



## CORPORATION

**FINAL SIGNED Minutes of the Meeting held on Tuesday 22 May 2018 at 5.30pm**

**in The Function Room, Peakman Building, Redditch**

### **Present**

#### **Governors:**

Neill Bucktin	Chair
David Ash	
Steve Bolton	
Kevin Gaffney	
Peter Heath	
Fiona Hellowell	
Lucy Hodgson	
Stuart Laverick	Principal
Paul McCunn	
Denis Miles	Vice Chair
Debbie Morris	
Robert Pearce	
Susannah Twigg	
Gary Woodman	

#### **In Attendance:**

Nicki Williams	Vice Principal, Corporate and Resources
Peter Robinson	Assistant Principal Higher Education & Standards
Cherie Clements	Director of Finance
Sue Frost	Clerk to the Corporation

### **Action**

#### **29.1 Apologies**

- i) Apologies were received from Vikki Greenfield and Laura Marsh. Fiona Hellowell and Lucy Hodgson were expected but in traffic. Peter Robinson was expected but would be late due to teaching commitments.

The Chair drew Members' attention to the Meeting Effectiveness form asking them to make use of the form to aid improvements of the papers and pack structure.

#### **29.2 Declarations of Interest**

- i) Members were asked to declare any Interests, financial or otherwise, which they may have in any Agenda Item. David Ash declared that he was working as a locum consultant at Bristol University and Paul McCunn declared that his wife is employed by the College. The other Members present confirmed that they had no interests to declare.

#### **29.3 Minutes of the Last Meeting**

- i) The Minutes included a minor amendment. The Corporation **APPROVED** the revised Minutes of the meeting held on 27 March 2018 as a true record for

signature by the Chair.

- ii) The Corporation **APPROVED** the Notes of the Corporation Workshop held on 24 April 2018 as a true record for signature by the Chair.

*Lucy Hodgson joined the meeting at this point.*

#### 29.4 Matters Arising

- i) The Corporation reviewed the Action Points report and noted progress. The notes were discussed:

**1.2: Workshop 24 April 2018 Ofsted and Governance Improvement.** The Clerk to the Corporation had circulated a letter from Paul Joyce HMI, Ofsted Deputy Director, Further Education and Skills containing information about changes to the Ofsted Common Inspection Framework on 8 May 2018 and Members agreed that they were happy for this point to be closed.

**2 ii): Workshop 25 November 2017: NEC.** The Principal and Marketing Department had visited the NEC and the virtual tour for Governors was in production and would be circulated in due course.

Twelve actions had been completed or would be completed during the meeting, one had been superseded and five carried forward.

- ii) The Corporation **MONITORED** action taken and remaining to be taken in respect of Matters Arising from the Minutes of previous meetings and Notes of workshops.

#### 29.5 Determination of Any Other Urgent Business

- i) The Chair stated that a discussion was needed in respect of the Staff Governor elections and Members agreed to take this item at the appropriate point.

#### 29.6 PRINCIPAL'S REPORT

##### i) Principal's Update for Governors

The Principal's Report included commentary and the Heart of Worcestershire College position with regard to:

- **Early intervention and Minimum Standards.** The papers included a letter from Karen Riley, Territorial Director Intervention Team Midlands and East which confirmed that the College was not in Early Intervention. Intervention identification still seemed to be a blunt tool. The Principal explained that the minimum standards issue referred applied to 18 AS students in the 16-17 data. The College had left the A-level market two years ago.
- **Government review of Post- 18 Education and Funding.** The consultation had ended with the review due to conclude in 2019.
- **Ofsted.** Under the new Inspection regime there could be five years between Inspections, so the College could receive its next one in 2022/23 assuming there were no significant dips in performance. Ofsted had to inspect the 300 additional providers on the Register of Approved Training Providers, many of whom were being graded 3 or 4.
- **Performance reporting: FE college groups and multi-site colleges** Consultation was underway on proposals to strengthen the current performance reporting system for Further Education Colleges. Governors felt that it was important that a distinction was drawn between geographically diverse "Groups" and the many Colleges who had multiple sites for different types of provision.

*The Assistant Principal Higher Education & Standards joined the Meeting at this point*

**ii) Curriculum and Quality Key Performance Indicators (KPIs)**

The Principal presented KPIs as at May 2018. The data included RAG rated indicators for overall Retention (1 amber, 1 green), Attendance (3 amber, 1 green) and Maths and English attendance (2 green, 2 amber). There had been decline in retention of 16 – 19 year olds which was related to some management issues which had been addressed. Attendance was higher than at this point in the prior year and significantly so for English and maths GCSE. Lesson observations were not included as there had been little change from the previous report.

**iii) Financial Key Performance Indicators**

The Director of Finance presented the RAG rated data including financial outturn (3 amber), financial health (1 green, 2 amber) and bank covenants (1 green, 1 amber) and charts displaying operating surplus analysis, pay analysis and cash forecast for 2017/18 with the Summary Financial Position, Balance Sheet, Capital Expenditure and Cashflow Forecast. The current projection for the year end was a £457k deficit against a budgeted £36k surplus with “Outstanding” financial health.

Governors were aware that the projected deficit resulted in part from over delivery in 16-19 full time and high needs learners where additional funding would not be received until the next year. However, Further Education fees for adults, Higher Education and Training contract income were also down. Apprenticeships were positive at 106% of budget. Costs had increased due to reactive maintenance work identified through the use of a single contractor for planned maintenance across sites which was of a reactive nature.

*Fiona Hellowell joined the meeting at this point.*

Governors confirmed that they were happy to continue to receive the seven page report at every meeting rather than reverting to the two page format (agreed at one of the early Task and Finish Groups) for most meetings.

**iv) Health and Safety Update – Term 2 2017/18**

The Vice Principal, Corporate and Resources stated that there had been 74 reported accidents and incidents. The full report, including definitions of incident types and accident statistics, was available on the Governor Portal. There were 38 accidents and near misses, a reduction from 43 in the prior year Term 2 statistics although this could be affected by the timing of Easter. There had been no RIDDOR reportable accidents or incidents in this term. Nothing untoward had been identified although the increased number of burns and scalds had been investigated and good practice reinforced.

A Governor challenged management, asking why there were no near misses recorded. The Vice Principal, Corporate and Resources would look into this but said that staff were encouraged to record all near misses in order that preventative action could be taken to address them.

**VPCR****v) College Strategic Plan 2017 – 2018**

The Assistant Principal Higher Education & Standards reported progress against the RAG rated milestones attributed to 2017-18 as part of the three year strategic plan. Of the 38 FE actions, 7 were red, 16 were amber, 12 were green and 2 were blue (not relevant at this time). The red actions were largely affected by external factors such as delays to Government policy on T Levels.

The Assistant Principal Higher Education & Standards clarified a point from the detail that “students” were bodies but “starts” were course enrolments.

The Corporation **NOTED** that progress had been monitored against the Strategic Plan Top Ten Priorities at the Corporation Workshop on 24 April 2018 and **MONITORED** progress against the detailed strategic objectives for 2017/18.

The Corporation **RECEIVED** the Principal’s Report and **MONITORED** progress against targets.

## **TEACHING LEARNING AND ASSESSMENT**

### **29.7 College Improvement Plan**

i) The Assistant Principal Higher Education & Standards reported against the RAG rated April milestones. The full report was included in the Supporting Papers pack on the Governor Portal. Of the 26 actions, 3 were red, 10 were amber, 8 were green and 5 required final outcomes to be fully assessed as completed. Key points in red areas were:

- Main Qualification attendance would not meet the challenging target of 94% but was expected to be stable against previous years and above the Association of College’s recently announced average rate in FE of around 86%.
- The good and outstanding grade profile target of 90% for the Personal Tutor team would not be met as new Personal Tutors were benefitting from ongoing
- CPD and support from Advanced Quality Practitioners. Students reported that they value and enjoy their Group and Individual Tutorials.
- Guidance and detail from the Government on work experience and T Levels continue to be delayed and so the College would take its own action. Ofsted did not seem to have work experience in its sights. A Governor commented that the Local Enterprise Partnership Board was also looking at work placements.

ii) Progression monitoring was rated amber. The papers included a new report, still in development, the Markbook Study Programme Progression Analysis Overall 2017/18 which showed the percentage of students who were behind in their targets and those graded as at risk by Personal Tutors. The report was being refined to ensure that targets were recorded where there were not graded exams and for short courses. Compliance was also being promoted across the College.

iii) The Corporation **MONITORED** progress against the April Milestones in the College Improvement Plan and **NOTED** that student progress would be monitored through a new report which was being refined.

### **29.8 Higher Education - Office for Students (OfS)**

i) The papers included the OfS Additional Guidance Note Sheet and the College Higher Education Offer document. The Assistant Principal Higher Education & Standards explained that the Office for Students was the new Government Regulatory Body for Higher Education. The new registration process for all providers opened on 23 May 2018. The college had submitted all required parts of the process, using a mix of existing documents to show culture and practice and the OfS templates but as the criteria had not been published, was unsure whether this had been met. Registration was another expense for the College.

## Action

- ii) Governors challenged management asking:
- How they could comment on the College Higher Education Offer document, setting out increased protection for students as consumers, because this was not student friendly. The Assistant Principal Higher Education & Standards agreed to respond to any comments submitted by email.
  - Whether the culture of complaint and compensation would become an issue for Further education? The Assistant Principal Higher Education & Standards responded that statements such as “we reserve the right to change” was currently acceptable but this might change in the future.
- iii) The Corporation **RECEIVED** an overview of the new scheme and **NOTED** that the College had submitted the registration documents.

**Members  
APHES**

### 29.9 Higher Education (HE) - Academic Board

- i) Fiona Hellowell, the Governor Representative on the Academic Board reported that this had been a useful and practical meeting of senior staff, supporting areas and students. The Assistant Principal Higher Education & Standards was addressing a list of action points including course change processes and a phone App linked to assignment dates. The HE Self Evaluation Document was being developed and the Teaching Excellence Framework (TEF) award would need to be renewed under changed criteria.
- ii) The Corporation **RECEIVED** a verbal update on the Academic Board meeting held on 9 May 2018.

*Lucy Hodgson declared an interest in the following paper in respect of her County and City Councillor appointments.*

### 29.10 Partnerships

- i) The Vice Principal, Corporate and Resources provided an update to the previous year’s paper. This was much as before, except that:
- The Artrix. The College relationship with the Artrix formally ceased on 31 March 2018.
  - The Apprenticeship Training Agency (ATA). The ATA Agreement did not commence as the intended provider, Impact Employment Services, ceased trading.
  - The Cinderella Sports Ground. The College was contributing to the scheme to provide sporting facilities at the Cinderella Sports Ground in Worcester. The project was being managed by Worcester City Council and would shortly be considered by the Planning Committee. The original Pavilion would be relocated to Avoncroft and some College students would gain work experience in the new Pavilion refurbishment.
- ii) Governors challenged management asking whether there was a potential exposure to litigation under the Blended Learning Consortium – for example if the College produced material that did not meet a course specification. The Principal stated that the consortium was managed on a co-creation basis. The Vice Principal, Corporate and Resources agreed to look at the agreement and report on how the risks were managed.
- iii) The Corporation **NOTED** the background, status and governance implications of the College’s collaborative projects.

**VPCR**

**29.11 Governor Insight Scheme – Spring Term 2018**

- i) Denis Miles, The Governor Insight Scheme Champion reported that seven different Governors had been involved in Governor Insight Scheme activities in the Spring Term, not including the Principal. Spring visits had been disrupted by snow, by Ofsted and by the Post Ofsted period. Lesson Observations had stopped and there was little opportunity now for Learning Walks so it was unlikely that the previous year's statistics would be matched. Governors were encouraged to attend the Business Support Reviews and FE and HE Quality Reviews.
- ii) The Corporation **RECEIVED** a summary of activity from the Governor Champion

**29.12 Quality Group**

- i) Fiona Hellowell, the Quality Group Chair, reported on the first meeting of the group operating outside the Corporation structure. The deep dive had been into Maths and English. Maths results were below national averages which was concerning and the impact of the actions taken by the College would be measurable when the GCSE results came out in the summer.

Governors rehearsed the difficulties of the expectation that years of failure in a school setting could be addressed by a College in a year. The College remained committed to help all students, rather than select the more successful and hoped to be able to show that students progressed. The Principal did receive complaints from students and parents about the fact that they were made to study Maths and English as in some cases this was detrimental to the self-confidence and mental wellbeing of the students.

- ii) The Corporation **RECEIVED** the Notes of the Quality Group meeting held on 30 April 2018.

**COLLEGE POLICIES****29.13 General Data Protection Regulations (GDPR)**

- i) The Vice Principal, Corporate and Resources reported on the steps taken by the College to support the GDPR date of 25 May 2018. As guidance from the Association of Colleges had only been issued in the last week the College had had to develop its own approach. The Policy was likely to evolve and was scheduled for review in a year. Several Privacy Notices had been generated including those for students, job applicants and staff.

A Governor reported from a recent conference that the Information Commissioner was expecting organisations to be able to show intention to comply and a plan to address existing data in a reasonable timeframe. The Principal confirmed that there had been a lot of effort in the College to address GDPR.

- ii) The Corporation **APPROVED** the Data Processing (GDPR) Policy.

**29.14 Procurement Policy**

- i) The Director of Finance reported that the Procurement Policy had been updated to reflect increased use of electronic tendering, new European Tender thresholds and progress against Strategic Objectives
- ii) The Corporation **APPROVED** changes to the Procurement Policy.

**GOVERNANCE**

**29.15 Governance and Search Committee**

- i) The Corporation **APPROVED** the Minutes of the meeting held on 9 May 2018 and **NOTED** the Committee's advice.

*The Members appointed Paul McCunn as temporary Chair and Neill Bucktin, Kevin Gaffney and Denis Miles left the meeting at this point*

**ii) Governor Reappointments**

The Corporation **APPOINTED**:

- Kevin Gaffney to a second and final Term of Office as a Corporation Member and Chair of the Audit Committee from 1 August 2018 to 31 July 2022
- Denis Miles to a second and final Term of Office as a Corporation Member, Member of the Audit Committee and Vice Chair of the Remuneration Committee from 1 August 2018 to 31 July 2022 and as Vice Chair of the Corporation until 31 July 2019
- Neill Bucktin to a second and final Term of Office as a Corporation Member and Chair of the Governance and Search Committee from 1 August 2018 to 31 July 2022.

*Neill Bucktin, Kevin Gaffney and Denis Miles returned to the meeting at this point and Neill Bucktin resumed the Chair.*

A Governor asked about the Minutes action point that Governors "should continue" to approach suitable personal contacts. The Clerk to the Corporation reminded Members of the postcards supplied to pass on where appropriate. There had been four expressions of interest but no applications so further interest was needed. Further information would be supplied to Governors which they could use to promote the opportunity.

CC

**iii) Standing Orders**

The Corporation **APPROVED** changes to the Standing Orders for the Corporation and its Committees which would be placed on the Governor Portal and Website.

CC

**iv) Modification Of The Instrument And Articles Of Government**

The Corporation:

- **APPROVED** changes to the Instrument and Articles of Government
- **REPLACED** the Instrument and Articles of Government for Heart of Worcestershire College with effect from 22 May 2018
- **REVOKED** the Instrument and Articles of Government for Heart of Worcestershire College which had effect immediately before 22 May 2018

The new Instrument and Articles of Government would be placed on the Governor Portal and Website.

CC

**29.16 Common Objectives for Staff**

- i) The Corporation **DISCUSSED** one or two objectives to be reflected in all staff Performance Development Reviews and **NOTED** the Principal's view that teaching staff should have an objective around student performance monitoring with one for non-teaching staff yet to be determined.

**29.17 Chair Position**

- i) The Clerk to the Corporation reminded Members that the Chair appointment was for two years, alternating years with the Vice Chair and ended on 31 July 2018. The current Chair was willing to be nominated for a further term. Forms were available from the Clerk to the Corporation.

## Action

- ii) The Corporation:
- **NOTED** the pending vacancy for the Corporation Chair
  - **NOTED** that nominations for the role of Chair, excluding the Principal, Staff and Student Governors should be sent to the Clerk to the Corporation by 22 June 2018 with a ballot being held on 17 July 2018 if appropriate.

Members/  
CC

## 29.18 CONFIDENTIAL ITEMS

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29.23 *These items are recorded as Confidential Minutes 1 of 3*

## 29.24 Any Other Urgent Business

### i) Staff Governor Elections

The Clerk to the Corporation explained that the current Staff Governors had been elected by the pre-merger Colleges and were therefore geographically representative. The geographical basis was set out in Governance and Search Committee Terms of reference although not in the Instrument and Articles of Government or Standing Orders. Upon making enquiries, it became apparent that IT have no way of separating staff on a campus basis which makes this practically difficult. (Distinct enrolment numbers allow this for Student Governors.) Furthermore, the current Staff Governors both work across different College sites and the Principal felt that most staff would not feel tied to a particular site.

The Clerk to the Corporation had contacted Staff Governors to explain the situation and invited them to comment. Both Staff Governors said that four years after merger there was one College, they worked across sites and a whole College approach would be appropriate.

The Clerk to the Corporation proposed that two Staff Governors should be appointed in line with the Corporation determination. As IT apparently also could not provide a system where a member of staff could have two votes, Members agreed that eligible staff should be allowed a single vote, with the two highest scoring nominees being appointed as Staff Members.

The Corporation **APPROVED** a change in the approach set out in Governance and Search Committee Terms of Reference for the Staff Governor appointment. The Clerk to the Corporation would ensure that Nomination and Election would proceed as outlined above and would redraft the Governance and Search Committee Terms of Reference for the autumn review.

CC

### ii) Other Matters

- The Chair congratulated Peter Robinson, Assistant Principal Higher Education & Standards, on his appointment as Vice Principal at Blackburn College. He would be missed.
- The Corporation Self Assessment Questionnaire would be issued shortly. It was again administered by Halesowen College in Survey Monkey format but was simpler than the previous year and would be sent directly by the Clerk to the Corporation. Members were asked to respond as soon as they were able to.
- A replacement date had been fixed for the Remuneration Committee – 11am, Tuesday 19 June 2018 in Bromsgrove.
- The Clerk to the Corporation had circulated a thank you card from Kelvin Nash, new Principal at Kendal College.

Members



**Action**

- Debbie Morris thanked the Governors who had participated in the staff quiz night. Governors congratulated Debbie on raising £800 for St Paul's Hostel for the Homeless, £340 of that being from the quiz nights and noted that Gary Woodman had been on the winning team!.

**29.25 Governor Training**

The Corporation **NOTED** that the Vice Chair attended the "Building Resilience in Further Education" Conference, 22 May 2018. The Clerk to the Corporation would put slide copies in the Training Opportunities area of the Governor Portal.

**CC**

**29.26 Meeting Reflection**

- i) Members **REVIEWED** the meeting and concluded that much had been achieved despite the heat.

**29.27 Date and Time of Next Meeting**

- i) Tuesday 19 June 2018, Corporation Workshop, 5.00pm for 5.30pm The Source, All Saints Building, Worcester.  
ii) Tuesday 17 July 2018, 5pm for 5.30pm, O2.03, Osprey House, Redditch.

*In accordance with Instrument 13 of the Instrument and Articles of Government, Peter Heath, Staff Governor and Union Representative, left the meeting at this point as did the Assistant Principal Higher Education & Standard.*

**29.28 RESTRICTED CONFIDENTIAL ITEM**

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**29.29** *These items are recorded as Confidential Minutes 2 of 3*

*In accordance with the Corporation resolution under Instrument 13 of the Instrument and Articles of Government, the Staff and Student Governors and attendees left the meeting at this point*

**29.30 RESTRICTED CONFIDENTIAL ITEM**

*This item is recorded as Confidential Minutes 3 of 3*

The meeting closed at 7.30pm.

**Signed:**

**Date:**

Sue Frost  
Clerk to the Corporation  
23 May 2018