

LEEDS COLLEGE OF BUILDING

CORPORATION MEETING

Minutes of the meeting held on Tuesday 22 March 2022 at 3.45 pm, Meeting Room 1, North Street / Microsoft Teams.

PRESENT:

Peter Norris (PN) Chair
Mark Roper (MR) Vice Chair
Elaine Armitage (EA)
Simon Bray (SB) (*attended via Microsoft Teams*)
Claire Curtis (CC)
Wasim Feroze (WF) (joined at item 1.2)
Rachel Lindley (RL) (*attended via Microsoft Teams*) (joined at Item 1.6)
Caroline Meehan (CM) (*attended via Microsoft Teams*)
Katherine Naisbitt (KN)
Dave Russell (DR) (*attended via Microsoft Teams*)
Matthew Shields (MSh)
Derek Whitehead (DW)
Sarah Wilson (SW) (*attended via Microsoft Teams*)

IN ATTENDANCE:

David Pullein (DP) (Vice Principal – Finance & Resources)
Nikki Davis (ND) (Vice Principal – Teaching, Learning & Quality)
Karen Rolinson (KR) (Governance Adviser & Clerk to the Corporation)
Jackie Wignall (JW) (Head of HR) – Items 8a & 8b

**ACTION
BY AND
TARGET DATE**

1. TERMS OF OFFICE

1.1 Appointment of new Governor

KR reported that Search & Governance Committee was recommending to the Board the approval of Wasim Feroze as an Independent Governor. She confirmed that Wasim had been interviewed by PN, DW & KR and gave a brief background in relation to him.

The Board approved Wasim Feroze (WF) as an Independent Governor from 22 March 2022 to 21 March 2026 and Wasim joined the meeting.

1.2 Terms of Office – Chair & Vice Chair

KR explained to Board members that the Instruments & Articles allow the Corporation to decide the length of term of office for the Chair & Vice Chair, but unfortunately when PN & MR were approved last year the duration of their term was not minuted. KR informed Board members that it was being recommended the period of office as Chair & Vice Chair respectively would be 4 years dating back to 1st August 2021 when they commenced their roles. This would mean that their term of office would cease on 31st July 2025. DP noted that as both PN and MR would be finishing their roles as Chair and Vice Chair at the same time this potentially caused a risk. PN noted the risk and concluded this would be factored into succession planning.

The Board approved the Chair & Vice Chair's appointment for a four-year period dating from 1st August 2021.

2. CHAIR'S AND GOVERNORS' COMMUNICATIONS

2.1 Safeguarding update

CM informed Governors that she had met with DW, ND & KR to discuss the structure of reporting and what needs reporting in relation to safeguarding. She confirmed that she will be coming into College, meeting with the safeguarding staff and continuing to provide comprehensive verbal reports to Governors. ND said that a schedule would be pulled together covering the different aspects of safeguarding and this would be provided to Board via CM. At MR's request ND provided Governors with an update on a safeguarding issue that had been raised as a whistleblowing incident and noted by the Audit Committee. ND confirmed that following an investigation three members of staff had left the College and the incident had been reported to the appropriate authorities.

**ND / CM
May 2022**

2.2 S&G Committee update

PN gave a brief update on the items considered at the latest Search & Governance Committee meeting which included: the Code of Good Governance, which results in KR carrying out a mapping exercise to identify gaps; members recruitment which resulted in WF being appointed; there is still a Board vacancy and a search for a Governor with a school background following discussions at the Development Day would take place. DW confirmed that ND and himself were currently addressing this recruitment requirement. PN also confirmed that the Committee reviewed the Governance Action Plan and that no issues were raised.

2.3 Audit Committee update

MR informed Governors that three main items were discussed at the Audit Committee: Cyber security, where the Committee felt the measures in place were very strong; the Risk Register where risks would be combined by the end of the academic year where appropriate to reduce the number of risks; the whistleblowing issue relating to safeguarding which was noted above in Item 2.1. MR also reported that he had chaired a degree apprenticeships employer meeting recently in College.

2.4 Horizon Scanning

PN stated that the background to this item came from a one to one that he had held with MSh, who as a non-educationalist had requested an update on educational issues.

DW provided an update which covered: the Skills & Post 16 Education Bill; the Spring Budget; Levelling Up – White Paper; Level 2's and below under review; Government marketing campaign – recruitment & retention of staff; DfE review of ESFA; Higher collaboration between colleges & universities; Funding; Office for Students; Strategic Development Fund. *(DW's paper attached to the minutes & located with the minutes on the Board Portal).*

PN stated that DW's update shows that there are lots of things going on behind the scenes and he asked all Governors to read DW's detailed document, which provided more information.

2. CHAIR'S AND GOVERNORS' COMMUNICATIONS (continued)

- 2.5** PN informed Governors that DW, ND & PN met with Andrew Stephenson, MP, Minister of State for Transport on 21st February 2022. PN confirmed that they had raised points with the Minister relating to apprenticeships, end point assessments and staff recruitment and that he was quite receptive. PN informed Governors that he had gone on a governor link meeting, sharing best practice. Through his link visit with the College Apprenticeship Unit he had visited an employer and Apprentice with the Advisor, which was a good opportunity. Comments from both the employer and Apprentice were very positive and complimentary about the high quality service the College is providing. He also informed Governors that the Board meetings schedule for next year was being considered by MR, ND, KR & PN including the timings of meetings and that KR would be sending out a short survey regarding this. He confirmed that feedback and the schedule would be presented at the May Board meeting.

KR
May 2022

3. APOLOGIES FOR ABSENCE

Apologies for absence were received from Derek Packer, Debbie Forsythe Conroy and Oliver Harding-Jeans.

4. DETERMINATION OF ATTENDEES / OBSERVERS

The Corporation agreed attendees / observers at the meeting as per the attendance list.

5. DECLARATIONS OF INTEREST

DW declared an interest in Item 10.

6. MINUTES OF THE PREVIOUS MEETINGS

The minutes of the meeting held on 14 December 2021 and confidential minutes of the meeting held on 18 February 2022 were approved as a true and accurate record.

7. MATTERS ARISING

7.1 Ref Min 1.5 (5 October 2021)

Ongoing – PN reiterated the objectives at the Development Day.

7.2 Ref Min 13 (5 October 2021)

Actioned – Agenda Item 10.

7.3 Ref Min 1.4 (16 November 2021)

Actioned – discussed at Development Day and CM to liaise with Safeguarding Team to produce termly report.

7.4 Ref Min 8a) (16 November 2021)

Actioned – presented at the Development Day – full report has been added to the Portal.

7.5 Ref Min 15 (16 November 2021)

Both points actioned – covered at the Development Day.

7. MATTERS ARISING (continued)

7.6 Ref Min 18 (16 November 2021)

Actioned – Code of Conduct covered by KR at the Development Day and Governors subsequently asked to sign the Code.

7.7 Ref Min 19 (16 November 2021)

A Sustainability Plan, using the Condition Survey, has been commissioned.

7.8 Ref 21 (16 November 2021)

Carried forward.

7.9 Ref Min 1.5

Actioned - presented and discussed at the Development Day. Governors agreed that an External Board Review should be carried out towards the end of 2022/23 year.

7.10 Ref Min 1.7

Actioned – the Corporation met on 18 February 2022 to approve the appointment of the new Principal & CEO.

7.11 Ref Min 1.8

Actioned.

7.12 Ref Min 1.8

Actioned – Governor profiles being produced and to be made available on the College website.

7.13 Ref Min 1.8

Actioned – DW provided an update under Agenda Item 2.

7.14 Ref Min 14

Actioned – included in the Performance Management Report.

7.15 Ref Min 14

Completed.

7.16 Ref Min 16

The KPI review date is April 2022.

8a) HUMAN RESOURCES (SUPPORT)

JW joined the meeting for this item and gave a presentation on ‘Human Resources – Beyond the Pandemic’. JW provided an overview of HR Team members; details of the skills shortages within FE and the impact on LCB; an overview of reward & retention, health & wellbeing; quality, diversity & inclusion, and development. (*JW’s presentation is located with the minutes on the Board Portal*).

KN clarified the wellbeing provision which she felt was more orientated to females and asked what was being done for males. JW confirmed that males were participating and she recognised generally men are reluctant to talk. CC confirmed that she ran the sessions and more men than women participated.

8a) **HUMAN RESOURCES (SUPPORT)** (continued)

EA noted that the College held an Andy's Man Club at North Street. JW informed Governors that Progress & Welfare meetings between staff and managers had also been initiated which replaced appraisals.

WF thanked JW for her presentation and said that it had been really useful. He felt that it was really positive to see all the things that were being done related to inclusion. He commented that in relation to the ethnicity gap (where JW had identified difficulties in obtaining quantitative data) there were other ways to find out lived experiences and whether the right questions were being asked. He felt that qualitative data was also important to understand experiences. WF said that the government had identified that language around inclusion was changing and are we challenging ourselves enough in relation to this. He noted that the 2021 census data would be available shortly and this would likely show significant gaps. ND responded that the Equality, Diversity & Inclusion (EDI) Committee had restarted, research had been undertaken and that the focus was on: school liaison work; employers & barriers; culture & belonging and that this area was being reviewed at the next EDI meeting. She said that Governors would receive future updates on this work.

ND
July 2022

EA asked JW whether the College 'grows' its own staff through the apprenticeship route. JW replied that this happened in some areas but in others for example electrical, the College can't give the necessary experience. She said that the College can 'grow' its own teachers but not the necessary trade experience behind them. DW noted that some Workshop Facilitators had previously been students and some Workshop Facilitators have progressed to being lecturers.

PN concluded that the presentation reflected the issues and the Board needed to keep an eye on these matters. He asked that the Board have a further update before the end of the academic year. DW reported that the Strategy is being discussed at the SMT Planning Day and would be brought to the Board. JW confirmed that the HR Strategy would need approval and this would be presented at the July Board. PN thanked JW for her presentation.

JW
July 2022

The Board noted the presentation on Human Resources – Beyond the Pandemic.

8b) **STAFF DEVELOPMENT POLICY**

DW introduced the item by stating that a review of the Staff Development Policy annually was a requirement of the Register of Apprenticeship Training Providers (RoAPT); previously it was reviewed every three years. JW presented the revised Staff Development Policy which was recommended for approval. SW noted that with her legal knowledge she felt that the terms for repayment of the training loan were not clear. JW confirmed that a loan agreement was signed prior to the individual starting the course. SW felt that the agreement wouldn't cover a situation sufficiently where a person sits an exam but fails. DW said that JW and he would look at the Policy to ensure it was clear. JW left the meeting at this point.

DW/JW
April 2022

The Board approved the revised Staff Development Policy subject to adding clarity in relation to repayment of fees where a staff member sits but fails an exam.

9. SUMMARY PROGRESS AGAINST STRATEGIC PLAN AND ANNUAL KPI'S

DW presented the progress against the strategic plan and annual KPIs and noted the concerns i.e.: 16-18 recruitment not as expected; end point assessments bridging two financial years; work placements of students being behind target; staff recruitment remaining difficult.

KN stated that she had heard rumours of a recession and employers may start to go under and wondered about the impact of this on the College. DW said that he had not heard this but this sometimes helps the College in its ability to recruit staff. KN responded from a SME view point she felt with price hikes and bank rates going up change would be seen over the next 12/18 months. DW said that he would take her comments on board. MR said from his point of view the market was over heating and not having the skills out there to respond to this situation was an issue. He said that he was aware of huge work banks going forward but had not heard anything himself about a potential recession.

WF asked whether the risk of estates running costs increasing had been factored in. DP said that he was just addressing this as the College had signed a fixed deal on energy three years ago and a new deal is needed this year.

10. WEST YORKSHIRE CONSORTIUM OF COLLEGES (WYCC)

DW informed Governors that this item follows a paper previously presented to the Board in the Autumn term regarding the concerns relating to the Joint Venture Company (JVC) established through the West Yorkshire Consortium of Colleges. DW updated the Board and made four recommendations which the Executive Team felt would protect the reputation and financial well being of Leeds College of Building. DW felt that there was a natural break in withdrawing from the JVC with his retirement in the Summer. He confirmed that at a recent meeting attended by ND it was mentioned that the current joint venture company business model will be phased out in favour of a single purpose vehicle but he requested at the present time that Governors support the Executive Team's recommendations as identified in the paper.

A discussion followed regarding the recommendations. MR queried any potential redundancy costs for the staff involved with the JVC. DP confirmed that costs for the JVC staff would fall on the Luminate Group and these would be passed onto the JVC. MR felt the current model was not fit for purpose and questioned the merits of withdrawing from the JVC now. DW said that he felt the College still had some moral responsibility and if he resigned as a Director of the JVC (in line with his retirement), this offered a natural break. SW queried the imperative to do it sooner, the reaction when two other Colleges withdrew from the JVC and was there a scenario where Leeds College of Building could be the only one left in the JVC. DW said that the reaction regarding the other two Colleges was limited and that the College's liability is £1. DW noted that one of the two colleges was considering rejoining the JVC. DW confirmed to SW that informal legal advice had been taken. MSh asked whether Luminate & Calderdale College have said whether they would be asking for more cash from the other remaining JVC members. DP confirmed that they have given assurances verbally that they wouldn't and that reputation was the key issue.

10. WEST YORKSHIRE CONSORTIUM OF COLLEGES (WYCC) (continued)

The Board approved the following:

1. To remain a member of the West Yorkshire Consortium of Colleges (with the other six members).
2. To withdraw from the Joint Venture at a natural break point when Derek Whitehead leaves the College in July 2022 (and making it explicit that LCB will only be liable for members' liability not exceeding £1).
3. Derek Whitehead (Principal & CEO) to resign as Director of the Joint Venture company.
4. To still engage in any mutually beneficial projects in the Joint Venture should the JV still wish us to be involved.
5. For the Executive Team to make the decision to withdraw earlier than July 2022 if they feel that the situation regarding the JVC has worsened.

DW
July 2022

11. CONFIDENTIAL ITEM

See attached notes.

12. MANAGEMENT ACCOUNTS FOR FEBRUARY 2022

DP presented the Management Accounts for February 2022. He highlighted the End Point Assessments as being the biggest issue as most of these will fall into next year and involves £900k of income being lost this year. He confirmed that this would only happen once due to the switch from Frameworks to Standards. He felt if we achieve everything else then we should be okay financially but if not, the bank covenants could be breached. MR queried the debtors and £111k owed by WYCC. DP responded that this had been over £220k with over half now being paid and he expected the rest to come in smaller amounts.

The Board noted the Management Accounts for February 2022.

13. LCB LOAN FACILITY

DP outlined the options available to Governors regarding the current bank loan. He confirmed that in the current climate nobody wants to lend to the Further Education Sector and he strongly recommended Option 3 which involved re-negotiating the loan now. PN asked whether consideration had been given to negotiating over a shorter term. DP replied that this had been considered, however, he felt until the accommodation strategy was finalised, he believed it prudent for the College to hold onto the cash that it had. PN asked whether the College would be criticised for holding onto cash. DP said that this would have been the case previously, but now having cash is popular with the Funding Agency.

The Board approved Option 3 – re-negotiate the loan now.

DP
July 2022

14. SUB-CONTRACTOR MID-YEAR PERFORMANCE REVIEW AND EXTERNAL BIDS

ND provided Governors with an overview of the sub-contractors' mid-year review. She said that the new Manager for the NG Bailey contract is making good progress and that the contract is going well. EAS Mechanical apprentices will roll through to 2024 at which point the contract will finish.

ND provided an update regarding external bids and confirmed the following: the OfS capital funding is out for tender with a deadline date of 29/03/22 which will see work being undertaken at the North Street Campus; Higher Technical Qualifications Development Fund is on track to be spent by March 2022; the Mayor's Safer Communities Fund which will help with education in relation to sexual harassment & sexual violence; FE professional development grant where training will be rolled out to staff. ND confirmed that there are still more opportunities to bid for more funding which she is looking in to.

The Board noted the report on Sub-contractor Mid-year Performance Review and External Bids.

15. PERFORMANCE MANAGEMENT REPORTS

ND presented the Performance Management Reports and informed Governors that there is lots of detail on the Portal. She confirmed that Curriculum Area Reviews (CARs) had taken place in six areas, good practice was seen in most areas and the focus was on the Maths areas where there is further development work to do. She noted that attendance is below where we would want it to be and work placements are slow to recover but employer engagement has increased. She confirmed that the SPOC survey showed very high satisfaction rates. She stated that there is still a piece of work to do to triangulate the information from the SPOCs and CARs.

ND
July 2022

PN asked whether online learning was still taking place. ND responded that for some it was the employer's choice, for example NG Bailey is 50 /50 in terms of online and in College. PN asked if classes had been cancelled due to sickness. ND replied that whilst they tried not to, in some cases it was necessary to cancel, however, the students will get the time back later in the year. ND confirmed that this wasn't having an effect on achievements so far. WF noted that free testing would finish at the end of March and as a result some people wouldn't be testing. ND confirmed that at every point the College had been following government guidelines and that we still had a supply of tests. She confirmed to WF that the College Risk Assessment identified the high risk to people.

RL asked if other colleges asked similar SPOC questions and whether any benchmarking was undertaken. ND confirmed that no national benchmarking was undertaken and it relies on the College asking other colleges. She said that questions had been changed over time but the results still remained very high. DW confirmed that FE Choices do survey our students and it's the same satisfaction level and the employer level is equally as good.

The Board noted the Performance Management Reports.

16. RISK MANAGEMENT (BUSINESS CONTINUITY) MID-YEAR REPORT

DP confirmed that the report had been to the Audit Committee prior to the Board meeting. He said that lots of risks had changed, mostly upwards and work was being undertaken to combine risks and reduce the number down. He said that this had been discussed with the internal auditors who were supportive.

The Board noted the Risk Management (Business Continuity) Mid-Year Report.

17. MID-YEAR REVIEW OF GOVERNANCE ACTION PLAN

KR informed Governors that the action plan had been to the recent Search & Governance Committee who had reviewed it. She confirmed that actions were progressing well.

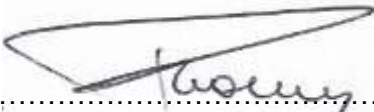
The Board noted the Mid-Year Review of Governance Action Plan.

18. IMPACT OF DECISIONS MADE ON STUDENTS, STAFF & STAKEHOLDERS

PN stated that he felt the Board had considered reports and made decisions which would impact on staff (items 8,10,11,15 & 17 above); students (items 10,11,15 & 17 above); stakeholders (items 14 & 17 above).

DATE OF NEXT MEETING

The next meeting is scheduled for Tuesday 17 May 2022 at 3.45pm at South Bank 1.

Signed for Distribution: 
(Chair)

Date: 29-3-22

Approved:
(Chair)

Date: