

North Warwickshire and South Leicestershire College

MINUTES OF A MEETING OF THE CORPORATION

Monday 25th March 2019 at 6pm in the Room S69 at the Hinckley Campus

Present: Mrs Karen Baxter, Mr Chris Brewer, Mr Martin Cooke, Mrs Phoebe Edwards, Mr Jerry Hutchinson, Mrs Marion Plant, Mr Clive Read, Mrs Tracey Simkins and Miss Charlotte Walton.

In attendance: Mr Paul Fletton (Deputy Principal), Mr Raj Joshi (Executive Director Corporate Services), Mr David Poole (Executive Director Finance & Risk) and Mrs Rachel Marshall (Clerk).

The meeting was quorate.

1. Routine and Standing Items

1.1 Apologies

Apologies were received from Dr Paul Cashian, Mrs Karen Chouhan, Mr Duncan Cooper, Prof Ray Linforth and Mr Anil Majithia.

Phoebe Edwards gave a warm welcome to Karen Baxter and Tracey Simkins who had been recently appointed as the Corporation Staff Member and an External Member, respectively.

1.2 Declarations of Interest

Phoebe Edwards indicated she had a new declaration and that she would provide full details to the Clerk to add to the register of declarations. No further declarations of interest were received.

1.3 The Minutes of the Last Meeting

The minutes of the last meeting held on Thursday 12th December 2018 were approved. (Proposer: Clive Read; seconder: Martin Cooke).

1.3.1 Schedule of Actions

See attached Schedule.

- i. Action 56 - Marion Plant stated that she was confident that staff were able to publicise College successes / news via their own social media networks and via the College's own Facebook page. The updated Social Media Policy had been approved by the Resource Committee on 27th February 2019 and emphasised the sharing by staff of positive stories about the College.

1.3.2 Matters Arising

There were no matters arising.

1.4 Chair's Action

Phoebe Edwards provided the following report on behalf of Ray Linforth in respect of the Chair's action he had taken since the last meeting:

- i. Approving the College overdraft and signing the document with Duncan Cooper on 21st January 2019.

Phoebe Edwards then informed Members as to the exercise of other delegations:

- i. Phoebe Edwards approved the appointment of Paul Fletton as a director of Digital West Midlands on 25th March 2019.

2. Strategic Development

2.1 Principal's Strategic Update

Marion Plant introduced her briefing presentation and emphasised the following issues which arose from it:

i. National Context:

- There were no particular national issues currently arising.
- The College had flagged a risk relating to non-levy apprenticeship funding, but the College had received its allocation which was as expected. There was however a risk going forward if the College wanted to grow its work in this area, as growth was unlikely to be funded.
- The FE Commissioner's team had visited on 14th March; thanks were extended to Ray Linforth, Chris Brewer and Paul Cashian for participating in discussions with the Team. The outcome of the visit was very positive with College progress being noted as "rapid and significant." The Team would return in July 2019 to review the end-of-year position and if content with the College's progress, it was anticipated that the College would be taken out of formal intervention.

ii. Regional Context:

- The College was working closely with the West Midlands Combined Authority and was being proactive in bidding for funding.
- The Local Enterprise Partnerships' reviews had now concluded and the local industrial strategies were in progress, although they were fraught with delays.
- Marion Plant had transitioned from her position of co-opted FE representative on the Coventry & Warwickshire LEP, to a full director.

iii. The Midland Academies Trust

- Following the February mock examinations, the indications were showing good progress.
- There was no doubt that the academies were improving; however risks relating to reputation and capacity continued.
- A meeting had taken place with the new Regional Schools Commissioner (RSC) on 21st March 2019. Conversations were positive and helpful and the Trust's position had been discussed. The RSC had also been highly complementary about the Trust's current financial position.

Jerry Hutchinson emphasised that the Board was undertaking significant work to scrutinise and challenge data and review academy improvements. There were however a number of external issues in play which could impact on academy performance, most significantly the challenging time families in the Trust's catchment area were currently experiencing.

- iv. **Long Term Strategy Update:** A large number of 'slow burn' business and partnership opportunities, (which were highlighted), were starting to gain traction.
- v. **NWSLC 18-19 Updates:** A large number of events which the College's 18-19 students had participated in were summarised.
- vi. **Competitions:** College students had been successful in a significant number of prestigious competitions, which was a source of great pride.

2.2 Strategic Objective Monitoring 2018/19-2021

Paul Fletton introduced the paper and highlighted that at the current point in time, progress against the majority of objectives was rated amber or green. Progress against the following five objectives was rated currently as red:

- i. Recruitment of 330 higher education (HE) students - 290 HE students had been enrolled which was an 8% increase on 2017-2018 numbers but was below target of 330 students.
- ii. Adult Education Budget core delivery - full time 19+ student enrolments were behind target; however this had been compensated for through the delivery of additional distance learning courses and additional subcontracting.
- iii. Implementation of the MS Dynamics CRM system - frustratingly the system had yet to be meaningfully implemented due to interface issues and was currently under review.
- iv. Recruitment of 322 students funded through advanced learner loans - 290 loans were being processed with the loan company with limited additional activity expected for the remainder of the year. Members were asked to note that the significant cohorts accessing loans were counselling and access to HE, both of which had recruited well.
- v. Progress on the other objectives was broadly moving in the right direction as work continued across the full range of indicators.

Members raised the following challenges:

- i. In view of the declining demographic why was the decision made to increase the recruitment number of 16-18 students?

Paul Fletton agreed that the decision appeared to be counter-intuitive; however the 3000 target built on the success of the previous year's recruitment and the increased market share that the College had attracted. This year there was positive growth in a declining market with the recruitment of 68 students but not the full increase anticipated, of 100 students. The demographic was now coming out of a declining position and the College was on a more 'virtuous' path going forward.

- ii. It wasn't possible to continue to build up numbers year-on-year so what would be a 'happy medium' position?

Marion Plant agreed that physical space and teaching capacity could be an issue; however with the exception of Harrowbrook all the College campuses were under-utilised. A space utilisation survey was currently being undertaken. As income grew more teaching staff could be brought in. Although numbers were growing they were not stable and the income stream was not consistent. Student numbers had not yet reached those recruited in 2015/16.

Paul Fletton confirmed that whilst the benchmark for class size was 14, the College class size was currently 13 and there was capacity to increase that number to 16.

- iii. The MTI objective was currently rated Amber but had a forecast year-end position of Red. What was the current position?

Paul Fletton explained that the College was able to deliver the outputs required by the Leicestershire Local Enterprise Partnership. All the revenue targets had been achieved. 12 HND students had been predicted to progress but this had not happened. Consequently, more taster sessions would be delivered. 70 apprenticeships had been delivered and whilst momentum was strong there was a mixed picture. The Red RAG rating had been applied as income was anticipated to be earned from HND students rather than full cost work and therefore the revenue streams were different.

- iv. As a business development manager had been appointed was there now a specific business development plan in place?

Paul Fletton highlighted stated that whilst the business development manager had been appointed he was due to start in the following week.

Marion Plant confirmed that the business development manager would be given relevant targets.

- v. Would it be possible for Members to share their experience and contacts to give the business development manager a 'push forward'?

Marion Plant agreed to think about this offer going forward.

Following discussion, Members received the paper.

2.3 Confidential - Update on FE Commissioner Recommendations and Visit

3. Learning, Teaching and Assessment (LTA)

3.1 Learning, Teaching and Assessment KPI Dashboard Update

Paul Fletton introduced the paper and highlighted that the dashboard, which had been presented at a recent Students, Learning & Quality Committee meeting had been slightly refreshed. Paul Fletton then provided the following summary:

- i. The dashboard presented the key indicators for teaching, learning & assessment and quality.
- ii. A key area within the dashboard related to ensuring staff were delivering to an appropriate standard. Observations of staff had taken place in the first term to ensure that those members of staff who had been identified as requiring support could be supported as quickly as possible.
- iii. It was also essential that students attended as there was a strong correlation between attendance and success. There had been a slight increase in attendance since the last report and the implementation of a 15 point attendance improvement plan was underway. There was however much work to be done in respect of student attendance for maths and English.
- iv. 61% of students were 'On Track' and making required progress. 58% of students were working at their target grades at this stage of the year compared to 68% at the end of 2017-18.

This picture had declined from that reported in the previous report because students had accumulated more assessment deadlines and grades. 'On Track' and 'On Target' figures would improve as students submitted more assessments and improved their grades. Staff were also monitoring the situation and deploying intervention and support strategies. Whilst there was no cause for concern, staff were continuing to be vigilant and were undertaking detailed monitoring.

Members interrogated the paper, raising the following challenges:

- i. Were the targets indicated in the dashboard, national targets? Would it be possible to add an additional column to the dashboard to present benchmarks? **ACTION 62 DP**

Paul Fletton confirmed that most of the targets were national targets. Each year the College set targets which focused on incremental improvement for national benchmarks.

- ii. It appeared that 35% of lessons observed showed 'few' strengths. This seemed a very high percentage. What was being done to reduce this percentage?

Paul Fletton explained that the Students, Learning & Quality Committee had held an in depth discussion on this matter at the last meeting and Members had challenged the Executive to accelerate progress in this area. The process was not a transformational approach but a long term process. The view given in the paper was

honest and the Team was working to achieve actual progress whilst not being complacent about the current situation.

Members indicated that they took the point that this particular issue couldn't be turned around overnight.

- iii. The new system was very different from the previous grades of 1-4 (outstanding - inadequate) and staff were aware when they would be observed. The new system had taken the pressure off staff as there was no grading although the pressure now came from not knowing when observations would take place. Student behaviour during lessons could also be challenging. The process was much more collaborative with more timely feedback being given to improve teaching practice. Mentoring was also undertaken to support staff. It might be helpful if lecturers who knew their subject but who were new to teaching, were dealt with and reported differently. Length of service and experience should also be taken into account in the categorisation of teaching staff going through the process.

Following discussion, Members received the paper, indicating that it and discussion had been very useful with key matters being challenged.

3.2 Students, Learning & Quality Committee Assurance Reports and Minutes from 14th March 2019

Members noted the minutes and received the assurance report.

4. Financial Matters and Arrangements for Internal Control

4.1 Confidential - Performance Report including Period 7 Management Accounts

4.2 Confidential - Financial Forecast 2

4.3 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. The number of risks had increased due to additional risks relating to Ofsted and financial intervention. The first three risks reported on the risk report related to solvency and cash flow. All risks were on target and moving towards the year end forecast position.

Following discussion, Members received the paper.

4.4 Resource Committee Assurance Report from 21st January 2019 and Minutes from 27th February 2019

Chris Brewer introduced the Resource Committee's assurance report and commended the minutes to Members.

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

4.5 Audit Committee Assurance Report and Minutes from 4th March 2019

Martin Cooke introduced the Audit Committee assurance reports and highlighted that the Committee had received an excellent risk presentation from Sally Denning (Director of Adult Learning) which indicated strong management of financial and quality risks relating to Adult Learning and particularly to the AEB. The Committee was also focusing on the risk report and providing effective scrutiny and challenge.

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

5. Governance

5.1 Confidential Report on the Affixing of the College Seal

5.2 Insolvency Regime and Members Responsibilities

The Clerk introduced the paper which presented information which provided:

- i. general guidance on how the risk of insolvency could be reduced through good financial management;
- ii. an introduction to insolvency, the different insolvency proceedings that could occur and the roles and responsibilities of Members regarding those proceedings; and
- iii. an explanation of the application of certain provisions of the Insolvency Act 1986 and the Company Directors Disqualification Act 1986 to Members, including what disqualification, wrongful and fraudulent trading meant and what actions might be taken against Members.

A table was appended to the paper highlighting a number of steps or activities that Members should undertake, as set out in the *Further Education Bodies: Insolvency Guidance*. The table also identified steps currently being undertaken to adopt best practice and reduce the risk of insolvency.

Members highlighted the following matters:

- i. A key area for the Corporation was to ensure its Members had a sufficient mix of skills, experience and expertise. One new Members had just been appointed and the People Strategy & Governance Committee would be recommending the re-appointment of two existing Members. There was a continuing need for existing Members to look to their own professional and personal networks and contacts to out forward new candidates.
- ii. It was apparent that it was becoming increasingly difficult to get people to take on volunteering roles and businesses were not encouraging staff to take on governance roles as a developmental opportunity as they had done previously.

Following discussion, Members received the paper.

5.3 People Strategy & Governance Committee Minutes from 7th February 2019

Phoebe Edwards commended the minutes to Members and highlighted her thanks to Karen Baxter and Sian John for putting themselves forward to take on the role of Staff Member. Although Sian John had not been successful in securing the substantive role, she had been co-opted to the Students, Learning & Quality to recognise her commitment and give her the opportunity to develop.

Following discussion, Members noted the minutes

5.4 Outcomes from Written Resolutions

Members noted the approval by a majority of Members of:

- i. the appointment of Tracey Simkins as an external member for an initial period of 12 months on Thursday 7th February 2019 at 10am;
- ii. the appointment of Karen Baxter as a staff external member for a period of 4 years on Friday 22nd February 2019; and
- iii. the co-option of Sian John to the Students, Learning & Quality Committee on Friday 22nd February 2019 until the end of the current academic year.

6. Consent Agenda

6.1 Policies and Matters for Approval

6.1.1 Travel and Subsistence Policy 2019

Members approved the Policy on the recommendation of the Resource Committee. (Proposer: Jerry Hutchinson; seconder: Clive Read).

6. Other Matters

7.1 Release of Papers

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

- i. Agenda item 2.3 Update on FE Commissioner Recommendations and Visit as the paper contained information which was commercially sensitive.
- ii. Agenda item 3.1 LTA KPI Dashboard Update as the paper contained information which was commercially sensitive.
- iii. Agenda item 4.1 Performance Report: including Period 7 Management Accounts as the paper contained information which was commercially sensitive.
- iv. Agenda item 4.2 Financial Forecast 2 as the paper contained information which was commercially sensitive.
- v. Agenda item 4.4 Resource Committee Assurance Report from 21st January and 27th February 2019 as the paper contained information which was commercially sensitive.
- vi. Agenda item 5.3 People Strategy & Governance Committee Minutes from 7th February 2019 as the paper contained information which was commercially sensitive.

7.2 Date of the Next Meeting

Members agreed the date of the next Corporation meeting as Thursday 11th July 2019 at 6pm at the Nuneaton Campus.

Phoebe Edwards asked Members to note that a Members' briefing on Careers, Information, Advice and Guidance would take place at 5.30pm before the start of the meeting.

8. Confidential Matters

Matters on this agenda were dealt with.

9. Confidential Agenda for External Members Only

Matters on this agenda were dealt with.

The meeting finished at 7.55pm

Signed: (Chair) Date: