

Minutes of: CORPORATION

Date: 14<sup>th</sup> May 2020

Time: 5:00pm

Place: via Microsoft Teams (COVID 19)

Present: Mr S Brand  
Ms M Cook  
Mr P Cook (Principal)  
Mr W Horne  
Mr R Jones  
Ms J Lewis-Bell  
Mr M Maffey  
Mrs L Miervaldis  
Mr I Pursglove (Chair)  
Mr C Todd (Vice Chair)

In attendance: Ms R Herbert (Vice Principal, Quality and Curriculum)  
Ms J Taylor-Farren (Interim Vice Principal, Finance and Resources)  
Mrs Y Doherty (Clerk to the Corporation)



#### **19/34 APOLOGIES**

Apologies for absence were received from Ms K Ainge and Mr D Skinner.

#### **19/35 DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **19/36 NOTES FROM THE PREVIOUS MEETING**

The notes of the meeting of 2<sup>nd</sup> April 2020 (circulated, document May 20/1) were considered.

It was **RESOLVED THAT** the notes of the meeting of 2<sup>nd</sup> April be approved.

#### **19/37 MATTERS ARISING**

Reference was made to the use of Zoom for online teaching/meetings and an assurance sought that given the reported security issues with this platform that the College had taken all reasonable steps with regard to the use of appropriately secure systems.

It was noted that Zoom had recently been upgraded to address security concerns, however, the College encouraged the use of Microsoft Teams and this had been identified as part of the addendum to the Safeguarding Policy to be considered later in the meeting.

A potential issue in relation to the security of home routers was also raised, particularly consideration of changing passwords from default. It was suggested that this be shared with staff as many were working from home.

#### **19/38 VICE PRINCIPAL FINANCE & RESOURCES APPOINTMENT**

The Chair reported that a number of applications had been received, with an agreed shortlist of candidates who had a wealth of experience.

The process was intended to include the completion of psychometric tests that focussed on a preferred style of working, a written exercise and meetings with staff and students. However, it was acknowledged that the current restrictions with regard to COVID 19 meant that visits to the college and meetings with staff and students would need to be postponed. At this stage the lockdown uncertainty meant that the process could be delayed until September 2020.

It was **RESOLVED THAT** the update on the Vice Principal Finance and Resources appointment be noted and received.

## 19/39 GOVERNOR APPOINTMENTS

The Chair reported on the recent meeting of the Search and Governance Committee and recommended Governor appointments (circulated, document May 20/2).

A sector recruitment agency, Peridot, was appointed to identify potential governor applicants to fill the two Board vacancies. The recruitment process was to focus on the delivery of specific skills that were recognised as being needed, these being SEN experience and additional qualified financial expertise.

The recruitment campaign resulted in seven applications. All applicants were interviewed. The unanimous opinion of the Committee was that the recruitment campaign had delivered a number of very strong candidates. Questions had explored their motivation to apply, the skills they could bring to the Board, where they felt they could support the College to improve, understanding of the role of a Governor, and what they hoped to achieve from such an appointment.

Following interviews the Committee had robust and detailed debate with regard to which of the candidates should be recommended for appointment to the Board.

The Committee was recommending four appointments. One to the Corporation, one to the Corporation and Audit Committee to fill the vacancies, and two as co-opted members of the Audit Committee. They would be appointed for a four year term with effect from 15<sup>th</sup> May 2020.

Details were provided on the individuals, including their skills and experience.

Discussion points included what recourse was available should any of the new appointees resign within a short space of time.

It was acknowledged that there was no provision for this in the contract. It was agreed that the Clerk would follow this up with the recruitment agency.

It was **RESOLVED THAT**

- i. Dr K Farr-Canning be appointed to the Corporation, for a four year term, with effect from 15<sup>th</sup> May 2020
- ii. Mr S Crick be appointed to the Corporation and Audit Committee , for a four year term, with effect from 15<sup>th</sup> May 2020
- iii. Mr K Sonecha be appointed to the Audit Committee, for a four year term, with effect from 15<sup>th</sup> May 2020
- iv. Mr M Crook be appointed to the Audit Committee, for a four year term, with effect from 15<sup>th</sup> May 2020
- v. Potential recourse should any of the new appointees resign within a short space of time to be followed up with the agency by the Clerk.

