North Warwickshire and South Leicestershire College

MINUTES OF A MEETING OF THE CORPORATION

Thursday 2nd May 2024 at 6pm - Nuneaton Campus - Room 52 - HE Wing

Present: Prof Ray Linforth (Chair), Miss Maisy Deakin, Mr Steve Dover, Mrs Helen Holley, Mrs Marion Plant, Dr Andrew Turner, Mr Anil Majithia, Mr Clive Read, Mrs Tracey Simkins, Mr James Stanley and Mrs Rebecca Suart

In attendance: Mr Ben Crook (Vice Principal Quality), Mr David Poole (Chief Operating Officer and Deputy CEO), Mr Colin Butler (Executive Director People and Culture), Mr Simon Lomax (Associate Executive Director 14-16 and Schools) and Mrs Rachel Marshall (Clerk).

Members received a cybersecurity briefing update from Roberts Disbury Mockett from 5.30pm-6pm. The update provided an overview of the types of cyber-attacks which were currently prevalent and the extensive mitigations which the IT Team were continuing to put in place, together with planned mitigations and other development and update works.

Members thanked Roberts Disbury Mockett for his informative presentation and for the work he and his Team were undertaking.

1. Routine and Standing Items

1.1 Apologies

Apologies were received from Mr Steve Maxey and Mr Luke Robinson.

Ray Linforth welcomed everyone to the meeting, which was quorate. Steve Dover and Maisy Deakin were especially welcomed to their first meeting since their recent appointments.

1.2 Declaration of Interests

No further declarations, in addition to those previously disclosed, were received.

1.3 Minutes of a Meeting held on Thursday 14th December 2023

The minutes of the last meeting, held on 14th December 2023, were unanimously approved. (Proposer: Anil Majithia; seconder: Helen Holley).

1.3.1 Schedule of Actions

Members noted the schedule of actions.

i. Action 17 - following discussion, it was agreed that this item should be removed.

1.3.2 Matters Arising

There were no matters arising.

1.4 Chair's Action

Ray Linforth reported that he had taken no Chair's action since the last Corporation meeting on 14th December 2023.

2. Strategic Development

2.1 Principal's Briefing Update

Marion Plant drew the following matters to Members' attention:

i. National Updates:

- The appointment of a new Skills Minister, Luke Hall, who was familiarising himself with the FE sector.

- The publication of the Association of Colleges' (AoC) document "100% Opportunity (A Vision For A Tertiary System)" which aligned with the College's ambition to form a partnership with Coventry University Group.
- Political scrutiny of apprenticeships as achievement rates nationally had dipped significantly. The College's apprenticeship provision had been flagged as 'requires improvement' and was being monitored. It was therefore important that the College was making improvements.
- Ofsted's 'Big Listen' had concluded although it had made practically no changes to the current inspection regime.
- A recent publication on student behaviour indicated that the pandemic was still having a massive impact on student behaviour. The College was continuing to work hard on managing student behaviour and the challenge continued.
- Proposed qualification reforms and changes (including funding) were of concern to Colleges and would have a significant impact on level 2 and 3 student cohorts. Student voice needed to highlight that the proposals would not meet students' needs or aspirations.

  Ben Crook outlined the reasoning for the proposed changes and potential financial risks, highlighting that the Labour party had indicated it would pause this process if it came into power.

  Members discussed this issue, including when it would be rolled out and the scale of the changes being proposed, and suggested the need for a College working group to look at those proposed changes.

ii. **Local Updates**:

- The current Town Centre scheme amalgamating with other funding streams.
- The Midland Academies Trust final accounts for 2022/23 had been approved and work would be starting in due course on the voluntary liquidation of the Trust. Funds had also been transferred to United Learning Trust following the academies being transferred to it on 1st December 2023.

iii. College Update:

- As there had been no call from Ofsted the College would not be inspected in the remainder of the current academic year. Staff had worked very hard, and the College was Ofsted ready. Ongoing activity would be reframed as 'moving to excellence'.
- The College had achieved significant catering competition success, and 95 students were registered for the next round of WorldSkills UK.
- The College had also achieved a positive Investors in People survey outcome and as a consequence had maintained its GOLD accreditation.

Members commended Marion Plant and her staff for the great achievements which were ongoing.

iv. An update on work being undertaken with Coventry University was presented.

2.2 /23 **Confidential - Update on Strategic Estates Developments including Approval of the Partial Disposal of the Nuneaton Campus Subject to Bank Approval**

Dealt with in the confidential minutes.

2.4 **Strategic KPI Dashboard 2023/24 including Published Achievement Rates 2022/23**

Ben Crook introduced the paper and gave an overview of the teaching, learning and assessment KPI dashboard indicating that the vast majority of the KPIs had improved on the position at the same time in the previous year, including apprenticeship retention rates. He explained that a student voice survey would be presented to the Students Learning & Quality

Committee at its' next meeting. There was more work to do focusing on teaching, learning and assessment and continuing to improve quality.

Clive Read confirmed that he had attended a recent Student Parliament, and he commended the students present for their maturity and contributions. The overall experience was very positive and the excellent work by staff was highlighted and appreciated by the students.

James Stanley left the meeting at 7.01pm.

David Poole then presented the corporate services KPI dashboard giving the following overview of amber and red RAG rated KPIs:

i. The overall year-to-date surplus was RAG rated amber as it was slightly behind the forecast position.

ii. The cash days position was red RAG rated due to the accelerated payments on capital projects.

iii. The College was compliant with its bank covenants.

iv. The recruitment target for the Inspire provision would not reach its's target.

v. The target for apprenticeships had been revised down to 171 apprentices and the College was close to meeting that target.

In response to a Member's question, David Poole explained what 'EBITDA' and 'cash days in hand' meant.

David Poole assured Members that the College looked at suppliers' sustainability credentials.

Following discussion, Members received the paper.

2.5 **Strategic Plan 2024/2025**

Marion Plant introduced the paper which presented the strategic plan for 2024/2025 and reminded Members that it was aligned to the three-year strategic plan previously approved by the Corporation in July 2023. Members' steers from the Corporation Strategy Day in January 2024 had been inputted into the strategic plan, as set out in the paper's executive summary.

Members raised the following thoughts:

i. Energy reduction should include the decrease in consumption as well as the decrease in costs, which could 'sky rocket'.

ii. Should the plan include something about governance?

Marion Plant confirmed that an employers' advisory board was being set up and Ben Crook highlighted that the whole College Self-Assessment Report included governance.

Following discussion, Members unanimously approved the strategic plan 2024/2025 subject to the inclusion of the points raised by Members. (Proposer: Tracey Simkins; seconder: Anil Majithia).

3. Teaching, Learning and Assessment

3.1 **Students Learning & Quality Committee Assurance Report and Draft Minutes from 8th February 2024**

Members noted the Students Learning & Quality Committee Assurance Report and draft minutes from 8th February 2024.

4. Financial Matters and Arrangements for Internal Control

4.1 **Real Living Wage Increase Approval**

Colin Butler introduced the paper and reminded Members of the history regarding the Real Living Wage and the background to his request for Members to determine whether to continue being accredited as the Real Living Wage employer by May 2024. He went on to highlight that the Real Living Wage had been set at £12 per hour which would have an annual cost to the

College of £60k including on costs of £15k in the current year. The increase would not have any significant impact on other pay grades and was included in the medium term business plan. The increase would help maintain staff retention levels and was recommended by the Resource Committee

Members indicated that approving the increase was absolutely the right thing to do, it would have a positive impact on retention and recruitment and if it was not approved would send out the wrong message to staff.

Following discussion, Members unanimously approved the proposed increase of the Real Living Wage to £12 per hour. (Proposer: Ray Linforth; seconder: Tracey Simkins).

4.2 **Update on Recruitments and Financial Implications**

David Poole introduced the paper and indicated that there were two areas of income concern where mitigating actions were currently being undertaken; apprenticeships and the adult education budget. There was also a potential concern about T-Level funding which was subject to in-year clawback. If this were to occur it would be offset by those students being counted in the main study programmes; however, clawback was not anticipated in 2023-24.

Ben Crook confirmed that there was internal progression for T-levels and retention rates were at 60% which nationally was very high.

Following discussion, Members received the paper.

4.3 **Extension to the Internal Audit Service Contract**

David Poole introduced the paper and explained that the contract with RSM, the College's internal audit service, had expired. Due to the College's proposed partnership with Coventry University, and for the sake of consistency it would be preferable to continue with RSM, which had provided a good service and kept its cost to the same level as in 2023/24. The proposal had been considered by the Audit Committee which was satisfied with the service and added value provided by RSM and therefore supported the recommendation to the Corporation.

Following discussion, Members unanimously approved the proposal to extend the contract with RSM for internal audit services for the academic year 2024/25. (Proposer: Steve Dover; seconder: Anil Majithia).

4.4 **Strategic Risk Report 2023/24**

David Poole introduced the strategic risk report 2023/24 which had been scrutinised by the Audit Committee at its last meeting and highlighted that most of the risks would reach their target risk status by the end of the current academic year.

Members raised the following matters:

i. There appeared to be a lot of risks included on the risk report. Why were low inherent risks included on the strategic risk report and why were the lines of assurance not completed?

   David Poole explained that this was the largest number of strategic risks that the College had ever identified and was due to a number of issues which the College was currently facing including the anticipation of an Ofsted inspection, financial issues and concerns relating to the retention of staff. It was anticipated that the low inherent risks would recede. The lines of assurance were part of the 4Risk application which were currently being developed.

ii. Did the College have an agreed risk appetite?

   David Poole confirmed that risk appetite was mentioned in the Risk Management Policy. This would be looked at in relation to the College's current level of risk and a risk appetite statement would be prepared for presentation to the Corporation, following discussion by the Audit Committee. **ACTION 28 COO**

   Anil Majithia confirmed the position and highlighted that the Audit Committee was working towards the development of a business assurance framework. He went on to

say that David Poole and his team were doing very well, that risk management was now embedded throughout the College and the 4Risk reporting tool was also working well.

Following discussion, Members received the paper.

4.7 **Resource Committee Assurance Report and Draft Minutes from 29th February 2024**

Members noted the Resource Committee Assurance Report and draft minutes from 29th February 2024.

4.8 **Audit Committee Assurance Report and Draft Minutes from 21st March 2024**

Members noted the Audit Committee Assurance Report and draft minutes from 21st March 2024.

5. Governance

5.1 **Outcomes from Written Resolutions and Sealing of Documents**

Members noted the following outcomes from a recent written resolution:

i. The approval of the appointment of Maisy Deakin as the Student Member until 31st July 2024 on Thursday 8th February 2024 at midday by a majority of Members approved with no abstentions and no dissentions.

ii. The unanimous approval of the award of a tender for the refurbishment of the Nuneaton estate to Interclass Ltd. on Friday 22nd March 2024 at 10am.

iii. The unanimous approval of T-Level Refurbishment Works (Nuneaton) Contract to R&R Contracts Renovation & Refurbishment Specialists Limited, T-Levels Refurbishment Works (Wigston) Contract to Sandell Group UK Limited and the delegation of associated paperwork, purchase orders and invoices to be approved by Marion Plant or David Poole on Thursday 25th April 2024 at 4pm.

Members noted the following document was sealed since the last report to the Corporation:

i. West Midland Combined Authority and NWSLC Deed of Variation to an Agreement for the Provision of Funding Relating to the Multiply Programme authenticated by Clive Read and Marion Plant on 10th April 2024.

6. Consent Agenda

Members received the reports on the recommendations of the Committees.

6.1.1 **Annual Equality, Diversity and Inclusion Report 2022/23**

6.1.2 **GDPR and Information Governance Report - Autumn Term 2023**

7. Other Matters

7.1 **Release of Papers**

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

i. Agenda item 2.2 Update on Strategic Estates Developments as it contained information which was commercially sensitive.

ii. Agenda item 2.3 Approval of the Partial Disposal of the Nuneaton Campus Subject to Bank Approval as it contained information which was commercially sensitive.

iii. Agenda item 2.4 Strategic KPI Dashboard 2023/24 including Published Achievements Rates 2022/23 as it contained information which was commercially sensitive.

iv. Agenda item 2.5 Strategic Plan 2024-25 as it contained information which was commercially sensitive.

v. Agenda item 3.1 Students Learning & Quality Committee Assurance Report and Draft Minutes from 8th February 2024 as it contained information which was commercially sensitive.

vi. Agenda item 4.1 Performance Report incl. Period 7 Management Accounts and Overview of Forecast 2 as it contained information which was commercially sensitive.

vii. Agenda item 4.3 Real Living Wage Increase Approval as it contained information which was commercially sensitive.

viii. Agenda item 4.4 Update on Recruitments and Financial Implications 2023/4 as it contained information which was commercially sensitive.

ix. Agenda item 4.5 Extension to the Internal Audit Service Contract as it contained information which was commercially sensitive.

x. Agenda item 4.6 Strategic Risk Report 2023/24 as it contained information which was commercially sensitive.

xi. Agenda items 4.7 Audit Committee Assurance Report and Draft Minutes from 21st March 2024 as they contained information which was commercially sensitive.

xii. Agenda items 4.8 Resource Committee Assurance Report and Draft Minutes from 29th February 2024 as they contained information which was commercially sensitive.

vi. Agenda item 6.1.2 GDPR and Information Governance Report - Autumn Term 2023 Report as it contained information which was commercially sensitive.

7.2 **Date of the Next Meeting**

Members agreed the date of the next meeting as Thursday 4th July 2024 at 6pm at the Nuneaton Campus.

Maisy Deakin left the meeting at 7.43pm

Matters on the confidential agendas were then dealt with.

The meeting closed at 8pm.