City of Portsmouth College

Minutes of the Corporation Meeting Held at 5pm on 13 December 2022

Present: Prue Amner, Mark Cooper, Ashley Cullen (virtual), Alex Dartmouth (virtual. Left the meeting at 7.30pm), Graham Goddard, Katie Hill (staff governor), Tim Jackson, Samantha Miller (staff governor), Shirley Nellthorpe, , Paul Quigley (Chair), Katy Quinn (Principal & CEO), Mike Stoneham & Pauline Tiller.

Apologies: Shahalam Ali, Noodles Bainbridge, Rob Nitsch & Jacob Short

In Attendance:		
	Richard Bott	Mazars (Minute 155)
	Matt Phelps	Deputy CEO/Deputy Principal Curriculum & Quality
	Paola Schweitzer	Director of Governance
	Maria Vetrone	COO

Minutes

146 **Attendance and Participation**

Shahalam Ali and Rob Nitsch sent their apologies.

Paul welcomed the two newly elected students Jacob Short (SU President) and Noodles Bainbridge. Unfortunately there were unable to attend the meeting.

Governors considered Search & Governance Committee's recommendation that Huw Chapman join Corporation. Huw would retire as CEO at PETA (Portsmouth Engineering Training Association) at the end of the calendar year. Governors believed he would add value to the board through his skills and experience and **Agreed** that Huw Chapman join Corporation under the general category 2(1)(a) of City of Portsmouth College's Instrument of Government for a term of four years from 01 January 2023 to 31 December 2026 and that he join Finance & Resources Committee.

147 **Declarations of Interest**

There were no declarations of interest, other than those previously disclosed.

148 **Matters for Decision**

The minutes and confidential/commercial in confidence and restricted confidential minutes from the meeting held on 04 October and the Special Corporation meeting on 05 December 2022 were **Agreed** as correct records.

149 **Matters Arising**

Governors **Noted** that except for one matters arising, all matters arising from the 04 October and 05 December meetings were either completed or covered on the agenda.

150 **Chair's Report**

Paul reminded governors that he would stand down from Corporation on 31 December 2022. Paola stated that following a nomination process, Rob Nitsch had been nominated as Chair of Corporation and Tim Jackson nominated as Vice-Chair of Corporation. Both Rob and Tim had been nominated by two independent governors. No other nominations had been received. Governors **Agreed** that Rob Nitsch and Tim Jackson become Chair of Corporation and Vice-Chair of Corporation respectively from 01 January 2023 for a two year period.

151 **Principal & CEO's Report including strategic plan (paper 293/22/C)**

Katy presented her Principal & CEO's report summarising activity at the College since her last report on 04 October 2022. The report provided updates on a wide variety of areas including applications/admissions, marketing, IT and strategies.

The Office for National Statistics (ONS) had reclassified FE colleges into the central government sector on 29 November 2022 with immediate effect. More details would emerge over the coming months but two areas had required immediate action:

- The College had requested Department for Education (DfE) permission to continue to have an overdraft with Barclays Bank. The overdraft was put in place to mitigate the risk of low cash reserves in March/April. The College was unlikely to be granted permission to retain this facility as DfE intended to smooth out payments to colleges during the year to help them manage cash reserves.
- The College had sought guidance from the Education & Skills Funding Agency (ESFA) on whether the ASTML proposal was *novel, contentious* or *repercussive*. The ESFA had agreed to submit the request to the DfE and further information was expected in the new year. In response to a question, Maria stated that she had met with ASTML following the last Corporation meeting and advised them of the ONS change. They had confirmed they were able to keep their learners warm until the new year but not much longer.

All schools and colleges had been notified they would receive additional capital investment funding to support sustainability measures as there would no longer be additional utilities support from government from April 2023. Maria confirmed that she was working up an additional capital programme to demonstrate how the £257k would be spent. Further details were awaited on how the DfE would distribute the £150m capital funding (likely to be based on learner numbers).

At the financial notice to improve (NtI) meeting on 14 November 2022, the ESFA had expressed confidence in the College's direction of travel but would not recommend lifting the NtI until the College had achieved a *Good* financial grade (12-18 months based on the current trajectory). The executive leadership team had reflected on this disappointing outcome and believed that the College needed to communicate the College's situation to the relevant agencies and make a case for capital funding to support its long term aspirations. To this end Maria would undertake financial modelling in the new year. Tim noted that the FEC letter expressed confidence in the College and that they would only return in the event of a deterioration in the College's finances. He believed being one of the 13 colleges in intervention presented a good opportunity for dialogue with the DfE/ESFA with regards to securing funding.

Katy reported that the results of November's staff pulse survey were disappointing as the dip in satisfaction levels was more acute than expected. Staff expressed positive feedback with regards to managers, but a disconnect between senior staff and the main body of staff. Samantha stated that Highbury Campus staff were unhappy about Tangier Campus staff having a day off on Black Friday. Katy noted that this was one of Tangier Campus teachers' 195 directed days and highlighted the discrepancies between differing employment contracts within the College. Katie agreed, noting that this date was a bone of contention before merger as it was only for teaching staff. Katie believed the survey was too prescriptive and needed free text boxes. In response to a question, Katy clarified that this short survey was intended to give a quick temperature check and that the usual full staff survey would be undertaken in May.

Katy outlined ongoing work to develop staffing structures to ensure the College could effectively and efficiently support its current organisational needs as well as to ensure high quality teaching learning and assessment, secure growth in student numbers and offer career pathways to support staff development and retention. The proposed changes would cost £800k per annum and would add additional capacity particularly at middle management, create greater clarity around roles/responsibilities and ensure the provision of effective student support services. Katy noted that staff costs were approximately £20m per annum and this increase would add approximately 1.5% to the staff costs to income ratio. The College would only undertake this financial commitment if it could afford to, but Katy stressed the changes were critical in driving forward improvement. If agreed, changes needed to be in place prior to the start of the 2023/24 academic year. Maria confirmed that robust staff utilisation data would soon be available to inform staffing arrangements. Matt underlined that improvement in teaching, learning and assessment could only be achieved by investing in staffing structures and that this would in turn address many of the concerns raised through the pulse survey. Further information, including financial modelling, would be considered at the governors' day on 24 January 2024.

There were 92 more learners in 2022/23 compared to the previous year and in-year starts were now beginning to come through. The College had received 1,002 applications for 2023/24 against a projected 3,272 total enrolments (based on demographic projections and 2% growth). Detailed reports analysing trends were being created.

Finally, Katy advised that a new firewall was included in the capital budget for 2022/23 and in the meantime, short term mitigating actions were in place to protect the College. Maria stated that Audit Committee had considered this matter at its last meeting.

Governors **Noted** the Principal & CEO's report.

152 Corporate Dashboard

Katy presented paper 310/22/C setting out the corporate dashboard.

The dashboard would be brought to scheduled Corporation meetings and the intention was to develop a live interactive dashboard. A financial dashboard was scrutinised at Finance & Resources Committee as part of the management accounts and a quality dashboard would be developed for Learning & Quality Committee.

The dashboard provided an update of progress to date against the key performance indicators identified in the strategic plan. The College was making steady and expected progress towards meeting the end of year targets. The key areas of risk included shortfall on target/budgeted apprenticeship income and shortfall on new applications for study programmes 2023/24.

Graham asked for clarification concerning commercial income. Maria stated that the November management accounts were currently being reforecast and income lines would be adjusted for the next reporting period. Multiple variances were coming through and whilst there were some shortfalls, particularly with regards to Net Zero, gas, refrigeration and air conditioning, it was anticipated that this would improve over the year. There was currently a budget shortfall of £300k (down from £700k). Paul noted that the quality of data had improved since the October management accounts and that variances were to be expected in the first few months of a budget.

Governors **Noted** the Corporate Dashboard.

153 Outcome of FEC Stocktake Visit, 14 October 2022

Katy presented paper 294/22/C setting out the FE Commissioner's letter to the College following their stocktake visit on 14 October 2022.

Katy confirmed that the College was taking up all FEC's *potential active support ideas* and the College had recently received confirmation that Peridot would support the Board in identifying two potential governors and that a National Leader of Governance (Simon Perryman) had been allocated. Governors **Noted** the outcome of the FEC stocktake visit on 14 October 2022.

154 Audit Committee Annual Report to Corporation

Pauline presented paper 295/22/C setting out the Audit Committee Annual Report to Corporation advising Corporation members and the CEO as Accounting Officer on the adequacy and effectiveness of the College's audit arrangements, its framework of governance and risk management and control. Audit Committee had considered the report at its meeting on 27 November 2022 and recommended it to Corporation.

The Audit Committee's annual report to Corporation summarised its activities from 01 August 2021 to 31 July 2022, included a view of its own effectiveness and how it has fulfilled its Terms of Reference and its opinion on the adequacy and effectiveness of the City of Portsmouth College's audit arrangements, its framework of governance, risk management and control and its processes for securing economy, efficiency and effectiveness. The report also covered the arrangements for completing the financial statements for 2021/22 for Highbury College and Portsmouth College. The report concluded that, based on the Committee's work and reports received over the year, the Corporation's assurance arrangements, framework of governance, risk management and control procedures for the effective and efficient use of resources, solvency and the safeguarding of assets were adequate and effective.

Pauline stated that Finance & Resources Committee had scrutinised the financial information and Audit Committee scrutinised the wording and management letter. She asked what, if any, impact the ONS reclassification would have on the College's borrowing arrangements and as a going concern. Maria stated that Mazars had asked for a statement under the post balance sheets events in the financial statements to explain the ONS decision and the fact that it had not yet been possible to assess its impact on the College. In response to a question, Pauline confirmed that Corporation could have confidence in the report. Governors **Noted** the Audit Committee Annual Report to Corporation.

155 Financial Statements & Management Letter 2021/22 (paper 296/22/C)

Richard Bott from Mazars, the College's external auditors, joined the meeting virtually.

The College was required to submit audited financial statements to the ESFA by the 31 December each year. The accounts had to be prepared in accordance with the ESFA accounts directions and an external auditor appointed to audit them. Finance & Resources Committee and Audit Committee had considered the 2021/22 financial statements and external audit management letter at their respective November meetings and recommended them to Corporation for approval. Richard stated that Mazars had substantially completed its audit in respect of the financial statements for the year ended 31 July 2022. At the time of preparing the report, a few matters remained outstanding but, subject to the satisfactory conclusion of this work, Mazars had issued an unqualified opinion, without modification.

Significant matters discussed with College management were the merger with Portsmouth College. This had been correctly accounted for as an acquisition under which property and land were fair valued (increase of £7.2m), resulting in a net gain of £8.2m and meaning an increased depreciation charge in the future. There had been significant discussions around what the forthcoming Pension Increase Order 2023 would mean for pension schemes. The increase was not yet known and so an additional paragraph had been included in the financial statements. The Supreme Court's conclusion in the Harpur Trust vs Brazel case confirmed that employees who only worked part of the year but were on permanent contracts were entitled to the same holiday allowance as workers who worked all the year. Management was calculating the potential impact on the College and a liability note was included in the financial statements. Other matters discussed included changes in useful economic life of buildings and other assets, dilapidation considerations for leased premise, Goals Soccer Centre, impairment of investments and intercompany debts/balances and provisioning, situation with Nigerian debt (fully provided), governors attendance at meetings and asset registers. Despite changes as a result of the ONS announcement Mazars was able to confirm that the College was a going concern. Richard noted that the College was awaiting DfE permission to issue letters of comfort for the College's subsidiary companies.

Maria presented a summary of the financial results for the year ended 31 July 2022:

- The Group posted an operating deficit of £1.62m (£0.90m deficit 2020/21) against a planned deficit of £1.84m.
- Total income was £28.57m, an increase from £17.33m in 2020/21, mainly due to the merger and ESFA funded study programmes for 16-18 provision, adult funded courses and non-levy funded apprenticeships.
- Total expenditure was £32.39m, an increase from £19.54m in 2020/21. The largest proportion of expenditure was staff pay which increased by 66% to £20.41m due to merger (the number of staff increased by 348 to 732 in 2021/22), representing 71.4% of total income.
- The Group generated an operating deficit after other gains and losses of £3.82m (£2.22m deficit 2020/21) including FRS 102 pension costs.
- The Group achieved its budgeted measures and targets for the year however performance against some ESFA measures was still weak.

Maria concluded by stating that the Finance & Resources Committee had undertaken a deep dive on the figures at its meeting on 22 November 2022 and Audit Committee had scrutinised compliance at its meeting on 29 November 2022. In response to a query, Maria stated that the FEC benchmark for staff costs as a percentage of income was no more than 65%. The College's actual figure was 64.7%, excluding the College's small subcontracting income.

Paul noted that he was on the Highbury College board when Mazars were unsure whether they would be able to sign off the financial accounts. In response to how this year's audit compared, Richard stated the College was like a different planet! There was now a stable executive team and whilst there was still work to do, the major challenges such as fixed assets, lack of records and Nigeria had been dealt with. He recognised that Maria had worked hard to achieve and accelerate change and as a result he was much happier than he was a few years ago.

Paul noted the importance of Richard's comments as an independent observer of the College. He gave a brief overview of the events in the three years to the end of July 2022 that had led to the College's present situation, calculating associated costs (the figures were likely to be higher). These events were:

- Mazars had unearthed approximately 17 years of miscalculations within the College. The balance sheet had reduced by £6.5m, approximately £4.5m of which was spent correcting fixed assets etc.
- The Structure & Prospects Appraisal (SPA) culminating in the merger with Portsmouth College. At a meeting in September 2019 Highbury College had been led to expect £1.3m funding to support the merger but this had not proved to the be the case. The merger cost just over £1.4m and had been funded through exiting the Saudi Arabian partnership.
- The Covid-19 pandemic which had cost approximately £700k (likely to be higher as costs would have been met from various budgets across the College)

Paul had relayed this to the ESFA at the financial NtI meeting, stating it was unsurprising that the College had a financial health grade of *Requires Improvement*. He noted that a huge number of things had gone right, with the College now having a competent executive team and a stable platform for stable growth and believed that this should be borne in mind when making representations to external organisations. Paul agreed to send this information to governors.

Governors **Approved** the financial statements and management letter for the year ended 31 July 2022.

156 Subsidiary Accounts

This item was taken next on the agenda.

Maria presented paper 301/22/C setting out the College's 2021/22 subsidiary accounts, noting that Finance & Resources Committee recommended them to Corporation for approval.

The College Group had three principal subsidiary companies as well as Highbury College (Nigeria) Limited. Only one of these, Highbury Apprenticeships (Birmingham) Limited, was active during the year ended 31 July 2022. It was 100% owned by the College and was included in the College Group financial statements. The activities of

Highbury Apprenticeships (Birmingham) Limited had diminished significantly in the year because apprenticeships were now delivered entirely in-house. The other companies had not traded during the year and remained dormant.

The ONS announcement meant that due to the intercompany debt of £1.4m, DfE permission was now required to issue the usual letters of support/comfort. Permission had been requested and a response was expected in the new year. The intercompany balances had been provided for within the Group accounts.

Paul stated that, along with Katy, he was a director of these subsidiary companies and although he would shortly be resigning from the Board, he was happy to remain director until the subsidiary accounts were signed off. Once signed off, it was proposed that Rob, as Chair of Corporation, become director of the subsidiary companies and that the dormant UK subsidiary companies be dissolved (Highbury Apprenticeships Birmingham Ltd would be retained).

In the absence of DfE permission to grant letters of support, governors **Approved** in principle the draft audited financial statements for the College's subsidiary companies for the year ended 31 July 2022. Governors also **Agreed** the actions outlined by Paul namely that once the accounts had been signed off, Rob would become director of the subsidiary companies and that the dormant companies would be dissolved.

157 Self-Assessment Report & Quality Improvement Plan

Prue presented paper 297/22/C setting out the College's self-assessment report (SAR) and quality improvement plan (QIP).

Learning & Quality Committee had accepted both the SAR and QIP, considering the SAR to be robust, detailed and based on clear evidence and that the grades were accurate. Prue noted that the validation process had been robust and thanked governors for their contributions at the panel meetings. She underlined the importance of governors focusing on teaching, learning and assessment in supporting the move from the Ofsted grade *Requires Improvement*.

Matt provided an overview of the 2021/22 SAR:

- The overall effectiveness of the College was *Requires Improvement*
- The quality of education, leadership and management, personal development, behaviours and attitudes, education for young people and apprenticeship provision was *Requires Improvement*
- Adult Learning provision and High Needs provision was *Good*
- The College was reasonably effective in engaging with external stakeholders to meet local skills needs.

Matt noted that the proposed grade profile was broadly in line with the 2020/21 self-assessment. The intent of quality improvement activity was clear, the College was making reasonable progress in the implementation of actions to deliver this intent but the evidence of impact was fledgling.

Matt then provided an overview of the 2022/23 QIP namely that actions that were RAG rated red or amber and areas for improvement in the 2021/22 QIP were carried into the 2022/23 QIP, and 2021/22 areas for improvement were broadly in line with those identified in the 2020/21 SAR, though progress had been made. A term 1 QIP update would be brought to Learning & Quality Committee at their next meeting. Matt stated the intention was to deliver *Good* or better in 2024/25, with a *Reasonable Progress* judgment following the Ofsted Monitoring expected shortly.

Prue initiated a discussion concerning the leadership and management grade, noting that at the planning day on 23 September 2022 governors had agreed that it was *Good*. She asked whether, having looked at all the grades, governors were sure this was appropriate given that there needed to be evidence of impact. She believed that as the majority grades within the College were *Requires Improvement,* there was insufficient evidence of impact of leadership and management at this stage. Governors noted that there had been significant change within the College in the last few years and a trajectory of continuing improvement, but it was still a young governing body. Prue reminded governors that the grade was an assessment of impact on teaching, learning and assessment and not performance. Governors **Agreed** that the governance grade be amended to *Requires Improvement*. Matt believed this was a good decision, noting that good governance was about holding senior leaders to account. He reminded governors that when he joined the College at the end of 2021 the College didn't have a QIP. Progress had been exceptionally fast but the impact of these changes on teaching, learning and assessment was fledgling.

Mike noted that two Portsmouth schools had recently been graded *Requires Improvement* due to safeguarding concerns (safeguarding is a limiting grade). Shirley reported the same thing had happened in several Hampshire schools and stressed the importance of governors completing their safeguarding and prevent training. As safeguarding lead governor she had recently reviewed the Single Central Register (SCR) which revealed 257 staff members had not yet completed their training. Following her suggestion, safeguarding would be looked at through a cyber lens. Matt stated that security cameras were a priority under the capital works programme and Katie reported that specific safeguarding policies for exams were now in place.

Governors **Approved** the 2021/22 self-assessment report and 2022/23 quality improvement plan. Governors also **Approved** the proposed grade profile and revised leadership and management grade of *Requires Improvement*.

158 Management Accounts – October 2022

Maria presented paper 299/22/C setting out the October 2022 management accounts which had been considered by Finance & Resources Committee at their last meeting.

As at 31 October 2022, the College was tracking close to the year to date (YTD) and full year budget. The YTD actual operating deficit of £542k was £130k adverse to YTD budget. The forecast outturn indicated an operating deficit of £1,024k, which was £146k adverse to the full year budget. There had been no change to the forecast outturn from the September 2022 management accounts. Total forecast outturn income was adverse against the budget by £305k because of reduced catering income from provision that was now outsourced. Total forecast outturn pay expenditure was currently aligned with the full year budget. Total forecast outturn non-pay expenditure was currently showing a favourable variance of £159k, mainly due to corresponding cost savings achieved from outsourcing catering. Inflationary pressure on the cost base was starting to materialise in examination fees charged by examination boards, with in-year fee increases of nearly 20%. Financial risks arising YTD were associated with under-enrolment against Apprenticeship and Net Zero curriculum plans, maintaining staff costs within budget and managing the non-pay cost base in a cost of living crisis environment. The College was implementing a financial delivery plan to ensure risks were managed and that overall financial recovery could continue as planned. The College was forecasting to achieve a financial health grade of *Requires Improvement* in 2022/23 and to improve the following year provided growth in student numbers and commercial growth could be achieved. Maria noted that the November management accounts would be more robust as variances were now apparent.

Governors **Noted** the October 2022 Management Accounts.

159 In-Year Pay Award Review (paper 298/22/C)

Katy provided an update on the position concerning a potential in-year pay award for staff, outlining the background to current position, terms and conditions of employment, the Brazel Case Supreme Court judgement (referenced in Minute 155), Trade Union relations, affordability and additional leave at Christmas.

In the light of the College's financial position, the executive leadership team did not believe the College was able to offer an in-year pay award to staff. Instead, an additional two days leave over the Christmas period had been awarded. All staff except teaching staff on an old Portsmouth College academic contract (which was based on 195 working days) would benefit from the additional leave. It would not impact on students and would enable a small saving in overhead costs.

Katy noted that pay, alongside the variety of different contracts within the College, was at the root of a lot of staff dissatisfaction and both Samantha and Katie agreed, with Katie noting that she had not had a pay rise in 16 years. Katy stated the College was in a very difficult position and the intention was to harmonise staff contracts up, but this could only be done when the College was able to afford it. In the meantime, actions to create equity were being taken whenever possible. Paul expressed empathy with staff but noted that private sector employees did not have such advantageous pension contributions (TPS and LGPS employer contribution was 26%). One governor asked about the situation with other colleges and Maria noted that there was a great deal of variation as it depended on affordability.

Governors believed that the College's financial situation meant they were not able to authorise an in-year pay increase at this present time however they **Agreed** to review the situation at every board meeting.

160 Proposal for sale of the House at Tangier Campus

Maria presented paper 300/22/C setting out the proposal for the sale of the freehold house at Tangier Campus.

Previously the Lodge at Tangier Campus was occupied by College caretaking staff achieving a rental of approximately £7k per annum. It had recently become vacant and as caretaking staff were no longer required to live on site and the property could not be converted into curriculum/support staff space or student/staff accommodation, it was proposed to sell the property. It was believed that with minor maintenance and improvements, the property could achieve a sale price of approximately £300k.

In response to a question, Maria stated that alternative options had been explored but given that the house was relatively small (and so could not address the Tangier Campus space shortage) and on the edge of the campus, options were limited. Tim asked about the sale of the property from a safeguarding and access perspective.

Maria stated that the property could be sealed off from the College and access reconfigured so it was accessed directly from the road. She confirmed that whilst DfE permission was not required to sell the property, new DfE rules required the College to spend capital receipts on capital expenditure. Another governor suggested that the land might realise a greater value as a vacant lot. Pauline asked that potential sale was considered as part of the College's estates strategy.

Governors **Agreed** to review the sale of the house at Tangier Campus within the context of the College's estates strategy.

161 Strategic Risk Register

Maria presented paper 302/22/C setting out the strategic risk register, as reviewed by Audit Committee at its meeting on 29 November 2022.

The College was expected to maintain an effective risk management framework to ensure that key strategic risks to the achievement of the College's strategic objectives and priorities were identified, prioritised and managed. Audit Committee and Corporation considered the strategic risk register at each of their meetings.

The register highlighted changes since the last report to Corporation. A Risk Management Board was now in place, comprising Senior Management Team (SMT), to review and update the register. The register currently contained 25 strategic risks including eight *significant* and seven *high* net risks with mitigating action plans. Operational risk management was still in development. Operational registers would be reviewed by a new Risk Management Action Group comprising representatives from across the College. Student satisfaction was now included on the register.

Governors **Noted** the strategic risk register.

162 Corporation & Committee Membership (paper 303/22/C)

Paola presented recommendations to Committee membership following the Search & Governance Committee meeting on 14 November 2022.

There was a brief discussion about the requirement to have a governor with specific responsibility for careers, it was agreed that this was sufficiently covered under the Governor Link Scheme whereby Shirley covered safeguarding and careers. It was **Agreed** that Shirley, Matt and Paola would meet to discuss this further. Paola would also meet with Graham to explore his health & safety lead governor role and Arundel Centre lead responsibility.

Governors **Agreed** that:

- Graham Goddard join Audit Committee (as Health & Safety lead governor)
- Shirley Nellthorpe join Learning & Quality Committee (as Safeguarding lead governor)
- Tim Jackson, as Vice-Chair of Corporation, join Remuneration Committee.

163 Health & Safety Annual Report

Maria presented paper 304/22/C setting out the annual health and safety report, as reviewed by Audit Committee at its meeting on 29 November 2022.

The College has recently recruited a new Health & Safety Manager to ensure that full support for health and safety at the College continued and that health and safety was fully embedded in all College tasks, activities and processes. The College's Health and Safety Policy was updated in June 2022 and insurance renewed in August 2022. All campuses had had successful evacuations from planned and unplanned fire alarm activations. The vast majority of Learning Assistants have been first aid trained, dramatically increasing the number of first aiders at the College. Two RIDDOR reports were made to the HSE in 2021/22. There had been an increase in off-site activities for students. Both risk assessments and COSHH assessments continued to be reviewed. Maria stated that a framework for reporting was being developed and that future reports would be more detailed to provide assurance on health and safety within the College.

Governors **Noted** the Health & Safety annual report.

164 Committee minutes

The following minutes were **Noted**:

Search & Governance Committee 26 September, 10 October & 05 December 2022: Governors were encouraged to meet with their link governor before the Ofsted monitoring visit. SMT to be reminded it was their responsibility to contact governors.
Finance & Resources Committee 27 September & 22 November 2022
Learning & Quality Committee 25 October 2022: Matt stated that an issue concerning 2021/22 achievement and retention data had been discussed as rates were lower than anticipated. On investigation this was found to be due to historical practice whereby some students had been carried over to the following year, thereby artificially inflating achievement rates, instead of being withdrawn. This was similar to the apprenticeships situation. The decision had been taken to rectify the issue by withdrawing these students but this negatively impacted 2021/22 data. The ESFA had agreed with the College's approach and the College was now able to move forward with a clean slate. Matt assured governors that every learner now had an action plan which was monitored monthly. In response to a question, he confirmed that the errors concerned 182 learners (cumulative) and did not have a financial impact on the College. Governors agreed with the action taken and that no further action was required.
Estates & Sustainability Committee 08 November 2022.

165 Safeguarding & Child Protection & Young People Protection Annual Report & Policy

Matt presented paper 305/22/C setting out the Safeguarding & Child Protection & Young People Protection Annual Report & Policy, noting that it had been considered by Learning & Quality Committee.

The annual report provided a review of 2021/22 in relation to safeguarding disclosures /referrals across the College and 2022/23 staffing arrangements as well as updates on the system for recording safeguarding, statutory safeguarding training, approach with the SCR check. The updated policy incorporated Keeping Children Safe in Education (KCSIE) updates. Matt noted that feedback from Learning & Quality Committee had been incorporated. In response to a question, Matt clarified that the College had decided not to purchase the EBS safeguarding package as it was too pastoral, instead MyConcern had been purchased, a system providing greater security and was widely used in the education sector (it integrated with CEPOMs).

Governors **Noted** the level and type of safeguarding disclosures/referrals including those with the Local Authority Designated Officer and **Agreed** the updated Safeguarding Adults & Children & Young People Policy.

166 Student Suspension & Exclusion Policy

Matt presented paper 306/22/C setting out the student suspension and exclusion policy, noting that it had been considered recently by Learning & Quality Committee.

The policy replaced existing processes and ensured that there was a clear, consistent and fair procedure for suspensions (temporary) and exclusions (permanent). There was a discussion about the policy's publication, with Katy clarifying that there work was ongoing to ensure College policies were streamlined, agreed through the appropriate channels and available on the College website where necessary.

Governors **Agreed** the student suspension & exclusion policy and delegated authority to SMT to suspend/exclude learners in line with the policy.

167 Fees Policy

Maria presented paper 307/22/C setting out the 2023/24 fees policy, noting that it remained unchanged from 2022/23 and had been discussed at the recent Finance & Resources Committee meeting.

The College was committed to a transparent fee structure, with tuition fees charged in the following categories: ESFA co-funded courses, learners aged over 19 starting on Level 3 & 4 (unless studying their first level 3 legal entitled course), HE courses, learners under 16 (fee charged to institution responsible for the learner), apprenticeships (no charge to apprentices, charge to employers), full cost/commercial courses and overseas learners. Fees were set to ensure that the College was able to at least cover the full costs of each study programme. All fees were payable at enrolment. Pauline asked that the policy reference English as a Second Language (ESOL) and asked why the HE fees were so low. Matt responded that these fees were dictated by the Office for Students and Pauline asked that the policy reference that.

Governors **Approved** the 2023/24 Fees Policy

Minute 168 was confidential

The meeting ended at 7.45pm.

Paul stated that it was his last Corporation, noting that he enjoyed his three years at Highbury College and the City of Portsmouth College and thanked colleagues. Tim thanked Paul for his service and Paul was presented with a card and gift.