

PROSPECTS COLLEGE OF ADVANCED TECHNOLOGY

MEETING OF THE BOARD OF GOVERNORS

7 DECEMBER 2016

MINUTES

Present: David Sherlock (Chair) External Governor
Prof Rao Bhamidimarri External Governor
Peter McKee External Governor
Joanne Miller Staff Governor
Theo Steel External Governor
David Wells External Governor

In attendance: Robin Jones Clerk to the Board of Governors
Ros Parker Director of Learning
Helen Russell Director of Business Development
Neil Warren Chief Operating Officer
David Watson National Project Adviser

307 APOLOGIES FOR ABSENCE

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

- Neil Bates Chief Executive/Principal
- Daniel Bicks Student Governor
- Bala Mahendran External Governor
- Stephen Metcalfe External Governor
- Kini Pathmanathan External Governor
- Rachel Richards External Governor
- Ruth Umerah External Governor

The absence of Neil Bates was particularly noteworthy as this was believed to be the first such meeting he had missed in his career but the Chair explained that there were exceptional circumstances which meant that, on this occasion, he was not available to attend.

Notwithstanding the number of absences on this occasion, the Board noted that the meeting was quorate and could proceed.

308 DECLARATIONS OF INTEREST

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

309 MINUTES OF THE MEETING OF THE BOARD OF GOVERNORS HELD ON 31 OCTOBER 2016

The Minutes of the meeting of the Board of Governors held on 31 October 2016 were agreed to be a correct record and were signed by the Chair.

310 MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 31 OCTOBER 2016

The Board agreed that, in the main, the items arising from the minutes of the last meeting requiring attention were addressed in the published agenda although the position regarding the following issues was noted at this point:

- Institutes of Technology – the anticipated announcement on the launch of the Institutes of Technology was not included in the Autumn Statement by the Chancellor of the Exchequer on 23 November 2016 – it was understood that the recently appointed Secretary of State and the Minister were reviewing the need for another type of institution – the outcome was expected in January 2017
- Area Review for Essex – the second of the planned meetings had taken place on 5 December 2016 and had been attended by the Chair and the Principal – a Deputy FE Commissioner would be visiting PROCAT in early January 2017 to discuss the review and the possible implications for the College – the session for all available Members of the Board (and the Clerk) was scheduled for Monday 27 February 2017 at 6pm when the recommendations from the Area Review for Essex would be made known.

311 STRATEGIC REVIEW SESSION

The Board received the notes of the Strategic Review session held on 31 October and 1 November 2016.

The Chair confirmed, following discussion with the Principal and others as appropriate, that all the issues addressed during the two days were being progressed in line with the wishes of Members.

312 PRINCIPAL'S AND EXECUTIVE'S REPORT

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

- Progressing the development and implementation of the plans following the Annual Strategic Review session on 31 October and 1 November 2016
- Reflections on the recent Ofsted inspection
- Area Review
- Institute of Technology
- Student recruitment in 2017/18
- Commercial provision
- GTA activities – Construction & Built Environment, Advanced Engineering and Rail

The local LEP (SELEP) had written to the appropriate Minister to express profound disappointment at the proposed Local Growth Fund allocation which was far less than the £200m requested. This was likely to have an adverse impact on the College's own plans. A reply was awaited.

The value of introducing an integrated management information system was addressed and the Executive was invited to prepare a proposal for review by the Board.

The Board agreed after discussion:

- 1 to thank the Principal and the Executive for the informative report
- 2 to look forward to receiving further updates at forthcoming meetings and outside of the calendar of meetings when there were significant developments

313 STUDENT RECRUITMENT 2016/17

The Board agreed that the planned presentation on Student Recruitment in 2016/17 would be deferred until the February 2017 meeting.

314 OFSTED INSPECTION OF PROCAT – NOVEMBER 2016

The Board agreed to note the outcome of the Ofsted inspection carried out during the four days which commenced on 15 November 2016.

Given the time delay between the inspection and the publication of the final report (which was likely to be in January 2017) it was not appropriate to comment on the outcome in the open – available to the public - minutes other than to place on record the appreciation of Members for the contributions of all members of staff and indeed students.

The role of Ros Parker who, as the Director of Learning, had acted as the College Nominee for the purposes of the inspection was thought to be particularly noteworthy.

A Post Inspection Action Plan had been prepared and this would be the subject of ongoing development in the light of the final Ofsted report given the aspiration, shared by both Board Members and the Executive, to be recognised as Outstanding.

The Ofsted report would be shared with Members as soon as it was released and this would be a major item for the meeting of the Board in February 2017.

315 HEALTH AND SAFETY ANNUAL REPORT 2015/16

The Board received and noted following review the Health & Safety Annual Report for 2015/16 which included information on a range of related issues:

- the Health & Safety Policy Statement as presented to the Board in July 2016
- the re-establishment of the College Health & Safety Committee and an indication of the issues addressed
- preparation of new and updating of existing policies
- staff training and development
- issues requiring attention such as the layout of the Plumbing Workshop
- accident statistics – there had been a 22% increase over 2014/15 although it was thought that this was due to improved reporting rather than a wider problem across the College
- there had been no RIDDOR reportable accidents in 2015/16
- a tender process was underway for consultants to undertake a fire risk assessment of both Basildon and Canvey Island campuses – the review was planned to be completed by January 2017
- external specialists – Guardian Water – had been engaged to conduct a legionella risk assessment for both Basildon and Canvey Island and this was scheduled to be completed by mid-December 2016.

316 HEALTH AND SAFETY – ACCREDITATION PLAN

The Board received and discussed the report of the Chief Operating Officer setting out the proposed project plan to achieve British Safety Council (BSC) Health & Safety accreditation.

The opportunity was taken to explain that the current Health & Safety Officer was leaving the College and, therefore, the first priority was to recruit a new member of staff. This would be followed by carrying out a soft audit and then the full BSC audit by 31 July 2017.

It was recognised by the Executive that, to achieve the BSC accreditation, it would be necessary to ensure that Health & Safety was seen as a priority throughout the College organisation.

The Board agreed:

- To welcome the report on the steps to be taken to achieve BSC Health & Safety accreditation
- To look forward to receiving at future meetings of the Board updates on progress towards the BSC accreditation and also the proposed KPIs relating to Health & Safety.

317 SAFEGUARDING AND PREVENT

The Board received and noted an update on Safeguarding and Prevent.

The particular attention of Members was drawn to the decision to establish a Safeguarding & Prevent Committee which would be separate from the College Health & Safety Committee with appropriate Terms of Reference focussing on both strategic and operational issues.

As with the previous updates the report provided summary information on Looked After Children and Safeguarding Referrals.

Members were interested to note that there had been no new referrals under Prevent.

One of the current management actions was to identify suitable space for use by the Safeguarding Team for one-to-one and small group activities. This had to be seen in the context of the demands on College space although, given other developments, a solution would be identified.

The recent Ofsted inspection had shown that the College's arrangements relating to Safeguarding were effective although, as with all other aspects of College provision, there was no scope for complacency if the College was to achieve Outstanding status. The Post Inspection Action Plan would include appropriate measures to bring about further improvements.

The Board agreed to look forward to receiving further updates on Safeguarding and Prevent at future meetings.

318 AUDIT & RISK COMMITTEE – UNCONFIRMED MINUTES OF THE MEETING HELD ON 30 NOVEMBER 2016

The Board received and noted the unconfirmed Minutes of the meeting of the Audit & Risk Committee held on 30 November 2016.

The main items of business for the Committee on this occasion had concerned:

- the updated Risk Register
- the Financial Statements for 2015/16
- review of the Financial Statements Auditors
- proposed reviews of the College's Funding Claim and Financial Controls

319 FINANCIAL STATEMENTS – 2015/16

The Board received and noted the following documents which had been reviewed thoroughly at the meeting of the Audit & Risk Committee on 30 November 2016 when consideration of the issues addressed initially by the Committee on 20 October 2016 had been completed:

- Management Letter prepared by the Auditors
- Letter of Representation from the College to the Auditors
- Financial Statements for 2015/16
- The Regulatory Audit Framework Questionnaire

The Annual Report of the Audit & Risk Committee was also presented to the Board.

The particular attention of the Board was drawn to the increase in the deficit for the year 2015/16.

Essex County Council, as the LGPS administering body, had provided the College between the two recent meetings of the Audit & Risk Committee with information which meant that a provision of £89k for pensions had to be made – this in turn increased the deficit from the £87k previously reported to £136k with a further £40k shown as Actuarial loss in respect of Pension schemes at the year end.

The Board agreed, following review and having regard to the consideration given to the issues by the Audit & Risk Committee, to approve the Financial Statements for 2015/16 and other documents for signature by the Chair of the Corporation and the Principal & Chief Executive.

Members noted that the Financial Statements and other documents would now be forwarded to the Auditors for submission to the SFA by the 31 December 2016 deadline.

320 FINANCIAL STATEMENTS AUDITORS - APPOINTMENT

The Board agreed to approve the recommendation of the Audit & Risk Committee that MHA MacIntyre continue to act as the Financial Statements Auditors for 2016/17.

321 ANNUAL REPORT OF THE AUDIT AND RISK COMMITTEE – 2015/16

The Board received and noted the Annual Report of the Audit and Risk Committee for 2015/16.

322 FINANCIAL PLAN – SFA FEEDBACK

The Board received and noted the SFA letter dated 11 November 2016 which related to the College's Financial Plan for the period to 31 July 2018.

The letter included a financial dashboard which set out the College's performance in a number of contexts including staff costs as a percentage of income and actual EFA/SFA funding against forecasts.

The SFA had confirmed that the College's financial health was now Outstanding.

The Chief Operating Officer was asked to review the financial performance of the College if CSL was taken out of the equation and to advise Members accordingly.

323 BUDGET – 2016/17

The Board received the Management Accounts for October 2016 (Period 3 of 2016/17).

The Chief Operating Officer provided an overview of the key issues including the significant fact that, although higher than at the same point last year (October 2015), income was 8.5% below target.

The intention remained to achieve an end of year surplus of income over expenditure as at 31 July 2017.

The particular attention of Members was drawn to the fact that the budget as approved by the Board in July 2016 did not take into account the Tunnelling & Underground Construction Academy (TUCA) initiative which, as reported elsewhere in the Minutes, should progress. This being so, the costs and income will be incorporated in to the PROCAT budget enabling the impact in financial terms to be tracked.

The Board agreed, following discussion:

- To receive and note the Management Accounts for October 2016 including the variations against budget
- To request the Chief Operating Officer to provide Members with an update on the budget position for 2016/17 by 19 December 2016 so that there was a clear understanding of performance to date and the projections for the remainder of the year to 31 July 2017
- That the position with regard to CSL would be addressed in the requested update to aid awareness of the impact of this area of provision on the College as a whole
- To look forward to receiving at future meetings of the Board comprehensive reports on the budget position in terms of actuals to a given date and the anticipated end of year projections.

324 WORKFORCE DEVELOPMENT STRATEGY

The consideration of the Management Accounts for October 2016 and the appreciation that employee related costs are more than 50% of expenditure prompted the request to the Executive that a presentation be made to a future meeting of the Board on the College's Workforce Development Strategy.

325 MEMBERSHIP OF THE BOARD

The Board agreed to approve the recommendation of the Governance & Search Committee that Gary Lester be appointed to serve on the Board for the period 1 January 2017 to 31 December 2021.

In considering the appointment, it was noted that it was anticipated that Mr Lester would lead in the relaunch of the GTA Construction Committee.

326 CALENDAR OF MEETINGS – 2016/17

The Calendar of Meetings for 2016/17 was noted to be:

- Wednesday 8 February 2017
- Wednesday 10 May 2017
- Wednesday 19 July 2017

It had become apparent that some Members had other commitments on Wednesdays and, therefore, the Clerk was asked to explore with Members and the Executive if alternative days of the week would be more convenient so as to maximise attendance.

Unless otherwise agreed, meetings would commence at 1.30pm and take place at Basildon.

Members recognised that there may be a need to change and/or add additional meetings given other factors including the impact of the Area Review process.

327 CONFIDENTIAL ITEMS OF BUSINESS

The Board considered other items which, on the grounds of confidentiality, are the subject of separate minutes only available for reference by, as appropriate, Members of the Board, the Executive and others designated to have access.

Note: the confidential items of business covered in 328 to 335.

Signed: _____ Date: _____