

PROSPECTS COLLEGE OF ADVANCED TECHNOLOGY

MEETING OF THE BOARD OF GOVERNORS

27 OCTOBER 2017

MINUTES

Present: David Sherlock (Chair) External Governor
Judith Abbott Chief Executive
Prof Rao Bhamidimarri External Governor
Bala Mahendran External Governor
Peter McKee External Governor
Rachel Richards External Governor
Theo Steel External Governor
Ruth Umerah External Governor

In attendance: Madeleine Austin Executive PA
Robin Jones Clerk to the Board of Governors
Ros Parker Principal
Helen Russell Director of Business Development

469 APOLOGIES FOR ABSENCE

The Board noted that apologies for absence had been submitted by Stephen Metcalfe given other commitments.

The Board noted that the meeting was quorate and could proceed.

470 DECLARATIONS OF INTEREST

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

471 MEMBERSHIP OF THE BOARD – STAFF MEMBER

The Clerk advised the Board that, following a nomination and ballot process, Catherine (known as Cath) Weissand had been identified as the proposed new Staff Member.

The Board agreed that, subject to the Governance & Search Committee reviewing the CV etc to provide an assurance that she had the necessary skills to act as a Staff Member, Cath Weissand be appointed for the period to 31 July 2019.

472 MEMBERSHIP OF THE BOARD – STUDENT MEMBER

The Clerk advised the Board that information would be circulated in College shortly to make known to students the opportunity to serve on the Board for the period to 31 July 2018 and it was anticipated that the outcome would be known by the time of the next meeting currently scheduled for 7 December 2017.

473 MEMBERSHIP OF THE BOARD – EXTERNAL MEMBERS

The Board noted the current position with regard to External Members and agreed:

- that all Members be invited to make known to the Clerk any individuals who may have the appropriate range of skills and the interest for consideration for possible appointment as an External Member on the Board
- to note that two potential External Members had been identified and the applications would be presented to the Governance & Search Committee
- to note that a number of External Members would complete the current period of office in 2018 and that a report would be presented to a forthcoming meeting of the Governance & Search Committee so as to consider future arrangements.

474 MINUTES OF THE MEETING OF THE BOARD OF GOVERNORS HELD ON 20 JULY 2017

The Minutes of the meeting of the Board of Governors held on 20 July 2017 were agreed to be a correct record and were signed by the Chair.

475 MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 20 JULY 2017

The Board agreed that the items arising from the minutes of the last meeting requiring attention were addressed in the published agenda.

476 STRATEGIC PLANNING SESSION

The Board recognised that the meeting was taking place as an integral part of the Strategic Planning Session which provided Members and the Executive with the opportunity to discuss issues in far more depth than was usually possible at meetings of the Board.

A number of issues had been identified during a wide-ranging discussion which warranted attention at forthcoming meetings of the Board including:

- Strategic Plan – Update
- Curriculum offer at Levels 1 and 2
- Adult Education provision
- Aero opportunities
- GTAs – future arrangements
- Financial Plan – review of projected income and expenditure for 2017/18 and 2018/19
- Marketing Strategy

In addition, the proposed application of an Expression of Interest for designation as an Institute of Technology would be addressed by the Board the following day and, therefore, would be covered by a separate Minute.

477 PERFORMANCE AND STUDENT ACHIEVEMENT – 2016/17

The Board received the comprehensive report prepared by the Principal relating to student achievement in 2016/17 having regard to the national averages for 2015/16.

It was stressed that the data and analysis provided was based on the R13 submission to the ESFA. The R14 return had now been made in line with the national timetable of events and, therefore, it was possible that there may be some changes which would be reflected in the final Self-Assessment Report (SAR) due to be presented to the Board on 7 December 2017.

The issues highlighted included the following for apprenticeships:

- achievement for apprenticeships stood at 61% which was a drop of 11% from 2015/16 and, therefore, was below the 67% national average
- timely achievement (the period originally scheduled for a satisfactory completion) had also dropped from 45% to 31% which had to be seen in the context of the national rate of 59%
- retention in 2016/17 was 62% which was well below what was intended
- the PROCAT achievement rate for 2016/17 was 68% which may be 1% above the national average was 10% lower than in 2015/16
- achievement in Building Services had fallen to 61% in 2016/17 – in 2015/16 it had been 77%
- construction achievement rate was 68% which was 1% above the construction building framework
- engineering and transport when taken together had achievement of 76% although this was 10% lower than in 2015/16 and was, therefore, now below the national average of 80%
- the achievement for engineering was 64% and transport 86%
- most significantly for the College the performance of Creative Sport & Leisure was well below national average of 74% with 35% (the majority of such learners were within the leisure, travel & tourism sector)

The report also addressed achievement of Study Programme learners including the position for English, maths and ICT.

