



**Minutes of the 144th meeting of the Board of the Corporation of Sunderland College
held on Tuesday 19th March 2019 at 6pm in the Conference Room City Campus**

PRESENT: Mr J Barnett
Mr G Blyth
Ms J Cramman
Mr T Crompton (Vice-Chair)
Councillor L Farthing
Mr R Lawson (Chair)
Ms C Magog
Mr S Marshall
Mr D Measor
Mr R Saelzer
Ms E Thinnesen (Principal & Chief Executive)

IN ATTENDANCE: Craig Millar, Director of Marketing
Maxine Bagshaw, Interim Head of Corporate Governance & Policy
Nigel Harrett, Deputy Principal/Deputy Chief Executive
David Howells, Vice Principal Finance & Resources
Mark Hughes, Head of Hartlepool Sixth Form College (HSFC)
Vikkie Morgan, Assistant Principal Student Customer Experience
Iain Nixon, Executive Director Commercial Activity
Judith Quinn, Vice-Principal (Curriculum & Achievement)
Naomi Robson, Director of People & Organisational Development

CLERK: Maxine Bagshaw

BD/19/56 APOLOGIES AND CONSENT FOR ABSENCE & DECLARATIONS OF INTEREST

Apologies for absence were received from Ms K Booth, Mr P McEldon, Mr S Patterson, Mr M Patton, Mr K Ramanathas and Mr J Phillips

Standing declarations of interest were noted.

BD/19/57 BRANDING PRESENTATION

(Redacted)

AGREED: to note the content of the update provided.

(Craig Millar left the meeting at 6.20pm)

BD/19/58 MINUTES OF THE PREVIOUS MEETING

The Chair asked members to note that minutes of the previous meeting were in the confidential section of the agenda, given the nature of discussions. He took the opportunity to extend a personal apology to June Cramman for the lack of clarity at the

last meeting, when she was asked to step out during discussions on Northumberland College senior post holders.

BD/19/59 GENDER PAY GAP REPORT

The Director of People & Organisational Development introduced her written report and the proposed publication for the website. In terms of a summary, key points noted were:

- This is not a report on equal pay issues.
- The College does have gender differences and the report identifies a number of actions that can be taken to address this. There are some sector stereotypes in terms of male/female roles and this does influence the data available.
- The makeup of staffing within the College has not changed significantly in the last year in terms of the male/female ratio. The College still employs a higher proportion of female than male staff, 62% to 38%.
- There is a small proportion of staff who receive bonuses and this can influence the gender pay gap.
- There are more females occupying senior roles within the organisation, this is reflected in the upper middle and upper quartiles.
- 38% of the entire workforce are part-time or term time only (excluding teaching staff). A portion of this will be decided by the College, but this is also influenced by requests made by individuals. Of this, 82% are female and 18% are male, demonstrating that the College has more part-time and term-time opportunities largely being filled by women. She explained that this was quite traditional for the FE sector.

In terms of the report to be published key matters noted were:

- This is a snapshot as at 31st March 2018
- A relevant employee is someone employed by the College as at 31st March 2018. This equates to a total of 733 employees, of which 277 are males (38%) and 456 are females (62%). The split of male to female staff is common in the FE sector. A full pay relevant employee is someone who is employed by the College and is receiving full pay during the specified pay period. If an employee is paid less than the usual rate of pay or zero i.e. due to sickness etc. then they are not classed as a full pay relevant employee. Within the College this equated to 661 employees in total, of which 252 were male 38%, and 409 were female 62%.
- Bonus payments – the data shows that 2.9% of males received a bonus and 5.5% female, compared to 1.3% and 0.5% respectively in the prior year.

In terms of an overview, she confirmed that the College is satisfied that the differences are not due to the underpayment of women in roles similar to male colleagues. The College will continue to monitor the position and will undertake a review including:

- Internal recruitment processes to ascertain how candidates progress through the stages.
- A workforce analysis to include all terms and conditions across the organisation.
- The exit rates by grades and gender of staff across the reporting year.
- Recruitment practices to see if more female staff can be encouraged to apply in to more male dominated subjects.
- Unconscious bias training for all staff who are involved in recruitment.

She was quick to assure the Board that there are no significant concerns and that the actions to be taken are just to better understand the trends seen. She confirmed that the report once approved by the Board, would be uploaded to the portal before 31st March 2019 and that this will then allow the College to compare its position across the sector locally and nationally.

One question from the Board was whether or not the College has a staff mentoring scheme in place. It was explained that there is a scheme for new staff however, there is no scheme in place yet specifically for women in leadership.

One member of the Board questioned whether the College has received any level of interest or enquiries regarding the report published last year. It was explained that other than a couple of E&D questions, there was no significant response to the data shared. She expressed the view that gender pay reporting does not have a significant impact in the FE sector.

One member of the Board questioned whether the College fully understands how the staff gender split influences student choice (in terms of the courses chosen). The Board were advised that this is not known specifically, but assurance was given that the College constantly looks at challenging stereotypes, for example, through women in to engineering initiatives. It was acknowledged that whilst the College has taken steps forward, there is still more to do. An observation from the Board was that gender stereotyping is still a major issue across the City and that this can be improved.

There were a number of areas of challenge from the Board, these included:

- Marketing the College's offer to much younger children (i.e. Primary school events)
- There needs to be a push to recruit and interest both boys and girls into Engineering
- Is the College confident that there is no male/female equal pay gap?

In relation to the latter, it was confirmed that the College does have a lot of males at the top of the pay scales, as they have not chosen to take a career gap however, the College is confident that the correct approach is taken and there is a structured process in place. There are very few staff engaged on 'spot' salaries and there are no practices which would cause a concern to HR.

AGREED:

- a) To note the content of the update provided
- b) Approve the publication of the gender pay gap report as presented

BD/19/60 FRAUD IRREGULARITY AND WHISTLEBLOWING

It was agreed that discussions on this item would be recorded on a confidential basis.

BD/19/61 EXECUTIVE REPORT

The Principal and Chief Executive introduced her detailed report and a number of matters were specifically considered.

- 1) Spring Statement – the Chancellor has pledged a full 3 year spending review (so long as a Brexit deal is agreed) before the summer recess. All of the sector is still very much aware of the risks posed in relation to this. In terms of apprenticeship funding, the NAO published a quite damning report on the apprenticeship programme this week. The Department for Education has not spent the full budget allocation for apprenticeships for 2 years. There are causes of the underspend (levy payers making less use of their accounts than expected, standards becoming available etc), but the underlying cause is a difficulty that the ESFA has in forecasting how funds will be used. The report does not explore this issue in detail, but one issue is the uncertainty about employer behaviour, given that there are now 16,000 levy paying employers.
- 2) 16-18 Funding Impact Survey – there were 271 responses from institutions that cover 26% of students. 51% of those surveyed reported dropping courses in Modern Foreign Languages in recent years. Over a third have dropped STEM courses. 81% have increased class sizes. 46% have cut 16-18 teaching hours. 69% of those offering A Levels, have moved to a 3 subject offer. All agreed that this was incredibly stark data.
- 3) Ofsted Watch on Governance – it was noted that Bishop Auckland College was recently inspected and moved from a Grade 2 to a Grade 3.
- 4) Regional Activity (Institute of Technology) – Iain Nixon is leading on this for the College. The North East bid was represented by New College Durham's Chief Executive, Vice Principal and Finance Director and a senior manager from Nissan Manufacturing UK. An outcome is expected by the end of March. All acknowledged that it was really pleasing to see that this initiative has got this far, although it will not mean any significant new resource in the area.
- 5) Employer partnerships – the Principal and Chief Executive confirmed that there were some really good initiatives taking place across many aspects of College provision.
- 6) Mental Health Pledge – the College officially signed the Time to Change Employer's Pledge, and as part of this commitment has commenced training for staff as mental health first aiders. The aim is to have 100 first aiders trained by 2020 which if achieved, will be 1 in 7 members of staff.
- 7) Supporting Leadership Development – the College's new Aspire Leadership Development programme has commenced and is the result of the College's new strategic plan, it being the case that the College recognises that investment is the key to success.
- 8) Student Engagement and Success – the Principal and Chief Executive was pleased to provide a number of case studies for Governors information.

- 9) College Events Calendar – the Principal drew Governors’ attention to the list of events currently planned from March to July. She invited Governors to inform her of any events that they would wish to attend so that arrangements can be made.

AGREED: to note the content of the update provided.

BD/19/62 REPORT FROM THE MERGER PROJECT COMMITTEE

The Deputy Principal & Deputy Chief Executive introduced his detailed report and key matters noted were:

- Both Sunderland College and Northumberland College colleagues are working together across all areas. Meetings have taken place on a fortnightly basis since September. Previous updates have been reported directly to the Transition Board.
- The report presented covers all actions identified. He provided assurance that all were on track and none were causing any undue concerns.
- The group have reviewed the risk register and have reduced some of the RAG ratings, given the work that has already taken place.

The Board in considering the update provided, all acknowledged the significant work undertaken and the true spirit of partnership embraced at both Sunderland College and Northumberland College. They asked that their thanks be passed on to all staff involved.

AGREED: to note the content of the update provided.

BD/19/63 EQUALITY & DIVERSITY REPORT FOR 2017/18

The Assistant Principal Student and Customer Experience introduced her detailed report and confirmed:

- It provides a summary of the headlines and activities undertaken
- It aligns with the Colleges duties
- There are 4 main sections:
 - Section 1 sets out a summary of the College’s activities and outcomes relating to eliminating unlawful discrimination
 - Section 2 sets out a summary of the College’s activities and outcomes relating to advancing the quality of opportunity between people who share a protective characteristic and those who do not.
 - Section 3 sets out a summary of the College’s activities and outcomes relating to fostering good relations between people who share a protective characteristic and those who do not.
 - Section 4 identifies 5 areas of priority in 18/19 and beyond
- Included within the report are 2 poems created by students on the theme of beauty
- The report outlines the College’s approach and then the impact
- Section 1 will now include the gender pay gap report as discussed earlier in the meeting
- Section 4 clearly sets out the 18/19 priorities

A question and challenge from the Board was whether or not it is possible to try and quantify participation rates. It was confirmed that this can be done, and that staff will now try to consider how to capture this information for future use.

AGREED: to note the contents of the Equality and Diversity Annual Report for 2017/18

BD/19/64 PERFORMANCE MONITORING HEADLINES

The Vice Principal Curriculum & Achievement presented a detailed statistical report and key matters noted were:

- Retention remains high for 16-18 and adults, both higher than the same point last year, with the potential for a positive impact on achievement rates. Retention remains higher than national averages.
- When broken down by each faculty, all have strong 16-18 year old in year retention as shown in Appendix 3. Appendix 4 provides a breakdown by faculty for adult in year retention. 2 faculties have in year retention for adult provision which is slightly below the national average. The Director of Sixth Form will be reviewing the enrolment and induction to ensure the right student right course approaches for next year.
- In terms of achievement, it is too early in the year for achievement data however, GCSE November 2018 resits showed improvements at high grades achieved to 37.5% (181 resitting), in comparison to the previous year.

In conclusion, overall retention remains strong and the trends are going in the right direction. SLT will continue to receive updates to data key performance indicators in relation to end of year previous retention and monthly comparisons.

A question from the Board was whether or not the position is still in line with financial expectations? They challenged whether, if the College is now behind on student numbers is there time now available to make up the difference. It was acknowledged that as a College, there are still significant concerns regarding the adult provision as there is a very competitive market. Assurance was given that there is continual monitoring by SLT and there are additional ideas being considered to make up the gaps.

In terms of HE, it was explained that there was very little that could be done at this point in the year to make up the gap. In terms of apprenticeships, the College will continue to recruit however, as the year progresses the financial value per student diminishes.

Governors questioned who the Colleges main competitors are. An explanation was provided.

In terms of the AEB budget, the College has the ability to switch delivery on and off through the use of subcontractors. A challenge from the Board was that the College needs to remain innovative and create demand, and that this is on the basis of the brilliant facilities available. All felt that the College's facilities do and should continue to make a difference.

In relation to the AEB provision, it was explained that the Senior team had a recent risk planning session as this always seems to be a challenge. The Deputy Principal confirmed that the College is reviewing its strategy, particularly as the merged entity moves in to a situation of devolution. He indicated that delivery at Northumberland College and Sunderland College is very different, and that there is a need to closely look at both structures.

A challenge from the Board was that research in the City shows that employers are training current staff at mid and higher levels, rather than the younger recruits and this will have to be factored in to strategies. It was acknowledged that this appears to be a national picture.

The Board were given an update in relation to enrolment against target and key matters noted were:

16-18 – over the last year there have been a number of papers indicating to Governors the likelihood of further reductions to 16-18 student numbers. There are a range of factors that have again factored in to the appointment of 16-18 year olds learners, all of which will continue to have a negative effect. Overall enrolments are above internal targets reflecting the reality of the demographics

- There are some areas which have recruited really well, with others being a concern.
- Adult provision remains a volatile market which has substantially changed over the last 3 years. It was confirmed that faculty meetings are planned over the next few weeks to look at options in more detail.

Apprenticeship performance – it was agreed that discussions on this item would be recorded separately.

AGREED to note the content of the update provided.

BD/19/65 SUBCONTRACTING UPDATE

The Board agreed that discussions on this would be recorded on a confidential basis.

BD/19/66 BUDGETARY CONTROL STATEMENTS – 2018/19 YEAR TO DATE

The detailed report was considered and key matters noted were:

- The actual operating deficit for the period to December 2018.
- Actual Education Funding Agency (EFA) learners enrolled.
- The 19+ the income earned to date.
- Investments and the position regarding cash.

All acknowledged that at this time in the year the focus needs to be on student numbers and the financial implications regarding the same. As an overview, that the areas explained included:

- 16-18 market
- Adult
- Apprenticeships

- Adult loans
- Higher Education

The Board were asked to take assurance and confidence from the fact that the Senior team know exactly what the situation is and are aware of areas to target. Assurance was given that careful planning and management is taking place.

AGREED: to note the content of the report provided.

BD/19/67 ESTATES UPDATE

- 1) Northumberland College estates strategy update

It was agreed that discussions on this item would be recorded confidentially.

- 2) Health & Safety policy

The Board were advised that the Sunderland College and Hartlepool Sixth Form College health & safety policy has been updated to incorporate Northumberland College in preparation for merger. The policy should be considered 'interim' until such time that a health & safety professional is appointed within the Northumberland area, and sufficient experience of the Northumberland operation is obtained. At this point, a further review should be commissioned.

It was explained that the health & safety policy proposed has been adapted to take account of known Northumberland College specifics. Governors' attention was specifically drawn to page 43 which sets out a flow chart. It was reiterated that the intention again is to review and revise within a 3 to 6 month period, once staff better understand the Northumberland College position.

A challenge from the Board was in terms of health & safety reporting. Whilst they acknowledged that an annual health & safety report is provided, they questioned whether enough is done in terms of ensuring compliance with the policy. They felt that practical implementation was what was important and felt that a report once a year may not be sufficient to allow them to discharge their duties. The Board were given assurance that there is a comprehensive audit and inspection process internally, and it was explained that Penschaws are to be commissioned to do an external review this summer. The Board all felt that this was a positive step forward and asked that health & safety compliance be reported to the Audit Committee as a standing agenda item in the 19/20 academic year. It was explained that this is to address the significant concerns that Governors have, particularly regarding the Northumberland College compliance culture. Assurance was given that compliance checks are brought to the campus health & safety sub-committees. It was noted that currently John Barnett is the Lead Governor in relation to health & safety and does take assurance on behalf of the Board, and certainly with regard to Sunderland College is confident that it is a safe environment. A challenge from the Board is that there needs to be Board confidence that staff at Northumberland College implement and apply the policy and that more regular reports would be required in relation to this until this confidence is gained.

The Board were advised that Penshaw have undertaken a review of the Northumberland College culture regarding health & safety and (the conclusions redacted). Penshaw will be working at Northumberland College 2-3 days per week as soon as the merger takes place. Part of this will include delivering staff training. All agreed that there needs to be a rapid pace of improvement in relation to things at Northumberland College. The Board felt that there were very strong arguments for mirroring the lead Governor initiative at Northumberland College, particularly in relation to health & safety and asked that an agenda item putting forward proposals for lead Governors be scheduled for the first meeting of the Northumberland College local governing body in July.

The Principal and Chief Executive provided assurance that health & safety regarding asbestos will remain as a priority. The Premier Asbestos report will clearly show breaches in terms of the College's statutory duties. This is something to address and ensure complete compliance going forward.

In considering the policy, the Board questioned and challenged the position regarding the use of mobile phones, particularly whilst driving even on hands free. The Board asked whether College expectations in relation to this could be reviewed (as set out in clause 3.3).

Subject to the observations made in relation to the use of mobile phones, the Board were happy to approve as an interim measure, the updated policy presented.

AGREED:

- a) To note the content of the report provided, and
- b) Approve the updated Health & Safety Policy as presented.

BD/19/68 BANK BORROWINGS, COVENANTS AND CAPITAL PROJECTS ARRANGEMENTS

This item was confidential with minutes kept separately.

BD/19/69 MINUTES OF THE R&CP COMMITTEE MEETING HELD ON 5TH MARCH 2019

The Board were happy to note the content of the minutes as presented.

BD/19/70 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 28TH FEBRUARY 2019

The Board were happy to note the content of the minutes provided.

BD/19/71 GOVERNANCE – SCHEME OF DELEGATION FOR THE MERGED COLLEGE

It was agreed that Governors would take away a copy of the proposed Scheme of Delegation and would provide comments and feedback to the interim Head of Corporate Governance and Policy outside the meeting. It was agreed that any suggested changes/observations would be incorporated in an updated document, with a view that the final document would be presented to the Board for approval at the next meeting.

BD/19/72 APPOINTMENT OF STUDENT PRESIDENT

The Assistant Principal Student and Customer Experience introduced her written report and explained that Sunderland College's formal Students' Union (SU) activity when there was a constitution and SU executive members, ceased in 2010. The SU was replaced by centre based student councils which are still in place today. At Northumberland College, there is a College wide student association with an elected paid presidential team (student President and Vice President). As part of the student services and safeguarding work stream, each College's student voice structures have been reviewed and it is proposed that going forward the College looks to reintroduce a formal Student Union.

She drew members' attention to Appendix 1 which outlines how student representatives will feed in to campus based student councils, which in turn will be fed in to by the Student Union Executive. Following 'in principle' agreement of the structure, a more detailed student voice framework, including annual participation plan and Student Unions constitution based on sector best practice will be drafted. She confirmed that the Student Union's constitution requires governor approval and her intention is to present this to the next Board meeting. It is proposed that the College introduce a paid sabbatical post of Student President, who will establish and effectively lead the College's Student Union and undertake the role of Student Governor in line with the College's Instrument & Articles of governance. She drew Governors' attention to a draft Student President job description and explained that this outlines the purpose of the role and key accountabilities. The proposed remuneration for the post is grade O11, which is £17,683.13.

The Board were supportive of the proposal put forward, but asked that careful consideration be given to the geographical spread of the role and the fact that it is important that the Student President be able to connect with all students at all campuses. It was confirmed that Vice Presidents will be based at both Sunderland College and Northumberland College campuses to support the President in terms of activity required. The Board discussed the process for electing the Student President and acknowledged that they would have to trust students to engage in the democratic processes. It was confirmed that the new Head of Corporate Governance and Policy will be involved in the process to ensure that there is a clear understanding of their role as a Student Governor. It was confirmed that existing Student Governors would also be involved in the process. The Board all agreed that this was a really good opportunity for students to fully engage with future strategic developments.

AGREED:

- a) To note the content of the update provided
- b) Approve the proposals presented
- c) Request that a draft Student Union constitution be presented to the next meeting.

BD/19/73 AOB

There were no items of additional business.

BD/19/74 DATE AND TIME OF NEXT MEETING

The interim Head of Corporate Governance and Policy confirmed that the next scheduled meeting was Tuesday 14th May 2019 at 6pm at City Campus.

BD/19/75 CONFIDENTIAL ITEMS

It was agreed that confidential items would be recorded separately.

(Staff and Student Governors left the meeting at 7.50pm).

Meeting closed at 8.10pm.