

Minutes of the Board meeting held on Wednesday 3rd April 2019

GOVERNORS PRESENT:
 Mark Williams
 Lee Radford
 Martin Rigley
 Robyn Hodgson
 Jon Mold
 Tony Westwater
 Kate Truscott
 Kate Allsop
 Neil McDonald
 Paul Frammingham
 Rebecca Joyce
 Martin Sim
 Sean Lyons, Chair
 Jane Hawksford

ALSO IN ATTENDANCE:
 Maxine Bagshaw, Clerk to the Corporation
 John Owen, Interim Finance Director
 Louise Knott, Vice Principal Communications Engagement & Student Experience
 Gavin Peake, Director IT & Estates
 Sue Martin, Interim Vice Principal Curriculum & Quality
 Rachael Blythe, acting Director of HR
 Jane Peacock, ESFA observer

ACTION by whom	DATE by when

1 DECLARATION OF INTERESTS

The Chairman reminded everyone present to declare any interests that they may have at on matters to be discussed. No specific interests were declared and standing declarations were noted. The Clerk reminded Governors that they should inform her if their circumstances change in year so that up to date records can be maintained.

2 WELCOME, INTRODUCTIONS AND APOLOGIES FOR ABSENCE

Apologies were received from Sardip Sandhu, Jamie Fryatt, Steve Sutton, Ian Baggaley, Mary Mamik and Cassidy England.

Signed : Sean Lyons Chair

Date: 9/5/19

3 PRESENTATION TO STUDENT FIRST WINNERS

The Chair took the opportunity to welcome two students, Sam Fearn and Michal Jaroszewski to the meeting and was pleased to present them with their awards following their participation in the Student First competition. All acknowledged that they were very different entries but both equally innovative. Michal Jaroszewski collected the prize on behalf of the Homeless Guerilla team; this team also consisted of Kamen Bird, Maurice Aryee and Corey Stainton, who were unable to attend the meeting. The Board were particularly impressed with the charity links seen in the Guerrilla marketing entry. The Board took the opportunity to formally record their congratulations to the winners and all participants.

4 MINUTES OF THE MEETING HELD ON 25TH FEBRUARY 2019

The minutes were reviewed and it was agreed that they were an accurate record of discussions.

AGREED: to approve the minutes of the meeting held on 25th February 2019.

There were no matters arising that were not included within the action progress report.

5 ACTION PROGRESS REPORT

The Clerk introduced the updated table which was discussed. Matters noted were:

- In relation to line 4, the Board indicated that they would like assurance that tracking of risk items and mitigating action is being updated in one place. It was confirmed that the proposal to go to the Audit Committee tomorrow for discussion is that elements of the risk register be clustered on the basis of themes and then reviewed by each appropriate Committee. The intention then is for a composite tracking document to be presented to the Audit Committee at each meeting. It was agreed that the interim Finance Director would have overall responsibility for risk reporting but that nominated staff (as identified by the interim Finance Director) would report to each Committee so that the risk register operates as a live record that is regularly updated.
- Line 9 – this is included within the Principal's report.
- Line 10 – this is scheduled for presentation to the Audit Committee tomorrow.
- Line 11 – the Clerk confirmed that details of applicants have been shared with both the FE Commissioner's office and ESFA and that feedback has been provided in relation to those candidates which are known to either organisation.

Signed : _____ Chair

Date:

AGREED: to note the content of the update provided.

6

FINANCE REPORT

The interim Finance Director presented his detailed report, which covered two aspects:

1) Update to Financial Regulations

He explained that this was the framework upon which all of the college's finance rules are set. He explained that the regulations are based on a model developed by the Chartered Institute of Public Finance and Accountancy and therefore they remain fit for purpose. He confirmed that any changes made are to reflect the current position, including:

- a) Changes in college procedures
- b) Changes to the names of regulators
- c) Staff changes

He confirmed that they have been considered by the Finance & Estates Committee and their recommendation is that the updated document be approved by the Board.

