



BURY COLLEGE
FURTHER EDUCATION CORPORATION
MINUTES OF THE MEETING HELD VIA TEAMS ON
Tuesday, 13th December 2022

Corporation Meeting Commenced:

5.00 p.m.

Corporation Meeting Closed:

6.25 p.m.

PRESENT:

Liaqat Ali	Independent Member
Syed Ali	Staff Member (Academic Staff Support)
Peter Bury	Independent Member
Callum Beckwith	Student Member
Angela Davies	Independent Member
Charlie Deane	Principal
Mark Granby	Independent Member
Anne Holt	Staff Member (Business Support)
Jane Macdonald	Independent Member
Faheem Nawaz	Independent Member
Stephanie Nixon	Independent Member
Robin Puri	Student Member
Chris Trees – Vice Chair	Independent Member

IN ATTENDANCE:

Daniel Johns	Wylie & Bisset (Item 8c)
Tracy Kitchingman	Vice Principal Finance and Corporate Resources
Becky Tootell	Deputy Principal Curriculum and Quality
Peter Ryan	Clerk to the Corporation
Sarah Walton	Director of Personal Development

22/23.25	<u>APOLOGIES (AGENDA ITEM 1)</u>
	Apologies for absence had been received from Peter Nicol, Philip Johnson and Naomi Sharples and it was agreed that Chris Trees would Chair the meeting. Members wished Peter Nicol a speedy recovery.
22/23.26	<u>DECLARATIONS OF INTEREST (AGENDA ITEM 2)</u>
	As Trustees and Members of the BCET Board the Chair, the Vice Chair and the Principal/CEO declared their interest in any discussions that might arise relating to the Bury College Education Trust or College-sponsored Academies. There were no other declarations of interest in relation to any of the items on the Agenda for the meeting.
22/23.27	<u>MINUTES (AGENDA ITEM 3)</u>
	The Minutes of the Corporation Board Meeting on 18 th October 2022 were approved to be signed as a true record.
22/23.28	<u>MATTERS ARISING (AGENDA ITEM 4)</u>
	The Clerk introduced the report which provided an update on matters arising from the Corporation meeting held on 18 th October 2022.
	It was Resolved that: i) The contents of the report should be noted; and ii) Corporation meetings should be held in person from January 2023 and that Committees should continue to meet remotely.

22/23.29	<p><u>GOVERNOR DEVELOPMENT SESSION – ONS RECLASSIFICATION OF COLLEGES FROM THE PRIVATE TO THE PUBLIC SECTOR (AGENDA ITEM 5)</u></p>
	<p>The Principal confirmed that, as outlined within the ESFA letter to Accounting Officers attached to the report, following a review into the classification of the English College Sector for the purposes of national accounts, the Office for National Statistics (ONS) announced on 29th November 2022, that it had reclassified Colleges into the central government sector. This decision had immediate effect.</p> <p>The Principal and Vice Principal outlined the key changes in the following areas:</p> <ul style="list-style-type: none"> • Borrowing consent; • Transaction approvals; • Smoothing of payment profile; • Capital projects funding; • Senior pay controls; • Financial handbook; and • Financial reporting. <p>Following questions, it was confirmed that:</p> <ul style="list-style-type: none"> • The changes represented a low risk for the College; • ESFA intended to publish a series of bite-sized guides on key areas, including, special payments and losses / write-offs and were developing a College Financial Handbook in collaboration with the sector. • Unfortunately, the VAT position remained unchanged; • Increased in-year financial reporting may be required as the College and Government financial years differed; and • The £300m was not new funding, it was existing funds that would be used to smooth out the College payment profile.
	<p>It was Resolved that the contents of the report should be noted.</p>
22/23.30	<p><u>COLLEGE CURRICULUM, FINANCIAL AND HR TARGETS 2022/23 (AGENDA ITEM 6)</u></p>
	<p>The Principal introduced the report and confirmed that, as agreed by the Remuneration Committee on 22nd September 2022, Members were asked to review and agree the College Curriculum targets (as recommended by the C&Q Committee on 23rd November 2022) and Financial and HR targets (as recommended by the Resources Committee on 29th November 2022, as outlined within the report</p> <p>Members noted that following questions at the Resources Committee, it was confirmed that the financial targets were based upon the agreed financial plan, adjusted to take account of the pay strategy, but not unknown external factors such as energy costs.</p> <p>In response to questions, it was confirmed that some curriculum targets had not been achieved the previous year. The impact of Covid had been significant as evidence by the demand for increased counselling and safeguarding support.</p>
	<p>It was Resolved that:</p> <p>i) The contents of the report should be noted; and</p> <p>ii) The College Curriculum, Financial and HR Targets 2022/23 are agreed.</p>
22/23.31	<p><u>CURRICULUM (AGENDA ITEM 7)</u></p>
	<p>a) Curriculum and Quality Committee 23rd November 2022</p> <p>Members received the draft minutes and noted that the actions agreed by the Committee were on the agenda. In addition, the Committee had:</p> <ul style="list-style-type: none"> • Received a presentation from Ben Fallows, Head of Sport, demonstrating how the sports curriculum had been modelled to meet skills needs; and • Approved the College Quality Strategy. <p>The Chair of C&Q commented that the presentation from Ben Fallows had been both enthusiastic and informative.</p>

