

Minutes of: CORPORATION  
 Date: 24<sup>th</sup> March 2022  
 Time: 5:00pm  
 Place: via Microsoft Teams



Present: Mr S Brand  
 Mr P Cook MBE (Principal)  
 Mr S Crick  
 Mr M Crook  
 Dr H Friend  
 Mr I Meaton  
 Mr I Pursglove (Chair)  
 Mr K Sonecha

In attendance: Ms S Dent (Vice Principal, Finance and Resources)  
 Ms J Ferguson (Vice Principal, Safeguarding and Pastoral Care)  
 Mrs Y Doherty (Clerk to the Corporation)

**21/48 APOLOGIES**

Apologies for absence were received from Ms Carr-Fanning, Mrs Herbert, Ms Lewis-Bell and Mr Todd.

**21/49 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**21/50 MINUTES FROM THE PREVIOUS MEETING**

The minutes of the meeting (circulated, document March 22/1) held on 3<sup>rd</sup> February 2022 were considered.

It was **RESOLVED THAT**, the minutes of the meeting held on 3<sup>rd</sup> February 2022 be approved.

**21/51 MATTERS ARISING**

21/42.2 Skills Audit 2020/21

Members considered an update report on completion of the Skills Audit 2020/21 (circulated, document (March 22/2). This confirmed that further to the previous meeting an additional request was made for members who had yet to do so to complete the survey.

Unfortunately, the rate of return was not sufficient to make any meaningful difference to the existing report.

On this basis the Chair suggested that this item now be 'closed'.

Discussions highlighted the need for the Skills Audit to be as accurate as possible to support the Search and Governance Committee in identifying skills gaps to be addressed through the recruitment processes. It was also emphasised that there was an expectation that Boards complete a skills audit as a part of the regulatory frameworks and that it had also been identified as an area for improvement in the most recent internal audit service review.

The Search and Governance Committee was scheduled to meet on 31<sup>st</sup> March 2022 which included an interview of an applicant for the current Board vacancy. However, there would be additional vacancies that would arise during the rest of the calendar year.

Members were again encouraged to ensure that they respond to requests to complete surveys.

The Chair of the Audit Committee also highlighted the decision of the Audit Committee to adopt a watching brief of Governance as part of its Deep Dive schedule.

It was **RESOLVED THAT** the Skills Audit 2020/21 be noted and received and that the item be closed for this academic year.

## 21/52 **STANDING AGENDA ITEMS**

### 52.1 **Principal's Report**

The Principal provided a report to members of the Corporation with a general update, including the impact of the Coronavirus on college provision (circulated, document March 22/3).

The report provided detail on:

- COVID issues – 106 days lost pre-February half-term
- Teaching, learning and progress – introduction of online progress evenings
- Catering and food – issues had significantly reduced
- Residential CQC report
- Collective Grievance - update
- Joint Union Management Meeting (JUMM)

Discussion points included:

Were there any other staff issues that needed to be reported?

It was confirmed that there were not.

Retendering of the catering provision – would learners be involved in the process?

It was reported that this had been offered.

COVID – given the rising numbers and new guidance regarding routine testing and the challenges of obtaining tests an update was requested.

It was reported that the College did have a stock of tests, including PCR. Orders had been placed when possible and it was anticipated that the stock could last until May. The College would continue with the request that staff test regularly.

It was **RESOLVED THAT** the Principal's update report be noted and received.

### 52.2 **Student Numbers**

The Principal presented a report on the Student Numbers (circulated, document March 22/4).

Members were asked to note that the report indicated improved performance in comparison to the same time last year. At this point the data showed that there was the potential for a small level of growth for 2022/23.

The numbers of residential learners also showed an increase however, this was subject to the caveat of the complexities involved.

Discussion points included:

The complexities regarding the residential numbers – an indicative idea was requested.

It was confirmed that this related to the situations leading to the applications being more complex and not necessarily any complex learner presentations. Example situation included tribunals, or that an LA may not be supportive of the placement, higher fees would necessitate a more rigorous approach by LAs.

It was **RESOLVED THAT** the Student Numbers update report be noted and received.

### 52.3 QuIP 2021/22

The Principal reported on the Quality Improvement Plan (circulated, document March 22/5).

It was reported that the Quality and Standards Committee had considered this report, and updates were highlighted for ease of reference. There was nothing additional to report at this point.

It was commented that it was good to see Supported Internships supporting and leading to full time employment, which assisted and evidenced the work of the College regarding external engagement with employers and the local economy.

It was **RESOLVED THAT** update against the Quality Improvement Plan (QuIP) 2021/22 be noted and received.

### 52.4 Data Dashboard 2021/22

The Data Dashboard was considered (circulated, document March 22/4).

The following points were highlighted:

#### Making the Most of College Resources (MMCR)

- AEB performance had deteriorated slightly
- Additional Income performance had improved
- On forecast for the operational surplus percentage
- Sickness absence was above target
- Staff days lost to COVID related absence had increased
- Rate of appraisal completion remained static

Discussion points:

If COVID absence was removed from the sickness absence rate, would it be on target?

It was thought that the sickness absence excluded COVID, but this would need to be confirmed.

The College had seen an increase in absence due to other conditions, e.g., gastrointestinal, stress, skeletomuscular. The College continued its work relating to staff wellbeing.

#### Delivering Responsibilities in Partnerships (DRP)

- Classroom based safeguarding training was below target
- Completion of staff online safeguarding training was 100%

Discussion points:

Arrangements for Governor Safeguarding and Prevent training

Following a meeting between the Vice Principal Safeguarding and Pastoral Care, Safeguarding Manager and Clerk it had been agreed that the training offer would be developed to include face to face training delivered by the Safeguarding Manager. It had been suggested that this training would be delivered at the first Corporation meeting of the academic year with the option to 'catch up' during the autumn term for those unable to attend the meeting. This would be incorporated in the annual College training programme. There would also be a PowerPoint presentation that could be utilised throughout the remainder of the year, where there were membership changes.

It was also confirmed that the link for the online training (EduCare) had been reissued to Governors yet to complete the modules.

Improving Learning, Teaching and Assessment (ILTA)

- Learner attendance was below target but this was primarily attributable to COVID
- Observations were below target – attributable to lost days previously reported. 100% would be achieved by the end of the year.
- Specialist SEN qualification below target, due to recruitment issues and the time required to achieve Level 2

Working in Learner Centred Structures (WILCS)

- Observations were learning support is identified as 'Good' – below target, specific Pathway required improvement.

It was further emphasised that in terms of newly recruited staff the effect of COVID, revised ways of working and increased learner numbers had impacted the ability to support new staff and embed the college ways of working.

It was reported that in the three weeks post February half term COVID had not been a significant factor and it was highlighted that retention was at or above target.

Discussion points:

Do not undersell performance, there were areas where targets were met or exceeded.

Observations were learning support is identified as 'Good' – below target, it was important to support staff.

This was agreed and it was reported that revision to the management structure was also having an operational impact.

It was **RESOLVED THAT** the Data Dashboard 2021/22 update report be noted and received.

## FOR INFORMATION

### 21/53 STRATEGIC PLAN 2021 - 2024

#### ***Feasibility Study***

The Principal presented a report on the agreed Feasibility Study in respect of the capital work (circulated, document March 22/7).

The report detailed the work to date and included three appendices (documents produced by the successful architects).

The following points were highlighted:

- There had been a large, high quality, response to the tender, shift reduced to 8
- The company chosen had explicit knowledge of SEN
- A site visit had taken place on 22<sup>nd</sup> March 2022, which had included engagement with staff and students, observation of the college day, and discussion of sensory aspects
- Confirmation that any option for a new build would not deliver as much space as currently available (on basis of ESFAs ratios)
- Requirement for a Quantity Surveyor and expert land valuer (costs had been budgeted for)
- The current site and buildings provided numerous options
- It was anticipated that initial ideas would be shared in 7-10 days
- End of April for a substantially complete draft
- Timings were important in order to be in a position to apply for appropriate funding support should it become available
- SEN Green Paper was due for publication – this would need to be considered

Discussion points:

Funding was key given the parameters the College was required to work within. Participation in the recent Learning Walk by some governors had been helpful in providing an idea of the space available/needed.

It was suggested that any bid for funding would need to be the best it could be with well thought out and evidencing reasonings in support of the submission, especially where it may be outside of what was considered the norm.

It was confirmed that the architects had been requested to consider 'phasing' as part of any plans, and to factor in the need for work to be completed without decanting offsite.

It was **RESOLVED THAT** the update report on the Feasibility Study be noted and received.

## 21/54 QUALITY AND STANDARDS

### 54.1 Quality and Standards Committee Meeting – 9<sup>th</sup> March 2022

The Corporation noted the report from the Quality and Standards Committee (circulated, document March 22/8).

The report confirmed that the Committee had considered:

- Hereward Training
- Employability and Enterprise
- Learner Leadership (see minute 54.2)
- PSHE Policy – approved
- Deep Dives
- Draft Curriculum Strategy
- Quality Improvement Plan (see minute 52.3)
- Interim Internal Quality Review Report
- Projected Achievement and Pass Rates (see minute 54.3)
- Equality, Diversity and Inclusion Objectives

It was **RESOLVED THAT** report on the Quality and Standards Committee meeting, 9<sup>th</sup> March 2022 be noted and received.

### 54.2 Learner Leadership

The Vice Principal Safeguarding and Pastoral Care presented a report on the Learner Leadership activities that had taken place between September and February (circulated, document March 22/9).

This report had been considered in detail by the Quality and Standards Committee.

The report provided detail on:

- the issues raised in meetings between the Student Executive Committee and SLT and responses
- the detail of the activities delivered by the Peer Support Team

### *LOOP 2021/22*

A verbal update confirmed that after a hiatus due to COVID the LOOP survey would be completed this academic year.

The approach had been adapted so that the completion of the survey would be delivered and supported by College staff, with the report compiled by LOOP on the basis of the learner responses to the survey. This activity would be delivered w/c 21.03.22 by the staff working in the curriculum areas.

It was **RESOLVED THAT** Learner Leadership update report be noted and received.

### 54.3 Projected Achievement and Pass Rates

The Principal presented a report on the Projected Achievement and Pass Rates (circulated, document March 22/10).

This report had been considered in detail by the Quality and Standards Committee.

Highlights included

- The introduction of a new Advanced Practitioner role and the remit
- A further sensory review of all teaching spaces across college
- Interactive session with teachers on the Draft Curriculum Strategy
- Refreshed PSHE policy
- Positive response and feedback to the introduction of the Xello software package (used by learners and Job Coaches)
- Detail was provided on learners with an expected end date of June 2022 who had withdrawn

Discussion points:

It was highlighted that the Committee had welcomed the generic data provided regarding withdrawals and had noted the withdrawal of learners to transfer to mainstream provision.

It was noted that an additional point for consideration was the impact of withdrawal after 42 days (6 weeks) and that this would count towards performance statistics for the year.

It was queried if more could be done regarding withdrawals at the point of admissions to potentially identify where additional support/mitigating actions might be required.

It was agreed that this suggestion would be passed on to the Admissions service for consideration and feedback.

It was additionally suggested that it would be of benefit for members to have a presentation on the Admissions process.

It was **RESOLVED THAT**

- i. report on the Projected Achievement and Pass Rates be noted and received
- ii. a presentation from Admissions be arranged

## 21/55 FINANCE AND RESOURCES

### 55.1 Audit Committee Meeting – 14<sup>th</sup> March 2022

The Corporation noted the report from the Audit Committee (circulated, document March 22/11).

The report confirmed that the Committee had considered:

- Deep Dive – Safeguarding
- Future areas for Deep Dive
- Risk Management
- Internal Audit Service reviews
  - ❖ IT Data Security 02.21/22
  - ❖ Safeguarding, including Prevent Duty 04.21/22
  - ❖ Follow Up 05.21/22
- Progress against the Annual Internal Audit Service Plan 2021/22
- Progress against open recommendations
- Gifts and hospitality
- Publications

The Chair of the Committee confirmed that Safeguarding Deep Dive presentation had been very comprehensive and interesting.

He highlighted the findings and recommendation of the IAS Safeguarding report on Governor's completion of training. This referenced back to the detail provided against the Data Dashboard discussions, minute 52.4. The Committee had also noted the specific risks on the Strategic Risk Register regarding effective governance, leadership and management which had supported the decision to maintain a watching brief on governance as part of the schedule of Deep Dive presentations.

It was further highlighted that the IAS review on IT Data Security was a reassuring outcome with a reduced number of recommendations in comparison to what is typically seen.

It was **RESOLVED THAT** report on the Audit Committee meeting, 14<sup>th</sup> March 2022 be noted and received.

## FOR DECISION

### 55.2 Monthly Management Accounts

The Vice Principal Finance and Resources presented the Monthly Management Accounts for Month 7 (circulated, document March 22/12).

Detail of key issues included:

- The Financial health assessment
- The cash balance at the end of the period
- Banking covenants are being met
- Updated forecast and surplus
- Updates against previous reporting and current risks
- Current Position
- YTD position with detail on identified key issues including:
  - Income, expenditure, underspends and inclusion of prior year figures for comparison
- Full Year data with detail on identified key issues including:
  - Revised budget and forecast, student numbers, income and overspends
- 3-year plan
- Other issues, including the catering provision

Attention was drawn to:

- AEB performance
- LA income
- DSA performance
- High agency spend, due to challenges of the job market and staff absences, although this was offset by vacancy savings
- The creation of a project team to focus on recruitment for the next academic year and reduce agency cost

At the previous meeting consideration had been given to previous pay awards (during 2021), the wider economic and inflationary issues, including increases to National Insurance contributions and the national living wage, and whether the 1.5% award (September/October 2021) was sufficient.

The potential need for a 'phase 2' award had been acknowledged, but in the context of the current position and longer-term affordability.

The forecast included the impact of the increase to the National Living Wage and National Insurance rates from 1<sup>st</sup> April 2022.

**In response to this and in line with previous discussion the report included a proposed pay award of 1.25%, for which Corporation approval was requested.**

Further reasoning for the additional proposed pay ward included:

- The increase in the National Living Wage from the 1<sup>st</sup> April. This will impact pay spine points A18 and A19. In the absence of any other rate changes, this would mean the elimination of A18 as a spine point.
- National Insurance rate increase for employees resulting in a net reduction in take-home pay. Whilst the impact on net pay will depend on personal circumstances, it is estimated that a 1.25% pay award would result in a net increase for all staff below £34,000 per annum, with a greater net increase for the lowest paid staff (see Appendix One).
- Ongoing difficulties in staff recruitment are likely to be exacerbated by the minimum wage increase and associated wage inflation in the wider job market. Increasing pay rates from April will allow the increased rates to be advertised as part of an early recruitment programme for the 2022/23 academic year, with the aim of reducing agency usage and improving quality.

The in-year impact was confirmed, which would be offset by continuing vacancy savings. The estimated impact for 2022/23 (based on full staffing) was confirmed, and a revised 2022/23 forecast was provided, which included a number of possible scenarios for 2022/23.

Discussion points:

Given the high agency spend what controls and analysis were in place?

It was confirmed that there were a number of reasons for the recruitment difficulties experience, with one factor being pay rates. This was exacerbated for the College by the impact of the associated employer pension contributions, which was not always obvious to applicants when looking at the remuneration offered.

In addition, although the annual leave provisions could be seen as a benefit this also reduced the level of salary.

Exit interviews with staff leaving the organisation were being used for analysis, along with feedback from candidates who withdrew from a recruitment process. Benchmarking had also been completed for the lower paid grades, and mean/median pay ranges for similar roles place the College towards the bottom.

It was also noted that recruitment had been impacted by the increased availability of jobs.

It was advocated that rising inflation would further impact any benefit from the pay award.

It was queried if consideration had been given to price increases for inclusion in the budget for next year, i.e., would anticipated expenditure be increased?

It was reported that this was the case. Actions in relation to this included an increase to charge rates for new and restarting students in the forecast. This increase would be included in all new funding applications, but would not apply to returning students who are continuing their programme. Forecast agency costs had also been increased. The forecast included non-pay inflation as well as higher increases in catering, maintenance (30% increase on current year spend), and fuel costs.

Based on the assumptions detailed in the report, the revised forecast for 2022/23 included a forecast operating surplus, but that was a decrease when compared to the 3YP forecast. This forecast currently excluded any potential cost saving programmes, which would be investigated/considered between now and the production of the Draft Budget.



It was reported that a key point at the meeting of the Audit Committee had been inflation – how was the College dealing with this?

It was highlighted that forecast included non-pay inflation as well as for higher increases in catering, maintenance (30% increase on current year spend), and fuel costs.

Issues around the risks presented from the changes to Disability Support Allowance sector had also been factored in with the forecast now including the income at a reduced contribution %.

It was also confirmed that there would be an increase in the number of Element 1 and Element 2 funded places for 2022/23.

It was emphasised that without the current inflationary pressures the College would be in a stronger position.

It was suggested that whilst looking forward there could be economies of scale but it was critical to ensure that contracts with LAs reflected the real costs.

It was highlighted that LAs would not have any increase in budgets as they were in the second year of a three-year budget freeze.

It was reported that the Audit Committee had requested a Deep Dive on Costings (hourly rates) at its next meeting in June 2022.

It was suggested that a communication should be issued to staff to highlight that they should expect a turndown in their net pay as a result of the increased National Insurance contributions.

It was acknowledged that the current inflationary pressures had not been seen for 30+ years

It was advocated that any message to staff should also confirm the financial pressures that the College was facing and that the Corporation and Senior Leadership Team were doing the best they could for staff whilst mindful of the statutory responsibilities, not least of which was the solvency of the College.

It was queried when, if approved, the pay award would be implemented.

It was confirmed that the proposal was for the pay award to be implemented from 01 April 2022.

The Chairman proposed that the Corporation support the proposed pay award.

It was questioned when the next actuarial valuation of the pension scheme was due.

It was reported that this would need to be confirmed.

Finally, the Vice Principal Finance and Resources highlighted the position with regard to the catering provision.

As previously reported, the re-tender of the catering contract closed with no bids, and the current contractor also declined to tender. The feedback from the facilities management company, was that it is a challenging time for the sector, and, given the size of the contract, it is unlikely to be a very profitable contract.

The facilities management company have proceeded with a revised, shorter tender and have four potential bidders who have each visited the site. There was optimism that several proceedable bids would be received. Whilst the first tender was fully OJEU/FaTS compliant (the pre/post Brexit public procurement regulations) the second tender would be a shorter process than usually expected.

It was acknowledged that whilst the value of the contract did not require Corporation approval, members were requested to note that should a suitable bid be received, a new contract would be awarded through the revised bid process.

The external auditors had been informed and raised no concerns, other than to keep the Corporation informed.

The Chairman expressed the thanks of the Corporation to the Vice Principal Finance and Resources and her team for the work completed to deliver the report.

It was **RESOLVED THAT**

- i. the Monthly Management Accounts, Month 7, be noted and received
- ii. the revised process for the awarding of a Catering contract be noted and received
- iii. the proposed pay award of 1.25%, with effect from 01 April 2022 be approved
- iv. referencing the discussion points raised an email be issued to all College staff

## **21/56 SAFEGUARDING AND PREVENT UPDATE**

### **56.1 Safeguarding and Prevent Update**

The Vice Principal Safeguarding and Pastoral Care presented a Safeguarding Update Report (circulated, document March 22/13).

The report provided detail on a number of aspects:

- Safeguarding Overview
- Operational MDT (Multi-Disciplinary Team)
- Clinical MDT (Multi-Disciplinary Team)
- Safeguarding Week
- Keeping Children Safe in Education (KCSIE) consultation
- Internal Audit Service Review
- Safeguarding Deep Dive to the Audit Committee
- Link Governor visit
- Safeguarding data
- External referrals
- Staff and Governor Training

It was **RESOLVED THAT** the Safeguarding Update Report be noted and received.

### **56.2 Care Quality Commission**

The Vice Principal Safeguarding and Pastoral Care presented report on the Action Plan arising from the recent CQC inspection (circulated, document March 22/14).

The report highlighted the areas from the CQC inspection report that were identified as requires improvement. Under the areas of 'Safe' and 'Well Led' the action plan identified each area for improvement and highlighted the status of those actions.

It was **RESOLVED THAT** the CQC Action Plan be noted and received.

## **21/57 ANY OTHER BUSINESS**

Mr Sonecha updated the Corporation on the recent change to his employment.

## **21/58 DATE OF THE NEXT MEETING**

The date of next meeting was confirmed as Thursday 12<sup>th</sup> May 2022.

The Chair referenced the recent email from the Clerk confirming the intent to hold this, and future Corporation meetings on site at College, as far as possible.

However, it was emphasised that Governors must not feel obliged to attend onsite where this would present difficulties as there would be the continued option to attend via Microsoft Teams, making the meetings 'hybrid'.

He suggested that Committee meetings such continue to be facilitated via Microsoft Teams.

**Signed:**

**Chairman**  
**Date:**