



## **MINUTES OF THE REIGATE LEARNING ALLIANCE TRUST BOARD MEETING HELD ON TUESDAY 05 DECEMBER 2023 @16.30**

**Present:** Ms Pat Frankland – Chair  
Mr Spencer Bowen – Vice Chair  
Mr Stephen Hewes  
Mr Farouk Durrani  
Ms Yvette Robbins  
Ms Christine Downton  
Ms Kate Fulker  
Mr Chris Whelan - Chief Executive Officer  
Mr Nick Clark – Executive Principal

**In attendance:** Ms Kim Saw (Director of Finance)  
Mr Jon Allen (Clerk)

### **EXTERNAL REVIEW OF GOVERNANCE**

Prior to the start of the formal Trust Board meeting, Trustees received a presentation from Fiona Chalk (FE 4 Governance) on the findings and recommendations arising from the external review of governance.

Working in groups, Trustees identified 3-5 top priorities for taking forward. Both groups identified similar priorities, and these were summarised as follows:

- Ambassadorial role of trustees
- Stakeholder engagement
- Collaborative working/knowledge exchange – in reports, where appropriate, put the challenge to trustees by asking more strategic questions for trustees to consider rather than reports to say 'To note/discuss'. Such an approach will facilitate a more strategic discussion.

The Governance Professional, working with the Chair, will put together an action plan to address the recommendations made in the report.

### **SECTION 1: FORMAL AGENDA ITEMS**

- 1. WELCOME**  
The Chair welcomed everyone to the meeting.
- 2. APOLOGIES**  
An apology was received from Mr Gerard Weide.
- 3. DECLARATIONS OF INTEREST**  
There were no declarations of interest against any of the agenda items.

#### 4. MINUTES

The minutes of the Trust Board meeting held 19 September 2023 (Paper 1) were agreed as an accurate record of the meeting.

#### 5. SUMMARY ACTION LIST & MATTERS ARISING

The 'Summary Action List' (Paper 2) provided the meeting with the following progress updates against action points agreed at the last Board meeting:

MIN	ACTION	UPDATE FOR MEETING 05/12/23
4	Risk relating to the transfer of the payroll contract from SCC to Cintra - to keep this risk under review by both the Finance & Resources Committee and the Audit & Risk Committee	The October parallel payroll run between the current payroll provider and the new payroll provider was completed with any errors corrected. The November parallel payroll run is being checked at the moment before final sign off. The new payroll provider is confident the December payroll will proceed as scheduled. The back-up, should there be any issues arising on the December payroll, is to pay staff based on the November payroll.
5	Trustees requested for consideration to be given to presenting the Risk Register in a format that puts any 'Red' risks at the forefront of the Register.	Agenda item
7	Building Surveyors Report on RACC to be made available to the Audit & Risk Committee.	This was reviewed at the meeting of the A&R Committee held 21 November.
11	Annual HR Report - to include in future reports more benchmarking data and year-on-year comparisons.	On-going
12	Governance Review Action Plan - succession planning for both the Governance Professional and Executive Team.	Agenda item
14	To add staff INSET days to the training programme with invitations to attend to be issued to Trustees	Added to the training programme. It was agreed to circulate dates to trustees.

There were no other matters arising.

### SECTION 2: MONITORING OF RISK, STRATEGIC MATTERS & MONITORING OF COLLEGE PERFORMANCE.

#### 6. SUCCESSION PLANNING (CONFIDENTIAL AGENDA ITEM)

The Board received a confidential presentation from the Executive Principal on succession planning arrangements for members of the Executive Team.

For information purposes the Board received a report on the College's 'Future Leaders Programme' (Paper 13).

Arising from a detailed and strategic discussion on succession planning, it was noted, and agreed, for additional work to be done on further developing competences for key posts, to extend succession planning to cover support staff, and business continuity.

## 7. CHIEF EXECUTIVE OFFICER UPDATE

The report from the CEO (Paper 4) provided updates on the following:

- Student Outcomes
- Funding
- Oxbridge Applications
- DfE Policy
- Student recruitment September 2024.
- Staff recruitment September 2024
- Pay negotiations and industrial action.
- RAAC concrete issues
- Safeguarding – Exception Reporting

The following key points were noted:

### Student Outcomes:

A further release of data since the September Board meeting shows course retention rates expressed as a Value Added Score for different categories of student taking A levels. The key message arising from the data was the A level Value Added scores for outcome grades by cohort category shows a higher rate of progress for Reigate students than is average for Sixth Form Colleges.

### Funding:

The budget for 2023/24 has been updated to reflect the confirmed ESFA funding increase of £505k and the pay settlement agreed of 6.5% for all staff. The year-end forecast shows a budgeted surplus of £22,000 compared to the original budget deficit of £300,000.

### DfE Policy:

The main DfE focus remains vocational education reform. Exam boards will be notified of accepted changes in May 2024 with a short appeals window, and schools and colleges will have this confirmed on 31 July 2024 for implementation from September 2025. There will also be a further round of changes from 2026 with details announced in 2025. As the implementation date is after the next general election it is not clear that this will be implemented to the stated timescales, or even happen at all, given Labour and Lib Dem statements on the reforms.

### Student Recruitment 2024:

Open evenings and the application process have been very successful, and interviews have now started. It was noted that at this stage it is too early to spot any particular trends among subject choices.

### Staff Recruitment:

It was reported that it was too early to comment on staffing needs for September 2024. However, the problems of staff recruitment continue nationally, with sharp declines in recruitment to teacher training and an increase in the number of staff leaving the profession.

The CEO asked trustees if they had any suggestions, through their own experiences and expertise, to help on the recruitment of teachers. In response, examples were given on how the NHS addressed staff shortages in some clinical areas. Job roles were changed and defined in different ways to enable a different recruitment strategy to be followed. The question asked could such a move be done for the role of a teacher? For example, could the task of marking of students' work be given to a new post to alleviate the work burden on teachers? The CEO felt that was not a viable proposal as the teacher was best placed to mark a students' work as they would have more knowledge of the student in terms of their learning engagement and participation. Trustees asked if Artificial Intelligence (AI) could be used in anyway? The CEO replied that if an AI tool could be developed to mark students' work, then this would be greatly welcomed.

### Pay Negotiations:

It was confirmed the pay dispute is now settled with a 6.5% award for 2023 -24. The award will be Implemented from January 2024 and backdated to September 2023.

### RAAC concrete issues:

It was confirmed the recent investigation from a building surveyor confirmed there are no RAAC issues, and the surveyor's report was subject to review at the recent meeting of the Audit & Risk Committee.

### Safeguarding – Exceptional Reporting:

There were no exceptional matters to be brought to the attention of the Trust Board. It was confirmed all newly appointed staff had received the required safeguarding training and DSB checks.

## 8. RISK REGISTER 2023/24

The '*Risk Register 2023/24*' was received for review (Paper 3). It was confirmed the Audit & Risk Committee at its meeting on 21 November 2023 undertook a review of the Risk Register. As agreed at the last Trust Board meeting, the Register now lists risks outside of tolerance first, followed by risks in numerical order.

As previously agreed, the Register includes the two risks recently identified, these being:

- Risk 19 - Proposed DfE changes to the range of vocational qualifications impacts student recruitment, course choices and outcomes.
- Risk 20 - Failure to run the payroll due to issues caused by Surrey Payroll services.

Five risks were confirmed as outside of tolerance and the following updated from the CEO were noted against each of the five risks:

Risk 4	Failure to recruit, manage and retain <b>high performing staff</b> – both teaching and support – resulting in poor outcomes.	<b>Outside – CEO Update:</b> The shortage of people applying to PGCE courses remains a problem and there is no sign of this improving. For 2021-2022 the number of new entrants to teacher training was 82% of the target. The quality of applicants has also declined. The College continues to invest in its own teacher training programme and to pay slightly higher than the national average for SFCs.
Risk 7	Failure to produce and implement a <b>strategic plan</b> that effectively addresses the range of changing external challenges	<b>Outside – CEO Update:</b> It was agreed for the AGM to be used for the annual review of the strategic direction of the Trust.  It was agreed there was no current need for the RLA Trust to have a separate strategic plan and SWOT analysis as the strategic plan and SWOT analysis for Reigate College were broadly aligned with those for the Trust, on the understanding that the Trust and College should continue to be recognised as two separate entities.
Risk 18	Failure to make appropriate changes to EHCP reviews for High Needs students (follows Ofsted inspection 03.22)	<b>Outside – CEO Update:</b> The college has been visited by the link governor and has reported back on progress to the LGB. The College is still waiting for an Ofsted monitoring visit and are confident that all reviews have either taken place within the specified time or are scheduled to do so.
Risk 19	Proposed DfE changes to the range of vocational qualifications impacts student recruitment, course choices and outcomes	<b>Outside – CEO Update:</b> The main DfE focus remains vocational education reform. Exam boards will be notified of accepted changes in May 2024 with a short appeals window, and Schools and Colleges will have this confirmed on 31 July 2024 for implementation from September 2025. There will also be a further round of changes from 2026 with details announced in 2025. As the implementation date is after the next general election it is not clear that this will be implemented to the stated timescales, or even happen at all, given Labour and Lib Dem statements on the reforms.

Risk 20	Failure to run the payroll due to issues caused by Surrey Payroll services	<b>Outside – CEO Update:</b> The October parallel payroll between the current payroll provider and the new payroll provider was completed with any errors corrected. The November parallel pay run is being checked at the moment before final sign off. The new payroll provider is confident the December payroll will proceed as scheduled. The back-up, should there be any issues arising on the December payroll, is to pay staff based on the November payroll
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A discussion took place on Risk 16 – ‘*Risk of abnormally high level of mental health issues impacting negatively on the welfare of students and staff.*’ It was asked if the mitigation actions were sufficient enough to warrant a change in the risk score from ‘25’ to ‘6’ post mitigation, especially as mental health issues are still very high amongst the student body? In addition, it was felt a lot of the mitigation actions listed were not subject to review, and updating with some being in place for a considerable amount of time. The suggestion made was for mitigation actions to be dated and, where appropriate, with data sources listed. It was **AGREED** to refer the points raised to the Audit & Risk Committee for further consideration.

It was **RESOLVED** to note the ‘*Risk Register 2023/24*’.

## 9. KPI MONITORING REPORT

The ‘*KPI Monitoring Report*’ was received (Paper 5). The report included tracking showing progress being made against set targets. Where available, the report also included year-on-year comparisons between this year and last year.

Two ‘Red’ assessments were noted. The first was discussed at the September Board meeting and it related to the target of 70% for students on employment pathway to attend a careers interview. Against the target, 67% of students had attended a careers interview. As was discussed at the last meeting, consideration was being given to using new approaches to invite students to attend career interviews, such as the use of text messages.

The second ‘Red’ assessment related to the need to undertake further enquiries following the recent unsuccessful pilot on recycling plastic and paper waste as students continued to ‘mix’ recycling objects in the wrong bins.

The report was noted.

## 10. OCTOBER MANAGEMENT ACCOUNTS

The October Management Accounts were received for information purposes (Paper 6).

The following headline points were noted from the October Management Accounts:

	October 23 actual Surplus / (deficit) £000	Year to date actual Surplus / (deficit) £000	Year to date Budget Surplus / (deficit) £000

Before non-cash items	154	141	(469)
Retained surplus / (deficit)	154	141	(469)
	Balance at 31.10.23 £000	Balance at 30.09.23 £000	Balance at 31.08.23 £000
Bank & cash	4,816	4,528	4,399
Net assets	21,644	21,490	21,503

Trustees were informed the Executive will be submitting a CIF bid for the new sports hall floor. The total estimated cost is £121k with the College contribution £50k from Summer works budget with a grant of £71k being sought from the CIF bid. Trustees noted and welcomed the application being made.

## **NON-DELEGABLE DUTIES, STATUTORY AND/OR COMPLIANCE DUTIES, AND FUNDING GRANT REQUIREMENTS**

### **11. DRAFT COLLEGE SELF ASSESSMENT REPORT 2022/23**

The draft '*College Self-Assessment Report 2022/23*' was received (Paper 7).

In keeping with the 'judgements' framework used by OFSTED to report on the work of colleges, Reigate College continued to use a similar approach to provide a graded assessment, with each area having a grade and annual targets.

The College's focus on student success includes an emphasis on comparison analysis for the college as a whole and all courses against national retention and achievement data, assessing value added performance and examining raw outcomes.

The process also looks at areas such as lesson observation reports, staff and student opinions, the breadth of curriculum provision, destination data, equality and diversity data as well as the broader experience of students in areas such as enrichment and work experience.

The self-assessment process is intended to be an honest and open analysis of the strengths of the College and areas that are in need of further attention. Although reporting annually, the process is, essentially, continual as there is a process of implementing improvements and monitoring progress towards the completion of the required improvements that takes place throughout the year.

The College's teaching departments, and student facing support departments, all prepare Self-Assessment Reports (SAR) and action plans which are agreed with SLT and monitored during the year. Each course SAR is stored on a database to allow simplified updates and monitoring in-year and between years. The Senior Leadership Team (SLT) evaluated the reports and prepared an analysis of the effectiveness of the College as a whole, awarding grades on a similar basis to that of Ofsted. Individual courses and staff are not graded.

As the College was inspected in 2022 the proposed grades are the grades awarded by Ofsted:

- Overall effectiveness - Good
- The quality of education - Good
- Behaviour and attitudes - Outstanding
- Personal development - Good
- Leadership and management - Good
- Education programmes for young people - Good
- Provision for learners with high needs - Requires Improvement

The Local Governing Body for Reigate College (LGB) is responsible for scrutinising the self-assessment report and overseeing the actions being taken to improve, where necessary.

It was **RESOLVED** to note the draft of the '*Self-Assessment Report 2022/23*'.

## 12. RISK MANAGEMENT POLICY 2023/24

The Audit & Risk Committee made the following changes to the policy at its meeting held on 21 November 2023:

- The title 'Clerk' amended to refer to the new title 'Governance Professional'.
- A new section 'Escalation Process' (Page 5) added to the Policy to outline how risks are escalated and reported to the Trust.
- On the Board Assurance Framework (Appendix I), the review of the Disaster Recovery Policy, Bribery Policy, and Fraud Policy to be undertaken at the summer term meeting of the A&R Committee.
- On Appendix II, papers to make reference to the purpose of the paper, including links to the Trust's strategic aims and any statutory/compliance requirements.

It was **AGREED** to add to the policy the following sentence – '*The Risk Register will have risks listed showing the highest risks first in the summary section at the start, as well as having the risks listed in numerical order in the detailed section.*' Subject to this amendment, It was **RESOLVED** to approve the '*Risk Management Policy 2023/24*'.

## 13. AUDIT & RISK COMMITTEE ANNUAL REPORT AND FINANCIAL STATEMENTS YEAR ENDED 31 AUGUST 2023

The Trust Board received the following:

- '*Audit & Risk Committee's Annual Report 2022/23*' (Paper 9).
- Financial Statement & Regularity '*Audit Findings Report*' from the external auditors (Paper 10).
- Letter of Representation (covering the audit of financial statements, regularity audit and accounts return) issued by the external auditors (Paper 11).
- Financial Statements Year Ended 31 August 2023 (Paper 12).

The Audit & Risk Committee is responsible for providing an annual opinion to the Trust Board on the adequacy and effectiveness of the Trust's assurance framework. The Audit & Risk Committee, in forming an annual opinion in their annual report, considered the audit opinions from the internal auditor and the financial statement and regularity auditor for Reigate Learning Alliance. The Audit & Risk Committee also took into account the assurance assessments conducted by the Trust committees as part of the Board Assurance Framework.



Following the review, it was **RESOLVED**:

- (i) To receive and approve the 'Audit & Risk Committee's Annual Report 2022/23' and to note the following annual opinion agreed by the Committee:

*The Audit & Risk Committee, through review of auditors' reports and discussion with auditors and college managers, has arrived at the opinion that Reigate Learning Alliance had adequate and effective assurance frameworks, framework of governance, risk management and control processes for the effective use of resources, solvency of the institution and the safeguarding of its assets.*

*The Audit & Risk Committee recommends the Trust Board approves the Annual Report and Financial Statements for the period ended 31 August 2023 for Reigate Learning Alliance and to authorise the Chief Accounting officer/Chief Executive Officer and the Chair of the Trust Board to sign the Financial Statements.*

- (ii) To forward a copy of the 'Audit & Risk Committee's Annual Report 2022/23' to the ESFA;
- (iii) To authorise the Chair to sign on behalf of the Board the 'Letter of Representation', issued by the External Auditor; and
- (iv) To approve the 'Financial Statements for the year-ended 31 August 2023' and to authorise the Chair and Chief Executive Officer (Accounting Officer) to sign the accounts before submission to the ESFA.

#### **14. RECRUITMENT OF GOVERNANCE PROFESSIONAL**

The Board received and noted a report outlining the timetable and process to follow for the recruitment of a Governance Professional (Paper 14).

The report was noted.

#### **15. GOVERNANCE REVIEW ACTION PLAN 2022/23**

The Board received for signing-off purposes the final completed Governance Review Action Plan 2022/23 (Paper 15).

### **SECTION 4: COMMITTEE REPORTING**

#### **16. REPORT FROM THE REIGATE LOCAL GOVERNING BODY**

The minutes from the Reigate Local Governing Body meeting held 10 October 2023 were received for information purposes (Paper 16). The substantive agenda items for the meeting were as follows:

- Admissions & Numbers on Roll
- Draft Outcome Data 2022/23
- Self-Assessment Report 2022/23 & Annual Targets
- Student Voice
- Staff Voice

It was **RESOLVED** to note the minutes.

#### 17. **REPORT FROM THE FINANCE & RESOURCES COMMITTEE**

The minutes of the Finance & Resources Committee meeting held 14 November 2023 were received for information purposes (Paper 17).

The two substantive agenda items considered by the Committee were the review of the Management Accounts and Financial Statements 2022/23, both agenda items at this meeting.

It was **RESOLVED** to note the minutes.

#### 18. **REPORT FROM THE AUDIT & RISK COMMITTEE**

The minutes of the Audit & Risk Committee held 15 November 2022 were received (Paper 18).

It was confirmed the substantive agenda items considered by the Committee were agenda items at this meeting, these being:

- Risk Management Policy 2023/24
- Risk Register 2023/24
- Audit Findings Report and Letter of Representation issued by the External Auditor
- Audit & Risk Committee's Annual Report 2022/23
- Financial Statements 2022/23

The one matter to bring to the attention of trustees was confirmation that, from 01 January 2024, all Board and Committee meeting papers will be emailed directly to the college email address of individual trustees.

It was **RESOLVED** to note the minutes.

#### 19. **BOARD ASSURANCE FRAMEWORK**

The Trust Board agreed the following BAF assessments on the reports and agenda items considered at this meeting:

Subject	RAG Rating	Any Committee Recommendation(s)
Risk Register	AMBER	Risk 16 – referred back to A&R Committee for further review
CEO Report	GREEN	No concerns/recommendations
KPI Monitoring Framework	GREEN	No concerns/recommendations
Management Accounts	GREEN	No concerns/recommendations
Risk Management Policy	GREEN	No concerns/recommendations
Self-Assessment Report	GREEN	No concerns/recommendations
Audit Committee Annual Report	GREEN	No concerns/recommendations

Financial Statements	GREEN	No concerns/recommendations
Succession Planning - Executive	AMBER	Work in progress
Succession Planning – Governance Professional	AMBER	Recruitment in progress
Governance Review Action Plan	GREEN	No concerns/recommendations
Report from LGB	GREEN	No concerns/recommendations
Report from F&R	GREEN	No concerns/recommendations
Report from A&R	GREEN	No concerns/recommendations

**20. ANY OTHER BUSINESS**

**21. DATE OF NEXT MEETINGS**

- (i) Annual General Meeting – Members & Trustees - Tuesday 23 January 2024 @ 17.30
- (ii) Trust Board Meeting - Tuesday 19 March 2024 @ 17.30

The meeting closed at 19.10.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**SUMMARY ACTION LIST**

Min	ACTION	WHO
5	T&L Training Days and INSET dates – to circulate dates to trustees	19/3/24
6	Succession Planning - further work to be done on further developing competences for key posts, to extend succession planning to cover support staff, and business continuity	19/3/24
8	A discussion took place on Risk 16 – <i>'Risk of abnormally high level of mental health issues impacting negatively on the welfare of students and staff.'</i> It was asked if the mitigation actions were sufficient enough to warrant a change in the risk score from '25' to '6' post mitigation, especially as mental health issues are still very high amongst the student body? In addition, it was felt a lot of the mitigation actions listed were not subject to review, and updating with some being in place for a considerable amount of time. The suggestion made	19/3/24

	was for mitigation actions to be dated and, where appropriate, with data sources listed. It was <b>AGREED</b> to refer the points raised to the Audit & Risk Committee for further consideration.	
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