

Governance, Performance & Reputation Committee MINUTES

Date	29 th January 2024	Time	15:00-17:00
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Venue	EC205 – ECAT House, Eastbourne Campus
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Chair	Priscilla Kendall
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<p>Membership: Priscilla Kendall (Committee Chair), Catherine Manning (Committee Vice Chair), Ian Mehrtens, Becky Cooke</p> <p>Attendance: Rebecca Conroy (CEO & Principal), Belle Howard (Director of Governance – <i>minutes</i>)</p>

Quorum: The meeting was quorate throughout.
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Apologies: None.

#	Item	Action
1.	<p>WELCOME & APOLOGIES 15:02</p> <p>1.1 The Governance, Performance & Reputation (GP&R) Committee Chair opened the meeting at 15:02 with a warm welcome to colleagues.</p> <p>1.2 There were no apologies as all participants were in attendance.</p> <p>1.3 The GP&R Committee Chair advised that she had recently attended an FE Sussex led event, related to the Local Skills Improvement Fund Project, and shared the following update:</p> <ul style="list-style-type: none"> • The session had included a demonstration of Virtual Reality and Artificial Intelligence (AI) technology and associated linkages to Curriculum Delivery. • Moving forward, FE Sussex would also facilitate a training session specifically targeted at Careers & Skills Link Governors, to which the ESCG Careers & Skills Ambassador would be eligible to attend. <p>1.4 The following discussion then occurred:</p> <ul style="list-style-type: none"> • The CEO & Principal advised that the College was currently investing in AI technology from both a curriculum provision and back-office process perspective, with a view for this to be installed from March 2024. • Governors agreed that it would be helpful for a further update on AI technology to be shared at either a forthcoming pre-Board meeting or the Strategy Day in the summer term. <ul style="list-style-type: none"> ○ Action 1.4.1 – Explore the feasibility of an update on AI technology being incorporated into a forthcoming pre-Board briefing or the Strategy Day scheduled for 26th April 2024. • The GP&R Committee Vice Chair advised that in her capacity as the Careers & Skills Ambassador, she would be attending an FE Sussex led meeting on 30th January 2024. 	BH/IM/ RC

2.	<p>DECLARATIONS OF INTEREST 15:03</p> <p>2.1 The Chair of the Board declared an interest in item 5.3 of the agenda – ‘<i>Chair of the Board Review: Proposed Approach</i>’. The Director of Governance also declared an interest in Item 7 of the agenda – ‘<i>Review of Independence of the Director of Governance</i>’.</p>	
3.	<p>MINUTES OF LAST MEETINGS 15:04</p> <p>3.1 Approval</p> <ul style="list-style-type: none"> • Governors considered the minutes from the meeting on 30th October 2023. • Governors agreed that the minutes were a true and accurate record of what had been discussed. <p>3.2 Matters Arising</p> <ul style="list-style-type: none"> • Governors noted that all actions from the previous meeting had been completed. 	
Board & Committee Membership/Succession Planning		
4.	<p>MEMBERSHIP & SUCCESSION PLANNING 15:10</p> <p>4.1 Current Terms of Office & Succession Planning</p> <ul style="list-style-type: none"> • The Director of Governance shared the following update on Board Membership: <ul style="list-style-type: none"> ○ The newly recruited Independent Governor, Shirley Watson, had been appointed to the Audit, Risk & Compliance (ARaC) Committee. ○ There remained a priority Independent Governor resourcing gap for the Resources, Culture & Impact (RC&I) Committee. ○ First terms of office were due to expire on 3rd June 2024 for Catherine Manning and Graham Cook. Subject to their agreement, their terms of office would need to be extended at the Full Board meeting on 18th March 2023, to ensure there would be no break in service. • Action 4.1.1 – Discuss with Catherine Manning and Graham Cook whether they would be willing to perform a second term of office as Independent Governors. • RESOLUTION – The Governance, Performance & Reputation Committee agreed to recommend Board approval for a second term of office for Graham Cook and Catherine Manning, subject to securing their individual agreement to continue in role. <p>4.2 Governor Recruitment</p> <ul style="list-style-type: none"> • The Director of Governance shared the following update: <ul style="list-style-type: none"> ○ There remained a further 4 Independent Governor vacancies on the Board. ○ An application had been successfully submitted to the (Peridot Partners led) FE Governor Recruitment Service and subsidised support had since been secured. 	IM

- The recruitment campaign was now live, with current progress as follows:
 - 1 application had been received thus far.
 - 2 further applications were expected imminently.
 - 2 prospective candidates were either considering the opportunity or were likely to apply.
- Governors also noted the following key milestone dates:

Timetable

Milestone	Dates
Search launched:	Wednesday 3 rd January 2024
Application closing date:	Wednesday 21 st February 2024
Applications and report ready for review by the panel:	Tuesday 27 th February 2024
Meeting to agree to the shortlist (via Teams):	09:30am, Friday 1 st March 2024
Interviews:	Friday 8 th March 2024

4.3 Ambassador Roles

- The Director of Governance shared the following update:
 - At the last Full Board meeting, Governors asked the GP&R Committee to consider the need for additional Ambassador Governor roles. At that meeting a Careers & Skills Ambassador and Safeguarding & SEND Ambassador were also appointed.
 - Other areas that had been identified for consideration for similar roles were:
 - Health, Safety & Welfare
 - Diversity, Equity & Inclusion
 - Campus Specific
- The following discussion then occurred:
 - Governors reflected that the Audit, Risk & Compliance Committee already ensured robust oversight of the College’s Health, Safety & Welfare provision, per the existing scope of that committee. As such, a further ambassador role for this area may result in duplication and excessive focus on operational matters. **As such, it was agreed that a Health, Safety & Welfare Ambassador was not currently a priority at this time.**
 - Similarly, Governors agreed that Campus Specific Ambassadors would likely detract from a ‘one College’ strategic mindset and approach. **Governors therefore agreed that Campus Specific Ambassadors were not required at this time.**
 - Governors noted that Diversity, Equity & Inclusion (DEI) spanned multiple areas and oversight was not currently ensured by a specific committee. As such, it would be helpful to ensure a more targeted and strategic oversight of DEI matters at the College.
 - The Chair of the Board advised that he had previously performed the Equity, Diversity & Inclusion Link Governor role and would be willing to adopt the role of DEI Ambassador in the interim of an alternative being identified.

- **RESOLUTION – The Governance, Performance & Reputation Committee agreed to recommend the appointment of Ian Mehrtens as Diversity, Equity & Inclusion Ambassador to the Board for approval.**

Board Effectiveness

5.	<p>GOVERNANCE REVIEW & IMPROVEMENT</p> <p style="text-align: right;">15:19</p> <p>5.1 Governance Improvement Plan – Progress Update</p> <ul style="list-style-type: none"> • The Director of Governance directed participants to the associated paper and shared a summary progress update. • The following discussion then occurred: <ul style="list-style-type: none"> ○ The Chair of the Board suggested that the RAG rating for the ‘Excellent College Reputation’ objective should be amended to ‘Amber’. Whilst there had been progress in the ongoing development of the College’s marketing and communications approach, further evidence was needed to demonstrate robust monitoring and oversight. Governors agreed. ○ The Chair of the Board reflected that in line with the Estate Transformation Programme status update at the last Capital Development Board meeting, that the ‘Capital Development Programme’ objective should also be amended to reflect an ‘Amber’ RAG rating in the Governance Improvement Plan. Governors agreed. <ul style="list-style-type: none"> ▪ Action 5.1.1 – Update the Governance Improvement Plan and Progress Report to reflect ‘Amber’ RAG ratings for the ‘Excellent College Reputation’ and ‘Capital Development Programme’ objectives, with appropriate commentary. <p>5.2 Annual Governor 1:1 Conversations</p> <ul style="list-style-type: none"> • The Chair of the Board shared the following update: <ul style="list-style-type: none"> ○ The conversations with Governors had been largely positive, with a wide range of discussion areas explored. ○ A recurring theme was ‘time’, particularly in terms of Governor capacity and their ability to support the current meeting schedule, i.e. the time and locations of committee meetings. ○ Moving forward, it would be helpful to explore the feasibility of scheduling governance meetings later in the day, though it would be important to consider the resultant impact to the Executive Team and those staff members who serviced governance meetings. ○ Similarly, it would be helpful to facilitate a greater range of meeting locations and variety of meeting days for each committee, thereby enabling greater flexibility for Governors. 	BH
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- Other recurrent themes and insights included:
 - The return to a greater proportion of in person meetings had been welcomed.
 - The use of hybrid meetings were universally disliked by Governors, as they were difficult to Chair, to hear discussion or be heard on the line.
- Moving forward, it was proposed that in the event of a Governor sending apologies for a committee meeting, the Committee Chair would consider whether to either accept the apologies or move the meeting to being held virtually.
- The following discussion then occurred:
 - The Director of Governance suggested that as part of the Annual Self-Assessment process, a Governor survey which included questions on the scheduling and logistics of meetings could be conducted. **Governors agreed that this would be helpful.**
 - The Director of Governance also advised that the 2024-25 Governance meeting schedule was currently being developed, and Governor feedback was already being taken into consideration.
 - The GP&R Committee Vice Chair reflected on the need to balance issues associated with Governor capacity, meeting scheduling preferences, attendance levels and retention, ahead of the approach being finalised for the next academic year. **Governors agreed.**

5.3 Chair of the Board Review – Proposed Approach

- The Director of Governance directed participants to the associated paper and shared the following update:
 - It was proposed that a 360° Chair Appraisal Tool be utilised to assess the performance of the Chair of the Board. The total cost for this service was £500.
 - The tool focused on the requirements of the Chair in their role, directly referencing the DfE’s Governance Competency Framework, as it pertained to the Chair’s knowledge, skills and role expectations.
- The following discussion then occurred:
 - A Governor reflected that the proposed service represented very good value at a cost of £500, given that it included a coaching conversation as output of the process.
 - The GP&R Committee Chair expressed concern that the example questions were overly transactional and open ended. A potential conflict of interest with the proposed provider was also identified.
 - **Governors agreed that whilst the proposed approach to leverage an externally led appraisal tool would undoubtedly add value to the ongoing development of the Chair, that it would be preferable to utilise a service with greater experience in coaching and developing Chairs.**

- **Action 5.3.1 – Identify an alternative provider to facilitate a 360° Chair Appraisal review, with a view to submit a further proposal to the GP&R Committee for consideration.**

BH

5.4 Annual Board Self-Assessment Review Approach

- The Director of Governance proposed that the annual Board self-assessment process include the following activities:
 - Self-Assessment Survey
 - Skills Audit
 - Chair 360° Annual Review
 - Annual Chair & Governor Conversations – *already complete*
 - Desktop review of effectiveness
 - Survey on governance meeting scheduling, approach and format

- The following discussion then occurred:
 - The GP&R Committee Vice Chair considered the desktop review and suggested that only summary information be reported to enable the identification of key themes, gaps, risks and opportunities. **Governors agreed.**
 - **The GP&R Committee Vice Chair asked – what would be the key output from the Self-Assessment Review process?** The Director of Governance advised that key themes and insights routinely fed into the Governance Improvement Plan, with a view to incorporate specific objectives and actions. Output from the previous review had informed various aspects of the governance framework and administration, including the Committee restructuring process for 2023-24, governance policy development, meeting scheduling and logistics etc.
 - **The GP&R Committee Vice Chair asked – would the findings arising from the self-review process be consolidated into a single summary report?** The Director of Governance reflected that this was a good approach and directly aligned with the primary objective to simplify the information being considered by the GP&R Committee and the Board.
 - The Chair of the Board considered the need for the output of the self-assessment process to include a determination on whether the Board was effective in its governance practice. **Governors agreed.**
 - Governors requested that a summary report be produced as output of the Self-Assessment Review, incorporating the following:
 - Key themes, gaps, opportunities and risks.
 - Triangulation of key findings against multiple data points.
 - Priority recommendations, with a view for these to be prioritised into the Governance Improvement Plan, as appropriate.

- **RESOLUTION – The Governance, Performance & Reputation Committee agreed to approve the proposed approach for the Annual Board Self-Assessment Review process.**

6.	<p>GOVERNOR LEARNING & DEVELOPMENT 15:47</p> <p>6.1 Governor Induction Training</p> <ul style="list-style-type: none"> • The Director of Governance confirmed that Governor induction course materials had been refreshed at the start of the academic year to include the following key changes: <ul style="list-style-type: none"> ○ Latest policy developments and legislative changes. ○ A new section on Equity, Diversity & Inclusion – this followed a management action from the Governance Audit Report, February 2023. ○ Updated Board & Committee Structure for 2023-24, along with supporting Board and Committee one pager Context slides. <p>6.2 Individual Governor Training Plan 1:1s Update</p> <ul style="list-style-type: none"> • The Director of Governance shared the following update: <ul style="list-style-type: none"> ○ Conversations had now been held with all Governors, and individual training plans were in place. ○ Discussions focussed on ensuring that plans were realistic, achievable and focussed on priority training needs. ○ Moving forward, Governors would be expected to use their plans to log completed training, with a view to submit any associated training certificates and the latest version of their plans at the end of each term. • Governors agreed that the 1:1 conversations led by the Director of Governance had been a useful mechanism for exploring individual Governor training needs. <p>6.3 Summary Update on Governor Training Activity</p> <ul style="list-style-type: none"> • Governors noted the summary update on training completed year-to-date. • The Director of Governance advised that a full report on Governor training activity for 2023-24 would be shared at the next meeting. • The GP&R Committee Chair considered the College’s mandatory training provision and expressed concerns about the quality of existing online courses. The CEO & Principal advised that work was currently underway to redesign the current suite of mandatory training, as well as to reclassify these into statutory and essential training moving forward. Consideration would also be given as to which courses should be completed by Governors moving forward. <ul style="list-style-type: none"> ○ Action 6.3.1 – Liaise with the Director of People regarding the ongoing redesign of the current mandatory training programme, with a view to determine which courses would be appropriate for Governors to complete moving forward. • The Chair of the Board asked – how many hours of training were Governors expected to complete on an annual basis? The Director of Governance advised that Governors were typically expected to complete a minimum of 10 hours of training per annum, to support their ongoing learning and development. 	BH
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<p>7.</p>	<p style="text-align: right;">15:57</p> <p>REVIEW OF INDEPENDENCE OF THE DIRECTOR OF GOVERNANCE</p> <p>7.1 The Director of Governance shared the following update:</p> <ul style="list-style-type: none"> • The Internal Auditors routinely sought evidence that the Board had reviewed the Director of Governance’s independence. • The Director of Governance currently had a dual reporting line to the Chair of the Board and the CEO & Principal. As such, appraisal and objective setting discussions were conducted with them jointly. • Whilst this line management arrangement was unusual, legal advice had been taken by the Chair to confirm that this structure was appropriate from an employment perspective. Consequently, it had been established that the Chair of the Board had line management responsibility for Board matters, whilst the CEO & Principal was responsible for overseeing matters related to terms of employment and any College related work. • Associated guidance from the FE sector outlined that the governance professional should report directly to the Chair in matters of Board business and that they should not be managed by the CEO & Principal in their capacity as Clerk to the Corporation. <p>7.2 A confidential discussion then occurred.</p> <p>7.3 Approval of the ‘Review of Independence of the Director of Governance’ paper was deferred, pending a further alignment conversation being held.</p> <ul style="list-style-type: none"> • Action 7.2.1 – Schedule an alignment discussion with the Chair of the Board, GP&R Committee Chair and CEO & Principal to consider the independence of the Director of Governance. 	<p style="text-align: right;">BH</p>
<p>8.</p>	<p style="text-align: right;">16:09</p> <p>NATIONAL POLICY, LEGISLATIVE DEVELOPMENTS & GOVERNANCE BEST PRACTICE UPDATE</p> <p>8.1 The Director of Governance explained that a new agenda item had been introduced to support ongoing efforts to enhance Governor access to sector specific advice and guidance. As such, the associated paper incorporated a range of key updates, including the following areas:</p> <ul style="list-style-type: none"> • Advanced British Standard Qualification Framework Consultation • ETF Competency Framework for Chairs, Governors and Governance Professionals • Meeting Skills Needs: Guidance on Annual Accountability Agreements 2024-25 and the Local Needs Duty • OFS to act to secure free speech for students with proposals on new Free Speech Complaints Scheme <p>8.2 Governors discussed how best to disseminate this information to the Board and identified the following mechanisms:</p> <ul style="list-style-type: none"> ○ Governor Newsletters – biannually ○ Board Meetings – as appropriate ○ Future Gazing section of the Executive Team Report ○ Inter-committee referrals – as appropriate. 	

Strategic Items		
9.	<p>REPUTATION & BRAND UPDATE</p> <p>9.1 The CEO & Principal shared the following update:</p> <ul style="list-style-type: none"> • Work was currently underway to develop a new Marketing & Reputation Strategy for the College. • Moving forward, a framework would be established, with a view to assess the impact of ongoing efforts to enhance the College’s reputation. This could include staff and student voice data, growth in student recruitment levels, feedback from external stakeholders etc. • The ESCG Strategic Plan was due to be refreshed in the summer term, with a view for this to be aligned with the following items also being finalised: <ul style="list-style-type: none"> ○ Five Year Financial Plan ○ Marketing & Reputation Strategy ○ Estate Transformation Programme – Stakeholder Communication Strategy • A further update would be shared at the next meeting. <p>9.2 The following discussion then occurred:</p> <ul style="list-style-type: none"> • The Chair of the Board asked – were there any plans to further redesign the existing College branding and logo? The CEO & Principal reflected that branding could be a useful mechanism for celebrating and promoting the ongoing maturity of the College as a respected educational provider in the East Sussex area. However, it also would be important to ensure robust brand discipline and consistency of message. Governors agreed. 	16:17
10.	<p>ESCG STRATEGIC PLAN UPDATE</p> <p>10.1 The CEO & Principal shared the following update:</p> <ul style="list-style-type: none"> • Development of the Curriculum Plan for 2024-25, would be central to the refresh and development of the ESCG Strategic Plan. • The College continued to benefit from consultancy support in its efforts to develop the broad range of available curriculum pathways on offer to students. Current plans were particularly focussed on expanding opportunities at Level 2 and Level 3, depending upon the readiness levels, aspirations and goals of individual students. <p>10.2 The following discussion then occurred:</p> <ul style="list-style-type: none"> • The Chair of the Board noted the need to place greater emphasis on the journey (in addition to attainment), when defining and developing curriculum pathways, as this would directly support the College in maximising student retention levels. Governors agreed. 	16:25

Senior Post Holders/Senior Leaders		
11.	RECRUITMENT 11.1 Deputy Principal Vacancy & Interim Arrangements <ul style="list-style-type: none"> • The CEO & Principal shared the following update: <ul style="list-style-type: none"> ○ Recruitment: <ul style="list-style-type: none"> ▪ GatenbySanderson had recently been appointed to support ongoing efforts to recruit a new Deputy Principal at the College. ▪ Searches were currently underway and regular progress updates were being received. ▪ A Governor recruitment panel had been identified, though key milestone dates had yet to be finalised, subject to availability. ○ Interim Arrangements: <ul style="list-style-type: none"> ▪ In the interim of appointing a new Deputy Principal, the CEO & Principal continued to provide cover, with support from the Assistant Principals. ▪ A leadership development training programme was currently being developed for the Assistant Principals, with a view to support ongoing efforts to build talent from within. ▪ Pending the appointment of a new Deputy Principal, confirmation had been received that the CEO & Principal could act as the Ofsted Nominee if required. ▪ Assistant Principal oversight responsibility for individual strands of the Ofsted Framework was also being explored. 	16:37
Policies & Key Documents		
12.	POLICIES 12.1 Governor Recruitment & Succession Planning Policy <ul style="list-style-type: none"> • The Director of Governance summarised the key changes to the Governor Recruitment & Succession Planning Policy, which had been moderate. • RESOLUTION – The Governance, Performance & Reputation Committee agreed to approve the Governor Recruitment & Succession Planning Policy. 	16:46
Close		
13.	ANY OTHER BUSINESS 13.1 There were no new additional items raised for discussion.	16:47
14.	DATE OF NEXT MEETING 15.1 Governors noted that the next meeting had been scheduled for 13th May 2024, 15:00-17:00.	16:47

15.	LIVE COMMITTEE SELF-ASSESSMENT	16:47																														
	15.1 Three survey responses were received from Governors, via a Google Form:																															
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #0070C0; color: white;"> <th style="width: 5%;">#</th> <th style="width: 70%;">ASSESSMENT QUESTION</th> <th style="width: 25%;">RESULT</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Was the agenda sufficiently balanced between core governance business and strategic priorities?</td> <td style="text-align: center; color: green;">100%</td> </tr> <tr> <td>2.</td> <td>Were the papers succinct, with clarity in the information being communicated and the action required by Governors?</td> <td style="text-align: center; color: green;">100%</td> </tr> <tr> <td>3.</td> <td>Did you have all the information you needed to fully participate in discussion and decisions?</td> <td style="text-align: center; color: green;">100%</td> </tr> <tr> <td>4.</td> <td>Was there sufficient time to debate priority items in depth?</td> <td style="text-align: center; color: green;">100%</td> </tr> <tr> <td>5.</td> <td>Were you satisfied that decisions were arrived at in a proper manner?</td> <td style="text-align: center; color: green;">100%</td> </tr> <tr> <td>6.</td> <td>Was the student experience at the heart of decision making?</td> <td style="text-align: center; color: green;">66.7% – Yes 33.3% – Partial</td> </tr> <tr> <td>7.</td> <td>Did the Chair facilitate the meeting effectively, enabling adequate focus on strategic priorities and creating an environment where a range of perspectives were considered?</td> <td style="text-align: center; color: green;">66.7% – Yes 33.3% – N/A</td> </tr> <tr> <td>8.</td> <td>Were opportunities created to invite input from Student and Staff Governors?</td> <td style="text-align: center; color: green;">66.7% – Yes 33.3% – N/A</td> </tr> <tr> <td>9.</td> <td>Any comments or suggestions?</td> <td style="text-align: center;">None</td> </tr> </tbody> </table>	#	ASSESSMENT QUESTION	RESULT	1.	Was the agenda sufficiently balanced between core governance business and strategic priorities?	100%	2.	Were the papers succinct, with clarity in the information being communicated and the action required by Governors?	100%	3.	Did you have all the information you needed to fully participate in discussion and decisions?	100%	4.	Was there sufficient time to debate priority items in depth?	100%	5.	Were you satisfied that decisions were arrived at in a proper manner?	100%	6.	Was the student experience at the heart of decision making?	66.7% – Yes 33.3% – Partial	7.	Did the Chair facilitate the meeting effectively, enabling adequate focus on strategic priorities and creating an environment where a range of perspectives were considered?	66.7% – Yes 33.3% – N/A	8.	Were opportunities created to invite input from Student and Staff Governors?	66.7% – Yes 33.3% – N/A	9.	Any comments or suggestions?	None	
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16.	CLOSE	16:48																														
	16.1 The meeting closed at 16:48.																															

Actions Summary

Item	Owner	Action	Due Date
1.4.1	BH/IM/ RC	Explore the feasibility of an update on AI technology being incorporated into a forthcoming pre-Board briefing or the Strategy Day scheduled for 25th April 2024.	18 th March 2024
4.1.1	IM	Discuss with Catherine Manning and Graham Cook whether they would be willing to perform a second term of office as Independent Governors.	18 th March 2024
5.1.1	BH	Update the Governance Improvement Plan and Progress Report to reflect 'Amber' RAG ratings for the 'Excellent College Reputation' and 'Capital Development Programme' objectives, with appropriate commentary.	Complete
5.3.1	BH	Identify an alternative provider to facilitate a 360° Chair Appraisal review, with a view to submit a further proposal to the GP&R Committee for consideration.	13 th May 2024
6.3.1	BH	Liaise with the Director of People regarding the ongoing redesign of the current mandatory training programme, with a view to explore which courses would be appropriate for Governors to complete moving forward.	13 th May 2024
7.2.1	BH	Schedule an alignment discussion with the Chair of the Board, GP&R Committee Chair and CEO & Principal to consider the independence of the Director of Governance.	Complete