

**CORPORATION**

**Minutes of the Meeting held on Tuesday 13 December 2022 at 17:30  
A Microsoft Teams meeting**

**Present**

**Governors:**

Neill Bucktin (NB)	Chair
David Ash (DA)	Vice Chair
Stuart Laverick (SL)	Principal
Jane Britton (JB)	
Helen Butler (HB)	
Lockie Carbery (LC)	
Andrew D’Arcy (AD)	
Vicki Davies (VD)	
Chris Hallam (CH)	
Tony King (TK)	
Denis Miles (DM)	
Sarah Owen (SO)	
Harrison Rickerby (HR)	
Steph Simcox (SS)	
Vivienne Stockill (VS)	
Evan Whakahau (EW)	
Gary Woodman (GW)	

**In Attendance:**

Nicki Williams (NW)	Deputy Chief Executive Officer & Vice Principal Corporate
Cherie Clements (CC)	Vice Principal Finance & Corporate Operations
Julia Breakwell (JB)	Vice Principal Student Experience & Stakeholder Engagement
Claire Heywood (CH)	Deputy Principal
Claire Beaman (CB)	Executive Director for Quality
Kay Kavanagh (KK)	Clerk to the Corporation
Jenni Price (JP)	Head of Finance
Peter Robinson (PR)	Vice Principal Curriculum & Standards
Tony Green (TG)	Assistant Principal Funding Data & External Contracts

**Action**

**58.1 Welcome and Apologies**

The Chair welcomed governors to the meeting. Apologies were received from Gaynor Cheshire.

**58.2 Declarations of Interest**

Governors were asked to declare any Interests, financial or otherwise, which they may have in any agenda Item. No interests were declared.

**58.3 Minutes of the Last Meeting**

Governors approved the minutes of the meeting held on 18 October 2022 as a true and accurate reflection of the meeting.

**58.4 Matters Arising**

Governors **reviewed** the Matters Arising report and **noted** progress. **Action** carried forward: EW to provide photos of the Tiny Forest to KK for circulation to governors.

EW

**58.5 Determination of any other urgent business**

There was no other urgent business declared.

**58.6 Principal's Report**

- a. Principal's Update for Governors
- b. Curriculum and Quality Key Performance Indicators
- c. Financial Key Performance Indicators and Management Accounts Summary
- d. Learner Number Update

Principal's Update for Governors:

SL explained that the College is proactively involved in the creation of the Local skills Improvement Plan (LSIP) for Worcestershire. This will be the key document for targeting key priority local/regional skills needs. It is hoped that the new development fund will enable the types of work the College has achieved via its predecessor funding streams.

SL advised that Shelagh Legrave, FE Commissioner, will be visiting the College on 17 January 2023 in order to get a better understanding of HoW Colleges blended learning work.

SL gave a brief overview of the implications of the ONS reclassification for FE Colleges adding that the finance team at the College are well connected to the key College networks that will be working with the ESFA to make the reclassification work in practice. The Colleges Audit Committee and the internal and external auditors who support it will be supporting the Director of Finance and her team during what will be another busy time.

Robin Walker has been elected as the chair of the parliamentary education select committee. SL explained that the College has written to congratulate Robin on his appointment. Robin is a good friend of the College and has put time and effort in getting an understanding of the important inclusive work the FE sector does for the individual, economy and society.

The Secretary of State for Education (SoSE), Gillian Keegan, has listed 3 items she believes are key for post-16 education:

- Local Skills Improvement Plans
- Institutes of Technology
- Excellent teaching in FE

SL stated that these areas will be a focus for the College.

A governor **questioned** the ONS reclassification and the impact on the sale of Assets. NW confirmed that any proceeds for the sale of assets (i.e., Osprey House), can only be used for future capital projects. There is no timeframe specified for this, so the funds can remain with the College cash balances. CC added that it will not be able to be used to pay back loans.

A governor **questioned** the Accountability Plan and LSIPs, and the need for greater governor involvement. SL agreed that there is a higher need for Corporations to be involved to ensure alignment to the LSIP and to encourage collaboration.

A governor **asked** if the Corporation would need to approve/sign the Accountability. SL confirmed that both the Chair and the Principal would need to sign the Accountability Agreements.

#### Curriculum and Quality Key Performance Indicators:

CB provided an overview of the KPI's, highlighting:

- Overall attendance is at 88%, against a target of 90%
- English and Maths attendance is up 6% from the last report, now at 81% against a target of 85%
- Overall Retention is 98%, against a target of 92%
- Apprenticeships that are overdue by more than 365 days is 8% (ESFA target is 15%) Apprenticeships that are overdue by more than 180 days is 10% (ESFA target is 15%)
- Overall Employer satisfaction is 'Good'.
- Improving Apprentices' Skills is at 78%, against a target of 85%
- Stakeholder voice outcomes remain high (96-98%)
- Staff absence days are at 2.67 days against a target of 5.1 days

There were no questions.

#### Financial Key Performance Indicators and Management Accounts Summary:

CC provided an overview of the financial KPI's, highlighting:

- As at October 2022, a deficit of £1,408,000 is forecast
- There is a projected full year adverse variance on Fee Income of £194k based on actual learner numbers
- Financial rating is 'Satisfactory'. The deficit needs to reduce by approximately £120,000 for the rating to return to 'Good'.
- FE Commissioner benchmarks are now included in the report. They are currently a mixture of red and green for the College
- The cash balance at October 2022 is £12,272,000. This is projected to be £7,699,000 in July 2023 and £3,800,000 in July 2024.

A governor **questioned** why 'Satisfactory' financial health was red. CC explained that the FE commissioner benchmarks are what the College aims for, and as the College is not Outstanding or Good, then it is marked as red.

There were no further questions.

#### Learner Number Update:

CC provided an update on Learner Numbers highlighting:

- 16-18 learners are at 2,282 against a target of 2,448 (93%), this will result in a reduction in next year's allocation.
- T-Levels in the two vocational areas have total numbers of 51.
- Adult learners funding is at £1,088,331 (103% of target)
- Apprenticeship funding is at £1,282,153 (83% of target)

A governor **asked** the impact of a 7% decrease in learner numbers, on next years allocation. CC confirmed that this would be circa £1,100,000.

A governor **expressed** their concern at the reduction and the likelihood of a further reduction next year. They referred to a previous piece of work looking at learners that were expected but didn't progress from year 1 to 2. CH explained that the data is still being processed. The college is seeing trends of level 3 students who are not returning for year 2 due to cost-of-living impacts, and family pressures. SL added that these pressures are being felt nationally.

There were no further questions. Governors **received** the Principal Report.

### 58.7 Subcontracting

Overall, the performance of active partners delivering apprenticeships shows broadly positive outcomes considering the continuing impact of CV-19 in this area, with forward projections indicating relatively stable activity.

For the Adult Education Budget, again the projected outturn is relatively positive, with activity buoyant in some areas compared to others.

TG explained that since the papers for this meeting were issued, apprenticeships have increased from 85% to 93% and Adult Education has increased from 54% to 67%.

TG added that for Licensed2Train, CV-19 continues to affect their sector (hospitality and related sectors) albeit with low numbers; Track Training is an inactive partner seeking to finish largely inactive learners.

Governors **monitored** partner performance/ quality outcomes for 2022/23 to date.

### 58.8 Employer Satisfaction Survey

TG explained that the report shows the Employer Satisfaction YTD for 2022/23. The results of the survey are part of the recently introduced DfE/ESFA apprenticeship accountability framework and are therefore monitored by them. Additionally, it may have reputational impact.

TG explained that the 2 key measures to note are:

- Overall rating of GOOD (the College KPI target is GOOD);
- Improving apprentice skills is at 78% (the College KPI target is 85%).

The total number of reviews at the date of capture was 171

There were no questions.

### 58.9 Audit Committee

The Audit Committee minutes of the meeting held on 22 November 2022 was not available at this time. **Action:** KK to obtain the minutes from DG and distribute to Governors.

KK

### 58.10 Audit Committee Annual Report

The Audit Committee Annual Report was not available at this time. **Action:** KK to distribute the Audit Committee Annual Report to Governors.

KK

### 58.11 Audit Committee Recommendations

Governors **received** the following items, on the recommendation of the Audit Committee:

- The Internal Audit Annual Report 2021/22 from RSM
- The revised External Audit Report from Bishop Fleming
- The Teachers' Pension Statement from Bishop Fleming
- The Regularity Self-Assessment Questionnaire

Governors **approved** the following items, on the recommendation of the Audit Committee:

- The Audit Representation Letter
- The Engagement Letter with Bishop Fleming
- The revised Audit Committee Terms of Reference
- The Risk Management Annual Report 2021/22
- The Risk Management Plan 2022/23
- The Strategic Risk Register – Autumn Term 2022

Governors noted that a 'select list' to enable quick procurement to take place for Bids will be used by the Audit Committee, to ensure openness and value for money.

Andrew D'Arcy has self-nominated for the position of Vice-Chair of the Audit Committee. All governors **approved** Andrew D'Arcy as the Vice-Chair of the Audit Committee.

Re the College Financial Statements for the year ended 31 July 2022, CC explained that although there are no concerns with the financial statements and no audit adjustments, PWC are conducting a funding assurance audit, which is impacting on the final release of the financial statements for approval and submission. CC hopes to be able to bring the financial statements back for corporation in January 2023. KK confirmed that full Corporation approval will be required.

A governor **questioned** if the College would face any EFSA penalties for late submission. CC explained that the ESFA are aware of the January deadline (31<sup>st</sup> January).

### 58.12 Remuneration Committee

DM provided an overview of the Remuneration committee annual report, highlighting:

- The members of the committee and also who regularly attends
- The meetings held per year
- Policies covered by the committee

There were no questions.

Governors **approved**:

- Remuneration Policy (SPH)
- Income Derived from External Activities Policy (SPH)

DA added that the Remuneration Committee had appointed the Selection panel for the Principal process and following a rigorous process over 2 days following shortlisting, along with the involvement of an External Adviser, a candidate has been selected. The Corporation will be requested to approve the appointment during the confidential part of this meeting.

**58.13 Governance and Search Committee**

Governors **received** the minutes of the meeting held on 8 November 2022, noting that there were no areas of non-compliance stated in the review of the committee.

Governors **noted** that Gary Woodman remains the lead governor for Safeguarding and Gaynor Cheshire is the lead governor for SEND and Careers (LSIP).

Governors **approved** the updated Standing Orders, noting the reduction in Corporation members from 19 to 18.

Governors **approved** the appointment of Vickie Davies, for a 4-year Term of Office, until 31/07/2026.

Governors **noted** that the role of a 'Senior Independent Governor' (SIG) was not deemed necessary by the committee.

Governors **noted** the appointment of Stone King to carry out the External Review of Governance.

**58.14 Use of the Seal**

KK provided an annual update on the use of the Corporation Seal, explaining that the seal was applied to two documents on 4 November, both documents had been agreed by the College, Harrison Clark Rickerby and the County Council legal team for the short-term sub-lease of the Halcyon Centre until 31 August 2023 whilst we progress negotiations with the County Council and WCF on the surrender of the building back to HoW College.

The 2 documents were:

- Licence to Underlet for execution by Heart of Worcestershire College effectively as landlord and as subtenant
- Underlease for execution by Heart of Worcestershire College as undertenant

KK added that the Principal had signed them on behalf of the College / Governing Body.

**58.15 Subsidiary Company Financial Statements**

Governors **noted** that Molinna Limited and NEWCEL have not traded during the year, that the Annual General Meetings for these companies are due to take place and the Financial Statements for the year ended 31 July 2022 were noted by the Audit Committee.

**58.16 College Self-Assessment Report**

CB provided an overview of the final College Self-Assessment Report for 2021/22, confirming that the overall grades for 2021-22 are as follows:

- Overall effectiveness – Grade 2 Good

Key judgements:

- The quality of education – Grade 2 Good
- Behaviour and attitudes – Grade 2 Good
- Personal development – Grade 2 Good

- Leadership and management – Grade 2 Good

Provision type judgements:

- Education programmes for young people (EPYP) – Grade 2 Good
- Adults – Grade 2 Good
- High needs – Grade 2 Good
- Apprenticeships – Grade 3 Requires improvement

There were no questions.

### 58.17 College Strategic Plan

CH state that this is the first reporting of progress with the new college strategy for the period 2022- 2025.

The action plan is set against each of the four pillars of 'Purpose', 'People', 'Place' and 'Prosper'. In total there are 28 key objectives, each with interim measures across the six checkpoints across the 2022-2025 period.

For the autumn reporting the summary of interim measures is as follows:

- Green (At or above target) = 10
- Amber (Some progress) = 9
- Red (Insufficient progress) = 4
- Blue (Not applicable in reporting period) = 5

A governor **asked** if there was anything in the report that gives CH a cause for concern. CH explained that the finances continue to be a concern, with student numbers needing to rise. HE also continues to be a challenge as does apprenticeship delivery.

There were no further questions.

### 58.18 College Improvement Plan

CB provided an update on the College Improvement Plan 2022/23, explaining that all 6 areas of the plan are currently 'amber'.

Although retention is looking positive, it is too early to judge at this time.

Following the scrutiny reviews, leaders and managers are reporting positively regarding behaviour and progress of students.

Attendance is below the KPI; however, improvements are being seen for English and Maths.

Further work is required concerning skills and local employers, in particular how those employers engage with education programmes for young people.

A governor **asked** if governors could be provided with further information around the connection between the analysis of the data, and what that means in terms of the curriculum. CB confirmed that this will be provided to governors ahead of an Ofsted visit.

**58.19 Higher Education**HE Academic Board Meeting Minutes:

PR gave an update on the HE Academic Board minutes, explaining that it was a very positive meeting with students being proactively involved. The minutes show the positive impact changes have had on students.

Parents evenings have taken place with attendance from 19 parents.

The TEF submission was discussed, including the student's submission. A further update for governors will be provided at the next Corporation meeting.

Higher Education Self-Evaluation Document and Action Plan:

PR explained that the document covered teaching and learning, learner voice, outcomes and also destinations for students.

PR highlighted progression rates and state that numbers have reduced but added that internal progression continues to be a key focus for 2022/23.

There are developments around new qualifications, like the higher technical qualification in digital.

The Student Satisfaction survey provided positive outcomes for the College, with all areas above the sector average.

Governors **approved** the Higher Education Self-Evaluation Document 2022/23 (including the Higher Education Action Plan).

**58.20 Education and Skills Funding Agency (ESFA) Financial Health Review**

CC explained that the dashboard and graphical information is taken from the annual submissions of the Financial Plan (FP) submitted in July each year, the financial plan contains projected current year outturn, agreed budget for the coming year and projections for the subsequent year.

The financial plan submitted in July 2022 indicated the following: -

- Financial Health for 2021/22 "Good"
- Financial Health for 2022/23 "Good"

CC asked governors to note that to note the ESFA has been consulting with the sector on proposals to introduce updated financial ratios and financial health scores, with a view to developing further a new financial health assessment methodology, which may be introduced in the future. In addition, these proposed ratios are being modelled through the FP and FR.

FP at 31st July 2022 indicated the following:

For 2021/22: Current method is Good, Updated method is Good

For 2022/23: Current method is Good, Updated method is Requires Improvement

For 2023/24: Current method is Requires Improvement, Updated method is Inadequate

There were no questions.



### 58.21 Safeguarding Report 2021/22

JB provided an overview of the Safeguarding Annual Report for 2021/22, highlighting:

- Statistics show that learners feel safe in College and feel able to disclose safeguarding issues.
- 235 learners had a safeguarding concern. This was a significant increase of 82% compared to 2020/21. Some learners had multiple safeguarding incidents resulting in 339 safeguarding incidents.
- In line with new national guidance and following extensive raising of awareness for staff and students to report any sexual violence or sexual harassment incidences (including those that occurred outside of college), there was an increase in referrals.
- 35% of the safeguarding incidences related to peer-on-peer abuse or related to sexual violence or sexual harassment (5 learners used the new Whisper anonymous reporting tool).
- 16 % of safeguarding related to related to significant mental health concerns, suicide attempts or suicide plans.
- 'Care Experienced' achievement has increased by 17.8% for 2021/22 and is above the college average 80% (76%).
- Achievement rated for young carers remain above the College average at 81%(76%).

A governor **asked** how often the list of vulnerable groups is reviewed. JB confirmed that data is reviewed constantly, with an annual report to the Corporation.

A governor **questioned** the 82% rise in safeguarding concerns by learners, and if the reasoning was known. JB explained that learners have a greater understanding of how to raise their concerns. There has been an increase in sexual violence and harassment concerns.

### 58.22 Prevent Strategy, Risk Assessment and Action Plan

JB provided an overview of the Prevent Strategy, Risk Assessment and Action Plan, explaining that there are some concerns in the county around extreme right-wing activity, and some of this has been witnessed locally at the Bromsgrove campus.

The protect Duty has changed and the strategy has been updated to reflect anti-terrorism legislation and new security requirements. The action plan has been updated to include 'invacuations'.

Governors **approved** the Prevent Strategy, Risk Assessment and Action Plan for 2022/23.

### 58.23 Equality and Diversity

An overview of the Equality and Diversity Annual Report for 2021/22 was provided to governors. JB explained that the report details the well-being work carried out with staff and the community, staff development days, student support (around healthy living, healthy relationships, LGBTQ and the Thrive program) and various campaigns.

The EDI objectives and EDIMs action plan has been divided into key themes of:

- LGBTQ+
- Mental Health
- Social Action and Volunteering

- Cost of Living Crisis (thus is a new section)
- EDIMs

There were no questions.

Governors **approved** the Equality and Diversity Objectives and the Equality and Diversity Impact Measures (EDIMs) and Action Plan for 2022/23.

**58.24 Governor Insight Scheme, including curriculum area reports**

KK provided an update on the Governor Insight Scheme, including curriculum area reports, thanking governors for their attendance.

**58.25 Any Other Business**

No other business was declared.

**58.26 Date and Time of Next Meeting**

Wednesday 15 February 2023, 17:30, via Microsoft Teams

**58.27 CONFIDENTIAL ITEMS**

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**58.28**

See Confidential Minutes.

**58.59 RESTRICTED ITEMS**

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**58.30**

See Restricted Minutes

There being no further business the meeting ended at 20:00

Signed:

Date: