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MINUTES OF A MEETING OF THE PEOPLE AND TRANSFORMATION COMMITTEE HELD ON WEDNESDAY 23 NOVEMBER 2022, 5.30 – 7.30 PM, LINDSEY SUITE, NORTH LINDSEY COLLEGE

Present

Antony Ball	Governor
Angela Briggs	Governor
John Rees	Governor
Paul Scanlon	Governor
Mark Swales	Governor
Andrea Ward	Governor (via Teams)
Lee Walker	Governor

The quorum for the meeting was four Members, at least 2 external.

In attendance

Sharon Harmon	Clerk to the Corporation
Rachel Maguire	Chief People Officer
Lee Green	Head of Culture & Transformation (for Item 6)
Barrie Shipley	Chief Finance Officer

The meeting commenced at 5.30pm

Item	Minute	Action	Date Due
1	Apologies		
	Apologies for absence were received from Jonathan Davies, Staff Governor and Sharon Smith, Principal / Deputy CEO.		
2	Declarations of Interest		
	Members should declare any personal or financial obligation, allegiance or loyalty which would in any way affect decisions in relation to the subjects under discussion.		
	There were no declarations of interests made.		
3	Minutes of the People and Transformation Committee Meeting held on 25 May 2022 and any Matters Arising		
	The minutes were approved as a true and accurate record for signature by the Chair.		
	Matters Arising It was noted that all actions from the previous meeting were completed.		
4	Confidential Item		
	This item is considered confidential and kept as a separate record by the Clerk to the Corporation.		

Item	Minute	Action	Date Due
5	Aligning Pay Terms and Conditions Project Update		
	<p>The Chief People Officer (CPO) provided the committee with an update on the Aligning Pay Terms and Conditions Project.</p>		
	<p>It was reported that all ambitions of the project were achieved, within the timescale, with the organisation now only offering 4 sets of terms & conditions as opposed to 9. The terms & conditions across the group have been aligned and a new harmonised pay scale and structure, with annual increment entitlement, is in place.</p>		
	<p>Members were provided with detailed reports on the outcome of the terms & conditions alignment work and the pay framework.</p>		
	<p>The CPO explained that the project aimed to deliver a minimum of 2.5% increase to staff (which was the AOC's national recommendation) but many staff were awarded far more increase. Within grade 1 we ensured that all current staff assimilated to increment point 2 ensuring we meet the condition for living wage at £10.26 per hour.</p>		
	<p>Members noted that since the completion of the project that the government had subsequently announced on the 17th November that the National Living Wage will rise to £10.42 from 1 April 2023.</p>		
	<p>The CPO explained that this outcome had been fully negotiated and consulted on with Trade Union bodies UCU, NEU and Unison and is subject to a signed Collective Agreement embedded with 4 new contracts for staff along with new documents supporting the implementation: Job Evaluation Appeals Procedure, Market Forces Policy and a Pay Protection Policy</p>		
	<p>The CPO reported that a full analysis of the annual leave profiles for staff was completed and it confirmed that no staff are disadvantaged by the new proposals of moving to 38 days for Support staff and 43 days for others. The CPO provided members with a detailed overview of the outcomes of the annual leave analysis.</p>		
	<p>The CPO also reported that the required notice period was now aligned across staff. It was further reported that the alignment of pay and conditions had also significantly closed the previously reported inequalities in pay across staff.</p>		
	<p>At members request the CPO and CFO provided further detail on the appeals process, the position with Trade Unions and the financial implications of the project.</p>		
6	ADR and Behavioural Presentation		
	<p>The Head of Culture & Transformation presented to the committee the newly developed Performance Development Review (PDR) and Professional Expectations & Behavioural Framework and explained that both been created in collaboration with approximately 70 Leaders and Managers across the Group through Leadership Development sessions. Further noting that both have been reviewed as part of the Equality Impact Assessment Screening process.</p>		

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The Head of Culture & Transformation gave a detailed outline of the Performance Development Review process and review categories. Members noted that the PDR was currently in pilot, and instructions and toolkits were available to both reviewers and reviewees.

Members asked if the process was applied to all staff. CPO confirmed that all staff except for Senior Post Holders will be using the new PDR. Members were also advised that as the new PDR is now electronic there is a downloadable paper version available to members of staff who may not have access to technology.

Members asked if staff had adequate time allocated to complete the process. The CPO confirmed that staff have allocated contracted hours for PDR.

The Head of Culture & Transformation presented the Professional Expectations and Behaviour Framework. Members were advised the Behaviour Framework is based on feedback from the Barrett survey and workshops and is for all colleagues within the wider DN Colleges Group. It is designed to enhance the culture and climate members of the organisation work in. Members were guided through the professional expectations and behaviour framework.

Members asked whether the framework is being used as part of the recruitment process. The CPO advised that as the framework is currently in pilot it is not yet been used as a recruitment tool but once it is imbedded within the organisation it will be used as part of the recruitment process.

7 Freedom of Speech Policy

The CPO presented the Freedom of Speech Policy. Members noted purpose of this policy is to set out the responsibilities of DNCG and other people affected by this policy in promoting freedom of speech while ensuring the DNCG remains a safe and nurturing environment for teaching, learning and research. Also, to provide information and guidance on how to recognise and deal correctly with a freedom of speech issue. To enable DNCG staff and students/apprentices to have a safe space to understand the risks associated with terrorism and develop the knowledge and skills to be able to challenge extremist arguments, thus increasing their personal, social and emotional development and understanding of the world whilst recognising that the Prevent Duty is not intended to stop people from debating controversial issues.

Members asked for further detail on the expectation of the Local Assessment of proposed external speaker. The CPO explained the detail required.

Members asked if the purpose of the policy covered purely risks associated with terrorism, extremism and the Prevent Duty. The CPO explained the policy was designed in response to the statutory requirement around the Prevent Duty.

The CPO asked the committee to approve the Freedom of Speech Policy as a statutory responsibility of the Prevent Duty. The CPO agreed at the same time to investigate if the group, particularly HE, have an additional policy that

Item	Minute	Action	Date Due
	<p>covers broader areas of freedom of speech. If no further policy exists within the organisation the CPO will look at developing the policy in future to cover a wider area of subjects.</p>	RM	
	<p>Resolution: Members approved the Freedom of Speech Policy, on the basis that the policy meets the statutory responsible to the Prevent Duty, for recommendation to the board for approval at its meeting on 12 December 2022.</p>		
8	<p>Modern Slavery Statement</p>		
	<p>The CPO presented the Modern Slavery & Human Trafficking Statement 2022 to the Committee. The CPO advised that the Modern Slavery and Human Trafficking statement is made pursuant to section 54(1) of the Modern Slavery Act 2015 and constitutes DNCG's (and its subsidiaries) slavery and human trafficking statement for the financial year ending 31 July 2022. It sets out the preventative steps that DNCG is taking (and intends to take) to avoid the risk of modern slavery occurring within its supply chain or services. The CPO further advised that the statement has been reviewed and re-written after researching latest government guidance, similar and different organisations' Modern Slavery statements.</p>		
	<p>The Committee noted the contents of the statement.</p>		
	<p>Members suggested that it would be valuable to audit this area in the future. The Clerk agreed to add item to the Audit and Risk Committee agenda for discussion.</p>	SH	
	<p>Resolution: Members approved the Modern Slavery & Human Trafficking Statement 2022 for recommendation to the board for approval at its meeting on 12 December 2022.</p>		
9	<p>Gender Pay Gap Report</p>		
	<p>The CPO presented the DN Colleges Group (DNCG) & Optime Support Limited (OSL) Gender Pay Gap Report 2022.</p>		
	<p>Members noted the contents of the report. Members remarked that it was an excellent report.</p>		
	<p>Resolution: Members approved the Gender Pay Gap Report 2022 for recommendation to the board for approval at its meeting on 12 December 2022.</p>		
10	<p>Review of Educational Visits</p>		
	<p>The CPO presented the Review of Processes and Procedures for Educational Visits for all Students and Staff report. The CPO advised that the review process ensured that we have policies and procedures in place that test the curriculum link, financial viability and most importantly support the health & safety of all attendees with a particular emphasis on safeguarding all.</p>		
	<p>The CPO explained that the Chair of the Corporation Board and the Chair of People & Transformation Committee and Link Governor for Safeguarding, were presented with the report and also had sight of the updated procedures</p>		

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	<p>and all associated documents and were able to feed into the process with advice to the CPO on further improvements.</p> <p>Members noted the contents of the report.</p> <p>Members asked how staff had received the new procedures and forms. Were they perceived as being helpful and useful or onerous. The CPO reported that training sessions had been well attended which indicated staff are still very interested in engaging with educational visits. It was also noted the updated procedures had not resulted in a decrease in the number of requests for educational visits. There is acknowledgement amongst staff that the updated procedures are about making educational visits safe for all.</p>		
11	Safeguarding – Student Deaths		
	<p>The CPO presented the Student Death Report 2019/20 to 2022/23 to the Committee. The report outlined the number of student deaths at DNCG since 2019/20 and current/future interventions/support at local and organisational level which the college has adopted. Members noted the contents of the report.</p> <p>Members noted that in particular a number of deaths are known to be caused by suicide. Members had a full discussion around the wide range of actions, support and interventions the college has adopted in this area.</p>		
12	Brazel vs Harper Trust – Implications for DNCG		
	<p>The CPO presented the Report on Brazel v The Harpur Trust. Members noted the case does not relate to the college however the Supreme Court ruling on the case does impact how annual statutory leave entitlement is calculated and paid across organisations. The CPO outlined the background to the case and explained how the Supreme Court ruling on the case impacts the College.</p> <p>The CPO reported that legal advice from Eversheds Sutherlands was taken on the steps required to implement compliance with the Working Time Directive and it was advised that it would be unlikely to be a requirement to the College to engage in collective bargaining with recognised unions. Therefore, changes to contracts were made in time before release to all staff in October 2022 to ensure DNCG were compliant with the new ruling. DNCG are ahead of industry in now being compliant for all Term Time Only contracts. Members noted that further work is needed to be compliant on Variable/Zero hours contracts.</p>		
13	Recruitment Paper		
	<p>The CPO presented the Recruitment Update October 2022 report to the committee. Members noted that Colleges have faced ongoing challenges in staff recruitment and retention for some time in some teaching areas, such as Construction and Engineering (accounting for around 17.5% of the teaching workforce in FE colleges), this is a longstanding problem, due to the widening gap between college and industry pay.</p> <p>Members noted the contents of the report that provides a background to the current staffing challenges in both attracting and retaining suitably qualified staff in some key areas but also details the College response to counter these challenges and outlines the future plans.</p>		

TABLE OF ACTIONS				
Date	Item	Action	Responsibility	Date Due
23/11/22	7	Investigate if DNCG, particularly HE, have an additional policy that covers broader areas of freedom of speech. If no further policy exists within the organisation look at developing the policy in future to cover a wider area of subjects.	Rachel Maguire, Chief People Officer	
23/11/22	8	Add item to the Audit and Risk Committee agenda to discuss potential audit of DNCG supply chain and services to identify risk of modern slavery occurring.	Sharon Harmon, Clerk to the Corporation	February 2022
23/11/22	15	Review the Terms of Reference of the committee to ensure it captures the fact that student pastoral services now sit under People Services and fall within the remit of the committee. Update the ToR for the committee as required and circulate to committee members for comment.	Sharon Harmon, Clerk to the Corporation	December 2022