

**Minutes of the Board meeting held on Thursday 14<sup>th</sup> November 2019 at 5pm**

**GOVERNORS PRESENT:** Sean Lyons, Chair  
Charles Heaton  
Neil McDonald  
Rebecca Joyce  
Sardip Sandhu  
Andrew Cropley, Principal and CEO  
Mary Mamik  
Kate Truscott  
Steve Sutton  
Tony Westwater  
Mark Williams  
Sophie Welbourn

**ALSO IN ATTENDANCE:** Maxine Bagshaw, Clerk to the Corporation  
Louise Knott, Vice Principal: Communications, Engagement & Student Experience  
Gavin Peake, Director: IT & Estates  
Jon Fearon, Finance Director  
Suzanna Smith, HR Director  
Diane Booth, Head of Service: Quality & Standards (for agenda item 5)  
Peter Rowley, Manager: Adult and Community Learning (for agenda item 5)  
Nicki Slack, Assistant Principal: HESI (for agenda item 5)  
Jane Peacock, ESFA observer  
Mike Firth, ESFA observer

**1 DECLARATION OF INTERESTS**

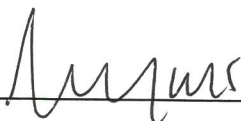
The Chair reminded everyone present to declare any interests that they may have on matters to be discussed. No specific interests were declared and standing declarations were noted.

**2 WELCOME, INTRODUCTIONS AND APOLOGIES FOR ABSENCE**

Mike Firth was welcomed to his first meeting and it was explained that, going forward, he would be taking over the role of observer from Jane Peacock. Apologies for absence were received from Paul Frammingham, Jane Hawksford, Lee Radford, Martin Rigley, Melanie Stirland, Jessica Stowe, Clive Pitt, Spencer Moore and Sue Martin.

ACTION by whom	DATE by when

Signed :



Chair

12 Dec 2019

Date:

**3**            **MINUTES OF THE MEETING HELD ON 10<sup>TH</sup> OCTOBER 2019**

The minutes were reviewed and agreed as an accurate record of discussions.

AGREED: to approve the minutes of the meeting held on 10<sup>th</sup> October 2019.

There were no matters arising.

**4**            **ACTION PROGRESS REPORT**

The Board were happy to note the progress comments provided.

**5**            **REVIEW OF PROGRESS AGAINST STRATEGIC OBJECTIVES**

The Principal introduced this substantive agenda item and confirmed that a copy of the strategic plan had been circulated in advance of the meeting. He explained that the main purpose of the meeting today was to talk about where the college is in relation to achieving the objectives set. He drew Governors' attention to the delivery plan and confirmed that, in the main, the finance, estates and IT areas will be monitored and managed through the management accounts rather than the delivery plan. He confirmed the intention to go through each of the objectives and provide an update on the current position, including challenges, opportunities, etc.

The Principal drew Governors' attention to appendix 2, which was reviewed on a line by line basis.

1) ASPIRE curriculum

Key matters noted were:

- This expresses the curriculum intent at the highest level.
- There is power to use this from the 'grass roots' in terms of curriculum development and creation.
- All teams have been involved in developing the ASPIRE curriculum

A question from the Board was in terms of the learner role in the milestones agreed. The Principal confirmed that the ASPIRE curriculum has been built up from a concept basis and that the intention is to use this in learner voice meetings during the year. He acknowledged that this was a really good prompt to make sure that staff check how the curriculum is working for students and, in particular, how staff are bringing it to life. A challenge from the Board was that they would like to see the college find a way to communicate and share better with

Signed : \_\_\_\_\_ Chair

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students as, from their point of view, this is a critical reason as to why students would come here rather than go to other providers.

The Principal confirmed that the next piece of work to do, as part of the curriculum planning process, is to ensure that all curriculum teams have engaged actively with the ASPIRE curriculum.

2) Increase by 10% the proportion of students meeting their target grades year on year

Key matters noted/discussed were;

- This is a formulaic approach and is based upon five performance reviews in the year.
- The 18/19 base position is that 58.7% non-A-Level students achieved their target grades and 42.7% of A-Level students achieved their target grade. A challenge from the Board was that this seems really low, as it means that roughly half of students are not achieving their target grades.

The Principal explained that targets are based on GCSEs but gave assurance that ambitious targets are set and that the targets are stretching. He confirmed that the college aims to be in the top 25% nationally. He explained that, for maths and English, 1+ grade is the target, but that aspirational targets are set at 2+. He advised that different measures are used for the different qualification types. Following Board discussion, the Principal confirmed that the Executive would review whether a 10% improvement is ambitious enough.

Principal

Dec. 2019

The Board asked whether it is possible to calculate the current position. The Director of MIS and IT indicated that the current position is -0.6, with performance for 94% of students known. Half are currently working at half a grade below target. The Board were reminded that the target is for the yearend and therefore, in November, being only half a grade below target is a positive. A challenge from the Board was that they would wish to see the current position compared with last year so as to assess on a like for like basis. The Director of IT and Estates confirmed that it is possible to drill down to each individual student and determine their current performance against target.

Dir IT & Estates

Dec 2019

3) Achieve an Ofsted and self-assessment grade of good

The Principal confirmed that discussions on this had been included within the earlier developmental session, and it was not his intention to repeat matters already debated. Key matters noted were:

- Following the SAR process, the college has graded itself as a 3 overall and therefore there is work to do. However, he provided assurance that there has been rapid progress made regarding any grade 4s. He considers that there are some vulnerabilities, however, there is a lot of good preparation work taking place.

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A question and challenge from the Board was whether or not the SAR grades were as expected. The Principal confirmed that, in the main, they are and that a prudent approach has been taken.

- In terms of results, Construction was very poor and maths and English were below expectations.
  - An observation and challenge from the Board was that the SAR process that they had been involved in seemed to be an arduous task for staff involved, and they questioned the value of the exercise. The Principal confirmed that he was looking to radically change the way that the college undertakes SAR and produces the QIP going forward. Governors were supportive of this and expressed the view that what should be prepared is one page of hard data and then no more than three pages of the 'so what'. They felt that it was important for staff to free themselves from the SAR 'shackles'. Their challenge was to see less paper and more action.
  - The Principal confirmed the intention to compile the QIP in July rather than wait until the next academic year. A challenge from the Board was to go back to basics and review what is the most effective and efficient way of capturing the 'so what'.
- 4) Increase the proportion of students progressing to Level 4 or above programmes (including apprenticeships) by 10% year on year

The Principal confirmed that numbers would be circulated outside of the meeting. He confirmed that the college knows its numbers and is working to the plan.

5) Implement the use of OneFile consistently

Diane Booth provided a presentation to the Board and confirmed that staff are really motivated and involved in discussions, and that there is evidence that the college is moving forward rapidly. Key matters brought to the Board's attention were:

- Compliance – sampling showed that the use of OneFile was not consistently used by apprenticeship managers. To get a better understanding of this the quality team initiated further sampling in October, this showed that:
  - No assessor had allocated all five mandatory plans
  - Few learners have proof of learning from day one recorded in OneFile
  - Construction – too many specialists are allocated to individual learners; this makes it difficult to determine who is responsible for what
  - None of the Construction learners had an ILP started
  - The quality of reviews was not adequate
  - Feedback is inconsistent and poor and often not recorded at all

Principal

Nov. 2019

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Date:

- Most learners audited were behind target, taking in to account the length of time that they had been on programme
- A large number of learners had no evidence of working on English or maths, even though they had been on programme for a considerable length of time
- Reflections in journals were poor
- There is little IQA activity and what is there has been done too late to be effective. Assessors were not aware of areas of weakness until it was too late to make amendments.
- The 20% off the job learning is not being recorded adequately
- Withdrawals and achievements were not being archived which results in assessor caseloads being incorrect and management data not accurate for reporting.

It was confirmed that every specialist was considered as part of the sample, and that what is important is to provide the support to enable them to meet college expectations.

What is being done to improve the use and quality of OneFile?

- All specialists completed a skills matrix in July 2019
- These have been collated and disseminated to apprenticeship managers to use as a basis for sharing practice
- Hair, Beauty, Hospitality and Health & Social Care are sharing practice during team meetings
- Engineering staff are sharing practice during weekly meetings, one component user is leading on this
- Retail and Business Management specialists are receiving coaching during their one to one meetings with their line manager
- In Construction, the quality team is hosting weekly meetings to share practice (since October half term)
- Computer Science staff are sharing practice at team meetings
- Heather Peake has also been providing bespoke training where there are significant gaps in team skills
- October staff development day – mandatory training session to improve feedback and feedforward. She confirmed that staff have been asked for their questions so that the questions and the answers can be put on to the OneFile system itself
- She confirmed that all aspects of the review have been RAG-rated so that the priority areas can be tackled first.

A OneFile task group has been re-established and has held fortnightly meetings since 4<sup>th</sup> October 2019. They have:

- Reviewed and adapted the student one to one review
- Reviewed and adapted the induction tasks
- Agreed that the journal function will be used to evidence learning from day 1
- Standardised the content of the induction

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- Set expectations for reflective journals
- Set the expectation for employers to be involved in reviews
- Agreed that specialists will upload initial assessments from BSKB to the resource section of OneFile and then follow up with more detailed assessments
- Sharing practice of good examples of reflective journals, reviews and feedback/feedforward
- Developing and implementing a skills scan to measure progress at fixed census points throughout the learner journey.

Plans to move forward include:

- Construction – lead weekly OneFile meetings to address skills gaps and provide one to one coaching and in-session support
- Engineering – provide training to improve the quality of journals and in-session support, attending their team meetings and providing IQA/standardisation
- Hair, Beauty, Hospitality and Health and Social Care – in-session support
- Retail and Management – one to one coaching of specific specialists
- Computer Science – provide training at team meetings, one to one training with the apprenticeship manager, and carrying out sampling.
- Working with classroom-based staff to upload SOW to evidence planning for learning
- OneFile training with employers, where this has been requested
- Re-issue the skills matrix to measure progress
- OneFile training event on 10<sup>th</sup> December 2019 (external delivery)
- Resampling of OneFile in the week commencing 16<sup>th</sup> December to measure impact:
  - a) Task group to focus on a standardisation of one to ones with specialists
  - b) Sharing practice to improve the quality of journals, reviews and feedback
  - c) Training and support to embed the college expectations.

Risk rated by area, these are:

- 1) Construction
- 2) Hospitality
- 3) Health and Social Care
- 4) Computer Science
- 5) Engineering
- 6) Retail Management
- 7) Hair and Beauty

Governors asked what the deadline date is for hitting minimum expectations. Diane Booth confirmed that this is Easter, as the college needs sufficient reviews to have taken place to be able to analyse and assess. She confirmed that the college was providing a supportive on-boarding approach.

Signed : \_\_\_\_\_ Chair

Date:

6) Having confirmed by our staff that college leaders are exemplifying and rewarding our values

Key matters noted were:

- It is important to know and measure the everyday experience.
- There have been facilitated departmental discussions on what the values mean for individuals and departments and consideration of the drivers which determine an individual's moral compasses. Staff have been provided with a toolkit to allow them to reflect. The value and behaviours document has now been sent to print.
- Staff are doing a concentrated piece of work to filter in values and how they fit with the mission and vision. Critically important is how high expectations can be embedded within departments. It was confirmed that there is positive feedback for staff regarding just having the time to have these conversations. It was confirmed that discussions have commenced and now it is a matter of continuing and building upon these.
- College leaders have greater visibility within college.

In general discussion, it was acknowledged that Governors will be able to test this when they are out and about onsite. A question from the Board was how this is tested with customers, including students and employers. It was confirmed that the college does ask students and employers for their experience in surveys but it was acknowledged that this could be expanded further next year. A challenge from the Board was that there needs to be a structured approach. The Principal explained that the first year is very targeted in terms of how staff view the senior team, and that next year the appraisal process will be utilised to make sure that all staff live the values. All agreed that it was important to pick up staff feedback and feed it in to future plans and that this needs to be a reoccurring conversation pieces.

7) Having meaningful and successful partnerships with 25% more employers with addresses in Mansfield and Ashfield districts year on year.

The Vice Principal confirmed that the college is starting to have some very interesting and exciting discussions with employers and that this includes looking at curriculum developments at ground level. The college is looking at participating in a trailblazer project re: peer support in the NHS (the NHS is looking to develop this in to an apprenticeship standard). The college is now having more strategic conversations with employers and not simply transactional discussions. She expressed the belief that the college was starting to see 'meaningful engagement'. Discussions are ongoing with NTU regarding progression and employability. D2N2 are very excited about the college's relationship with NTU and they have specifically asked for the college to consult with employers on this relationship.

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8 & 9) increase the number of adults developing their skills by 15% year on year and deploy at least 65% of our AEB allocations to learners with addresses in D2N2 and 35% to learners with addresses in Mansfield and Ashfield districts.

Nicki Slack, Assistant Principal: Health Education and Services Industries, and Peter Rowley, Manager: Adult and Community Learning, provided a presentation. In relation to the 35% figure, it was specifically explained that this is a subset of the 65% and is not separate to the 65%.

Key matters brought to the Board's attention included:

1) 2018/19 review

- £6.8 million contract value
- £1.027 direct delivered by WNC
  - 88.1% retention, 81.5% achievement (regulated aims)
  - 99.1% retention, 95.3% achievement (non-regulated aims)
- £5.261 million delivered by 10 subcontractors
  - 96.3% retention, 95.8% achievement (regulated aims)
  - £400k approximately in ALS, student support etc.

It was explained that regulated aims tend to be longer courses, i.e. one year plus. Non-regulated aims are shorter courses: an example given was over a seven-week period. A regulated aim is a formal qualification, and non-regulated aims are what the college puts together.

The 2018/19 positives include:

- wide variety of provision
- overall data
- funding target met – 97%
- community learning
- close links with JCP
- ESOL

Challenges:

- direct delivery data
- subcontractor quality assurance
- volume of observations
- destinations data
- further develop initial assessment information

2) Current values in 2019/20

- £6 million contract value including £600k carry-in
- £1.2 million direct delivery by WNC
- £4.1 million allocated/reserved for seven subcontractors (including carry-in)
- £400k approximately in ALS, student support etc.
- £300k flexibility to move to either DD or SC
- £170k Greater London Authority (GLA)

Signed : \_\_\_\_\_ Chair

Date:



## 2019/20 looking ahead

### A) Positives:

- further growth in local adult learning
- robust contract management
- D2N2 activity
- learning centre
- health and social care opportunities

### B) Challenges:

- increasing direct delivery
- local market intelligence
- resource (staff, rooming, equipment)
- distance learning programmes
- flexible delivery models
- marketing strategy

In general discussion, the Board asked for information regarding the contribution levels. The Finance Director confirmed that it was 50% for direct delivery and 20% with a partner.

The Board were advised that completing observations is a challenge and that there are 50 to undertake. The college is looking to bring in an additional member of staff to add capacity in relation to this. It was confirmed that there is good progression from these courses, with 17/18 seeing 50% progression to another WNC course.

The Board discussed the proposal to establish a learning centre and it was explained that staff are looking at a town centre site. It was acknowledged that it would need to be affordable but that it would give the college opportunity to grow provision. It was confirmed that health and social care has the buy in from the local job centres, which is a positive. For ESOL, there is a need to look to leveraging the funding.

A challenge from the Board was that there needs to be some local market intelligence to help staff prioritise what is to be delivered. They suggested that it would be helpful to look at what others are doing further afield and replicate. All agreed that there was a need to be more flexible, particularly so that delivery fits in with what people want. A question and challenge from the Board was how the college gets to the people it needs to attract. It was confirmed that a marketing strategy has been developed in relation to this. It was confirmed that the college is looking to deliver AEB at its own three facilities rather than out in other community areas.

### 10) Implement the employability framework

In relation to this target, the Principal advised that the college is not quite at the point where the system can generate the numbers. However, assurance was given that the college is ahead of the same point in the prior year.

Signed : \_\_\_\_\_ Chair

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(Peter Rowley, Nicki Slack and Diane Booth left the meeting at 6.30pm.)

11) Complete a strategic review of the HE curriculum

It was confirmed that this is being done in conjunction with NTU and the partnership developments.

12) Meet key financial targets

The Principal confirmed that what is set is what the college will do differently. In terms of the 16-18 in year growth funding bid, it was explained that this is now an automated process for the ESFA and that what will be important is the R06 data. The Finance Director confirmed that the year to date was progressing well and to plan at period 3. A challenge from the Board was that they would wish to see these targets link in with the KPIs where possible. They asked for senior staff to review whether this document could be presented in a balanced scorecard format.

Exec

Dec 2019

13) Identify a buyer for BKSB

It was confirmed that this is progressing and that a further update will be given later in the meeting as part of confidential items.

14) Market and dispose of Chesterfield Road and Thoresby Street sites

In relation to Thoresby Street, it was confirmed that it is on the market and that there is an occasional level of interest but no purchaser. Chesterfield Road disposal will begin once the property has been returned to the college from the DFE; it is considered that this is imminent. The covenant in relation to Thoresby Street has been removed.

15) Complete those estate works identified in the college's condition surveys

The Director of IT and Estates confirmed that a comprehensive conditions survey was undertaken and gave assurance that anything significant has now been completed and that the college is now working through some minor items. He confirmed that 95% of the college's accommodation is in category A or B, which is a really positive position.

16) By identifying existing good practice, develop a plan for using technology to enhance the learning experience

The Principal indicated that the college was starting from a position which is behind where it would want to be. The college has signed up to the digital insights programme through Jisk, which will provide some benchmarking information.

Signed : \_\_\_\_\_ Chair

Date:

AGREED: to note the content of the update provided.

**6**      **COMMITTEE CHAIR'S REPORT FOLLOWING THE MEETING OF FINANCE AND ESTATES ON 4<sup>TH</sup> NOVEMBER 2019**

In the absence of Paul Frammingham, it was agreed that Charles Heaton would present the update. Key matters that he brought to the Board's attention included:

- The Committee spent a significant amount of time going through the draft accounts, in terms of numbers and the format.
- A steer from the Committee was that this document should highlight the improvements and positive direction. Key messages were in terms of the college working successfully on recovery plan implementation.
- Two accounting treatment issues still to resolve, with the FD being in dialogue with KPMG.
- Finance team doing quite a 'clean-up job' in a number of areas.
- September management accounts were considered and these clearly show that the college is going in the right direction.
- Payroll costs are controlled.
- The bank's interpretation of covenants is slightly different to the college's; theirs provides a more positive position.
- The Committee looked at the risk report. Whilst acknowledging it was a really useful document, they felt that it could now be added to in terms of the financial magnitude associated with the risks and also include opportunities/upside.
- The Committee considered the procurement of gas and electricity. It was confirmed that ESPO are doing better than the market average. The Committee's recommendation is that ESPO be awarded a further four-year contract and their nominal fee annually is £950. Part of their service is that they undertake an annual review.
- Data policies were discussed.

The Director of IT and MIS confirmed that, following the meeting, the Data Retention Policy has been reviewed and the retention timelines used by Jisc have been inserted. A question and challenge from the Board was in terms of the length of retention, with some differing views as to whether or not information ought to be retained longer than is legally required. It was acknowledged that there is a cost to retaining data. It was confirmed that, currently, the college keeps data beyond the legal minimum in some areas, and that the college has to be aware of its responsibility in terms of public accountability. Given the differing views expressed at the meeting, it was agreed to revisit the Data Retention Policy again. Charles Heaton drew the Board's attention to the recommendations set out in the summary note.

AGREED:

Signed : \_\_\_\_\_ Chair

Date:

- a) To note the content of up the update provided;
- b) To approve the continuation of provision of gas and electricity through ESPO;
- c) To approve the Data Protection Policy presented;
- d) To approve the updates to the Standing Orders proposed (subject to bank approval);
- e) To note the content of the September 2019 management accounts; and
- f) To approve the subcontractor variations as set out.

7

### **PRINCIPALS UPDATE**

The Principal's comprehensive and detailed report was noted; key matters that he wished to bring to Governors' attention included:

#### 1) FEC stocktake visit

The Principal expressed thanks to everyone who was involved in the meetings. Feedback included:

- The college will get a positive report
- FEC recognise continuing improvements led by a strong Board
- The college is showing no signs of complacency
- They are reassured regarding a positive future for the college
- They are pleased that the college recognises its challenges
- They can see year on year growth in 16-18 year olds
- The college has a clear focus on quality, which underpins the work being done
- Positive use of OneFile
- Impressed by some key members of staff
- They acknowledge the open approach that the college has taken with them.
- Acknowledge that the college has taken a fine line regarding the pace of improvement with a 'bruised workforce'
- They can see bespoke plans in place
- They have confidence that the college is maintaining its focus
- Can see that the college is adapting and responding positively

There will be two new recommendations, which are:

- Recruit more teaching and learning coaching staff, and
- APs to have more of an outward focus

He confirmed that the FEC team are happy to close down a number of the historic recommendations and that they will be revisiting again in six months' time, which is towards the end of this academic year.

#### 2) KPIs

The Principal confirmed that the KPIs are now completely populated in terms of the targets. He acknowledged that there were more red RAG-rated items than he would like, but gave assurance that these are being

Signed : \_\_\_\_\_ Chair

Date:

tackled.

### 3) NTU partnership

He confirmed that the partnership with NTU is progressing to plan and made the observation that the University of Derby is being difficult in terms of the end of their relationship with the college. The Vice Principal has drafted communication to students and this is different for two cohorts:

- Validated courses – there is confidence that students can transfer;
- Franchise programmes – it is believed that students cannot transfer unless Derby University agree. It was explained that there are between 40 and 50 learners who fall into this category.

All noted that that it was the HE graduation this weekend. The Vice Principal expressed the view that they may need to formally terminate the agreement with Derby. Governors questioned whether there were any implications associated with this. The Vice Principal expressed the view that the implications were solely around relationships. The Board asked whether the college had reached the point of 'no return', and it was confirmed that there are two actions which will take the college to this point: the letter to OfS proposed, and the college taking the step to turn off its UCAS position.

The Board were asked to approve the submission of the formal notification to the OfS on 18<sup>th</sup> November, in line with OfS regulatory advice which was published on 15<sup>th</sup> October. She explained that the college has five working days to send this submission once letters have gone to students.

It was also noted that that the college's Access and Participation Plan has not been approved by the OfS, as they have put it on hold given the discussions with NTU.

AGREED: to approve the submission of the formal notification to the OfS on 18<sup>th</sup> November 2019 in line with OfS regulatory advice (16) which was published on 15<sup>th</sup> October.

The Principal confirmed that he has formally written to Derbyshire County Council asking for permission to lease the University Centre to NTU and they have responded positively.

### 4) Facilities agreement with Lloyds Bank

The Principal advised that legal teams for both the college and the bank require an agreed set of minutes to evidence that the Board has ratified the actions taken. These minutes were considered at appendix 9 and the Board were happy to approve and asked that the Chairman sign.

Signed : \_\_\_\_\_ Chair

Date:

AGREED: to approve the set of minutes provided at appendix 9.

5) Appointment of Student Governors to the Standards Committee

The Principal advised that both student Governors have been approached and have agreed to join the Standards Committee. The Board were formally asked to approve their appointment for the remainder of the 2019/20 academic year.

AGREED: to approve the appointment of Sophie Welbourn and Jessica Stowe on the Standards Committee.

6) Office for Students

The Principal drew Governors' attention to the letter received from the OfS at appendix 10, and he confirmed that the Board had specifically been asked to discuss this at an upcoming meeting, particularly the reason why deadlines were missed and the steps that will be taken to prevent a reoccurrence. The OfS requires a record of Board discussions to be submitted to demonstrate that this has taken place.

He specifically drew to Governors' attention the content of the letter and also his email dated 8<sup>th</sup> August, which explains the reasons why the deadline was missed and the actions being taken to ensure future compliance.

The Board were satisfied that the Principal had transparently reported the issue and they were assured regarding actions taken.

The Board asked whether there were any other regulators that they needed to be concerned about, and the Principal confirmed that there were not.

AGREED: to note the content of the update provided.

10

AOB

There were two matters of additional business considered:

- 1) Recruitment of the permanent Vice Principal: Curriculum and Quality

The Principal confirmed that five candidates had been interviewed with one candidate considered to be outstanding. Matthew Vaughan has been offered the position and he has accepted. He is a former senior HMI and will start with the college on 17<sup>th</sup> December 2019.

- 2) The Chairman and the Principal took the opportunity to thank Jane Peacock for her support through the ESFA. She confirmed that she had been able to recognise the journey of the college

Signed : \_\_\_\_\_ Chair

Date:

and the Board. She recognised all of the hard work and confirmed that the college had made every effort to work well with the ESFA.

**11**      **CONFIDENTIAL ITEMS**

It was agreed that confidential items would be recorded separately.

Signed : \_\_\_\_\_ Chair

Date:

