



CORPORATION

**FINAL SIGNED Minutes of the Meeting held on Tuesday 27 March 2018 at 5.30pm
following GDPR Training at 4.45pm**

in Room 02.03 Osprey house, Redditch

Present

| | | |
|-----------------------|------------------|--|
| Governors: | Neill Bucktin | Chair |
| | David Ash | |
| | Steve Bolton | |
| | Kevin Gaffney | |
| | Vikki Greenfield | |
| | Peter Heath | |
| | Fiona Hellowell | |
| | Stuart Laverick | Principal |
| | Denis Miles | Vice Chair |
| | Debbie Morris | |
| | Robert Pearce | |
| | Gary Woodman | |
| | | |
| In Attendance: | Kelvin Nash | Vice Principal, Curriculum and Quality |
| | Nicki Williams | Vice Principal, Corporate and Resources |
| | Peter Robinson | Assistant Principal Higher Education & Standards |
| | | |
| | Sue Frost | Clerk to the Corporation |

Action

The meeting was preceded by training on The General Data Protection Regulations led by Louise Tweedie, Risk Assurance Director, RSM Risk Assurance Services LLP, with a presentation available on the Governor portal. Governors also asked questions of Louise Tweedie, Julia Breakwell the Assistant Principal, Information Systems and Student Experience and John Littler, the College Data Protection Officer. The Chair thanked them for their contributions and they left the meeting.

28.1 Apologies

- i) Apologies were received from Lucy Hodgson, Paul McCunn, Laura Marsh and Susannah Twigg. The Chair welcomed Donna Gibson to the meeting, thanking Donna for her work in producing the Corporation papers. The Corporation congratulated Kelvin Nash, the Vice Principal, Curriculum and Quality on his much deserved appointment as Principal of Kendal College.

28.2 Declarations of Interest

- i) Members were asked to declare any Interests, financial or otherwise, which they may have in any Agenda Item. David Ash reported an amendment to his Register of Interests entry – he was working as a locum consultant at Bristol University but did not believe there was a conflict of interest with the Agenda.

The other Members confirmed that they had no interests to declare.

28.3 Minutes of the Last Meeting

- i) The Corporation **APPROVED** the Minutes of the meeting held on 6 February 2018 as a true record for signature by the Chair.

28.4 Matters Arising

- i) The Corporation reviewed the Action Points report and noted progress. The Student Governor's DBS certificate had been confirmed as "clear" by Siana Beard, Human Resources. The glossary had been circulated to Governors. Seven actions had been completed or would be completed during the meeting, one had been superseded and four carried forward.
- ii) The Corporation **MONITORED** action taken and remaining to be taken in respect of Matters Arising from the Minutes of previous meetings and Notes of workshops.

28.5 Determination of Any Other Urgent Business

- i) There was no other urgent business.

28.6 PRINCIPAL'S REPORT

i) Principal's Update for Governors

The Principal's Report included commentary and the Heart of Worcestershire College position with regard to:

- **Mergers.** The FE/HE Merger between Bolton College and the University of Bolton was an interesting model.
- **Institute of Technology (IoT).** The three partners (including the College) involved in the IoT bid had now withdrawn from the process.
- **5G Testbed.** A consortium led by the Worcestershire Local Enterprise Partnership including the University of Surrey, Heart of Worcestershire College and a range of Worcestershire businesses had been successful in the bid to be a 5G testbed. Further details were available on request from the Clerk to the Corporation.
- **Funding concerns.** The Association of Colleges had asked ministers to consider a list of key concerns for the 2018-19 academic year. Information about the difficulties faced by Academies was also included. Heart of Worcestershire College expected modest growth although the Higher Education position was challenging and apprenticeship partnership delivery continued to fall.

Governors asked the Principal how the College was engaged in the Government review of post 16 funding. The Principal stated that the College would support the submissions made to the enquiry by the Association of Colleges and the Association of School and College Leaders

G Woodman left the meeting at this point.

ii) Curriculum and Quality Key Performance Indicators (KPIs)

The Vice Principal, Curriculum and Quality presented KPIs as at March 2018. The data included RAG rated indicators for overall Retention (2 green), Attendance (3 amber, 1 green), Maths and English attendance (2 green, 2 amber) and Lesson Observations (green, 82% good or better with 103 observations). Retention showed some decline, which was normal after the Christmas break but remained above the KPIs and was at the same level for 16-18 year olds and 1.4% higher for adults than at this point in the prior year.

Attendance had declined by about 1% since the last report, due in part to the bad weather. Attendance on main qualification and tutorial was comparable and for GCSE and Functional Skills English and maths was higher than at this point in the prior year. Lesson observations formed part of a later item.

iii) **Financial Key Performance Indicators**

The Vice Principal, Corporate and Resources presented the RAG rated data including financial outturn (2 amber), financial health (1 green, 2 amber) and bank covenants (1 green, 1 amber) and an actual against budgeted cash forecast for 2017/18. The current projection for the year end was a £151k deficit against a budgeted £36k surplus with “Outstanding” financial health. The projected deficit resulted in part from over delivery in 16-19 full time and high needs learners where the College currently exceeded target, but due to the lagged funding system, would not receive any additional in year funding. The paperwork to rectify the covenant breach was still awaited from Nat West.

The Corporation **RECEIVED** the Principal’s Report and **MONITORED** progress against targets.

G Woodman returned to the meeting at this point.

STRATEGIC FOCUS

28.7 **Ofsted Report**

- i) The Vice Principal, Curriculum and Quality reported that the Areas for Improvement identified by Ofsted were those which had already been identified by the College and were in the College Self Assessment Report and the College Improvement Plan. The College would continue to work to ensure that the Good grade became more solid.

Governors asked:

- What had the feedback process been with the staff? Thank you letters had been sent out to staff directly involved and the report would be discussed in the next set of Staff Briefings.
- Were there were links from the report to individual staff performance development objectives? Particular courses identified would have course improvement plans which would cascade. Attendance continued to be a focus as it was improved but not consistent. The College value of inclusivity affected attendance, for example, some Special Educational Needs students not attending could do blended learning elements remotely. Ofsted found it difficult to understand this flexible model but did recognise that inclusivity affected attendance.
- How late could a student be before being counted as absent? There was a ten minute window to be recorded as late. The College set strict parameters with any attendance not classed as “yes” or “no” requiring approval from the Vice Principal, Curriculum and Quality. (Eg home study for a limited period in specific circumstances.)

- ii) The Corporation **RECEIVED** the final published Ofsted Report, which rated the College “Good” across all headings, and **DISCUSSED** the next steps.

28.8 **College Improvement Plan**

- i) The Vice Principal, Curriculum and Quality reported on progress against the January milestones. There were four main themes for improvement and of the 31 RAG rated actions 17 were green, 9 amber and 5 red. The Vice Principal, Curriculum and Quality explained the red rated items and confirmed that there were no concerns and all matters were on track. Progress against

the second (April) milestones would be reported to the Corporation in May and a new report showing student Progress would also be presented then.

- ii) The Corporation **MONITORED** progress against the January Milestones in the College Improvement Plan.

TEACHING LEARNING AND ASSESSMENT

28.9 Quality Group

- i) The Quality Group Vice Chair reported on the last meeting. Members had attended an accompanied Learning Walk as a Deep Dive activity and had benefitted from understanding the process and seeing the enthusiasm of the tutors and students. Attendance was recommended if Governors could do so. The Group had also discussed the Governor Insight Scheme findings in more detail.
- ii) The Corporation **RECEIVED** the Notes of the Quality Group meeting held on 28 February 2018.

28.10 Qualification Achievement Report (QAR) 2016/17

- i) Members had been provided with an updated chart which included the recently released Qualification Success Rate national benchmark data for 2016/17. The Assistant Principal Higher Education & Standards was pleased to reassure the Corporation that the College results were very close to those anticipated from the College's own system, showing the data to be robust and reliable. The chart was RAG rated showing performance against the benchmarks for retention, pass and achievement with further analysis of achievement by qualification type, level, English and maths and Apprenticeships. At the headline level retention, pass and achievement were all green, except for pass and achievement percentages for 16 – 18 year olds which were amber.
- ii) The Assistant Principal Higher Education & Standards explained the red and gold areas. (3% or more below or above national benchmarks.) Ofsted had confirmed that outcomes continued to show some very good performance. English and maths whilst improving continued to be a focus, particularly at Level 2. A staff Governor remarked that basic skills maths and English results were affected by the policy of not exempting all Special Educational Needs students but providing an opportunity to take those qualifications.
- iii) The Corporation **MONITORED** College Qualification Success Rates against sector national average data

G Woodman left the meeting at this point.

28.11 Performance Measures 2016/17

- i) The papers included the Department for Education results for the second year of availability on the website:
<https://www.compare-school-performance.service.gov.uk/find-a-school-in-england>
The Assistant Principal Higher Education & Standards explained the progress scores. Governors felt that these did not sit well in the main against the grade awarded and felt that the data was very hard to interpret.
- ii) The Corporation **RECEIVED** a report on performance measures and data for 2016/17.

28.12 Observation of Teaching and Learning

- i) The Vice Principal, Curriculum and Quality reported on formal observations, learning walks and peer observations, the outcomes from which informed Continuing Professional Development plans and one to one interventions with staff. 103 observations had taken place with 82% graded good or outstanding after improvement interventions and the papers included a breakdown by area and grade and by criteria. Engineering, Construction and Inclusive learning had been prioritised with inclusive learning recording 59% outstanding lessons. A further 14 observations had been undertaken in work-based learning. The papers included analysis of the 205 Learning Walks the results from which went to programme areas, were discussed at Directorate meetings and cascaded down to individuals in performance reviews.
- ii) Peer assessment of Learning Support Assistants and Personal Learning Coaches had been introduced. After initial discussion with Unions it was agreed that these would not be graded. The "Support for Success" report included completion statistics and key strengths and areas for development. The use of these supporting roles had been commented on by Ofsted and would be reviewed in 2018/19 to determine the most effective balance for these roles.
- iii) The Corporation **MONITORED** Observation of Teaching and Learning outcomes to date in 2017/18.

28.13 Learner Destinations and Progression Report

- i) The Assistant Principal Higher Education & Standards reported on the destinations of 2014/15 and 2015/16 leavers. A separate Educational Disadvantage Report was also included in the papers. Highlights included:
- 99% of the 2015/16 Access to Higher Education students were in positive destinations with 57% progressing to Higher Education. (Based on a 77% response.)
 - 62% of 2015/16 level 3 learners progressed to Higher Education.
 - Department for Education data confirmed 91% of 16 – 18 year olds had positive destinations, with 35% in employment
 - 97% of students with Special Educational Needs had positive destinations.
- The Principal praised the support from local employers which helped the College improve social mobility and the Corporation felt the overall destinations picture was very positive.
- ii) The Corporation **MONITORED** learner destinations and progression.

G Woodman returned to the meeting at this point.

28.14 Higher Education Academic Board

- i) The Assistant Principal Higher Education & Standards summarised key issues from the Minutes. Students were positive about the College's response to issues raised by them, there was lots of feedback on the use of Moodle and there was likely to be an increased use of "Turn it in" for electronic submission of work. The Higher National Diploma offer would be finalised once Engineering had been reviewed.
- ii) The Corporation **RECEIVED** the Minutes of the Academic Board meeting held on 12 December 2017.

EXTERNAL PARTNERSHIPS**28.15 Subcontracting Performance Report**

Action

- i) The Subcontracting Performance Report showed the financial performance of each subcontracted partner against their Maximum Contract Value (MCV) and the performance of each subcontracted partner measured by overall achievement rate and timely achievement rat. The Vice Principal, Curriculum and Quality reported that the Director, Funding, Data and External Contracts had no concerns about contract delivery with any of the partners. Governors asked about the prevalence of red dot flags on the achievement reports and the Vice Principal, Curriculum and Quality explained that this was due to reporting at this half way point in the year and the rolling recruitment pattern. The Vice Principal, Curriculum and Quality proposed that an additional page be provided in future subcontracting performance reports showing the headline tracking and projection data which should provide Governors with greater assurance.
- ii) Governors asked about the possible implications of recent press reports about VAT being charged on Management fees. The Vice Principal, Corporate and Resources stated that this was considered to be a low risk for the College.
- iii) The Corporation **MONITORED** partner performance/ quality outcomes to date in 2017/18.

P/
CC

PEOPLE

28.16 Investors in Diversity

- i) The Assistant Principal Higher Education & Standards reported that a set diversity survey had been used as part of the re-accreditation process for the Investors in Diversity Survey, capturing the views of 8 partners and 279 college staff. The results were generally positive, supporting the view that the college holds and cherishes equality and diversity values and embodies them in its practice. The Senior Leadership Team would meet to discuss some issues, such as why employees felt they were less valued than by Senior Managers.in 2015/16 (65% from 67%) but more trusted (66% from 59%). The Investors in Diversity Re-Accreditation process was ongoing, with the results of the student survey still outstanding. The Vice Principal, Corporate and Resources confirmed that the responses received were in line with the staff profile.
- ii) The Corporation **NOTED** key results from the Investors in Diversity Partner Survey and Staff Survey.

28.17 Equality and Diversity Action Plans

- i) The Assistant Principal Higher Education & Standards summarised the RAG rated Equality Action Plan (EAP) and Equality and Diversity Impact Measures (EDIMs) Action Plan. Progress against the EAP and the EDIMS was strong, with no red rated areas. The Assistant Principal Higher Education & Standards talked through the EDIMs and Members noted that these could differ year on year as a result of cohort variations. The Ofsted Report helped to substantiate the progress recorded in the EAP and it was expected that all targets would be met by the end of the year.
- ii) The Chair requested that the two Action Plans be combined in future reports.
- iii) The Corporation **MONITORED** the Equality Action Plan against Targets To **monitor** the Equality and Diversity Impact Measures (EDIMs) Action Plan

APHES

AUDIT

28.18 Audit Committee

Action

- i) The Audit Committee Chair, Kevin Gaffney, reported that the presentation on Apprenticeships Risk was valuable and that Ofsted had confirmed the strength of Apprenticeships. Members had reviewed the Strategic Risk Register noting the reduction in risk recorded for 16 – 18 funding, bank covenants and quality improvement.

The Corporation **RECEIVED** the Minutes of the Audit Committee meeting on 12 March 2018, noting the Audit Committee's advice

Audit Committee Recommendations

The Corporation **APPROVED** the following items, on the recommendation of the Audit Committee:

- ii) • Strategic Risk Register – Spring Term Update
- iii) • Anti-Bribery Policy
- iv) • Fraud Policy

These would be placed on the portals or website as appropriate.

DF/CC

The Assistant Principal Higher Education & Standards left the meeting at this point.

GOVERNANCE

28.19 Governance and Search Committee

- i) The Corporation would shortly be advertising vacancies on College social media as well as through postcards, more of which were available from the Clerk to the Corporation. The Governance and Search Committee had considered recommending reducing the determination but had agreed that it was important to maintain a broad skill set and to seek diversity. The Clerk to the Corporation stated that the advert therefore deliberately made no mention of specific skill requirements or the need for Boardroom experience.

The Corporation **RECEIVED** the Minutes of the Governance and Search Committee meeting held on 13 February 2018, noting the Committee's advice.

Governance and Search Committee Recommendations

ii) Appointments

The Corporation **APPOINTED**:

- Fiona Hellowell as a Member and Chair of the Quality Group (accepting the resignation of Fiona Hellowell from the Governance and Search Committee)
- Susannah Twigg as a Member of the Quality Group
- Denis Miles as a Member of the Quality Group
- Lucy Hodgson as Vice Chair of the Audit Committee
- Laura Marsh as a Member of the Governance and Search Committee

iii) The role and status of "Groups"

The Chair explained that the Governance and Search Committee had considered Eversheds advice that the "Groups" were in reality operating as committees. Members considered whether to make the Quality Group and Estates Task and Finish Group into formal committees or to make them into management groups with Governor members. The Principal reiterated his view that the groups were useful to management, enabling less formal interaction with appropriately skilled Governors.

The Corporation

- **CONFIRMED** the "Groups" as "Groups" - joint co-operative bodies outside

Action

- the Corporation Committee Structure
- **RESCINDED** the Terms of Reference for the Quality Group and Estates Task and Finish Group
- **NOTED** that the Groups will establish new operating terms and will no longer be serviced by the Clerk to the Corporation

iv) Governance Documents

The Corporation **APPROVED** the following items, on the recommendation of the Governance and Search Committee:

- The revised Governor Role Description and Person Specification
- The revised Statement of Governance Principles and Scheme of Delegation, with delegated approval to the Chair to approve final changes as highlighted
- Eversheds' Fifteenth Code of Conduct for Governors and Co-opted Committee Members

Chair/CC

These would be placed on the portals or website as appropriate.

CC

28.20 Workshop

i) Members suggested the following topics for the Workshop:

- Strategic Plan – revisit the top ten. Has there been any progress and how can Governors contribute going forward?
- Ofsted Report – look at the Governance points. Does anything need to go into the Corporation Self Assessment?
- The Governor Role – what is our individual and collective understanding of this? What training and development do we need?
- Beyond 2021 – Blue sky possibilities. (Noting that the LEP is currently working on priorities to 2040!)

ii) The Corporation **NOTED** that a short meeting would be required on the date of the April Workshop and **CONSIDERED** possible workshop topics.

Chair/P/
CC

28.21 Corporation Calendar

i) Large colour hard copies of the draft calendar were provided. Governors were asked to notify the Clerk to the Corporation as soon as possible of any attendance difficulties so that changes to the draft could be considered.

Members/
CC

ii) The Corporation **CONSIDERED** the draft Corporation meeting schedule for 2018/19.

28.22 Any Other Urgent Business

Not urgent, but the Corporation **NOTED** that David Ash had attended Association of Colleges Governor Induction Training and the Clerk to the Corporation had attended the Governance Summit. Presentations from these would be placed on the Portal in the Governor Resources library under "Training Briefings and Opportunities".

CC

28.23 Meeting Reflection

i) Members were invited to review the meeting and consider Governor "impact" but had no specific comments to make. The Chair reminded Governors to complete the Meeting Effectiveness Forms and let the Clerk to the Corporation have any comments. .

28.24 Date and Time of Next Meeting

i) Tuesday 24 April 2018, short Corporation meeting and Corporation Workshop, 5pm for 5.30pm, The Source, Worcester

Action

ii) Tuesday 22 May 2018, 5pm for 5.30pm, the Function Room, Peakman Building, Redditch

28.25 CONFIDENTIAL ITEMS

- See separate Agendas and papers

28.29

In accordance with the Corporation resolution under Instrument 13 of the Instrument and Articles of Government, and the Staff Governors left the meeting at this point. (No Student Governors were present.)

28.30 RESTRICTED CONFIDENTIAL ITEMS

- See separate Agenda and papers

28.31

The Vice Principals left the meeting at this point.

28.32 RESTRICTED CONFIDENTIAL ITEMS

See separate papers

The meeting closed at 8.05pm.

Signed:

Date:

Sue Frost
Clerk to the Corporation
28 March 2018