

CORPORATION

**Minutes of the Meeting held on Tuesday 23 March 2021 at 17:30
A Microsoft Teams Meeting**

Present

Governors:

Neill Bucktin (NB)	Chair
Denis Miles (DMi)	Vice Chair
Stuart Laverick (SL)	Principal
David Ash (DA)	
Nick Baldwin (NBa)	
Steve Bolton (SB)	
Helen Butler (HB)	
Leon Evans-Lochlin (LEL)	
Kevin Gaffney (KG)	
Fiona Hellowell (FH)	
Tony King (TK)	
Debbie Morris (DMo)	
Gary Woodman (GW)	

In Attendance:

Nicki Williams (NW)	Vice Principal and Deputy Chief Executive Officer
Cherie Clements (CC)	Assistant Principal Finance & Corporate Operations
Julia Breakwell (JB)	Vice Principal Information Systems and Student Experience
Claire Heywood (CH)	Deputy Principal
Peter Robinson (PR)	Vice Principal Curriculum & Standards
Tony Green (TG)	Assistant Principal Funding Data & External Contracts
Kay Kavanagh (KK)	Clerk to the Corporation
Donna Gibson (DG)	Deputy Clerk

Action

47.1 Apologies

The Chair welcomed governors to the meeting. Apologies had been received from Sue Nicholls, Lucy Hodgson, Angela Edwards, Amelia Thomas and Robert Pearce.

KK advised that flowers and a hamper will be sent to LH on behalf of the SLT and Corporation members.

47.2 Declarations of Interest

Governors were asked to declare any interests, financial or otherwise, which they may have in any agenda item. No declarations were made.

47.3 Minutes of the Last Meeting

Governors approved the minutes of the meeting held on 26 January 2021 as a true record for signature by the Chair.

47.4 Matters Arising

Governors **reviewed** the Matters Arising report and **noted** progress. All actions have been completed.

47.5 Determination of any other urgent business

Governors **determined** that there was no other urgent business.

47.6 Principal's Report

a. Principal's Update for Governors

The Principal's Report included commentary and updates on:

FE White Paper – Strategic Development Fund (SDF) / College Business Centres (CBC):

SL explained that we are still awaiting further details about many aspects of the FE White Paper. It is however clear that the government is looking to support several pilots that will explore what a College Business Centre might look like and how we might work within localities.

SL commented that the paper has focus on level 3, however 2 thirds of students are at level 1 and 2.

How College was invited to discuss ideas relating to the SDF/CBC. The CEO/Principal was asked to sign a non-disclosure agreement as part of the process.

Getting back to the new normal:

Following half-term, a phased return of students has been progressing, starting with the practical subjects. SL confirmed that the experience has been positive, with students and staff happy to return.

There have been a few cases reported, but no cases have been spread within the College. The College has continued to work well with Public Health England, who've supported our staff and colleagues with their lateral flow testing, and future distribution of the testing kits.

Cases remain high in the Redditch area, and this continues to be monitored.

Education Policy Institute (EPI):

In a new study the Education Policy Institute, has found that across all qualifications, college and sixth-form students from disadvantaged backgrounds are the equivalent of three A-level grades behind better-off students, on average.

SL explained that this is a further report, by an independent organisation, that has identified an issue with continued underfunding. HoW College continues to be proactive working with both the Association of School and Colleges Leaders (ASCL) and the Association of Colleges (AoC) to improve funding for 16-19 students which lags that provided to pre-16 students.

Portable or flexi-job apprenticeships:

In the recent budget the Chancellor of the Exchequer announced a fund for a "new approach" apprenticeship model. HoW College has previously explored the Apprenticeship Training Agencies (ATA) approach with partners but there was

limited appetite to commit from the business community. SL added that this new agency model approach is not aimed at FE Colleges and this is another indication that businesses and private training/employment providers are now seen as the 'go-to' delivery channels for apprenticeships in England. This new approach will attempt to encourage smaller companies to use apprenticeships for a small project, before they move on to the next company.

FE White Paper – Secretary of State Intervention:

The FE White paper highlights the intention to make the skills agenda employer led with the local skills improvement plans (LSIP) being the influence to shape what Colleges and other providers offer.

SL stressed that the College has always prided itself in being a student-oriented business, aligned with our values. The College is cognizant of business but recognises an upcoming difference of views concerning business or student led in the future.

Governors asked the following questions following the Principals report:

- **Do any members of staff attend business clubs or breakfast clubs, to forge direct relationships with local businesses?** SL confirmed that members of the SLT and middle managers regularly attend business clubs, and these are continually reviewed. SL added that the notion of College Business Centres could be utilised moving forward to enable the different groups to have a more direct route into working with the College, to create a relevant curriculum.
- **A student governor gave reassurance of the return to College processes that are in place, confirming that they were efficient, and staff and students were happy and confident to return.**
- **A governor asked if there was a timeline for the Business Centres to be in place?** SL explained that the funds are likely to be needed to be spent by March 2022. Governors added that it is an opportunity for the College to support businesses in crisis following the impacts of the pandemic on businesses.

b. Curriculum and Quality Key Performance Indicators

PR provided an overview of Curriculum and Quality Key Performance Indicators, highlighting:

- Attendance is at 88% against a target of 90%. English and Maths have fallen to 77%.
- Retention remains positive at 95% and is likely to be above the final retention rate for 2019/20 (92%).
- Achievement rates for FE and English and Maths are not yet available.
- A new KPI showing progress for English and Maths (positive progress within a grade boundary), as at March 2021 shows English at 70% (67% target) and Maths at 37% (60% target). PR explained that this KPI is a progress measure for students doing GCSE English and Maths. This is a measure of how the students have improved from their starting point, following students sitting a mock exam.

- Previously governors were advised that 100% of students had 3 SMART targets set. It can now be confirmed that 90% of students now have 4 SMART targets set.
- 15% of students are rated as being at risk of not making the anticipated academic progress.
- Staff absence has risen to 2.85 days from 2.25 days in January. This remains within the target of 4.75 days.

A governor **questioned** if there is a 100% target for setting SMART targets. PR explained that the number of students with 4 SMART targets set, should increase to 100%.

A governor **asked** for further clarification concerning the 15% of students that are at risk of not making the expected progress. PR explained that it is an indication from personal tutors and personal learning coaches, working with students as they come back to College, to form early judgements.

c. Financial Key Performance Indicators and Management Accounts Summary

CC provided an overview of the Financial KPIs at the end of February 2021, confirming that the College is in a pleasing position.

There was a projected full year operating deficit as at January 2021 of £727,000. As at the end of February 2021, we now have a projected full year operating deficit of £571,000. This is before any restructuring and pension contributions. There has been a decrease in apprenticeship funding, where learners have withdrawn, or we had less learners than expected.

Financial health indicators indicate *good* financial health. This is largely driven by EBITDA and the deficit position. CC added that if anything significant were to happen on the deficit position, then we could reduce to *satisfactory*.

Bank covenants are green, with no concerns.

Cashflow is still significantly above the forecast at the end of February 2021 with £7.5 million. CC explained that following spending due in March and April, July 2021 we are projected to finish at £4.4 million, which is above the forecast position.

Governors **asked** for further clarification around staffing costs and agency costs. CC explained that teaching departments are showing an overspend of £308k. This is largely agency cover of around £251k which is being used to cover difficult to fill vacancies within engineering and construction. Agency staff costs are included within non-pay expenditure, which links back to the way this is disclosed within the financial statements.

A governor **questioned** the anticipated impacts of furlough on the College. CC explained that the assumptions are that staff will return at the end of March. Some cafeteria staff will continue to be furloughed.

The Corporation **received** the Principal's Report and **monitored** progress against targets.

47.7 Subcontracting Performance Report

TG provided an overview of the mid-year review of the subcontracting performance measures in both financial terms and in quality outcomes, confirming that the pandemic has impacted partner performance to varying degrees dependent on each partner's circumstances (location, curriculum offer, learner cohort etc.).

Overall, the performance of active partners in apprenticeship terms shows broadly positive outcomes, with projections indicating a 75% performance against MCV (with some further starts to come for the rest of the year).

For the Adult Education Budget, again the projected outturn is relatively positive at 67% of MCV, with activity buoyant in some areas compared to others. TG explained that this is particularly positive with some partners in the Birmingham and West Midlands area where we're seeing some increased activity due to our excellent relationships.

PR provided an overview of the Adult Education achievement rates, explaining that partners in the hospitality and catering sector have been impacted due to the pandemic.

47.8 Equality and Diversity Impact Measures and Action Plan

The college has made significant progress against each of the objectives in the 2020-21 academic year Equality, Diversity and Inclusion Action Plan. The EDI objectives focus on reducing gaps for those with socio-economic deprivation and hardship and to positive promote the benefits of positive mental health and wellbeing and supporting those who have been identified as an EDIM category.

The College have been proactive in identifying and supporting learners who may be in digital poverty. Students participated in a digital access survey. Those in need have been allocated laptops, SIM cards and/or dongles distributed via IT and Learning Centres. Learning centres were kept open through lockdown, for vulnerable learners, which proved successful.

Learners identified as living in a socio-economic deprived postcode and studying at Level 3 (UniConnect learners) are targeted to receive additional support to raise their aspirations and enhance their skillset to progress to higher education via the UniConnect Officer. The College has 179 UniConnect learners, studying at Level 3. The College work with these learners one to one, helping them with their aspirations.

Mental Health and Wellbeing are a key focus for staff, with regular communications featuring support and training opportunities being promoted to staff. Each CPD day has a clear wellbeing objective and staff are encouraged to look after their mental and physical health and to seek support when needed.

Students are being supported via virtual Wellbeing appointments. Regular student newsletters are sent via email detailing coping strategies, self-help resources and how to access internal and external support. Students can access resources via the Student Portal to support their positive wellbeing. Activities are created to complement the THRIVE tutorial group and 1:1 sessions, which have included Mental Health and Wellbeing, Healthy Living activities, Safeguarding and Equality and Diversity.

Learners who are Care Experienced, Living Independently and Young Carers remain a priority group on the Wellbeing Team's caseload. Extensive support is put in place to enable learners are to keep themselves safe, keep attending and to participate in their lessons. This is done via regular virtual meetings and communication with internal support, curriculum, parents/carers, external agencies and statutory bodies. Each student is RAG rated and an individualised plan of support is created. The College has the following students:

- 82 Care Experienced (The College has signed up to the Care Leaver Covenant to support these learners)
- 35 Living Independently Learners (Current retention is 100%)
- 16 Young Carers (Current retention is 100%)
- 168 Learners receiving free college meals (Allocation of funding made for those learners who may be studying remotely)

Governors **monitored** progress against the Equality and Diversity Impact Measures and Action Plan

47.9 Anti-Fraud Policy and Response Plan

There have been no significant amendments to this policy other than Job Titles and updated wording in line with the Post 16 audit code of practice document.

The Post 16 audit code of practice requires Corporations to develop a counter fraud strategy. CC **proposed** that a draft strategy is produced with consultation and involvement of the audit committee where College auditors are also able to comment. CC also **proposed** that the Audit Committee review the "Anti-fraud checklist for post-16 providers". Governors **agreed**. **Action:** KK to add 'Counter Fraud Strategy' and 'Anti-fraud checklist for post-16 providers' onto the next agenda for the Audit Committee.

KK

A governor **questioned** if there is a minimum of level of fraud that needs to be notified to the ESFA. CC explained that it would be a 'significant' amount and the limit is £10,000.

A governor **questioned** if the Whistleblowing Policy should be included. CC explained that there are two standalone policies.

Governors **approved** the changes to the Anti-Fraud Policy and Response Plan.

47.10 Anti-Bribery Policy

There have been no amendments to this policy other than Job Titles.

Governors **approved the** changes to the Anti-Bribery policy.

47.11 Expenses Payment (Staff & Governors) Policy

CC **proposes** that both mileage and subsistence rates are held at existing rates. During the past year claims have largely ceased due to the pandemic, however before these claims rarely exceeded these values. Most business travel had previously been to attend events, training or conferences which normally include lunch.

Addition narrative has been added regarding the College commitment to reduce the carbon footprint of the College, the intention to also reduce business travel for the College and intercampus travel. The success of video conferencing and online meetings during the pandemic should support this commitment naturally.

Governors **approved** the changes to the Expenses Payment (Staff & Governors) Policy

47.12 Policy Statement on Discretions LGPS

CC explained that Heart of Worcestershire College, as an employer, is under a legal duty to prepare and publish a written statement of its policy relating to certain discretionary powers under the Regulations which apply to the Local Government Pension Scheme ("the LGPS").

The policy has 10 discretions which are available to the College, as the employer. In most instances the discretion would result, if waived / agreed, in additional costs to the College.

The College currently has a significant deficit within the current LGPS scheme, with rising employer contribution rates and deficit payments.

The standard College position taken is to "not normally" agree to the discretion, however this does give some flexibility to allow the discretion in exceptional circumstances where the business case allows.

Governors **approved** the policy statement on Discretions LGPS.

47.13 Audit Committee Minutes

KG provided an overview of the recent Audit Committee minutes, explaining that the following areas had been covered:

- Risk Register
- Internal Audit
- Health & Safety reports

Governors **received** the minutes of the Audit Committee meeting on 9 March 2021 and noted the Audit Committee's advice.

47.14 a) Governance and Search Committee

NB explained that the key points of the Governance & Search committee held on 9 February are covered during this agenda. NB added that point around amending the Standing Orders to incorporate extending the permitted term of office, has been resolved. Revised wording has been agreed should it be required at a future time. Governors felt that there was no requirement to amend the Standing Orders at this time.

Governors **received** the Minutes of the meeting held on 9 February 2021 and **noted** the committee's advice.

b) Governor Recruitment

A timeline for governor recruitment was provided ahead of the meeting. Advertising will commence at the end of March, with interviews taking place in May. We already have interest from 2 possible candidates.

NB commented that the application form he had to use last year was very cumbersome and not fit for purpose to encourage new governors to apply. **Action:** KK to review the governor application form and process.

KK

c) Governor Insight Scheme

Oversight and Scrutiny reviews have taken place.

The Governor Insight Scheme policy is being reviewed to ensure it aligns with the College's blended approach.

A governor commented that they hope that there will be opportunities for Governors to come back into College, following the lifting of the pandemic restrictions. Governors **agree**.

d) Governor Meeting Calendar 2021/22

KK provided an overview of the governance meeting calendar for 21/22. The dates largely follow the structure from 20/21, with only one meeting moving significantly (Governance & Search has been moved to June, from May).

Meetings have been confirmed as either on-site or remote, to align with the blended approach of the College. Governors were keen to ensure that meetings are not 'mixed' (on-site and remote) but acknowledged that this may not always be possible. Further discussion ensued and governors **agreed** that the March Corporation meeting should also be on-site. **Action:** KK/DG to amend the meeting schedule to show that March Corporation will be on-site.

KK/DG

Governors expressed concern that the 'Away Day' event spans 2 working days and that isn't practical for all governors. KK explained that the Thursday had been suggested in order to utilise students time more effectively. A Saturday morning was not considered due to the impact of opening a College building on a weekend and the inconsistent message this would convey concerning Eco campus and carbon emissions. **Action:** KK to consider alternatives to 2 working days for the Away Day event and update the meeting schedule.

KK

Governors **approved** the proposed 2021/22 meeting schedule, given the above caveats.

e) Governor Portal and iPad/Surface Pro update

KK provided an overview of the new Governor Portal, confirming:

- The new portal is now fully launched and ready for use. It will be operated alongside the old portal for the remainder of this academic year.
- Relevant historical documents have been transferred to the new portal.
- The old portal will be archived from September 2021.

- Papers will be uploaded onto the new portal and not sent by email (An email will be sent advising governors that new documents are available)
- Governors will be required to use their 'howcollege.ac.uk' email addresses.
- Use of personal emails for college business will no longer be necessary (this also reduces the risk of any GDPR breaches).
- As a Microsoft product the move to Surface Pro devices supports the College being a Microsoft 365 College.

Governors supported the use of new portal and use of College email addresses, acknowledging that sending papers via email, to personal email addresses is a considerable information security risk and should be avoided.

Action: KK to re-issue governor emails and passwords.

KK

47.15 Any Other Urgent Business

It was determined that there was no other urgent business.

Staff and Student Governors left the meeting at this point

47.16- CONFIDENTIAL ITEMS

46.20 These matters are recorded as Confidential Minutes

47.21 RESTRICTED CONFIDENTIAL ITEMS

These matters are recorded as Restricted Confidential Minutes

47.22 Date and Time of Next Meeting

The next meeting will be held on Tuesday 25 May 2021, at 17:30 via Microsoft Teams.

Governors **noted** the resignation of Peter Heath as Staff Governor from the 21st February 2021. KK confirmed that 2 new staff governors would be recruited in the summer term.

The meeting closed at 19:50

Signed:

Date: