

Minutes of: CORPORATION
 Date: 2nd February 2023
 Time: 5:30pm
 Place: Hybrid Meeting - L.316 and Teams



Present: Mr S Brand
 Mr P Cook MBE (Principal)
 Mr S Crick
 Mr M Crook (via Teams)
 Dr H Friend
 Mr I Meaton
 Mr I Pursglove (Chair)
 Mr K Sonecha
 Mr C Todd (Vice Chair) (via Teams)
 Ms N Williams

In attendance: Ms J Ferguson (Vice Principal, Safeguarding and Pastoral Care)
 Mrs R Herbert (Vice Principal, Quality and Curriculum)
 Mrs P Powditch (Interim Vice Principal, Finance and Resources)

 Mrs Y Doherty (Director of Governance)

22/33 APOLOGIES

Apologies for absence were received from Ms L Miervaldis.

22/34 DECLARATIONS OF INTEREST

Mr Crook's employment status, with University of Warwick, was noted.

On the basis of the business to be considered there were no declarations of interest.

22/35 MINUTES FROM THE PREVIOUS MEETING

The minutes of the meeting (circulated, document Feb 23/1) held on 8th December 2022 were considered.

It was **RESOLVED THAT**, the minutes of the meeting held on 8th December 2022 be approved.

22/36 MATTERS ARISING

22/31 *Any Other Business – External Governance Review*

It was reported that due to other priorities, Mr Brand had been unable to produce the report on options regarding external governance reviews.

This would be completed for presentation at the March meeting.

[ACTION]

SB

22/37 STANDING AGENDA ITEMS

37.1 Principal's Report

The Principal presented an update report (circulated, document Feb 23/2).

The report provided detail on:

- Annual Strategic Conversation
- Vice Principal Finance and Resources Recruitment
- National Education Union – Industrial Action
- Premier Inn
- Staff Survey – results and comparison

The attention of members was drawn to the Staff Survey, and in particular the bottom three responses.

It was reported that work was being completed to address identified issues.

It was emphasised that the survey was overwhelmingly more positive than that of 2019, especially in relation to Leadership and Management.

Discussion points included:

Staff Survey

Communication/resources

It was confirmed responses about communication were in regard to interdepartmental communication, which had improved since 2019, but there was a need to ensure that information sharing was timelier.

The need for improved resources was highlighted in the Accommodation Strategy (see minute 22/38), with the intention being to provide what was affordable.

The benefit of completing the process on an annual basis.

It was suggested that there was a need to consider what could be achieved/delivered in a year, and that COVID had impacted the schedule.

It was commented that conversely it may support the evidence of the impact of changes and that the management of expectations could support this, e.g. identifying what would be addressed over a longer period than the year between surveys.

It was agreed that this would be considered in parallel with the establishment of the new staff forum and its impact.

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

37.2 Student Numbers

The Vice Principal Quality and Curriculum presented a report on Student Numbers (circulated, document Feb 23/3).

It was highlighted that the data indicated a comparable position to the same time last year.

It was commented that the report was positive and that residential numbers also appeared to be maintaining.

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

37.3 Quality Improvement Plan 2022/23

The Vice Principal Quality and Curriculum presented a report on the Quality Improvement Plan (QuIP) (circulated, document Feb 23/4).

Attention was brought to the following points:

Page 1: the quote from the Head of Diversity and Inclusion, Whitbread PLC

Page 20: update to the data: work experience data indicates that 49% (43% reported) of learners had already had encounters with employers and 43% (34% reported) of learners have direct experience of the workplace.

This data was monitored weekly by the SLT.

Page 26: additional section covering the Prevent Duty.

Discussion points included:

Page 1: seven new employers – this was very good news.

It was reported that since the report there was a further new employer taking the total to eight.

Page 3: employer event, good to see the number of internship employers that had attended.

Page 4: improving use of the Xello software was positive.

Page 11: improvements in maths and functional skills; improved assessment and diagnostics – was this also about seeking to improve the teaching of English and maths/

This was considered a fair point, however, in terms of pedagogic practice the teachers possessed well-honed skills. The depressed outcomes from last year had been impacted by a number of factors including late exam entry, staff absence and temporary cover. The College was working hard in relation to English and maths, with the recent work with an Ofsted inspector identifying where actions could be accelerated. The quality and consistency of support had improved post COVID.

Page 13: retention of Tier 3 learners at 99% (73/74) was very positive.

Page 20: it was noted that the College was engaging with high quality employers.

Page 26: additional section covering the Prevent Duty.

Actions referenced training.

The chair raised the issue of Governors completing their training (which was also covered later in the Safeguarding Report). It was suggested that as the Governing Body had oversight of performance in this area, it was important the Governors completed the training. It was confirmed that there were a variety of ways in which completion of the training could be facilitated.

It was emphasised that Ofsted Inspectors would review this. All Governors yet to complete the Safeguarding and Prevent Training were requested to do so as a matter of urgency.

It was **RESOLVED THAT**

- i. the update report against the Quality Improvement Plan 2022/23 be noted and received;
- ii. a group action for Governors to complete outstanding Safeguarding and Prevent training by the next meeting (23 March 2023) was agreed. **[ACTION]**

Govs

37.4 Data Dashboards

The Data Dashboard was considered (circulated, document Feb 23/5). The following points were highlighted:

Improving Teaching, Learning and Assessment

Learner Attendance: target 90%

Currently 89% (Amber). The consultant Ofsted Inspector had indicated that expected attendance would be approximately 83%.

Attendance data was considered weekly by the SLT, with detail provided on individual learners to inform analysis and actions to address issues.

Working in Learner Centred Structures

% of observed lessons where learning support is identified as Good; did this include support plans to improve performance?

It was reported that the data was for December 2022 and that the number of observations had since increased. The outcomes were positive, with areas for staff development being led by the Curriculum Managers.

Were any common trends identified?

It was confirmed that where necessary issues were addressed holistically e.g. target setting. If there were specific issues they often related to the length an individual had been with the organisation and areas that required development.

It was also emphasised that the measure was for the quality of support in a specific classroom at a specific time (snapshot) and that analysis had highlighted the use of agency staff.

It was questioned if feedback had been provided to the agency.
This was confirmed and the individual may not be engaged by the College in future.

% of teachers/support staff/managers with a specialist SEN qualification – all below target (Amber)?

It was confirmed that newly appointed staff were undertaking, or were about to undertake specialist qualifications. The current data was still above the outturn for 2021/22.

Delivering responsibilities in partnerships

% of staff with current classroom based safeguarding training: target 100%

Currently 96% (Amber). This reflected newly appointed staff still to complete the classroom training.

Making the Most of College Resources

HR metrics

Sickness Absence Rate: slightly above target (RAG rated Amber)

Appraisal Completion Rate : below target (RAG rated Red), with the position being audited and followed up.

It was **RESOLVED THAT** Data Dashboard 2022/23 update report be noted and received.

FOR DECISION

22/38 STRATEGY

ACCOMMODATION STRATEGY 2023 - 25

The Principal presented the proposed Accommodation Strategy 2023-2025 (circulated, document Feb 23/6).

The following points were highlighted:

- The concerns of continued student growth above 340 learners had reduced due to two years of plateauing numbers and indications for next year's recruitment that reinforced this position. Therefore, the strategy contained information on how accommodation can be increased in quality rather than increased in capacity.
- The work in connection with the feasibility study had allowed the College management team to examine in detail the needs of learners from an accommodation perspective. This had been aided by the creation of two important strategies; the Curriculum Strategy and the Sensory Strategy. Both of these had informed the development areas within the Accommodation Strategy.
- The College had been awarded two capital grants and as a result the majority of the development areas identified in the Accommodation Strategy could be afforded over the period of time of the strategy. However, two areas of provision cannot be afforded at present. These areas are an outdoor classroom and the extension of the gym space.
- The architects had been requested to complete discrete pieces of work on which bids for funding could be made.

Discussion points included:

Merit in applying for government Levelling Up funding or lottery funding.

It was reported that all the Levelling Up funding for this year and the next had been allocated.

It was confirmed that the College was interviewing for a bid writer, which would also include identification of appropriate funding opportunities.

A bid for funding in relation to the outdoor classroom was in progress.

The position with funding via the ESFA was raised.

It was confirmed that the College had looked at funding opportunities when they were available, e.g. FE Transformation Fund, and had considered bidding as part of a consortium. The difficulty was not meeting criteria due to the low numbers of Level 3 learners.

This was raised with the ESFA on a continuous basis where appropriate.

The possibility of partnerships/sponsorship with big organisations was questioned.

It was reported that the College was working on relationships with organisations with this in mind.

Page 9: Sensory Strategy: Outdoor areas for stress relief for staff and students

'Consideration also needs to be considered for a similar space dedicated to staff use.

Improvements in this area are required before the end of this strategy in 2025.'

Given the satisfaction rating against resources in the staff survey, should consideration be given to achieving this sooner?

It was clarified that the survey response related to resources related to being able to perform the roles, which was different to the resources regarding staff welfare. It was confirmed that discrete outside space for use by staff was also to be identified.

It was noted that the Capital Programme (Appendix 1) indicated that Sensory Room / Staff Welfare were planned for (2023/24).

Page 10: Increase in car parking spaces

Should public transport/cycle schemes be considered?

This was agreed to be a good point, but the College did have a significant issue in relation to parking. It was considered that the proposal would provide more than was needed.

Reduction in spaces for disabled drivers, was there a legal minimum?

it was commented that it was believed that the requirement was for the provision to be adequate for needs.

It was reported that College analysis indicated that there was under usage of the current provision.

In creating the additional spaces would the College consider the use of 'green lattice' material that was environmentally friendly?

It was agreed that this would be raised with the Technical Estates and Facilities Manager for suitability in the area identified. The Technical Estates and Facilities Manager was aware of the council preference for permeable materials to be used.

Page10: Residential Provision

'student numbers.....continued to decline over the last three years and may now have stabilised at around the 10 to 13 level'

What did the business case document as the breakeven position?

As previously reported it was considered that 10 learners were required, and that there was a need to understand the options for use of the building.

It was requested that the Interim Vice Principal Finance and Resources provide assurance that this aspect of the Accommodation Strategy had financially achieved the metrics set out in the previous business case.

It was confirmed that a review of costings for ILS/residential included increases over the next three years.

Page 14: Appendix 1 Capital Programme
Lighting?

It was reported that considerable work had been completed with regard to lighting with the intention to ensure that the environment best met learner need. This was included within the Sensory Strategy.

Capital Programme – funding, if there were shorter delivery times would there be savings from quicker implementation?

It was reported that the costings tied in with the Management Accounts and going forward for the next two years. There was also a need to ensure compliance with the requirements of the bank covenants.

It was **RESOLVED THAT**

- i. the Accommodation Strategy 2023-25 be approved;
- ii. the Interim Vice Principal Finance and Resources provide assurance that in relation to the Residential aspect of the Accommodation Strategy, the financial metrics set out in the previous business case had been achieved. **[ACTION]**

PP

22/39 POLICIES

39.1 Equality Policy

The Vice Principal Quality and Curriculum presented the Equality Policy (circulated, document Feb 23/7).

It was **RESOLVED THAT** the Equality Policy be approved.

39.2 Health and Safety Policy

The Principal presented the Health and Safety Policy (circulated, document Feb 23/8).

It was noted that the Corporation reviewed and approved the Health and Safety Policy on an annual basis, at the start of the academic year. The policy approved in October 2022 had been subject to amendment. This was identified in red text on the second page, bottom left hand side.

It was **RESOLVED THAT** the Health and Safety Policy be approved.

22/40 GOVERNANCE

40.1 Report from the Selection Panel – Vice Principal Finance and Resources

The Chair provided an update on the recruitment process for the Vice Principal Finance and Resources position.

9 applications were received.

Shortlisting identified five for interview, subject to confirmation of qualifications from one candidate. That candidate was unable to meet the criteria.

One other candidate subsequently withdrew.

Preliminary interviews were held with three candidates on 25th January 2023 (via Zoom).

Final interviews were held with two candidates on 02 February 2023. The third candidate withdrew on the morning of the interviews.

The preferred candidate scored very well across the board, and also received good feedback from stakeholder panels (learners/staff/senior managers).

Individual Panel members feedback confirmed that the preferred candidate

- was considered the best 'fit'
- had a genuine appreciation of the skills and experience required and that this had been apparent at interview
- possessed technical skills wider than finance/accounting
- no direct FE experience but considered to have the capacity to learn, has extensive HE experience.

The Panel had considered the degree to which the requirements of the role were met against any potential need to re-advertise.

The preferred candidate was the unanimous choice of the Panel.

It was proposed that an offer be made, subject to the required pre-employment checks and agreed working arrangements with the Principal (less than full time hours).

It was **RESOLVED THAT**

- i. the preferred candidate be offered the position subject to the required pre-employment checks and agreed working arrangements with the Principal;
- ii. the CV of the preferred candidate be circulated to members once the offer was accepted.

40.2 Senior Post-holder Policies

Members considered the following policies (circulated, document Feb 23/9).

All policies had been reviewed against the AoC model policies developed by Irwin Mitchell LLP. The policies had also been reviewed against the policies applicable to other staff and by the HR Manager, from an HR perspective, to ensure parity of content and college wide consistency as far as is possible.

Revisions were identified using the track changes facilities.

The revised policies were shared with the SLT prior to distribution for approval.

40.2.1 SPH Disciplinary Policy

Minor revisions were identified to reflect the provisions in the policy applicable to the wider staff body.

Points raised:

6.5 – changes regarding investigation meeting.

It was reported that this was to confirm that a meeting would be held in all cases and to ensure that the provisions matched those in the staff policy.

40.2.2 SPH Grievance Policy

A number of revisions were identified to reflect the provisions in the policy applicable to the wider staff body.

Points raised:

2.3 – changes regarding when the policy would not apply.

- where the college is unable to exercise discretion – e.g. certain areas of law, should this include pensions

It was agreed that that as this was taken from the staff policy this would be clarified with the HR Manager.

2.3 – changes re the application of the policy if an employee has left the college and subsequently raises a grievance

- should the wording be strengthened / be more specific?

It was agreed that as this was taken from the staff policy this would be discussed with the HR Manager.

40.2.3 SPH Capability Policy and Procedure

The previous policy was approved by the Board in February 2021. The AoC issued a model policy developed by Irwin Mitchell LLP in August 2021. This has resulted in a considerable rewrite of the College policy as it also now included attendance. A review of the model against the existing policy, the other SPH policies and the College policy applicable to other staff had also been completed, with existing and applicable provisions included where appropriate.

It was **RESOLVED THAT**

- subject to any additional amendments as a result of liaison with the HR Manager the SPH policies (Disciplinary, Grievance and Capability) be approved;
- an update on any subsequent amends be provided under Matters Arising at the next meeting on 23.03.2023

[ACTION]

YD

FOR INFORMATION

22/41 GOVERNANCE

Report from the Search & Governance Committee meetings held on 3rd & 24th January 2023

Members considered a report on the recent meetings of the Search and Governance Committee (circulated, document Feb 23/10).

It was noted that the business had primarily focussed on Governor recruitment and support for current members in terms of attendance and engagement.

It was **RESOLVED THAT** the report on the recent meeting of the Search and Governance Committee, be noted and received.

22/42 FINANCE and RESOURCES

42.1 Monthly Management Accounts – Month 5

The Interim Vice Principal Finance and Resources presented the Monthly Management Accounts for Month 5 (circulated, document Feb 23/11).

Detail of key issues included:

- The Financial health assessment
- The cash balance at the end of the period
- Banking covenants are forecast to be met
- Updated forecast and surplus
- Updates against previous reporting and current risks
- Current Position
- YTD position with detail on identified key issues and inclusion of prior year figures for comparison
- Revised forecast and inclusion of prior year figures for comparison.

Discussion points included:

Clarification was sought with regard to the AEB income – indications that *‘this would be met or exceeded this year from both the EFSA and WMCA. Discussions with WMCA are underway in regard of an additional allocation’*

It was confirmed that there was scope for additional allocation from WMCA, but not the EFSA. Possibilities to how to address this, if possible, were being considered.

It was suggested that in terms of discussions regarding allocations, the position with regard to the financial year be confirmed to ensure there was clarity regarding the period during which this would need to be earned.

Not promoting a respite offer - why?
This was primarily related to staffing levels.

Triennial valuation of the LGPS scheme – was the figure provided for the employer cost April to July the full amount?

This was confirmed.

However, it had been confirmed that the drivers were the age profile of the workforce being 3 years older than average for FE. There was also an issue of having been assessed as a high financial risk; the College had provided evidence to challenge this and it was hoped that this would have some impact.

Staff survey – bottom three responses, 41% felt that the pay and benefits was fair. Were cost of living payments being considered for those in need?

It was highlighted that the report confirmed that consideration was being given to an in-year, non-consolidated cost of living payment, subject to affordability.

The following points were made:

Could any further non-consolidated award be tiered?

It was commented that the pay award given in the autumn term had been tiered and that there had been some unexpected kick-back to this.

This issues of affordability, perception, fairness, expectations and unintended consequences should be considered.

It was agreed that there was a need to recognise the staff and the cost of living pressures but that the 'message' associated with any additional cost of living payment would be key.

It was suggested and agreed that a report detailing a solid proposal be presented to the next meeting.

It was **RESOLVED THAT**

- i. the Monthly Management Accounts, Month 5, be noted and received.
- ii. a proposal for any additional (non-consolidated) pay award in the 2022/23 academic year be presented at the next meeting, with supporting detail as discussed. **[ACTION]**

PP

42.2 GDPR – Autumn Term Update Report

The Interim Vice Principal Finance and Resources presented a Data Protection update report (circulated, document Feb 23/12).

An update on progress included:

- The work of the Data Protection Group; including progress against the Action Plan 22/23;
- No reported breaches;
- 7 Data Subject Access Requests, with detail;
- Review and update of Privacy Notices;
- Archiving;
- Review of all policies.

It was noted that some of the Data Subject Access Requests were from firms of solicitors, this was queried.

It was confirmed that these were not related to the College, but were in support of separate issues.

It was **RESOLVED THAT** the GDPR/Data Protection update report be noted and received.

42.3 HR Report – Autumn Term 2022/23

The Interim Vice Principal Finance and Resources presented the HR report for the autumn term and the Grievance Policy and Procedure (circulated, document Feb 23/13).

HR Report

The following points were highlighted:

- Staff turnover rate of 0.45% for December 2022
- 2.22% of workforce with formal employee issues
- Vacancy rate of 19.65%
- Sickness absence rate of 4.92% for December 2022
- Core training completion rate of 88.98%
- A new HR system had been purchased.

Discussion points included:

The vacancy rate was high – how was this measured?

It was confirmed that this detail would be included in the minutes. The Interim Vice Principal Finance and Resources subsequently confirmed the following:

This is the 12-month cumulative rate, calculated by taking the new vacancies by month divided by the number of staff and adding the previous 11 months. The December rate for the month was 0.9%. Between March 2022 and February 2023, we had 26 leavers and 57 starters. Hours per week from leavers accounted for 681 per week and new starters 985 hours per week. Giving an increase of 304 hours in addition to leavers or 8.2 FTE over the same period.

The current format of the report (arrows) was confusing and did not identify any trends. Detail was provided in the supporting narrative.

It was **RESOLVED THAT** the HR Report - Autumn Term 2022/23 be noted and received.

22/43 SAFEGUARDING AND PREVENT

Safeguarding and Prevent Update Report

The Vice Principal Safeguarding and Pastoral Care presented the Safeguarding Update Report (circulated, document Feb 23/14).

The report provided detail on a number of aspects:

- Safeguarding Overview
- Operational MDT (Multi-Disciplinary Team)
- Clinical MDT (Multi-Disciplinary Team)
- Mental Health
- Safeguarding supervision
- Safeguarding data
- External Referrals
- Staff and Governor Training.

Meetings were planned with the Safeguarding Governor

Discussion points included:

'Behaviours of concern, how did this interact with the Positive Touch/Use of Reasonable Force policy?

It was confirmed that force/restraint were not used. The intent was to identify planned actions against risk, with behaviours managed and de-escalated.

This would be a last resort and only if learners themselves or others were at risk.

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

22/44 QUALITY and STANDARDS**Complaints Report Autumn Term 2022/23**

The Vice Principal Quality and Curriculum reported on the Complaints Report – Autumn Term 2022/23 (circulated, document Feb 23/15).

The report summarised the key headline data from complaints received by the College during the Autumn term 2022/23.

One complaint had been received, an increase of one in comparison with the Autumn Term 2021/22.

Detail was provided. The process was complete, with the complaint partially upheld.

Comparative data was provided.

It was **RESOLVED THAT** the Complaints Report Autumn Term 2022/23 be noted and received.

22/45 ANY OTHER BUSINESS

The Vice Chair raised the appointment of the new Vice Principal Finance and Resources. As a start date was unknown, it was unclear how long the Interim Vice Principal Finance and Resources would remain in post.

He, and the Chair formally thanked Mrs Powditch for her work to date and the immense contribution she had made so far, this academic year.

The Vice Chair raised the tenure of the Chair. As previously agreed and resolved Mr Pursglove had extended his term of office until the successful appointment of a new Vice Principal Finance and Resources.

Mr Pursglove would remain Chair until the end of February 2023 to conclude any 'administrative' actions as required.

This would therefore be his last meeting. He thanked Mr Pursglove, on behalf of the members for his stewardship.

The Principal also asked that the immense contribution made by Mr Pursglove, in terms of guidance and support, in both meetings and outside, be acknowledged and recognised.

Mr Todd would assume the role of acting Chair from 01 March 2023, until a new Chair was appointed.

22/46 DATE OF THE NEXT MEETING

The date of the next meeting was confirmed as Thursday 23rd March 2023.

Signed:

Chairman

Date:

22/36 MATTERS ARISING

22/31 Any Other Business – External Governance Review

It was advocated that it would be of significant benefit to prepare for this sooner rather than later. It was further suggested that there may be merit in commissioning an informal review in advance of any 'official external review', which would allow for the identification of areas for improvement.

It was requested that **Mr Brand produce a report** for the Corporation to consider and determine the course of action. This could be dealt with either by correspondence or at the next meeting of the Corporation.

SB

Update:

22/37 QuIP

37.3 Governor Training

A group action for Governors to complete outstanding Safeguarding and Prevent training by the next meeting (23 March 2023) was agreed.

Govs

Update:

22/38 STRATEGY: Accommodation Strategy 2023 - 25

Page10: Residential Provision

'student numbers.....continued to decline over the last three years and may now have stabilised at around the 10 to 13 level'

Was there a business case and what was the breakeven position?

As previously reported it was considered that 10 learners were required, and that there was a need to understand the options for use of the building.

It was requested that the Interim Vice Principal Finance and Resources provide assurance that this aspect of the Accommodation Strategy had financially achieved the metrics set out in the previous business case.

PP

Update:

22/40 GOVERNANCE

40.2 Senior Post-holder Policies

The Director of Governance to liaise with HR Manager regarding the points raised and an update on any subsequent amends be provided under Matters Arising at the next meeting on 23.03.2023.

YD

Update:

22/42 FINANCE and RESOURCES

42.1 Monthly Management Accounts – Month 5

A proposal for any additional (non-consolidated) pay award in the 2022/23 academic year be presented at the next meeting, with supporting detail as discussed.

PP

Update: