



**CORPORATION**

**Minutes of the Meeting held on Wednesday 15 February 2023 at 17:30  
A Microsoft Teams meeting**

**Present**

**Governors:**

Neill Bucktin (NB)  
David Ash (DA)  
Stuart Laverick (SL)  
Jane Britton (JB)  
Helen Butler (HB)  
Lockie Carbery (LC)  
Gaynor Cheshire (GC)  
Andrew D'Arcy (AD)  
Chris Hallam (CH)  
Tony King (TK)  
Denis Miles (DM)  
Harrison Rickerby (HR)  
Steph Simcox (SS)  
Vivienne Stockill (VS)  
Evan Whakahau (EW)  
Gary Woodman (GW)

Chair  
Vice Chair  
Principal

**In Attendance:**

Nicki Williams (NW)  
Cherie Clements (CC)  
Julia Breakwell (JB)  
  
Claire Heywood (CH)  
Claire Beaman (CB)  
Kay Kavanagh (KK)  
Peter Robinson (PR)  
Tony Green (TG)  
Donna Gibson (DG)  
Michelle Dowse (MD)  
Ron King (RK)  
Rachel Robson (RR)

Deputy Chief Executive Officer & Vice Principal Corporate  
Vice Principal Finance & Corporate Operations  
Vice Principal Student Experience & Stakeholder  
Engagement  
Deputy Principal  
Assistant Principal for Curriculum and Quality  
Clerk to the Corporation  
Vice Principal Curriculum & Standards  
Assistant Principal Funding Data & External Contracts  
Personal Assistant & Deputy Clerk – Principal's office  
Incoming Principal and CEO  
Stone King  
Stone King

**Action**

**60.1 Welcome and Apologies**

The Chair welcomed governors to the meeting. Apologies were received from Vickie Davies and Sarah Owen.

**60.2 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.

**60.3 Minutes of the Last Meeting**

Governors approved the minutes of the meeting held on 13 December 2022 as a true and accurate reflection of the meeting.

**60.4 Matters Arising**

Governors **reviewed** the Matters Arising report and **noted** progress. 2 actions are to be carried forward:

1. EW to provide photos of the Tiny Forest
2. KK to forward the Draft Audit Committee minutes and the Audit Annual Report to Corporation members.

**EW**  
**KK**

**60.5 Determination of any other urgent business**

There was one other item of Business declared:

- HME Logistics

**60.6 Principal's Report**

- a) Principal's Update for Governors
- b) Ofsted Annual report
- c) Curriculum and Quality Key Performance Indicators
- d) Financial Key Performance Indicators and Management Accounts Summary
- e) Learner Number Update
- f) Health & Safety Update

Principal's Update for Governors:**Accountability Agreements:**

SL explained that the College is proactively involved in the creation of the Local Skills Improvement Plan (LSIP) for Worcestershire and has strengthened links with other Worcestershire based college providers via the Skills Development Fund (SDF) project it leads. Links with Herefordshire Colleges are strong, with the Hereford and Worcestershire Colleges' Consortium acting as a well-established forum for discussion, cooperation, and collaboration.

There is a further discussion planned on Accountability Agreements at the Corporation Away Day, ahead of submission in May 2023.

**FE Commissioner visit to HoW College:**

SL explained that Shelagh Legrave, the FE Commissioner (FEC), visited HoW College on Tuesday 17<sup>th</sup> January 2023.

The primary focus of the FEC's visit was to get a stronger understanding of the College's digital learning capabilities. To understand how the College's Elements Programme which drives the eLearning pedagogy draws upon and shapes the eLearning content the Blended Learning Consortium (BLC) creates.

The College has agreed to help support the FEC's team gain a stronger understanding of how blended learning can support learning cost effectively. The College also agreed to be a point of call if the FEC feels other Colleges need specific support.

**Local Skills Improvement Plan (LSIP) – update:**

SL confirmed that the process continues to progress, the College is supporting this by sitting on the LSIP Board and Management Group and by contributing to consultation events across the county.

**16-19 Funding Rate:**

SL reminded governors of the funding issues and the pressures it causes on costs.

SL advised that there will be an extra £240,000 in the 2023/24 Academic Year because of the 2.2% increase in the 16-19 funding rate. This will cover less than a third of the extra wage costs that will be incurred because of the impact of the new minimum wage increase across the College's pay scales.

**FE Colleges running trusts:**

SL flagged this as an area of interest for governors, stating that Academy Trust models could be something for governors to consider moving forward. There are now around 40 colleges who are the main sponsors of academy trusts, up from 21 in 2018.

**NEETS:**

SL raised his concerns as to the accuracy of the NEET data, both locally and nationally, and felt that NEETs were significantly greater than the ONS data suggests. The College continues to provide inclusive foundation level programmes to accommodate those who would otherwise be NEET.

**Apprenticeships:**

SL reiterated the position of Apprenticeships, confirming that Colleges deliver only 18.7% of all apprenticeships, following the impact of the pandemic.

**Level 3 defunding process – update:**

SL advised that the DfE has published information about the next stage of its review of Level 3 qualifications. SL added that the impact is yet to be known, but raised his concerns around Entry, Level 1 and Level 2 qualifications and how these progress into employment and further study routes.

A governor **questioned** the Level 3 AAQ's asking if it could mean that the College would need to offer A Levels. SL confirmed that it would.

A governor **asked** if the College may be at risk for losing funding in the NEETS area. CH confirmed that funding shouldn't specifically be lost for NEET, but the area may be impacted by other reduced funding.

Ofsted Annual report:

SL explained that the Ofsted Annual Report covers the 2021/22 academic year. SL highlighted the continued churn in independent providers, of 1400, circa 130 have gone out of business, with circa 130 starting up.

SL stated that following the ONS reclassification, there has been some mention of the potential of consortium models to support independent providers. TG added that when independent providers start to struggle, then generally approach the College for

assistance (for apprenticeships). The College continues to have a focus on accountability agreements and how independent providers will feed into the collaborative model.

SL explained that the bootcamp sizes have been disappointing, and the introduction of T-Levels remains a focus.

Governors noted that 71% of colleges were rated good, 14% outstanding, and only 9% requires improvement. GW added that the feedback from the DfE concerning our bootcamps was positive, and we had a good range and depth. We are the only area offering Health and Social Care.

#### Curriculum and Quality Key Performance Indicators:

CB provided an overview of the data, confirming:

- Overall Attendance is at 86%, against a target of 90%. Work continues to improve attendance levels.
- English and Maths attendance is at 79%, against a target of 85%
- Retention (16-18) is at 95%, against a target of 92%
- 19+ Retention is 95%, against a target of 94%
- Apprenticeships' retention is strong, at 78%, against a target of 65%. This reflects hard work and focus on Apprenticeship retention.
- 365 days overdue for Apprenticeships is at 6%, against a target of 8%
- Employer Satisfaction is good.
- Staff vacancy rate is at 69%. Issues continue around recruitment, and posts having to be re-advertised.

A governor **questioned** if there was a reason for the drop in attendance. CB explained that it was mainly was due to public transport strikes. Remote learning has been used, but it has been challenging. Adult attendance has been impacted by 'cost-of-living' pressures. SL added that school attendance is also down, due to ill health and sickness.

A governor asked what the percentage of agency staff was. CB explained that agency cover is challenging and costly, with poor quality being observed. The College is using flexible contracts and personal tutors instead of agency workers.

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

CC provided an overview of the financial KPI's, as at Dec 2022, highlighting:

- Forecast outturn is £88k lower than budget at £1,200k deficit
- Pay costs are projected to be lower than budget at year end by £573k. The NMW increase on April 23 has been budgeted at £165k. Some vacancies are not being filled, and there have been 2 redundancies.
- Non-pay costs are projected to be higher than budget at year end by £1.5m. Improved energy usage across all sites is assisting.
- For the KPI's, at £1.2m financial health goes to good. At £1.4m it was satisfactory.
- The Bank Covenant is met.
- Of the 6 FE Commissioner benchmarks, 4 are Green, 2 are Red.
- Staff utilisation is at 90%
- Cashflow forecast, predicted to end year just over £8m, with a £3.9m outturn.

A governor **questioned** the two 'Red' FE Commissioner benchmarks, and the impact of those. CC explained that we don't get measured against them, but it is an indicator for us to monitor.

Learner Number Update:

CC provided an overview of Learner Numbers, highlighting:

- 16-18 Full Time and High Needs is at 2282, against a target of 2448 and an allocation of 2478. This will impact the 2023/24 allocation.
- Adult Classroom Learning is at 108% of target.
- College Apprenticeship delivery is at 90% of target.
- Consortium partners are at 107% of target.

There were no questions.

Health and Safety update:

NW provided an overview of the health and Safety update, highlighting:

- There has been a total of 50 reported incidents; of these, a total of 20 (40%) were accidents.
- There have been no RIDDOR incidents during the period.
- Risk Assessments and Health and Safety Training continue.
- Three new bleed kits were put in place

A governor **asked** if Mental Health training came under the health and Safety training. NW explained that the College has Mental Health First Aiders. The Safeguarding report contains the details concerning mental Health.

A governor **asked** for further information regarding an incident mentioned in the supplementary papers to the meeting, concerning a near miss, and how the staff member had been supported. NW explained that she had spent some time with the member of staff, and although shaken, had talked it through, and they were ok.

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

## **60.7 Subcontracting Performance Report**

TG confirmed that overall, the performance shows broadly positive outcomes. Forward projections are based on existing enrolments.

Overall funding YTD for apprenticeship delivery had increased from £95,180 in the previous Corporation report to £151,085 in this report, with projected outturn use rising from 85% to 91%.

In apprenticeship provision, indications are of variable performance across partners, reflecting the College experience, and their specific sector impact. For Licensed2Train, CV-19 continues to affect their sector of hospitality and related sectors, albeit with low numbers reflecting the decision to close the contract; Know Your Potential and Track Training are inactive partners seeking to finish largely inactive learners.

In AEB, the picture remains buoyant with some high rates, reflecting the picture from previous years despite the interruptions of CV-19, and the year-end total is expected to meet or exceed the performance of previous years (c 95%).

There were no questions.

#### 60.8 Financial Statements and Annual Report 2021/22

CC explained that these were still not available for approval. CC is still awaiting the outcome of the PWC Audit commissioned by the ESFA. CC hopes to be able to bring the completed report to Corporation for approval in early March.

A governor **asked** if other colleges were in the same position. CC explained that there are several other colleges who have also received an Audit from PWC, where Financial Statements were also delayed.

#### 60.9 College Improvement Plan

CB provided an overview of the progress against the College Improvement Plan, talking through the provided paper.

There were no questions.

#### 60.10 2023 TEF Submission

PR provided an update on the 2023 TEF Submission, explaining that this is a new regulatory approach by the Office for Students, for all providers who have more than 500 HE students.

PR provided a demo of the TEF data dashboard during the meeting.

A governor **asked** if the dashboard just covered the data for full-time students. PR explained that part-time and apprenticeships were also included. The College CIPP students are above 500, so we need to make the submission.

*Harrison Rickerby joined the meeting at this point.*

#### 60.11 Human Resources Report 2021/22

NW gave an overview of the Annual HR Report (2021/22), as provided to governors. Gender Pay gap reporting was included.

A governor **noted** the Gender Pay Gap benchmarking data and requested the data year-on-year. **Action:** NW to provide Gender Pay Gap data for previous years.

NW

A governor **asked** for clarification around the table concerning the 'difficult to fill' posts, the additional costs of having those vacancies, the criteria of wider impact that each post has on the College, and if that can be modelled. NW explained that low salary posts tend to be difficult to recruit to (caretakers and catering), but these roles are essential. We were running as efficiently as possible. Curriculum posts were difficult to fill as we cannot utilise agency staff and there is a shortage in the market.

A governor **questioned** the legislation for flexible working and the day 1 proposal, asking if NW is aware of if/when this is likely to be passed. NW explained that it is due to go through parliament this year. NW added that the College has a flexible working policy already and most requests are approved.

Governors **received** the annual HR Report (2021/22).

#### 60.12 Governance and Search Committee

- a) To **receive** the Minutes of the meeting held on 31 January 2023  
Governors received the minutes of the G and S Committee, and DA provided an overview.

There were 2 skills audit responses outstanding.

There were two governors leaving the Corporation in July 2023. Future recruitment focus was to be on Estates, Sustainability and Education. A new lead governor for Sustainability will be required.

The process to elect a new Chair will commence ahead of the next Corporation meeting, and a new Vice-Chair ahead of the July Corporation meeting.

Governors **noted** that Governor attendance is below the target of 85%.

Stone King are carrying out the External Review of Governance. DA stated that it seemed prudent to await the outcome before we plan next year – but we will keep the Carver model as is currently, along with the calendar. The report is expected to be complete during June 2023.

The Governance Improvement Plan will be updated following the External Review of Governance. Breakfast Business meetings have been agreed, to include external stakeholders to improve links.

Governors were reminded to complete their mandatory training via the Moodle links.

Governors noted the issues with College IT but noted that no changes were proposed by the Committee.

There were no questions.

- b) Governors **noted** the recommendations concerning the succession planning for the roles of Chair and Vice-Chair. Invitations for self-nominations will need to be sent.

#### 60.13 Payment of Expenses for Staff and Governors Policy

CC presented the policy, explaining that there had been circa 35k miles claimed. 170k mileage had been stated in the Carbon Report, so this is a significant reduction.

There is an addition to the policy concerning London rates.

Governors **approved** the Payment of Expenses for Staff and Governors Policy.

**60.14 Corporation External Review of Governance Update**

KK provided an update on the External Review of Governance, confirming that the Review should be concluded in June 2023.

**60.15 Student Governor update**

HR gave an overview of his experience as Student Governor, stating that it has been quite a journey!

HR has completed various training, including Student Governor Training with UNLOC, which gave him the opportunity to meet other student governors and learn how to carry out the role.

HR has attended the HE graduation, AOC Annual Conference, NAMS Conference and the opening of the Redditch Construction Centre, all of which enabled him to talk to the public about the College.

HE has really appreciated the opportunities it has given him and thanked the Corporation.

There were no questions.

**60.16 Any Other Urgent Business**

PR provided a paper concerning an International Commercial opportunity. Governors had previously stated that they would be happy to explore international opportunities, albeit carefully.

PR was seeking approval from the Corporation to continue to investigate the possible opportunity with HME logistics. PR added that the College will not be taking students on to study at HoW, nor an outbound centre. This is a commercial business venture where the College may be able to offer eLearning resources, using the Blended Learning Consortium, for a school in Dubai.

The Chair stated that a full risk assessment will be required before proceeding.

A governor **questioned** if there was any budget allocated for the initial stages and if any overseas travel would be required. PR explained that no overseas meetings are being planned, and the options are still being explored. It is at the very early stages, hence PR was asking for Corporation's approval to proceed with establishing further details of the opportunity.

A governor questioned who the relationship would be with, HME logistics, or the school. PR confirmed that it would be with HME Logistics only.

DA and GC offered their experience to assist PR. GC has previously worked with the school in Dubai.



## Action

Governors approved PR to pursue further. PR to report back in due course.

*Ron Hill, Rachel Robson, and Michelle Dowse left the meeting at this point.*

### **60.17 Confidential Items**

- See confidential minutes.

### **60.21**

### **60.22 Date and Time of Next Meeting**

Tuesday 16 May 2023, The Source, Worcester

*Staff and Student Governors left the meeting at this point*

### **60.23 Restricted Confidential Items (1 of 2)**

- See Restricted Confidential minutes. (1 of 2)

### **60.25**

*Remaining members of SLT left the meeting at this point*

### **60.26 Restricted Confidential Items (2 of 2)**

- See Restricted Confidential minutes. (2 of 2)

### **60.28**

There being no further business, the meeting ended at 21:15.

Signed:

Date: