

MINUTES OF CORPORATION MEETING

PART ONE

Venue: HB201

Date: Thursday 21st March 2024**Members:**

Charlotte Bosworth
Mary Mahoney
Aysha Rahman Amani
Rani Sahota
Stuart Pedley-Smith
Tony Sadla
Jat Sharma
Nelson Tanyanyiwa
Nick Tomkys
Dave Wheeler

In Attendance:

Barbara Van Der Eecken, Linda Enlow, Edward Ng – Associate Governors
Richard Brennan, Assistant Principal Curriculum
Matthew Brown, Director of Finance & MIS
James Norris, Assistant Principal Commercial Development
Deb Rajania, Director of Operations & Resources
David Turner, Assistant Principal Quality & HE
Natalie Priest, Head of Human Resources
Lesley Venables, Head of Governance

	CHAIR'S OPENING REMARKS	
173	The Chair highlighted the new start time for Corporation meetings, which was intended to allow for some social activity after business had been concluded.	
174	Following identification of a number of non-compliances governors were requested to complete an electronic safeguarding training module on the Education Training Foundation's platform, within 2 weeks. The Head of Governance would circulate details and copies of the resulting certificates should be submitted for logging on the College's central database	ALL/ LV
175	Governors noted the recent resignation of Ray Simmonds, due to work commitments and wished him well for the future.	
176	Three 1:1 meetings with governors and associates had not yet been completed but would be scheduled over the next few weeks.	DW/ LV
177	A meeting of the committee chairs would be arranged shortly, the outcomes of which would be reported to the Corporation. Governors were reminded to ensure that link activities had been arranged by the relevant manager.	LV ALL
	APOLOGIES	
178	Apologies for absence were received from Garry Welborn (Staff Governor), Paul Averis (External Governor), Nick Tomkys (External Governor) and Heather Lodge (External Governor).	
	DECLARATIONS OF INTEREST	
179	Edward Ng (Associate Governor) declared a potential conflict of interest in any matters relating to the Learning & Skills Improvement Fund, as his son was the founder of an SME delivering training on green skills.	
180	There were no other declarations of interest in any specific agenda items.	

	CHAIR'S ACTION	
181	The Director of Finance & MIS reported that Chair's Action had been used recently to approve urgent works to secure the stability of the sloping boundary of the Kings Norton site (value £200k), increases to the costs for security and cleaning services contracts for 2024/2025 and beyond (for which a lesser amount had been approved by the Finance & Resources Committee) and to finalise the College's contract for energy supplies for the next year.	
	MINUTES	
182	Resolved – That the minutes of the meeting held on 25 th January 2024 (Part 1 be approved as a correct record and signed by the Chair	
	MATTERS ARISING	
183	The Board received a progress report on actions arising from previous meetings and noted that the majority of these were either completed or in train.	
184	In relation to minute 102 it was agreed that newer governors would be shadowed in their link activities (such as walk-throughs). A number of additions had been suggested to the overall schedule that were approved by the Corporation.	ALL/ LV
185	Progress on the Electric Vehicle project was currently on hold due to funding issues relating to the local authority (minute 65.23.16 refers). This would be submitted for approval as part of the overall Property Strategy at the May 2024 meeting.	DR
186	It was possible that £2m additional funding may be available through the Government's "Healthy Levelling Up" fund, but this would have to be spent by March 2025. Management was considering whether this timescale was realistic and would bring any conclusions to the Corporation for decision, following recommendation by the Capital Projects Working Group and the Finance & Resources Committee.	DR/ MB
187	At the previous meeting governors had been advised that the HE Strategy would be submitted to this meeting for approval (minute 84.23.8). However, given the current focus on Ofsted preparedness, discussions on the Strategy had only just commenced. It was agreed that this item would be brought back to the May meeting and its submission needed to align with the development and approval of the new Curriculum Strategy.	DT/ JS
188	Resolved - That the following amendments be made to the schedule of link Governorships: • Stuart Pedley-Smith - Digital and Artificial Intelligence • Barbara Van Der Eecken - EDI • David Wheeler - Sustainability	
	LINK GOVERNOR ACTIVITIES	
189	Governors reported on various visits they had made to the College since the January 2024 meeting. Several had visited the Green Lane Campus and received positive feedback from staff and students, One governor reported on her induction day, which had included sessions by the Executive Team and Head of Governance, together with a visit to The Link. The link governor for SEND had met the staff in that department recently and been highly impressed by teaching, learning and assessment and the facilities offered to students.	

190	The Chair asked that governors complete a form to record the main purpose and outcomes, which could then be used as evidence during any Ofsted inspection or external validation process.	ALL
SAFEGUARDING UPDATE		
191	The Head of Safeguarding presented a report on safeguarding issues since the January 2024 meeting.	CW
192	The College had recently appointed some additional members of the safeguarding team, including individuals with previous experience of the probation service, residential care homes and other educational establishments, which complemented the skills of existing staff and would enhance the service offered to students.	
193	All vacant posts had now been filled and some of the staff who had commenced their employment had also received their initial training, which was tailored to their particular needs. The high volume of safeguarding concerns had affected the speed of reaction to non-urgent matters, but this would be addressed with the new cohort of staff.	
194	Management was currently reviewing the College's 14-16 provision in terms of student supervision arrangements. An update on the new measures introduced would be provided to the next meeting. Staff were also working with employers to ensure that safeguarding arrangements for students on work experience mirrored those within the College itself.	
195	Feedback from staff on the new system for reporting safeguarding concerns (MyConcern) had been extremely positive. It enabled a greater level of accountability and progress tracking in a timely manner. Emerging concerns and patterns of behaviour could also be recorded.	
196	The system was being used to receive information from a wider group (students, apprentices, professionals, families, local authorities and employers), which enabled better informed decision-making.	
197	A total of 375 concerns had been recorded since the introduction of the new system, 276 of which were still 'active' and 99 of which had been completed. Governors received a break-down of the number of concerns in each category but noted that such issues were often complex and difficult to allocate to one category. In response to questions about comparisons on the number of cases in previous years the Head of Safeguarding reported that it would take some time before there was sufficient relevant data to enable any trend analysis to be undertaken.	
198	Governors expressed concern about the number of cases that had not yet been allocated (105), but were assured that there was an effective triage system in place and that any urgent issues were dealt with as soon as possible.	
199	The Head of Safeguarding was asked whether the proposed introduction of the MyVoice system could cause some vexatious complaints and responded that all issues fed into the MyConcern software and any spurious reports would then be extracted.	
200	All Team Coordinators were linked with a particular Curriculum Delivery area and attended team meetings on a half-termly basis to promote key messages on	

	safeguarding and wellbeing. Common themes were then identified as well as contextualising information about the local area.	
	Charlotte Wood left the meeting.	
	ENRICHMENT UPDATE & BUDGET FOR 2024/2025	
201	The College's Enrichment Officer gave a presentation on enrichment activities during 2023/2024. There had been a significant increase in the number and breadth of the enrichment offer this year.	
202	From the approved budget of £40K the cost per student was calculated as £2.31 and the cost per intervention was £0.97, which was a considerable achievement. It was noted that there was a low level of engagement in some curriculum areas. The programme of events centred mainly around citizenship, British Values and careers, together with improving safety and providing opportunities to participate in sports.	
203	The staff were thanked for high level of detail provided in the report and for their efforts in improving enrichment activities and overall student development.	
204	Governors received proposals for the Student Enrichment budget for 2024/2025, which was based on activity levels in 2023/2024. The total requested was £14K and a further £12.4K for the Student Union. The draft budget had been discussed and recommended by the Student Voice Committee at its meeting on 14th March 2024.	
205	The Principal advised that for the past few years the Student Union had relied on its own reserves to fund its activities. However, this money had now reached a minimal level, which was why the budget request had been submitted. The SU administered this grant through a separate bank account and this was rigorously monitored by the Finance Team, with no impact on the College's EBITDA figure. It was agreed that the Head of Finance would ensure that there was a sufficient amount in the SU account to cover any possible expenditure in 2025/2026 to provide a contingency fund against any unexpected costs.	JL/ MB
206	Future versions of the finance report would include the SU budget and any expenditure.	MB
207	Resolved - That the Enrichment and Student Union Budget for 2024/2025 be approved	
	STUDENT UNION CONSTITUTION	
208	The Head of Student Experience presented a revised Constitution for the Student Union. This had been drafted in conjunction with the Head of Governance and was in line with current good practice in the sector.	
209	Resolved - That the revised Student Union Constitution be approved and adopted for 2024/2025	
	Greg Joesbury and Helena Platt left the meeting	
	STUDENT VOICE COMMITTEE	
210	The Chair of the Student Voice Committee gave a verbal report on the meeting held on 14th March 2024.	

211	Discussions had highlighted the level of concern amongst students for their personal safety, particularly when travelling to and from College and included the College's acquisition of the former Marks & Spencer building in the Town Centre. The Assistant Principal Curriculum reported that he had forwarded these concerns and the suggestions on their resolution to the local authority for consideration. It was apparent that students may not be aware of the wider redevelopment of this area, which should address some of the issues raised. Governors agreed that representatives from the Council should be invited to attend a future meeting of the Student Voice Committee to explain the development plans and answer any questions.	DR/ JS
212	The Principal added that staff were also concerned about the levels of safety, with these views replicated across all partner organisations involved in the project. A positive PR campaign was required to set out the detailed plans and promote the message that safety continued to be a high priority. A governor suggested contacting local authorities and colleges which had been successful in improving safety and seeing if there were any lessons that could be applied to Walsall.	DR/ JS
213	In the meantime students would be reminded of key safety strategies such as travelling in groups and ensuring that their mobile phones were fully charged before leaving the building. The Student Voice Committee had been asked to consider any measures they would like to be introduced.	
FINANCE REPORT		
214	Finance & Resources Committee – 12th March 2024 The Director of Finance & MIS presented a verbal report on the Finance & Resources Committee meeting held on 12 th March 2024. Detailed discussion had taken place on the management accounts for January 2024, particularly in relation to apprenticeships/work-based learning and strategic projects.	
215	The College's Treasury Management Policy had been reviewed and was recommended for approval by the Corporation with no significant changes. Proposals on Higher Education Tuition Fees for 2025/2026 had been considered in light of recent guidance issued by the Office for Students (featured under a later agenda item).	
216	Governors had received a report on the budget-setting process and the assumptions on which the current version was based.	
217	The Committee had also considered information on capital projects, progress against key human resources indicators, the Gender Pay Gap Report for 2022/2023, sub=contracting levels against targets and commercial activities. A number of service contracts were due to expire at the end of July 2024 and the outcome of the tender processes to replace the existing arrangements had been discussed in detail, with approval for Chair's action given to finalise these prior to the next Committee meeting (reported under an earlier agenda item).	
218	A significant debate had occurred in relation to the most appropriate level of EBITDA and the relatively high pay to income ratio, which was an issue within the FE sector due to pay inflation and the gap with levels of Government funding.	

	Financial Report	
219	The Board was reminded of the decision to award a 6.5% pay award to all staff with effect from 1 st February 2024. The F&R Committee had debated the impact that this had had on the overall financial performance level and had concluded that the situation was finely balanced.	
220	Income for the Adult Education Budget and Free Courses For Jobs was in line with the identified target, however, some of the College's sub-contracting provision had been progressing slower than anticipated. Additionally, the College was finding it difficult to fully utilise the National Tuition Fund monies due to the national shortage of teachers of English and, especially, Maths. Several external companies had now been engaged to source suitable individuals to provide extra teaching capacity.	
221	Achievement of the target for apprenticeships (£5.2m) was extremely challenging and was currently projected to under-perform by £0.9m. This was set against a background of inflationary cost pressures on maintenance and estates items and had meant that any non-essential expenditure had been put on hold until the new academic year.	
222	The ESFA's lagged funding model and the increase in the number of 16-18 year olds enrolled at the College in 2023/2024 had mitigated some of the funding risks. Management's current focus was to drive up student achievement rates and to secure additional income for 2024/2025 (approx.£4m).	
223	The budget-setting process was underway and was based on 'good' financial health, an EBITDA of above 4%, a lower pay to income ratio (although the actual level had not yet been determined), increased class sizes and £1.5m allocation for student support and additional resources. The draft contained no growth in 16-18 as this was uncertain at the moment and some additional teaching staff capacity for the new academic year.	
224	In response to questions on the lack of revenue growth in the current projections, the Director of Finance & MIS reported that revenue was forecast to increase through larger group sizes, additional enrolments and the 10% uplift in Maths and English funding. Apprenticeships remained challenging, but recent discussions at management level had been positive regarding the provision's profile, including possible reductions in the number of Standards that the College provided. The demand for 'fashionable' programmes had the associated risk that this could fail to attract students. There were also opportunities to generate additional income through commercial courses to make up any shortfall and this would emanate from the current curriculum planning process.	
225	The Principal commented that the uncertain political situation also had to be considered, with a general election due to take place soon, the outcome of which was difficult to assess. It was likely that colleges would be asked to submit bids for more discrete projects in future, together with responding to the requirements of a larger number of devolved authorities and continuing qualification changes. Management was taking a prudent approach to budget and curriculum planning and there had to confidence in resourcing particular areas prior to including them in the College's offer.	

226	The College had awarded staff good levels of pay increases over the past 2 years. However, Maths and English achievement rates were still relatively low and a substantial investment in existing accommodation was now required (partly funded from reserves).	
227	Higher Education Fees 2025/2026 Governors received a report that had been discussed by the Finance & Resources Committee, setting out proposals from the Office for Students on tuition fee levels with effect from 2025/2026. Further guidance was anticipated over the next few months, but the College needed to advertise its programmes prior to that.	
228	Resolved – 1 That the Treasury Management Policy be approved 2 That the proposals on HE Tuition Fees for 2025/2026 be approved.	
AUDIT COMMITTEE – 12TH MARCH 2024		
229	The Chair of the Audit Committee presented a verbal report on the meeting held on 12 th March 2024.	
230	The Committee had received an Internal Audit Report on Risk Management, which had included 2 medium and 1 low priority recommendations. A number of suggestions had been made as a result of good practice seen elsewhere – eg risk appetite and target risk should be considered. It was felt that the link between the risk framework and the work of the internal auditors should be evident. Wider discussion of risk with SLT members had now started, which should improve oversight and understanding of the risk framework.	
231	It was suggested that the full Corporation should have a session on risk management towards the end of May which should align to the development of the Corporate Plan. This timescale would also fit with external reporting requirements, such as the publication of a new Financial Handbook by the ESFA.	MB/ LV
232	A further Internal Audit Report on HE Provision was received. This had been undertaken at the request of the Office for Students and was being carried out nationally. A total of 14 recommendations had been tested – 7 had been completed, 6 were in progress and 1 had not progressed at all. These findings were noted as being in line with other FE colleges.	
233	Governors acknowledged that some of the recommendations had been due to the long-standing skills shortages in the MIS department, which had now been resolved.	
234	A report on benchmarking against RSM's client base was received for information, together with a number of sector specific briefings. It was noted that the top 3 issues across all RSM clients were: apprenticeship funding compliance, student experience and financial management. Governors felt that they were sighted least on the student experience aspects of the College and suggested that this area should be included in the Internal Audit Plan for 2024/2025, whilst also considering how assurance levels are measured for/by the Committee.	

235	This was the second consecutive year that the College had been selected for a Funding Assurance Audit by the ESFA. The previous audit was conducted by PWC and was complex and drawn-out, resulting in a potential clawback of £600K. This year's funding audit had been undertaken by Mazars whose staff seemed to have taken a more reasonable approach.	
236	However, the College was in a situation whereby 3 funding audits had given 3 different conclusions. Further analysis is being undertaken by the Director of Finance & MIS and his team, which will be presented to the next Audit Committee meeting.	
237	The Committee discussed at length the link to the College's risk appetite. The issues flagged by the funding audits related mainly to apprenticeship provision and were reflective of the complications of the funding methodology and the College's tendency to make a strict interpretation of the funding guidelines, which impacted negatively on the income levels for this area.	
238	Governors had been assured that internal controls on apprenticeships were robust and operating effectively. However, it was recognised that this was still a high risk area in terms of funding. Front-line staff had to be continually reminded of the importance of completing the necessary paperwork as accurately as possible and in a timely manner.	
239	A separate Committee meeting would be arranged to discuss this issue in late May/early June.	
240	The College's Sub-Contractor Controls Audit had resulted in a good outcome. One of the recommendations was to increase the number of quality assurance visits to each sub-contractor.	
241	In terms of tracking previous audit recommendations, 17 out of the total of 45 were 'live'. Meetings were being held with each of the owners of the remaining recommendations to try to progress and sign them off. A further progress report would be made to the next meeting and this item would be raised at a future SLT meeting to emphasise the importance and to provide support if required.	
242	The Committee received an update on developments of a revised Risk Management framework, which had been presented at SLT recently. This covered a total of 5 strategic areas and each of the underlying risks would now be translated into the College's 4Risk system. External assurance mechanisms and their outcomes would be included in the final version at the Committee's suggestion. The final version would be presented to the July Corporation meeting for approval, together with a revised RM Strategy and Policy.	MB
243	The annual Value For Money Annual Report 2022/2023 was considered. Although the content was agreed as a factually accurate record of VFM during the year the Committee acknowledged that there were a significant number of items relating to students that could not be measured or reported on in this manner.	
244	The performance of the internal and external audit firms was assessed against key criteria for 2022/2023. Both firms were judged to have provide a high	

	quality service and any previous issues with the timeliness of reports by RSM now appeared to have been resolved.	
	LEARNING & QUALITY COMMITTEE	
245	In the absence of the Committee Chair the Assistant Principal Q&SE provided a verbal summary of the meeting held on 14 th March 2024.	
246	The College's EDI profile for 2022/2023 had been reviewed to enable staff to identify any significant gaps within each protected characteristic in relation to retention and achievement (3% or more). Achievement gaps were monitored on a termly basis through the Curriculum Quality Summit meetings and in their respective Self-Assessment Reports.	
247	Governors had noted that there were no material gaps in relation to the 2022/2023 academic year for ethnicity, disability or learning difficulty groups. However, gaps did exist for gender (3.4% achievement gap, in favour of females) and age groups (9.4% achievement gap, in favour of adults).	
248	Retention was strong and had improved since the last meeting, with vocational programmes at 96.3%.	
249	Management had been concerned that, as at the beginning of March 2024, a total of 56.24% students were yet to start their reflection on work experience sessions to date. Directors of Faculty had been asked to address this in their team meetings as it was likely that more students had completed activities but had not yet reflected on them.	
250	The average attendance level for 2023/2024 was 83.3% compared to 84.4% in Term 1 and was currently 80.7% for Term 2.	
251	Personal Development was currently assessed in the Self-Assessment Report as 'Good' (grade 2). However, there was still work to be undertaken in order for Apprenticeships to reach the same level of consistency. A total of 62.26% of students had recorded more than 3 sessions of personal development and 34.55% had recorded more than 6 sessions. There was still a concern about the level of participation amongst Adults, Community Learning & SEND students, where the figure was 46.73%.	
252	A total of 91% of students had progressed to a positive destination in 2022/2023, which was higher than in 2021/2022.	
253	The Committee had received a presentation from the newly-appointed Head of English & Maths and the AP Curriculum, which included data according to areas of disadvantage and by faculty to provide a detailed overview of performance. The various initiatives that had been implemented to support students were discussed in detail and the Committee had been encouraged by the 'green shoots' that had appeared as a result of the strategies outlined and would continue to monitor progress at each meeting.	
254	It was agreed that the Board would receive a summary paper on English and maths as part of the preparation for Ofsted. This would include information on starting points, the student profile, interventions and areas of low attendance	DT/ H Platt

EQUALITY, DIVERSITY & INCLUSION STRATEGY & POLICY 2023/2024		
255	Governors received the Equality, Diversity & Inclusion Strategy and Policy for 2023/2024, both of which had been recommended by the Learning & Quality Committee. It was agreed that these would be renamed to include “Belonging”.	
256	The College was undergoing an accreditation process for the Investors in Diversity award, the outcome of which would be reported to a future Corporation meeting.	
257	Resolved – 1 That the Equality, Diversity, Inclusion & Belonging Strategy for 2023/2024 be approved 2 That the Equality, Diversity, Inclusion & Belonging Policy for 2023/2024 be approved	
DUTY TO REVIEW		
258	The Assistant Principal Commercial Development presented a report on the Duty to Review, which was an annual requirement of the ESFA. Governors were advised that a draft of the document would be submitted to the May 2024 Corporation meeting for approval and would be uploaded to the ESFA by the deadline of 30 th June 2024.	JN
259	The Duty to Review would reflect the external landscape in which the College operated and set out how skills needs would be addressed. Key activities for 2024/2025 would also be included. Each College department had been asked to provide evidence of employer engagement and this would be monitored as part of the College’s quality processes.	
260	A governor asked how the Duty to Review aligned to the Local Skills Improvement Plan. Management responded that the latter was a much broader document that focused more on employer demands and trends within the region. It was noted that the current Corporate Plan aligned closely to this. The Commercial Development team would be mapping the DTR against the LSIP to ensure that all areas were covered. The emphasis of the College’s strategy would be amended from “an employer in every classroom” to “employer involvement in learning activities” to reflect the full range of stakeholder engagement with the curriculum.	JN
EXECUTIVE REPORT		
261	Governors received for information the regular Executive Report.	
262	A successful opening event had been held for The Link Centre, with attendance by local partners including the Combined Authority Mayor.	
263	The new Corporate Strategy was being developed with support from an external consultancy firm on stakeholder engagement. The Strategy would set out a number of key themes and detail financial and academic performance objectives.	
264	Data on performance against key human resources indicators had been included in the report, together with information on recent/current HR initiatives.	

265	A user group had been established to consider Artificial Intelligence and its potential within the College, such as lesson planning and generating practice exam questions. The link governor for AI (Stuart Pedley-Smith) would be invited to view progress on current projects in a couple of months' time.	JS/ SPS
266	The Learning & Quality Committee had considered proposals for a full A Level offer from 2025/2026, the details of which were outlined to the Corporation. Governors questioned whether management was concerned about the potential impact on local schools of a wider A Level provision. The Assistant Principal Curriculum advised that there were a number of successful sixth form colleges locally, but Level 3 provision was generally organised in an ad hoc manner. The critical element for the College would be the retention of employers who would inform the curriculum design.	
267	A governor asked about the possible progression routes for the high proportion of disadvantaged or SEND students if they were unable to enrol in a grammar school. Currently the College provided an ideal way for them to study at Level 3.	
268	Further questions were raised on the likely catchment area and how a sixth form college within the overall College structure would operate in practice. There was a risk of reputation damage if the initiative was unsuccessful and it was important to maintain the 'line of sight' into work for all students.	
269	It was agreed that further work should be carried out on these proposals and brought back to the Learning & Quality Committee for recommendation to the Corporation.	RB
270	Currently, the best-case achievement rate for apprenticeships was 72.8% and the actual achievement rate was 45%. The retention and pass rates for the last 3 years showed an improving trend. Overall, there were 162 out of funding apprentices against the full cohort of 1,246, which was 13% and compared to the internal target of 10%,	
271	School Liaison activity continued and the team had attended 121 events across 75 schools around the West Midlands to date. The current conversion rate from attendance to completed applications was 20%. Recent open evenings had seen 346 visitors.	
272	Apprenticeship recruitment was 15 lower than the target of 174 at the end of February 2024. The National Achievement Rate tables had just been published and the College's achievement rate for apprenticeships had improved from 52% to 54% in 2022/2023. New funding rules would be published in the next few weeks which may impact on the College's apprenticeship framework.	
273	Referrals via The Link Centre were progressing well and the College was working closely with the Combined Authority to maximise enrolments.	
274	Discussions had taken place recently on the most appropriate method for preparing the new Corporate Plan. The Chair and Vice-Chair and the Head of Governance had met with two potential contractors and had felt that it would be more effective to develop the Plan in-house.	
275	The Principal was asked to discuss the development process and timetable with the Executive Team and bring back a draft to the Corporation. A lack of capacity	JS

276	could be an issue due to the volume of other activities at the moment. Governors emphasised that it was important for them to be involved in the development of the Plan in a meaningful way, as setting the educational character and mission of the organisation was a key part of their responsibilities. It was noted that the timescale could be extended into early in the new academic year to provide an opportunity to incorporate any initiatives or guidance issued over the summer.	
	MEETING SCHEDULE 2024/2025	
	Resolved - That the schedule of meetings for 2024/2025 be approved	
	DATE OF NEXT MEETING	
	Tuesday 21 st May 2024	
	The staff and student governors, associate members and the Executive Team left the meeting at this point.	