

Minutes of the Board meeting held on Monday 10th June 2019 at 5pm at Station Park

GOVERNORS
PRESENT:

Andrew Cropley, Principal & CEO
Paul Frammingham
Rebecca Joyce
Sean Lyons, Chair
Mary Mamik
Jon Mold
Martin Rigley
Sardip Sandhu
Steve Sutton
Kate Truscott
Tony Westwater

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
Martin Sim, interim Principal
Jane Peacock, ESFA observer

The meeting was proceeded by a site tour of the college’s facilities.

1 **DECLARATION OF INTERESTS**

The Chairman reminded everyone present to declare any interests that they may have at on matters to be discussed. The Chair declared an interest in relation to agenda item 25 and it was agreed that he would step out of the meeting at that point in time. No additional 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 for absence were received from Jane Hawksford, Neil McDonald, Lee Radford, Ian Baggaley and Mark Williams.

ACTION by whom	DATE by when

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Andrew Copley was welcomed to his first Board meeting and it was recorded that this would Martin Sim's last meeting.

3 MINUTES OF THE MEETING HELD ON 9TH MAY 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 9th May 2019.

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

4 ACTION PROGRESS REPORT

The Board was happy to note the update provided. In relation to line 1 the Clerk confirmed that this was scheduled for the Workforce Development meeting on 17th June 2019. In relation to line 2 it was confirmed that this is scheduled for presentation to the Standards Committee meeting on 13th June later this week.

5 CHAIRS UPDATE

The Chair provided a verbal update on a number of areas:

- The college is very busy with a lot of time being spent on financial restructuring and BKSb. He asked that the Board's thanks be passed on to the Executive team for absorbing the additional work.
- Governor development afternoon on 25th May – there were a number of matters discussed, Governor engagement being one of them. Work is underway to collate offers of additional engagement and this will be circulated shortly.
- There is an employer event this Thursday at 8am.
- A number of Governors and members of the Executive were able to visit Barnsley College last week; this is a grade 1 college. The intention is to compile a feedback report and circulate shortly. He described them as a very different college to WNC but that there is lots to be learnt. This is very much considered as the start of an ongoing relationship.
- Governor recruitment - as discussed at the last meeting is now ongoing with the campaign launched on the 3rd June 2019.
- In relation to BKSb there is a lot to discuss and this forms a confidential agenda item later in the meeting.
- Next FE Commissioner stock take visit is on the 19th and 20th June. The college will receive feedback after lunch on the 20th and this will be shared with Governors as part of the strategy review day.
- A complaint was sent to the Chair from Craven College Board, this was in relation to the timing of information provided regarding Andrew Copley's appointment. He confirmed that a

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copy of the complaint letter and the college response would be made available to Governors on the portal.

AGREED: to note the content of the update provided.

6 PRINCIPALS REPORT

The interim Principal provided an update on a number of areas;

- 1) Accounting Officer – he formally confirmed that the role of accounting officer transferred to the Principal designate (Andrew Cropley) on 1st June 2019 and all necessary agencies have been informed of the change.
- 2) AUGAR report – he described this as a very interesting report and a ‘step in the right direction’. It clearly recognises the pressures on education.
- 3) KPIs – there has not been a significant change in the KPIs since the last report. There have been some minor drops in terms of retention and attendance. He confirmed that all of the improvement requirements are known and are being addressed. He acknowledged that the pace of improvements required in relation to apprenticeship provision is a concern and this continues to need to be a focus, particularly as it is anticipated that the college may be subject to an early Ofsted inspection in the next academic year.
- 4) CMI – this is to be discussed later in the meeting as a confidential item
- 5) FEC stocktake visit – this has been confirmed for 19th and 20th June. A briefing paper for Governors will be uploaded to the portal by 12th June 2019 and a briefing meeting has been organised for 17th June. He confirmed that Governors will all be able to access the information and data shared with the FE Commissioner. Governors were invited to review the information provided on the portal and to put any questions they may have to the Principal before the briefing session on the 17th June. He described the college as being in a much more positive position when compared with the stocktakes undertaken in October 2018 and January 2019. He drew members’ attention to the FE Commissioner action tracker at agenda item 21.
- 6) Strategic plan timetable revision – he explained that it had been envisaged that the latest iteration of the Foundations for Recovery would be tabled at the Governor strategy day on 20th June, however capacity issues, owing in the main to phase 2 redundancies, has resulted in a timetable delay. He explained

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that further development of this strategic document would now pass over to Andrew Cropley.

In general discussion the Board considered the KPI data presented and it was noted that there is a 6% variance between vocational and maths and English. The Director of IT and Estates was able to share the Barnsley statistic which is a 15-20% difference, and therefore 6% does not appear to be so significant. It was confirmed that the visit to Barnsley had been really useful in terms of contextualising the WNC position.

AGREED: to note the content of the update provided.

7 INTERIM FINANCE DIRECTORS UPDATE

The interim Finance Director presented an update on two areas.

1) Management Accounts to 30th April 2019

He confirmed;

- That these had been reviewed in detail by the Finance & Estates Committee at its last meeting
- The college is marginally outperforming the mid-year forecast. This is good news but there has to be a note of caution as the mid-year forecast was for a deficit of £4.3 million. The college will come in at a better position than the mid-year forecast; there is confidence in relation to this.
- One aspect yet to be finalised is the restructuring costs for phase 2, however, all indicators are that the college will come in on budget.
- Cash position is positive and the college currently does not need to access RCF. The College was able to manage the known March low point because of continued bank and ESFA support.

2) Risk Register

He specifically drew Governors' attention to the new risks added. He confirmed that all risks will continue to be monitored and that there are no significant movements in relation to other risks.

The interim Finance Director then went on to discuss the context for the budget for 19/20 and explained that it was largely set by the Recovery Plan. The college has refined some elements where there is now more certainty in relation to them. The objective is that the budget will hit the key targets in the Recovery Plan.

In general discussion the Board questioned why the RAG-rating in relation to RoATP had been reduced on the register. It was explained that the college's application was externally validated before submission and that submission took place before the May deadline. There is now a 4-5 week window following which the college should receive a response.

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The Board asked for an update in relation to discussions with the LEP regarding the potential HE Centre clawback. The Principal confirmed that he and the Vice Principal met with the LEP on 30th May. He described it as a challenging meeting but with a positive mood. The LEP seem open to the request to review the numbers although there are two further aspects for them to consider, these are;

- a) A revisit of the original value for money assessment, and
- b) A lessons learned review.

The college has not heard anything further and it was agreed that senior staff would follow up. He described the relationship with D2N2 as improving.

AGREED: to note the content of the update provided.

8 GOVERNANCE

The Clerk to the Corporation presented her detailed written report and a number of matters were considered.

1) Workforce Development Committee (staff members co-optees)

The Clerk confirmed that 5 members of staff had expressed an interest in joining this Committee; 4 were interviewed and 1 withdrew. The recommendation from Governors on this Committee, who undertook the interviews, are that Ella Brookes and Helen Wilcockson be appointed. It was noted that Ella Brookes is the Operations Manager for ALS and therefore part of the business support function and Helen Wilcockson is a Curriculum Manager for Hospitality and Travel and therefore part of the academic staff establishment.

AGREED: to appoint Ella Brooks and Helen Wilcockson as staff co-optees to the Workforce Development Committee from 10th June 2019 to 31st July 2021.

2) Subsidiary Company Director appointments

The Clerk to the Corporation asked the Board to approve the appointment of Andrew Cropley as a Director on the Boards of VBSS and BKSb, to replace Martin Sim on a like-for-like basis.

AGREED: to appoint Andrew Cropley as a Director on the Boards of VBSS and BKSb.

3) Vice Chair's appointments

(Sardip Sandhu and Kate Truscott stepped out of the meeting for this discussion)

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The Clerk advised that, as reported at the last meeting, a replacement needs to be identified following the resignation of Kate Allsop. Governors were asked to express any interest in this appointment; two expressions were received, these were from Kate Truscott and Sardip Sandhu. The Chairman would wish to put forward the proposal that two Vice Chairs be appointed to give additional capacity and resilience and therefore his recommendation is that both should be appointed as Vice Chairs.

AGREED: to appoint Kate Truscott and Sardip Sandhu as Vice Chairs from 10th June 2019 to 31st July 2021.

(Kate Truscott and Sardip Sandhu re-joined the meeting)

4) Governor Recruitment

The Clerk advised that the Board currently has vacancies in a number of areas

- a) Staff Governor – it was confirmed that expressions of interest are to be invited from members of the academic workforce. It was agreed that this process should commence as soon as possible with a view to having an individual in post for the next academic year. The Clerk explained the election process and all agreed that it was important that staff are clear that they are not staff ‘representatives’ but that instead they are appointed as Governors in their individual capacity.
- b) Student Governors – the Clerk explained the proposed changes for next year, i.e. the SU President will not be a paid position. It was explained that this was part of the phase 2 restructure proposals. Senior staff are not sure whether the use of the remunerated position historically has been effective, i.e. SU Presidents being asked to do what staff should be doing, for example student discipline. Robyn Hodgson did not drive and this also provided a challenge in terms of assuring that all sites are given an equal voice. For next year the SU positions will be voluntary, with the Presidents supported by an Executive Committee. The Board questioned whether there is evidence that students are interested in being Governors. It was explained that there is a paradox between SU engagement, which is largely focused on clubs and activities, whereas Board meetings are generally focused on business. Given the changes it was agreed that options and models would be presented at the next meeting and this will sit alongside the requested amendments to the SU Constitution.
- c) Independent/externals – as reported earlier in the meeting the campaign to recruit two further Governors has commenced. Shortlisting is scheduled for 11th July and interviews on the 22nd July. The Clerk indicated that, given the timescales, the Board is asked to provide the Selection/Interview panel with delegated

VP/Clerk

11.7.2019

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authority to agree appointments on 22nd July.

AGREED:

- a) To note the content of the update provided, &
- b) Provide delegated authority to the interview/selection panel to agree external/independent Governor appointments on 22nd July 2019.

9 STANDARDS COMMITTEE - CHAIRS REPORT FOLLOWING THE MEETING HELD ON 7TH MAY 2019

The Committee Chair drew members' attention to the minutes of the meeting and confirmed that it had been a really positive meeting with insightful presentations provided that gave assurance regarding apprenticeship provision. Key matters noted were:

- Greatest challenge is now maintaining improvements seen through engagement of interims
- Data is now much clearer
- There are still concerns regarding qualification achievement rates when compared to national. More assurance given that this is more closely monitored internally.
- Separate session focussing on apprenticeship provision showed the distance travelled. The college is not yet where it needs to be but it is clear that the focus has improved.
- Deep dives are very useful and a beneficial process
- It is important for the college not to take its 'foot off the gas' regarding current and expected data. The focus now needs to move away from the historic.
- The College has got to be careful not to fall back
- Governors and the senior team need to continue to challenge in relation to the pace of change required. There is a need to be very careful regarding general FE culture as this does not always sit comfortably with the changes needed.

Governors asked whether there were any questions for them to consider as they participate in Governor engagement activities. The committee Chair expressed the view that asking apprentices how their progress is monitored and communicated would be helpful. Governors considered the slide presentations and, in relation to construction specifically, it was noted that a culture change is needed and has commenced. They asked for greater detail in terms of what, when and how? The Committee Chair expressed the view that that committee members are not yet convinced that progress reviews are consistent across all areas. There have been some staff changes which will positively have impacted upon the culture in construction. Some issues specifically relate to noncompliance and the use of the one file system. Assurance was given by staff that poor practice is being addressed. It was acknowledged that the issues identified commonly occur in colleges going through significant change and that it is important to raise staff expectations.

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AGREED:

- a) To note the content of the chairs report, &
- b) Note the content of the minutes of the meeting.

10

COMMITTEE CHAIRMANS REPORT FOLLOWING THE F&E COMMITTEE MEETING HELD ON 30TH MAY 2019

Key points raised by the Chair were

- The committee had a really interesting paper on cyber/IT security; this provided really strong assurance.
- The Management Accounts were reviewed in detail and the position is slightly better than anticipated in the Recovery Plan. Cash looks fine. The college now has to make sure that the financial plan remains a living and breathing document for the future, with it being important to have clear sight of the forward view.
- There was some significant debate regarding contribution analysis and it is clear that there are different models to be adopted with varying degrees of accountability. The Executive have been asked to decide on the model and then report this to the Board so that Governors can be clear in terms of assurance.
- A report was provided on insurance tenders and the Committee were assured that this was a robust process and the proposals were scrutinised in detail.

It was noted that the specific risk report requested in relation to apprenticeship provision is still outstanding and the interim Finance Director confirmed that this would be circulated on or before 13th June 2019.

Interim FD 13.6.2019

A question and challenge from the Board was whether or not there is an item on the risk register which covers apprenticeship performance and achievement rates. It was confirmed that there is an Ofsted risk on the register which would cover this.

In terms of the models of accountability there was some discussion regarding the model in place at Barnsley College, which has a very devolved and accountable structure. This is a long way from where WNC currently is but it was described as an interesting and empowering model. A question from the Board was whether or not the senior team could look to move in this direction to ensure greater ownership. The Principal confirmed that his initial view is that this is an appropriate direction of travel with a move to a more delegated model, however how the college gets to that point is something to be discussed on the 20th June strategy day. It will require a step change approach and all agreed that it was important to get to this model in a supportive way and is it a significant departure from current operational arrangements. It was agreed to develop a 'state of readiness' for the organisation, this is for support functions as well curriculum areas. All agreed that an

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organisational development plan needs to be created.

AGREED:

- a) To note the content of the update provided;
- b) Approve in principle the Committee recommendation that Zurich Municipal be appointed to provide the College's insurance service for the period 1st August to 31st July 2020 (to be cross-referenced with the confidential discussion item regarding further points of clarification requested).

11 REPUTATION – RISK REPORT (MONITORING & MITIGATION)

The Vice Principal introduced her written report and confirmed that this summarises where the college is and what measures could potentially be used as indicators. She invited the Board to provide feedback on whether or not there are any other indicators to be utilised and also to give a steer as to how often this report should be presented.

In terms of the data presented there were a number of key matters noted:

- The college moved away from using advertising value equivalents (AVE) as a measure of press and media coverage some time ago as it measured quantity rather than the impact of it. There are now a number of key measures to assess reputation.
- Learner applications/recruitment – this is a key indicator and on the whole is currently a very positive picture.
- 16-18 applications for Year 11 school leavers are currently 55 above the same point last year. With acceptances at 246 above the same point last year.
- 16-18 applications from continuing students are again positive at 91 above the same point last year and 199 acceptances up. The Board were reminded that these are the students who have lived through this turbulent year.
- 17 and 18 year olds new to the college – this is one area where the college is seeing a decline. 71 applications down against the same point and 13 acceptances adverse. She explained that this was a trend that had been seen in previous years.
- 19+ applications continue to show a downturn however this is a decline over a 3 year trend with indications that the trend may be slowing. At the present time the college is 70 applicants down against the same point last year however acceptances are showing an increase of 66 against the same point last year.
- Higher Education – positive trends continue with HE applications within the college currently 10 applicants up and 14 acceptances up. Planned numbers for 19/20 include modest growth, +10 on the year previous.
- Employer and apprenticeship numbers and feedback – the impact of a non-levy cap on funding may mean that reputationally the college may suffer. It is fair to say that the

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college reputation with employers locally was not positive before this academic year, as such publically stated commitments to bring provision to local communities and improvements that have been made to engagement and delivery mean that the college is starting to gain some traction in terms of its employer based reputation. However this is anecdotal at the moment. The college is currently part of the national employer survey with results known later in 2019. She confirmed that the refocus to local provision has been received very positively locally. She advised that staff will work through the implications of the non-levy cap with an update to be provided to the Board on what this will mean.

All acknowledged that 18/19 was not what could be considered as a 'usual' year. Employer and apprenticeships is where the Board need to be concerned and this has to be a focus. The Board asked for further detail on the type of questions included within the employer survey. It was explained that this predominantly relates to the quality of apprenticeship provision and the quality of progress. It was acknowledged that what the survey does not tell the college is why employers are not with the college as it is 100% focused on employers who have had an apprenticeship. The Vice Principal confirmed that the college has not conducted an external stakeholder survey for a number of years now. The Vice Principal took the opportunity to share how local schools are using the turbulent year to dissuade student applications.

The Board all agreed that a key issue is the brand message and brand recognition. A key part of this is what the college wants to be known for and what is important to the college. All agreed that the employer development strategy is really important. Different layers and opportunities for employers can be considered. An observation also made was that the college reputation with funders and stakeholders is important and that this has to be factored in to reputational analysis. The Board questioned whether the employer survey will identify specific employers, it was confirmed that it will not. All felt that the large employers are critical and it has to be accepted that historically they have had a mixed picture in terms of service, although it is starting to be accepted that the college has gone some way to improve its position and can now start to more publically share employer partnerships.

- Learner feedback – the Board were advised that the college conducts a learner survey each year, this year's results in terms of learner satisfaction indicate that 94% of learners surveyed responded positively. Whilst this is a positive outcome, it is 2% behind last year's survey results of 96%. This may be an indicator of some impact in terms of reputation.
- Employee engagement – the college is yet to undertake a formal staff survey but this is due to go live on 24th June. Colleagues are keen and committed to work together to ensure that the college has a bright future but a major priority following phase 2 will be

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building morale and confidence of those who remain. Staff are worried about those colleagues about to leave the organisation and also the workload of those left behind. The college needs to be realistic and provide reassurance in relation to this.

- Other factors – the college reputation as a sector leader nationally has reduced, however it should be noted that this has not impacted upon the ability to recruit to key posts.

In terms of next steps it was agreed

- That reputation and employer engagement will be considered in more detail at the June 20th strategy day
- The Board, either directly or through Committees, want to see the results of all surveys
- There should be a focus on the high/red risk areas and it is important not to let the good mask the risks
- A challenge from the Board was to develop some reputational KPIs so that these can be monitored, including the positive or negative movements. This will help the Board to understand and agree next steps.

AGREED: to note the content of the update provided.

12

SITE SECURITY – OPTIONS ANALYSIS

The Director of IT and Estates drew Governors' attention to his detailed report and key matters noted were:

- The Derby Road site is a 'challenging site' with over 56 external doors and buildings which are separated across a large campus area. Evening courses currently occupy buildings in all parts of the campus in order to make use of specialist facilities.
- Site security is linked to earlier discussions regarding reputation, as first impressions influence perceptions.
- Station Park and the Engineering Centre are very different to Derby Road in terms of site security.
- Staff perceptions over time have influenced security considerations.
- There is the intention to consolidate evening activities, particularly in the HE Centre.
- There are a number of options including;
 - a) Restrict entrances and exits – the college could reduce to 10 entrances over 5 buildings at Derby Road. It has to be acknowledged though that anything done will lead to some inconvenience and staff will need to understand this.
 - b) Add barriers/key card entry to all highlighted areas – these will come at a cost but has the advantage of knowing who is in the building, which is a positive to sit alongside site security.
 - c) The creation of an interior perimeter fence and turn style barriers, this is similar to a school environment. Indicative pricing for fencing/barrier gates and entry system is in excess

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of £150k.

Potential pitfalls

- While it is possible to improve security at college sites, experience at other colleges who have already implemented these types of security have shown that a number of potential issues remain.
- With option B – barrier systems - students often tailgate through the barriers/key card barriers. Anyone intent on getting in to the building can also ‘hop’ the turn-style/barriers and gain access.
- Students forgetting their ID cards becomes a major drain on resources and providing evening students with key cards (particularly for short courses) is both an inconvenience and an additional expense. Issues have also been raised with students sharing cards.
- The most common issue identified by other colleges is that the people most likely to cause issues inside are not hostile intruders but existing students who would have access through any barrier system.
- With option C, whilst the most secure, would make a very imposing statement and may be off putting to both students and staff and could give the impression that dramatic security measures are actually required on our campus, whilst the actual reality is that this remains a low risk location.

In general discussion the Board asked what staff are most concerned about. It was explained that this is hostile intruders. A challenge from the Board was to look at door swipe options as these tend to be less costly than barriers. It was noted that the college has over 150 CCTV cameras on site, these are not manned but they do retain 7 days of footage and can be viewed as required. It was noted that swipe access is already in place for the HE Centre. A question from one Governor was whether or not it was possible to purchase night time security. It was agreed that this would be cost prohibitive.

In terms of the options the Board agreed to implement option A and then resurvey staff after a 6 month period.

AGREED:

- a) To note the content of the update provided,
- b) Request that the Executive implement option A presented.

13 SAFEGUARDING, EQUALITY AND DIVERSITY AND PREVENT - EXCEPTIONS REPORT

The Vice Principal presented her written report and confirmed that the college continues to see a significant rise in the number of internal safeguarding referrals being made through the college team. In total for the year to date there have been 2015 referrals against 1605 in the previous year which is +21%. The college has now exceeded the prior full

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year total for referrals. The complexity and volume of work undertaken by the safeguarding team is significant. A challenge from the Board was to ensure that the team is adequately supported and trained. It was confirmed that the college intends to extend supervised working next year.

The Board were also advised that the college has dealt with its first referral under the newly published 'fitness to practice' procedure. This relates to a childcare student who is unable to find an external placement as a result of a safeguarding concern. The learner is on a level 3 programme and as such will complete and achieve her first year but will not be able to progress to the final year where should be given a 'licence to practice'. It was confirmed that this issue has been reported to CASH which is the awarding body.

AGREED to note the content of the update provided.

14 **HE – ACCESS AND PARTICIPATION PLAN**

The Vice Principal provided a verbal update and explained that the college is required to approve and publish its APP plan on or before the first of July 2019. She asked that delegated authority be provided to the Standards Committee to review and agree on behalf of the Board. This was approved.

It was confirmed that as part of continuing OFS registration every HE provider has to update their APP. The deadline is 1st July for 2020 entry onwards.

AGREED: to provide delegated authority to the Standards Committee to review and approve the college Access and Participation Plan.

15 **AOB**

There were no items of additional business.

16 **EXCEPTIONS – LLOYDS BANK**

As a matter of exceptional business the Board were asked to consider an update in relation to Heads of Terms with Lloyds bank.

The Clerk advised that, subsequent to the Finance and Estates Committee meeting on 30th May, the college has now received draft heads of terms from Lloyds bank. This relates to the continuing RCF facility and the two longer term loans. The document received has been released by the bank prior to credit approval, however they require the college to approve 'in principle' and sign before they are then able to release the draft Facilities Agreement. She explained that it is a 4 page document that needs to be considered and approved. Given the

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timescales required she asked the Board to give delegated authority to the Chairman, the Principal and the Finance & Estates Committee Chair to review, approve/sign. This will be on advice received from the interim Finance Director and Nina Warwick the external Advisor. If the Board are happy to approve this delegated authority then the anticipation is that the college will receive the draft Facilities Agreement on or before 18th of June. Nina Warwick will then prepare a high-level report to be presented to the Finance & Estates Committee on 25th June. The Finance & Estates Committee will then review and report to the Board ready for the meeting on 11th July 2019.

She advised that there were likely to be discussions/negotiations prior to 11th July but that the expectation is that documentation will be provided in a 'near final form' on 11th July so that the Board can approve, even if it is 'subject to' at that stage.

The Board all agreed that the proposals put forward were sensible and were happy to provide delegated authority as required.

AGREED:

- a) To note the content of the verbal update provided, &
- b) Provide delegated authority to the Chair, Principal and Finance & Estates Committee Chair to review and approve the draft Heads of Terms document issued by the bank.

17 **DATES AND TIMES OF FORTHCOMING MEETINGS**

The Clerk confirmed that the next scheduled Board meeting is 11th July 2019 at 5pm.

18 **CONFIDENTIAL ITEMS**

It was agreed that confidential items would be recorded separately.

(The interim Vice Principal and the Director of IT and Estates left the meeting at 7.05pm.)

Meeting closed at 8.15pm.

Signed : _____ Chair

Date: