

North Warwickshire and South Leicestershire College

MINUTES OF A MEETING OF THE CORPORATION

Thursday 15th December 2022 at 6pm - The Conference Centre - Nuneaton Campus

Present: Mrs Helen Holley, Mr Simon Kirby (attendance via Microsoft Teams), Prof Ray Linforth, Mrs Marion Plant, Mr Clive Read, Mr Andrew Turner, Ms Rebecca Suart, Mrs Tracey Simkins (attendance via Microsoft Teams), Mr Craig Humphrey

In attendance: Mr Ben Crook (Vice Principal Quality), Mr Tom Hamilton-Dick (Deputy Principal), Mr David Poole (Chief Operating Officer and Deputy CEO), Mr Paul Lawrence (Executive Director Employer Engagement), Mr Colin Butler (Executive Director People and Culture), Mrs Kerry Elkins (minutes), Ms Helen Blundell (Macintyre Hudson).

Whole College Self-Assessment Report 2021/22 and Quality Improvement Plan 2022/23

Prior to the meeting Ben Crook, Vice Principal Quality presented the Whole College Self-Assessment Report (SAR) 2021/2022 and the Quality Improvement Plan (QIP) 2022/23 to Members.

Members raised the following challenges:

- i. Ben Crook was asked to detail the activity contained within 'deep dives' and who conducted them.

Ben Crook outlined the procedure and practice in detail.

- ii. On request, Ben Crook outlined the compilation of employer feedback/ratings highlighting that this was cumulative and similar in style to a 'Trip Advisor' feedback report. The use of Smart Assessor would be expanded to better gain live, as opposed to cumulative/historical data. An example of an 'employer breakfast' was given as one of the measures being taken to improve employer engagement and relationships.
- iii. Student behaviour and attitudes had been graded as 'outstanding'; was there any vulnerability in this grading in light of the current attendance figures?

Ben Crook explained the difference between overall attendance and English and maths attendance which impacts on figures. During an inspection there would be room for discussion and attendance levels in lessons during inspection would be measured, not the historical data. The overall grading would factor in various measures in order to take a view on the self-assessed grade. Members asked if the report should be amended to include this rationale. Ben Crook indicated that the report had to reflect the actions taken in 2021-22. Andrew Turner concurred that similar discussions had taken place at the time of validation and the validation team had been reassured that the narrative was appropriate in relation to English and maths attendance, as was the overall grading.

Ray Linforth requested that Members be provided with a detailed briefing on the deep dive processes, together with key messages on apprenticeship delivery and a rationale on employer feedback and how it is compiled in preparation for inspection. **ACTION17 DP/VP**

Ben Crook was thanked for his comprehensive presentation on the SAR and QIP.

Ray Linforth welcome everyone to the meeting, which was quorate. Craig Humphrey was especially welcomed to his first meeting as a Member and introductions were made.

Ray Linforth then informed Members that the Clerk was unable to attend the meeting and in her absence, Kerry Elkins was introduced as the minute taker.

Ray Linforth shared the sad news that the former student governor, Charlotte Walton, had passed away on 27th November. Members were informed that her funeral would take place on 29th December and that a video message from Marion Plant would be screened during the service. A

moment of reflection was taken to for Members to remember and honour Charlotte and her outstanding contribution to the College.

1. Routine And Standing Items

1.1 Apologies

Apologies were received from Anil Majithia, Steve Maxey and Kaitlin Peberdy.

1.2 Declaration of Interests

Marion Plant declared an interest in item 10.2 as did Andrew Turner.

Clive Read declared an interest in the work on Nuneaton Town Centre and the campus partial disposal.

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

1.3 Minutes of a Meeting held on Thursday 13th October 2022

The minutes of the last meeting, held on Thursday 13th October, were unanimously approved.

(Proposer: Helen Holley; seconder: Tracey Simkins)

1.3.1 Schedule of Actions

- i. Action 14 was noted as complete; key budget assumptions were included within forecast 1.
- ii. Action 15 was noted as complete; a number index had been added to the strategic plan actions.

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 13th October 2022.

2. Financial Statements 2021/22

2.1 Audit Committee Annual Report 2021/22

Helen Holley, Audit Committee Deputy Chair, presented the Audit Committee's Annual Report for 2021/22 to Members, and summarised the following points:

- i. The Audit Committee was able to reassure the Corporation that the College had an adequate and effective assurance framework and arrangements for governance and risk management and control and had fulfilled its statutory responsibilities for the effective and efficient use of resources, the solvency of the institution and the bodies and the safeguarding of its assets. The Audit Committee was also able to reassure the Corporation that progress is being made on the strengthening of systems and the implementation of new systems where necessary.
- ii. In respect of the Financial Statements Audit and Regularity Assurance Review, the Audit Committee was satisfied that all of the issues raised in connection with the Audit Findings Report were being progressed and is satisfied with the responses of Management.
- iii. Grant Thornton was anticipated to issue unmodified financial statements opinion; and unmodified regularity opinion within the financial statements and had no significant matters to report in respect of regularity.

- iv. It was for the Corporation, having heard from Management, to determine whether it had a reasonable expectation that the College had adequate resources to continue in operational existence for the near future, and for this reason would continue to adopt the 'going concern' basis in the preparation of its financial statements. The Corporation was also asked to consider the disclosures within the financial statements on going concern, to ensure these were an appropriate reflection of the College's position.

Following discussion, Members received the Audit Committee Annual Report 2021/22.

Helen Blundell joined the meeting at 7.10pm

2.2. Annual External Audit Presentation

This item was dealt with in confidential session.

3. Strategic Development

3.1 Principal's Briefing Update

Marion Plant presented the Principal's update outlining the significant activity that was taking place within College in line with changes in the national climate, such as the cost of living crisis. Marion Plant highlighted the following matters within the update:

i. College Update:

- College admitted to the CIFE.
- External factors had resulted in some security issues at Nuneaton and Wigston. Mitigating measures included a security guard being posted at Wigston and an expansion to the SALTO lock entry at Nuneaton.
- 'Warm' social spaces for staff were being introduced with free tea, coffee and porridge available.
- Relationships with the Unions remained strong; however a challenge in relation to the pay award was anticipated.
- Students achieved top place in the UK in the WorldSkills UK foundation skills competitions' league table.
- The College's annual awards ceremony would be held on 20th January 2023.

ii. Regional Update:

- The Coventry and Warwickshire Local Enterprise Partnership (CWLEP) would be closing in 2023 to be replaced by a new economic forum; however the Growth Hub would continue.
- WMCA would be gaining increasing funding powers and had raised the Adult Education Budget (AEB) funding rate.
- Tom Hamilton-Dick would be speaking at a Colleges West Midlands electrification conference.

iii. National Update:

- Colleges had been returned to the public sector following a reclassification by the ONS.
- The changes in Ministers and Secretary of State at the Department for Education.
- Energy prices and inflation continued to have had an impact.

iv. The Midland Academies Trust update: activity in the Trust was outlined:

- An update on the transfer of the Nuneaton Academy and associated Trust considerations was provided.
- The new build at Hartshill Academy was progressing well.

Members thanked Ben Crook for his work on the successful application for CIFE Membership.

Following discussion, Members received the Principal's update.

3.2 Strategic KPI Dashboard 2022/23

Tom Hamilton-Dick introduced the paper and provided the following overview of the teaching, learning and assessment dashboard:

- i. Attendance continued to be a priority area for the College and a focus for all course teams, particularly on respect of students on 16-18 Study Programmes.
- ii. Staffing gaps in Personal Development Coaching Team were impacting on the College's ability to monitor and contact students who had below expected attendance.
- iii. Experience of work and 'next steps' was underway and a relaunch was planned for post-Christmas.
- iv. An apprenticeship reset plan had commenced in October 2022 and progress was being monitored monthly by the Executive.
- v. Student voice activity had been taking place, with over 900 16-18 study programme students surveyed. Action plans had been developed in response to the feedback received.
- vi. Average class sizes for full time programmes was 14.25, against a planned target of 15. An audit of class sizes and proposed mergers was currently taking place.

Members raised the following challenges:

- i. Tom Hamilton-Dick was asked to provide more detail on the changes to experience of work rules.

Tom Hamilton-Dick provided the requested detail, highlighting that there was a greater 'menu' of choice in terms of experience of work which was no longer limited to work placements.

- ii. How achievable was a group size target of 15.

Tom Hamilton-Dick replied that, in reality it would be a 'moveable feast' depending on a number of factors, including the subject being delivered; however the aim was for 15 to be the average class size.

Simon Kirby left the meeting at 7.59pm.

David Poole provided the following overview of the corporate services section:

- i. The adjusted current ratio was rated as amber owing to a higher creditor value than forecast: however the year end position was expected to be achieved.
- ii. Enterprise and growth was rated as amber until R04 and Forecast 1 were completed.
- iii. Sickness absence was slightly above target and the 'People' section was rated as amber overall, despite staff turnover being rated as red.
- iv. All estates KPIs were rated as amber at the early point in the academic year.
- v. Digital was also rated as amber as the autumn term was traditionally high in terms of tickets being raised.
- vi. Sustainability was rated as red in light of the College progressing an energy efficiency plan and the fact that the student council had not been formed for the new academic year (owing to a lack of engagement from the student body compared with last year).
- vii. Energy consumption had reduced compared to the same point last year; however the market remained volatile. As many actions as possible were being taken to mitigate against the increased energy costs.

Members asked whether the increase in energy consumption was compared with a baseline in order to substantiate consumption levels and was there a 'non-pandemic' baseline year.

David Poole explained that there was no identified baseline; however he committed to identifying a pre-pandemic baseline and presenting this information to the next meeting.

ACTION 18 CFO

Members welcomed the increasing level of class sizes.

Following discussion, Members received the paper.

3.3 Confidential - Update on Strategic Estates Developments

4. Teaching, Learning & Assessment (TLA)

4.1 Whole College Self-Assessment Report 2021/22 and Quality Improvement Plan 2022/23

Ben Crook presented the self-assessment report (SAR) for 2021/22 and the quality improvement plan (QIP) for 2022/23.

Following discussion, Members unanimously approved the SAR and QIP. (Proposer: Andrew Turner; seconder: Rebecca Suart)

4.2 College Achievement Rates 2021/22

Ben Crook presented the College achievement rates for 2021/22.

Following discussion, Members noted the College Achievement Rates 2021/22 report.

4.3 Curriculum Strategy 2022/25

Tom Hamilton-Dick presented the three year curriculum strategy for 2022-25 for approval.

Following discussion, Members unanimously approved the Curriculum Strategy 2022/25. (Proposer: Andrew Turner; seconder: Rebecca Suart).

4.4 Students Learning & Quality Committee Assurance Report and Minutes from 4th October 2022

Members received for information the Students Learning & Quality Committee assurance report and minutes.

5. Financial Matters and Arrangements for Internal Control

5.1 Performance Report including Period 3 Management Accounts and Procurement Timetable for 2022/23

This item was dealt with in confidential session..

5.2 Strategic Risk Report 2022/23

David Poole presented the College strategic risk report showing the medium and high risks and indicated that the full risk register had been presented to the Audit Committee in November 2022.

Key points were noted as follows:

- i. **Closed Risks:** Risk FIN1 was closed for 2021/22 and replaced with new a risk for 2022/23.
- ii. **New Risks:** LTA7 relating to apprenticeship staffing, FIN9 financial health for 2022/23 and FIN10 Energy costs
- iii. **Updated risk report:** the full College risk report contained 32 risks. Beneath the College risk report was a curriculum risk report owned by the Deputy Principal and his team and a support risk report owned by the Chief Operating Officer/Deputy Chief Executive.
- iv. There were a total of 2 high risks, 17 medium risks and 13 low risks contained within the risk report.

Following Members received the strategic risk report.

5.3 AEB Subcontracting Request

This item was dealt with in confidential session.

5.4 ONS Reclassification Impact

David Poole introduced the paper and provided the following overview:

- i. Following a review into the classification of the statutory further education (FE) sector (FE colleges, sixth form colleges and designated institutions) and their subsidiaries in England, the Office for National Statistics (ONS) has reclassified colleges and their subsidiaries into the central government sector. This reclassification took effect from 29th November 2022.
- ii. Following the reclassification, colleges and their subsidiaries were now part of central government. This meant that they were subject to the framework for financial management set out in [managing public money](#) (MPM).
- iii. The ESFA was developing guidance on many of the issues arising from MPM over the coming months, which would be published incrementally on the gov.uk website. This process would culminate in the development of a new, comprehensive Colleges' Financial Handbook. One of the immediate requirements for the financial accounts for 2021/22 was a disclosure note under the section of post balance sheet events, which the College had included in the financial accounts being presented to Corporation at this meeting.
- iv. A summary of the guidance issued was shared with Members and it was noted the guidance would be enhanced as the months progress. Sections of the guidance would require further clarification in general for colleges. Some colleges, such as NWSLC, would seek specific clarification and guidance on individual points, for example on the disposal of land. Another major stakeholder in the sector were the banks and they would be holding discussions collectively with the ESFA on the implications of the borrowing rules which were set out in the guidance.
- v. Two immediate areas that the College would need further clarification and/or decision on, were the partial disposal of the Nuneaton Campus as the proceeds were designated for capital investment and loan repayment and the Lloyds Bank loans, which had a review date of 2025.

Members raised the following challenges:

- i. Why did the College have to seek Secretary of State (SoS) approval to borrow.

David Poole explained that that levels of interest related to government borrowing were generally lower and so this was the route the Department for Education would require the College to take. It was highlighted that despite re-entering the public sector, colleges would still not be able to reclaim VAT.

- ii. Would the College only be able to borrow from the Government?

David Poole indicated that he was unsure how this would work but that was the plan.

- iii. Could the College borrow from the public loans board?

David Poole explained that this would have to be checked as the loan rates would have to be equivalent, or less, than Government rates. Borrowing would also require Secretary of State approval on each occasion, but not for existing loans unless they were at the point of re-negotiation. Members would be kept updated on the position.

Following discussion Members received paper.

5.5 Audit Committee Assurance Reports & Minutes from 26.9.22 and Draft Minutes from 14.11.22

The Audit Committee assurance reports and minutes were received by Members.

6. Governance

6.1 Corporation Self-Assessment Report 2020/21 and Quality Improvement Plan 2022/23

Members noted that the Corporation self-assessment report and quality improvement plan had been presented to the People, Strategy & Governance Committee which had recommended that the papers be presented to Members for approval.

Following discussion, the Corporation self-assessment report and quality improvement plan were unanimously approved. (Proposer: Clive Read; seconder: Ray Linforth)

6.2 Written Resolutions and Sealing of Documents

Members noted the following outcomes from recent written resolutions:

- i. To approve the appointment of Craig Humphrey's until 31st July 2023 on Wednesday 30th November 2022 at midday by a majority of Members with no abstention and no dissentions.
- ii. To approve the appointment of Kaitlin Peberdy as the student member until 31st July 2023 on Monday 18th December 2022 at midday by a majority of Members with no abstention and no dissentions.

Members noted the following document was sealed since the last report to the Corporation; a cancellation of entries relating to a registered charge concerning the Westfield Community Centre, Rosemary Way, Hinckley, authenticated by Ray Linforth and Anil Majithia on 21st October 2022.

7. Consent Agenda

7.1 Policies

No requests from Members had been received to discuss any item on the consent agenda and therefore Members unanimously approved the following policies. (Proposer: Ray Linforth; seconder: Helen Holley).

7.1.1 Buying Additional Leave Policy 2022(v1)

7.1.2 Disaster Recovery & Business Continuity Policy

7.1.3 Health and Safety Policy

- 7.1.4 Reserves Policy
- 7.1.5 Sustainability Policy
- 7.1.6 Scheme of Delegation and Schedule of Matters Reserved

7.2 **Matters for Note**

Members noted the following matters:

- 7.2.1 Annual Completion of the Register of Interests & Certificates of Eligibility Report
- 7.2.2 Annual Safeguarding Report
- 7.2.3 Annual Student Engagement Report
- 7.2.4 HE and OfS Compliance Update
- 7.2.5 Annual Health and Safety Report
- 7.2.6 Annual Human Resource Report

8. **Other Matters**

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

- i. Agenda item 2.2 Annual Audit Presentation of the NWSLC Draft Financial Statements and Supporting documents as they contained information which was commercially sensitive and were currently in draft format.
- ii. Agenda item 3.1 Principal's Update Report as it contained information which was commercially sensitive.
- iii. Agenda item 3.2 Strategic KPI Dashboard 2022/23 as it contained information which was commercially sensitive.
- iv. Agenda item 3.3 Update on Strategic Estates Developments as it contained information considered to be commercially sensitive.
- v. Agenda item 4.2 College Achievement Rates 2021/22 as it contained information which was commercially sensitive.
- vi. Agenda item 4.4 SLQ Committee Assurance Report & Minutes from 4.10.22 as it contained information which was commercially sensitive.
- vii. Agenda item 5.1 Performance Report including Period 3 Management Accounts and Procurement Timetable for 2022/23 as it contained information which was commercially sensitive.
- viii. Agenda item 5.2 Strategic Risk Report 2022/23 as it contained information which was commercially sensitive.
- vi. Agenda item 5.3 AEB Subcontracting Request as it contained information which was commercially sensitive.
- vii. Agenda item 5.4 ONS Reclassification Impact as it contained information which was commercially sensitive.
- viii. Agenda item 5.5 Audit Committee Assurance Reports & Minutes from 26.9.22 and Draft Minutes from 14.11.22 as they contained information which was commercially sensitive and were currently in draft format.
- ix. Agenda item 7.1.2 Disaster Recovery & Business Continuity Policy as it contained information which was commercially sensitive.

- x. Agenda item 7.1.3 Reserves Policy as it contained information which was commercially sensitive.
- xi. Agenda item 7.2.3 Annual Safeguarding Report as it contained information which was commercially sensitive.
- iv. Agenda item 7.2.4 Annual Student Engagement Report as it contained information which was commercially sensitive.
- v. Agenda item 7.2.5 Annual Human Resources Report as it contained information which was commercially sensitive.
- vi. Agenda item 7.2.6 Annual Health and Safety Report as it contained information which was commercially sensitive.

8.2 **Date of the Next Meeting**

Members agreed the date of the next meeting as Thursday 27th April 2023 at 6pm at the Nuneaton Campus.

Matters on the confidential agendas were then dealt with.

Ray Linforth then thanked Members for their support of the College over the past 12 months and wished everyone a happy Christmas. Thanks were given to the Executive team for their hard work.

The meeting finished at 7.49pm