



**ST MARY'S COLLEGE
BOARD OF GOVERNORS**

**MINUTES OF THE MEETING OF THE RESOURCES COMMITTEE
HELD ON THURSDAY 12th NOVEMBER 2020 AT 8.30AM VIA VIDEO CONFERENCE**

- Present:** Mrs S. Beecroft (voted in as 20/21 Committee Chair)
Mrs E. Best (Interim Principal)
Mr M. Conboy (Board Chair 20/21) (until item 20)
Mr A. Kheratkar (until item 20)
Mr M. Wright (for items 9 and 15 only)
- In attendance:** Mrs L. Farnhill (Clerk to the Board)
- Staff:** Mrs L. Cain (HR Manager)
Mrs T. Ellett (Nursery Manager)
Mrs K. Hollern (Business Manager)
Ms P. Lightbown (Staff Governor attending in capacity of HE co-ordinator)
- Apologies:** Mr M. Wright (for items 1-8 and 10-20)

ITEM 1 – ELECTION OF THE CHAIR

The Clerk asked if any member wished to self-nominate for the position of Committee Chair or if any member wanted to nominate someone for the position. Member AK nominated SB to continue in the position, seconded by MC. SB confirmed that she was happy to continue in the position and this was unanimously approved.

Item 1 - Resolved: The Committee approved Sue Beecroft as Committee Chair for the 20/21 academic year.

ITEM 2 - ELECTION OF THE VICE CHAIR

Committee Chair SB nominated 19/20 Vice Chair MW to continue in the position for the 20/21 academic year, which was seconded by member AK. With unanimous approval it was agreed that subject to his agreement, MW would continue as Vice Chair of the resources Committee.

Item 1 - Resolved: The Committee approved Mike Wright as Committee Vice Chair for the 20/21 academic year subject to his confirmation.

Action: MW to provide confirmation that he is happy to continue in the position as Vice Chair for the 20/21 academic year (clerk).

ITEM 3 - APOLOGIES FOR ABSENCE

The clerk provided details of the apologies of MW. The clerk confirmed that if able to do so, MW would enter the meeting later.

Item 3 – Noted: the Committee noted and accepted the apologies detailed.

ITEM 4 – DECLARATION OF INTEREST

SB and EB declared their standing interest. The Clerk confirmed with MC if he wanted to declare an interest in an item put forward to be discussed under AOB and he confirmed that due to a conflict of interests, he would withdraw from the meeting for that item.

Item 4 – Resolved: The interests declared were noted.

ITEM 5 - APPROVAL OF THE MINUTES OF THE MEETING OF THE RESOURCES COMMITTEE HELD ON 2ND JULY 2020

SB asked members to give their approval for the accuracy of the minutes circulated, confirming that all matters arising and actions were incorporated into the agenda or detailed in item 6. The minutes were approved unanimously without correction.

Item 5 - Approved: The Committee approved the minutes as an accurate reflection of the meeting of the Committee held on 2nd July 2020.

ITEM 6 - MATTERS ARISING AND DEFERRED ITEMS

The clerk provided an overview of the actions detailed from January and July, explaining that a number of actions were now no longer relevant due to changes in circumstance.

6.1 - EB provided an update on the action relating to the door wedges, confirming that they had been made on site, hand crafted to fit each door. EB added that although the wedges were initially made to hold doors shut to support staff in the event of an intruder situation, they were now providing additional uses as they were used to wedge doors open as part of the COVID-19 safety measures.

6.2 - TE advised that the parking restrictions continued to have an impact on occupancy, however, due to the pandemic; it was unclear to what extent. TE confirmed that a decision had been made to close from the nursery from December and sensitive letters to parents were issued. TE informed the Committee that although the nursery would not be closing until December, due to staff shortages, children from The Park were at the Wensley Fold site, with many agreeing to move there on a permanent basis once The Park closes in December.

Item 6 -Noted: The Committee noted the details of the actions and matters arising.

ITEM 7 - HE REPORT

PL confirmed members had received and read the report, informing the Committee that the statistics demonstrated that the team had managed to recruit for September and it was testament to the team that 80% of applicants were relocated, despite entry deadlines for local providers having passed. PL confirmed that many had chosen to transfer their studies to Holy Cross, as an alternative provider of LHu courses.

PL confirmed that the remaining information related to progression data for continuing students and asked if there were any questions or comments.

A member asked if transferring the student numbers to Holy Cross would reduce fees, with PL indicating that although it had not been calculated, the indications were that savings would be minimal due to the requirement to pay Holy Cross a proportion of what would be saved. **A further question was asked as to** whether this would create administrative savings, with PL stating that although the reporting requirements would be reduced, there would still be the need to collate the data and for this to cross referenced with Holy Cross, concluding that the reduction in workload would not be significant.

Interim principal, EB gave thanks to PL and her team for dealing sensitively with the students when the courses were withdrawn, confirming that the letter was written by EB, without indication of the College closure.

With no more questions or comments, PL was thanked for her time and PL left the meeting after item 7.

Item 7 - Noted: The Committee noted the details of the report.

ITEM 8 - NURSERY UPDATE

8.1 - Nursery Report

TE confirmed that the full termly report had been circulated; however, discussions would focus on the termly reporting areas of the quality of education and the approval of the safeguarding policy, as well as detailing the relevant COVID-19 information.

TE advised that figures detailed at the start of the report were correct at the time of writing although these were constantly being updated, advising of one positive COVID-19 case at The Park for a child and 1 parent at SMC, highlighting the procedures as outlined within the risk assessment.

TE indicated that the data for the quality of education report could not be obtained due to the closure of schools and the disapplication of early year's foundation stage at the end of reception, however, verbal updates from the schools had indicated that the children had progressed well and were well prepared for school by the nurseries.

TE outlined some progression and developmental concerns for children as a result of their withdrawal from nursery during the pandemic. TE stated that staff were working hard with the children to ensure that they continue to work towards their expected developmental levels, with the most significant impact noted for those children with Special Educational Needs, with actions in place to support them.

TE provided a summary of the updates to the risk assessment, highlighting the reduced risk of Ofsted inspections now that all 3 providers had undergone an inspection.

TE advised of the updates to the COVID-19 bubbles due to staff shortages, with staff now needing to cover multiple rooms which would have an impact on income for SMC if there was a positive case, however, there would be less financial impact at The Park as the children there were only registered for free childcare places.

TE moved on to summarise the strategic plan, with the preferred option being to move all children to the Wensley Fold site, to make this an appealing proposition and approach the Local Authority and ask them to take over the setting. TE advised the Committee that the staff and quality of care and education were well thought of by the Early Years team at the LA, however, there was concern over whether the LA would be allowed to take over a nursery from a private company.

A member commented that the document was well thought through, with TE confirming that she had tried to include all relevant detail, having closed a setting previously.

TE advised of the impact of the closure announcement to staff, with a number already having left or beginning to look for alternative employment, with concerns that meeting statutory ratios were at risk from low staffing and an expectation that occupancy would be impacted once the information was public. **A governor asked why** staff were leaving ahead of the closure, with TE advising that many were apprentices, who needed to ensure that they had secure employment to complete their qualifications. **A member commented** that swift action was necessary to ensure that there was a viable proposition to offer to the LA.

Detailed discussion was held about the need to balance confidentiality, under the direction of the joint communication strategy with the ESFA, with the need for a swift response required from the LA, with EB agreeing to raise this at a meeting with key staff from the LA.

KH informed the Committee that the original plan to close the nurseries by July 2021 had been accelerated, with closures likely to conclude by March, with the intention to have a full resolution ahead of communicating to parents, so that parents would know whether children were being moved site and that this provision would then return to LA control or if following the move, the provision would then close, enabling parents to make an informed decision.

TE concluded by reiterating her confidence in her team and advising that based on her knowledge of the Early Years staff within the LA, she remained hopeful that taking over an established, quality team would be a good option, with her only reservation being whether the LA would be able to, with the complications of TUPE for the staff, **with a governor commenting** that whilst they may be unable to, they may want to walk in a private provider, expecting that there would be a number of candidates locally that would be able to do so.

Item 8.1 - Noted: The Committee noted the details of the report.

Action: EB would approach the LA during the meeting regarding the 16-18 provision and tentatively ask if there would be scope for the Early Years team to take over or support them in finding a company to take over the setting.

Item 8.2 - Safeguarding Policy (for approval)

A member asked TE for a summary of the updates, with TE confirming that there had been significant updates, particularly in relation to COVID-19. TE outlined the processes used for maintaining contact with vulnerable children and families during the pandemic, highlighting cases within the nursery where this applied. TE advised the Committee that staff isolation resulted in a need for a number of updates particularly in relation to DSL's to ensure cover was maintained. **A member commented** that the policy was clear and comprehensive.

With no further questions or comments, the policy was recommended for approval. TE was thanked and left the meeting.

Item 8.2 - Approved: The Committee unanimously agreed to recommend the policy to the Board for approval.

ITEM 9 - HR

LC asked the permission of the Chair of the Committee to commence with Item 9.2 - the termly report. The Chair agreed.

Item 9.2 - Termly Review of College Personnel Including Absenteeism

LC agreed to provide a summary of the main activities since the last report.

Recruitment, Resignations And Redundancies

LC advised the Committee that there had been a full consultation with the LSA's following a reduction in the number of high needs learners and the halting of onsite afternoon provision, which EB clarified was due to the blended learning model. LC concluded that 3 had taken voluntary redundancy, having found alternative employment, resulting in two staff working part time covering 4 mornings per week.

LC provided details of teaching staff resignations and redundancies, outlining a redundancy commencing at the end of December for a member of teaching staff that was due to have their contract reduced in January, who was experiencing mental health difficulties and had taken redundancy, and a resignation for someone who had wanted to leave the profession, having secured alternative employment. LC advised that adverts had been placed for an IT manager and psychology teacher, both leaving to secure permanent positions following the announcement of the closure.

LC highlighted the need for the two additional security staff that had been recruited, to support the implementation of COVID-measures and social distancing.

Absence

LC advised that due to the pandemic, staff absence was higher than usual, with complications arising from isolation of staff and their families, with staff needing to balance their own childcare responsibilities when school bubbles closed for their children. LC provided details of the procedure used, and indicated non-COVID-19 related absences were very low, with no mental health issues or concerns relating to the impact of the pandemic aside from the case already detailed.

A member asked if staff were shielding, with LC confirming that there were no staff who were extremely clinically vulnerable, but some clinically vulnerable, who had all undertaken a full LA risk assessment ahead of the reopening in September. EB outlined some of the additional measures taken to support those who were clinically vulnerable, involving them in the risk assessment and

room arrangements to ensure that they were comfortable and confident in the measures available for their return.

Item 9.2 - Noted: The Board noted the detail of the termly HR report.

Item 9.1 - Annual HR report 19/20

LC advised the Board that the annual data for the year had been impacted by COVID-19 reducing the relevance of the comparison data; therefore only summative data had been provided. LC advised that there was no expectation for data to be compared across the sector, indicating that 2020 attendance data was not something that will be looked at for staff or students, and as a timely exercise it was felt that at present, time could be better utilised, and this was given the support of the Committee.

Item 9.1 - Noted: The Board noted the update.

EB then provided the Committee with a verbal COVID-19 health and safety update, as there were personnel implications linked to the update which were relevant alongside the HR reports. **(ITEM 15)**

ITEM 15 - HEALTH AND SAFETY UPDATE

EB advised the Committee of the operational processes used to manage COVID-19 and related staff absences, including recording and reporting data to the LA.

EB summarised the positive cases, with 6 staff having contracted COVID-19, all through family or the community, with no in College transmission between members of staff, staff to student or student to staff.

EB provided details of the absence reporting process, in College safety measures and the actions undertaken upon the notification of a positive case, which EB attributed to maintaining low levels of infection in the College, noting that the College was positioned in the centre of a high risk area, yet recording fewer positive cases than other local providers. EB indicated the low infection rates provided assurance to the Committee that the measures were effective and that safety of staff and students was paramount.

EB advised the Committee that LC manages the absences of non-teaching staff and provided details of an incident that had led to the College closure. This was outlined as symptoms reported to LC on Monday, which later resulted in a positive test.

EB provided details of the actions undertaken to ensure that learning continued and that College could reopen swiftly, in a safe way with agency staff to cover those now isolating.

A member asked about data relating to the students impacted by isolation that had not tested positive, indicating that the educational impact of COVID-19 was further reaching than those infected. EB agreed that the impact was significant, with some students having more than one period of isolation, advising that the Director of Students had the information that would support critical decision relating to examinations.

A governor asked members to keep the data in perspective, whilst some track and trace measures locally and nationally were inevitably let down by dishonesty, they reminded the Committee that the

College was at the centre of a high risk area, having been open for 3 months with only one day of closure and low rates of infection, evidencing the open culture and robust measures in place, with a request to pass on the on-going support of the Board to the staff that were going over and above to ensure that any educational impact was minimised.

Item 15 - Noted: The Committee noted the details of the verbal health and safety COVID-19 update.

ITEM 16 - DRAFT FINANCIAL STATEMENTS

KH clarified that members had received and had the opportunity to review the information within the draft Financial Statements, confirming that audit work continued, with no issues highlighted to date, however, items remained outstanding and the commentary needed to be updated to include a statement on going concern.

KH provided details of variances against period 12 management accounts and advised the Committee that there may be the need to update the presentation of the loan and assets on the balance sheet, drawing attention to the 74% pension deficit increase, which although was a non-cash item, would be issue as the College moves towards closure.

A member asked when the statements needed to be submitted, with KH detailing the different extensions granted by the ESFA and OfS, with the College needing to adhere to the ESFA requirements, coupled with the internal deadlines of the auditors with the manager only available until November 30th. KH confirmed that with only a few outstanding items including changes to the commentary and detail needed in the statement of going concern, the deadlines would be met.

Committee Chair, SB offered to review the statements ahead of submission and with no further questions or comments, KH was thanked for her work.

Item 10 - Noted: The Committee noted the details of the draft financial statements.

ITEM 11 - ILR

Item 11.1 - Final ILR 19/20 and Item 11.2 ILR 20/21

KH summarised the information, explaining that funding would not be affected by the ILR due to the new funding agreement being put in place by the ESFA, however, confirmed that the figures matched those previously reported by EB.

A member asked if it would be worth considering using the internal audit service to review the information and processes. KH advised that following the previously identified issues, immediate actions were undertaken to improve processes and the auditors were satisfied when they returned and conducted a follow up review. EB added that following the internal audit, the College also received a random assurance visit by the ESFA which was a more detailed piece of work, with the external reviewers satisfied that full compliance was demonstrated. EB reminded the Committee that the College continued to utilise external consultants to verify the data and to provide advice.

Item 11 - Noted: The Committee noted the details of the reports.

ITEM 12 - MANAGEMENT ACCOUNTS

KH presented the information previously circulated, drawing attention to the line added for income from emergency funding. KH summarised the information, confirming the October figures were actuals and that the College would move into a negative balance in December. KH advised that the variances were minimal, with the nurseries doing better than expected due to the extension of the furlough scheme providing additional funding.

KH informed the Committee that falling occupancy at the nurseries coupled with staffing issues detailed earlier had resulted in consideration for an earlier closure of the nurseries to prevent losses in the spring term, which the Board would be asked to approve.

A member commended KH for the accuracy of information presented and thanked KH for keeping the Committee and Board updated in what was a constantly evolving situation.

KH advised the Board of an update to the change of scope request on the roofing CIF bid, which had been rejected by the DfE Capital Projects Team due to the aluminium fascias included in the scope of work, with a request for the College to provide three quotes detailing UPVC. The Committee **discussed the requirement and raised concerns** over the delays, risking further damage with a potential to cause health and safety issues. EB advised that recent heavy rainfall had caused corridors and classrooms to be closed, resulting in a reworking of the one way system brought in to reduce the risk of transmission of COVID-19.

Members concluded that this unnecessary delay could cause the College to lose their slot with the contractors and an action was noted for the requirement to be clarified urgently on the basis that the full bid had been awarded and unnecessary delays risked the safe operation of the building.

Item 12 - Noted: The Committee noted the details of the update.

Action: KH would follow up the request for alternative quotes.

ITEM 13 - ESFA ASSESSMENT OF FINANCIAL HEALTH

KH advised that this had not been produced, confirming that this would be distributed when it became available.

Item 13 - Deferred: The ESFA had not yet released this information.

Action: KH would circulate the ESFA assessment of financial health when received.

ITEM 14 - PROPERTY AND ESTATES REPORT

KH advised the Committee that following a restructure of the Estates Team, an Estates Manager had been appointed; however, due to the recency of the appointment, they were not yet in a position to provide a report. KH confirmed that this would be available at the next meeting of the Committee. This request was supported by the Committee.

Item 14 - Deferred: The Committee agreed to defer the report.

ITEM 15 - HEALTH AND SAFETY UPDATE

KH confirmed that a written report had not been circulated due to staff absence, however, EB added that the verbal COVID-19 update provided under Item 9, HR Update and risks relating to the delay to implementing the CIF bid detailed within Item 12, Budget Update were the main health and safety risks faced by the College at present.

Item 15: The Committee noted the verbal updates already provided and accepted the deferment of the formal report.

ITEM 16 - RISK REGISTER AND RISK MANAGEMENT REPORT

KH advised the Committee that since the last presentation of the risk register, no amendments had been made as the Executive Team were aware that a full revision of the risks would need to be made upon receipt of the decision of the Education Minister regarding the College closure. EB confirmed that now the 2 year teach out had been approved, the Executive Committee had scheduled to meet to update the register, however, this was due on the day of the College closure; this was now rescheduled for Tuesday 17th November.

Item 16 - Noted: The Committee noted the detail of the verbal update and accepted the deferment of the formal report.

ITEM 17 - INSURANCE PORTFOLIO 20/21

KH presented the details of the Insurance portfolio for information. **A member asked** if there had been a significant increase in the premium, with KH confirming that the increase was only a marginal inflationary increase, commenting that the premium had not been impacted by COVID-19.

Item 17 - Noted: The Committee noted the detail of the report,

ITEM 18 - PAY UPDATE

KH advised the Committee that staff had not received a pay award and the budget presented would not allow for a staff pay increase with **a member commenting** that under the new funding agreement, it was expected that this would now be out of the hands of the Board.

Item 18 - Noted: The Committee noted the details of the verbal update and acknowledged that there was not the capacity within the budget to make a staff pay award.

ITEM 19 - PRINCIPALS EXPENSES

KH advised the Committee that the Interim Principal had not claimed any expenses in the reporting period.

Item 19 - Noted: The Committee noted the update.

ITEM 20 - ANY OTHER BUSINESS

Committee Chair's Action:

Committee Chair, SB asked to raise an item for discussion under AOB in relation to the strategic plan required by the funding agreement and Board Chair MC declared an interest and left the meeting with member AK also leaving at this point.

Committee Chair SB indicated that due to the meeting no longer being quorate this would be detailed and presented as Chair's Action.

SB highlighted the need for professional support in the drafting of the strategic plan and declared an awareness of the options already explored, asking EB to summarise these.

EB advised that a HR consultancy firm had been brought in to support LC with the restructure and redundancies to ensure legislative compliance and that their education partner had been approached regarding their ability to support with the project plan. Following a meeting, it was felt that the costs were not matched by what was being offered, with the skills of the partner similar to those held by existing staff and Board members. It was felt the proposition offered additional strategic oversight, failing to provide the operational support requested with disproportionately high costs. MB, the legally qualified clerk that had been appointed to support with the merger was also considered, however, upon review, her experience was in mergers and not closures and would not meet the present requirements.

With EB having met previously with Brendan Conboy, brother of Chair MC, when he had considered a role as a governor, EB indicated that she was aware of his skills and experience which included roles as an Executive Head and having been drafted in to oversee the recent closure of Thomas Whitam. EB asked SB if she had the opportunity to review the CV and support the suitability of the appointment.

SB confirmed that the CV presented indicated a closer skills alignment than the other options considered and that as an operational decision, SB confirmed it was within the remit of the Interim Principal to appoint the most suitable candidate, acknowledging the transparency necessary due to the conflict of interests with his relationship to the Board Chair, agreeing that raising this with the Committee was the correct course of action.

EB provided details of the rate to be charged and expected scope of the work, with SB confirming that this was reasonable for the work to be undertaken. SB offered to provide support of the appointment under Chair's Action, asking that the interests were declared and managed appropriately.

With no further business, members and attendees were thanked for their time and the meeting closed at 10.25am.

ACTIONS, MATTERS ARISING AND DEFERRED ITEMS

Item 2 - Action: MW to provide confirmation that he is happy to continue in the position as Vice Chair for the 20/21 academic year (clerk).

Item 8.1 - Action: EB to approach the LA during the meeting regarding the 16-18 provision and tentatively ask if there would be scope for the Early Years team to take over or support SMC in finding a company to take over the Wensley Fold setting. (EB)

Item 12 - Action: KH would follow up the request for alternative quotes relating to the CIF bid, expressing the concerns relating to the condition of the building. (KH)

Item 13 - Action: KH would circulate the ESFA assessment of financial health when received. (KH)

Item 14 - Property And Estates Report - Deferred

Item 15 - H&S Report - Verbal Update Provided - Report Deferred

Item 16 - RR - Verbal Update Provided - Report Deferred