THE TRAFFORD COLLEGE GROUP

Minutes of the Resources Committee Meeting held on Wednesday 15 November 2023 at 5.30 pm held via Microsoft Teams

Present: Janet Grant (Chairperson)

James Scott (Principal and CEO)

Jill Bottomley Graham Luccock Jonathan O'Brien Ayodele Oyebode Louise Richardson

In Attendance: Alison Duncalf (Deputy Corporation Secretary)

Dave Fitton (Director of IT and Digital Services)

Carmen Gonzalez-Eslava (Deputy Principal)

Richard Harris (Interim Chief Finance Officer)

Michelle Leslie (Vice Principal Corporate Services and Planning)

Lyndsay Sheridan (Director of Finance)

Kelly Wright (Assistant Principal – Planning, Funding and Performance)

Minute No:

RES/71/23 Apologies for Absence

The Deputy Corporation Secretary (DCS) reported that apologies for absence had been received from Allison Hewitt.

Jeremy Woodside was not in attendance at the meeting.

RES/72/23 Declarations of Interest

There were no declarations of either direct or indirect interest in any of the meeting's business items.

RES/73/23 Minutes of the Meeting held on 11 October 2023

The minutes of the meeting were approved and accepted as a correct account of the meeting's proceedings.

RES/74/23 Matters Arising from the Minutes

The DCS referred members to the pro forma actions arising from the minutes of previous meetings. It was noted that a number of matters arising had been completed or would be covered through the business items and/or were future actions.

The following additional matters were raised by members:

 RES/54/23 Partner Subcontracting Activities Update 2022-2023 (RES/30/23, 26 April 2023)

The PCEO reported that there was no update to report since the last meeting of the Committee. It was noted that the position and subcontracting relationship remained unchanged and that there had been no update available in relation to the future plans from either the school or the ESFA.

The Principal and CEO (PCEO) undertook to provide further information when it became available. There was confirmation that there had recently been a change in both the headship and CEO of the academy chain.

• A member asked as to the number of students that came under the contract arrangement with the school.

The PCEO confirmed that the cohort was relatively small and comprised no more than 30-40 students.

The PCEO indicated that moving forward should there be no further A Level provision there would be continued support to the Year 2 students.

There was acknowledgement of the uncertainty around the relationship.

Action: Principal and CEO

ii. RES/59/23 – Sustainability Strategy Outcomes 2022-2023

The Deputy Principal (DP) confirmed that the work to clarify those courses that were aligned to the green curriculum was approaching completion and undertook to share the information by email as soon as it became available.

Action: Deputy Principal

iii. RES/37/23 Employee Resources Update - HR Exit Interviews

In the absence of the Director of Human Resources and Performance the Vice Principal Corporate Services and Planning (VPCSP) confirmed that further information would be provided as part of the next data set.

Action: Director of Human Resources and Performance

There were no further issues raised by members arising from the minutes.

RES/75/23 The Trafford College Group Draft Annual Report and Financial Statements 31 July 2023

The Interim Chief Finance Officer (ICFO) presented a report which included the Draft Report and Financial Statements (DRFS) for the year ended 31 July 2022.

There was confirmation that the Group was obliged to prepare an Annual Report and Financial Statements (ARFS) to 31 July each year. It was stated that the DRFS were subject to external audit and that the Regularity Self-Assessment (RSA) was subject to assurance engagement. Members were reminded that both documents were required to be submitted to the ESFA for review by 31 December 2023.

There was confirmation that the "front end" narrative was scheduled to be reviewed by the Audit Committee at its meeting on 20 November 2023 as well as consideration in relation to an assessment of going concern and any events after the reporting period together with the Letter of Representation from the external auditors.

The ICFO took members through the narrative of the DRFS and attention was drawn to the following:

- the narrative from page 4 in relation to objectives and strategy which included reference to the most recent Ofsted inspection
- the financial performance of the Group (page 8)
- the streamlined energy and carbon reporting (page 10) which was consist with the Group's sustainability objectives and illustrated reduced energy usage, a highprofile priority
- the principal risks and uncertainties (page 13) and the main strategic risks facing the Group namely Government funding; maintenance of adequate funding of pension liabilities; failure to maintain financial viability of the Group; success of the merger with Cheadle and Marple Sixth Form College; and the longer-term impacts of Covid-19
- the assessment of going concern (page 18) and the opinion that the Group had adequate resources to continue in operational existence for the foreseeable future
- the Statement of Corporate Governance and Internal Control (page 21) and the statement of audit opinion for which an unqualified opinion was expected and would be considered further at the meeting of the Audit Committee scheduled to take place on 20 November 2023
- the statements on regularity, propriety and compliance and statement from the Chairperson of the Board of the Corporation
- the financial statements and results (from page 43) and the income and expenditure
 accounts reflective of the management accounts as considered during the course
 of the year; the deficit from the income and expenditure account of £530k; and
 EBITDA position inclusive of depreciation and deferred capital grants (net £1.8m)
- the Statement of Financial Position (page 45) and confirmation of year end cash balances of £3.9m and the cash flow statement (page 46) showing an in-year cash reduction of £2.3m reflective of the in-year capital programmes
- the detail as outlined in the notes to the accounts.

The ICFO further drew attention to the post balance events since the 31 July 2023 which included reference to the change in the Group's name which was not being publicised until January 2024.

In terms of the next steps it was confirmed that the DRFS would be considered further by the Audit Committee at its meeting on 20 November 2023 and thereafter be presented to the Board of the Corporation on 13 December 2023 for discussion and formal approval. The ICFO stated that once approved the accounts would be submitted to the ESFA prior to 31 December 2023 and published on the Group's website in advance of 31 January 2024

There were no issues or comments raised by members and following due consideration and deliberation it was resolved that the appendices presented be recommended for approval to the Board of the Corporation as part of the full Annual Report and Financial Statements for The Trafford College Group to 31 July 2023.

Action: Interim Chief Finance Officer/Board of the Corporation

RES/76/23 Management Accounts for the Period Ending 30 September 2023

The Director of Finance (DOF) referred members to the previously circulated Management Accounts for the 2 months ending 30 September 2023.

In respect of the strategic key performance indicators (KPIs) the following was highlighted:

- the forecast EBITDA was down against budget but the Financial Health remains "Good"
- the potential for increased income through funding for High Needs learners, offset by increased pay costs for additional staff needed, and as recorded within the forecast
- some income streams were being accrued to budget and risk adjusted down in anticipation of the completion of the RO3 ILR
- pay costs below budget largely due to vacancies
- the pay award had been costed within the budget however staff costs would continue to require very close management during the year
- business reviews were taking place with all Heads of Departments (HoDs) to ensure contribution rates for each area remain closely monitored with a view to avoiding any unnecessary expenditure on excess staffing
- year to date overspends on non-pay require corrective action to mitigate the risk of falling into "Requires Improvement"
- non-pay reviews were taking place to fully understand overspends in the context of recognition that stringent budget management was required in order to meet the forecast position
- the Group remains covenant compliant
- non-pay spend areas that were over budget would continue to be monitored with work taking place with directors to eliminate overspends going forward
- pay budgets would be maintained under review with a view to eliminating overspends and the accurate tracking of costs
- to continue to request and scrutinise timely and complete information from MIS and Payroll that fed directly into the management accounts to improve confidence in the accuracy of the forecasted position
- the forecast EBITDA was down against budget and oversight would continue to be maintained particularly in relation to non-pay costs.

Questions and comments were invited from members.

A question was asked by a member in relation to the Financial Health grading.

The DOF responded that the Financial Health grading remained "Good" but the position was borderline and that further deterioration would mean falling into "Requires Improvement" (RI). It was noted that the current forecast for the year end was 190 points which gave limited headroom to avoid RI and that a further deterioration of circa £450k would mean a score of 170 points and an RI judgement.

A member commented on the non-pay costs and the areas of high costs.

The DOF provided assurance that monitoring was taking place line by line and that work was taking place to control costs. It was noted the only area outside the control of the Group tin the current year were exam costs.

 A member asked a question in relation to administration costs and what they comprised.

The DOF stated that they included a multitude of items such as IT, telephones, placement fees in HR, legal costs and parking costs at the Stockport campus, the latter of which would cease in the new year. There was confirmation that further exploration was take place around placement fees (recruitment fees for agencies) with HR.

• Clarity was sought by a member in relation to the pay award.

There was confirmation that part one of the pay award had been settled and that the part two constituted a minimal element in respect of pay.

Members further gave consideration to the legal costs apportioned to HR including associated insurance arrangements.

The Chairperson made reference to the useful schedule on page 3 of the supporting document and asked if it could be extended to provide a summary of key "ins" and "outs" to enable sight of the movements and identification of aspects for celebration and/or concern.

Action: Director of Finance

There were no further questions or issues raised by members arising from the report and following due discussion and consideration it was resolved that the Management Accounts for the 2 months ending 30 September 2023 be recommended to the Board of the Corporation for approval.

Action: Board of the Corporation

RES/77/23 Final Funding Claims 2022-2023 and Contract Values 2023-2024

The Assistant Principal Funding, Performance and Planning (APFPP) referred members to the previously circulated report which provided information for the final funding claim submissions in respect of 16-19, adult and apprenticeship funding streams income for 2022-2023 as well information in relation to contract values for 2023-2024.

A summary update was presented and the following key issues highlighted:

16-19 Funding

- a comparison of the allocation and final position for 2022-2023 and the allocation for 2023-204
- the T Level income position which indicated growth by 41% in 2023-2024 for which there was potential for in-year clawback of £5k.

Adult Education Funding

- confirmation of the final funding drawdown against allocation for 2022-2023
- that funding was expected to be clawed back from December 2023 in respect of the GMCA outturn
- there was a small amount of over delivery which was expected to be reviewed by the ESFA with final confirmation of actual funding to be received being due from the ESFA by the end of November 2023.

Level 3 Skills Guarantee National Level 3 Skills Guarantee and Local Level 3 Skills Guarantee)

- there was a slight under delivery of the ESFA Level 3 allocation in 2022-2023
- confirmation that there was no cap on GMCA National Skills Fund and Local Delivery offer with funding being drawn down on delivery and paid the month following delivery
- in 2022-2023 the internal targets set against this income stream were significantly exceeded and the initial target set at £97k was increased in-year to £300k.

Apprenticeship funding

- the actual delivery for 2022-2023 was £2,748k.

Questions and comments were invited from members.

 A member sought clarity in respect of the GMCA National Skills Fund and Local Offer.

The APPFP confirmed payments were made in arrears and that target were set internally for budgetary purposes. It was noted that the target within the management accounts for 2023-2024 had been increased from £300k, the previous year, to £311k.

 A question was asked by a member in relation to the 42-day threshold and it was asked if there was any indication as to the likely position at this point in 2023-2024.

There was confirmation that the numbers for 2023-2024 were modelled around the 42-day period. The DP indicated that approximately 300 students had been lost since the start of the academic year with the majority (60%) having never attended and the remaining 40% in the main having attended at an early point but then stopped.

• The member further asked as to whether those students were contacted with a view to determining the reason for their withdrawal.

The DP stated that the students were determinedly followed up, with the reasons for withdrawal mainly being due to choosing to study elsewhere, employment or taking a year out.

There were no further questions or issues raised by members arising from the report and after due discussion and consideration it was resolved that the funding position for 2022-2023 and contract values for 2023-2024 be noted.

RES/78/23 ESFA: College Financial Forecasting Return 2023-2025 including Finance Dashboard Summary

The Interim Chief Finance Officer (ICFO) referred members to the previously report and information from the ESFA including a response to the Groups Financial Forecasting Return for 2023-2025 and their review therein, as well as the Finance Dashboard Summary.

The ICFO confirmed the ESFA's assessment of the Group's Financial Health following their review against the 3 key measures of solvency (cash balances and a measure for cash days in hand), profitability (EBITDA generated each year and the most significant

items of expenditure) and borrowings (debt in relation to turnover and affordability of servicing that debt each year). It was confirmed that based on the 3 key measures the Financial Health had been assessed as "Good" for 2022-2023 (the latest outturn forecast year) and "Good" for 2023-2024 (the current budget year).

With respect to the Governor Financial Dashboard there was confirmation that this presented a summary of the Group's performance. It was noted that this information was available online via the ESFA View Your Education Data portal.

Questions and comments were invited from members.

 A member with reference to staff cost ratios asked whether the target continued to be that previously set by the FE Commissioner at circa 65%. It was added that the External Governance Reviewer had commented that the Group had done well to control its staff costs following the two mergers.

The ICFO responded that the 65% threshold continued to stand, adding however that it was recognized that this target was very difficult to attain. Members noted that the Group was currently tracking at around 67%.

It was commented that there were a decreased number of colleges with a Financial Health grading of "Outstanding".

There were no further questions or comments from members and following due consideration it was resolved that ESFA: College Financial Forecasting Return 2023-2025 including Finance Dashboard Summary be received and noted.

RES/79/23 Partner Subcontracting Update 2023-2024

The APPFP referred members to the previously circulated report and an update on the current position in relation to subcontracted provision across the Group.

There was confirmation that the report provided a summary update on the current position in relation to subcontracted provision across the Group.

Information was provided in relation to 16-19 Study Programmes; Subcontracted and Partnership Summary Information 2023-2024; and Partnership Working in 2022-2023. There was confirmation that there were no changes to report since the previous reporting period.

The PCEO added that work had been taken place with the legal team to review partnership contracts particularly in relation to ESFA guidance and its interpretation, as well as their differentiation from sub-contracting arrangements. It was noted that whilst a level of comfort had been attained the position was not risk free going forward and work was to be commissioned from the internal auditors to provide some extra assurance to members.

The ICFO added that partnerships were undertaken for the right reasons however there was never complete certainty in terms of them being risk free.

It was further reported that at a recent Ofsted inspection, Code Nation had been graded as "Good".

Questions and comments were invited from members.

• A member sought clarity in terms of partnership arrangements and the high level of risk from a contractual perspective.

The ICFO responded that the risk was that the ESFA may form the view that a partnership was subcontracting under a different name and that an institution was seeking to circumvent the rules in place. It was noted that in such circumstances the ESFA could, then, potentially withdraw their funding.

The PCEO expanded upon a partnership arrangement undertaken in the latter part of the 2022-2023 academic year in relation to out of area AEB. It was stated that at the point of entering into the contract it was consider on balance that it was a partnership as opposed to subcontracting. It was noted that the partnership related to retrospective activity and there was no intention to pursue a partnership arrangement in the current year. There was confirmation that the provision met a nationally identified need in relation to warehouse logistics.

There was confirmation that the firstly termly conversation with the ESFA was scheduled to take place in early December, an additional meeting to the existing established conversation meeting which included the Chairperson and Corporation Secretary, and a more operation meeting with the Leadership Team.

 A further question was asked by a member around the justification for the contract type.

The PCEO expanded upon the two contract types stating that subcontracting required the approval of the ESFA and was where the subcontractor delivered their own programme via their own staff and where there was no route to funding on the part of the delivering company. It was noted that under such arrangements the Group had oversight in terms of quality.

In respect of partnerships, and that in relation to Staff Power, it was stated that the Group had created the programme and Staff Power secured the learners and undertook the delivery. It was added that the Group had more control over the programme and quality, and that a smaller element of the funding passed to the partner. The view was expressed that the confusion and risk related to the interpretation around the staff delivery of the programme.

For completeness it was stated that the Group currently had had an equivalent relationship with Code Nation to which the ESFA had not expressed any concerns.

It was further confirmed that the Group's Contracting and Partnership Procedure had recently been updated. Members noted that the Procedure had been presented to the Board of the Corporation at its meeting on 18 October 2023. The DP undertook to re-share the Procedure.

Action: Deputy Principal

There were no questions or issues raised by members arising from the Partner Subcontracting Activities Update and following due discussion and consideration it was resolved that the report be received and noted.

RES/80/23 Learner Numbers and Funding Update – November 2023

The APPFP referred members to the previously circulated report and summary update of the current position in relation to recruitment of learner numbers and predicted learner funding income. There was confirmation that the information in the report complemented the detail provided within the latest college management accounts.

Attention was drawn to the rag rating within the table of information and the following key issues were outlined:

- 16-19 ESFA numbers were currently at 94% of the curriculum plan and 105% of allocation, with the focus currently being upon retention (rag rated green)
- the under recruitment of 16-19 T Levels (111 against an allocation of 187) and the risk against the contract of potential in-year clawback of £5k (rag rated amber)
- for AEB enrolment numbers were positive compared to the expected plan (rag rated green) and work was continuing to develop term 2 and term 3 activities, with engagement with partners for future recruitment having commenced
- Apprenticeship recruitment was ongoing and there was currently a strong focus on ensuring new start paperwork was recorded within the system to allow for current forecasting (rag rated as red but enrolment numbers continued to be processed)
- HE numbers were healthy and retention in this area continued to be reviewed (rag rated green).

There was confirmation that there was no opportunity for 16-19 in-year growth, due to the reintroduction of the pre-Covid funding increase methodology, and it was anticipated the increase in ESFA numbers would have a positive impact upon the 2024-2025 funding allocation.

In relation to HE the partnership with OLC Europe it was noted that HE provision was regulated by the Office for Students. There was confirmation that additional detail in relation to this partnership would be provided at the next meeting of the HE Curriculum and Quality Committee meeting.

In conclusion it was stated that at the moment, whilst the position in relation to apprenticeships was not confirmed, there were no risks around learner numbers and the only material aspect related to potential T Level clawback.

There were no questions or comments from members and following due consideration it was resolved that the update report be received and noted.

RES/81/23 Digital Annual Plan and Outcomes 2022-2023

The VPCSP referred members to the previously circulated report and information on the progress made against the key objectives and actions included in the Digital Plan for 2022-2023.

It was confirmed that progress against the Plan had been monitored in-year by the Information Governance Group (IGG) and that overall progress had been made against the objectives, with all areas have been either achieved or partially achieved.

The following aspects from the Plan were highlighted:

Digital for Students

There was confirmation that whilst progress had been made there continued to be issues around the consistent application of the digital initial assessment and the four digital excellence projects. Moving forward to the new digital plan for 2023-2024 it was stated that a revised approach to the student digital entitlement had been introduced with more work taking place to ensure clarity on digital skills entitlement for each student group.

Digital for Staff

It was reported that although progress had been made against each of the objectives none of them were fully achieved. Members noted that most of the objectives were longer term in nature and moving forward there would be more specific milestone targets.

Reference was made to the discussions that had taken place around AI in curriculum delivery including professional development requirements and it was confirmed that a further review of AI would take place to ensure a comprehensive approach was included as a section in the next Digital Strategy.

Universal Enablers

Reference was made to the capital funding opportunities and the significant investment made in this area. It was noted however that there continued to be staff concerns over resources and further survey work was taking place to enable a better understanding of concerns and to ensure future investments prioritise the areas of most concern to staff.

Infrastructure

There was confirmation that good progress had been made against the targets supported by an increase in investment.

Questions and comments were invited from members.

 A member asked as to whether there has been any resistance amongst staff in relation to the speed of change and moving forward if this had been built into the change process.

The VPCSP responded that there was a mixed picture within which it was know that there were some areas of genuine issues and concern. It was stated that in terms of the structural issues work was ongoing to address this and that action was also being taken to support individuals to fully utilise that which was already available. There was recognition of the need to fully understand the concerns of staff.

The Director of IT and Digital Services (DITDS) concurred with the position adding that there was often resistance from staff when change happened quickly and it was important that individuals were guided and provided with a route forward.

The VPCSP added that the membership of the IGG Committee were supportive of a holistic approach.

• The issue of digital entitlement for students was raised by a member and it was asked if some of the inconsistencies in previous years had been resolved.

The VPCSP confirmed that the Group was better placed in 2023-2024 with a clear lead in the college and greater ownership which included improved tracking.

In relation to the conversation around the speed of change the PCEO added that since the last meeting of the Committee the AI conversation had gained momentum. Reference was also made to teacher specific tools such as Teacher Matic which had potential for a positive impact on teacher workload.

The PCEO further highlighted the impact of technology as a tool for engagement to support young people who were not able to attend college. There was confirmation that this provision was now in place, the PECO stated that its utilisation was with a view, in the longer term, to enable in person attendance at college.

In respect of the student digital entitlement, it was noted that a report on progress had been produced, by the Assistant Principal, Quality Student Experience and Support, for presentation to the Executive Leadership Team. It was confirmed that a further update will be provided as part of the Digital Annual Plan Update 2023/2024 to the Resources Committee.

Action: Deputy Principal/Vice Principal Corporate Services and Planning

The DP added that with reference to work related skills and students working outside the classroom, work was also taking place with employers to determine the specific digital skills needed for their sector which could then be embedded in the curriculum.

There was agreement that a further update would be presented to the next meeting of the Committee.

Action: Vice Principal Corporate Services and Planning/Director of IT and Digital Services

There were no further questions or comments from members and following due consideration it was resolved that the progress and outcome report in relation to the Digital Annual Plan 2022-2023 be received and noted.

RES/82/23 Accommodation Strategy Update – October 2023

The VPCSP referred members to the previously circulated update report in respect of the Group's accommodation strategy including the significant capital estates projects (Cheadle and Stockport Phase 3) and the Reinforced Autoclaved Aerated Concrete (RACC) situation at the Marple campus.

• Cheadle Project

The VPCSP reported that the design and budgeting were ongoing with the key prevailing issue being the planning. Members were referred to the three planning options as set out in the supporting paper – the current scheme; an alternative scheme with a reduced residential area; and a scheme suggested by Sport England around the development of artificial pitches and improved sports facilities.

The VPCSP expanded upon the discussions that had taken place around the options and the priority placed on being able to draw down funds within the set timeframe as well as meeting the requirements in relation to playing field space and the potential for an objection from Sports England and statutory referral of the scheme.

Members noted that following robust discussions with Stockport Council there had been confirmation that they would be supporting the second option.

The VPCSP reported that the DfE had been kept informed of progress. Members were further reminded that under the terms of the grant agreement the Group was required to endeavor to maximise land receipts.

The VPCSP stated that on balance, whilst options 1 and 3 were deemed to be the best schemes for the college, DfE and community, given the risks of deliverability and cost, option 2 was considered to be the most appropriate way forward. It was further stated that following discussions with Stockport Council, subject to the consultation period being confirmed, that it was hopeful that the scheme would meet the timescales for the December 2023 planning committee.

Stockport Phase 3

The VPCSP reported that further to the Board of the Corporation granting delegated powers of approval to the Chairperson of the Corporation, the Chairperson of the Strategic Property Working Group and the PCEO, appointment of the contractor to deliver the Stockport car park had taken place.

There was confirmation that consistent with the Group's Financial Regulations, tenders had been sought from 5 companies, of which 3 were returned, one of which did not meet the specification.

Members noted the award of the contract to HH Smith, at a total project value of £924k with the costs to covered by the DfE Capital Condition Grant. There was confirmation that the works had now commenced with the aim that car parking would be available for the start of the new term.

RAAC

The VPCSP presented an update in respect of the medium term measure adopted in response to the existence of RAAC at the Marple site and the provision of temporary cabins. Members noted that works were slightly behind schedule due to the recent high winds but that the cabins would be in place at the start of the next term.

There was confirmation that selection of the contractor had been undertaken by the DfE.

Questions and comments were invited from members.

 A member raised the issue of whether the indirect impact had been considered of the temporary accommodation, which could be in place for a number of years. It was asked if any other consequences had been considered.

The VPCSP recognised the concerns of members but added that she did not believe that the existence of temporary cabins would deter the progression of a long term solution. It was stated that the Marple was a relatively compact site and that the cabins would be located close to the main facilities. There was assurance that the position would be closely monitored and that the Group would be pressing the DfE for a permanent solution.

The PCEO acknowledged the potential risk in respect of the attractiveness of the campus and future recruitment. It was added that student numbers were currently less than 500, a significant decrease from 700 two years ago, and it was suggested that there was a need for an extra 100 learners to ensure that the site broke even.

 Members went on to give wider consideration to the impact of RAAC at the Marple site and asked as to how the issue had been communicated in the wider community.

The VPCSP responded that the government had published information on their website detailing those colleges and other educational establishments that had been impacted by RAAC, adding that the Group had issued press statements and assurances had been provided over the continuation of face-to-face learning. The view was expressed that there had not been adverse comments and local press was being monitored. It was suggested that further insight may be gained via the impending open days.

A member added that they understood that the Marple site was one of a number of educational facilities in the Stockport area that had been affected by RAAC.

There were no further questions or comments and following due consideration it was resolved that the Accommodation Strategy Update – October 2023 be received and noted.

RES/83/23 Any Other Business

There no matters raised under any other business.

RES/84/23 Date of Next Meeting

It was agreed that the next meeting of the Committee would be held at 5.30pm on Wednesday 21 February 2024.

The Assistant Principal Planning, Funding and Performance joined the meeting at 5.50pm during consideration of agenda item 6.

The meeting ended at 7.10pm.