

North Warwickshire and South Leicestershire College

MINUTES OF A MEETING OF THE CORPORATION

Tuesday 8th December 2020 at 6pm - Microsoft Teams Meeting

Present: Mrs Karen Baxter, Mr Chris Brewer, Mr Duncan Cooper, Mrs Helen Holley, Mr Jerry Hutchinson, Prof Ray Linforth, Mr Anil Majithia, Mrs Marion Plant, Mr Clive Read, Mrs Tracey Simkins, Dr Andrew Turner and Miss Charlotte Walton.

In attendance: Mr Ben Crook (Vice Principal Quality), Mr Thomas Hamilton-Dick (Deputy Principal), Mrs Nicola Morrison (Director Human Resource, Organisational Development & Marketing), Mr David Poole (Chief Operating Officer) and Mrs Rachel Marshall (Clerk).

Prior to the meeting, Ben Crook (Vice Principal Quality) delivered a briefing to Members on the whole College Self-Assessment Report (SAR) 2019/20 and the Quality Improvement Plan (QIP) 2020/21. During the briefing he provided an overview of the following matters:

- i. The SAR outlined the improvements made during 2019/20 and reported the impact of those improvements as 'Good' for all areas of the self-assessment framework, with the exception of Student Behaviours and Attitudes which was graded 'Outstanding' in line with College performance and the in-year Ofsted assessment.
- ii. An overview of all the grades, including those for Higher Education and 14-16 provision, was given.
- iii. The report reflected the impact of Covid-19 on the progress of students in 2019/20. In addition, it also identified areas for development which would be transferred into to the 2020/21 year, including supported internships.
- iv. The Quality Improvement Plan set out the areas and types of improvements that had been identified. These had been broken down into time bound actions for the 2020/21 academic year. The Students, Learning & Quality Committee would be given regular updates on the implementation of those actions throughout the rest of the academic year.
- v. Validation of the provision type self-assessment grades was undertaken by the Chair of the Students, Learning & Quality Committee on 18th November 2020. The draft SAR and QIP were then presented to the Students, Learning & Quality Committee on 26th November. The Committee's feedback had been incorporated into both the SAR and the QIP.
- vi. Following Members consideration and approval, the SAR would be provided to Ofsted, at its request, in early 2021.
- vii. Ofsted had just released its 'inspection' plans from January 2021 which included new regionally based support and assurance visits of those colleges and providers which provided education to 16-19 year olds and were judged to have been 'Good' for their overall effectiveness at their previous inspection. Before these visits took place, inspectors would request copies of relevant quality improvement and/or self-assessment documents used by the provider. During visits, inspectors would discuss with:
 - providers, the progress they had made in dealing with weaknesses and / or the next steps which had been identified at their most recent inspection; and
 - leaders, the steps that they had taken to ensure that students continued to receive a full curriculum.

It was anticipated that each visit would normally last one working day, although this could vary according to circumstances and provider type. It was likely that it would be necessary to carry out some meetings, discussions or aspects of the visits remotely.

Members raised the following questions:

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- i. It had been the case during monitoring visits, that if Inspectors saw something outstanding or that raised a major concern they could convert the monitoring visit into a full inspection. Would that be the case with the new support and assurance visits?

Ben Crook explained that in the current circumstances, this transition was unlikely. Usually monitoring / short inspections would be used for colleges which had previously been graded as 'Good'. No details had been released about whether the support and assurance visits could transition into long inspections, but it would be unlikely due to the limitations imposed by Covid-19 considerations. The College had experienced all types of Ofsted inspections over the last few years and therefore there were no concerns with the new inspection / visit format. The College was clearly focused on working on the areas of improvement identified by Ofsted and could demonstrate the maintenance of full curriculum delivery in the main for students, as supported by mirror teaching and on-site face-to-face delivery.

- ii. It would be helpful to receive an update on how the change to on-site delivery was progressing, particularly in respect of its impact on English and maths attendance.

