

PROSPECTS COLLEGE OF ADVANCED TECHNOLOGY

MEETING OF THE BOARD OF GOVERNORS

9 DECEMBER 2015

MINUTES

Present: David Sherlock (Chair) External Governor
Neil Bates Chief Executive/Principal
Phil Clark Staff Member
Peter McKee External Governor
Kini Pathmanathan External Governor
Theo Steel External Governor
David Wells External Governor
Tom Wilson External Governor

In attendance: Robin Jones Clerk to the Board of Governors
Helen Russell Director of Business Development
Neil Warren Chief Operating Officer
Katharine Jewitt Director of Learning (as from 4 January 2016)

157 APOLOGIES FOR ABSENCE

The Board noted that apologies for absence had been submitted by the following given other commitments:

- Bala Mahendran External Governor
- Ruth Umerah External Governor
- Rachel Richards External Governor

158 DECLARATIONS OF INTEREST

David Sherlock drew attention to his involvement with Beyond Standards given the review of the SAR as recorded in item 145 below.

The other Members present confirmed that there were no declarations of interest relative to the issues set out in the published agenda.

159 DAVID SHERLOCK – APPOINTMENT OF DEPUTY FE COMMISSIONER

The Board noted the recent appointment of David Sherlock to the role of one of the Deputy FE Commissioners.

Any potential implications for the College in terms of the forthcoming Essex Area Review would be addressed at a future meeting.

160 DIRECTOR OF LEARNING

The Board noted the appointment, following national advertisement and a thorough recruitment and selection process, of Katharine Jewitt to the post of Director of Learning with effect from 4 January 2016.

The Clerk confirmed that the recommendation of the Selection Panel had subsequently been confirmed via email by other Members of the Board.

The Chair, on behalf of the Board, congratulated Katharine on her appointment and welcomed her to the meeting.

161 MINUTES OF THE MEETING OF THE BOARD OF GOVERNORS HELD ON 16 OCTOBER 2015

The Minutes of the meeting of the Board of Governors held on 16 October 2015 were agreed to be a correct record and were signed by the Chair.

162 MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 16 OCTOBER 2015

The Board agreed that, at this time, there were no items arising from the minutes of the last meeting requiring attention over and above those set out in the published agenda.

163 GOVERNANCE & SEARCH COMMITTEE – MEETING HELD ON 9 DECEMBER 2015

The Board noted that a meeting of the Search & Governance Committee had been held earlier in the day (9 December 2015).

The main focus of the meeting had been on the membership of the Board and the need to address the vacancies including the Student Member.

The recommendations of the Committee with regard to a proposed change to the Instrument of Government, the involvement of a second student to accompany the Student Member and Link Governors are detailed below.

164 INSTRUMENT & ARTICLES OF GOVERNMENT – REVIEW

The Board agreed to approve the recommendation of the Governance & Search Committee that the Instrument of Government be amended to remove the requirement that the Student Member must be at least 18 years of age.

The Clerk confirmed that a comprehensive review of the Instrument & Articles of Government and the associated Bye Laws (Standing Orders) was underway to reflect the experience since incorporation and a report detailing recommendations would be presented to the May 2016 meeting of the Board.

165 STUDENT MEMBER ON THE BOARD

The Board agreed to welcome the suggestion that, in addition to appointing a Student Member to serve on the Board, attempts would be made to identify a second person from the student body who could attend meetings with the Student Member.

The Clerk and members of the College Executive would be available to provide ongoing support to the Student Member and the second student including preparing for meetings so that they could contribute fully in the consideration of issues.

166 LINK GOVERNORS

The Board agreed that there was merit in developing the role of Link Governors.

It was recalled that Ruth Umerah is the designated Safeguarding Governor.

At this time it was agreed to designate Peter McKee as the Finance Link although this was not to the exclusion of other Members who may wish to be involved in discussions in-between meetings of the Board so as to raise awareness of issues and to contribute to the development of approaches for subsequent consideration by the Board.

167 AUDIT COMMITTEE

The Board agreed to receive and note the Minutes of the meeting of the Audit Committee held on 23 November 2015.

The Board noted that the main item of business had concerned the review of the report of the Auditors following the completion of the end of year audit although consideration had also been given to the value of engaging the support of Internal Auditors to undertake specific initiatives so as to provide the Board with even greater assurance. This will be progressed at forthcoming meetings of the Committee and updates and, as appropriate, recommendations presented to the Board.

168 FINANCIAL STATEMENTS – 2014/15

The Board received and considered the following:

- the report of the Auditors following the completion of the review of the Financial Statements for 2014/15
- the Financial Statements for 2014/15
- the Letter of Representation

The out-turn position for 2014/15 was noted to be a surplus of £178k.

The planned disposal of some of the College estate provided an opportunity to review the level of loans as well as progress further investments for the benefit of the learner experience.

One of the issues to require attention over the next year was noted to be the level of pension liability although it was recognised by Members that this was relatively small as only the Senior Post Holders were direct employees of the College.

The Board agreed:

- to approve the Financial Statements and the Letter of Representation
- to authorise the Chair and the Principal to sign the documents prior to forwarding to the SFA and the publication of the Financial Statements via the College internet site
- to note the information provided by the Auditors with regard to (1) the implications for the College of the presentation of the financial position in the new national format and (2) the comparisons with some other colleges including in terms of cash days in hand and dependency on Funding Body income
- to place on record the appreciation of Members to Neil Warren and the others involved in the preparation of the Financial Statements and for achieving an end of year surplus of income over expenditure

169 ANNUAL REPORT OF THE AUDIT COMMITTEE – 2014/15

The Board received and noted the Annual Report of the Audit Committee for 2014/15.

170 FINANCIAL STATEMENTS AUDITORS

The Board agreed to adopt the recommendation of the Audit Committee that MHA MacIntyre Hudson continue to be engaged as the Financial Statements Auditors for 2015/16.

171 OFSTED ANNUAL REPORT 2014/15

The Board received and noted extracts from the Ofsted Annual Report for 2014/15:

- Further Education and Skills
- Promoting British Values, preventing radicalisation and protecting children

172 SELF-ASSESSMENT REPORT

The Board received and considered the updated version of the College SAR which reflected the thorough review during the Strategic Planning Session in October 2015 and the final performance data for 2014/15.

Members recognised that the SAR was the culmination of over six months activity and was an invaluable document for the staff of the College, the Board and others with an interest in PROCAT.

The Board acknowledged that there was still much to be done to enable the College to aspire to being recognised as an outstanding institution.

The priorities for the current year included improving on timely success rates and ensuring that employers had a complete and up to date knowledge of the basis for assessment. The roll out of the One File System would assist employers in keeping up to date of the progress of individual learners against their targets.

The Board agreed following a wide ranging discussion:

- to confirm support for the proposed grades including “good” for overall effectiveness
- to approve the SAR for publication
- to note that, over and above the summary in section 3.3 of the SAR (what the College needs to do to improve further), a separate and detailed Quality Improvement Plan (QIP) was in place and the various issues were being progressed to bring about improvements in outcomes
- to look forward to receiving at future meetings position updates on progress against the QIP
- to note that, although the SAR will now be uploaded on the national portal, it would be left open for the time being so that the SFA, Ofsted and others recognised that it was work in progress and would be amended as and when it was thought to be appropriate
- to congratulate the Executive for an honest and robust SAR which was seen to be an invaluable document.

173 PRINCIPAL'S AND EXECUTIVE'S REPORT

The Board received and discussed the report prepared by the Principal and the members of the Executive on a range of issues including:

- A general overview
- September starts and induction
- Essex County Council and the STEM Propeller
- City & Guilds Partnership – now agreed with a plan to be developed
- Railway Engineering
- Customer Complaints Annual Report
- Pathways to Higher Education
- Scanning the FE Landscape
- GTA Developments – opportunity to develop a GTA for transport and logistics
- Business Development
- Capital Investment
- Commercial Sales including the development of a strategy for generating increased levels of income

The position with regard to the Construction GTA was noted with concern – this would be addressed further in 2016 in the light of local developments and the appetite of employers to become engaged.

The Board received and noted the proposed College organisation structure chart as from January 2016 following the appointment of the Director of Learning.

The Board also received the following documents which form the Governors Dashboards:

- Trend Chart
- Strategic Plan Work Strands
- Risk Register

The opportunity was taken to highlight the intentions for the future now that the experience of the first year post incorporation has been completed and thoroughly reviewed.

The implications for the College arising from the proposed Apprenticeship Levy were acknowledged and would be returned to when there was more information on the implementation.

The Director of Business Development was requested to provide Members with year on year comparisons of enrolments.

The Principal and the Executive were thanked for the comprehensive and informative report.

174 ENGLISH & MATHS STRATEGY

The Board received a report which set out the arrangements in place for the provision of English & Maths at PROCAT including current performance outcomes and the areas that require improvement.

The Board agreed, following discussion, to look forward to receiving the proposed English & Maths Strategy at the meeting scheduled to take place on 10 February 2016.

175 SFA FINANCIAL HEALTH OF PROCAT

The Board received and noted the SFA letter dated 12 November 2015 which set out in the financial health assessment grades of PROCAT:

- 2014/15 = Satisfactory
- 2015/16 = Good based on the Financial Plan
- underlying grade for PROCAT = Good

176 MANAGEMENT ACCOUNTS

The Board received and discussed the Management Accounts for Period 3 of 2015/16.

Members asked that the Management Accounts to be presented to the next meeting (scheduled for 10 February 2016) included an end of year forecast out-turn and addressed the known and potential risks in achieving a surplus of income over expenditure as at 31 July 2016.

177 FINANCIAL REGULATIONS

The Board agreed to approve the draft Financial Regulations for immediate application subject to:

- the replacement of the word “should” throughout the document so as to be more specific as to the intention and requirement
- the provision of an update to an early meeting of the Board detailing the authorisation levels for committing expenditure
- the presentation to the July 2016 meeting of an updated Financial Regulations so as to take into account experience etc prior to the commencement of the new financial year.

178 RISK MANAGEMENT, SAFEGUARDING AND HEALTH & SAFETY

The Board received an update on the topics of Risk Management, Safeguarding and Health & Safety.

It was agreed that on future occasions the update on Safeguarding should include references to Prevent.

Members also asked that the College’s Safeguarding Lead be invited to attend a future meeting of the Board so as to update Members on related developments and the implications for the College.

179 MINISTER OF STATE FOR SKILLS – LETTER

The Board received and noted the letter dated 7 December 2015 from the Minister of State for Skills and the associated BIS/DfE brief on progress in implementing the Further Education and Skills Reform Programme.

180 DATE AND TIME OF THE NEXT MEETING OF THE BOARD

The Board noted that the next meeting is scheduled to take place on Wednesday 10 February 2016 commencing at 3.00pm at Basildon (start time to be confirmed).

The subsequent meetings of the Board are planned for the following dates:

- Wednesday 4 May 2016
- Wednesday 20 July 2016

181 WITHDRAWAL OF THE STAFF MEMBER AND COLLEGE STAFF

The Staff Member on the Board and the members of College staff with the exception of the Chief Operating Officer withdrew from the meeting given the confidential nature of the issues to be considered.

182 ESTATES RELATED ISSUES

The Board discussed issues associated with the College estate as set out in the confidential Minute.

183 POTENTIAL PARTNERSHIP OPPORTUNITY

The Board discussed a potential partnership opportunity as set out in the confidential Minute.

Note: NW withdrew at this point of the meeting.

184 REMUNERATION COMMITTEE

The Board discussed an issue as set out in the confidential Minute.

Signed: _____ Date: _____