Overall achievement in English, maths and ICT was good for PROCAT with 78% which showed an improvement over 2015/16.

As with apprenticeships the performance of CSL had a negative impact on the overall achievement out-turn position for PROCAT.

The Board agreed following a wide-ranging discussion:

- 1 to receive and note the comprehensive report of the Principal supported by an analysis of data in respect of student achievement in 2016/17 relative to the previous year and national averages
- 2 to note with concern the reductions in achievement rates in 2016/17 and the impact that the performance of Creative Sport & Leisure was having on the overall PROCAT position
- 3 to note that the final achievement position would be reflected in the Self-Assessment Report to be presented to the Board on 7 December 2017 and this would include the Improvement Plan for 2016/17 which would be the subject of regular updates to the Board so that Members may track progress and challenge the Executive as and when appropriate

478 SELF-ASSESSMENT REPORT – 2016/17

The Board had reviewed and discussed in detail the summary of the Self-Assessment Report for 2016/17 as an integral part of the Strategic Planning Session taking place on 27 and 28 October 2017.

The judgements for each aspect of the national Common Inspection Framework had been considered and it had been agreed that overall, and with specific reference to the student achievements in 2016/17, the College could only be viewed as one “requiring improvement”.

The Board:

- 1 confirmed the judgements reached earlier in the day as part of the Strategic Planning session for the different themes of Leadership & Management etc
- 2 agreed to note that the full SAR for 2016/17 would now be completed by the Executive and presented to the Board on 7 December 2017 together with the Improvement Plan for approval.

479 CHIEF EXECUTIVE’S REPORT

The Board received and discussed the comprehensive report prepared by the Chief Executive which addressed a range of issues including:

- the control environment including the need put in place more effective arrangements for tracking expenditure
- banking arrangements
- financial planning and analysis
- efficiency and effectiveness
- external stakeholders

The Board agreed to note the report of the Chief Executive and to look forward to receiving further updates at future meetings.

480 PRINCIPAL’S REPORT

The Board received and discussed the report prepared by the Principal which addressed a number of issues including:

- the changes made to improve the planning of teaching, learning and assessment
- curriculum planning for 2018/19
- positive feedback from recent External Verifier visits to the College
- introduction of staff meetings each Friday where top priorities were emphasised and areas for improvement addressed
- progression of Study Programme learners and Apprentices.

The Board agreed to note the report of the Principal and to look forward to receiving further updates at future meetings.

481 DIGITAL & ADVANCED TECHNOLOGIES INCLUDING E-LEARNING

The Board received and noted a comprehensive report which provided an update on Digital & Advanced Technologies including E-Learning.

Members welcomed the information provided including:

- prioritisation of internal communication
- acknowledgement that Share Point was not user friendly and was used as a file store

- limitations of current phone system – wish to have a facility that enhanced customer services and marketing whilst having regard to the new General Data Protection Regulations (GDPR)
- increase in the number of laptops available for staff and learners
- update on MIS arrangements
- IT related policies and procedures under review
- development opportunities have been provided for staff and this was ongoing with further sessions planned
- Virtual Reality and Augmented Reality – commercial and development opportunities
- PROCAT was now a CISCO Academy

The Board agreed following discussion:

- 1 to note the report providing an update on Digital & Advanced Technologies including E-Learning
- 2 to look forward to receiving further updates at future meetings of the Board
- 3 to place on record the appreciation of Board Members for the contributions being made to PROCAT by Davis Soloman, Head of Digital Infrastructure

482 ENGLISH, MATHS & ICT

The Board received a report on English, maths & ICT which addressed such issues as:

- staffing
- a reconfiguration of the timetable which created viable class sizes and promoted engaging sessions that benefited learning
- progress and impact on learner engagement and achievement

The report included a summary of Functional Skills and GCSE achievement outcomes in 2016/17 for Apprentices and Study Programme learners.

Members were extremely pleased to note the improvements on 2015/16 and the relationship with national averages.

The report also addressed the number of learners who declared a learning difficulty and/or a disability. Of the 259 self-declaring most made known a medical issue and a smaller number advised that they had an additional learning need.

At present the College was supporting 36 learners across all sites in a variety of trades and levels of learning. The nature of support was predominately in theory and English & maths lessons.

The Board agreed, following discussion, to note the report on English, Maths & ICCT and to look forward to receiving further updates at future meetings.

483 GENERAL DATA PROTECTION REGULATIONS

The Board received a detailed report prepared by the Head of Quality on the General Data Protection Regulations (GDPR) which would replace the Data Protection Act on 25 May 2018.

A briefing paper published by the AoC in August 2017 accompanied the report.

Members recognised that there was much to be addressed to meet the requirements of the new arrangements and there was a clear awareness in College as to what needed to be done.

One issue in particular required early attention. This being the appointment of a Data Protection Officer as it was recognised that people with the specific skills would be in short supply and may command high salaries. A shared appointment with other colleges and or organisations may, therefore, be a more sensible solution for PROCAT.

The Board agreed:

- 1 to note the report relating to the General Data Protection Regulations
- 2 to support the view that Chief Executive would have responsibility for the College-wide roll out of GDPR
- 3 to support the recommendation that the College investigated the cost effectiveness of sharing a Data Protection Officer
- 4 to consider the appointment of a Link Governor for the purpose of GDPR

484 DIRECTOR OF BUSINESS DEVELOPMENT'S REPORT

The Board received and discussed the report prepared by the Director of Business Development which addressed:

- recruitment in 2017/18 which was currently below target and, therefore, a focus for the College would need to be on mid-year enrolment
- an analysis of withdrawn applicants – a majority had not yet been contacted despite attempts and some had opted to attend other colleges
- apprenticeship income – currently standing at 62% of the income target from the anticipated 2017/18 starts
- business development
- commercial provision – 2016/17 final amount was 116% of the target – 2017/18 performance so far was under target due largely to staff turnover
- implementing apprenticeship reforms
- customer satisfaction – significant improvement over 2015/16

The Board agreed to note the report of the Director of Business Development and to look forward to receiving further updates at future meetings.

485 BUDGET – 2016/17 – MANAGEMENT ACCOUNTS – PERIOD 12

The Board received and discussed the Management Accounts for July 2017 – Period 12 of 2016/17.

It was explained that the report was based on a review completed by the Interim Finance Director before he left the College and, therefore, did not reflect the usual range of post year adjustments.

The Board noted that, as anticipated, the College would report a substantial deficit as at 31 July 2017 and that, when reviewing the Balance Sheet, it was appropriate to note, in particular, the reduction in cash.

Another consideration to be taken into account when reviewing the financial performance of the College in 2016/17 was the sale of CSL

The end of year audit review had been undertaken and the outstanding issues would be addressed in the light of, for example, the R14 submission to the ESFA which included some late learner withdrawals, primarily those associated with CSL. The impact on income and claw-back would be calculated and reflected in the Financial Statements and Audit Management Letter scheduled to be presented to the Audit & Risk Committee on 30 November and the Board on 7 December 2017.

The Board agreed to note the Management Accounts for Period 12 and to look forward to receiving the Financial Statements at the next scheduled meeting of the Board.

486 BUDGET – 2017/18 – MANAGEMENT ACCOUNTS – PERIOD 2

The Board received the Management Accounts for September 2017 – Period 2 of 2017/18 – supported by a comprehensive commentary.

It was appreciated that the performance to date was related to the profile from the Income & Expenditure Budget approved by the Board on 20 July 2017. However, it was now apparent that the original budget required review given some of the over optimistic assumptions that had been made such as those for apprenticeship starts and the generation of commercial income.

The opportunity was taken to review the relationship with Creative Sport & Leisure following the sale of the company to another party in June 2017. It was appreciated that, at present, continuing CSL students remained on the PROCAT funding claim and were counted for achievement and other such purposes as PROCAT learners. However, this did not automatically apply to any new learners and, given the poor achievement outcomes reported once again for CSL students, it was thought that no new contracts should be agreed.

The Board agreed following discussion:

- 1 to note the Management Accounts for September 2017
- 2 to note the position with regard to the loan agreed by the Bank and that the required valuation of the College estate was to be arranged
- 3 to resolve that the College would not contract with CSL for any new students although, of course, all obligations under the terms of the contact for sale would be met
- 4 to look forward to receiving at the next scheduled meeting of the Board a revised Income & Expenditure Budget for 2017/18 for consideration and approval.

487 FINANCIAL PLAN – 2017 TO 2019

The Board received and noted the letter received from the ESFA dated 18 October 2017 which set out comments on the Financial Plan for the period to 31 July 2019.

The key points with regard to financial health were noted to be:

- Satisfactory for 2016/17
- Good for 2017/18
- Underlying financial health also assessed by the ESFA to be good

However, as indicated earlier, it was now apparent that the Budget for 2017/18 and the projections for 2018/19 needed to be reviewed and this may impact on the financial grades.

The intention was to consider an updated Income & Expenditure Budget for 2017/18 at the Board meeting scheduled for 7 December 2017 and an updated projection for 2018/19 on 22 February 2018.

488 KEY PERFORMANCE INDICATORS

The Board welcomed the intention of the Executive to provide regular updates of the College position against an appropriate range of Key Performance Indicators (KPIs).

489 HEALTH AND SAFETY

The Board received and noted following discussion the Health & Safety Annual Report for 2016/17.

The report addressed a number of issues including:

- the appointment of a new Health & Safety Officer during the year
- the combining of the Health & Safety role with the responsibilities for Safeguarding working towards the 5* accreditation for Health and Safety including for the TUCA site at a time when resources were limited -
- the updating of the Health & Safety Policy to take into account TUCA
- the work of the College Health & Safety Committee
- training of staff including Fire Marshal and First Aid
- accident statistics – a 6% reduction over 2015/16
- Fire Risk Assessment of the Basildon and Canvey sites
- Legionella

490 PERSONAL DEVELOPMENT, BEHAVIOUR AND WELFARE INCLUDING SAFEGUARDING AND PREVENT

The Board received a report providing an update for the period July to mid October 2017 which addressed:

- safeguarding referrals
- Prevent agenda
- E-safety
- development of Personal Development, Behaviour and Welfare

The review of PDBW is being given due priority so as to ensure its effectiveness and success in the future. The intention is that the College Committee will sit bi-monthly and focus on statistics to monitor best practice and action organisational learning. The Committee will also review staff welfare and benchmark against similar organisations.

The Board agreed to note the report on Personal Development, Behaviour and Welfare and to look forward to receiving further updates at future meetings.

491 HUMAN RESOURCES – STAFF REMUNERATION AND BENEFITS REVIEW

The Board received and considered the report of the HR Consultant which set out options for the review of staff remuneration involving the job evaluation of all posts on the College establishment other than those designated as Senior Post Holders.

The Board recognised that the majority of staff were employed by Prospects Learning Foundation (PLF). Only the posts of Chief Executive, Principal and Director of Business Development were employed directly by PROCAT and these were designated as Senior Post Holders for the purpose of the Instrument & Articles of Government and were covered by the Board's Remuneration Committee.

During a wide ranging discussion, a number of issues were highlighted including:

- the essential importance of having a scheme in place that was College wide, transparent and stood up to scrutiny including for the purposes of Equal Pay
- the need to provide remuneration packages which were attractive to both potential and existing staff so as to recruit and retain personnel having regard to what was available in comparable organisations for such roles
- the opportunities to address, in due course, pension arrangements
- the possibility of introducing a range of incentives (the John Lewis model)

The Board agreed:

- 1 to receive and note the comprehensive report of the HR Consultant on the review of staff remuneration
- 2 to note that, following a review of available approaches, the Executive had identified Croner as the preferred provider based on cost (£9,950 plus VAT) and methodology
- 3 to look forward to receiving at forthcoming meetings the outcome of the job evaluation programme and the views of the Executive on other aspects impacting on remuneration and benefits
- 4 to recognise that the financial implications of the job evaluation programme and other benefits (both pay and non-pay) would need to be addressed as an integral part of the review of the Annual Budget and recommendations would be presented to the Board as and when appropriate.

492 HUMAN RESOURCES – POLICIES & PROCEDURES

The Board agreed to approve the following HR policies and procedures for application:

- Staff Disciplinary Procedure
- Staff Disciplinary Rules
- Staff Capability Procedure
- Staff Grievance Procedure

The documents presented to the Board had all been prepared with regard to the ACAS guidelines.

It was noted that the intention was to undertake an annual review of such key documents although possible changes could be proposed to the Board at any time to reflect experience, legislation, case law etc.

493 FE COMMISSIONER – LETTER TO THE SECTOR

The Clerk advised the Board that earlier in the day the termly letter from the FE Commissioner to the sector had been published. This would be circulated to Members via email immediately so that any specific issues arising from the letter may be addressed.

494 CALENDAR OF MEETINGS – 2017/18

The Board noted the approved Calendar of Meetings for 2017/18 as follows:

- Thursday 7 December 2017 – proposed location TUCA
- Thursday 22 February 2018 – proposed location Basildon
- Thursday 17 May 2018 – proposed location Canvey
- Thursday 19 July 2018 – proposed location TUCA

Unless otherwise agreed, meetings would commence at 1.30pm and take place at the locations named above although this would be the subject of review.

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

495 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 are covered in 496 to 500.

Signed: _____ Date: _____