

Minutes of: CORPORATION
 Date: 13th May 2021
 Time: 5:00pm
 Place: via Microsoft Teams (COVID 19)



Present: Mr S Brand
 Mr P Cook (Principal)
 Mr S Crick
 Mr M Crook
 Mr R Jones
 Ms J Lewis-Bell
 Mr I Pursglove (Chair)
 Mr D Skinner
 Mr C Todd

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

20/48 APOLOGIES

Apologies for absence were received from Ms Carr-Fanning and Ms Cook.

20/49 DECLARATIONS OF INTEREST

As previously minuted Mr Crick's employment was noted.

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

20/50 MINUTES FROM THE PREVIOUS MEETING

The minutes of the main Corporation meeting (circulated, document May 21/1) held on 25th March 2021 were considered.

It was **RESOLVED THAT**, the minutes of the main Corporation meeting held on 25th March 2021 be approved.

The minutes of the confidential Corporation meeting (circulated, document May 21/2) held on 25th March 2021 were considered.

It was **RESOLVED THAT**, the minutes of the confidential Corporation meeting held on 25th March 2021 be approved.

20/51 MATTERS ARISING

Change Management Appraisal

It was reported the Remuneration Committee met on 31st March 2021 to consider a Change Management Appraisal (CMA). A report from this meeting and the recommended approval of the CMA was distributed electronically to Corporation members on 1st April 2021.

It was confirmed that the Change Management Appraisal had been approved.

20/52 **STANDING AGENDA ITEMS**

52.1 **Principal's Report**

The Principal provided a report to members of the Corporation with a general update, (circulated, document May 21/3).

The report provided detail on:

- Covid Update
 - Testing; reduced staffing and small contingency for on-site testing
 - Impact on attainment and catch up; potential 10% reduction, commitment of staff to improve the position, AoC survey learners between 1 – 4 months behind, issues with practical learning and the allocation of resource to address this
- Admissions
 - Buoyant, increase of last year maintained
- Developments over 2020/21 academic year
 - 14 – 16, anticipated successful progression, cohort of 5, 2 retained with the College, 3 to vocational courses at mainstream colleges
 - Integrated IT strategy, use of tablets and specific software packages to monitor and record progress
 - Behaviour management policy linked to risk assessment
 - Birmingham office for DSA assessments

Discussion points included:

Potential decrease in attainment – benchmarking data?

It was reported that there was currently very little data and this was not expected until the autumn. It was known that there were issues with courses that had a significant practical element, such as engineering and construction. The potential reduction was of concern and work was progressing to maintain or improve pass rates. The college had the financial capacity to support this. It was highlighted that the college provision was very different to other specialist colleges, being most similar to a GFE without the larger provision of subjects such as engineering and construction.

The potential for students to need to repeat the year or the risk of being refused progression opportunities. Was recruitment at risk from this and the potential for applicants from schools repeating Y11 or Y13?

It was acknowledged that these were all factors but it was considered to be relevant to a small number.

The number that had not attained as would have been hoped was single figures. Discussions on returners and possible bespoke plans for those that did not achieve were in progress.

Potential restarts (achieved qualification and progressing) were being worked through.

It was highlighted, for note, that Ofsted was undertaking a thematic review of colleges where there had been historic sexual abuse allegations. It was considered important that this be noted and suggested that this be considered, as necessary, as part of the safeguarding agenda item.

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

52.2 **Quality Improvement Plan (QulP)**

The Vice Principal Quality and Curriculum reported on the Quality Improvement Plan (circulated, document May 21/4).

The following points were highlighted:

- Launch event for Birmingham employers (page 1).
- First Supported Apprenticeship at College (Receptionist) (page 1).
- Feasibility study for T levels (page 5)
- Improvement of IT infrastructure and impact (page 16)

- Use of software to record progress and the intention to widen use in 2021/22 (page 20)
- External placements

Discussion points included:

List of employers – include the local authority?

It was confirmed that there was the as part of the developing relationship with the LA there was the potential for this to be considered.

Birmingham employer event – did this link to the update provided in the Principal's report?

It was reported that the location in the Custard Factory would have a dual purpose, being utilised for DSA assessments and as a base for interns that had placements with employers located nearby, e.g. West Midlands Police, this would allow them to complete the college based programme closer to the placement, rather than to travel to the College campus in Coventry.

Supported apprenticeship and the collaboration with the training provider and financial implications (page 4)

It was confirmed that this had been addressed and the first supported apprenticeship vacancy identified. The existing relationship had also supported college employees as Teaching and Learning apprentices.

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

52.3 Student Numbers

The Vice Principal Quality and Curriculum presented a report on the Student Numbers (circulated, document May 21/5).

It was reported that the data reported was as at the end of April 2021.

The forecast for 2021/22 indicated a potential for 317 learners.

At this stage it was anticipated that there would 109 returners and 125 restarts (progression).

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

52.4 Data Dashboard 2020/21

The Data Dashboard was considered (circulated, document May 21/6).

The following points were highlighted:

Improving learning, teaching and assessment

- There was little change
- Position for Functional Skills was above target

Working in learner-centred structures

- Retention rates for learners with mentor support was 98%
- Retention rates for learners with clinical intervention was 100%
- Rate of classroom based safeguarding training had improved

Making the most of college resources

- AEB forecast
- Improved surplus
- Improved appraisal completion rate

It was **RESOLVED THAT** Data Dashboard 2020/21 update report be noted and received.

20/53 SAFEGUARDING and PREVENT

The Vice Principal Safeguarding and Pastoral Care presented a Safeguarding Update Report 2020/21 (circulated, document May 21/7).

Points highlighted included:

- 157 Local Authority Safeguarding Audit, although not complete early indications were grading as 'good' with elements of 'outstanding'.
- Increase in external referrals with return to on campus delivery.
- Increase in issues of behaviour, attributable to COVID and the impact of the necessary changes.
- High level of concerns relating to health, which was considered to be linked to heightened awareness of own physical well-being.
- High level of concerns relating to mental health, again thought to be attributable to COVID and the impact of the necessary changes.
- Delivery of face to face staff training would remain a focus for the remainder of the academic year.

Discussion points included:

Peer on peer abuse – what action was taken and could the risk be managed?

It was reported that the two incidents related to one learner and work was continuing with the individual.

Safeguarding data indicated 91 concerns for the reporting period. Was this in line with previous data, could comparative data be provided?

It was confirmed that due to system issues it would be difficult provide comparable data.

It was acknowledged that the data covered eight weeks and was quite high, however this was to be expected with the return to campus.

It was considered to be in line with the position of other colleges.

Opportunities for the Peer Support Team (PST) to assist with issues relating to COVID and learner anxiety.

It was reported that the PST had had some involvement, and that the nursing team had been supportive. Issues had alleviated overtime.

Concern was expressed at the number of Governors still to complete the safeguarding and prevent training. It was agreed that this needed to be addressed.

Reporting of alleged sex abuse issues and the Ofsted review of historical sexual abuse allegations. It was reported that the review was in response to the 'Everyone's Invited' Instagram campaign around sharing experiences of issues such as sexual assault, abuse, eating disorders, self-harm, suicide or suicide ideation and violence.

A sample of colleges were to be involved.

As a result of the serious assault that took place at the College prior to the 2016 inspection the College had taken steps to ensure the implementation of robust processes. Work was in progress to ensure preparedness for any potential meeting with Ofsted and there was confidence in the supporting evidence of progress made and having effectively addressed the previous issues.

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

20/54 QUALITY AND STANDARDS**Complaints: Spring Term 2020/21**

The Vice Principal Quality and Curriculum presented a report on the Complaints Spring Term 2020/21 (circulated, document May 21/8).

The report summarised the key headline data from complaints received by the College during the Spring term 2020/21

The number of complaints received by the College during the Spring term totalled 1. This was the same as the number of complaints received in the Spring Term 2019/20.

Detail was provided.

Comparative data was provided.

It was acknowledged that the low number of complaints was attributable to the hard work of the staff.

It was **RESOLVED THAT** the Complaints Report Spring Term 2020/21 be noted and received.

20/55 FINANCE AND RESOURCES**55.1 Monthly Management Accounts**

The Vice Principal Finance and Resources presented the Monthly Management Accounts for Month 7 (circulated, document May 21/9).

The report detailed the financial position at Month 8.

Detail of key issues included:

- Updated forecast
- The Financial health assessment
- The cash balance at the end of the period
- Updates against previous reporting
- Emerging issues
- YTD position with detail on identified key issues including:
 - Income, expenditure, underspends, inclusion of prior year figures for comparison
- Full Year data with detail on identified key issues including:
 - Revised forecast and operating surplus, potential for risk of breach of bank covenants, revised fee forecast, other income, AEB and risks, and DSA assessments.

It was emphasised that it was considered that the risks associated with income and clawback were reducing.

Discussion points included:

The report was very clear and provided assurance.

Had the costs of two areas of investment; software packages and the accommodation rental In Birmingham been factored in?

This was confirmed, and that it was anticipated that the monthly rental fee for the accommodation would be covered by DSA income so should be of minimal impact this year. The specifics regarding the software packages would need to be confirmed.

In light of the recent changes that impact funding and audit and potentially the work of the external auditors, with particular reference to the AEB forecast, was there confidence regarding the management of risk and that there would not be any audit issues.

It was acknowledged that there was a risk relating to AEB clawback as it was anticipated that the 90% threshold would not be achieved. However there was confidence regarding any audit of the processes for AEB.

It was highlighted that a number of bodies were petitioning with regard to a reduction in 90% threshold.

It was also noted that the Mayoral Combined Authorities had adopted a more flexible approach.

Birmingham accommodation (Custard Factory) – was this one room, how would it be staffed?

It was reported that the College was renting one large room that was suitable as a multifunction space.

DSA assessments would continue to be delivered remotely, but the postcode was a necessity to be able to offer the service in that locality.

KPIs – the forecast surplus/deficit was RAG rated red and would this change before the end of the financial year?

It was reported that that forecast surplus would need to increase by £100k, and it was anticipated that this would not be achieved.

It was suggested that this KPI being based on a variance might not be the most appropriate measure, and that it was in fact punitive.

It was suggested that it on the basis of the figures involved it would not take very many differences to impact on the surplus, however, the college remained in a strong position on the basis of the cash balance.

It was further suggested that the RAG rating KPI could also be related to the break-even position of recent years.

It was agreed that this could be looked at for the next financial year.

It was **RESOLVED THAT**

- i. the Monthly Management Accounts, Month 8, be noted and received;
- ii. the KPIs be reviewed for the next financial year.

55.2 Fee Policy

The Vice Principal Finance and Resources reported on the Fees Policy (circulated, document May 21/10).

It was reported that the Fee Policy had been reviewed for 2021/22, and no longer detailed the specific ESFA and WMCA guidance, as the 2021/22 guidance had yet to be released. An amendment had been made to reference the guidance.

It was **RESOLVED THAT** the Fee Policy 2021/22 be approved.

55.3 DPA/GDPR Spring Term 2020/21

The Vice Principal Finance and Resources presented the DPA/GDPR update report (circulated, document May 21/11).

In addition to the detail of the report the following points were highlighted:

- Amended references post Brexit
- Delivery of classroom training was to be resumed; online training completion rate of 100%
- Working from Home (WFH) policy would include GDPR requirements/guidance
- Work around the storage and archiving of student data was in progress

Discussion points included:

Non- standard data capture- cookies/plugin-ins, it would be useful to provide an update on this.

Recording of Teams sessions – consent/data retention policy?

It was understood that consent was obtained at the beginning of each session.

WFH policy – it was important to acknowledge that staff would/should have already have substantial guidance.

Commercial interests – ensuring that staff were aware of their responsibilities not to take anything when leaving the employment of the College. It would be useful to include this as an aspect of the next HR report.

The data breaches were queried.

It was confirmed that these were minor administrative errors. Risk assessment of the ‘breach’ had confirmed that there was no risk to individuals or their rights. Remedial action had been taken.

It was **RESOLVED THAT** the DPA/GDPR Spring Term 2020/21 update report be noted and received.

20/56 GOVERNANCE.

56.1 Proposed Schedule of Meetings 2021/22

The proposed schedule of the Corporation meetings 2021/22 was considered (circulated, document May 21/12).

Points included:

- For the 2021/22 academic year it was proposed that the previously agreed schedule of Corporation meetings be maintained.
- The provisionally proposed dates for the Corporation meetings in 2021/22 were provided, with finalised dates to be presented for approval at the Corporation meeting in July 2021.
- The schedule of meetings for the Audit Committee and Quality and Standards Committee should also be maintained, with specific dates to be identified separately.

The Chair raised the issue of the future format of meetings assuming COVID restrictions were lifted. It was suggested that possible future formats could be a return to meetings with attendance on college site, or hybrid model of attendance with some Governors attending on site and some attending via Teams.

It was suggested that members give consideration to any preference so as to aid the Clerk in identifying the preferred model from the 2021/22 academic year.

It was also suggested that when the meeting dates were finalised that ‘electronic calendar holds’ be issued to members.

It was **RESOLVED THAT**

- i. the proposed schedule of Corporation and Committee meetings for 2021/22 be noted and received;
- ii. finalised dates for the 2021/22 meetings be presented for approval at the meeting of the Corporation on 1st July 2021.

56.2 Governance Portal

The Clerk presented a report on the proposed adoption of a Governance Portal (circulated, document May 21/13).

It was proposed that as a result of the successful adoption of electronic systems in response to the pandemic that electronic processes continue to be used where possible. In developing the proposal for the use of Governance Portal to support this considerations had included:

- Cost savings: printing, paper, staff time in producing hard copy packs and postage
- The size of the emails issued to individual governors (providing the papers for meetings)
- The need for Governors to download, and securely store College documentation on their personal equipment, if sent electronically, or the safe storage and disposal of hard copy meeting packs.
- The ability to annotate PDFs

Comments included:

- From attendance at sector meetings the Chair was aware of a number of colleges that use a portal system
- It was a good idea that would improve efficiency
- The proposed system was affordable
- Agree it should be trialled for a 12 month period

It was **RESOLVED THAT**

- i. the report proposing the adoption of a Governance Portal be noted and received;
- ii. the proposal that the Corporation adopt the Governance Portal service provided by Admin Control be approved.

20/57 ANY OTHER BUSINESS

A governor that joined the meeting after Matters Arising requested an update on the progress of implementing the CMA.

It was reported that the process was still to be concluded as the whole consultation period was being utilised. This period was proving to be very helpful and allowed for productive discussions. It was anticipated that there would be some changes to the CMA but it was not expected that this would result in an increase in costs.

There was no other business for consideration.

20/58 DATE OF THE NEXT MEETING

The date of next meeting was confirmed as Thursday 1st July 2021.