paper F5)

Members received Paper F5, which presented the annual update of Financial Regulations and Financial Procedures. The paper had been considered by the Finance and Resources Committee on 7 February 2024, where members recommended the revised documents for approval by Corporation.

Members approved the revised Financial Regulations and Procedures.

24/14 Appointment of Corporation Members (Paper G1)

Rhiannon Hiles and Jonathan Hamill withdrew from the meeting.

A three-member panel of the Search and Governance Committee held interviews on 7 February 2024 with Rhiannon Hiles and 11 March 2024 with Jonathan Hamill to consider their suitability for appointment as a governor. The panel agreed to recommend Rhiannon Hiles and Jonathan Hamill for appointment to Corporation and copies of their application and skills audit were circulated confidentially to all members.

Members reviewed their respective skills and experience as summarised in the paper and detailed in their application documents.

After due consideration, members approved the following:

- **Rhiannon Hiles to be appointed as a Corporation member for an initial term of 4 years, subject to satisfactory references and DBS clearance.**
- **Jonathan Hamill to be appointed as a Corporation member for an initial term of 4 years, subject to satisfactory references and DBS clearance.**

Rhiannon and Jonathan returned to the meeting and were congratulated on their appointments.

24/15 Committee Composition (Paper G2)

Members **approved** the proposed committee composition which included the following changes:

- Rhiannon Hiles would join the Finance and Resources Committee
- Ben Fisher would join the Academy Sponsorship Committee
- Stephen King would join the Remuneration Committee
- Emily Baxter would join the Search and Governance Committee

24/16 Careers Education and Guidance Governor (Paper G3)

Members received Paper G3, which considered a recommendation from the Search and Governance Committee on the role of the Careers Education and Guidance Governor.

Members approved the reappointment of Stephen King as Careers Education and Guidance Governor for a further one-year period until 24 April 2025.

24/17 AoC Code of Good Governance (Paper G4)

Members received Paper G4, which updated on the revised Association of Colleges (AoC) Code of Good Governance and detailed a recommendation from the Search and Governance Committee to adopt the revised code.

Members agreed to adopt the new AoC Code of Good Governance effective from the current academic year, 2023/24.

24/18 Corporation Confidential Business Policy (Paper G5)

Members reviewed Paper G5, which set out a proposed policy for how the Corporation deals with confidential business. The policy detailed the categories of material that would be kept confidential, described how the policy would operate in practice and included provision for members to challenge any confidential classification.

Members noted the draft policy had been discussed in detail by the Search and Governance Committee on 18 January 2024, where members agreed to recommend the policy to Corporation for approval. Members welcomed the paper and emphasised the importance of the College's status as a public sector organisation in applying the policy in practice.

Members approved the Confidential Business Policy.

24/19 Governor Mentoring Policy (Paper G6)

Members reviewed Paper G6, which outlined a proposed policy for mentoring arrangements to support new Corporation members. Members noted the draft policy had been discussed by the Search and Governance Committee on 4 March 2024, where members agreed to recommend the policy to Corporation for approval.

Members approved the Governor Mentoring Policy.

24/20 Strategic Monitoring - 2023/24 Strategic KPI update (Paper H)

Members received Paper H, the Strategic Monitoring reports updating on progress against the 2023/24 Strategic KPIs, which had been considered in detail at the previous meetings of the Finance and Resources, Further Education Quality Curriculum and Students and Higher Education Quality Curriculum and Students Committees.

Members noted the latest performance against the Strategic KPIs for 2023/24.

24/21 Students Union Report (Paper I)

Alice Tomlinson presented Paper I, the Students' Union Report. Members were updated on enrichment activity including the new ESOL student football team and the addition of cricket to the offer in response to student requests. Alice also highlighted recent careers week activities, the Students' Union work in responding to recent consultations on freedom of speech and the Disabled Students Commitment, the recent Brit Challenge and sustainability events. Members noted the headline feedback from recent student forum meetings where a number of issues around the quality and

selection of catering had been raised and were being addressed, but also the very positive feedback on teaching and learning across both FE and HE.

In response to a member's question about the timing of student satisfaction surveys, it was confirmed that the national student survey (NSS) was subject to a lengthy externally set completion window between January and April and as the internal survey was required to be mid-programme this resulted in an overlap. Student concerns over survey fatigue were acknowledged, however the importance of completing the survey was emphasised.

Members noted the report.

24/22 Update from Safeguarding Governor (Paper J)

Davey Benson presented Paper J, which summarised his termly meeting with the Designated Safeguarding Leads (DSLs).

Davey advised that a review of safeguarding concerns over the year to date showed a trend consistent with previous years in a significant increase in the volume of issues raised between August and November. As there had also been a large increase in student numbers there had been a discussion on whether it was more appropriate to present the data in numbers or a percentage figure.

The safeguarding risk register had been updated to include drugs and weapons on the basis of data collected through the MyConcern system, which gave assurance on the reporting and analysis process as well demonstrating that this information was informing the College's response. Davey highlighted actions in relation to working with the police, undertaking spot checks of students, a visible police and security presence on site and the actions taken, which sent a clear message to staff and students on the seriousness of issues involving drugs or weapons.

Davey confirmed he could give strong assurance that safeguarding was being robustly managed in the College.

In response to a question about the forthcoming 'Martyn's Law' Karl Fairley advised that the Prevent matrix was changing in response to updated government guidance and that the implications of the new proposals would also need to be considered and reflected moving forwards.

24/23 Update from Careers Education and Guidance Governor (K)

Stephen King presented Paper K, which followed his termly meeting to discuss the College's careers provision.

Members were updated on the work of the School Engagement Team in working with and supporting schools to deliver a programme of careers activities and events to start pupils thinking

about their future ambitions. Stephen highlighted the 'Explore, Discover and Experience NCD' model as an area of particular strength and explained the importance of this work in driving 16-18 student growth. The College was also working in partnership with the New College Durham Academies Trust to share good practice and strengthen careers provision which would benefit both students at each school as well as supporting NCD growth.

Members noted recent events around green skills, National Careers Week, partnership activity with Northumbrian Water and Esh Group to increase awareness around climate change and link to potential careers and a pilot project with the North East LEP to support schools to achieve Gatsby Benchmark 6 (experience of workplaces).

Members noted the report and assurance provided that the College was meeting the requirements and expectations around its careers education and guidance provision.

24/24 Curriculum and Quality Monitoring Report (Paper L)

Members received Paper L, the Curriculum and Quality Monitoring Report, which updated on Education and Training emerging themes in year including attendance, student mental health and behaviour, specialist staff recruitment challenges and developments in the curriculum planning process. Further updates focused on apprenticeships, enhanced learning, employer engagement and international partnerships and initiatives.

24/25 Annual Information Management and Governance Report (Paper M)

Members received and noted the Annual Information Management and Governance Report.

24/26 Written Resolutions passed since the last Corporation meeting (Paper N)

Members noted that the following Written Resolution had been passed since the last Corporation meeting:

- Appointment of SEND Governor (passed on 7 February 2024).

24/27 Use of the College Seal (Paper O)

Members noted the application of the College Seal to the contract documents for the construction works to Promotion House on 18 January 2024 as recorded in the Corporation Register of Seals. The documents were signed by the Chair and Principal on behalf of Corporation.

24/28 Any other urgent business - none

24/29 **Date of next meeting:** 23 May 2024

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