A question was raised in relation to page 18 and the proposed deletion of the sentence 'all proposals for capital expenditure should be prepared in line with the protocols for capital expenditure included within the College financial procedures'. He explained that there is not a standard procedure in place and therefore retaining this sentence is inappropriate. In relation to other changes on page 18, he explained that, when the regulations were written, colleges had to obtain regulator approval for capital projects. However, this is no longer the case and therefore the regulations have been amended to reflect the current position. In relation to capital expenditure, he confirmed that there is an internal process in place but that this has not been reviewed as there are no capital programmes planned. He explained that, generally, capital expenditure and budgets are reviewed and monitored by the Finance & Estates Committee throughout the year. He indicated that there is a sliding scale of financial authorisation limits which would equally apply to any expenditure and not just capital. Members' attention was specifically drawn to page 10, where it was noted that reference to the 'HR Committee' has now been included as requested at the recent Finance & Estates Committee meeting.

The Board were happy to accept the recommendation of the Finance & Estates Committee to update as presented.

Governors agreed that it would be useful to receive an explanation/description of the capital expenditure and capital projects process. It was agreed that this would be provided by email outside the meeting and that if there were any issues or concerns identified then

Interim
Finance
Director

May 2019

Signed : _____ Chair

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the Finance & Estates Committee would be asked to review further.

AGREED: to approve the updated Financial Regulations.

2) January and February 2019 Management Accounts

The interim Finance Director presented the accounts and confirmed that they were reviewed in detail at the recent Finance & Estates Committee meeting. He drew members' attention to pages 14-16 which are the new model of cash flow forecasting. He confirmed that, as requested by the Finance & Estates Committee, future accounts will extend the cash flow forecast even further. He confirmed that the February accounts now include the mid-year reforecast position; this is the actual position for the first six months plus updated forecasts for the remaining six months of the year. He confirmed that the college now knows the actual position for a seven month period and therefore can more accurately assess the expected yearend position. He confirmed that going forward future reports will be presented as against the mid-year reforecast.

As an overview, he confirmed that the deficit forecast for the year is £4.6 million, which should be compared with the original budget which anticipated a £7.6 million deficit, therefore the college position is significantly better and the reasons for this have previously been explained at both full Board and the Finance & Estates Committee.

Members' attention was drawn to page 6, which details income analysis. He explained that the increase in 'other' is in reality money in and money out and income is offset by expenditure and therefore no net benefit. In terms of pay costs reported on page 8, there is £43k over for the month, however he explained that this is due to a one month timing difference rather than a concerning trend. He provided assurance that this does not signify that insufficient savings were taken out of the phase 1 restructure. He confirmed that the March 2019 accounts will show that expenditure in this area is back in line.

In relation to the non-pay costs summarised on page 9 it was noted that there are a number of variances, the most significant of which is in relation to franchise costs. However, this is offset by additional income which balances the position out.

One member of the Board questioned the variance in relation to bksb income and costs. It was explained that the mid-year forecast is due to be presented to the Board of Directors shortly and that this will show that the company will achieve the forecast for the year.

One member of the Board questioned why accrued expenses detailed on page 5 are higher than expected: this is on the basis that the College is shrinking. The interim Finance Director confirmed that he would review outside the meeting and provide a report to the next meeting

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of the Finance and Estates Committee.

An observation made by the Board was that the bad debt position detailed on page 12 seems high. The interim Finance Director explained that historically the College has left in a high amount for provision but acknowledged that the College should be writing off more when debt recovery processes have been exhausted.

In considering the content of the accounts a challenge from the Board was that it was imperative to receive a 12 month cash flow forecast at each meeting.

It was acknowledged that it is appropriate to now monitor against the mid-year reforecast position and assurance was given that this is materially in line with the recovery plan.

AGREED: to note the content of the January and February 2019 management accounts as presented.

7 PRINCIPAL'S REPORT

The Principal introduced his detailed report and a number of aspects were considered.

1) Apprenticeship provision (MLPs)

The current figure remains at 66% which is 4% above MLP. He explained that it was now unlikely that there would be any further changes. The ESFA have confirmed that the college data for apprentices will be redacted from the published tables due to errors contained in the R14 submission. College data will now have to go through a validation process and the impact will be on income as well as performance. ESFA will undertake an internal audit and this process will validate the College QAR which will be important for the next Ofsted inspection. In the event of an inspection, the college will need to produce data to support its self-assessment report. A number of learners have returned or confirmed they are in learning, however they will now report in the current academic year and will not count towards the timely measure. It is too early to estimate the impact on outcomes but this remains under review. He confirmed that apprenticeships are now subject to three weekly executive monitoring to ensure that the processing of data is timely and learners progress at an acceptable rate.

2) KPI reporting and Governor dashboards

He advised that further breakdown of attendance by level and age as has been requested will be reported to the next meeting of the Standards Committee. Sector accepted benchmarks will be applied. Attendance compliance is listed for discussion at the Audit Committee

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Management
accounts

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meeting tomorrow. He confirmed that information requested by Governors will be included within consideration of dashboard development and all aspects will be complemented for the 19/20 academic year. He confirmed that the college received a presentation from Dynistics with a view to looking at development opportunities for dashboards. He indicated that whilst an impressive system it is costly at circa £60k, plus additional costs are incurred if changes are required. He indicated that the college is also looking at 'Measure', a Jisc-based reporting system that would allow comparisons with other colleges rather than a standalone dashboard solution. It is anticipated that this will be a much more cost effective solution.

3) RoATP registration

The Principal confirmed that the deadline for registration is 31st May 2019. He confirmed that the VP: E&M will lead the college response including preliminary work on the RoATP web Bravo. He explained that the College is exempt from a number of sections and the expectation is that the first draft of the application will be completed by the end of April 2019.

The Board questioned whether there are sufficient members of staff who have access to the Bravo system so that messages can be quickly picked up. Assurance was given that this is the case.

4) HR Committee

Invitations have been extended for two staff members to be co-opted to the HR Committee. It is envisaged that up to two volunteers will be identified ready for the next meeting scheduled in June 2019.

5) HE Strategy

The interim Principal confirmed that discussions continue with the potential university strategic partners and in fact a proposal has been received from NTU. He confirmed that a full report on this, together with an options analysis, will be presented to the next meeting. He confirmed that positive discussions also take place with Derby University regarding a nursing offer.

Interim
Principal May 2019

He confirmed that the College has had positive discussions with the LEP, particularly regarding contract variations. He confirmed that an update on this will be reported as part of the HE Strategy options report to the next meeting.

6) IBR and FEC actions tracker

As requested, he confirmed that the items have now been RAG-rated and are scheduled for discussion under confidential matters later in the meeting.

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7) Curriculum Planning Strategy

He confirmed that curriculum planning for 19/20 has now been completed. The implications of the plan and its impact on the phase 2 restructure have been scrutinised by the Finance and Estates committee. He advised that the curriculum plan is now being externally validated, this piece being undertaken by FE Partnerships (John Williams), an organisation recommended by the FE Commissioner's office. He confirmed that discussions with the LEP are now taking place regarding the curriculum for 20/21 and beyond.

A question from one member of the Board was whether or not curriculum areas that have a negative percentage contribution would immediately trigger actions to review the offer. The Principal confirmed that the senior team will take a balanced view and that it would not prompt an automatic set of decisions. It was noted that the spreadsheet referred to within this section of the report was missing and it was agreed that the Principal would upload to the portal as a matter of urgency.

Interim
Principal

04.04.19

8) Policies and Procedures

He confirmed that his update on this was to provide transparency and an explanation as to the delay regarding the planned reviews. He indicated that unions have requested that, owing to current caseload as a consequence of redundancies, only policies that are urgent will be considered and policies not subject to any proposed change will be automatically extended. He confirmed that the executive team has initiated a significant review of procedures across college and will bring this to Board or subcommittee as appropriate. It was suggested that committees consider the relevant college policies and procedures and agree what needs to be reviewed by governors as opposed to those policies and procedures which are more operational and can be decided by managers.

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Principal

May-July
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9) Complaints

He explained that there are potentially two complaints systems. The complaints procedure is overseen by the VP E&M. The procedure is published on the college website. Academic complaints are logged by the customer enquiries team on a central database. An alternative system is managed by the Principal's office and these are assessed and referred as appropriate, however, the link to the academic system is unclear. Equally unclear is the process for resolving non-academic complaints. There is an absence of systematic reporting to Board or executive, however there is no evidence to suggest that complaints are ignored or side-lined. He explained that it is proposed to urgently review the complaints process and develop a single system and reporting chain and that this will be outlined to the next full Board

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Principal

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meeting as part of the Principal's report. All agreed that there needs to be a consistent approach and that the review is more about the college's services to learners and employers rather than staff complaints. He explained that there is currently no Board or executive oversight of the process and therefore there is an inability to promptly address emerging issues at a senior level.

He indicated that there was no evidence to suggest that students are seeing or feeling any negatives following the phase 1 restructure. Applications still remain positive for next year. He confirmed that phase 2 is similarly planned to have minimal impact upon students.

The Board all agreed that it was important to robustly review the complaints process and procedures and a challenge from them was for the College to learn lessons from any complaints made. The interim Principal confirmed that the College does have a 'you said, we did' culture for both staff and students, but he does believe that reporting mechanisms can be improved to ensure any emerging issues are addressed.

It was agreed that the complaints process would be reviewed with a report to Board the next meeting. Governors indicated that they would wish to see a summary provided, giving high level categorisation regarding the nature of complaints made and investigated.

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Principal

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10) Strategic Plan – Foundations for Recovery

He confirmed that the current version has been subject to further review by a small team of Governors that considered responses from all stakeholders. A small number of changes were made to the plan, however, the key strategic aims were retained. This allows work to commence on developing the business plan to deliver the foundations to recovery. He advised that feedback from stakeholders suggested a rewrite of the vision, mission and values to reflect the new college. The executive team will lead on this and seek assistance from others. These will reflect the sentiments expressed in the consultation and be subject to Governor moderation. In addition, work is to commence on two other elements:

- Vision, mission and values will be supplemented with a section relating to the behaviours and high expectations;
- A new executive summary is to be produced that can be termed 'strategy on a page'.

It is the expectation that, following Board approval in June 2019, the vision, mission, values, behaviours etc. and the strategy summary will be converted to a poster and be displayed in all teaching and non-teaching spaces. Additional discussion was also held around the idea of a 'my name is ...' strategy; this will be further considered by the Chair and the Principal.

He provided assurance that staff have had a good opportunity to input

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and own the document. Governors also confirmed that they felt that they have been able to shape and contribute to the document. A question and challenge from the Board was in relation to strategic aim 6 and the retention of the reference to 'niche provision'. The interim Principal advised that this was retained to 'keep the door open' and that there is an opportunity to look again now that the College is in curriculum planning mode. The Board asked for an example of what may be considered niche sectors. The interim Principal explained that these may be digital, health etc. He confirmed that the development of any niche area needs to be subject to dialogue with the LEP and confirmation regarding their areas of focus, and it was noted that they are about to issue a new paper in relation to this. One member of the Board expressed the view that it is unlikely that LEP priorities will change and that it is going to be important for colleges to consider what they can offer best. This may mean a longer term strategy where colleges focus on their strengths rather than providing everything to all. It was acknowledged that development of niche areas will very much be influenced by where the LEP is prepared to put their funds. An observation made by one member of the Board was whether or not specialist provision should be termed as niche when in fact it could more accurately describe core areas. All acknowledged that high level skills jobs are becoming more and more important and that the College needs to place itself to take advantage of this demand.

One member of the Board questioned whether or not the college knows the statistics in relation to students lost to other colleges because of the availability of specialist facilities. It was confirmed that the college does not currently test this specifically but does have data in terms of more general student withdrawals or students who apply but do not then take up the offer. The Principal indicated that one potential risk for the college is in relation to creative industries, specifically Confetti as a competitor. The Vice Principal confirmed that the college does have access to school market share data and gave assurance that this is monitored year to year. The Principal confirmed that it is now for the executive to write up the actions and all agreed that these must align with the recovery plan.

It was agreed that the final version of the strategic plan and the action plan are to be approved by the Board in July 2019. Vision, mission and values are to be reviewed in the summer term after Easter. Governors to be invited to contribute to discussions regarding expectations to be set in terms of 'behaviours'.

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Principal

July 2019

11) KPIs

An update was provided in a number of areas:

- Retention has decreased by 4.2% compared to last term but is still above target.
- Apprenticeship income – total cash enrolments stand at £2.7 million. The proportion of college income versus partner has

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increased by 2% since the last report.

- Adult education – cash value enrolled has increased by £1.05 million since last report. The proportion of AEB delivered in Ashfield and Mansfield has increased slightly (3%).
- Attendance – main qualification attendance has decreased by 0.6%, however, maths and English attendance has increased by 6.7% since the last report.
- Overall apprenticeship achievement rates have improved by 4.2% and timely has improved by 4.6%, however, both stand below target and below the same point last year.

He confirmed that a fuller analysis will be provided to the next meeting of the Standards Committee.

The Board all agreed that it was pleasing to see the improved attendance statistics for English and maths and they questioned what has made the difference. It was explained that this is a result of a really concerted effort by staff and a real push to improve the attendance position.

AGREED:

- a) To note the content of the update provided;
- b) Approve in principle the strategic aims set out in the strategic plan.

8 COMMITTEE CHAIR'S REPORT FOLLOWING THE STANDARDS COMMITTEE MEETING HELD ON 28TH FEBRUARY 2019

In the absence of the Committee Chair, Mary Mamik, it was agreed to note the update provided. It was acknowledged that the Committee's focus was on areas for concern and this is reflected in the content of the minutes. It was explained that, going forward, staff will be asked to present a more balanced view with positives as well as areas of concern being discussed.

AGREED:

- a) To note the content of the Committee Chair's summary;
- b) To note the content of the minutes of the meeting held on 28th February 2019.

9 COMMITTEE CHAIR'S REPORT FOLLOWING THE FINANCE & ESTATES COMMITTEE MEETING HELD ON 28TH MARCH 2019

The Committee Chair presented his detailed report and confirmed that a significant amount of time was directed at reviewing the 3 year financial plan, which is now subject to an independent business review to give external assurance in relation to this. The Board's attention was drawn to the recommended areas for approval, which are:

- a) The updated 3 year financial recovery plan;
- b) The college fee policy for 2019/20;

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- c) The updated Financial Regulations (considered separately earlier in the meeting);
- d) The Health and Safety Policy.

The Board were happy to accept the recommendations put forward by the Committee.

AGREED:

- a) To note the content of the Committee Chair's report as presented;
- b) Note the content of the minutes of the meeting held on 28th March 2019;
- c) Approve the updated 3 year financial recovery plan;
- d) Approve the college fee policy proposed for 2019/20;
- e) Approve the updated health and safety policy as presented.

10 GOVERNANCE REPORT

The Clerk to the Corporation introduced this item, which covered a number of aspects:

1) Governor training plan

The Clerk indicated that, as requested at the last meeting, what is presented is a more formal governor induction and training plan. She indicated that, if approved, she would then work towards ensuring all aspects are covered in 2019/20. She suggested that where possible sessions be arranged prior to Board meetings to prevent the need for Governors to come in to college separately for training. She reminded Governors that a training/development afternoon is currently scheduled for 23rd May 2-6pm, and that during this session presentations are arranged to cover:

- Ofsted (the new education inspection framework);
- FE funding for non-financed governors;
- Pensions in the FE sector (and college specifics);
- A governor engagement strategy.

The Chair advised that the college has been offered support from a national leader in governance through the FE Commissioner's office. The NLG nominated is Simon Perryman. The support package is for governor training amounting to 4-5 days over a six-month period. He put forward the proposal that a number of Governor volunteers would be identified to visit Barnsley College, where he is the Chair. The visit will cover a number of topics and give governors an opportunity to benchmark practices in a grade 1/outstanding college. He confirmed that he would liaise with Governors on this outside the meeting.

The Board were wholly supportive of the training plan presented.

2) Meetings 2019/20

Signed : _____ Chair

Date:

The Clerk advised that it is usual at this time of the year to develop a calendar of meetings for the next academic year. Included within her report are suggestions for the pattern of scheduling for both Board and each Committee. The Board were supportive of the proposals put forward and requested that the Clerk now work these up and identify dates with a view that a finalised meeting calendar for the 19/20 academic year be presented to the next meeting.

Clerk

May 2019

3) Board meetings work plan 19/20

The Board were advised that each of the subcommittees are currently reviewing work plans in anticipation of 19/20 and that once these have been agreed they will be mapped across to identify areas of decision and/or information for the Board meetings. The intended principles include:

- Avoidance of duplication;
- Streamlining of reporting arrangements;
- Ensuring that Board debate is predominantly focused on strategic/recovery matters with operational aspects being recommended by Committees. She confirmed that the composite work plan is currently being developed and will be presented to the Board for approval before the end of the academic year.

Clerk

July 2019

4) VBSS Director Appointment

The Clerk advised that the VBSS Board of Directors has requested that an additional Governor join the Board, with such a Governor having HR experience given the nature of company activity. She confirmed that Kate Truscott has been approached and has agreed to become a Director, subject to Board approval. The Board were happy to support the proposals presented.

AGREED:

- a) To approve the Governor induction and training plan as presented
- b) the frequency of 19/20 meetings as proposed
- c) to approve the appointment of Kate Truscott as a Director on the board of VBSS

11

EMPLOYER ENGAGEMENT – POSITION STATEMENT AND PLANS

The Vice Principal introduced her detailed written report and indicated that it is clear that the college has a body of work to do in terms of improving its reputation with employers. She indicated that there were a number of actions required to support improvements. These include:

- Establishing rigour in the complaints process;
- Enrolments occurring much more quickly than is currently the case;

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- Greater clarity regarding employer expectations in terms of work readiness. She advised that employer feedback is being turned in to a work placement assessment so as to avoid any students being sent to employers without the necessary work ready attributes;
- More employer events. She explained that these would be arranged in a number of areas including through the Chamber of Commerce, with Mansfield 2020, and as part of the D2N2 growth hub. Governors indicated that they would find it very helpful to receive details of planned events so that they too can attend. She advised that work readiness is to be considered in further detail as part of the CEIAG strategy/plan. A challenge from the Board was that staff have to embed better customer service in every area of the organisation.

AGREED: to note the content of the update provided.

12 **EXCEPTION REPORT – SAFEGUARDING AND E&D**

The board were advised that since preparing the report a number of issues have arisen. The first is the fact that the College is dealing with a serious peer-on-peer allegation of a sexual nature and the police are involved. In addition, an allegation has been made against an agency member of staff and strategy meetings are taking place. One further issue is that a student brought a penknife onto college premises and as a consequence the college is reviewing its response in relation to this. There has been one further incident with a learner who was attacked by a former student. It has become apparent that staff knew of the risk in relation to this but did not record or report it. She confirmed that there were lessons to be learnt from this.

The Board were asked to note that Steve Sutton has agreed to be the Safeguarding Link Governor.

AGREED: to note the content of the update provided.

13 **MINUTES OF THE VBSS BOARD MEETING HELD ON 25TH FEBRUARY 2019**

The Board were happy to note the content of the minutes provided.

14 **CONFIDENTIAL ITEMS**

It was agreed that confidential items would be recorded separately.

(Staff and students left the meeting at 6.40pm)

15 **AOB**

Signed : _____ Chair

Date:

There were no items of additional business.

16 **EXCEPTIONS**

The Chair and Principal confirmed that there were no exceptional items to report to this meeting.

17 **DATE AND TIME OF NEXT MEETING**

The Clerk confirmed that there was a special Board meeting scheduled for 15th April and thereafter the next full scheduled Board meeting is 9th May 2019.

Meeting closed at 7.20pm.

Signed : _____ Chair

Date: