

North Warwickshire and South Leicestershire College

MINUTES OF A MEETING OF THE CORPORATION

Thursday 10th October 2019 at 6pm in the Room 4.49 at the South Wigston campus

Present: Mrs Karen Baxter, Mr Chris Brewer, Dr Paul Cashian, Mr Martin Cooke, Mr Duncan Cooper, Mr Jerry Hutchinson, Prof Ray Linforth, Mr Anil Majithia, Mrs Marion Plant and Miss Charlotte Walton.

In attendance: Mr Ben Crook (Vice Principal Quality); Mr Raj Joshi (Executive Director Corporate Services), Mr David Poole (Executive Director Finance & Risk) and Mrs Rachel Marshall (Clerk).

The meeting was quorate.

Ray Linforth welcomed everyone to the first Corporation meeting of the new academic year.

1. Routine and Standing Items

1.1 Apologies

Apologies were received from Mr Clive Read and Mrs Tracey Simkins.

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 11th July 2019 were approved. (Proposer: Anil Majithia; seconder: Jerry Hutchinson).

1.3.1 Schedule of Actions

See attached Schedule.

1.3.2 Matters Arising

There were no matters arising.

1.4 Chair's Action

Ray Linforth reported that he had taken the following Chair's action since the last meeting; namely appointing Dr Joe Walsh as a Midland Academies Trust Member and Mr Tim Render, Ms Ann Melville and Mrs Wendy Martin as Midland Academies Trust Directors.

2. Strategic Development

2.2 Strategic Objective Monitoring Closing Position

David Poole introduced the paper and summarised the closing position of the strategic objectives for 2018/19 highlighting that at year-end, progress against the majority of objectives was rated amber or green, with progress against 9 of the objectives being rated as 'red'.

Members raised the following challenges:

- i. The paper indicated that the objective relating to increasing the percentage of staff observed to be in the top 2 quartiles to 40% from 20%, had not been met. What did this mean?

Ben Crook explained the observation process and highlighted that this related to staff meeting the standards set by the College to demonstrate good teaching. Whilst the number of staff meeting these standards had improved they had not reached the target

- set. Further consideration was being given to the observation process and what objectives should be set in this area for 2019/20.
- ii. Had a business case been made to support the decision for the customer relationship management system to be developed in house?

David Poole confirmed that it had. As the College operated the Box, a system developed in-house, it was very difficult for externally developed CRM systems to integrate with it. The E-Services Team had presented to the Executive on this point and as a consequence the Executive had agreed to proceed with an in-house development.

Members indicated concern that developing a system in-house would require more financial outlay than if an externally developed system was bought.

David Poole stated that he understood this concern; however on the basis of the business case presented, the Executive had determined that this would not be a particular risk.
 - iii. Where an objective was missed, it would be helpful to explain by how much that objective had not been met.

David Poole confirmed that a commentary and variance indicator would be included in the new report for 2019/20.

Following discussion, Members received the paper.

(Marion Plant and Charlotte Walton joined the meeting at 6.17pm)

Ray Linforth welcomed Charlotte Walton to the meeting and congratulated her on her re-appointment as the Corporation Student Member.

2.1 **Principal's Strategic Update**

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

- i. **Ofsted:** NWSLC had been the second college in the country to be inspected under the new Education Inspection Framework, and as anticipated, the inspection itself had taken a very different approach from previous inspections. Ben Crook, as the College's nominee, had been superb. Inspectors had indicated their surprise at the College preparedness so early in the term. The verbal feedback from Inspectors was utterly delightful and was a huge credit to students and staff. Whilst a number of development areas had been identified by Inspectors, staff were already aware of these issues and working on improvements. The formal report had not yet been published and therefore the inspection grades, which had been communicated during the final feedback meeting, were still provisional. Staff had been asked directly about their workload and had responded strongly and positively. The College's culture and ethos came over very powerfully during the feedback session with Inspectors and there were no surprises.

Ben Crook highlighted that due to the deep dives undertaken by Inspectors, staff were exposed to levels of interactions with Inspectors which they had not previously experienced in other inspections. The framework was far more rigorous in terms of what was expected of the staff, who had performed very well.

Ray Linforth outlined the substance of the meeting that Members had had with the Inspector who was responsible for Leadership and Governance. He highlighted that she had been particularly impressed by Karen Chouhan's knowledge and experience of safeguarding and of the College's safeguarding practice and impact. This acknowledgement was very unusual. Thanks were extended to all the Members who had participated so effectively in the meeting with the Inspector.

Karen Baxter mentioned that an Inspector had observed one of her classes and that the experience had been very positive. Staff had enjoyed 'stepping up' and had worked at the weekend and late in evenings to prepare for the inspection and to be ready to show Inspectors how good the College was. Students had also responded well without being primed.

Members made the following comments in response:

- Looking back at the College's journey over the last 4-5 years during and following merger, it was great see the merged College's strength of culture and ethos. It was a fantastic journey and everyone involved needed to be congratulated.
- Members had been well prepared for the new Education Inspection Framework and as a consequence those Members who met with the Inspector knew what was coming and were able structure their discussions around the framework.
- Was there something that the Corporation should do for staff in light of all the work they had undertaken?

Ray Linforth confirmed that he had written to all members of staff but that this could be discussed further at the next People Strategy & Governance Committee meeting. He also raised the possibility of inviting Ofsted back into the College for a full inspection if the College had continued to progress. This could, be discussed further at the Creative Meeting on 11th November 2019.

Marion Plant confirmed that the Executive Team had already discussed this step, particularly in terms of defining the College's own interpretation of 'outstanding' in relation to its community.

- ii. **National Context** - a number of matters which Members were already aware of, were highlighted.
- iii. **Regional Context** - an update on The Midland Academies Trust was provided including the interim leadership model and the improved GCSE results. Members were also notified that a new free 11-19 school was being established in Nuneaton on the Top Farm site.
- iv. **Strategic Update** - the following updates were given:
 - The College had received a Beacon standard for its work in mental health.
 - 21 College students had got through to the WorldSkills UK national finals.
 - Marion Plant had been presented with a Women in Business lifetime achievement award and a College student, Gemma Lee, had achieved the apprentice of the year award.
 - The College was responding strongly and immediately to support its student community, as well as individual students, following a fatal stabbing in Hinckley. There had been no weapons issues in the College to date.

Members congratulated Marion Plant on her Women in Business lifetime achievement award.

2.3 Strategic Objective Monitoring 2019/20

Marion Plant introduced the paper and confirmed that the proposed objectives 2019/20 presented in the paper had been developed in line with Members' steers. Members were asked if they were content with the objectives which they would monitor during the year.

Members raised the followings thought in response:

- i. The objectives appeared to make sense; however should they be considered in line with the principles of the Education Inspection Framework (EIF), of intent, implementation and impact?

Ray Linforth confirmed that this was a useful suggestion, although because the Corporation was in the process of moving the timetable for its strategy development to an earlier point in the year, it was caught between needing something in place for the start of the year and starting discussions for a new strategy in November 2019.

- ii. The data was already present, to use the EIF it would only mean fine tuning the intent wording and showing the impact on the dashboard.

Marion Plant confirmed that the objectives could be rephrased to show intent, the milestones would show implementation and impact measures would be provided.

- iii. Any 'people' objectives should relate to implementing the People Strategy.
- iv. The objective under discussion had been given the wrong focus, it could be better described as "growing and developing our people so they could deliver outstanding cost reductions."
- v. The estates objective should be focused on the re-investment in the Nuneaton Campus rather than the partial disposal, which was part of the re-investment.
- vi. Should the MTI be included in the Enterprise & Growth objectives?

Marion Plant explained that the MTI had successfully opened and all externally determined criteria for its operation had been met, therefore the issue related to growth and recruitment to the MTI. These MTI targets would fall under curriculum and recruitment targets.

- vii. Digital was a growth area and therefore more thought needed to be given to this, beyond the development and implementation of a CMR system, for example an objective could relate to enhancing the digital learning environment.

Following discussion, Members received the paper and asked for the discussed amendments to be made. **ACTION 66 EXECUTIVE**

3. Teaching, Learning and Assessment T(LA)

3.1 Emerging College Achievements for 2018/19

Ben Crook highlighted that the final claims would be submitted in the next week and then summarised the current position highlighting areas of improvement and those areas where achievement had not met the target set.

Members asked whether the target for 16-18 Education and Training was set in the knowledge that there would be an impact on performance due to the new, two year model for College's GCSE English and maths programme.

Ben Crook explained that some reduction in 16-18 (9-1 grade) achievement rates had been anticipated when the two-year GCSE pilot was launched. The target was set at a higher rate than in 2017/18, as reductions in 16-18 achievement related to the two-year GCSE were expected to be mitigated by higher achievement in vocational qualifications. Higher achievement rates on vocational qualifications were achieved, albeit suppressed by poor performance in Arts, Media and Publishing. Lower achievement rates created by the two-year GCSE were at a larger scale than anticipated as significantly more students would have their GCSE grades reported at the end of 2019/20 rather the 2017/18 year-end.

Members sought to clarify whether such targets were embedded in the budget?

Ben Crook indicated that if there was a failure to achieve in apprenticeships, some funding would be lost; however achievement was only one element of the funding and therefore there would not be a significant impact on the budget.

Following discussion, Members received the paper.

3.2 Teaching, Learning & Assessment KPI Dashboard 2018/19 Updated Position and Teaching, Learning & Assessment Dashboard 2019/20e

Ben Crook introduced the paper and provided the following overview:

- i. A small amount of data was currently outstanding; the final position would therefore be presented to the Students, Learning & Quality Committee.
- ii. The second dashboard presented the draft targets for 2019/20. As these targets would be related to final performance in 2018/19, the targets would be finalised when that information was available. Again, the Students, Learning & Quality Committee would receive the final proposed targets.

Members posed the following challenges:

- i. What matters kept the Team awake at night?

Ben Crook highlighted the following areas: more needed to be done to improve English and maths attendance; work continued towards improving teaching in the bottom quartile, this would be assisted by the report on teaching in the Ofsted report; achievement rates would be reviewed to identify improvements in relevant areas.

- ii. The Ofsted report had been glowing; was too harsh an approach being taken to teaching as only 20% of teaching staff were in the top 2 quartiles?

Ben Crook confirmed that the College approach was probably tougher than the EIF in this area. The Students, Learning & Quality Committee would look at areas of improvement which correlated better with the findings by Ofsted.

Marion Plant commented that she was loath to change the approach as staff needed to be ambitious and aspiration had to be built.

- iii. Why were the targets relating to teaching observations RAG rated 'red'?

Ben Crook explained this was because the top 2 quartiles had increased and the lower 2 quartiles had decreased. As an individual improved they moved into the next quartile.

- iv. How were the targets set?

Ben Crook stated that 0.5% increases on the previous year's performance were introduced or the national rate was applied, whichever was the higher of the two values. This had resulted in the College being a significant amount above the national rate for apprenticeship achievements. The approach enabled the College to translate performance across the years whilst keeping in line with national performance.

- v. It was possible with targets being set in this way, that if they were missed it could be demoralising to staff. There were other ways of target setting.
- vi. Efficiency targets never appeared to be met and had been RAG rated 'red' for a number of years. Did there need to be a recognition of this?

Ben Crook confirmed that currently average class sizes were higher and had been forecast to be higher. This was a priority efficiency measure, which if maintained would take the College into a significantly more profitable position.

- vii. There was also a danger in relying on AoC averages which might not be reliable and in respect of class sizes, were very low. The College needed to drive up class size or it would continue to lose money. If significant numbers of College targets contributed to financial success and if that funding was being generated to pay off College debt, then the College would need to generate even more cash by operating on a more efficient level so that it could then reinvest, particularly in staff.
- viii. There were quality issues to take into account when considering class size, particularly for level 1 or foundation classes. Behaviour issues were likely to arise in larger groups.

Marion Plant agreed that visibility as to why there were some groups of 8 students, was required. It was possible that this could be justified in some cases but certainly not all. A review of the small groups would be undertaken and where necessary a case would be put forward to Members for the College to withdraw from that provision.

Following discussion, Members received the paper.

4. Financial Matters and Arrangements for Internal Control

4.1 Financial Outturn for 2018/19

David Poole reported that the College was reporting an operational surplus of £525k before exceptional items for the year ended 2018/19. This including the FRS102 adjustment which would affect the net asset value of the College. The College was awaiting the actuarial report to calculate the adjustment which would be reflected in the College's statutory accounts.

Members asked when the next three year pension review would take place.

David Poole confirmed that it would probably take place in 2020.

Members highlighted the significant and outstanding change in the College's finances and recognised David Poole and other members of the team's role in this, thanking them for the work they had undertaken.

Following discussion, Members received the paper.

4.2 **Update on Recruitment and Financial Implications**

David Poole confirmed that the report showed a positive picture; however it was still too early to make a definitive statement. The following points were highlighted:

- i. The risk relating to the level of 16-18 year old recruitment had not materialised.
- ii. 19+ full time recruitment was forecast to exceed target.
- iii. HE and apprenticeships continued to enrol.
- iv. Apprenticeships worked on a continuous roll-on and roll-off programme and therefore recruitment would continue throughout the year.
- v. The College was moving to in-house delivery rather than sub-contracting and would therefore achieve higher contribution rates as a consequence.

Marion Plant agreed that the picture was very positive at this stage in the term.

Members interrogated the paper:

- i. Did the levels of apprenticeship enrolments follow the usual trend?

David Poole confirmed that they did.

- ii. Did the College's current financial health rating affect its ability to bid for contracts?

Marion Plant stated that it only affected the College's ability to be involved in T-Level delivery. Discussion with the ESFA concerning the College's current financial health grading were ongoing; however it was unlikely the ESFA would confirm the position until March 2020.

- iii. Were there any particular concerns with apprenticeships, as there currently appeared to be a 6% gap?

Marion Plant assured Members that the normal train of activity, including marketing and identification of contracts, was taking place and the position was constantly under review. The HE position was good news as other colleges were struggling to recruit. The College looked to be holding its position which was reassuring.

Following discussion, Members received the paper.

4.3 **Sub-contracting: Recommendation for Approved Sub-contractors 2019/20**

David Poole introduced the paper and emphasised that the College undertook a thorough and robust procurement exercise, including stringent due diligence checks, to select a range of providers to deliver subcontracted provision on the College's behalf. The paper presented a list of proposed sub-contractors and the value of contracts to deliver the budgeted £1,272k of AEB funding in 2019/20.

Members asked whether the College's ambition for sub-contracting in 2020/21 was to continue the decrease on its reliance.

David Poole confirmed this was the case, as set out in the medium term business plan approved by Members. The College had unexpectedly received £1m of funding from the Greater London Authority for 2019/20 and it was unlikely to receive this funding in 2020/21.

Following discussion, Members received the paper and approved the subcontracting arrangements for 2019-20, the partners to be used and the issuing of the initial contracts and process for releasing further contracts. (Proposer: Anil Majithia; seconder: Chris Brewer).

5. **Governance**

5.1 **Report on the Affixing of the College Seal**

Members noted the College Corporation Seal had been affixed to the following document; a condition of funding grant between West Midlands Combined Authority and NWSLC, authenticated by Anil Majithia and Duncan Cooper on 8th August 2019.

5.2 **Outcomes of Written Resolutions**

Members noted the approval by a majority of Members of:

- i. The award of an insurance services contract to FE Protect for a three year term with options to extend for 2 further years, on Wednesday 25th September 2018.
- ii. The appointment of Charlotte Walton as a student member until 31st July 2020, on Wednesday 2nd October 2019.
- iii. The Medium Term Business Plan 2019/20-2021/22: Ambertrain Impact Update medium term business plan for 2019/20-21/22, on Friday 4th October 2019

5.3 **The West Midlands Productivity Group - Paper for FE Corporations**

Members noted the paper which had been alluded to during the Principal's update. Marion Plant highlighted that she was the vice-chair of the Group and that the immediate impact was that the College had received West Midlands Combined Authority growth funding which it was hoping to use in an exciting development with Coventry University, discussions about which were currently ongoing.

6. **Other Matters**

6.1 **Release of Papers**

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

- i. Agenda item 2.1 Principal's Update including Ofsted as the paper contained information which was commercially sensitive.
- ii. Agenda item 3.1 Emerging College Achievements as the paper contained information which was commercially sensitive.
- iii. Agenda item 4.1 Financial Outturn for 2018/19 as the paper contained information which was commercially sensitive.
- iv. Agenda item 4.3 Sub-contracting: Recommendation for Approved Sub-contractors 2019/20 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 12th December 2019 at 6pm at the Nuneaton campus.

7. **Confidential Matters**

Matters on this agenda were dealt with.

Karen Baxter, Charlotte Walton and Raj Joshi left the meeting at 7.41pm

8. **Confidential Agenda for External Members Only**

Matters on this agenda were dealt with.

The meeting finished at 8.30pm

Signed: (Chair) Date: