

North Warwickshire and South Leicestershire College

MINUTES OF A MEETING OF THE CORPORATION

Thursday 8th July 2021 at 6pm - Microsoft Teams Meeting

Present: Mr Chris Brewer, Mrs Karen Baxter, Mr Duncan Cooper, Mrs Helen Holley, 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 start of the meeting Ray Linforth introduced Anthony Gribben-Lisle, highlighting that he had worked in the FE sector as a senior postholder and leader and now worked with educational clients (both general education colleges and multi-academy trusts) providing GDPR support and expertise, as well as working as the designated Data Protection Officer for a number of those organisations.

Anthony Gribben-Lisle thanked Ray Linforth for his introduction and then briefed Members on the UK GDPR giving an overview of data protection, including GDPR principles and definitions, accountability and governance, the role of the Data Protection Officer, data breach consequences and trends, and risk management and assurance.

At the conclusion of the briefing, Members asked the following questions:

- i. During the presentation it had been indicated that a significant number of data breaches reported nationally occurred due to a failure to BCC. Did this refer to the blind-copying of email address?

Anthony Gribben-Lisle confirmed that this was correct. A breach arose when a large number of email addresses, which were personal data, were carbon copied in a situation where consent had not been given to share email addresses with others.

- ii. As it was essential to address breaches quickly, particularly where the breach was serious, it was important that the College demonstrated good practice and took matters seriously whilst dealing with staff in a sensitive way, to encourage breaches to be reported.

Anthony Gribben-Lisle agreed with this approach and indicated that it also put the College into a better position should it have to report a breach to the Information Commissioner's Office.

- iii. How could the risk inherent in using emails be eliminated?

Anthony Gribben-Lisle highlighted that it would be impossible to eliminate the risk, but the College was working to minimise risks by ensuring controls were in place which included good communication about relevant issues, staff training, clear do's and don'ts, the identification of risk and what could be done to mitigate them, implementing and communicating good practice and undertaking impact assessments.

At the conclusion of the briefing and discussion, Ray Linforth thanked Anthony Gribben-Lisle for giving his time and for delivering an interesting and helpful briefing. He asked for Members to be given a further update on the work currently being undertaken, in due course.

Anthony Gribben-Lisle left the meeting at 6pm

Ray Linforth welcomed everyone to the meeting which was quorate.

1. Routine and Standing Items

1.1 Apologies

Apologies for absence were received from Jerry Hutchinson and Rav Hothi.

Ray Linforth then informed Members that this would have been Jerry Hutchinson's last meeting as he was stepping down after a significant period of service and having been an integral part of the Corporation. Jerry Hutchinson's various roles had included taking on the role of Vice-chair on a number of occasions; involvement in task and finish groups for the Hinckley campus building development, the implementation of The George Eliot School, the work to establish The Midland Academies Trust and sponsor academies, merger negotiations with South Leicestershire College, the federation board during the merger, the current partial disposal, and sitting on the Trust Board of Directors for 4 years and being a Trust member. Jerry Hutchinson had also been a member of a number of committees over the years and had undertaken link visits in different areas, including health and safety. He had also actively supported the College by attending numerous fashion shows, end of year shows and had attended annual Corporation dinners and conferences/strategy days. Jerry Hutchinson's role as Chief Executive North Warwickshire Borough Council had also given him a good view on the local area and community and he had shared this knowledge and awareness with the Executive Team and Members. He had been a valued Member who would be missed.

Marion Plant highlighted Jerry Hutchinson's huge impact during his tenure, including his active support of her and the Executive Team, both with wise counsel and supportive challenge. A piece of art work created by a College student would be presented to Jerry Hutchinson at the earliest opportunity, to recognise the work he had undertaken in support of the College.

1.2 **Declarations of Interest**

The following declarations of interest were made:

- i. Ray Linforth in respect of agenda item 2.2.
- ii. Andrew Turner in respect of agenda item 2.2.
- iii. Helen Holley in respect of agenda item 2.2.

Members confirmed that those Members could remain in the meeting during discussion concerning their re-appointments but should take no part in that discussion.

No other declarations of interest were received.

1.3 **Minutes of a Meeting held on Thursday 25th March 2021**

The minutes of the last meeting held on Thursday 25th March 2021 were approved. (Proposer: Helen Holley; seconder: Charlotte Walton).

1.3.1 **Schedule of Actions**

See attached Schedule.

- i. Action 1 - David Poole confirmed that whilst all Government funding schemes that the College was eligible to access were not listed, all relevant grants which the College was accessing were declared in the financial performance report.
- ii. Action 6 - The College had not been responsible for developing the cost of the original bid proposal to move the Glebegate restaurant into the Nuneaton town-centre. It had been anticipated that the costed business case would have been available to present to the Corporation at the current meeting; however it had not be finalised and discussions were currently ongoing. An update on the situation would be provided at the next Corporation meeting.

Tracey Simkins joined the meeting at 6.10pm

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 in March 2021.

2. **Strategic Developments**

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

Marion Plant provided the following update:

i. **Covid-19 Update:**

- The current situation was volatile with changing Government guidance and concerns about increasing numbers of positive cases; fortunately the majority of teaching had now finished.
- The Executive Team was analysing Government guidance and planning for the start of the new academic year with a number of different scenarios. The messages about the application of common sense and personal responsibility were making planning very complex. Government guidance was being followed, risk assessments were in place and a cautious return for students and staff was being planned. All adaptations to the College's physical environment were being retained in case restrictions were re-imposed and the continued wearing of masks was being encouraged. Testing requirements and arrangements were outlined.
- Staff views on the changing situation were mixed; some staff had not been on site for 18 months. The risk assessment was therefore taking into account staff who were vulnerable and / or experiencing anxiety about returning.
- The situation was complicated by the rising rate of infections, particularly among non-vaccinated students.

Members raised following challenges:

- i. It was easy for the Government to highlight personal responsibility, but this left the College with significant challenges. How was the College funding the ongoing costs of the impact of the pandemic?

Marion Plant indicated that the estimated cost of testing would be approximately £7k per week over a number of weeks. It was possible that the College would receive some funding, but it was unlikely to cover the full cost of testing. A task group had been set up to manage the testing arrangements.

- ii. Would the Freshers Fair take place in person this year or would it be on line due to concerns over the new variant?

Marion Plant explained that the current intention was to hold the Fresher Fair on site. The Executive was trying to balance students' wellbeing against the current risks. Government guidance indicated that the Freshers Fair could be held in person, but this decision would be subject to a risk assessment nearer the time and if it went ahead on site it was likely to be a different experience from previous Fresher Fairs.

- iii. Whilst legal requirements had changed the College continued to have a duty to safeguard its staff and students. The approach being taken seemed to be the right way to go in all the circumstances.

Marion Plant confirmed that this decision was a balance between quality and well-being and therefore a cautious approach was being taken. A hybrid model of working was also being implemented so that staff who could work at home, would continue to do so. There was an acute awareness of the ongoing responsibility for staff and students in the current situation.

ii. College Update

- The College had received a 'Gold' Investors in People re-accreditation in June 2021. This was a tremendous outcome, particularly in the context of the pandemic, and Nicola Morrison was thanked for her tenacious overview of the process.
- Applications and offers accepted for 2021/22 were significantly up for both study programmes and higher education; however an increased number of applications had been reported all over the country and therefore it was essential for the College to retain students past the 42 days census point.
- Following her recent visit to the Wigston Campus, Gillian Keegan MP, Minister for Skills had mentioned the College in many of her recent communications, including the College's Skills for Next Steps initiatives.
- The College had appointed a new full time Finance Director who had a schools and FE educational background. He would start work in August 2021.
- The end of year staff conference and awards ceremony was taking place on Friday 9th July 2021 and was expected to be a very positive finish to the term. Anil Majithia would be attending on behalf of the Corporation.
- 28 students had made it through to the WorldSkills UK qualifying heats and 36 inclusive skills students had gone through to the September heats.
- Ofsted had contacted the College to be part of the Warwickshire County Council Send inspection.
- The Chief Executive of the Education Skills Funding Agency (ESFA), Eileen Milner, had just resigned. It would be interesting to see the implications of this change.

Following discussion, Members received the update briefing and congratulated Marion Plant on being 'Highly Commended' in the Pearson Lifetime Achievement Award and for being shortlisted in the TES Lifetime Achievement Award.

2.2 Confidential - Strategic Dashboard Monitoring 2020/21

2.3 Confidential - Draft Strategic Plan 2021/22

Tracey Simkins left the meeting at 6.50pm

2.4 Confidential - Nuneaton Campus Development Update

Matthew Hirst (Fusion) joined the meeting at 7.15pm

2.5 Draft Estates Strategy

David Poole introduced the paper which presented the College Estates Strategy which covered the period 2021/2026 and which had been developed with the support of its consultant, Fusion. Matthew Hirst from Fusion had joined the meeting to support the presentation. Following discussion at a recent meeting of the Resource Committee, together with the Corporation Chair and Committee Chairs, it had been agreed that two strategies would be presented, one in the 'sector format' required by the Education Skills Funding Agency (ESFA) which would be submitted with capital bids and the second in a 'working' format for Members' reference. Both documents would be 'live' documents which could be amended. Any changes would however be reported to the Corporation.

Members attending the recent meeting thanked David Poole for the development of the 'working' estates strategy which achieved what had been asked for.

Following discussion, Members approved both versions of the Estates Strategy. (Proposer: Helen Holley; seconder: Clive Read).

David Poole thanked Matthew Hirst for his input in developing both versions of the Estates Strategy and for joining the meeting.

Matthew Hirst (Fusion) left the meeting at 7.25pm

3. Learning, Teaching and Assessment

3.1 Update on QTAG Process and Appeal Policy (QTAGs) 2021

Ben Crook introduced the paper which summarised the process adopted to implement the award of QTAGs, which had replaced the usual summer GCSE examinations and assessment arrangements for vocational qualifications. He highlighted that staff had completed the submission of 2862 qualification grades over 105 programmes to 5 separate awarding bodies by the final date for QTAG submission on 18th June 2021. Students' final grades would be released between 10th and 12th August which was earlier than usual, allowing students to go through any appeal processes and progress on to the next stage of their education.

Members were also asked to approve a temporary Appeal Policy to cover the current situation. The policy template had only just been received from the Joint Council for Qualifications (JCQ) and the appeal process was much simpler than the College's usual process, due to the short timescales involved for students wanting to progress to University.

Ben Crook highlighted that Andrew Turner as chair of the Students, Learning & Quality Committee had been asked to review the Policy before it was presented to Members.

Andrew Turner confirmed that he had reviewed the Policy. The only comment he had made was about ensuring the language used in it was accessible, other than that he was happy with the Policy.

Ben Crook confirmed that he would make relevant amendments before the Policy was uploaded to the website.

Following discussion, Members received the paper and approved the Policy. (Proposer: Andrew Turner; seconder: Ray Linforth).

3.2 Students, Learning & Quality Committee Assurance Report and Minutes from 24th June 2021

Members noted the Assurance Report and the minutes from a meeting of the Students, Learning & Quality Committee on 24th June 2021.

4. Financial Matters and Arrangements for Internal Control

4.1 Confidential - Financial Performance Report including Period 10 Management Accounts and Capital Update

4.2 Confidential - Forecast Year-End Financial Outturn

4.3 Medium Term Business Plan 2021/22-2022/23 including Annual Budget 2021/22

David Poole introduced the paper which presented a prudent budget set against the background of the ongoing pandemic and using similar pay and non-pay cost scenarios from the current year. The paper set out the assumptions against which the budget had been developed. The Resource Committee had scrutinised the proposed budget and Medium Term Business Plan and was recommending them to the Corporation.

Members raised the following challenges:

- i. The paper indicated that significant estates costs which related to Covid-19 had been taken out of the budget as they would no longer be incurred. Should these costs be built back into the budget as the position remained uncertain?

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David Poole explained that the College had already invested money in relevant equipment that was needed and was carrying additional stocks. Money had been put aside to replenish consumables and the budget could be looked at again. The College had already incurred high costs in this area. Testing equipment was provided by the Department for Education, free of charge.

Following discussion, Members approved the annual budget 2021/22 and medium-term business plan 2021/22-2023/24. (Proposer: Anil Majithia; seconder: Chris Brewer).

4.4 Subcontracting: Recommendation for Approved Sub-Contractors 2021/22

David Poole introduced the paper and confirmed that the College's sub-contracting framework had received Corporation approval in 2020/21. Members were now being asked to approve the framework for 2021/22. Whilst no subcontracting was planned for 2021/22, if the College was awarded additional Adult Education Budget (AEB) contracts then sub-contractors may be required to deliver those contracts.

Following discussion, Members approved the sub-contracting framework for 2021/22 and the partners to be used, as presented in the paper. (Proposer: Ray Linforth; seconder: Charlotte Walton).

4.5 Confidential - Grounds Maintenance Contract

4.6 Extension of External Audit Service Contract

David Poole introduced the paper and explained that on the recommendation of the Audit Committee, Members were asked to approve the extension of Grant Thornton's contract with the College for the academic year 2021/22. If approved this would be the fourth year of the operation of the contract, with could be further extended for another year.

Anil Majithia as Chair of the Audit Committee, confirmed the Committee's recommendation.

Following discussion, Members approved the extension of the external audit service contract for Grant Thornton for 12 months. (Proposer: Anil Majithia; seconder: Chris Brewer).

4.7 Internal Audit Plan 2021/22 and Internal Audit Strategy 2021/24

David Poole introduced the paper and confirmed that an audit strategy planning session had taken place on May 10th 2021. The Audit Committee had then received the presented annual internal audit plan for 2021/22 and the internal audit strategy for 2021/24 at its meeting on 16th June 2021. Following scrutiny and challenge the Committee was recommending both the plan and strategy for Corporation approval. David Poole highlighted that the annual plan may be subject to change in-year, at the discretion of the Audit Committee, should a need arise.

Following discussion, Members approved the internal audit plan 2021/22 and internal audit strategy 2021/24. (Proposer: Ray Linforth; seconder: Helen Holley).

4.8 Strategic Risk Report 2020-21

David Poole introduced the paper and confirmed that the Audit Committee had recently scrutinised and challenged the risk report. He then gave an overview of the key risks presented.

Following discussion, Members received the paper.

4.9 Resource Committee Assurance Report and Draft Minutes from 21st June 2021

Members noted the Assurance Report and the draft minutes from a meeting of the Resource Committee on 21st June 2021.

4.4 Audit Committee Assurance Report and Draft Minutes from 16th June 2021

Members noted the Assurance Report and the draft minutes from a meeting of the Audit Committee on 21st June 2021.

5. Governance

5.1 Outcomes of Nominations for Chair and Vice-chairs

The Clerk introduced the paper and confirmed that the following nominations had been received and duly seconded:

- i. Chair - Ray Linforth.
- ii. Vice-chair - Anil Majithia.
- iii. Vice-chair - Andrew Turner.

Consequently, Ray Linforth was appointed as Corporation Chair, and Anil Majithia and Andrew Turner were appointed as the Vice-chairs for the year 2021/22, as from 1st August 2021.

Ray Linforth, Anil Majithia and Andrew Turner thanked Members for their confidence.

5.2 Re-appointment, Co-option, Committee Membership & Governance Approach 2021/22

The Clerk introduced the paper and outlined the recommendations which Members considered and following discussion approved:

- i. The re-appointment of:
 - Ray Linforth for 4 years to 31st July 2025. (Proposer: Anil Majithia; seconder: Clive Read).
 - Andrew Turner for 4 years to 31st July 2025. (Proposer: Clive Read; seconder: Helen Holley).
 - Helen Holley for 4 years to 31st July 2025. (Proposer: Ray Linforth; seconder: Clive Read).
- ii. The co-option of:
 - Trusha Lakhani to the Audit Committee for 12 months to 31st July 2022 (Proposer: Anil Majithia; seconder: Helen Holley).
 - Leanne Newitt to the Students, Learning & Quality Committee for 12 months to 31st July 2022. (Proposer: Marion Plant; seconder: Andrew Turner).
- ii. Committee membership as set out in the paper (Proposer: Clive Read; seconder: Helen Holley).

Ray Linforth then informed Members that he and Marion Plant had met with Simon Kirby to explore Simon Kirby's expression of interest to join the Corporation. Ray Linforth outlined Simon Kirby's wealth of experience in the FE, HE and private sectors and his qualifications and experience (this included a skill set which would be an addition to the current Corporation skill set).

Following discussion, Members approved the appointment of Simon Kirby to the Corporation for an initial 12 months. (Proposer: Ray Linforth; seconder: Marion Plant).

The Clerk then outlined the following approach to governance for 2021/22 as supported by the People, Strategy & Governance Committee. In light of the (potentially) changing pandemic situation, a short questionnaire would be deployed over the summer to give all Members and co-optees the opportunity to express their views as to how governance meetings and other engagement opportunities might be held going forward, and to provide an insight into their personal experiences and learning during this time. The outcomes of the survey would be shared with the Committee and the Corporation, to inform thinking and the development of the approach to governance, going forward into 2021/22.

Following discussion, Members received the paper and supported the proposed approach.

5.3 **People Strategy & Governance Committee Assurance Report and Draft Minutes from 28th June 2021**

Members noted the Assurance Report and the draft minutes from a meeting of the People, Strategy & Governance Committee on 28th June 2021.

6. Consent Agenda

6.1 **Policies**

No requests from Members had been received to discuss any item on the consent agenda and therefore Members approved the following policies, and the amendment to the Committee terms of reference as presented in this paper and recommended by the People Strategy & Governance Committee. (Proposer: Helen Holley; seconder: Andrew Turner).

6.1.1 Financial Regulations

6.1.2 Gifts and Hospitality Policy

6.1.3 Freedom of Information Policy

6.1.4 HE Refund & Compensation Policy

6.1.5 Student Bursary, Discretionary & Advanced Loans, Bursary Funds Policy

6.1.6 Sub-Contracting & Charges Policy

6.1.7 Tuition Price Policy

6.1.8 Domestic Abuse Policy

6.1.9 Annual Review of Committee Terms of Reference

6.2 **Matters for Note**

6.2.1 **Corporation Meeting Schedule 2021/22**

Members noted the Corporation Meeting Schedule 2021/22.

6.2.2 **Outcomes from Written Resolutions**

Members were asked to note the following outcome from a recent written resolution; namely the approval of the NWSLC GCSE Centre Policy and the NWSLC Vocational Qualifications Centre Policy 2021.

7. Other Matters

7.1 **Release of Papers**

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

- i. Agenda item 2.2 Strategic Dashboard Monitoring 2020/21 as the paper contained information which was considered to be commercially sensitive.
- ii. Agenda item 2.3 Draft Strategic Plan 2021/22 as the paper contained information which was considered to be commercially sensitive.
- iii. Agenda item 2.4 Nuneaton Campus Development as the paper contained information which was considered to be commercially sensitive.
- iv. Agenda item 2.4 Draft Estates Strategy as the paper contained information which was considered to be commercially sensitive.

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- v. Agenda item 3.1 Update on QTAG Process and Appeal Policy (QTAGs) 2021 as the paper contained information which was considered to be commercially sensitive.
- vi. Agenda item 3.2 Students, Learning & Quality Committee Assurance Report and Draft Minutes from 24th June 2021 as they contained information planned for publication subsequent to the presentation of this report.
- vii. Agenda item 4.1 Financial Performance Report Accounts Period 10 and Capital Update as the paper contained information which was considered to be commercially sensitive.
- viii. Agenda item 4.2 Forecast Year-End Financial Outturn as the paper information planned for publication subsequent to the presentation of this report.
- ix. Agenda item 4.3 Medium Term Business Plan 2021/22-2022/23 including Annual Budget 2021/22 as the paper contained information which was considered to be commercially sensitive.
- x. Agenda item 4.4 Subcontracting: Recommendation for Approved Sub-Contractors 2021/22 as the paper contained information which was considered to be commercially sensitive.
- xi. Agenda item 4.5 Grounds Maintenance Contract as the paper contained information which was considered to be commercially sensitive.
- xii. Agenda item 4.9 Resource Committee Assurance Report and Draft Minutes from 21st June 2021 as they were planned for publication subsequent to the presentation of this report.
- xiii. Audit Committee Assurance Report and Draft Minutes from 16th June 2021 as they were planned for publication subsequent to the presentation of this report.
- xiv. Agenda item 5.3 People Strategy & Governance Committee Assurance Report and Draft Minutes from 28th June 2021 as they were planned for publication subsequent to the presentation of this report.
- xv. Agenda item 8.1 Confidential Minutes of a Meeting held on Thursday 25th March 2021 as they contained information which was considered to be commercially sensitive.
- xvi. Agenda item 8.2 Confidential Draft Resource Committee Minutes from 21st June 2021 as they contained information which was considered to be commercially sensitive.
- xvii. Agenda item 8.3 Confidential Draft Minutes of a Meeting of the Resource Committee, Corporation Chair and Committee Chairs from 21st June 2021 as they contained information which was considered to be commercially sensitive.
- xviii. Agenda item 9.1 Implementation of the Job Evaluation Scheme as the paper contained information which was considered to be commercially sensitive.
- xix. Agenda item 9.2 Confidential Draft Resource Committee Minutes for External Members Only from 21st June 2021
- xx. Agenda item 9.3 Confidential People Strategy & Governance Committee Minutes for External Members Only from 22nd February 2021 and Draft Minutes from 28th June 2021 as they contained personal data.

7.2 Date of the Next Meeting:

Members agreed the date of the next meeting as Monday 4th October 2021 at 6pm.

8. Confidential Matters

8.1 Confidential Minutes of a Meeting held on Thursday 25th March 2021

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The confidential minutes of the last meeting held on Thursday 25th March 2021 were approved. (Proposer: Clive Read; seconder: Karen Baxter).

8.2 Confidential Draft Resource Committee Minutes from 21st June 2021

Members noted the confidential draft minutes from a meeting of the Resource Committee on 21st June 2021.

8.3 Confidential Draft Minutes of a Meeting of the Resource Committee, Corporation Chair and Committee Chairs from 21st June 2021

Members noted the confidential draft minutes from a meeting of the Resource Committee, Corporation Chairs and Committee Chair on 21st June 2021.

Ray Linforth thanked Charlotte Walton and Karen Baxter for their support over the year and wished then a restful summer break.

Karen Baxter and Charlotte Walton left the meeting 8.08pm

Matters on the confidential agenda for external Members only were then dealt with.

Ray Linforth thanked everyone for all their work in difficult circumstances over the year, particularly Executive Team colleagues. He wished everyone a safe and enjoyable summer break and looked forward to seeing everyone in October 2021.

The meeting finished at 8.18pm

Signed:(Chair) Date: