

North Warwickshire and South Leicestershire College

MINUTES OF A MEETING OF THE CORPORATION

Thursday 13th December 2018 at 6pm in the Conference Centre at the Nuneaton Campus

Present: Mr Chris Brewer, Dr Paul Cashian, Mrs Karen Chouhan, Mr Duncan Cooper, Mr Martin Cooke, Mrs Phoebe Edwards, Mr Jerry Hutchinson, Prof Ray Linforth (Chair), Mrs Marion Plant, Mr Clive Read and Miss Charlotte Walton.

In attendance: Mr Ben Crook (Vice Principal Quality), Mrs Joan Coe (Executive Director Business Development), Mr Paul Fletton (Deputy Principal), Mr Raj Joshi (Executive Director Corporate Services), Mr David Poole (Executive Director Finance & Risk) and Mrs Rachel Marshall (Clerk).

Members' Briefing - Whole College Self-Assessment Report 2017/18 and Quality Improvement Plan 2018/19

Ben Crook provided the following overview:

- i. There were two parts to the paper - the whole College Self-Assessment Report (SAR) for 2017/18 and the Quality Improvement Plan (QIP) for 2018/19. Work on implementing the improvement actions identified in the QIP was currently ongoing.
- ii. Both documents had been presented to the Students, Learning and Quality Committee and Paul Cashian, as chair of that committee, had participated in a panel to validate the component grades with the cohort directors concerned.
- iii. Overall, the grade was a 2 - 'good', which was the same as for 2016/17. All component grades had been assessed as 'good' with the exception of HE which had been assessed as a 3 'requires improvement'. The rationale for this grading was due to the NSS survey results and continuation and achievement rates all being below national benchmarks.
- iv. The SAR had also been externally moderated by a former HMI, who had been moderating the College SAR for several years.
- v. The SAR highlighted the positive outcomes for 2017/18, which included increases in apprenticeship and progress rates and in student satisfaction rates which were slightly above benchmark for the first time in four years. Learning, teaching and assessment had also improved throughout the year.
- vi. Self-evaluation activity was usually undertaken against the Ofsted Common Inspection Framework (CIF). It was anticipated that a revised framework would be in place as from January 2019 and therefore the SAR had followed the new format to the CIF. A key change to the CIF was that there was no separate grade for data outcomes, as this was now incorporated into the quality of education grade. This change made sense as outcomes were the ultimate test of the quality of teaching, learning and assessment. In adopting this approach the College was 'trying to get ahead of the game' and it was evident in recent inspection reports that inspectors were already using the terminology of the new CIF.
- vii. Whilst the College 14-16 provision was 'good' it was not in the CIF's scope, although from next year provision for home school students would be included within the new CIF.
- viii. If approved the SAR would be uploaded to the Ofsted portal by the end of January 2019 and would also be published for public view.
- ix. The QIP was being regularly presented to both Executive Team and the Students, Learning and Quality Committee for interrogation and challenge.

Paul Cashian, as chair of the Students, Learning and Quality Committee confirmed that he had spent an afternoon validating the SAR, by challenging individual Directors on the grades they had put forward for their cohorts and the narrative they had included in the SAR. He had found the process very interesting and informative and the validation meeting well structured. He had a clear sense that the cohort directors were strong team who knew their cohorts well and were very honest and upfront

Agenda item 1.3

about any weaknesses. It was also helpful that all cohort directors shared an office so they could speak and liaise with each other on a daily basis. There had been significant improvements in the validation process and final validation meeting.

Following a request from Members to summarise the validation process, Ben Crook highlighted the following stages to the validation process:

- i. The cohort directors wrote their assessments against cohort performance and this was challenged against national bench marks.
- ii. As Vice-Principal of Quality, he then collated all the assessments into an overall grade and challenged the cohort directors' assessments.
- iii. The whole College SAR was then challenged by the Executive Team and Paul Cashian during the validation meeting.
- iv. The Students, Learning and Quality Committee then had the opportunity to interrogate the Whole College SAR at its meeting in November.
- v. External validation had also been provided by a former HMI. This external view would be extended in 2018/19 through the involvement of employers and representatives from another College. External moderation provided useful challenge.

Members asked why none of the areas had been graded as 'outstanding'?

Ben Crook explained that Colleges which had taken this course had been heavily criticised by Ofsted in this past, particularly if Leadership and Management was rated as 'outstanding' when other areas were not. The grades for other colleges were published by Ofsted and therefore it was now possible to compare our grades against other colleges' grades. This information would be brought to the Students, Learning and Quality Committee in March 2019. Whilst the 16-18 achievement rate was very close to benchmark there was still room for improvement and therefore the grade had been evaluated as a 2.

Paul Cashian confirmed that a discussion had taken place as to whether English and maths should be graded as a 1 at the validation meeting. It had been agreed that whilst provision was probably very good it was not outstanding.

Ben Crook confirmed that English and maths had been challenged separately and as a part of the 16-18 cohort. Challenge was relentless and the QIP was cross-referenced to consider the improvements required.

Marion Plant highlighted that Members could also take further assurance from the Ofsted monitoring visit that the College was 'good'. The findings also mirrored the College identified strengths and weaknesses.

Members interrogated the paper:

- i. In light of HE provision being graded as 'requires improvement' was it still profitable?

David Poole confirmed that HE provision was profitable.

- ii. What would be different in HE this time next year?

Ben Crook explained that student satisfaction levels would have increased; this was an area in which staff were continually working to make improvements.

- iii. What three actions were being taken to make improve student satisfaction?

Ben Crook highlighted that the actions, which were set out in the QIP, included establishing an HE student conference together with student forum and student voice meetings. These would all promote in-year improvements.

Marion Plant confirmed that at the Student Parliament meeting which had taken place that afternoon, HE students representatives had been very vocal and there were some aspects which needed attention.

Paul Cashian agreed that staff needed to identify early warning signs and address them quickly. As the HE cohort was so small the outcomes from surveys would be very susceptible

to a small number of students voicing their unhappiness. The impact of small improvements would come through in 2018/19 but more significant improvements would start to show impact in 2019/20.

Paul Fletton explained that previously, out of 300 HE students, only 30 were eligible to respond to the NSS survey. Now all HE students were placed on a 2 year course which meant they could contribute to the survey. The College had undertaken an internal survey which had mimicked the NSS survey and the outcomes from this survey were much closer to national benchmarks.

Ben Crook emphasised that it was essential for staff to work with HE students more productively and in a timelier manner, launching actions in response to student feedback.

- iv. It was important for staff to realise they were teaching HE and not FE students.
- v. It was surprising that actions identified to improve student satisfaction didn't relate to assessment feedback.

Paul Fletton confirmed that that College was strong in this area. The other issues identified generally related to a lack of scale in terms of the student numbers.

- vi. It would be useful to see the outcomes of the actions being undertaken on receiving and reacting to student feedback.

Ben Crook confirmed that this information would come to the Students, Learning and Quality Committee.

Ray Linforth stated that it would be possible to drill down into individual student survey responses to see any such improvements and these could be loaded onto Diligent Boards for all members to view. **ACTION 54 VPQ**

The meeting was quorate.

1. Routine and Standing Items

1.1 Apologies

Apologies were received from Mr Anil Majithia.

Ray Linforth welcomed Charlotte Walton, who had been recently been appointed as the Corporation Student Member. Although Charlotte Walton had attend the last Students, Learning and Quality Committee this was her first Corporation meeting and so Ray Linforth asked everyone present to introduce themselves.

1.2 Declarations of Interest

No declarations of interest were received.

1.3 The Minutes of the Last Meeting

The minutes of the last meeting held on Thursday 4th October 2018 were approved. (Proposer: Jerry Hutchinson; seconder: Clive Read).

1.3.1 Schedule of Actions

See attached Schedule.

1.3.2 Matters Arising

Ray Linforth stated that he had passed to Marion Plant the names of two potential Corporation Member candidates, with a view to arranging meetings early in the New Year, to explore their interest in joining the Corporation. Ray Linforth then encouraged Members to look to their own professional and personal networks to identify other candidates.

1.4 Chair's Action

Ray Linforth reported that he had taken no Chair's action since the last meeting.

Ray Linforth then reported that Duncan Cooper, in his capacity as Resource Committee Chair, had signed three sub-contracting contracts as previously approved by the Corporation.

2. Strategic Development

2.1 Principal's Strategic Update

Marion Plant introduced her briefing presentation and specifically highlighted a number of points which arose from it:

i. National Context:

- **FE College Finance:** The FE Commissioner was currently undertaking diagnostic assessments in at least 70 colleges. There had been no increase in funding for FE in the last spending review; however the Government had commissioned a review by Philip Auger (a leading author and former non-executive director of the Department for Education) for report back in the New Year in time to inform the next comprehensive spending review.
- **Skills Live:** the College had performed to a very high standard in the recent Skills Live completion, having been the top performing English College and being placed fifth amongst all participating UK colleges.

Members asked how the College promoted itself following such a successful performance. Marion Plant confirmed that the outcome had been publicised across social media and in FE press coverage.

Members suggested that staff, from the Executive Team down, should publicise such College success via their own social media networks, in order to cascade this information further and wider. This sort of activity should be included in a policy.

Marion Plant agreed that this was a good idea and would be actioned. **ACTION 56 EDBDM**

- ii. **Ofsted Post-Merger Monitoring Visit - October 2018:** it had been a surprise that the recent Ofsted visit had not been a full inspection; however the report (which had been shared with Members) had been very positive. Of the three areas which had been the focus of the monitoring visit, two had been graded as 'making reasonable progress' and the third had been graded as 'making significant progress.' The report had included a number of improvement actions which were currently being implemented. The visit had been very challenging but had resulted in a very solid and helpful report.
- iii. **MTI Recruitment Update:** the slide presented the number of apprentices receiving training at the MTI. These had been included in the total number of apprentices presented in the RO4 summary. There had been a slow start to recruitment in term 1, as anticipated, but there was continued confidence that the MTI would be a game changer. The MTI building was also generating full cost income through the hiring out of its conference facilities which also worked to bring the right people in to 'spread the word' about the MTI.
- iv. **The Midland Academies Trust:** the Trust was currently stable - no Ofsted inspection had taken place during the autumn term; the Trust was now in positive reserves as a result of a significant staffing restructure; leadership and governance were stable; the Board would be interrogating and challenging the outcomes from the December 2018 mocks at a Board meeting in January 2019.

- v. **Gift Day:** UCU had indicated the appreciation of staff to the award of the gift-day on 21st December 2018.
- vi. **Staffing Update:** Joan Coe (Executive Director Business Development) and Brendan Coulson (Director of Business Development & Marketing) had both recently resigned and secured new positions.
- vii. **Christmas Brunch:** as usual the College was hosting a Christmas brunch for up to 20 students and their families.

2.2 Strategic Objective Monitoring 2018/19-2021

Marion Plant introduced the paper and highlighted that a number of the red RAG rated areas had already been covered in the previous discussions.

Following discussion, Members received the paper.

2.3 Digital West Midlands Ltd. (DWM) - Proposal to Amend the Articles of Association

The Clerk introduced the paper and explained that DWM's current articles of association did not currently allow for the appointment of 'alternate directors'. This oversight had recently caused difficulty as it was not possible to call a properly quorate meeting of the DWM directors. The amendment had been proposed by those directors, to prevent such a situation re-occurring.

The Clerk highlighted that it would also be helpful if the Corporation approved an amendment to its own Scheme of Delegation to enable the Chair and Vice-Chairs to be appointed as corporate representatives. This would mean that they would be able to make decisions on behalf of the Corporation in respect of any College subsidiary companies and sign any such resolutions.

Following discussion, Members received the paper and approved the proposals to amend:

- i. the Digital West Midlands Ltd.'s articles of association to allow for the appointment of alternate directors; and
- ii. the Corporation's Scheme of Delegation to enable the Chair and Vice-Chairs to be appointed as corporate representatives.

(Proposer: Clive Read; seconder: Paul Cashian)

3. Learning, Teaching and Assessment (LTA)

3.1 Whole College Self-Assessment Report 2017/18 and Quality Improvement Plan 2018/19

Ray Linforth reminded Members that Ben Crook's presentation had been very comprehensive and enabled Members to make relevant challenges and seek clarification. On that basis he asked if, subject to the amendments identified during the briefing, Members would approve the Whole College Self-Assessment Report 2017/18.

Following discussion, Members approved the Whole College Self-Assessment Report 2017/18. (Proposer: Duncan Cooper; seconder: Martin Cooke)

3.2 Learning, Teaching and Assessment KPI Dashboard Update

Paul Fletton introduced the paper and highlighted that the paper had been presented to the Students, Learning & Quality at its meeting on 22nd November 2018. The only change to the paper was that the number of teaching observations undertaken had increased from 86 to 126 out of 260. The Ofsted monitoring visit had interrupted the planned schedule of observations and the intention was now to complete outstanding observations at the start of the next term. 'High priority' teaching staff had been identified and observed first. They were demonstrating a larger number of 'strengths' in their teaching practice.

Members interrogated the paper, raising the following challenges:

- i. Were improvements significant and sustained?
Ben Crook confirmed there had been a 5% increase in staff showing improvement from the previous year.
- ii. 57 staff had been identified as being 'high priority.' This was a significant number.
Ben Crook highlighted there had been a major improvement in the pattern of observations and these 'high priority' staff had been observed first. 15 staff who had been observed had triggered the re-observation process this year. If they were in the 'high priority' category they would be moved into a formal process. If they were not in the 'high priority' category they would receive coaching to improve their practice.
- iii. How many of those 57 staff who had received training and then been re-observed were still considered to be 'high priority'?
Ben Crook stated that he did not have the number to hand, although this information could be shared. It was likely that the number would be low.
- iv. If staff were going into a second tranche of improvement activity, Members might have to ask if the observation process was sufficiently robust and if it wasn't what should be done to ensure it was.
Ben Crook confirmed that he would be able to provide the number to Members and that it was very small. **ACTION 58 VPQ**
- v. One of the issues raised at the Student Parliament meeting related to staff communication and feedback. How was this sort of expertise / skill monitored?
Ben Crook explained that student surveys asked for feedback on this area. Recent surveys had indicated that staff were providing feedback at the right times, so overall there wasn't an issue; however there were some individuals who did not provide appropriate and / or timely feedback. A framework to monitor this area, which included the use of surveys, was currently being established. A whole range of other checks, which sat under the observation process were in place and areas which were identified as being a risk, such a feedback, were targeted accordingly.
Marion Plant confirmed that all the feedback provided at the Student Parliament would be collated, addressed and fed back on.
- vi. The dashboard indicated that group size had increased to 14. What was the benchmark for this target?
Ben Crook highlighted that it was difficult to find a benchmark for group size; however an AoC survey indicated that 14 was an average group size. Staff utilisation showed lecturers working on average at 96% capacity and assessors at 90%; both outcomes were improvements on the previous year's performance.

Following discussion, Members received the paper.

3.3 Office for Students (OfS) Application to Register - Outcome

Paul Fletton introduced the paper, explaining that the OfS had confirmed that the College's application to register as a higher education provider complied with OfS requirements and that the initial conditions of registration were satisfied. The OfS had confirmed that "no specific ongoing conditions of registration have been imposed at this time" but had identified two areas of concern namely; continuation rates for 'other undergraduate' students and the College's financial viability and sustainability. The OfS therefore required the Corporation to continue to monitor and scrutinise these areas.

Following discussion, Members received the paper.

3.4 Students, Learning & Quality Committee Assurance Reports and Minutes from 11th October and 22nd November 2018

Paul Cashian, chair of the Students, Learning & Quality Committee introduced the agenda item and highlighted the following points:

- i. The Committee had identified two areas of concern (HE provision and teaching observations) which it would continue to scrutinise and challenge.
- ii. At the second of its meetings, the Committee had invited a number of students, who were course reps, to attend and observe, in addition to the two students who attended to provide their perspective on one of the cohort areas. The attendance of course reps had been an interesting experience but would not be routinely continued as the students' presence changed the nature of the discussions which took place.

Following discussion, Members received the assurance reports and minutes.

4. Financial Matters and Arrangements for Internal Control

4.1 Annual Audit Committee Report 2017/18

Martin Cooke introduced the Annual Audit Committee Report 2017/18, on behalf of Anil Majithia, the chair of the Audit Committee and highlighted the following points:

- i. Overall, the Committee was able to reassure the Corporation that an adequate control and risk management framework was in place. This reassurance was stronger for 2017/18 than in previous years due to the implementation of the assurance mapping framework.
- ii. The internal audit plan for 2017/18 had been successful and effectively completed. This had included a deep dive review on data analytics.
- iii. The process for scrutinising the implementation of internal audit recommendations was robust and facilitated challenge by the Committee
- iv. The Committee had received a number of effective briefings on risk management throughout the year.

Following discussion, Members received the Annual Audit Committee Report.

4.2 Presentation of the NWSLC Financial Statements for Year-Ended 31st July 2018

David Poole introduced the paper and provided the following overview:

- i. The financial statements had been presented to the Audit Committee and seen by the Resource Committee.
- ii. No misstatements within the financial statements had been identified by the External Auditors.
- iii. One adjustment had been made to reclassify an amount, which was originally shown as a negative creditor, by moving it to the debtors balance. This had the effect of increasing the College's short term creditors by £174k and increasing the College's debtors by £174k. This did not impact on the deficit as reported in the draft accounts.
- iv. The External Auditors therefore anticipated providing an unqualified opinion on the College's financial statements.
- v. The 'Going Concern' statement had to be approved in the accounts and the paper presented a Going Concern Report. The report set out the rationale for a finding that the Corporation had a reasonable expectation the College had adequate resources to continue in operational existence for the foreseeable future, and for this reason will continue to adopt the going concern basis in the preparation of its financial statements.

Ray Linforth then reminded Members that he had to ask Members and the Executive Team if there are any matters known to them that should be disclosed to the Auditors. If not, Members were asked to approve the signing of the financial statements.

Following discussion, as no such matters had been disclosed, Members approved the financial statements for signing. (Proposer: Duncan Cooper; seconder: Martin Cooke).

4.3 Presentation of Subsidiary Company Financial Statements 2017/18 and Letters of Representation

David Poole introduced the paper and highlighted his intention to dissolve the three subsidiary companies in this financial year 2018/19. The Learning Chain Ltd. was a dormant company and did not require an audit or Corporation sign off.

Following discussion, Members approved the financial statements for NWHC Services Ltd., and South Leicestershire College Enterprises Ltd. for signing. (Proposer: Jerry Hutchinson; seconder: Clive Read).

4.4 College Risk Report 2018/19

David Poole introduced the paper and highlighted that the paper had been presented to the Audit Committee at its last meeting, having been amended as requested by the Corporation at its meeting in October 2018.

Members asked how the Executive sought assurance that relevant internal controls were being properly complied with over time, particularly as staff members were left and replaced.

David Poole outlined how the internal audit framework operated, he described the regular meetings he held with the owners of operational risks and explained that the Audit Committee also received briefing from risk owners at Committee meetings.

Members then asked how he received assurance that the processes, which were in place, were actually occurring to manage risks and support the internal control framework.

David Poole stated that the assurance mapping activity which had taken place in 2017/18 identified the levels and coverage of assurance available in relation to College risks, enabling himself and the Audit Committee to identify and respond to any assurance gaps.

Members highlighted that it was worth reflecting on the point that in times of significant financial stress it would be helpful to re-visit all relevant processes and ensure that they were robust and effective, particularly when there had been staff changes.

Marion Plant suggested that the Team should reflect after the meeting on this issue, as there were multiple levels of risk management and where these had been looked at externally, the College had received a clean report.

Members agreed and suggested that this should be an agenda item for the next Audit Committee meeting. **ACTION 59 EDFR**

Following discussion, Members received the paper.

4.5 Audit Committee Assurance Report and Minutes from 12th November 2018

Martin Cooke introduced the committee assurance reports and highlighted the positive steps that were being taken as indicated by the assurance report.

Following discussion, Members noted the minutes and received the Committee assurance report.

4.6 Financial Performance and Process 2017/18 Review

David Poole introduced the paper which had been received by the Audit and Resource Committees.

Following discussion, Members received the paper.

4.7 Confidential - Performance Report including Management Accounts Period 3 and Capital Spend Update

4.8 **Budget Re-forecast 1 (Confidential)**

4.9 **Resource Committee Assurance Report and Minutes from 26th November 2018**

Duncan Cooper introduced the committee assurance reports and asked Members if they had any questions. Members had no questions and noted the minutes and received the Committee assurance report.

5. **Consent Agenda**

5.1 **Matters for Note:** Members notes the following annual reports:

- 5.1.1 i. Equality, Diversity and Inclusion Report
- ii. Safeguarding Report
- iii. Stakeholder Survey Report
- iv. Student Engagement Report
- v. Health and Safety Report
- vi. Human Resource Report

5.1.2 **Outcomes from Written Resolutions:**

The approval by a majority of Members of:

- i. proposals relating to the submission of the IoT second stage bid. on Monday 15th November 2018;
- ii. an additional day's holiday for staff on Friday 21st December 2018, on Monday 15th November 2018;
- iii. the appointment of Charlotte Walton as a student member until 31st July 2019. on Tuesday 27th November 2018.

6. **Other Matters**

6.1 **Release of Papers**

Members agreed to the release of papers with the exception of:

- i. Agenda item 3.2 LTA KPI Dashboard Update as the paper contained information which was commercially sensitive.
- ii. Agenda item 4.6 Financial Performance and Process 2017/18 Review as the paper contained information which was commercially sensitive.
- iii. Agenda item 4.7 Performance Report including Management Accounts Period 3 and Capital Spend Update as the paper contained information which was commercially sensitive.
- iv. Agenda item 5.1.1.v Health and Safety Report as the paper contained information which was commercially sensitive.
- v. Agenda item 5.1.1.vi Human Resource Report as the paper contained information which was commercially sensitive.

6.2 **Date of the Next Meeting**

Members agreed the date of the next Corporation meeting as Thursday 22nd March 2019 at 6pm at the Hinckley Campus.

(Charlotte Walton left the meeting at 8pm)

7. **Confidential Matters**

Matters on this agenda were dealt with.

8. Confidential Agenda for External Members Only

Matters on this agenda were dealt with.

On behalf of the Corporation, Ray Linforth thanked Joan Coe for all her work, particularly in respect of the growth in 16-18 numbers and wished her every success in her new role.

The meeting finished at 9pm

Signed: (Chair) Date: