

SPARSHOLT COLLEGE HAMPSHIRE
MINUTES OF THE MEETING OF THE
BOARD OF GOVERNORS
held on 7 October 2021 at 9.00 am
at Sparsholt College

¹PRESENT: G Davies (E); J Emm (SCS) (to minute 428); T Floyd (E) (to minute 421); N Hopkins (E, Chair); J Lander (E); M Lauder (E, Co-Vice Chair); J Milburn (P) (to minute 442); N Moody (E); S Morgan (E); A Neal (E); R Palmer (E); H Perry (S) (to minute 428); C Wilson (E, Co-Vice Chair).

In attendance: D Carrig – Health & Safety Officer (minutes 393 to 398)
S Grant – Deputy Principal (to minute 434)
N Heslop - Director of Finance (to minute 428)
C James – Vice Principal and Dean of Higher Education (to minute 428)
R Price – Interim Vice Principal Curriculum (Sparsholt College) (to minute 428)
B Stokes – Vice Principal Curriculum (Andover College) (to minute 428)
S Willson, Clerk to the Corporation

APOLOGIES

324. Apologies were received from Z Carter and J Plenderleith.
325. The Board noted that the FE Student Governor (Andover) had resigned on 22 September 2021 due to learning commitments and wished her well.
326. The Chair welcomed Gareth Davies, new governor, Nathan Heslop, new College Group Director of Finance, and Rob Price, Interim Vice Principal Curriculum (Sparsholt), to the meeting.

DECLARATION OF INTERESTS

327. There were no new interests to declare.

MINUTES

328. **Resolved** – that the minutes of the meeting held on 8 July 2021 (Parts I and II) be confirmed, with a correction at minute 170 that the pandemic would adversely impact apprenticeship success rates for ‘two’ years, as a correct record and signed by the Chair of Governors.

Strategic Plan 2021=24 (minutes 181-193)

329. The Principal confirmed that the quantifiable measures and risks had been added to the draft plan approved by the Board and that the presentation of the mission and vision on the website including a strong focus on learners.
330. There were no matters arising not covered elsewhere on the agenda.

¹ (E) = External; (P) = Principal; (S) = Staff; (SCS) = Sparsholt College Services Staff Governor; (St) = Student

CHAIR OF GOVERNORS' REPORT

331. The Board had received and noted the report of the Chair which summarised activities he had undertaken since the July 2021 meeting of the Board, including the Annual Strategic Conversation meeting with the ESFA, and forthcoming events and matters requiring his consideration.
332. The Board noted that the Chair had been approached to be a mentor to the newly appointed chair at a similar, though larger, college in another English region.

STRATEGIC PLAN 2020/21

333. The Board had received the report of the Principal summarising key strategic developments and progress against the 2020-21 Strategic Plan, together with the latest College Group Covid-19 risk assessment.
334. The Board noted that progress against the Three-Year Strategic Plan Objectives and Annual Milestones for 2020/21 at this final point in the year was 'good', demonstrating the agility of the organisation to function both effectively and efficiently in such challenging circumstances as the pandemic.
335. The financial outturn for 2020/21 was significantly ahead of the budget position and achievement rates across both campuses continued to improve. The quality improvement strategy and planned actions were successfully implemented leading to sustained improvements in the curriculum areas subject to 'enhanced Quality monitoring'. Consequently, the Quality of Education 2020/21 was expected to be confirmed as 'good' with 'outstanding' features.
336. Members particularly noted the improved outcomes for care leavers and 'looked after children'.
337. The Board also noted that 16-18 Further Education, Apprenticeship and HE learner numbers all showed early indication of improvement, although HE growth had been limited by a number of students deferring their places.
338. The Board noted that the SLT were concerned by a significant reduction of 19+ learners, primarily relating to adult GCSE courses and adult AAT courses, and were reviewing in-year options to address this issue.
339. The Board endorsed the Principal's report of the commendable response by all College Group staff across all areas of the College business in dealing with the ongoing Covid-19 pandemic in 2020/21.

FE and HE performance 2020-21

340. The Vice Principals Curriculum gave a presentation on early quality performance indicators for FE, ahead of completion of the annual Self-Assessment Report (SAR) for 2020-21.
341. The presentation summarised the three-year trend in achievement rates for each campus and area of learning and the GCSE maths and English and Functional Skills outcomes.
342. The Board noted that the final outcomes and detailed analysis would be scrutinised by the Quality & Standards Committee ahead of presentation of the Self-Assessment Review to the Board meeting in December.

343. The Vice Principal & Dean of Higher Education gave a presentation on quality performance indicators for HE following the HE exam boards, summarising the headlines for MSc, BSc and FdSc courses.
344. The Board noted the positive outcomes and the changes in teaching delivery which had resulted from lockdown restrictions.
345. Members also sought information from the Vice Principals about how new enrollers appeared to have been affected by the interruptions to their school education and noted that risks and management actions associated with this were included in the Risk Register. The (academic) Staff Governor gave some examples from experiences in her department. It was recognised that students at school and college had faced a range of challenges at home and that the ongoing challenges also placed demands on teaching staff.

PRINCIPAL'S REPORT AND STRATEGIC PLAN

346. The Board had received the report of the Principal summarising key developments at the College since the previous meeting of the Board, including matters related to the Covid-19 pandemic and the latest Covid-19 risk assessment, and progress against those strategic objectives where actions had commenced for 2021-22.
347. The Board discussed the current measures being taken by the College in relation to Covid-19 and the uptake of the vaccination by students and was assured by the confirmation that the SLT continues to revisit and update Covid-19 risk assessments in line with DfE guidance. The Principal reported that the College was chasing the delivery of CO² monitors which would be used to further review ventilation.
348. Members discussed and sought some further information about the key strategic updates presented in the Principal's report, including in relation to current HE enrolments and funding rules for the AEB (Adult Education Budget).
349. Members discussed with the SLT the outcome of the application to the Further Education Capital Transformation Fund to develop areas of the Sparsholt College campus and the actions being taken to seek to appeal the decision with further information about the condition and needs of the estate.
350. The Deputy Principal also updated on the next steps following the unsuccessful joint application with Enterprise M3 colleges to the Strategy Development Fund, noting that the College would nonetheless be awarded c£50k to further develop the employer engagement ambitions of the collaboration. The College continued to campaign for the EM3 LEP to be recognised as an employer representative.
351. The Principal reported the impact of the government's decision to increase national insurance rates from April 2022 on the College's budget and members of staff.
352. The Board noted that the Office for Students had acknowledged the submission of the 2019-20 HE Access and Participation Plan monitoring report and not raised any issues. A monitoring impact report had been provided for publication on the College website. The Student Protection Plan for 2021-22 had also been reviewed and published.

RISK MANAGEMENT

353. The Board had received the minutes of the Audit Committee meeting held on 17 September 2021, together with the proposed new Risk Management Policy and Risk Register 2021-22.
354. The Committee Chair confirmed that the committee recommended the new Risk Management Policy and the new Risk Register, having had the opportunity to input into their development, and thanked the SLT for their work.
355. The Principal explained that the revised risk scoring methodology would assist SLT in identify and managing risks and confirmed that key risk indicators would be added for each risk to assist with alerting the SLT and Board of any concerns.
356. Members welcomed the developments, endorsing the refocusing of the Risk Register and the new format dashboard and heat map, and making a number of points about risk management.
357. Arising from the discussion points, the Principal undertook to revisit the heat map in relation to how to represent risks with low likelihood but potentially very high impact to keep these visible. It was also noted that the new programme of ‘deep dive’ presentations by management at Audit Committee meetings could include those types of risks.
358. It was also noted that it would be important not to lose sight of risks which were not included on the Risk Register itself and that the Audit Committee had proposed the Board consider in due course its risk appetite across different aspects of the College.
359. **Resolved** – that the Risk Management Policy 2021-22 and the Risk Register be approved.

