

MEETING OF THE CORPORATION OF MACCLESFIELD COLLEGE

TUESDAY 17 OCTOBER 2023 – 1.45 PM

TAKING PLACE IN VELOCITY, MACCLESFIELD COLLEGE PART I

Clerk: Mrs R Clare

In attendance	M Sharples (Chair of the Corporation), C Johns, M Wright, P Hunter, R Charlton, N Schofield, G Crossman, G Bristow, I Jones, R Kay.
Apologies for absence	E Kennedy, I Cass, H Taylor, J Lewis, G Lagan
Non-governor attendance	L Reed (Deputy Principal – LR), V Hayhoe (Director of Finance and Estates - VH).

Action	Responsibility
It was agreed that a report on the impact of the new Head of Quality role will be shared at the January Corporation meeting.	LR
The new KPI document for this academic year will be shared at the January Corporation meeting.	ELT
Annual Health and Safety Report – overdue risks will be reviewed to ensure that they are being mitigated. The colour coding of the risks will be reviewed.	VH/SL

MINUTES

Item Title
36/23 **Welcome and Apologies for Absence**

The Chair welcomed Members to the first Corporation meeting of the academic year.

It was confirmed that Governors received annual Safeguarding, Prevent Duty, GDPR and Data Protection training at the Strategic Planning session held this morning.

Apologies for absence were received for E Kennedy, I Cass, J Lewis, H Taylor and G Lagan. The Chair of the Corporation held a telephone call with E Kennedy in advance of the Corporation meeting to review a number of papers and ensure that he had reviewed a number of matters relating to his skill set. Comments from E Kennedy would be put forward by the Chair of the Corporation during the meeting.

37/23 **Declaration of Members' Interest**

There were no declarations of Members' Interest.

38/23 **Director of Governance**

The resignation of the Director of Governance was formally accepted.

The recruitment for a replacement was discussed. The post had been advertised since August and had proved difficult to recruit to.

Resolution: Macclesfield College will engage with a Governance Service to provide support until July 2023, but will keep the post advertised. S Gardiner will also complete the ETF Governance Professional Development Programme (Induction Level) at the earliest opportunity.

39/23 **Minutes and matters arising from the previous meeting**

The minutes from the Corporation meeting held on 4 July 2023 was approved as an accurate record.

The Director of Governance thanked G Lagan for her questions relating to Teaching and Learning which were included in the minutes.

Resolution: There was one action contained within the Corporation minutes of the meeting held on 4 July 2023, relating to the Health and Safety Audit. V Hayhoe confirmed that Health and Safety will be included in the plan for this academic year and has requested that this is conducted onsite.

40/23 **The Macclesfield Academy**

M Galvin (Head Teacher of The Macclesfield Academy) was invited to the Corporation meeting but unfortunately could not attend. A report on the academic results for 2023 and an update on The Macclesfield Academy joining the Sir John Brunner Foundation was provided in advance of the meeting. In the absence of M Galvin, the Director of Governance requested that governors review the report provided and forward any questions via email. The Director of Governance will forward any questions to M Galvin and request a response.

Q: Please can you provide an update on the arrangements for the Sports Hall?

The Sports Centre belongs to The Macclesfield Academy. We believe that the current multi use agreement regarding shared usage will continue. VH is waiting on an update from the Finance Director for Sir John Brunner.

41/23 **Principal Report**

The Principal provided a presentation on the current academic year.

The following points were made:

- David Rutley visited college last week for a tour of the new facilities and to share future plans. He was briefed on Ofsted preparation and has agreed to Chair the CEO Round Table on the Skills Agenda.
- A breakfast meeting to discuss the Skills agenda has been arranged with the local MP, Rachel Kay and the North Cheshire Chamber.
- The Chair of the NHS Board visited Macclesfield College and spoke with learners about nursing pathways.
- Shelagh Legrave (FE Commissioner) visited Macclesfield College. Rachel Kay shared a positive social media message that the FE Commissioner had shared on her platform complementing the visit.
- The Deputy FE Commissioner is going to visit Macclesfield College next term to meet with TC in relation to the positive delivery of apprenticeship provision at Macclesfield College.

- TC has met with the Local Skills Improvement Plan team.
- Tatton Services – There is a project for a new Farm shop and Kitchen that will create opportunities for students at Macclesfield College. RK has met with the lead for the development and then they were invited to attend the whole staff briefing to share the project brief. The development is going to planning on 21 October 2023. RK will keep governors informed of the progress.
- RK shared an update from the North West AoC meeting:
 - Learner numbers are up across the sector.
 - There are high GCSE resits numbers for English and mathematics.
 - There are continued challenges relating to behaviour across the sector.
 - An increase in funding has been announced for the sector.
 - There is a current staffing crisis particularly in areas such as construction, engineering and digital.
- The 'Play it Green' project has been launched. The College will be working with a new company working towards the sustainability agenda to become carbon neutral. With members of staff working offsite on a Friday this has saved the number of people on the road and we can earn points for this through the company. For points earned, plants will be planted globally.

An update on student behaviour was provided as the following:

- Verbal warnings – 899 issued;
- Stage 1 Disciplinary – Detentions – 374 issued;
- Stage 2 Disciplinary – Report Card – 198 issued;
- Stage 3 Disciplinary – Vaping/Smoking fixed term exclusions – 12 issued;
- Stage 3 Disciplinary meetings – 6 issued;
- Stage 4 Disciplinary meetings – Exclusions – 8 issued.

It was confirmed that census date closes this week.

RK and LR will be providing reset behaviour presentations following October half term to ensure the high standards continue to be met.

- Be 'Xtra Ordinary' – a new CPD Programme about being 'Xtra Ordinary' has been launched. Governors were provided with a chocolate bar with the new brand.
- The following new Quality Structure has been created to support the College in maintaining high standards:
 - Lucy Reed – Deputy Principal
 - Lesley Billingsley – Head of Quality
 - Claire Lomas – Head of Professional Development

It was agreed that a report on the impact of the new Head of Quality role will be shared at the January Corporation meeting.

42/23 Quality and Curriculum

- Executive summary on Quality and Curriculum: results and achievement (Lucy Reed)**
Lucy Reed provided a presentation on Quality and Curriculum: results and achievement for 2023. The headline data was shared and it was explained that a cleansing of data is still taking place and the data provided is subject to change. The following data table was shared:

	National Rates	23/24 Target	22/23	21/22	20/21	19/20
All Ages	83.8%	88.5%	81.7%	81.4%	87.3%	87.3%
16 – 18	81.1%	88.9%	80.2%	78.5%	90.3%	90.6%
19+	86.7%	89.7%	84.6%	87.8%	83.4%	81.3%

The following data for mathematics and English was shared:

English	Cohort Size	Retention	Pass	Achievement	HG
21/22	217	89.9%	80%	71.9%	22.1%
22/23	275	84.4%	88.8%	74.9%	20.7%

Maths	Cohort Size	Retention	Pass	Achievement	HG
21/22	201	92.5%	82.8%	76.6%	24.4%
22/23	332	86.1%	93.7%	80.7%	13.6%

LR confirmed that the high grade for English is 20.7% and English is higher than mathematics.

The mathematics high grade has declined to 13.6%. It was confirmed that the College is seeing a high increase in mathematics and English enrolment for this academic year, but particularly for mathematics.

Areas impacting performance were confirmed as the following:

	Cohort Size	Retention	Pass	Achievement
Animal	54	87.3%	72.3%	63%

	Cohort Size	Retention	Pass	Achievement
Automotive	49	79.6%	84.6%	67.3%

	Cohort Size	Retention	Pass	Achievement
Sport	149	87.9%	82.4%	72.5%

LR confirmed that achievement for Level 2 Animal Care was disappointing. Automotive achievement declined but the numbers of learners in this area were small. Sport was an 'at risk' area previously and remains 'at risk' this academic year. The sport provision has high student numbers. It was confirmed that the sport cohort struggled to pass the examination, despite sitting the exam twice.

The strongest performance was in the following areas:

	Cohort Size	Retention	Pass	Achievement
Creative Media	89	93.3%	98.8%	92.1%

	Cohort Size	Retention	Pass	Achievement
Childcare	20	95%	94.7%	90%

	Cohort Size	Retention	Pass	Achievement
Art	89	95.5%	94.1%	89.9%

Sector Subject Areas performance was presented as the following:

	Cohort size	Retention	Pass	Achievement
03 Agriculture	57	87.7%	74%	64.9%
08 Leisure	154	88.3%	83.1%	73.4%
12 Languages	275	84.4%	88.8%	74.9%
14 Preparation for working life	239	90%	84.2%	75.7%

11 Social Sciences	7	100%	100%	100%
13 E&T	28	92.9%	100%	92.9%
09 Arts	208	92.8%	96.9%	89.9%
01 Health	434	91%	97.2%	88.5%

The current priorities for the College were confirmed as the following:

- Restructure of curriculum management;
- Back to basics planning;
- Attendance and behaviour monitoring;
- Professional Development – Xtra Ordinary Campaign.

Q: What measures have been put in place to better support students for exams?

Students are using compulsory slots within their timetable to prepare for exams. All students have an opportunity to sit a mock exam and have exam practice.

Q: Do you put support in place by curriculum area? Are there any special characteristics for specific cohorts?

LR confirmed that support was not put in place specifically by curriculum area but there were a group of Animal Care learners who struggled with their mental health and support was put in place.

RK confirmed that sector wide issues continue to impact on achievement rates such as the staffing crisis and English and maths achievement remaining low due to low attendance nationally. These issues continue to impact on Macclesfield College.

• **Tracy Cosgrave – Apprenticeships**

Tracy Cosgrave provided a presentation on Apprenticeships results for 2023.

The overall achievement for 2022/2023 was confirmed as 58%, a decline by 3.5% from the academic year 2021/22. This remained 3.5% above the National Provider Rate.

The following information was provided:

Overall Performance		
	21/22	22/23
FMWK Learners in Cohort	244	336
FMWK only Achievements	150	195
FMWK only Achievement Rate	61.5 %	58.0 %

It was confirmed that of the 336 learners in the achievement cohort for 2022/23 there were 176 male apprentices with an achievement rate of 59.7% and 160 females with an achievement rate of 56.3%. Apprentices that have declared a difficulty or disability have achieved at a slightly higher rate at 61.5% compared to learners without at 57.9%.

The following achievement rate was shared by age:

	National Rates	22/23
All Ages	53.4%	58.0%
16-18	55.2%	52.2%
19-23	59.4%	68.9%
24+	49.6%	54.2%

Achievement by levels was shared as the following:

Standard Level	22/23
Level 2	55.6%
Level 3	62.9%
Level 4	65.2%
Level 5	22.7%

TC confirmed that Level 5 achievement rate was impacted by learners not reaching end point assessment for HR qualifications.

The achievement rates by sector skill area were the following:

SSA	ACHIEVEMENT RATE
SSA1	48.4%
SSA4	47.7%
SSA5	69.2%
SSA6	80.0%
SSA7	62.2%
SSA13	59.1%
SSA15	61.6%

Outstanding achievement rates on some apprenticeship Standards was shared as the following:

STANDARD	ACHIEVEMENT RATE % 22/23	LEARNERS IN COHORT
Healthcare Science Associate	100	5
Advanced Carpentry	100	6
Maintenance & Operation Eng Tech	100	11
Digital Marketer	83.3	6
Hair Professional	80	5
Professional Accountant	80	5
Early Years Practitioner	75	8
Business Administration	72.4	29

The following achievement rates were confirmed as low and require improvement:

STANDARD	ACHIEVEMENT RATE % 22/23	LEARNERS IN COHORT
Senior Healthcare Support Worker	14.3%	7
H R Consultant Partner	18.2%	11
Bricklayer	22.2%	9
Electrotechnical	30.4%	22
Advanced Beauty	37.5%	8

It was confirmed that the standards for Senior Healthcare Support Worker were impacted by a high turnover rate in that area and seven withdrawals impacted the bricklayer achievement rates.

Q: Are Apprenticeships over two to three years still impacted by Covid, particularly for Health Care?

Yes, this is the case for health care and manufacturing where apprentices were on a four-year programme. TC confirmed that this will be the last academic year that Covid impacts on apprenticeship provision.

Q: What is the expected Ofsted grade for apprenticeships?

Apprenticeship provision was confirmed to be on the cusp of a Grade 1.

• **Attal Hanufi - HE**

Attal Hanufi provided a presentation on HE results for 2023.

The achievement rate for 2023 was confirmed as 83%. The data was better for pass, retention and achievement for 2022/2023 than in the previous academic year but learner numbers in the area were confirmed to be lower.

Q: What curriculum area are the number of starters in for 2022/2023?

The 29 students were confirmed to be in electrical and construction. It was stated that the numbers decreased on the previous year for sport. Macclesfield College decided to not run the sport qualification this academic year. It was confirmed that numbers had been impacted due to increasing costs of the qualification. It was confirmed that the data presented for 2020/2021 was based on predicted grades.

ii. **Compliments and Complaints Report**

Lucy Reed provided a report on Compliments and Complaints in advance of the meeting.

LR confirmed that for 2022/23 there was a slight increase in the number of complaints. It was stated that the number of compliments recorded was low and this was due to a number of compliments being given face to face and therefore not always recorded.

The data for the number of complaints was presented by area and reason. LR confirmed that Health and Social Care received the highest number of complaints but this was due to inconsistency within staffing in the curriculum area. The same reason was provided for the number of complaints recorded in relation to the sport provision.

LR explained that she is expecting a higher number of complaints this year due to the implementation of the new Behaviour Policy.

43/23 **Business**

i. **Enrolment update**

L Reed provided an update report on enrolment. The report was presented with data as of 10 October 2023.

The College planned to deliver 1200 (made up of 1108 for study programme and 92 T Level enrolments) against its contract for 1082 learners for the 2023-2024 academic year. To date, the College has achieved 1154 learners. Numbers were provided by curriculum area within the report. It was confirmed that the numbers for the Aspirations Academy is currently blank, as it has only been launched this week. The numbers were over for Beauty Therapy and Health and Social Care.

LR confirmed that the College does not receive a learner number allocation for adult learners, instead, a total allocation is issued against which qualifications are delivered. The adult allocation is £481,094 for 2023-2024, of which £79,760 is Community Learning. In addition, there is an allocation of £45,000 to be spent through the National Skills Fund. The College is not planning to enter into any subcontracting arrangements for the coming academic year. Income generated for the year based on current enrolments at this point amounts to £120,256. In addition, Community Learning is at £10,570 and NSF is at £18,053. Enrolments continue throughout the year with planned starts in January and April for some provision and monthly starts for Community Learning provision. Income earned against the Adult Education Budget will be closely monitored and reported to Governors via the management accounts throughout the year.

It was confirmed that the College loan facility is £188,881 and the amount used is currently £111,627, equating to 59.1%. The expected income from HE loans is currently £82,000 based on the numbers of learners enrolled who are not direct fee-payers or sponsored by their employer.

Apprenticeship starts occur throughout the year and the Maxim team have targets set at key

points in the year. The income target for apprenticeship provision is £2.715 million. To date, the income received is as follows:

16-18 - 1,142,565

19+ - 655,638

Members were requested to note that this is projected income based on current enrolments. It was confirmed that income earned against budgets will be closely monitored and reported to Governors via the management accounts throughout the year.

Enrolment numbers will continue to be monitored and shared through reporting of the KPI document. **The new KPI document for this academic year will be shared at the January Corporation meeting.**

Q: Are you happy with the decision to continue with Whites Academy for this academic year?

Level 1 and 2 provision for Whites Academy is being delivered this academic year. It was confirmed that Whites was only stopped for one academic year due to the impact of Covid.

Q: What is the split for Health and Social Care?

The delivery is the same for Health and Social Care, as it is one programme.

ii. Members are invited to review and approve the Public Values Statement for a further year

V Hayhoe provided the Public Values Statement for 2023/24.

The Public Values Statement for 2023/2024 was presented as included in the Financial Statements. This was approved by the Corporation.

iii. Annual Health and Safety Report 2022/23

V Hayhoe presented the Annual Health and Safety Report for 2022/2023, prepared by S Lord.

On page 2, there is a summary of the inspections carried out during the academic year.

The risk rating for the inspections was explained to governors and the reasons for addressing actions in year by priority. There are 7 outstanding recommendations as it currently stands, 3 of which relate to the Sports Hall which is the responsibility of The Macclesfield Academy.

VH confirmed that on page 3, in relation to Automotive, where it stated that new handles on windows were required, actually new windows are now needed. VH stated that in relation to Art, the area needs improving in relation to tidiness and how equipment is stored. There is a similar action for Health and Beauty but the area needs improving in relation to tidiness and how equipment is stored

Q: An action that is outstanding in 'red' relates to the Sports Hall, we need to address this and show how it has been mitigated?

Yes, this is for The Macclesfield Academy but it is an action that needs resolving. It was confirmed that there is no risk to the health and safety of our students in relation to this action. **VH will speak to S Lord in relation to this specific action.**

Q: There are a number of risks that are taking a long time to complete, can they be reviewed?

VH confirmed that some of the 'risks' can be managed through the maintenance plan, rather than through Health and Safety reporting. VH confirmed that she will discuss responsibility of the actions and how actions can be closed down/rag rated correctly.

VH shared the number of actions that had taken place on the College site. There had been one RIDDOR accident in the previous academic year, but no further action was required to be taken.

On page 5, there is a breakdown of actions by location.

Q: In the workshop area there were zero accidents reported, is this correct?

VH will check this with the department but it is expected that this is due to the level of health and safety training and checks within this particular department.

Q: If you are looking at Mental Health, where is this reported?

This is reported in the annual HR and Safeguarding reports.

iv. Apprenticeship Funding

VH provided an update report on an error that had occurred in relation to Apprenticeship funding. VH confirmed that the Management Accounts shared at the Corporation meeting held today, will not show the MIS/Apprenticeship Funding issue. VH explained that Apprenticeship income had come in lower than expected for 2022/2023. VH reported this to be £90K lower than expected. It was explained that the achievement/completion income forecast for 2022/2023 was highlighted as a risk in the last set of accounts.

It was explained that the apprenticeship income with the MIS/Apprenticeship Funding issue was expected to be around 2.1/2.2M, rather than the estimated 2.5M.

It was explained that the MIS Director had sent the ILRs to the ESFA, following the usual process. The ESFA had then responded with a ratified amount. The funding summary report with the ratified amount that had been sent back to the MIS Director had not been shared with ELT. This had only come to light as VH was preparing the accounts and the provision for amounts owed did not look right. The remittances received in year, do not show what the amount is for and includes prior year and in-year funding due. Therefore, it is difficult to reconcile until all funding is received. It was only following the investigation, that it had come to light that the ESFA funding report showed a different amount to the amount submitted on the ILR.

VH confirmed that she has discussed the matter with the External Auditors and it was agreed that the prior year amounts are restated in the accounts which will not impact on 2022/2023 outturn. It will impact on the reserves but not for this academic year. There is no cash transaction involved in this.

VH explained that MIS report our ILR to the DfE for Apprenticeships. This is then what goes in the College accounts. R13 is around September and has been submitted and this amount has been incorporated in to the accounts. R14 figures are then checked and there is normally no material difference between R13 and R14. As part of the process of VH preparing the accounts, the income issued to us was growing but VH shared at this point she felt uncomfortable with the difference and realised that the information being provided was not correct. VH has reviewed the reporting over the year. There have been no issues in accounting figures presented in previous years but what was found was that the R14 figures were different to the amount submitted on the ILR. The ESFA then responded to the MIS Director with a differential amount. The ESFA response that has been shared with MIS was different and this has not been shared with ELT. There are a number of reasons for the difference including:

- The wrong status has been indicated for some employers on the ILR.
- There are data locks between the college ILR and the employer digital account not matching.
- Issues have been raised with the DfE but not followed up and resolved to allow funding to be released.
- Various issues with Employer digital accounts which need DfE resolution.

An investigation has taken place to look at the reasons for the difference. We have done the work for this but we cannot go back and claim the money because once the ILR has been submitted, there is no going back. The balance figures will need to be corrected. The amount equates to £290K. The Apprenticeship and MIS team have worked together to resolve as many of the issues as possible in readiness for the next ILR to be submitted.

It was confirmed that this will only impact on debtors and we will need to lower our reserves as a consequence.

Moving forward the actions taken to resolve this include:

- Improved policies and procedures across Apprenticeships and MIS.
- A new post to support across Apprenticeship and MIS to be aligned.

- The MIS Director is reporting directly to the Director of Finance and Estates, rather than the Principal.
- The schedule of D Locks and mismatches will be shared with the Funding and Finance Internal Group (which ELT attend).

Q: Has this ever occurred before?

VH confirmed that she has checked back to 2018/2019 and this has not occurred before. The Digital Account Service was brought in around that time and is employer led, with the Employer being able to stop it themselves.

Q: Is the impact of this just on the reserves or is there a wider impact on the College?

VH responded that the accounts are reported every December and every July. We have shared our financial plan in July and we will not meet the plan, so there may be a question from the DfE in relation to the difference. We are still 'Requires Improvement' for financial health and this was what was predicted.

Q: Does this impact on the bank covenant?

No, it won't impact on the bank covenant.

Q: Would it have impacted on the 'Requires Improvement' grading?

No, because it was over two years.

Q: Going forward will the oversight of MIS reporting be increased by the Funding and Finance Internal Group?

Yes, there will be further oversight at the Funding and Finance Committee going forward, which ELT attend.

Governors thanked VH for finding this and being transparent with the information shared with the Corporation.

v. Draft Financial Outturn for 2022/23

V Hayhoe provided a report on the Draft Financial Outturn for 2022/23.

The following main points from the report were provided:

- There are no changes expected from the recent External Audit.
- On page 3, the 'blue' is the forecast and the 'orange' is where we have come out at.
- Income is slightly down and this is driven by apprenticeship funding and the difficulty in predicting achievement and learners completing EPA's.
- There is a positive position for Apprenticeships. Apprenticeships came in at £2.5 Million with an increase of half a million on the previous academic year.
- Pension liabilities increased and caused a £90K difference.
- Restructuring costs have impacted on the overall position.
- The EBITDA is worse than predicted and resulted in the College achieving a 'Requires Improvement' financial grade.
- VH confirmed that we are at the top of the 'Requires Improvement' grading and will be back to 'Good' the following year.

Q: Do you have any sector benchmarking for financial positions?

RK confirmed a number of colleges will be predicting a financial decline for next academic year.

VH shared the balance sheet information on Page 8 of the report.

VH also provided information on Capital Projects, cashflow position and update on bank covenant.

Q: Is there any further information to be shared on the current position of the bank covenant?

No concerns have been flagged.

44/23 **Policies**

The following policies were reviewed and approved by the Corporation:

1. Data Retention Policy
2. Modern Slavery Statement
3. Refund Policy (FE)
4. Tuition Fee Policy
5. Health and Safety Policy
6. Information Security Policy
7. IT Acceptable Use Policy – Staff
8. IT Acceptable Use Policy – Student
9. Safeguarding Policy
10. Health and Safety of Learners on Work based placements
11. Anti-Bribery Policy

A governor commented that it would be useful to add to page one of the Safeguarding Policy the new digital standards for schools and colleges and Prevent Duty Guidance should read 2015, not 2016.

45/23 **Date and time of the next meeting:**

The next Corporation meeting will take place on 5 December 2023.

46/23 **Impact**

The three Centre Principal presentations were interesting and effective.

The summary on the finance position was useful.

The tour of the College site was beneficial for governors to understand the progress to the College estate and to see students in specific areas.

It was great to have the Strategic Planning Day on site.

GB thanked governors for welcoming him to his first meeting and the Director of Governance for her support.