Ben Crook confirmed that with the implementation of on-site for delivery two days a week, an improvement in attendance was being seen as the phased return was almost complete. English and maths attendance had increased by 2% since 9th November 2020 and was continuing to increase on a daily basis. The number of Covid-19 cases in College were now starting to decrease in line with national rates. The only issue was where staff and students were not following advice, which resulted in bubble closures.

- iii. It was clear that the Team had done very well to maintain standards despite the impact of Covid-19. From the observation of the recent Student Parliament meeting, it was apparent that students were very positive, and their good behaviour and engagement came through clearly. Staff were also honest and open in their responses to students' questions and concerns.

- iv. What was the likelihood that Ofsted would inspect the College?

Ben Crook explained that Ofsted would select colleges on a regional base. He was about to undertake some analysis of colleges in the region to identify when they had last been inspected and their inspection grading. The College was in a strong position having last been inspected in September 2019. Very few colleges had been inspected in the academic year 2019/20, before lockdown commenced in March 2020.

Tom Hamilton-Dick confirmed that the Education Skills Funding Agency (ESFA) had been probing colleges in the last few weeks for what it considered high-risk activities, such as rotational delivery where students were in college one week out of two and where there was insufficient online delivery. The ESFA now had confidence in mirror teaching and the College's face-to-face teaching had increased from 80% to almost 100% of all teaching. The College would therefore not be high on the ESFA's list of colleges to watch.

Ben Crook went on to explain that inspectors would not be able to speak to students, visit lessons or undertake 'deep-dives' during the support and assurance visits and therefore, unless a significant safeguarding issue arose during the visit, it was very unlikely to trigger a further inspection. He would gather intelligence once the visits started and reports from the visits were published.

Members thanks Ben Crook for his presentation.

Ray Linforth welcomed everyone to the meeting which was quorate.

1. Routine and Standing Items

1.1 Apologies

No apologies were received.

1.2 Declarations of Interest

No declarations of interest were received.

1.3 Minutes of a Meeting held on Monday 5th October 2020

The minutes of the last meeting held on Monday 5th October 2020 were approved. (Proposer: Anil Majithia; seconder: Andrew Turner).

1.3.1 Schedule of Actions

See attached Schedule.

Action 2 - Nicola Morrison highlighted that she had considered Members feedback following the presentation of the Black Lives Matter (BLM) statement at the last meeting. It had been challenging to harmonise the views that Members had expressed to enable the re-working of the statement. The comments would also have resulted in the document shifting from a public facing solidarity statement relating to the BLM movement, to a more generic statement about equality, diversity and inclusion (EDI) which was not dissimilar to that that the College already had in place. In light of this, the intention therefore was now to capture the spirit of the statement without aligning it to any particular group and to integrate it into the work currently being undertaken in and around fully representing the whole College community and shaping the relevant commitments to move the College's EDI work further forward.

Following discussion, Members accepted the suggested approach.

1.3.2 Matters Arising

There were no matters arising.

1.4 Chair's Action

Ray Linforth reported that on the recommendation of the People, Strategy & Governance Committee he had approved the award of a 'Gift Day' to staff to be taken on 24th December 2020.

Marion Plant highlighted that the award of the 'Gift Day' had been received very positively by staff.

Karen Baxter emphasised that the award had been a brilliant idea and, speaking on behalf of the lecturing staff, confirmed that it had been a wonderful gesture, recognising the hard work that staff had undertaken to cope with all the changes required by Covid-19, whilst ensuring delivery to students continued.

2. Strategic Developments

2.1 Confidential - Principal's Briefing including Covid-19 Update

2.2 Confidential - Strategic Dashboard Monitoring 2020/21

2.3 Confidential - Nuneaton Campus Development

2.4 People Strategy

Nicola Morrison introduced the paper and provided the following overview of the People Strategy :

- i. The People Strategy identified the workforce priorities over the next three years which would support the delivery of the College's vision and objectives.
- ii. Developing a 'diverse and inclusive world class workforce' was the part of the strategic plan which ensured that the College was a great place to work where people were encouraged and supported to be the best that they can be.