DATA PROTECTION

360. The Board had received the annual monitoring report of the Data Protection Officer (DPO) on activities related to Data Protection and Freedom of Information (FOI) legislation during the 2020-21 academic year.
361. The Chair of Governors explained that the Data Protection Officer was unable to attend the meeting and had therefore provided written assurance to the Chair that he produced the data protection report independently of the College’s SLT, and that there were no major issues to draw to the attention of the Board. The Data Protection Officer had further confirmed that, at no point during the year, was there any attempt to influence him in the carrying out of his responsibilities as Data Protection Officer by any member of staff.
362. On behalf of the Data Protection Officer, the Deputy Principal drew the Board’s attention to key points in his report, explaining that the training had been provided to managers about the content of communications, such as emails, highlighting reporting to the Audit Committee on the outcome of phishing exercises and cyber security testing.
363. It was noted that the DPO had dealt with an increase in reported data breaches in 2020-21, compared to the previous two years, and that much of the increase had occurred because of the increased electronic communication with students and parents during lockdown. None of the reported breaches had warranted a report to the Information Commissioner’s Office (ICO).

364. The Deputy Principal noted that it was positive that staff were transparently reporting possible breaches and seeking advice from the DPO.
365. The Board was assured by the clear and transparent reporting of the DPO of Data Protection and Freedom of Information activities that the College continued to take its legal obligations seriously.

HEALTHCHECK REPORT

366. The Board had received and noted the latest Healthcheck report (2021-07), and the Deputy Principal reported additional DfE funding to support learners who had not achieved at least a Grade 4 in English and/or maths.

FINANCE AND PROPERTY

Finance

367. The Board had received the report of the Director of Finance on the end of year financial position 2020-21 and early indications on progress with the two-year financial plan. The management accounts to 30 June 2021 had been circulated separately and the management accounts to 31 July 2021 were due to be circulated shortly after the meeting.
368. The Director of Finance provided an update to the indicative end of year surplus which had been stated in the report noting that further analysis of the 2020-21 accounts had identified some updates to the asset based and some other variations which would result in an end of year surplus of c£350k before any FRS103 pension and SWAPs related adjustments. The Director of Finance assured the board that management controls on expenditure continued to be robust.
369. The Board noted that the end of year cash position was better than budget and provided some resilience against fluctuating economic conditions. The financial health grade for 2020-21 was expected to be 'Good' or better.
370. A member drew the Board's attention to the impact of the accounts in terms of the Local Government Pension Scheme pension costs and interest charges, noting that the College had no control over the pension fund adjustments but expressing disappointment that the statutory accounts would show a deficit as a result.
371. The Board noted that this was a common position in the sector and that the auditors would be expected to highlight if the scale of the deficit became a concern, the risk only materialising if there were no active members in the scheme. The College had sought to control overall pension costs with the establishment of Sparsholt College Services Ltd. It was also noted that future actuarial valuations might be expected to change if the economy continued to recover.
372. Members also discussed the strength of the balance sheet and the cash position in relation to the ability to fund future capital projects, the levels of depreciation, and the constraints arising from the current bank loan covenants and the challenge of renegotiating loans in the current financial climate.
373. The Board noted that there would be opportunities to return to these discussions and that the Director of Finance would be reviewing options.

Property Strategy

374. The Board had received a status report on the preparation of the new Property Strategy (produced by Fusion Project Management Ltd on behalf of the Principal) and the notes of the Governors' Property Strategy Working Group meetings held on 17 August and 16 September 2021.
375. It was noted that a further update from Fusion would follow to the Working Group in October/November, ahead of a draft strategy being presented to the Resources Committee in November for recommendation to the Board.
376. The Board noted the activities undertaken to date and the emerging themes of the consultation, the draft qualitative criteria for the option generation, and the summaries of the space modelling and condition analysis to date.
377. Members discussed elements of the developing strategy, including in relation to the FE Capital Transformation Fund and the T Level Capital Fund bids and the capacity for future investment to deliver the strategy.
378. The Principal invited members to forward to her any feedback on the draft qualitative criteria for consideration in the next stage of the review.

HE and FE Student Fees and Bursary Policy for 2022-23

379. The Board had received the report of the Deputy Principal on HE and FE tuition fees and bursaries for 2022-23.
380. The Deputy Principal summarised the key points, noting that the arrangements adhered with funding and regulatory requirements, including Further Education funding policies, Office for Students requirements and Consumer Markets Authority guidance.
381. The Deputy Principal explained the proposed approaches in the areas where the College had some discretion.
382. Several questions were raised and discussed, including in relation to the level of HE fees, refund criteria for HE and assessment of the quality of delivery during the pandemic, bursary funds and the HE Access and Participation target groups and accommodation fees.
383. **Resolved** – that the Student Fees and Financial Support arrangements for 2022/23, from which the fees and bursary policy would be developed, be approved, including full time domestic HE fees continuing to be charged at £9,250 pa.

EQUALITY & DIVERSITY, HEALTH & SAFETY AND WELLBEING

Equality & Diversity

384. The Board had received the annual report on Equality and Diversity, including progress with the Single Equality Scheme 2020-24.
385. It was noted that the timing of the annual report had been moved from March/April to October to enable reporting of data from the previous academic/financial year.
386. The Vice Principal Curriculum (Andover), who was the SLT lead for Equality and Diversity, introduced the report, and explained that management also intended to publish an annual report on the College website which celebrates and promotes its progress in a format accessible to potential students and other key stakeholders. This

will also support the College to meet its specific public equality duty to publish information annually.

387. The Vice Principal also highlighted discussions with a Board member at a recent Governor Equality & Diversity Link visit (the report of which had been separately circulated to Board members) and mentioned actions to support students and staff about becoming more comfortable about disclosing protected characteristics.
388. Reflecting on aspects of the report, the Co-Vice Chair reported discussions at recent FE Self-Assessment Review meetings in relation to the positive impact of progress coaches and tutors and the Deputy Principal highlighted the approach taken to making students aware of available bursaries (such as for the cost of trips).
389. A member had provided some detailed feedback to the Vice Principal in advance of the meeting about the drafting of the Single Equality Scheme in relation to being accurate about the descriptions of protected characteristics under the Equality Act 2010 and consistency of approach through the document.
390. The Board noted the progress made against the over-arching objectives of the College's Single Equality Scheme 2020-2024 and endorsed the publication of an annual report (in an appropriate format) on the college websites for potential students and other key stakeholders to access.
391. **Resolved** – that the Single Equality Scheme 2020-24 be reviewed and revised to ensure it was consistent with the requirements of the Equality Act 2010 and that future annual reports to the Board include a breakdown of full-time and part-time staff data.

Health & Safety

392. The Board had received the revised Health & Safety Policies for Learners on the Sparsholt and Andover campuses and the revised Health & Safety Policy for Staff, noting a section of the policy for staff was to be finalised.
393. The Principal and Health & Safety Officer highlighted the key updates to the policy documents and noted the context of the latest HSE (Health & Safety Executive) data to be published for the agriculture and fisheries industry.
394. It was noted that a sufficient level of competency and training around livestock and agricultural machinery, and related health and safety requirements, was essential for students going on work placements.
395. Responding to a member's question seeking confirmation that fire risk assessments were carried out regularly and by a suitably qualified person, the Health & Safety Officer provided some information about the processes in place at the College.
396. **Resolved** - that the updated policies be approved, subject to final revisions to the Health & Safety Policy for Staff being approved by the Chair of Governors and Principal prior to publication:
 - a) Health & Safety Policy for Staff
 - b) Health & Safety Policy for Learners (Andover)
 - c) Health & Safety Policy for Learners (Sparsholt)
397. The Principal reported the retirement of the Premises Manager and the recruitment of a new Premises Manager, noting that this was an important role in supporting health

and safety and security on the College campuses. The Health & Safety Officer was line managed by the Premises Manager but also had a direct reporting line to the Principal in relation to health and safety.

GOVERNANCE

Written Resolutions and Chair of Governors' Approvals

398. The Board had received the report of the Clerk to the Corporation on written resolutions by the Board and approvals by the Chair of Governors since the July meeting of the Board.
399. There had been no written resolutions.
400. The Board noted three approvals by the Chair of Governors:
- a) Safeguarding Learners Policy (updated to comply with the latest Keeping Children Safe in Education guidance)
 - b) Administration of Medicine & Medical Requirements Policy (updated to clarify the circumstances in which certain medicines could be administered)
 - c) Fitness to Practice Veterinary Nursing Policy (updated to ensure compliance with the requirements of the awarding bodies)
401. Matters relating to the safeguarding guidance are recorded at minute 411 below.

Annual Performance Review

402. The Board had received the report of the Clerk to inform the Board's performance effectiveness review for 2020-21, together with proposed updates to the Safeguarding Lead Governor role description.
403. The report summarised the implementation of actions agreed the previous year to help governors to prepare for meetings and discuss key business.
404. The Board considered the performance review report, including the feedback questionnaires completed by Board members, annual performance reviews conducted by its committees, benchmarking and attendance data, the performance of the College as a whole and the outcomes of external scrutiny during the year. The Board additionally took into account the College's most recently available Self-Assessment Review (2019-20) which had graded management and leadership as 'Good' on the Ofsted scale.
405. The Board was satisfied that the structure and operations of the Board were effective overall, fit for purpose and responsive to external developments in the Further and Higher Education sectors. For example, during the year, the business of the Board had been adapted to include new or enhanced oversight of the preparation for T Levels, the College's sustainability strategy, funding and capital grants opportunities, teaching and learning during the pandemic, and safeguarding.
406. The Board also noted the review of the Risk Management Policy and the introduction of a new format strategic risk register from 2021-22 to provide a clearer focus on the key strategic risks facing the College, alongside the new Three-Year Strategic Plan, and plans for further reporting on employer engagement.
407. **Resolved** – that the updated Safeguarding Lead Governor role description be approved, and that Chris Wilson be re-appointed as Safeguarding Lead Governor for a term of office to 12 October 2022 (or until completion of his term of office as a governor if sooner).

Governance Report

408. The Board had received the report of the Clerk to the Corporation updating on governance matters, including in relation to recent developments in the FE and HE regulatory environment and the Board's operations.
409. Board members had separately received and been requested to read the latest 'Keeping Children Safe in Education' (KCSIE) statutory guidance, noting that the Safeguarding Learners Policy and Procedures had been updated to comply with the guidance.
410. **Resolved** – to instigate an annual declaration for Board members to confirm that they had read the latest 'Keeping Children Safe in Education' (KCSIE) statutory guidance and that there were no new matters to disclose since their DBS disclosure certificate had been issued (in line with the annual declaration required from members of staff).
411. The Board noted the annual confirmation that the College continues to meet the requirements for 'Designated Specialist Land Based Provider' status, is financially sound and qualifies to continue in full membership of Landex.
412. **Resolved** – to
- a) reappoint Adrian Neal as a governor for a second four-year term of office from 14 December 2021
 - b) appoint Gareth Davies as a member of the Quality & Standards Committee from 7 October 2021
 - c) reappoint Sarah Jane Radford as a co-opted member of the Audit Committee from 1 January 2022 for a term of office of two years
413. **Resolved** – that the extended authorities in the Standing Orders (92) in relation to signing deeds and authenticating use of the Common Seal be retained, with the revision of wording to:
- The Common Seal of the Board must be kept in a safe place at the College and must be secured by a lock, the key to which will be kept by the Clerk who will affix the Common Seal to any document which requires to be sealed for the transaction of the business of the Board. The application of the seal shall be authenticated by the signature of the Chair or, in his/her absence, a Vice Chair or, in their absence, another external governor (excluding the governor employed by a College subsidiary) together with that of any other governor. The Clerk shall endeavour to notify the Chair and Co-Vice Chairs of the requirement for application of the seal in all cases.*
414. **Resolved** – that the Instrument & Articles (Instrument 14(3)) and the Standing Orders (16) be amended to replace the requirement for minutes to be signed as a true record with a requirement that the approval is recorded in the minutes (of the meeting at which the previous minutes are agreed) and that related references in the Instrument & Articles and Standing Orders to 'signed minutes' be amended to 'agreed minutes' for consistency.
415. **Resolved** – to adopt the updated Code of Conduct for governors and co-opted committee members (based on Evershed's seventeenth edition).

College History Project

416. The Board had received an update from J Lander summarising his progress in research and writing the College's history, ahead of its' 125th anniversary in 2024.
417. J Lander explained the extent of his research to date and his intention that the history be published in book form, noting that there were some not insubstantial tasks and associated costs involved in publishing a printed book with which he would need assistance.
418. It was noted that, while the stories being unearthed by J Lander's detailed research were fascinating and might be of relevance for future marketing and communication activities, the College did not have the necessary specialisms internally to undertake tasks related to publishing a printed book, nor was there a specific budget in place for this.
419. The Chair and Principal offer to assist with reviewing and providing feedback on draft chapters and other governors offered informal help, with possible plans for publication to be considered further.
420. Confidential matters were recorded separately.
421. The meeting ended at 1.00 pm.