## 19/40 STANDING AGENDA ITEMS

### 40.1 Principal's Report

The Principal provided a summary report to members of the Corporation of actions, processes and communications to date regarding COVID 19 (circulated, document May 20/3).

This included:

- Progress to date
- Current operation model
- Holiday provision
- Remote learning and the Virtual College
- Safeguarding and Risk Assessments
- Free College Meals
- Admissions
- Furlough
- Examples of work being completed with learners

Attention was drawn to

- Data on learner and staff numbers that had medical issues, dependents etc. that meant that they were at greater risk re COVID 19. This was relevant with regard to total headcount and the challenges this would present in relation to allowing the College open to more than those who had attended throughout the lockdown.
- Work on adopted a phased approach to increasing learner numbers was in progress and would utilise the risk assessment process.
- It was anticipated that the College would continue to operate over the May half-term break.
- Issues with free college meals that were dealt with on a case by case basis.
- Work to progress the continuation of an effective Admissions process.

Discussion points included:

In terms of Admissions how much modelling work had been completed on the longer term impact of COVID 19 and the position for September 2020?

It was confirmed that modelling work was in progress, which included the assessment of classrooms with regard to the current requirements for social distancing. It was stated that unless significant revisions were made to the social distancing requirements it would necessitate a dramatic reduction in class sizes.

In addition the number of 'shielded learners' and staff also needed to be considered.

At this stage the College did not have the capacity to open to all learners.

However, it was recognised that the decision to attend college remained that of the learners and their families.

How much PPE was available to meet need?

It was reported that the College had 30 full sets of PPE which included gowns, gloves and facemasks. This was felt to be adequate and was being reserved for any instance where the learners currently attending college might show symptoms.

The ability to obtain more?

It was confirmed that this would be possible as more was known about potential need.

The mental health of learners and staff?

The position with regard to learners was covered in a later report

Staff were being monitored by managers. Some issues had been identified. Reassurance was offered, differing circumstances acknowledged and the recognition of a need for flexibility from everyone emphasised. Consideration was also being given to how the College could better show an appreciation of the need for balance. Work with regard to this had highlighted some light-hearted initiatives, including online activities including competitions and yoga.

Staff and student members were asked to comment

Reassurance was sought that even if a reduced number of learners were to return to College would a system be in place to manage it?

It was confirmed that this would be the case, and actions such as staggered start times, breaks and lunch and the continuation of blended learning which included elements of remote learning were being considered. However, this would need to be agreed with the LAs, which would be reported to the Board.

It was confirmed that most staff trusted the SLT to make the correct decisions, with most wanting to return to College. The potential issues relating to transport, especially should the day be staggered were raised.

This was acknowledged to be an issue, not only for the families but also in terms of timetabling, teaching, learning and achievement.

It was recognised that this was not a unique challenge – but would be the same across all education providers. It was noted that schools were working to a much tighter deadline. It was also emphasised that this was not only about the learners, and that staff might have issues with returning to College. All of this would need to be considered on a case by case basis.

The issue of additional funding for the delivery of provision over the holiday periods (Easter and May half-term) was questioned.

It was reported that a number of issues had been identified which needed further exploration, and it was confirmed that additional funding was provided.

It was requested that the Corporation formally record its thanks to the management for maintaining the delivery of the provision and that on the basis of the information provided there was confidence that the next steps would be considered appropriately.

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

#### **40.2 Quality Improvement Plan 2019/20**

The Vice Principal Quality and Curriculum presented an update on the QuIP 2019/20 (circulated, document May 20/4).

It was acknowledged that the update was not as comprehensive as would have been preferred.

Points highlighted included:

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- Work-based Learning provision necessitated innovative methods to maintain engagement.
- Modifying the internship provision was under consideration and discussions were taking place with the LA. The proposals included learners being in College for a full term and into the workplace from January 2021. It was anticipated that the same number of offers would be made (42).

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- The initiative with Warwick University: 'Headsprout'. This had been postponed until the new academic year.

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- Construction work with regard to curriculum developments continues albeit at a reduced scale.
- Warwickshire Flexible Learning Team continued to work with the College with regard to placing learners with complex presentations that had not been in an educational setting for some time.

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- The College continued to support the development of staff expertise.

*Page 16*

- Risk assessments had been completed for every learner which had been a collaborative cross college process.

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- May Training Day

This was to be dedicated to staff mental health and wellbeing. Work with the Educational Psychologist had been completed, with videos created for teaching and ILS staff. It was intended that the training day would still go ahead as far as possible with options for remote delivery being investigated.

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- The data with regard to Governor training remained unchanged.

Discussion points included:

The impact on employer engagement when it was a small employer and the effects of the lockdown.

It was confirmed that this was recognised as a possible issue, with many small employers under significant strain. The College was continuing to develop and maintain links wherever possible.

There had been several mental health training initiatives in progress; including PBS, was it possible for these to continue?

It was reported that prior to February half-term some staff had completed training with regard to learners with complex needs, and undergone supervisory session, and it had been intended that to replicate this over the year. A remote session was planned for the May training day, with the results of a survey informing the content.

The PBS training was facilitated online so this continued.

What if anything was being provided for learners outside of the learning context who were missing their peer community?

It was confirmed that the Peer Support Team was still operational, with the development of a 'virtual transition' for those learners scheduled to join the College in September. There were also numerous Microsoft Teams meetings taking place, with teachers supporting creative and innovative means of communication between learners.

It was **RESOLVED THAT** the update report on progress against the Quality Improvement Plan 2019/20 be noted and received.

### 40.3 Student Numbers

The Vice Principal Quality and Curriculum presented a report on the Student Numbers (circulated, document May 20/5).

- One withdrawal since the last report
- The report indicated 11 residential learners – these were ESFA funded. There are 12, one is self-funding.
- Forecast:
  - 121 applications
  - 93 returners
  - 96 restarts
- The restarts were more complex, especially with regard to agreeing funding. There was confidence that the College could offer a programme of progression, but this would need to be agreed with by the LA

Discussion points included:

It was considered that this was a reasonably healthy number of applications but the conversion rate was crucial.

It was acknowledged that this was difficult to determine. The position was being closely monitored, especially with regard to the number of residential learners. It was anticipated that the position with regard to 'local' learners was there would be dialogue in relation to costs.

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

### 40.4 Data Dashboard 2019/20

The Data Dashboard was considered (circulated, document May 20/6).

Discussion points included:

The drop in additional income earned, and later reports that indicated where savings could be made – could this be reflected in the Data Dashboard?

It was suggested that this would not be appropriate in this report.

Again in relation to the drop in income – had any savings been achieved via the furlough scheme? This was confirmed with detail provided, including that it only applied to staff that were not paid from statutory funding.

% of observed lessons where effective consideration is given to Equality and Diversity.

The figure was unchanged – was this the same data or proportion, and what action was planned as it remained under target?

It was confirmed to be the same proportion. The issue was that there was not **explicit** reference to FBV and therefore learner need was not met. It was considered necessary for this to be **overt**, and the observations had identified that opportunities were missed.

Classroom based safeguarding training was 99% - reasons for it not being 100%?

This was due to staff who had unable to attend the last classroom session.

The monthly retention statistics were decreasing which was arguably evidence of the work completed to retain learners, what were the future expectations?

It was agreed that performance was testament to the work of staff to keep learners on programme, and it was not anticipated that there would be any significant change.

It was acknowledged that the current circumstances meant that it was difficult to report on attendance, but it was intended that there would be an analysis of engagement with online learning by the end of the year.

Annual teaching hours utilisation?

Again it was recognised that this could be difficult to calculate this year.

It was **RESOLVED THAT** Data Dashboard 2019/20 update report be noted and received.

#### 19/41 STRATEGY

##### 14- 16 Offer

The Principal provided an update report on potential opportunities to fulfil strategic objectives of 3.2, 3.3, 3.4 and 3.5 of Strategic Plan 2019 - 2021 (circulated, document May 20/7).

**The confidential nature of the report and that it should not be discussed outside of the meeting was emphasised. See confidential minute (attached as an annex and not for publication).**

#### 19/42 SAFEGUARDING AND PREVENT

##### 42.1 Safeguarding Update

The Corporation considered the Safeguarding Update Report (circulated, document May 20/8).

The report provided detail on a number of aspects:

- Operational MDT (Multi-Disciplinary Team)
- Clinical MDT (Multi-Disciplinary Team)
- Local Authority 157 Audit
- Young People and Adults at Risk Safeguarding Policy Addendum COVID 19
- Safeguarding Data
- External Referrals
- Internal Safeguarding concern categories
- Staff and Governor Training.

The point of board effectiveness and self-assessment was raised given that Governor completion of the Safeguarding training was not 100%.

It was confirmed that all Governors with outstanding training had been contacted again with the necessary information in order to complete the training. One had already started to complete the required modules.

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

##### 42.2 Addendum to the Safeguarding Policy (COVID 19)

The Corporation considered the Young People and Adults at Risk Safeguarding Policy Addendum COVID 19 (circulated, document May 20/9).

It was confirmed that this had been developed in response to information published by the Department for Education. It made particular reference to online safety covering aspects such as the recording of online teaching/learning and the use of appropriate software.

One typographical error was identified on page 6.

It was **RESOLVED THAT** subject to the amendment of the typographical that the Young People and Adults at Risk Safeguarding Policy Addendum COVID 19 be approved.

### **42.3 Safeguarding Risk Assessment Report**

The Principal presented a report on the completion of the safeguarding risk assessments (circulated, document May 20/8a).

- The College had been required to conduct a risk assessment of all of its learners using 5 key questions supplied by the Government via the Local Authority.
- The new risk assessment process has identified a number of learners of concern the majority of which were connected to family resilience.
- A further analysis was needed of the effects of non-delivery of non-medical aspects of the Education, Health and Care Plans of learners and this was planned for the 15<sup>th</sup> May.
- The risk assessment process had proved to be a worthwhile exercise and the methodology would be continued until the end of the academic year.

It was reported that College was in contact with families and where there were specific issues necessary action was taken. Examples were provided. It was also highlighted that the question with regard to the EHCP provision had proved to be the most difficult to assess.

It was commented that the report provided reassurance.

It was **RESOLVED THAT** the report on the completion of the Safeguarding Risk Assessments be noted and received.

## **19/43 QUALITY AND CURRICULUM**

### **Complaints Spring Term 2019/20**

The Vice Principal Quality and Curriculum reported on the Complaints Report – Spring Term 2019/20 (circulated, document May 20/10).

The report summarised the key headline data from complaints received by the College during the Spring term 2019/20

The number of complaints received by the College during the Spring term totalled 1. This was an increase in the number of complaints received in the Spring Term compared to the previous two years.

Comparative data was provided.

It was **RESOLVED THAT** the Complaints Report Spring Term 2019/20 be noted and received.

## **19/43 FINANCE and RESOURCES**

### **43.1 Monthly Management Accounts**

The Interim Vice Principal Finance and Resources presented the Monthly Management Accounts for Month 8 (circulated, document May 20/11).

The report detailed the forecast outturn position based on the first eight months of the year and assumptions about the remainder of the year.

A summary of the position at the end of March was provided.

Detail of key issues included

- Forecast operating surplus
- The Financial health assessment
- The cash balance at the end of the period
- Banking covenants are met

It was highlighted that at the time of the report much uncertainty still existed and the SLT were monitoring developments on a day by day basis. It was considered unlikely that the College would be operating to full capacity before the next academic year and the forecast had been prepared on that basis.

Figures reflected adjustments which have been made in response to the COVID19 pandemic, including:

- Loss of externally generated income including that generated from lettings, bookings, respite and DSA assessments
- Loss of student income generated from third parties
- Additional staff cost savings including agency costs, external contractors, sessional staff costs, overtime etc.
- The cost of covering vacancies and sickness has been eliminated in the short term.
- Other cost savings covering transport, travel, marketing and training

It was reported that the results for the year could be further impacted by a movement on reserves. Some of which was already reflected in the figures.

The college may incur additional costs as it prepares for a different way of delivering education and keeping the staff and students safe

At this stage limited work had been completed on the capital programme.

Additional risks had been identified and were being regularly monitored, detail was provided.

Some previously identified risks had now been eliminated, detail was provided.

Detail of the other key risk aside from COVID 19 was earning AEB income.

It was concluded that at this stage of the year a healthy surplus was forecast, which would support the College's financial health. The impact of COVID19 on this year's results was estimated to be negligible if all of the protections on income materialised. It needed to be noted, however, that there would likely be a significant impact on the budget for 2020-21.

Discussion points included:

The potential for reserves to reduce despite generating a surplus.

It was reported that more detail would be known once a complete review had been completed which could include changes to funding as a result of withdrawal, absence or amendments to support requirements.

AEB income and the impact for the demand to increase as a result of furlough and unemployment. This was recognised, however there remained current issues such as the pressures on those learners working in Health and Social Care and the impact on learning. Nevertheless the College was continuing to increase recruitment.

Capital spend – would this be achieved?

It was reported that there could be issues of timing, especially given the restriction in place. The College was keen to continue where possible but this would be determined by if need could be met. Tasks were being prioritised and the impact on depreciation considered.

Capital spend – Lighting: forecast £9k spent £15K, explanation?

It related to the cost of installing energy saving lighting.

Risks associated with residential funding and confidence that this would be received. It was confirmed that there had been a very good response from the LAs with the majority having paid.

Attention was drawn to the banking covenant relating to the loan. It was confirmed that there was a continued focus on the debt service cover and the current pressure to ensure that this was achieved.

It was confirmed that this had been discussed with the bank, and that remodelling would be completed.

The question of the risk associated with a tight cash flow was raised.

It was confirmed that the discussion with the bank had agreed that a detailed cash flow up to the end of April would be completed as more detail was known at that point.

The bank were looking for assurance that the cash generated in year would cover the debt service.

The Corporation formally thanked the Interim Vice Principal Finance and Resources and her team for their continued hard work in the challenging circumstances.

It was **RESOLVED THAT** the Month 8 Management Accounts be noted and received.

#### **43.2 Fees Policy**

The Interim Vice Principal Finance and Resources reported on the Fees Policy (circulated, document May 20/12).

It was reported that the Fee Policy had been reviewed for 2020/21 and updated in line with the funding rules issued by the ESFA. Minor amendments had been made as highlighted in the document.

Fee income had always represented a very small element of the College's total income.

The Fee Policy also referred to overseas and privately funded students who were costed on an individual basis based on an assessment of their needs.

It was suggested that the cost per Guided Learning Hour seemed low.

It was confirmed that new rates had been published subsequent to the distribution of the policy and that this now needed amendment.

It was **RESOLVED THAT** subject to the amendments required on the basis of the new rates the Fee Policy 2019/20 be approved.

#### **43.3 GDPR/Data Protection Update**

The Interim Vice Principal Finance and Resources presented the GDPR/Data Protection Update report (circulated, document May 20/13).

Detail included:

- work in progress;
- No reported breaches;
- 4 Data Subject Access Requests, with detail
- Mental Capacity Act
- Training data
- Progress against the Action Plan for 2019/20

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

**43.4 Grievance Policy**

The Interim Vice Principal Finance and Resources reported on the Grievance Policy and Procedure (circulated, document May 20/14).

It was reported that the Grievance Policy and Procedure was reviewed on a biennial basis. One amendment was highlighted and reflected the option to ask an employee to work in another location whilst a grievance was being investigated

It was **RESOLVED THAT** the Grievance Policy and Procedure be approved.

**19/44 GOVERNANCE****Proposed Schedule of Meetings 2020/21**

The proposed schedule of the Corporation meetings 2020/21 was considered (circulated, document May 20/15).

Points included:

- For the 2020/21 academic year it was proposed that the agreed schedule of Corporation meetings from 2019/20 be maintained.
- The provisionally proposed dates for the Corporation meetings in 2020/21 were provided, with finalised dates to be presented for approval at the Corporation meeting in July 2020.
- The schedule of meetings from 2019/20 for the Audit Committee and Quality and Standards Committee should also be maintained, with specific dates to be identified separately.

It was **RESOLVED THAT**

- i. the proposed schedule of Corporation and Committee meetings for 2020/21 be noted and received;
- ii. finalised dates for the 2020/21 meetings be presented for approval at the meeting of the Corporation on 2<sup>nd</sup> July 2020.

**19/45 ANY OTHER BUSINESS**

There was no other business for consideration.

It was noted that it was anticipated that the next meeting of the Corporation would again be facilitated via Microsoft Teams.

The newly appointed governors would be invited to attend.

**19/46 DATE OF THE NEXT MEETING**

The date of next meeting was confirmed as Thursday 2<sup>nd</sup> July 2020.

**Signed:**

**Chairman**

**Date:**