

RICHMOND & HILLCROFT ADULT & COMMUNITY COLLEGE

MINUTES

of the meeting of the Board of Richmond and Hillcroft Adult and Community College held at 6.00pm
Thursday 22 March 2018 in Ashby, Hillcroft Campus, Surbiton

Present: Ms Louise Fluker, Chair
Mr Mark Albrow, Lead Governor for Safeguarding/Prevent and Learner Involvement
Mr Richard Brewster, Audit Committee Chair
Ms Helen Darracott
Ms Gabrielle Flint, Principal
Ms Theresa Hoenig
Prof. Linda Jones, Co-Vice Chair
Mr Daniel Kemp
Ms Jane O'Shea, Co-Vice Chair
Ms Farah Rachlin
Mr Graham Tharp
Mr Nigel Ware, Finance Committee Chair

In attendance: Ms Gaynor Bray, Vice Principal – Teaching & Learning,
Ms Sue Carter, Vice Principal – Learner Experience
Mr Neil Wallbank, Director of Finance
Ms Sara George, Interim Clerk

The meeting remained quorate throughout.

PRESENTATION ON THE GENERAL DATA PROTECTION REGULATIONS 2018

The Director of MIS/IT gave the Board a presentation on the General Data Protection Regulations (GDPR) 2018. Following the presentation, it was noted that the Education Act provides the legal basis for the College to process learner data. The ESFA sets procedures that colleges are required to follow, for which learners give their consent. Other processing, that can go beyond a learner's consent, relates to regulations around safeguarding and Prevent, for example.

The risk of breaches by subcontractor partners was discussed. It was noted that while the College and the subcontractor would be jointly liable for breaches, evidenced mitigation actions such as a detailed contract, an initial data audit and ongoing monitoring to ensure sustainable compliance should limit this liability. Should any breach or breaches take place, the relationship with a subcontractor would be reviewed.

In answer to a question regarding data storage, the Director of MIS/IT reported that College email data is held in a cloud processed by Microsoft, and data is held within the E.U. It was noted that the College has received one Subject Access Request, which was responded to within 20 working days (rather than the required 30). It was decided not to charge the recipient and it is unlikely that the College will do so going forward unless it can be evidenced that the request will require considerable resource.

The College policy for retaining old data was questioned. The Director of MIS/IT indicated that RHACC's retention policy is provided as an appendix to the Data Protection and Records Management Policy. Anonymised data is archived so that statistical information can be retrieved, however all personal data is destroyed as per the retention policy. Paper records are retained/destroyed in the same manner.

The governors volunteered themselves as data subjects for the piloting of forms and processes for consent, thanking the Director of MIS/IT for his presentation and update.

1. APOLOGIES FOR ABSENCE

Professor Andrew George, Mr Gavin Hardcastle-Jones and Ms Lisa Sharp apologised for their absence.

2. MINUTES OF THE MEETING OF THE BOARD

The minutes of the meeting of the Board held on 26 January 2018 were approved as an accurate record.

3. **MATTERS ARISING**

None

4. **MINUTES OF THE STANDING COMMITTEES**

Finance Committee (8 February 2018)

In answer to a question regarding the refurbishment of Smieton, the Principal reported that the costs have been reduced by the use of existing units and a reduction in the number of ovens. Works are due to be completed during the Easter holiday period.

The Board noted the minutes of the standing committees.

5. **DECLARATIONS OF INTEREST**

No new declarations of interest were made.

6. **PRINCIPAL'S REPORT**

The Principal presented her report for March 2018, highlighting the ESFA's decision to fund Residential Institutes of Adult Learning on a national basis until the end of 2020/21; this extends the transition period by two years. RHACC will continue to be involved in regional and local devolution discussions and ACL tender processes. Written confirmation is awaited.

The Principal highlighted that fee income for non-government subsidised courses was currently behind budget but that fee income overall was ahead of budget. The post-merger increase in community learning funding enabled more provision to be funded and more learners to be eligible for concessionary fees. Tuition fees have risen 5% each year for the last three years and feedback has indicated that learners are unlikely to appreciate further increases. Governors agreed that fee levels should remain at 2017/18 levels for 2018/19.

REDACTED

A governor questioned whether any issues have arisen as a result of the resignations of 62% of the original Hillcroft staff team. The Principal indicated that as expected the leavers were from business support areas and not curriculum so there was minimum disruption to learners. Some staff members left during their trial periods for new roles, as a result of applying for other roles during the merger process. All but two Learner Services Adviser roles have been filled and recruiting to these posts is ongoing.

In answer to a question regarding the underspend of the premises budget, the Director of Finance reported that this resulted from the profile of budgets and timing. As more work is undertaken during the year this budget will unfold.

The Board noted the Principal's Report for March 2018.

7. **AUDIT MATTERS**

Heat Map and Risk Register & Action Plan

The Chair of the Audit Committee presented the Heat Map and Risk Register & Action Plan, informing the Board that the management team had rewritten the Register in light of the new agreed objectives from the Strategic Plan. This had resulted in 26 risks, which the Committee felt would be difficult to monitor effectively. After debate, the Audit Committee, at its meeting on 7 March, asked management to combine risks relating to merger, financial performance and IT, reducing the amount to 16.

The wording of Risk 1: *Staff do not understand standards and expectations of the new college leading to inconsistent standards and a divided culture* was debated. Some concern was expressed that the definition of the risk was too narrow to encompass all merger related issues. The Principal responded that the focus of the risk was intended to be the monitoring of a consistent approach from staff in relation to standards and policy frameworks. The importance of measurability was emphasised. It was agreed that Risk 10: *Loss of key staff* should be moved to be the second risk, due to connection to Risk 1. It was suggested that the risk rating for Risk 10 was too low, considering that some learners

enrol to be taught specifically by certain tutors. The Principal agreed to consider raising the risk rating.

Principal

An update regarding Risk 4: *Failure to meet the criteria and/or financial plan for the 4 year Big Lottery Project* was requested. The Vice Principal for Learner Experience reported that the project is still underspent. The Principal added that management are currently considering how best to internally monitor the project. It was agreed that a report on the Lottery Project will be provided to the Board at its May meeting.

VP Learner Experience

The addition of safeguarding within Risk 9: *Failure to manage Health and Safety, and safeguarding risks and address learner feedback* was questioned. The Principal responded that this risk relates to physical safeguarding issues and learner complaints concerning the conditions being experienced at the sites. A great deal of unfavourable feedback has been received regarding the residential facilities at Hillcroft.

The Board noted the Heat Map and Risk Register & Action Plan, and asked Management to update them as minuted.

Reappointment of external auditors (confidential)

REDACTED.

The Board agreed to the recommendation of the Audit Committee to reappoint Buzzacott as the external auditor for the 2017/18 financial statements.

8. **FINANCIAL MATTERS**

Management Accounts – January 2018

The Director of Finance presented the Management Accounts for January 2018, which included revised budgets for two months at Hillcroft (August and September 2017) and ten months of the merged college. The forecasted outturn position as the end of January is a surplus of £635k. However, this takes no account of the £438k deficit on the audited financial statements of RACC for the period August – September 2017. Once this is taken into account the surplus at the end of the year is forecast to be £197k, a slight improvement to the initial budgeted position for twelve months of the merged College of £165k.

It was noted that some variances in the accounts are due to the revised budget profiling. Overspend on the staffing budget, due to the restructure post-merger, is now coming back into line. The financial health score at the end of January was 'outstanding', with a healthy cash balance.

In answer to a question about capital retention payments, the Director of Finance indicated that the contractor, Bouygues UK, have not rectified the reported faults and therefore the funds have not been released.

Lettings income was queried as this was behind budget. The Principal reported that this was due to the decision not to increase lettings activity at Hillcroft due to extra provision requiring the additional classroom space that has been created, and the knowledge that capital works will require decant space going forward.

The Board noted the Management Accounts for January 2018.

9. **STRATEGIC PLAN**

The Principal presented a further draft of the RHACC Strategic Plan for 2018 – 2021, informing the Board that the requested revisions from the January strategy event had been incorporated. Once a final draft has been approved, the Marketing department will design the document prior to it being shared with stakeholders.

The strategic objective of achieving Ofsted 'outstanding' was discussed. It was noted that whilst Ofsted provide the main quality mark for teaching and learning, their focus is only funded provision and RHACC have other learner cohorts. Governors agreed that aiming for outstanding should encompass all of the work within the college mission. RHACC will self-assess against this objective in the Self-Assessment report on an annual basis.

The Board agreed that RHACC should be ambitious within the Strategic Plan.

The Board approved the Strategic Plan for 2018-2021.

10. **TEACHING AND LEARNING MATTERS**

Teaching and Learning Quality Report

The Vice Principal for Teaching and Learning presented the Teaching and Learning Quality Report.

Performance and predicted achievement of GCSE English and Biology was discussed. Seven learners have withdrawn from GCSE English, which has impacted on predicted achievement. These withdrawals have resulted from the personal circumstances of the learners concerned and could not have been prevented. Additional support has been put in place for the remaining learners to ensure that they remain on course. Six learners have withdrawn from one GCSE Biology course due to a known teaching quality issue due to staffing issues. An established tutor has now been appointed and remaining learners have been provided with additional sessions to ensure they receive extra tuition and support.

The Board commented favourably on the revised layout of the report.

The Board noted the Teaching and Learning Quality Report.

Proposal to discontinue HE provision

The Vice Principal for Teaching and Learning presented a proposal for the College to discontinue HEFCE funded HE provision, which had been discussed and recommended for approval by the Quality & Standards Committee at its meeting on 8 March. It was noted that higher level vocational provision will be offered in place of the HNC/HND qualifications currently offered. Due to the lack of demand for Art HNC/HND provision and progression routes with other organisations being in place, the Board agreed with the proposal.

The Board agreed to the proposal to discontinue HEFCE funded provision.

Curriculum Strategy 2018 – 2021

The Vice Principal for Teaching and Learning presented the Curriculum Strategy for 2018-21. The proposal to offer mixed gender LLDD residential provision was discussed, with some governors expressing concern at the feedback that they had received from current Hillcroft learners. The Principal emphasised that no changes will be made to the women-only provision, and that careful zoning of accommodation will mean that current learners will not be housed in the same areas of the site as residential male learners. LLDD learners of both genders will be supervised at all times, with only those learners whose needs can be clearly met enrolled. The Principal also reminded the Board that Hillcroft has always had men on site. LLDD residential provision will be piloted from January 2019, with the first term non-residential. The Quality & Standards Committee will monitor the pilot. Achieving for Children have indicated that there is a high demand for provision of this nature, which attracts additional government funding. It was agreed that further and clear communication to current and incoming learners (both male and female) is required so that expectations are managed.

VP Learner
Experience

The Board approved the Curriculum Strategy for 2018-21.

11. **RECOMMENDATIONS FROM THE SEARCH AND GOVERNANCE COMMITTEE**

RHACC Bye Laws

The Interim Clerk presented the draft RHACC Bye Laws, and the recommendation of the Search & Governance Committee that the minutes of the standing committees be published on the website alongside those of the Board. The Principal emphasised the importance of stakeholders being able to see the detailed debate of issues through the College's committee structure to the final decision of the Board. Management are keen to demonstrate that the Board hold the Executive to account. Publication would take place once committee minutes were approved by both the Committee and the Board.

Concern was expressed that publication of minutes may inhibit the discussions of the committees, and therefore it was agreed that each agenda will include an item on the

Interim Clerk

confidentiality of the previous minutes allowing for considered redactions where appropriate.

The Board approved the publication of the minutes of standing committee meetings, a process which will be reviewed in one year.

The Board approved the RHACC Bye Laws.

Committee terms of reference

Finance Committee

The revised terms of reference for the Finance Committee, to include the addition of duties to scrutinise human resources matters, were presented by the Interim Clerk. The Board also considered the addition of 'Resources' to the Committee name.

The Board approved the revised terms of the reference for the Finance & Resources Committee.

Quality and Standards Committee

The revised terms of reference for the Quality and Standards Committee, to include the duty to 'scrutinise the human resources strategy to ensure that it supports excellence in quality, teaching, learning and assessment', were presented by the Interim Clerk.

The Board approved the revised terms of the reference for the Quality & Standards Committee.

[The Interim Clerk left the meeting]

Recruitment to the role of Clerk – update

The Principal informed the Board that the recent recruitment process for the role of Clerk had been unsuccessful. Four candidates had been invited to interview. Two withdrew their applications, and one was not shortlisted after a minute taking test. The final candidate was interviewed on 22 March by the Search and Governance Committee, assisted by National Leader of Governance Paul Butler. REDACTED.

The Board agreed that both the external and internal auditors should be approached for suggestions or recommendations for a suitably qualified and experienced clerk that they may be aware of. The Principal should approach recruitment agencies before bringing a proposal to the Search and Governance Committee for consideration.

Director of
Finance
Principal

The Board noted the Clerk recruitment update and the interim clerk returned to the meeting

[The Principal, Director of Finance, Vice Principal for Teaching and Learning, Vice Principal for Learner Experience, the Student Governor and the Staff Governor left the meeting]

Principal's Objectives

The Board noted the objectives set for the Principal for the current year and that they corresponded with relevant parts of the Strategic Plan.

[The Principal, Director of Finance, Vice Principal for Teaching and Learning, Vice Principal for Learner Experience, the Student Governor, the Staff Governor and the Interim Clerk re-joined the meeting]

12. RECOMMENDATIONS FROM THE FINANCE COMMITTEE

Health and Safety Annual Report 2016/17

The Vice Principal for Learner Experience presented the Health & Safety Annual Report 2016/17, confirming that security, first aid and fire marshal cover is available at all times whilst learners are resident. It was noted that future reports will include a comparison of the staff training required to that which has taken place.

The Board noted the Health & Safety Annual Report 2016/17.

13. **POLICY APPROVAL**

Equality & Diversity Single Equality Scheme and Action Plan

The Vice Principal for Learner Experience presented the Equality & Diversity Single Equality Scheme and Action Plan, reminding governors that the Equality & Diversity Policy had been approved at the Board meeting of 6 October 2017.

It was agreed that Tell Us What You Think sessions should be included within the methods of consulting with, and involving learners.

VP Learner Experience

The Board approved the Equality & Diversity Single Equality Scheme and Action Plan, subject to the addition above.

14. **ANY OTHER BUSINESS**

None

The meeting closed at approximately 8.15pm