It was **Resolved** that the contents of the report should be noted.

b) Headline SAR and QIP

The Deputy Principal introduced the report and confirmed that following the Self-Assessment validation panel held on 21 November 2022, attended by some Members of the C&Q Committee, a number of adjustments had been made to the SAR. These specifically related to the Skills and English and Maths narrative which when challenged by Governors, it was agreed that further consideration be made to the context.

On 23rd November the C&Q Committee had reviewed the draft SAR and recommended it for approval by the Corporation, with the following grades:

Key Judgement Areas	SAR Judgement 2021/22
Overall Effectiveness	Good
Quality of Education	Good
Behaviour and Attitudes	Good
Personal Development	Good
Leadership and Management	Good
Safeguarding	Effective
Contribution to meeting Skills Needs	Strong Contribution
Young People	Good
Adult Learning Provision	Good
Apprenticeships	Requires Improvement
Provision for Learners with High Needs	Good

In response to questions, it was reported that the Head of Apprenticeships was clear about the issues to be addressed and what actions to put in place. Progress had already been made on several of the issues and performance had improved. The Quality Improvement plan would be monitored by the C&Q Committee.

It was **Resolved** that:

- i) The contents of the report should be noted; and**
- ii) The SAR is approved.**

c) Safeguarding and Prevent Update

The Director of Personal Development introduced the report and highlighted the following:

- Safeguarding referrals – totalled 419 (up from 301 in 2021 and 221 in 2020);
- Mental Health and wellbeing incidents totalled 211;
- The College was promoting White Ribbon - a campaign against domestic violence;
- Induction survey results reported that 97.86% students feel safe in College, this was an increase of 1% on the previous year;
- 1 report had been made to the LADO; and
- Action Plans on Sexual harassment, Online safety and Prevent and Protect were appended to the report.

In response to questions, it was confirmed that Lynne Vernon the Safeguarding Link Governor provided a very high level of scrutiny and challenge. Visits had been made recently to the 16-19 Sub-Contracted provision. Groups of male and female students had been interviewed and they had confirmed that they were aware of safeguarding arrangements and who to contact if they had any issues.

It was **Resolved** that the contents of the report should be noted.

22/23.32

FINANCE/AUDIT (AGENDA ITEM 8)

a) Resources Committee 29th November 2022

Members received the draft minutes and noted that the actions agreed by the Committee were on the agenda. In addition, the Committee had:

- Agreed the staff Pay Strategy and reviewed the Gender Pay Analysis;

	<ul style="list-style-type: none"> Reviewed Health and Safety performance and noted that no changes to the H&S Policy were required; Agreed with the Management Team assessment that the College was a Going Concern; Received the Student Union Accounts 2021/22; and Received an update on Data Protection Performance.
	It was Resolved that the contents of the report should be noted.
	<p>b) Audit Committee 29th November 2022 Members received the draft minutes and noted that the actions agreed by the Committee were on the agenda. In addition, the Committee had:</p> <ul style="list-style-type: none"> Received the Annual Internal Audit Report and Opinion; Noted the changes to the September update to the Audit Code of Practice; Agreed the Risk Management Register (subject to adding the Risk of Power Cuts) and Risk Management Policy; and Received the Audit Committee Self-Assessment Report 2021/22.
	It was Resolved that the contents of the report should be noted.
	<p>c) External Audit Findings Annual Report to 31st July 2022 and Letters of Representation Daniel Johns, Wylie & Bisset introduced the report and confirmed that he had presented the audit findings to the College Audit Committee on 29th November 2022. He confirmed that the External Audit had been complete and that the anticipated audit opinion would be unmodified and there were no issues to report in relation to the regularity opinion. He also expressed thanks to the College Finance team for their high-quality papers and reports and for responding to queries in a timely and efficient manner.</p> <p>The report had been reissued earlier in the day and all outstanding matters had been resolved.</p> <p>Section 4.4 of the report highlighted the independence of the Audit and section 6 confirmed that in relation to the detection of fraud and other irregularities there were no areas of significant concern found during normal audit procedures.</p> <p>The letters of representation for 2021/22 were reviewed by the Audit and Resources Committees on 29th November 2022, with both recommending that the Chair of the Corporation and Accounting Officer should be asked to sign the letters as part of the finalisation of the accounts at the Corporation meeting on 13th December 2022.</p>
	It was Resolved that:
	<ul style="list-style-type: none"> i) The contents of the report should be noted; and ii) The Chair of the Corporation and Accounting Officer should sign the Letters Representation.
	<p>d) Audit Committee Annual Report 2021/22 The Clerk introduced the Audit Committee Annual report, which had been agreed by the Audit Committee on 29th November 2022. The Corporation was required to take into consideration the annual report of the Audit Committee before approving the Financial Statements, which include a Corporate Governance statement confirming that the Corporation is satisfied with the operation and effectiveness of the systems of internal control.</p>
	It was Resolved that the contents of the report and the Audit Committee Opinion for 2021/22, should be noted.
	<p>e) College Financial Statements and Regularity Reports for the year ended 31st July 2022 The Vice Principal presented the final draft of the 2021/22 Statutory Accounts. These were in line with the July Management Accounts/ Provisional Outturn report presented to Governors on 20th September 2022. The final 2021/22 Statutory Accounts were presented to the Resources and Audit Committees on 29th November 2022 with both Committees recommending approval by the Corporation on 13th December 2022, subject to 2 amendments, which had been incorporated within the report</p>

	As highlighted in Audit Findings Report, Wylie and Bisset were now in a position to sign the financial statements.
	It was Resolved that: i) The contents of the report should be noted; and ii) The Annual Report and Financial Statements for the year ended 31 July 2022 is approved and should be signed by the Chair of the Corporation and Accounting Officer and submitted to the ESFA before the deadline of 31st December 2022 and published on the College website by the deadline of 31st January 2023.
	f) Management Accounts – October 2022 The Vice Principal introduced the report and financial dashboard and confirmed that the operating surplus to 31st October was £1,408k (excluding pension adjustments), which was £52k adverse to budget. Income was £47k adverse to budget for the period, pay expenditure was £87k favourable to budget and non-pay expenditure £92k adverse to budget. The next re-forecast, based on Period 3 (October), would reflect the potential savings and risks identified in the Major Income & Expenditure variances. In addition, the pay award provision currently included in the original budget, would be updated to reflect the potential outcome of pay negotiations. The forecast outturn, balance sheet and cashflow forecast would be updated to reflect these, along with changes in relation to the latest known position for timing of capital spend and grant receipts.
	It was Resolved that the contents of the report should be noted.
	g) ESFA Review OF College Financial Return 2022/24 and Dashboard The Vice Principal introduced the report and confirmed that the ESFA had reviewed the College Financial Forecasting Return 2022 to 2024 and has set out its findings in a letter dated 25 th October 2022, which was appended to the report. The key points outlined in the letter were that the ESFA concurred with the College Assessment of its financial health grade as: <ul style="list-style-type: none"> • Outstanding for 2021/22 (the latest outturn forecast year), and • Outstanding for 2022/23 (the current budget year). In addition, an updated copy of the ESFA Financial Dashboard for Bury College was also appended to the report. Following questions and as reported to the Resources Committee, the outcome of pay discussions may result in the financial health grade moving to Good.
	It was Resolved that the contents of the report should be noted.
22/23.33	<u>PROPERTY STRATEGY UPDATE (AGENDA ITEM 9)</u> The Vice Principal provided an update in the following areas: <ul style="list-style-type: none"> • Health and Digital Centre - The project was currently on programme with the majority of works completed by 16th December 2022; • T Levels Education and Childcare - Project now complete. DfE visit took place on 19th October 2022 when additional evidence of spend was requested and submitted; • T Levels Health and Digital - Temporary mock ward in University Centre was now in use by University of Salford Nursing students until the planned transfer to the Health and Digital Centre once completed; • T Levels Engineering – The College bid was successful, and discussions held with DfE to amend the scope of the project; • Transformation Fund – Progressing to RIBA Stage 4, in liaison with the DfE Project Director; • Greater Manchester Institute of Technology - Confirmed that DfE and University of Salford have agreed the terms of the licence and it was expected that the contract would be signed by all parties by the end December 2022. The Deed of Guarantee for the GMIoT was signed and the College Seal applied by the Vice Chair of the Corporation and Principal on 5th December 2022; • Post 16 Capacity Fund - Bid submitted 11th November 2022 with the outcome expected Spring 2023; and

	<ul style="list-style-type: none"> Strategic Development Fund – a bid had been submitted. <p>Following discussion at the Resources Committee, it was reiterated that bids would only progress if they were viable and did not threaten the financial sustainability and viability of the College.</p>
	It was Resolved that the contents of the report should be noted.
22/23.34	PERFORMANCE (AGENDA ITEM 10)
	<p>The Vice Principal introduced the report and highlighted the position in the following areas: 2021/22 Actuals and outturn; 2022/23 Allocations; 2022/23 Full Time enrolment update and 2022/23 funding update.</p> <p>As had been highlighted at the Resources Committee, Members noted that HE enrolment was slightly below target, however additional enrolments in January 2023 were planned. 16-19 applications for 2023/24 were up by 163 on the previous year. The impact of enrolment would be reported via the next quarterly review of the management accounts.</p>
	It was Resolved that the contents of the report should be noted.
22/23.35	BURY COLLEGE MULTI- ACADEMY TRUST UPDATE (AGENDA ITEM 11)
	<p>Mark Granby, Chair of the BCET highlighted the following:</p> <ul style="list-style-type: none"> The headline news was that Ofsted had conducted an inspection at Radcliffe and judged it to be good in all elements. The report was very positive. This is wonderful news for the school and the trust; The external auditor had reviewed the trust's financial statements. These would be presented to the trust board in December, but the audit process had been very positive and confirmed the trustee's assessment of going concern; The Trust's management partnership agreement with a high school commenced at the beginning of September. The College continued to be supportive with this arrangement; It may be timely for the College to review its sponsorship strategy with the Trust, particularly as it sought to grow into the secondary sector. <p>Following a question, it was confirmed that parental confidence in the schools had significantly increased.</p>
	It was Resolved that the contents of the report should be noted.
22/23.36	MEETING EVALUATION FORM (AGENDA ITEM 12)
	The Clerk presented the Post Meeting Evaluation summary from the Corporation meeting held on 18 th October 2022, which were noted.
	It was Resolved that the contents of the report should be noted.
22/23.37	AOB (AGENDA ITEM 13)
	<p>The Principal confirmed that he had received a communication from the LA earlier in the day regarding potential future funding arrangements for Mesivta and Shalshelles, which was currently subcontracted provision.</p> <p>Members were aware that the College had strong safeguarding arrangements in place and if funding arrangements could be agreed they remained committed to this provision.</p>
	It was Resolved that: <ul style="list-style-type: none"> i) The contents of the report should be noted; and ii) Members reiterated their commitment to support this provision.
	Members recorded their thanks and appreciation to all staff for their hard work and commitment in 2022.
22/23.38	FUTURE CORPORATION MEETINGS (AGENDA ITEM 14)
	<p>5.00pm Tuesday, 31st January 2023</p> <p>5.00pm Tuesday, 21st March 2023</p> <p>5.00pm Tuesday, 25th April 2023</p> <p>5.00pm Tuesday, 4th July 2023</p>

There being no further discussion the meeting closed at 6.25 p.m.

Signed and approved as an accurate record of the meeting:.....Date.....

Summary of Actions – Corporation Meeting on 13th December 2022			
Item	Action	Person Responsible	Timescale
22/23.32c External Audit Findings Annual Report to 31st July 2022 and Letters of Representation	The Chair of the Corporation and Accounting Officer should sign the Letters Representation.	Clerk/Chair	14 th December 2022
22/23e College Financial Statements and Regularity Reports for the year ended 31st July 2022	The Annual Report and Financial Statements for the year ended 31 July 2022 is approved and should be signed by the Chair of the Corporation and Accounting Officer and submitted to the ESFA before the deadline of 31st December 2022 and published on the College website by the deadline of 31st January 2023.	Clerk/Chair/VP	31 st December 2022 31 st January 2023