



TyneCoastCollege

Meeting of the Board

Venue: South Tyneside College/Teams

Date: Wednesday 21 December 2022

Time: 3.00pm – 5.20pm

Present: George Clark (in the Chair)
Sheila Alexander (Teams)
Malcolm Grady
Clive Johnson
Hazel Johnson
Alain Reynier
Colin Seccombe
Wendy Starks
Donya Urwin
Jacqueline Watson
Neil Henry
Gary Hindmarch
Mark Overton
Lindsey Whiterod (LWh)

Apologies: David W Bavaird
Surajah Hunter

In Attendance: Neil Longstaff (Director of Governance)
Jane Cuthbertson (Chief Operating Officer)
Simon Ashton (Principal SSMS)
Chris Barstow (Mazars)(TEAMS) Item 09 only

Action Tracker

Item	Summary of Action Required	By whom	Status	Comment/Update
Meeting of the 6 April 2022				
16.	<u>Governance Update:</u> Governors are to complete any outstanding training asap <u>As at Meeting of the 20 July 2022</u> LL sent emails to those governors that had outstanding training with a deadline for 22nd May as requested by HR. <u>As at Meeting of the 12 October 2022</u> Emails had been sent to those governors that still had outstanding training.	ALL	Open	Still some courses outstanding
Meeting of the 12 October 2022				
10.	<u>Safeguarding Policy</u>	All Govs	Completed	As at 21 December 2022 all governors confirmed as completed

	Governors were also requested to complete CPD safeguarding awareness training by the 14 October 2022			
21 December 2022				
4.2	<u>Staff Governor Election</u> That Mr Alain Reynier is endorsed as the Staff Governor.		Completed	Letter sent
5.	<u>Governance and Search Committee</u> Doug Cole and Mark Turnbull are appointed as College Governors with effect from 9 January 2023 for an initial period of one year to 8 January 2024.		Completed	Letters sent
9.	<u>Annual Reports and Financial Statements</u> i. Annual report and accounts for Tyne Coast College for the Year Ended 31 July 2022 - appropriate persons, as identified in the papers, are authorised to sign the relevant sections of the documents on behalf of the Board.		Completed	Signed
	ii. The Chair / Chief Executive is authorised to sign the Letters of representation from auditors.		Completed	Signed
15.	<u>Governance Update</u> ii. That Mr Clive Johnson and Mr David W Bavaird be re-appointed for a three-year term of office.		Completed	Letters sent
27.	<u>Reappointment of Internal and External Auditors</u> the Board agrees a one-year extension to both the internal and external auditors contracts.		Completed	Notified

Minutes

ITEM NO.	ISSUES	ACTION
1.	<p>Apologies for absence</p> <p>The Board received and approved apologies for absence from those identified above after having first considered the reasons for their absence.</p> <p>The Chair welcomed the new Student Governor to her first meeting.</p>	
2.	<p>Declarations of interests</p> <p>The Chair reminded members to declare any conflicts of interest as they arose on the agenda.</p> <p>There were standing declarations for links to Tyne Coast Academy Trust for the following: GC, MG, CS, CJ, MO, JC and LWh.</p> <p>Business to be raised under Item 29</p> <p>The Chair informed the Board that he had a confidential matter to raise under Item 29.</p>	

3.	<p>Performance and Salary Review feedback of Senior Post Holders</p> <p>Confidential item (restricted)</p>	
4.	<p>Confirmation of the minutes.</p> <p>The minutes of the meetings of the Board held on 12 October and 21 November 2022 were approved and to be signed by the Chair.</p> <p>Matters arising not covered elsewhere on the agenda</p> <p>As shown on the Action Tracker in minutes dated 12 October 2022 and as follows:</p> <p><u>4.1 Governor Training</u> Responding to a question from the Chair, NL confirmed that some governors were yet to complete all mandatory training. Some concern was expressed over the Health and Safety module as they felt it was not fit for purpose. NL confirmed that this had been raised and discussed at the G&S Committee and it was something that was being looked into. Governors were asked to complete their training on current modules. It was suggested that a comprehensive review of mandatory training be undertaken to determine relevant strategic training. NL reported that this should be incorporated into the outcomes of 1-2-1 reviews, which might highlight gaps in training for governors. With regard to the safeguarding awareness training, NL was awaiting one response.</p> <p><u>4.2 Staff Governor Election</u> The Board was informed that an election had been held for the position of Staff Governor and the result of the ballot was reported for information. Governors were asked to endorse this appointment.</p> <p>Resolved: That Mr Alain Reynier is endorsed as the Staff Governor.</p>	NL
5.	<p><i>The Chair, with the agreement of the Board, changed the order of business as follows, owing to the CEO being unavailable for the early part of the meeting:</i></p> <p>Minutes of Committees/Task Groups of the Board</p> <p>The following minutes were received:</p> <ul style="list-style-type: none"> • Governance and Search Committee – 16 November 2022 • Audit Committee – 6 December 2022 • Quality, Curriculum and Standards Committee – 7 December 2022* • Finance and Resources Committee – 8 December 2022* • New Build Task Group – 15 November 2022 <p><i>*to be posted to BoardEffect when available</i></p> <p>Matters arising</p> <p><u>Governance and Search Committee</u> The Chair of the Committee reported that governors had met with Doug Cole and Mark Turnbull as part of the appointment process and it was being recommended that they both be appointed as governors initially for one year. MO gave a brief overview of the skills and knowledge they would bring to the Board.</p> <p>Resolved: That Doug Cole and Mark Turnbull are appointed as College Governors with effect from 9 January 2023 for an initial period of one year to 8 January 2024.</p>	NL

6.	<p>Chair's Update</p> <p>Nothing to report under this item.</p>	
7.	<p>Internal Audit Annual Report (Internal audit annual opinion)</p> <p>The internal audit annual report had been presented to and discussed with the Audit Committee where RSM, the College's internal auditors were in attendance and confirmed that overall, they were pleased that the college had an adequate and effective framework for risk management, governance and internal control.</p> <p>Some recommendations had been made to further enhance frameworks where applicable, which the college had agreed to implement. One audit (Mental Health and Wellbeing) had received a partial assurance and auditors had asked governors to comment on this in the statement of governance. All other audits received were either reasonable or substantial assurance with substantial assurance being the highest assurance that could be given.</p> <p>The Chair of Audit stated that, overall, this had been a positive report.</p> <p>Resolved: That the report is received and approved.</p>	
8.	<p>Annual Report to Board from Audit Committee</p> <p>The Chair of Audit Committee introduced the Annual Report for the College highlighting key areas for governors' consideration.</p> <p>It was explained that the Board was required to receive a report on the work of the Audit Committee (audit functions) on an annual basis before the signing of the statutory accounts.</p> <p>The Audit Committee had received the report and concluded that the information provided allowed them to recommend the signing of the statements of governance and internal control by the Chief Executive and Chair as part of the College's annual reports.</p> <p>In light of the reports received a governor asked if the College was in a good position from an audit perspective. The Chair of Audit confirmed that this was the case and outlined the work undertaken and assurances given by auditors, which was that the College had a strong system of governance and control.</p> <p>The Chair of Finance and Resources Committee provided some additional comfort to the Board to state that the only adjustments that had to be made to the accounts were a few very small items, which related to the timeframe in which the management accounts were cut off for competition, whereas for the statutory audit, the auditors had let it roll on a little longer.</p> <p>Resolved: That the Board agree to receive the report and acknowledge the information provided.</p>	
9.	<p>Annual Reports and Financial Statements for the Year Ended 31 July 2022 including Regularity Audit opinion and representation letter</p> <p>The Board received the accounts for Tyne Coast College, which had been circulated in advance of the meeting. It was reported that the accounts had been considered in detail by the Audit Committee, recommending their approval by the Board.</p>	

	<p>The specific areas where appropriate signatures were required were highlighted and questions were invited. Areas requiring formal approval were:</p> <ol style="list-style-type: none"> i. Strategic Report (by Chair of Board) ii. Statement of Corporate Governance and Internal Control (by Chair of Board and Chief Executive) iii. Statement on the College's Regularity, Propriety and Compliance (by Chair of Board and Chief Executive) iv. Statement of responsibilities of the Members of the Board (by Chair of Board) v. Financial Statements (by Chair of Board and Accounting Officer) <p>Reference was also made to the Regularity Audit Opinion and Management Letters. Members recommended that the Letters of Representation from auditors (Management Letters) be signed on behalf of the Board.</p> <p>JC confirmed that auditors had issued an unqualified audit opinion. It was noted that the Finance and Resources Committee had also reviewed the accounts element and recommended them to the Board for approval.</p> <p>CB reported that this was another very clean external audit process and therefore, the auditors were in a position to sign off the accounts.</p> <p>The auditors expressed thanks to JC and her team for an exceptional Audit Completion Report.</p> <p>The Chair of the Audit Committee thanked JC and the Auditors for the quality of the report.</p> <p>Resolved:</p> <ol style="list-style-type: none"> i. That the annual report and accounts for Tyne Coast College for the Year Ended 31 July 2022 are approved and that the appropriate persons, as identified in the papers, are authorised to sign the relevant sections of the documents (as detailed above) on behalf of the Board. ii. That the Chair / Chief Executive is authorised to sign the Letters of representation from auditors. 	<p>GC/ LWh</p> <p>GC/ LWh</p>
<p>10.</p>	<p>Student Union Accounts 2021-22</p> <p>This report was to provide governors with details of the Student Union accounts results for 2021/22 and an overview of activity in the year.</p> <p>The purpose of the Students' Union was to provide extracurricular enrichment activities for all college students. In 2021/22 a budget of £15,000 was provided by the College to support these activities.</p> <p>The Student Union had donated £9,070 of its annual budget into the Dr Winterbottom Charitable Fund (DWCF) in order to fully utilise its annual budget in accordance with the July 2019 College Board resolution.</p> <p>Governors stated that the contribution from the Dr Winterbottom Trust Fund was extremely important as even a small amount given to a student could be significant.</p> <p>Resolved: That the information is received and acknowledged.</p>	
<p>11.</p>	<p>Tyne Coast College Financial Plan from ESFA</p> <p>The purpose of this report was to confirm the College Financial Forecasting Return (CFFR) had been provided to the ESFA.</p>	

	<p>The ESFA had returned a 'Good' score for both the latest outturn forecast year (21/22) and current budget year (22/23).</p> <p>The ESFA provided a financial dashboard for the governors to review, which included key performance indicators and measured those against both target benchmarks and benchmarks achieved in the education sector.</p> <p>It was noted that the College must submit their 21/22 financial statements and supporting documentation to the ESFA by the 31 December 2022.</p> <p>JC stated that further discussion on this dashboard was to take place at the Development Event at the request of the F&R Committee.</p> <p>Resolved: That governors agree to receive the report and acknowledge the information provided.</p>	
<p>12. Management Accounts and Commentary</p>	<p>Confidential item</p>	
<p>13. 2023/24 Budget Implications</p>	<p>Confidential item</p>	
<p>14. Annual Pay Award</p>	<p>Confidential item</p>	
<p>15. Governance Update</p>	<p>The purpose of the report was to provide the Board with an update on the College governance arrangements.</p> <p>The following was discussed:</p> <ul style="list-style-type: none"> • The current composition and membership of the College Board. • Nominations received to date for the filling of vacancies, the re-appointment of two current governors for a further term of office and the extension of office of one governor. • Responses to the Board performance survey • The review of the membership of the Committees to ensure best use was made of the skills and knowledge of governors across the Board taking into account recommendations of the Governance and Search Committee • Whether any action was necessary with regard to any outstanding training. • Governor attendance 2021/22. • The governance position paper 2021/22 <p>It was also reported and noted that the FE workforce governor data collection 2021 to 2022 had been submitted.</p> <p>Governors were asked to be mindful of succession planning when making future appointments to avoid a large number of governors ending their term of office at the same time.</p> <p>An outcome from the Board Performance review was that the same two issues highlighted in previous surveys remained in the bottom two scores despite an increase in scoring</p>	

	<p>(Labour market needs of its local community and engaging/accountable to the key stakeholders). The G&S Committee felt that little progress was being made to progress these issues. Therefore, the two questions (Q18 & Q6) receiving the lowest scores were to be discussed at the next Governor Development Day to increase governors understanding of the situation.</p> <p>In addition to the above items being considered at the next development event the following had also been confirmed as items for discussion: i) Staffing, ii) Financial Overview, iii) Roles & responsibilities of governors on Prevent and iv) Ofsted update.</p> <p>Resolved:</p> <ol style="list-style-type: none"> i. That the Board agree to receive the report acknowledging the information as presented. ii. That Mr Clive Johnson and Mr David W Bavaird be re-appointed for a three-year term of office. iii. That the term of office of Mr Colin Seccombe be extended for one year thereby maximising the tenure available to him, in order to retain his experience. <ol style="list-style-type: none"> i. That the membership of the Committee membership, as presented, is accepted. ii. That Mr N Henry is appointed as Chair and Mrs D Urwin as Vice-Chair of the Business Development Committee and Mr D Bavaird a Vice-Chair required for Finance & Resources. iii. That the Link Governor report on Safeguarding is received and noted. <p><i>Individual governors withdrew from the meeting during discussion on their own position on the Board.</i></p> <p><i>LW joined the meeting during this item.</i></p>	NL
16.	<p>Report of the Chief Executive</p> <p>The purpose of the report was to provide the Board with key activities and issues from the Chief Executive Officer.</p> <p>The following were highlighted in the report:</p> <ul style="list-style-type: none"> • Campus Development Update • Marketing Activity Update (all brands) • South Shields School Update • South Shields Marine School Weekly Bulletin • Digital Update • LSIP Update • Reclassification of the FE Education Sector in England by the Office for National Statistics (Letter from Robert Halfon MP (DfE)) • AoC – ONS Reclassification Update (29-11-22) • FE Week – Colleges return to public sector, ONS announces (05-12-22) • FE Commissioner Regional Roadshow (04-11-22) • Message to the education and care sector from the Secretary of State for Education, Gillian Keegan • Trade Union and Labour Relations (Consolidation) Act 1992: Notice to Employer of an Official Industrial Action Ballot (NASUWT) <p><u>AoC – ONS Reclassification</u> LW highlighted to key areas that would be affected by this change i.e. finance and governance.</p>	

	<p>The College was now subject to the framework for financial management of public money and consent required from DfE for matters such as borrowing. It was reported that VAT status was not related to the ONS classification.</p> <p><u>New Build Task Group</u></p> <p>Confidential item</p> <p>Resolved: That the Board agree to receive the report acknowledging the information presented.</p>	
17.	<p>Academy Trust Update</p> <p>The purpose of the report was to provide the Board with an update on key developments within Tyne Coast Academy Trust.</p> <p>The following was highlighted for information:</p> <ul style="list-style-type: none"> • The Walker Riverside Academy inspection report was largely unchanged following the legal challenge and was published on October 5 as Requires Improvement. • The Trust had received all 5 Inspection Dashboard Summary Reports from the schools. They clearly showed the impact of the Pandemic on education outcomes but there was much to do in all the schools to ensure outcomes in 2023 were where they should be. • Finance had worked hard to re-base school budgets following a period of uncertainty due to the unfunded Teacher pay rise and the well contested support staff pay award. • The Trust had now exceeded 3,000 pupils largely due to the growth in numbers at UTC. This meant there was no longer the opportunity to bid for Condition Improvement Funding (CIF) but instead there was an annual allocation of circa £300K from the School Capital Allowance (SCA) • The Trust continued to look at expansion with a growth strategy being revised to present to the December Board meeting. • The Trust had a governance review by a National Leader of Governance (NLG) with a view to establish if the systems and processes in place were suitable to enable the Trust to grow. The outcome of this review had been extremely positive. A meeting with the Regional Director was planned for the new year. However, with strong governance TCAT was not one targeted for takeover. <p>Resolved: That the Board acknowledge the information, as presented.</p>	
18.	<p>College Self-Assessment Reports for 2021/22 academic year</p> <p>Confidential item</p>	
19.	<p>College Strategies for approval</p> <p>Confidential item</p>	
20.	<p>Quality Update</p> <p>Confidential item</p>	
21.	<p>Annual Safeguarding Report and Policy Update</p>	

	<p>The report was to provide an update to governors on the safeguarding statistics/trends and concerns but also to highlight challenges and successes in the safeguarding procedures, referrals and processes.</p> <p>The paper highlighted the developments of the safeguarding strategy to combat identified trends from 2021/2022 and take into consideration up and coming external factors that could influence the 2022/2023 academic year.</p> <p>With regard to the Safeguarding Policy, amendments had been made and detailed in the report.</p> <p>The Link Governor for safeguarding reported that he had attended meetings in the College around safeguarding and he felt that this area had been strengthened further which included a good working relationship with the DfE Prevent Coordinator. It was noted that there had been recognition that both college sites were extremely difficult to lock down as there were many access points but this would improve moving to new builds. A significant increase in reporting was also recognised owing to students being aware of the issues but also improved reporting systems/structures across the College.</p> <p>It was reported that at safeguarding committees it had been recognised that there had been a change in student behaviour. A general decline in discipline was noted leading to a casual approach to a range of matters to which the College was approaching this in the correct way.</p> <p>Resolved: That governors accept the report acknowledging the trends, statistics and level of concerns around safeguarding across all college campuses and agree the updated Safeguarding Policy.</p>	
22.	<p>EDI Update</p> <p>This report provided an overview of the work undertaken by Tyne Coast College, over the past year, to support its commitment to equality and to meet the requirements of the Equality Act 2010.</p> <p>The report covered:</p> <ul style="list-style-type: none"> • Workforce data • Student data • Learner Achievement Rates • EDI Annual Report <p>Resolved: That the report is approved.</p>	
23.	<p>Student Union Report</p> <p>The purpose of the report was to provide an update on current position and plans with regard to the Student Union.</p> <p>The report made reference to staffing issues, recent appointments to the Student Union, budget, activities undertaken and accommodation issues.</p> <p>The Student Governor stressed the need to have a Student Union President in place and hoped that the recent advert would prove successful.</p> <p>Resolved That the report is noted.</p>	
24.	<p>Risk Management Update</p>	

	<p>The purpose of this report was to provide the Committee with an update on Risk Management in order to assist in the review of the College framework of Governance and Internal control.</p> <p>The Chief Operating Officer informed the Committee that the following activity had taken place since the last annual update on risk management:</p> <ul style="list-style-type: none"> • The corporate risk register was reviewed regularly by the College Management Team (CMT) and was provided as part of this report. • Training for new risk managers. • Operational risk registers for all areas of Tyne Coast College were reviewed at performance review meetings. • The college risk appetite was shown with only 7.5% of residual risks being primary risks. <p>It was noted that this paper had been scrutinised by the Audit Committee.</p> <p>Resolved: That the Board agree the report and are satisfied that the College has appropriate procedures for the consideration of risk management in its activities.</p>	
<p>25. Modern Slavery and Human Trafficking Statement 2022/23</p>	<p>This report provided governors a view of the Modern Slavery and Human Trafficking Statement, which was being recommended by the F&R Committee.</p> <p>There was a requirement for certain commercial organisations to publish an annual statement setting out the steps they took to prevent modern slavery in their business and their supply chains. This was a requirement under section 54 (Transparency in Supply Chains) of the Modern Slavery Act 2015.</p> <p>To demonstrate that the College had met the minimum requirements, the statement must be:</p> <ul style="list-style-type: none"> • Updated annually • Published on the College website • Approved by members of the College Board • Signed off from a designated member of the Board <p>The draft statement presented was for 2021/2022 but looking towards 2022/2023 and had also been endorsed by College Management Team.</p> <p>Resolved: That the Board approve the statement, as presented.</p>	
<p>26. Annual Health and Safety Report 2021-22 incorporating policy update</p>	<p>The purpose of the paper was to update the Board on accident/incident data and significant Health and Safety developments during 2021/22 academic year at Tyne Coast College (TCC).</p> <p>It was noted that the current H&S Policy was issued January 2022 with a review date January 2025. However, required updates were presented for approval.</p> <p>Governors felt that this was a very thorough report and review of the policy.</p> <p>Resolved: That the Board approve the report and the updated Health and Safety Policy as presented and recommended by Committee.</p>	

27.	<p>Reappointment of Internal and External Auditors</p> <p>JC informed the Board that the College was approaching the end of its three-year contract with both internal and external auditors and it was the recommendation of JC that the Board takes up the option of extending the contract for a further year.</p> <p>The Audit Committee had recommended a further 1-year extension. Governors considered their options.</p> <p>Resolved: That the Board agrees a one-year extension to both the internal and external auditors contracts.</p>	JC
28.	<p>Annual Report on Data Protection and Policy</p> <p>The purpose of the report was to provide the Board with the annual report on the College's implementation of the General Data Protection Regulation and provide an update on progress.</p> <p>The report highlighted the following:</p> <ul style="list-style-type: none"> • Number of incidents had slightly declined in this reporting period • 6 data breaches, 5 minor, 1 major (reported to Information Commissioners Office (ICO)) • Phishing simulation training exercises now being run termly, compromise rates significantly below exercise benchmarks. • Technical & organisational measures enhanced with additional controls, included requirement for all students to use Multi-factor authentication (MFA) for remote access. • Staff Data Protection Committee established November 2022; membership includes staff from across the college. • Data Protection Policy had been updated to cover the change in the Data Protection Officer for the College. <p>Resolved:</p> <ol style="list-style-type: none"> i. That the report is received and information acknowledged. ii. That the updated Data Protection Policy is approved. 	
29.	<p>Date and Time of Next Meeting</p> <p>Resolved: That the next meeting will be held on Wednesday 29 March 2023 at 4.00pm.</p>	
30.	<p>Any other business</p> <p>30.1 SSMS Board It was reported that the first meeting of the SSMS Board had been held initially to sign off documents as advised by Muckles and appoint a Chair and new members.</p> <p>The advice was that the Marine Board was to operate similar to that of a Multi Academy Trust.</p> <p>30.2 Staffing Matter Restricted confidential item – all staff and students left the meeting taking no part in any discussion or voting.</p>	
31.	<p>Identification of confidential items</p>	

	<p>The Board agree that the following should remain confidential:</p> <ul style="list-style-type: none"> • Item 03 - Performance and Salary Review feedback of Senior Post Holders (Restricted) • Item 12 – Management Accounts • Item 13 - 2023/24 Budget Implications • Item 14 - Annual Pay Award • Item 16 - Report of the Chief Executive (New Build Task Group) • Item 18 - College Self-Assessment Reports for 2021/22 academic year • Item 19 - College Strategies for approval • Item 20 - Quality Update • Item 30.2 - Any Other Business – Staffing Matter (Restricted) 	
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Chair:

Date: