



BURY COLLEGE
FURTHER EDUCATION CORPORATION
MINUTES OF THE MEETING HELD ON
Tuesday, 25th April 2023

Corporation Meeting Commenced: 5.00 p.m.
 Corporation Meeting Closed: 6.56 p.m.

PRESENT:

| | |
|--------------------------|---------------------------------------|
| Peter Nicol - Chair | Independent Member |
| Liaqat Ali | Independent Member |
| Syed Ali | Staff Member (Academic Staff Support) |
| Peter Bury | Independent Member |
| Angela Davies | Independent Member |
| Charlie Deane | Principal |
| Mark Granby | Independent Member |
| Anne Holt | Staff Member (Business Support) |
| Philip Johnson | Independent Member |
| Jane Macdonald | Independent Member |
| Stephanie Nixon | Independent Member |
| Robin Puri | Student Member |
| Chris Trees – Vice Chair | Independent Member |

IN ATTENDANCE:

| | |
|-------------------|---|
| Chris Fletcher | GM Chamber (Item 5) |
| Tracy Kitchingman | Vice Principal Finance and Corporate Resources |
| Paul Maykels | Assistant Principal - Marketing, Projects and Student Admin |
| Becky Tootell | Deputy Principal Curriculum and Quality |
| Peter Ryan | Clerk to the Corporation |
| Sarah Walton | Director of Personal Development |

| | |
|-----------------|--|
| 22/23.70 | <u>APOLOGIES (AGENDA ITEM 1)</u> |
| | Apologies for absence had been received from Callum Beckwith and Naomi Sharples. The Chair welcomed Chris Fletcher from the GM Chamber to the meeting. |
| 22/23.71 | <u>DECLARATIONS OF INTEREST (AGENDA ITEM 2)</u> |
| | As Trustees and Members of the BCET Board, 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. |
| 22/23.72 | <u>MINUTES (AGENDA ITEM 3)</u> |
| | The Minutes of the Corporation Board Meeting on 21 st March 2023 were approved to be signed as a true record. |
| 22/23.73 | <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 21 st March 2023. |
| | It was Resolved that the contents of the report should be noted. |

| | |
|----------|--|
| 22/23.74 | <p><u>GOVERNOR DEVELOPMENT SESSION – CHRIS FLETCHER GM CHAMBER – DEVELOPMENT OF THE GM LOCAL SKILLS IMPROVEMENT PLAN (AGENDA ITEM 5)</u></p> |
| | <p>Chris Fletcher, GM Chamber, made a presentation which included:</p> <p>The LSIP - Set out the key priorities and changes needed in a local area to make post-16 technical education or training more responsive and closely aligned to local labour market needs. Representative and coherent views from employers of the skills most needed was required together with work with providers and other key stakeholders supported by actionable priorities.</p> <p>Data-rich, robust evidence was underpinned by ongoing dialogue between employers, providers and linked to activity and strategy of GMCA. With the local areas first then aggregate upwards, the plan would look at the 'layers' above and below FE/Post-16. It was recognised that data gathering would continue and become more focussed as the process developed.</p> <p>College Accountability Agreements would be linked to the priorities within the LSIP and Enhanced Ofsted Inspections would ask how the college contributed to meeting skills needs.</p> <p>As a result of questions, the following points were highlighted:</p> <ul style="list-style-type: none"> • In relation to technical skills difficult to obtain from candidates, employers had identified key needs in relation to reading and understanding operating instructions, basic numerical skills and writing instructions/reports. It was recognised that these key challenges also needed to be addressed by the school's sector; • In relation to soft skills difficult to obtain from candidates, employers had identified key needs in customer handling, managing own time/prioritising own tasks and team working; and • The College would continue to work with the GM Chamber as part of the review and delivery stage of the process from May 2023 to March 2025 <p>Members thanked Chris for his valuable and informative presentation and he withdrew from the meeting at 5.40 p.m.</p> |
| | <p>It was Resolved that the contents of the report should be noted.</p> |
| | |
| 22/23.75 | <p><u>COLLEGE ACCOUNTABILITY STATEMENT 2023/24 (AGENDA ITEM 6)</u></p> |
| | <p>The Assistant Principal - Marketing, Projects and Student Admin introduced the report and confirmed that the Accountability Statement was a new initiative emerging from the Skills for Jobs White Paper. The College was required to submit an annual accountability statement to the ESFA by 31st May 2023. The Statement formed part of the wider set of reforms underway to transform the skills system, so it better supported young people and adults to develop the skills they need to get a good job and ensuring a clearer focus on the delivery of outcomes.</p> <p>The Accountability Statement allowed Colleges to focus on what and how they intended to support local, regional and national needs and how the College was contributing to priorities outlined in the Local Skills Improvement Plan (LSIP).</p> <p>As a result of questions, the following points were highlighted:</p> <ul style="list-style-type: none"> • The Accountability Statement was a condition of funding; • The inclusion of manufacturing catering within the agreement should be reviewed; and • The Statement should be explicit in that it was based upon the existing College strategic development plan, College needs analysis and labour market intelligence which had been mapped across to the LSIP priorities. |
| | <p>It was Resolved that:</p> <ol style="list-style-type: none"> i. The contents of the report should be noted; and ii. Subject to a review of Members comments, the College Accountability Statement 2023/24 is approved for submission to the ESFA. |
| 22/23.76 | <p><u>ESFA/COLLEGE ANNUAL STRATEGIC CONVERSATION FEEDBACK (AGENDA ITEM 7)</u></p> |
| | <p>The Principal confirmed that the Annual Strategic Conversation with the ESFA and a representative of the FE Commissioner was held earlier that day. The agenda had included:</p> |

| | |
|-----------------|--|
| | <ul style="list-style-type: none"> • Overview of Skills Reforms from DfE; • Impact and Implications of Skills reforms on the College; • Review and update of strengths, challenges and opportunities (and any actions) discussed at the last ASC; and • College improvement priorities. <p>The meeting was very positive and the FE Commissioners representative had offered to make arrangements for the College to liaise with another College who had been graded Outstanding for its apprenticeship provision. A copy of the formal outcome letter would be sent to Members.</p> <p>The Chair confirmed that the importance of Leadership and Management succession planning, including Governance, had been discussed at the meeting. This was especially pertinent as he had decided to retire from the Corporation after 19 years' service at the end of the academic year. In order to maintain continuity and an appropriate governance financial skills base, Peter had offered to join the Resources Committee as a Co-opted Member.</p> <p>It was agreed that the Clerk would contact Members to implement the process to appoint a new Chair of the Corporation.</p> |
| | <p>It was Resolved that:</p> <ol style="list-style-type: none"> The contents of the report should be noted; and The Clerk would contact Members to implement the process to appoint a new Chair of the Corporation. |
| 22/23.77 | <u>COLLEGE OFSTED INSPECTION 28TH TO 31ST MARCH 2023 (AGENDA ITEM 8)</u> |
| | <p>The Principal confirmed that Ofsted had inspected the College from 28th to 31st March 2023. It was understood that the draft report was due on Friday with the final report due to be published 18 May 2023. It was expected that the final report would concur with the College Self-Assessment and would be shared with Members when available.</p> <p>The Chair thanked those Members who had met with the Leadership and Management Inspector and the Skills Inspector.</p> |
| | <p>It was Resolved that the contents of the report should be noted.</p> |
| 22/23.78 | <u>SAFEGUARDING AND PREVENT UPDATE (AGENDA ITEM 9)</u> |
| | <p>The Director of Personal Development introduced the report and highlighted the following:</p> <ul style="list-style-type: none"> • Safeguarding referrals – totalled 842; • Mental Health and wellbeing incidents totalled 749; • Continued partnership meetings were held in relation to Violent Crime Reduction and Anti-social behaviour. This partnership group had provided a recent opportunity for a Knife Crime Workshop attended by 299 students; • Planning was underway for 2023/24 safeguarding training and awareness raising. Further training was planned in to complete the final aspects of becoming a Trauma Informed College; and • Visits to both Shalshelas and Mesivta were planned to take place during May 2023. <p>As a result of questions, the following points were highlighted:</p> <ul style="list-style-type: none"> • The Vice Chair reported that he had recently attended and observed At Risk and Vulnerable Students meetings and had been very impressed by the commitment of staff and the level of support provided to students; • 9 reports had been made to the LADO. The LADO would take no further action and the College would address issues through the disciplinary process; and • There had been 3 exclusions for gross misconduct relating to sexual harassment. |
| | <p>It was Resolved that the contents of the report should be noted.</p> |
| 22/23.79 | <u>QUALITY IMPROVEMENT PLAN UPDATE (AGENDA ITEM 10)</u> |
| | <p>The Deputy Principal confirmed that following validation of the Self-Assessment report 2021/22, the Curriculum and Quality Committee agreed that the Committee would focus its attention on progress against 5 key areas, specifically:</p> |

| | |
|-----------------|--|
| | <ul style="list-style-type: none"> • Apprenticeship Achievement - Whilst on track for significantly improved outcomes in 2022/23, very close monitoring remained place; • Teams/Individuals requiring improvement - Significant risk in Engineering provision. Actions and close monitoring of impact was in place. Other curriculum areas under review had made good progress against areas for improvement; • Level 1 Outcomes - Improved position on in-year outcomes; • Attendance and Punctuality - Limited improvement against target. Significant focus on intervention and support to improve attendance. There was evidence that intervention strategies were having an impact at an individual level; and • Meeting the Skills Needs – The College framework is now well established with clear actions. Work over the next period would focus on how employers supported implementation of the curriculum. <p>The Ofsted inspection process had not identified any unknown issues, however the QIP would be further reviewed once the final report was available.</p> |
| | It was Resolved that the contents of the report should be noted. |
| 22/23.80 | <u>PROPERTY STRATEGY UPDATE (AGENDA ITEM 11)</u> |
| | <p>The Vice Principal confirmed that the report provided an update on all projects/bids and specifically highlighted the following:</p> <ul style="list-style-type: none"> • Heath and Digital Centre - The Chair and Principal had applied the College Seal and signed the HM Land Registry Transfer of Title Deeds relating to the former Peel Health Centre on 24th April 2023; • Transformation Fund – Beacon Centre – Planning permission was granted on 8th March 2023 for alterations to external elevations, provision of new public entrance with the pedestrian walkway and associated landscape works. Following the interviews that took place on 18th April 2023, the project team quantity surveyor from Rider Levett Bucknall issued their Commercial and Confidential Tender Report. This report provided their assessment of the contractors' submissions and was appended as part of the College's Tender Report. The recommendation was to appoint John Turner Construction Group Limited. <p>In order that the programme of works may commence the report included a draft Letter of Intent to the contractor. This would protect the College in respect of liabilities and the exposure to costs until the formal legal documentation was finalised.</p> <ul style="list-style-type: none"> • Transformation Fund – Woodbury Centre – The design team had finalised their RIBA Stage 3 report which had now been reviewed by the College. However, the Architects report for the implementation of the full project within a 50-week timeframe had caused serious concerns regarding the ability of the Woodbury Campus to function and the potential negative wellbeing impact on staff and students. Therefore, the implementation may have to be zoned/package into a number of separate projects over a longer timescale. The issue had been highlighted earlier at the strategic review session and a meeting with the DfE Estates team would be held to review the implementation plan and the availability/flexibility of funding over a longer timescale. |
| | <p>It was Resolved that:</p> <ol style="list-style-type: none"> The contents of the report should be noted; John Turner Construction Group Limited is appointed, subject to contract, to deliver the Transformation Fund Beacon Centre Project, in accordance with the Tender Report dated 20th April 2023; and The Principal is authorised to sign the final version of the Letter of Intent. |
| | <i>Philip Johnson withdrew from the meeting at 5.40 p.m.</i> |
| 22/23.81 | <u>FINANCE (AGENDA ITEM 12)</u> |
| | <p>a) Management Accounts</p> <p>The Vice Principal introduced the report and financial dashboard and confirmed that the operating deficit to 28th February was £307k (excluding pension adjustments), which was £8k favourable to Q1 forecast outturn.</p> <p>The forecast year end position had been revised to accommodate the effect of potential risks and savings as identified in the major variances summarised above, including the impact of the latest pay award offer</p> |

| | |
|--|--|
| | <p>The changes reflected in the Q2 forecast improved the overall deficit position by £91k to £697k; the net effect of the timing of capital spend related depreciation and deferred capital grant releases.</p> <p>The Q2 changes had been reflected in the cashflow forecast. In addition, adjustments to the timing of existing grant receipts and capital project spend had been included, as had any new projects identified since Q1.</p> <p>The Q1 forecast cash generated from operating activities remained unchanged for the Q2 forecast. The year-end cash in hand balance as at July 2023 had improved by £910k, to £4.2m, as a direct result of new capital grant receipts which were not planned to be fully spent until March 2025. The Q2 KPIs and Bank covenant position had also been revised, confirming minor movement only and continued compliance with the required covenants.</p> |
| | It was Resolved that the contents of the report should be noted. |
| | |
| | <p>b) College Managing Public Money (MPM) Return</p> <p>The Vice Principal introduced the report and confirmed that following the reclassification of FE Colleges and their subsidiaries to the government sector from 29th November 2022, the regularity framework for Colleges had expanded to take into account the requirements of HMT Managing Public Money (MPM).</p> <p>ESFA required all Colleges to complete a short return to provide the required assurance to the ESFA's accounting officer and the National Audit Office that the new requirements had been complied with from the date of reclassification up to the 31st March 2023. The return did not need reviewing by External Auditors nor approving by the Corporation before submission by the 28th April 2023 deadline.</p> |
| | It was Resolved that the contents of the report should be noted. |
| | |
| | <p>c) ESFA Bury College Financial Statements Review 2021/22</p> <p>The Vice Principal introduced the report and confirmed that the ESFA had reviewed the College Audited Financial Statements 2021/22 and written to the College to provide comments. The key comments were:</p> <p>Financial Health "Following our review of the college's financial forecasting return (CFFR) submitted in July 2022 we concluded that the college's financial health grade for 2021/22, based on the outturn forecast, was Outstanding Following a review of the college's audited financial statements and finance record, we confirm this grade."</p> <p>Financial Control "We have reviewed the college's audited financial statements, external auditor's management letter and the annual report of the audit committee and we have not identified any significant financial control concerns from this review."</p> <p>Financial Dashboard information "The dashboards are now available in a new digital format via the ESFA View Your Education Data portal and will be updated in due course to include the latest return data."</p> <p>Statement of Regularity, Propriety and Compliance "During our review of the college's financial statements, it was noted that the Statement of regularity, propriety and compliance was not in the format as set out in the College Accounts Direction 2021 to 2022, Annex B. Please ensure that you consider any changes required in the College Accounts Direction and make the appropriate amendments in next year's submission".</p> <p>The College's audited accounts include the statement issued in July 2022 by the AOC in the Casterbridge model set of accounts; this differs from the statement as included in Annex B of the ESFA's Accounts direction, dated March 2022. In consultation with The College External Auditors, and referencing other Colleges' published statements, it does appear that this has caused confusion. Explanation and clarification had been sought via email to the AOC's Deputy Chief Executive and no further action was required to remedy this for 2021/22.</p> |
| | It was Resolved that the contents of the report should be noted. |

| | |
|-----------------|---|
| 22/23.82 | <u>BURY COLLEGE MULTI- ACADEMY TRUST UPDATE (AGENDA ITEM 13)</u> |
| | Mark Granby, Chair of BCET, confirmed that the report provided an update on the latest position of the Trust. He confirmed that as part of the growth strategy the Trust was updating its Articles of Association to reflect the most recent model Articles produced by the DfE. There was a significant potential change in relation to the appointment of Trustees (in the current Articles they were referred to as Directors but the name was inter-changeable). The Members continue to be able to appoint up to nine Trustees, but the new articles also made provision for the Sponsor Body (the College) to appoint Trustees (para 46b). Following liaison with the Trust's solicitors there was a view that para 46b could cause some confusion for external bodies and that if the College appointed the Members and the Members appointed the Trustees then what would be the added value of keeping para 46b. Corporation Members considered that the status quo was working well and therefore para 46b should be deleted from the proposed new Trust Articles of Association. |
| | It was Resolved that: i. The contents of the report should be noted; and ii. Para 46b should be deleted from the proposed new Trust Articles of Association. |
| 22/23.83 | <u>EXTERNAL REVIEW OF GOVERNANCE (AGENDA ITEM 14)</u> |
| | The Clerk confirmed that at the Corporation meeting held on 21st March 2023 Members agreed that an External Review of Governance should be implemented in either November/December 2023 or January/February 2024. The review should be conducted in accordance with the DfE Guidance on External Governance Reviews published in May 2022. On 23 rd March 2023 invitations to undertake the review were issued to 6 organisations. The closing date for the submission of expressions of interest was 12 noon on Friday 21st April 2023 and 4 expressions of interest had been received. Members agreed to authorise the Chair and Vice Chair to appoint an organisation to undertake the External Review of Governance. |
| | It was Resolved that: i. The contents of the report should be noted; and ii. The Chair and Vice Chair are authorised to appoint an organisation to undertake the External Review of Governance. |
| 22/23.84 | <u>MEETING EVALUATION FORM (AGENDA ITEM 15)</u> |
| | The Clerk presented the Post Meeting Evaluation summary from the Corporation meeting held on 21 st March 2023, which were noted. |
| | It was Resolved that the contents of the report should be noted. |
| 22/23.85 | <u>FUTURE CORPORATION MEETINGS (AGENDA ITEM 15)</u> |
| | 5.00pm Tuesday, 4th July 2023 |

There being no further discussion the meeting closed at 6.56 p.m.

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

| Summary of Actions – Corporation Meeting on 25th April 2023 | | | |
|---|--|-----------------------------|--|
| Item | Action | Person Responsible | Timescale |
| 22/23.76 ESFA/College Annual Strategic Conversation Feedback | The Clerk would contact Members to implement the process to appoint a new Chair of the Corporation. | Clerk | Corporation 4 th July 2023 |
| 22/23.80 Property Strategy Update | Subject to Contract, John Turner Construction Group Limited is appointed to deliver the Transformation Fund Beacon Centre Project, in accordance with the Tender Report dated 20th April 2023; and | Principal/Vice Principal | TBC |

Summary of Actions – Corporation Meeting on 25th April 2023

| Item | Action | Person Responsible | Timescale |
|--|--|---------------------------|------------------|
| | The Principal is authorised to sign the Letter of Intent as detailed within the Tender Report dated 20th April 2023. | | |
| 22/23.83 External Review of Governance | The Chair and Vice Chair are authorised to appoint an organisation to undertake the External Review of Governance. | Clerk | TBC |