

VARNDEAN COLLEGE

MINUTES OF THE RISK MANAGEMENT GROUP MEETING

HELD ON TUESDAY 15TH OCTOBER 2019 AT 9.00 A.M.

Present: Ayas Fallon-Khan, Philip Harland, Elaine French, Paul Herridge,
Donna-Marie Janson

In Attendance: Louise Pennington, Nick Stubbs (Health and Safety Adviser)

Apologies: None

Welcomes: Paul Herridge

In the Chair: Ayas Fallon-Khan

1. Apologies for Absence

As given above.

Welcomes

2. Declaration of Interests

None.

3. Minutes of the Meeting held on 7th May 2019

The minutes were approved and signed by the Chair as a correct record of the meeting.

4. Matters Arising

ACTION POINTS: Reference was made to the Action Points from the last meeting and the following updates were recorded:

- Terrorism Insurance – this has been considered as an emerging risk over the last few years, but generally in the sector and taking into account the College's location, it has been classified as low risk, unlike some of the large City Colleges. Elaine French reported that she has discussed the issue with the insurance broker who, once the existing long term insurance arrangement comes to an end next year, will be asked to seek quotations for the College's ongoing insurance cover. It was noted that terrorism cover would only cover property and business interruption in respect of a classified (by Government) specific terrorist incident. Should a terrorist act occur and damage the College's property, this would not be covered under the College's existing standard insurance policy, neither would business interruption be covered. However Elaine French explained that should an incident such as a knife attack take place on site, liability insurance would still come into effect to provide cover for victims. Terrorism cover itself, would cost between £4K and £6K p.a.

It was resolved to transfer the discussion regarding Prevent risk at the College to a confidential minute – refer Part II Minutes.

Following a question from the Group, Donna-Marie Janson advised that as the College Staff Safeguarding Lead, she met regularly with other School and College Leads in Brighton and Hove.

In addition to Prevent/Safeguarding risks, already discussed, the College is also reviewing how to make the College's site more secure and intends later this year to implement changes to introduce controlled access to the main buildings (Spring Term) and introduce a barrier to the front entrance (Summer works).

The Group agreed that Governors needed to be given assurance that the risks above were being minimised. It was resolved to keep Terrorism as an emerging risk and it was resolved that SLT should propose the wording of the risk and category level and scores and that the details should be passed to Louise Pennington to include in the draft minutes and circulated to all Group members to agree prior to finalising the draft.

ACTION: SLT/Risk Group/LEP

- IT Strategy – Philip Harland and Elaine French explained that SLT had, along with the IT Manager, Martin Bentley, put together a first draft but that there was more to do before presenting this to Governors. The Principal explained that he had taken the initiative to draft an ILT Strategy of which the IT Strategy would form a part towards delivering the ILT strategy for the benefit of Students, taking into account the new Inspection Framework. The Principal explained that the first draft ILT Strategy would be presented to SLT at its meeting next week. It was intended that further work would be completed regarding implementation and impact, prior to presenting the final overall document to Governors. However in the meantime, it was resolved that the latest working document (ie less implementation and impact elements) should be presented to the Audit Committee at its November 2019 Meeting. **ACTION: Philip Harland** In response to a question from the Group, Philip Harland advised that there was no immediate concern for not yet having a formal IT Strategy in place, but advised that SLT wanted to ensure that the document was prepared methodically and accurately to best serve Staff and Students' needs. Once finalised the ILT/IT Strategy would be followed with a development Plan. **ACTION: Philip Harland/Elaine French**
- IT Security Policy – a draft has been prepared by Martin Bentley (IT Manager) and it was noted that this would be renamed "Information Security Policy" and would also be brought to Governors post internal audit work. Governors were advised that this policy would focus upon ensuring that data and systems were secure and this will tie in with the GDPR internal audit compliance audit due later this term. **ACTION: Elaine French**
- Rolling Action Plan – review and date column – to include additional information e.g. comments made by auditors etc – on going.
- Rolling Action Plan item 9 – establish and promote a formal IT Security Policy – taking forward via GDPR compliance check with Mazars – refer above regarding Information Security Policy.
- Review of risks:
 - a) C1 failure to improve value added on BTEC courses – Donna-Marie Janson updated the Group, explaining that the BTEC valued added had improved slightly this year,

although the College was aiming for further improvements. As a result, more ambitious targets have been set with the aim of improving the overall outcome, with the assistance of the IT Department. Certain subjects have also been identified for further work towards improving the outcomes and in this regard EQR (External Quality Reviews) have been organised for November with the aim of identifying further means to add value).

- b) MA1 critical incident plans are not fully embedded or tested – to review next year (ie in 2019) whether to reduce risk to C category post next internal audit visit: Elaine French advised that the current critical incident plan was due to be reviewed in June 2020 and to prepare for this another scenario testing with SLT would be arranged in the Spring Term 2020 (having been deferred from the Summer Term owing to the Principal's ill health absence). SLT recommended that the critical incident plan as revised would then be presented to Corporation via Audit Committee in the Summer 2020 **ACTION: Elaine French**. Furthermore, it was also noted that all schools and colleges were awaiting the official security advice report from the LA which had been due to be issued a year ago, but as revisions were needed to the LA drafts, this remained outstanding; once available account would be taken of the recommendations within the College's Critical Incident Plan, including lock down procedures. In response to a question from the Group, Philip Harland advised that the last issue on site was in respect of a Parent had appeared on site with a weapon (in 2018/2019 academic year); there have also been snow days and power supply scenarios affecting the College's normal working. Elaine French informed the Group that the College had a Crisis Response Plan and agreed to pass a copy to Paul Herridge. **ACTION: Elaine French**
- c) HR3 SLT and Directors potentially lack capacity and experience to deliver Strategic Plan – re-visit whether still B risk next year in Autumn 2019: It was resolved that the risk wording should be revised and the words "and experience" should be deleted but that it should remain a contingency risk. **ACTION: Elaine French** At this point Philip Harland advised that he would be absent from College for approximately 6 weeks from 31st October owing to a knee surgery but that it was likely after a couple of weeks he'd be able to work from home. In the meantime, arrangements have been made for the other members of SLT to manage the Principal's workload in his absence.
- d) P6 Failure to properly manage the risk associated with construction works – for future Governors' meetings, circulate Overton hart updates to ensure Governors kept up to date. Nick Stubbs (Health and Safety Officer) and Elaine French reported on the monthly meetings being held with the construction teams together with other ad hoc meetings when necessary. Nick Stubbs also confirmed that he checked the site regularly in order to identify any health and safety issues such as gaps in fencing, debris left on site and reported such matters to the Site Manager to resolve. He confirmed that all such issues have been rectified quickly by the Construction Team. The Group was informed that with immediate effect until February 2020, the fitting out process was taking place which would result in various sub-contractors being on site and that their activities would be monitored closely from a health and safety point aspect. There has also been a slight slippage in the programme timing owing to the bad weather, but the Contractors have incorporated a contingency to allow for this; hence the programme remains on overall target to be completed by 28th February. The College intends to make use of the new STEM Centre after the Easter break. In response to a question from the Group regarding potential time delays and remedies should this impact the curriculum timetable and Elaine French agreed to investigate

this. Elaine French also agreed to show Ayas Fallon-Khan the contract for the project after the meeting. **ACTION: Elaine French**

Although the contractors, Overton Hart and the College Staff have been taking photographs showing progress of the development, it was noted that no video footage had been taken so far. In response to a suggestion from the Group, it was agreed to investigate whether a time lapse video of the remaining works could be set up now and Elaine French agreed to take this forward if possible. **ACTION: Elaine French**

Regarding the action from the last meeting to circulate Overton Hart updates to Governors, Elaine French advised that she was awaiting the reports and would circulate these via e mail as soon as they became available. **ACTION: Elaine French**

- e) Risk assurance map – Risk Assessment, Residual (post control) column – to propose details for the various risks for consideration at the next Audit Committee – refer agenda item on Risk Assurance – see below.

ROLLING ACTION PLAN FROM AUDIT

The progress since the last meeting was noted by the Group and the following additional points recorded:

- The audit points have been taken forward by SLT
- Financial Statements – to be updated once the outcomes from last week's External Audit visit but Elaine French advised that she was unaware of any audit issues arising from the Auditors' work.
- Housekeeping notes from Internal Auditors regarding the budget setting timetable and Elaine French explained that although the College did have this in place, it required a wider distribution amongst College Staff which has now been actioned. Furthermore the financial regulations have also been updated and uploaded to the website/intranet as appropriate, together with the updating of the finance intranet page (NB Financial regulations will be undergoing a further review this year to reflect other changes such as tender processes etc). The action plan will be updated to reflect this. Follow up internal audit issues will be taken forward in the Spring along with the GDPR compliance review. **ACTION: Elaine French**
- Item 4 – Flying Start/Moving on curriculum – ensure evidenced by staff - this has been completed, but note revise Curriculum Director to read Vice-Principal – Curriculum. **ACTION: Elaine French**
- Item 5 MIS checks re Student attendance/withdrawals – actioned and will be reviewed and checked via the Internal Audit Learner Number audit work this year
- Item 6 – establish business case for all new posts – HR Manager attends SLT meetings to advise on all HR matters.

5) Risk Management Annual Report

Elaine French presented the Report to the Group and confirmed that it had been updated to reflect changes made during the year, including key points raised during the year.

The Report was recommended to Audit Committee. **ACTION: Elaine French**

6) Review of Risks – Risk Register and Emerging Risks

The Group considered the latest risk register and referred to points discussed above within Matters Arising. The following changes to the register were recommended for approval.

ACTION: Elaine French

HR2 Staff morale – in response to a question from the Group, Donna-Marie Janson reported that this aspect was also judged by Ofsted following the introduction of the new inspection regime and that it can now affect a College's overall Ofsted grade. It was agreed that reference to Ofsted should be added to the risk control details. It was also agreed to extend the risk wording to reflect the impact of the risk”leading to a diminishing of the Student experience”. **ACTION: Elaine French.** The Group also discussed the current Staff morale at the College, noting the additional pressure upon some Staff in light of the increase in Student numbers and the resultant ability to sustain delivery quality.

Regarding the increase in Student numbers this year, the Group queried what the limit was on any future growth. Philip Harland reported that he had completed some analysis which showed that the College space utilisation (teaching/resources space) based on the current Student intake, was 68% which compared to 45% sector average. He explained that the class sizes varied depending on the subject but some teachers were under greater pressure with large class sizes of 20 plus Students, increasing their workload. Ideally the College would like to carry out further building projects in order to alleviate some of the pressures.

NEW/EMERGING RISKS:

- 1) At this point following a suggestion from the Principal, the Group considered whether to add another risk to the register arising from the risks associated with the appointment of a new Principal, particularly taking into account the fact that Ofsted identify any key appointment change to be a major risk factor and will almost certainly monitor the College's key data closely following a change in Leadership. Consideration was given to incorporating the risk within Risk HR3, but on reflection it was resolved that a separate risk should be established “appointment of new Principal triggers Ofsted/changes strategic direction/has impact on Student outcome and enrolment” – It was resolved that Philip Harland and Elaine French would finalise the risk wording which would be added to the draft minutes, but that the likelihood and impact would be 2 and 5 respectively. **ACTION: Philip Harland/Elaine French**
- 2) GDPR – reference was made to previous discussions at Risk Group and Audit Committee matters arising item and Annex D (Anti-Fraud check list for post 16 providers) with the latest Audit Code of Practice. It was agreed to circulate Annex D to the Risk Group members. **ACTION: Louise Pennington** The Group recognised that this risk was not new and that the College has the required procedures in place, but that in light of the new GDPR regulations etc, the UK was more aware of the issues concerning personal information etc. It was resolved that the Committee should review the matter once the GDPR audit compliance review outcome has been issued. **ACTION: Elaine French** Referring to the D category risk entitled “College has ineffective Anti-Bribery Policy”, it was resolved to add “or Anti-Fraud Policy”. **ACTION: Elaine French**

The Group considered the other existing risks within the Risk Register and it was agreed that no further changes were necessary. The Risk Register as amended above, was recommended to Audit Committee. **ACTION: Elaine French**

7) Risk Assurance Map – Review and Update

The Group referred to the on-going Matters Arising issues relating to the request for the Principal and Business Director to calculate of a methodology to determine net/residual risk in order that the Risk Group (ie take into account whether the controls/sources of reassurance impact the initial final risk assessment and reduce the risk, recording the outcome in the last column on the Map) can decide whether to proceed with this aspect of the Map.

Elaine French explained in more detail to the Group the reasons for this proposal made in the past by the Group using Risk HR2 as an example.

It was agreed that Elaine French should prepare a summary report incorporating her assessment for the net/residual risk for each risk in the Risk Register, having assessed the impact of the controls in place, for the next Group meeting. **ACTION: Elaine French**

8) Date of Next Meeting

Monday 4th May 2020 at 9.00 a.m. if required. It was agreed that this would be reviewed nearer the time and following consultation between SLT and the Risk Group Chair.

9) Any Other Business

There was no other business.

10) Enclosures

The three enclosures were noted: a) Risk Group Terms of Reference and b) Risk Management Policy, and c) Risk Management Action Plan

CHAIR.....

DATE.....

Louise Pennington 15/10/2019