- iii. The Strategy has been drafted in consideration of the College's recently agreed strategic ambitions and incorporated feedback provided by the People Strategy & Governance Committee. This was followed up by a meeting with the Chair of that Committee to sign off the work undertaken and to ensure all matters identified, were captured.

Members provided the following challenges:

- i. Was a detailed action plan, underpinning the Strategy, in place and how was it proposed that a 'world class workforce' would be defined and measured? It was not easy to see who the College would measure itself against, to prove it had a 'world class workforce'.

Nicola Morrison confirmed that a comprehensive operational plan sat below the Strategy, which would be reviewed on an annual basis. In terms of the definition and measurement of a 'world class workforce' the workforce would have a role in determining what world class looked like and there had also been an attempt to capture that meaning within the strategic ambitions in the Strategy itself.

- ii. Should the Strategy not be signed by the Chief Executive and / or the Corporation Chair?

Marion Plant confirmed that this was a good suggestion.

Following discussion, Members approved the People Strategy. (Proposer: Helen Holley; seconder: Charlotte Walton)

3. Learning, Teaching and Assessment

3.1 Whole College Self-Assessment Report 2019/20 and Quality Improvement Plan 2020/21

Ben Crook reiterated that the grade arising from the whole College self-assessment was 'Good' with an 'Outstanding' grade for Student Behaviours and Attitudes. The SAR took into account 14-16 and HE provision and mirrored the outcome of the Ofsted inspection which took place in September 2019. Validation of the Self-Assessment Report had taken place through the Students, Learning & Quality Committee and by the Chair of that Committee on 18th November 2020. If the Self-Assessment Report was approved it would be sent to Ofsted in January 2021 when it would become a public document. Areas of improvement which could not be reached due to the impact of Covid-19 had been transferred into the Quality Improvement Plan for 2020/21.

As there were no further questions on this matter, Members received the paper and approved the Self-Assessment Report 2018/19 and noted Quality Improvement Plan 2019/2020. (Proposer: Andrew Turner; seconder: Clive Read).

3.2 Students, Learning & Quality Committee Assurance Reports and Minutes from 15th October and 26th November 2020

Following discussion, Members received the assurance reports and minutes.

4. Financial Matters and Arrangements for Internal Control

4.1 Financial Performance Report including Period 3 Management Accounts

David Poole introduced the paper and outlined the following key points:

- i. Currently the College was on track to meet the budget approved by Members in July 2020.
- ii. Forecast 2 was currently being prepared and would be presented to the Resource Committee at its meeting in January 2021.
- iii. As previously discussed, there continued to be a risk around commercial income due to the impact of Covid-19 and lockdown.

- iv. The 16-19 funded numbers had been achieved as indicated by the R04 census point and the indicated allocation was expected, although this was lagged funding and would not be received until 2021/22.
- v. Some increases in pay costs were evident and consideration was being given to the re-profiling of sessional staff. There was confidence that this budget would be met.
- vi. The balance sheet showed a healthy cash reserve as presented in the paper due to the receipt of the ESFA capital funding which had to be spent by 31st March 2021. Cashflow would be re-profiled to ensure that a forecast would be available for the next 12 months.

Following discussion, Members received the paper.

4.2 Delegation of Procurement Tenders

David Poole introduced the paper and confirmed:

- i. A timeframe for College tenders due to take place over the coming academic year had been presented in the financial performance report.
- ii. The College had been awarded a proportion of funding from the FE College Capital Allocation to improve the condition of the College estate and infrastructure. The majority of this allocation would be spent on completing the estate condition works highlighted in the survey of the Nuneaton Campus in August 2020. These works were designed to improve the condition of the building and were the foundation of the strategy for environmental sustainability, which would assist in future investment of environmentally sustainable projects.
- iii. The paper also set out proposed capital expenditure and the award of the construction contract, both of which required Corporation approval. The procurement process for the contract was summarised, including the steps taken to ensure value for money.
- iv. In addition, a proposal to delegate authority for the approval of contracts which fell outside the schedule of Corporation meetings was outlined. The implications of this delegation had been discussed with RSM, the College's Internal Audit Service, and no concerns had been raised. Any contracts which fell outside the Medium Term Business Plan would still require full Corporation approval.

Members challenged the following matters:

- i. Could assurance be given that capital works being undertaken would not be undone or go to waste when the campus was refurbished using proceeds from the partial disposal the campus. It was essential that the capital allocation was not wasted.

David Poole gave this assurance and emphasised that essential works had been prioritised, but money would not be wasted in undertaking those works.

- ii. In a previous contract recommendation, it had been highlighted that a contractor had not been recommended due to performance issues. What had changed to enable the Executive to recommend that contractor on this occasion?

David Poole explained that additional references had been taken, a JCT contract was in place and a specified contracts manager had been appointed. The recommended contractor had stepped up its game and had provided assurance that works would be undertaken, as much as possible, outside of teaching time to minimise disruption to delivery.

Following discussion, Members received the paper and approved:

- i. the additional capital projects for 2020/21 as set out in the paper;
- ii. the award of the estate condition works contract to the contractor specified in the paper, from the capital project budget for 2020/21; and

- iii. the delegation of authority to approve contracts over £100k which had been included in the approved Medium Term Business Plan and which fell outside the usual Corporation meeting structure, to the Chair of the Corporation and the Chairs of the Resource and Audit Committees. **ACTION 5 CLERK**

(Proposer: Tracey Simkins; seconder: Helen Holley).

4.3 Audit Committee Assurance Report and Draft Minutes from 12th October 2020

Anil Majithia highlighted that due to external auditing difficulties, the approval of the financial statements would now take place at an Extraordinary Corporation meeting to be held at the Strategy Day on the Monday 25th January 2021. The Audit Committee meeting, which had been originally scheduled to take place in November 2020, would now be held on Monday 11th January 2021 to enable the financial statements to be reviewed and the External Audit Findings Report to be received, enabling the Committee to recommend the approval and signing of the financial statements, before the extended deadline of 31st January 2021.

Following discussion, Members received the assurance report and minutes.

4.4 Resource Committee Assurance Report and Draft Minutes from 12th November 2020

Following discussion, Members received the assurance report and minutes.

5. Governance

5.1 Outcomes of from Written Resolutions

Members were asked to note the following outcome from a recent written resolution:

The approval of the award of a PPM contract for a 3-year term with options to extend, by a majority of Members with one abstention and no dissensions on Thursday 15th October at 3pm.

5.2 Annual Completion of the Register of Interests and Certificates of Eligibility Report

The Clerk introduced the paper which confirmed that a full return of certificates of eligibility and declarations of interest had been made by Members. Following a review of those declarations, the People Strategy & Governance Committee was satisfied that Members' declared interests did not indicate any conflicting institutional or organisational interests which would impair a Member's primary loyalty to the Corporation. The Committee was able to confirm full transparency and assurance to the Corporation and any particular issues which might arise could be dealt with through the normal steps of disclosure and Members' absenting themselves from relevant discussions.

Following discussion, Members received the paper.

5.3 Corporation Self-Assessment Report 2019/20 and Quality Improvement Plan 2019/20

The Clerk introduced the paper which presented the governance self-assessment report and quality improvement plan and explained the process taken to draft both documents, including the scrutiny and challenge that the People Strategy & Governance Committee had brought, when it had reviewed those documents. The Committee would monitor progress to implement the actions within the approved Quality Improvement Plan during 2020/21.

Following discussion, Members approved the Corporation Self-Assessment Report 2019/20 and Quality Improvement Plan 2019/20. (Proposer: Anil Majithia; seconder: Karen Baxter)

5.4 Report on the Affixing of the Corporation Seal

Members noted the College Corporation Seal had been affixed to two agreements both of which had been authenticated by Anil Majithia and Marion Plant on 19th August 2020.

5.5 **Draft Minutes of a People, Strategy & Governance Committee Meeting held on 28th September 2020**

Following discussion, Members received the minutes.

6. Consent Agenda

6.1 Policies

There was no requests for any Policy to be discussed and therefore Members approved the following policies. (Proposer: Ray Linforth; seconder: Andrew Turner).

6.1.1 Equality Scheme

6.1.2 Reserves Policy

6.1.3 Risk Management Policy

6.1.4 Safeguarding & Protecting Children and Vulnerable Adults Policy

6.1.5 Senior Post Holder Remuneration Policy

6.2 Matters for Note

There was no request for any matter to be brought on to the main agenda for discussion. Members therefore noted the following matters:

6.2.1 Annual Safeguarding Report

6.2.2 Annual EDI Report

6.2.3 Annual Stakeholder Survey Report

6.2.4 Annual Student Engagement Report

6.2.5 Annual Health and Safety Report

6.2.6 Annual Human Resource Report

7. Other Matters

7.1 Release of Papers

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

- i. Agenda item 2.1 Principal's Briefing Update as the paper contained information which was considered to be commercially sensitive.
- ii. Agenda item 2.2 Strategic Dashboard Monitoring 2019/20 Closing Position as the paper contained information which was considered to be commercially sensitive.
- iii. Agenda item 2.3 Nuneaton Campus Development as the paper was planned for publication subsequent to its presentation at this meeting.
- iv. Agenda item 4.1 Financial Performance Outturn for 2019/20 as the paper contained information which was considered to be commercially sensitive.
- v. Agenda item 4.2 Delegation of Procurement Tenders as the paper contained information which was considered to be commercially sensitive.
- vi. Agenda item 4.3 Audit Committee Assurance Report and Draft Minutes from 12th October 2020 as they contained information which was considered to be commercially sensitive.

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- vii. Agenda item 4.4 Resource Committee Assurance Report and Draft Minutes from 12th November 2020 as they contained information which was considered to be commercially sensitive.
- viii. Agenda item 5.4 Report on the Affixing of the Corporation Seal as the paper contained information which was considered to be commercially sensitive.
- ix. Agenda item 5.5 Draft Minutes of a People, Strategy & Governance Committee meeting held on 28th October 2020
- x. Agenda item 6.2.1 Annual Safeguarding Report as the paper contained information which was considered to be commercially sensitive.
- xi. Agenda item 6.2.5 Annual Health and Safety Report as the paper contained information which was considered to be commercially sensitive.
- xii. Agenda item 6.2.6 Annual Human Resources report as the paper contained information which was considered to be commercially sensitive.
- xiii. Agenda item 8.1 Confidential Minutes of a Meeting Held on Monday 5th October 2020.
- xiv. Agenda item 8.2 Confidential Draft Minutes of an Audit Committee Meeting held on 12th October 2020.
- xv. Agenda item 8.3 Confidential Draft Minutes of an Audit Committee Meeting held on 12th November 2020.
- xvi. Agenda item 9.1 People Strategy & Governance Committee Annual Report 2019/20 as it contained personal data.
- xvii. Agenda item 9.2 Confidential Assurance Report and Draft Minutes for External Members Only of a People Strategy & Governance Committee Meeting held on 28.10.20 as they contained personal data

7.2 Date of the Next Meeting:

Members agreed the date of the next meeting as Thursday 25th March 2020 at 6pm via Microsoft Teams Meeting.

They also noted that the Corporation Strategy Day would take place on Monday 25th January 2021 when an extraordinary Corporation meeting would also be held to receive the College financial statements for 2019/20 for approval and signing.

Ray Linforth thanked Karen Baxter and Charlotte Walton (Staff and Student Members) for their ongoing support and work and members of the Executive Team for their excellent and hard work over the last term and wished them all a very happy Christmas and a safe New Year.

The Staff and Student Members and the Executive Team then left the meeting at 7.45pm

Matters on the confidential agendas were then dealt with.

The meeting finished at 7.50pm

Signed: (Chair) Date: