

South Staffordshire College



BOARD OF GOVERNORS

Minutes of the meeting held on 22 October 2020

PRESENT:

Steve Burgin (Chair)) External Governors
Tim Legge)
Andrew Elsby-Smith) <i>Governor present following minute 131</i>
David Isteed)
Tony McGovern)
Andrea Chilton)
Helen Simpson) <i>Governor departed following minute 167</i>
Mike Rowley)
Philip Atkins) <i>Governor departed following minute 154</i>
Claire Boliver	Chief Executive & Principal (CEP)
Nicki Truman	Staff Governor (Business Support)
Steve Oliver	Staff Governor (Teaching)

In attendance:

Kirk Hookham	Deputy Chief Executive
John Snow	Deputy Principal - Finance & Resources
Kim Vaughan	Assistant Principal – Learner Services
Karen Turley	Assistant Principal – Quality
Karen O'Reilly	Assistant Principal – HR
David Cousins	Assistant Principal – Curriculum
Miranda Hughes	Clerk to the Corporation

PART 1

WELCOME & APOLOGIES FOR ABSENCE

98 The Chair welcomed David Cousins to his first Board meeting following his appointment as Assistant Principal – Curriculum on 5 October 2020.

99 Apologies were received from Phil Tapp.

DECLARATION OF INTERESTS

100 The Chair declared an interest under minute 142 and 157-158.

SAFEGUARDING UPDATE

101 As part of the Boards oversight in this vital area, the Assistant Principal for Learner Services/Designated Safeguarding Lead (DSL), together with the Link Governor for Safeguarding, provided an update on safeguarding matters. Governors were also informed of the work undertaken to support learners following the College's wider reopening in the autumn term, the ways in which the College had made learning environments safe and secure and the work carried out to assist learners with the management of anxieties in response to COVID-19. The DSL advised that attendance figures, Ofsted and learner survey feedback illustrated the positive impact of such work.

102 In response, the staff governor (teaching) reported that learners from his area were very keen and eager to return to College in order to get back to some form of normality and as such advised that he was aware of only a small number of students affected by anxiety.

HEALTH & SAFETY UPDATE

103 The Deputy Principal – Finance & Resources updated the Board on Health & Safety matters, where no issues were reported. He went on to advise governors that, in addition to the ongoing work undertaken with regard to COVID-19 (*also reported under minute 110*), a body of work was also taking place with regard to fire safety and first aid systems.

CYBERSECURITY UPDATE

104 The Board received an update on cybersecurity by the Deputy Principal, who confirmed that the sustained DDoS (Distributed Denial of Service) attack reported at the last meeting was still ongoing. Despite this, via an Arbor Edge Defence next to the College network, JISC had now enhanced protection to provide some cover in the case of further DDoS disruption. Governors discussed this information presented and, following this, confirmation was received that fewer incidents had been reported since the additional protection was put into place. In line with JISC recommendations, the College had also reported the DDoS activity to the police. The Deputy Principal advised that there had been no further instances of malware attacks since last Board meeting and that staff training and testing on cybersecurity continued to take place over and above standard CPD activity.

106 In response to a question relating to the level of risk and potential financial impact associated with the attacks, the Deputy Principal advised that there had been no loss of business given that outages had been short-term. Confirmation was received that a full report regarding insurance cover would be presented at the November meeting of the Audit Committee, however the Board were advised that the College were in the process of reviewing its level of cover with the provider, particularly with regard to the ransomware elements of the current policy.

107 The Board noted that the College was amongst a number of institutions affected by recent cybersecurity incidents and as such a question was raised regarding the lessons learnt from those organisations who had been subject to a major incident. The Deputy Principal advised that the College continued to be self-reflective in order to respond swiftly and robustly to all matters concerning cybersecurity.

OFSTED INTERIM VISIT

108 Feedback from the Ofsted Interim Visit carried out at the College on 13 and 14 October 2020 was shared and confirmation received that whilst no judgements would be made following the visit, the experience had been both positive and supportive. A report detailing the findings of the visit would be published in November 2020 which would be subsequently fed into a national report.

109 On behalf of the Board, the Chair thanked all those involved in the visit and commended them for their efforts.

REOPENING UPDATE

110 The Board received an update in regard to the wider reopening of the College, which included the measures taken to ensure staff and students could return to work and to study safely by reducing the likelihood of COVID-19 transmission. Governors continued to endorse the College approach. The following information was highlighted:

- The College has continued to consider the frequently updated guidance from the Department for Education (DfE), Public Health England (PHE) and the Association of Colleges (AoC) following re-opening.
- Communications continued via the College website, posts on social media, induction and via staff communications.
- At the time of the meeting, confirmation was received that 27 members of staff and 116 students were self-isolating as a result of being directly or indirectly impacted by COVID-19. Overall, it was reported that a total of 45 members of staff and 200 students had been affected.

- In addition to the NHS COVID-19 App, internal College systems were confirmed to be in place to identify staff and students that may have been in contact with individuals in receipt of a positive test result and as such, advice regarding the necessary action, in line with national guidelines, continued to be followed.

PRINCIPAL'S REPORT & ENROLMENT UPDATE

111 The Board received the Principal's report which was intended to enable the CEP to highlight key developments with reference to each of the College's strategic objectives and to report on key strategic issues affecting the College. Particular attention was drawn to the following areas:

Increase participation

- As of 29 September, enrolment for 16-18 year olds stood at 2,601 against an Education and Skills Funding Agency (ESFA) funded allocation of 2,261 and a profiled number of 2,323.
- With the exception of Rodbaston which was down by 1% on the previous year, growth in learner numbers was reported at every campus, specifically Tamworth, with an increase of 15% and Cannock with an increase of 19%.
- At the time of writing the report, the College had enrolled 1103 adult learners; an increase of 100 compared to the same point in 2019-20.
- With the exception of Lichfield which was down by 50% on the previous year, growth adult enrolment was reported at every campus, specifically Tamworth, with an increase of 36%. It was reported that a body of work would be undertaken to determine the reasoning for the decline at Lichfield. Despite this, confirmation was received that recruitment would continue to take place throughout the year.
- At the time of writing the report, the number of adult learners accessing Adult Learner Loans stood at 154, compared to 144 the previous academic year and as such, the College had now met its Adult Learner Loan allocation.
- At the time of the meeting, Higher Education (HE) enrolment was reported to be below target yet ongoing. Early indications showed that income would be between £375k and £400k against a revised target of £300k. The CEP advised that the reasoning for this was largely due to the limit initially imposed and then subsequently lifted on the numbers of HE students accepted onto courses delivered through UK Collaborative Academic Partnerships, which had negatively affected the College's marketing activities and ability to recruit. Despite this it was confirmed that a new HE strategy would be developed.
- At the time of the meeting it was reported that Electively Home Educated (EHE) student enrolment stood at 122 compared to 138 in 2019-20. Confirmation was received that enrolment still continued for these students.
- Enrolment for 14-16-year-old school learners was reported to be down compared to the same point in the previous academic year, however confirmation was received that there was ongoing opportunity to increase provision in-year.

112 The Chair was pleased to observe that the College was now benefiting from growth across all sites following the significant work undertaken in recent years to focus attention across each campus. The CEP agreed with this and went on to state that, via an improved offer and enhanced marketing activity, the College was benefiting from an increased market share. To illustrate this further, she advised that open evenings had been held at both Lichfield and Tamworth sites on 21 October and reported that both events were well attended.

113 A question was asked if provision at the Cannock campus was in line with the original business case.

114 **Resolved** that the business case for the re-opening of the Cannock campus be revisited to ascertain if the College was achieving in line with original projections.

Current priorities for this objective:

- *To maximise apprenticeship income*
- *To monitor AEB income compared to allocation to ensure we achieve in full*
- *To maximise enrolments and reduce early withdrawals for 2020/21*

Deliver outstanding teaching, learning and business services

- It was reported that a new observation process had been designed for use in 2020-21.
- Induction Learning Walks had been conducted virtually, on all sites and across all provision types and levels with outcomes reported at the next Board meeting.

Current priorities for this objective:

- *To ensure all learners complete adapted and delayed assessments where possible by the October ILR deadline.*
- *To provide teachers with support from digital learning technologists with 'live' online learning*
- *Support and formally re-observe all staff in October that did not receive a meets judgement in 19-20*
- *Support all new teaching staff with a Teaching and Learning Coach*

Deliver Excellence

(Reported on under Actual Value Added & Likely Achievement Outcomes)

Current priorities for this objective:

- *To ensure achievement is maximised for learners who have not completed 19/20 qualifications*
- *To implement the new Quality Monitoring and Improvement process for 20/21, focusing on the new ABC standards procedure and our learners at risk procedure*
- *To closely monitor learner attendance and engagement in the opening weeks of term in ASPIRE meetings and set actions*
- *Provide additional support via progress coaches*

Develop a highly engaged and skilled workforce

(Reported on under College HR Strategy)

Current priorities for this objective:

- *To review the learning support areas in terms of pay*
- *To resolve the situation with UNISON and agree the Business Support contracts and other outstanding policies*
- *To run training sessions for our managers on performance management and absence management.*
- *To plan and implement the roll out of the Lecturer contracts confirming continuous start dates.*

Achieve financial stability and improve efficiency

(Reported on under Outline Management Accounts to 30 September 2020 and Draft 2019-20 Financial Outturn)

- *Closely monitor income and expenditure against the Financial Plan for Faculties.*
- *Continuing to monitor pay and non-pay costs across the College.*
- *Complete the final accounts for 2019/20 before the end of December (even though we do have until January 2021 to submit them).*
- *Complete the sales of the remaining houses at Rodbaston.*

Other updates

Capital Investment

115 It was reported that additional funding had been announced by Government over the summer period to address poor estate issues and improve facilities across the sector and as such the amount allocated for the College stood at £835,405. A plan to address the recommendations detailed within the Estates Strategy had been produced and would be referred to under minute 128 to 131.

National Skills Fund

116 The CEP updated the Board on detail relating to the £2.5 billion National Skills Fund. Governors informed that further information would be shared as and when it became available to do so.

Rebuild: A Skills Delivery Plan

117 Attention was drawn to work being undertaken in response to the economic downturn to ensure that the needs of the unemployed were met. The following information was highlighted:

- The College had worked with Colleges West Midlands (CWM), the West Midlands Combined Authority (WMCA) and local stakeholders to create a response to the Rebuild: A Skills Led Delivery Plan.
- Adult education provision had been reconfigured with a focus on the unemployed, recently redundant or those on long-term furlough, ensuring access to an expanded range of programmes, delivered flexibly and designed to enable a swift return to the workplace.
- Sector-Based Work Academy's (SBWAs) launched with short-courses reviewed and implemented along with higher-level courses for those that needed to upskill.
- A Cannock Chase Employment Zone developed in conjunction with the Job Centre, along with the delivery of training for the Kickstart cohort
- A 'Be your own Boss' Business Start-Up Academy created in conjunction with Staffordshire Chamber of Commerce to support those that have trade/specialist skills to start their own business.
- Digital offer expanded further with confirmation that the College had been successful in winning significant investment from the Stoke-On-Trent and Staffordshire Local Enterprise Partnership (SSLEP) to create two new Digital Academies.

118 A governor sought clarification on how SBWAs were funded. Confirmation was received that funding came from the Adult Education Budget (AEB).

HR STRATEGY 2020-22

119 The HR Strategy, which detailed the work that the HR team would focus upon over the next two years was presented to the Board. The strategy provided a framework of engagement and staff focus groups, which focused upon the following key areas:

- HR Management & Payroll;
- People Development;
- Reward & Recognition; and
- Health & Wellbeing.

120 Confirmation was received that an annual report would be produced in order to update the Board on the progress made against the Strategy.

121 A governor asked if there were common themes behind why staff left the organisation. Confirmation was received that reasoning was varied, which included leaving for increased pay and permanent contracts: both of which continued to be areas of focus for the College in order to drive forward further improvements. As a means to explore this area further, staff were now invited to complete exit paperwork following the submission of their resignation so that trends could be captured.

122 The selection, budget, purchase and implementation of a new and enhanced HR system was discussed. The tendering process had commenced with the shortlisting and selection process scheduled for completion in November. The Assistant Principal advised that the implementation of the new system would take place from April 2021.

123 **Resolved** that the HR Strategy be approved.

ESTATES

Peter Marsh Associates Estates Strategy

124 A progress update with regard to the suggested actions detailed within in the Estates Strategy produced by Peter Marsh Consulting Ltd was received and discussed by the Board. The Estates Strategy formed the basis of how the College would utilise its building assets and organise curriculum in the medium-term future.

125 Improvements to the condition and functionality of buildings located on the Rodbaston site to were discussed in order to enhance further all learning environments. As such, a question of a potential reduction in business rates was raised where the Board were advised that savings would be minimal in comparison to the size of the whole charge. Despite this, the Deputy Principal – Finance & Resources confirmed that any potential to generate savings as a result of this work would be explored.

126 A governor raised the subject of the Rodbaston site being situated on greenbelt land and as such advised of the importance of logging the footprint of existing buildings, should any new builds on the site be considered for potential development in the future.

127 The improvements already undertaken at the Tamworth site were discussed, where governors were pleased to see that the College had a more visible presence in the town, owing to the cutting back of trees that ran parallel to the railway line and as such the College was no longer hidden from the main road. With regard to the TORC site, confirmation was received that the College lease came to an end in 2024.

College Estates Delivery Plan

128 A report which detailed the projects to be undertaken as part of the DfEs Condition Improvement Fund, produced in collaboration with Peter Marsh Consulting Ltd, was presented to the Board for consideration. Confirmation was received that the terms of the £835k grant, to be spent by March 2021, allowed for sufficient flexibilities should adjustments to the plan be required.

129 The Deputy Principal advised that the grant terms stipulated that up to 25% match funding could be added by the College, however, in its current state of financial recovery, it was confirmed that the College was unable to commit more of its own funds to this project in the current academic year on grounds of affordability given that the sum would be in excess of the planned schedule of capital work previously set. Governors endorsed this.

130 The lead Estates Improvement Group governor provided confirmation that he had reviewed the plan and that he was comfortable with its content. Governors were in agreement that work would need to be carried out at pace to enable the College to meet the March 2021 deadline.

131 **Resolved** that the College Estates Delivery Plan be approved.

KPIs

2019-20

132 The Deputy Chief Executive presented a close-down KPIs report for 2019-20. Confirmation was received that final outturns for all strategic priorities were largely confirmed, with the exception of Strategic Priority Three, Deliver Excellence, specifically with regard to final Retention and Achievement figures, due to adapted and delayed qualification outcomes in light of the COVID-19 pandemic (*further information provided under minute 134*). The Board noted that, given the time of year, there had been little change following the September meeting, with the exception of an increase in funding for High Needs learners. Financial detail linked to Strategic Objective five detailed under minute 152 to 154.

2020-21

133 The KPIs report for 2020-21 was presented, which comprised of both dashboard screenshots and national average data, as agreed by the Board at the last meeting and as such, the Deputy Chief Executive advised governors that trend analysis would commence from the next Board meeting. Attention was drawn to the following areas:

- The percentage of total Apprenticeship funding stood slightly below the period profiled target which was largely as a result of the worsened economic outlook. Despite this, confirmation was received that the addition of approximately 70 new starts would see an increase to these figures, reflected in the updated document presented at the next Board meeting.
- It was confirmed that 212 apprentices had been furloughed from a total of 267 impacted by the COVID-19 pandemic overall. As a consequence, it was reported that Achievement for Apprentices (Timely Best Case) was reported to have been affected (*also referred to under minute 135 to 136*).

2019-20 ACTUAL VALUE ADDED AND LIKELY ACHIEVEMENT OUTCOMES

134 The Assistant Principal – Quality provided an overview of emerging likely achievement outcomes and actual outcomes of value-added scores for 2019-20, reviewed in advance of the meeting by the Quality Recovery Group. The following information was highlighted:

- Following the publication of the report, the Assistant Principal reported that Achievement was likely to outturn at between 83-84%. Confirmation was received that Achievement had been significantly impacted by COVID-19, particularly in Hair, Beauty, Functional Skills and Teaching Assistants. Despite this, both Landbased and IT provision had seen significant improvements, having been in Quality Intervention during 19-20.
- Value added in ALPs courses grade boundaries 1-3 had seen a decline due to being significantly impacted by the creative arts courses who were unable to carry out graded final projects due strict rules from University Art London (UAL) in relation to the Centre Assessed Grades (CAG) process. Moving forward, the College will monitor the percentage of learners achieving their target grade in technical qualifications as this data, outside of ALPs.
- 67% of Level 2 learners studying technical qualifications achieved or exceeded their target grade with 28% exceeding. Similarly, 47% of Level 3 learners achieved or exceeded their target grade with 14% exceeding.

APPRENTICESHIPS

135 The Deputy Chief Executive gave an update on Apprenticeships provision, reviewed in advance of the meeting by the Quality Recovery Group. The following information was highlighted:

- In September 2020, the College was declared the Best FE College for Apprenticeship Training. The Deputy Chief Executive advised that the award, coupled with the year's earlier success which saw the College recognised as the top performing college in the West Midlands for Apprenticeship Achievement, illustrated the work undertaken by staff and the improvements seen in this area over the last two years.
- The Department had been significantly impacted by COVID-19: from a total of 804 apprentices, 267 were directly affected, of which 212 furloughed which would result in 90 apprentices rolling into 2020-21 academic year.
- The final Achievement outturn for apprenticeships was likely to close down at around the national average of 64%. Prior to the pandemic the College was on track for a 78.4% overall completion figure and 70% timely.
- The 2020-21 target for apprenticeship income was confirmed at £2.35m with approximately £1.8m of funding achieved at the time of writing the report presented. It was confirmed that Apprenticeship funding would continue to be a significant risk to the College throughout the year, given the declined economic outlook and its consequential affect upon the employment market and recruitment of new apprentices.
- Detail of the work undertaken by the College to support all apprentices and employers and maintain regular updates and contact was provided with confirmation that furloughed apprentices remained a high area of focus.

136 Governors noted the report and subsequently questioned the means by which the College sought assurance that all apprentices were working in COVID-secure environments. Confirmation was received validation was obtained via a) the provision of employer risk assessments and b) Assessor visits to the workplace to evaluate the measures put into place by employers.

MINUTES

Board

137 **Resolved** that the minutes of the meeting held on 30 September 2020 be approved as a true and accurate record.

Action Grid

138 The Board reviewed the action grid, noting actions completed and amending dates as appropriate to be carried forward to the next version.

Governance & Search Committee

139 The minutes of the meeting held on 7 October 2020 were received together with the Committee's recommendations. The Board noted that the attendance rate for current governors was 85% against a target of 75%: Overall attendance in 2019-20 had improved by 11% when compared with the previous academic year.

140 A review of the Standing Orders, Code of Conduct, Scheme of Delegation and confidential business took place, all of which the Committee recommended for approval and considered by the Board during the course of the Board meeting.

141 Governors were informed that governor recruitment was ongoing and confirmation was received that, following a review of the skills matrix, a focus would be upon recruiting individuals with backgrounds in law, audit, risk management, commercialism, education and quality management. As such, members urged once again to bring the vacancy to the attention of their respective networks. David Isted was thanked for his work on this to date.

142 The Chair advised of his intention not to serve for a further term of office as Chair of the Board and, in response, governors gave thanks to him for his significant contribution to College during his time in post. Succession planning arrangements were subsequently shared with the Board and as such governors were invited lodge expressions of interest with the Clerk.

143 **Resolved**

- 1 that the Board increase the attendance target from 75% to 80% for 2020-21.
- 2 that expressions of interest for the role of Chair of the Board be lodged with the Clerk.

Finance Improvement Group

144 The minutes of the meeting held on 15 October 2020 were received together with the Group's recommendations. The Chair of the Task and Finish Group commented that matters of a financial nature discussed during the Board meeting had previously been considered at length at the latest meeting of the Group (illustrated within the minutes), with an emphasis on the fact that the major areas of focus centred around the 2019-20 financial outturn, capital expenditure and the fundamental matter of covenant compliance, as the College moved forward into the 2020-21 academic year.

145 Financial regs were reviewed by the Group and recommended for approval, considered by the Board under minute 155-156.

146 **Resolved** that the additional capital spend for the purposes of investing in CCTV across all College campuses be approved.

Quality Improvement Group

147 The Chair of the Group reported that the Task & Group were scheduled to meet on 14 October however, on 9 October, confirmation was received that Ofsted would carry out an Interim Visit at the College from 13 to 14 October. As such, the meeting was cancelled. Despite this, a review of papers, circulated in advance of the cancelled meeting, had been undertaken by governors and as such, a document was presented with detailed the questions and associated responses to illustrate this.

MANAGEMENT ACCOUNTS TO 30 SEPTEMBER 2020

148 The Board received the Management Accounts to 30 September 2020. The operating position detailed within the document presented showed a surplus position of £10k against a profiled surplus of £73k. The Deputy Principal – Finance & Resources reported that, despite the early stage in the year, a number of key trends had emerged. Particular attention was given to the following points:

- Cash levels reported to be significantly ahead of forecast at over £6m at September month end, including ESFA Condition Improvement Grant income at £835k and three Rodbaston house sales £776k. Governors were informed that, at this point in the year, cash balances would be expected to be at their highest of the year, and the ESFA Condition Improvement Grant balance will need to be spent within a six month period.
- Strong 16-18 recruitment would support the current year position and ensured growth in 16-18 income in 2021-22.
- Despite the slow recruitment of apprentices, approximately 80 new starts were added in September, with total annual activity forecast at £1.8m against a target of £2.35m by the end of July 2021.
- Income and expenditure would be closely monitored against the Financial Plan for faculties.
- The monitoring of pay and non-pay costs would continue across the College.

149 A governor asked for detail following a recent meeting with Relationship Directors from all three funding banks, where it was confirmed that the College informed them of its latest and emerging position. It was reported that dialogue would continue to take place on a regular basis with the Chair of the Finance Improvement Group invited to all future meetings. The next meeting was scheduled to take place in November, where a draft reforecast would be presented for discussion.

150 The Board asked for an update on whether any additional relief would be provided by the government to support the costs of COVID-19. The Deputy Principal responded by stating that, at the time of the meeting, such costs continued to be fully funded by the College. It was still unknown if additional financial support would be available however additional spend continued to be tracked should evidence of this be required at a later date. The Deputy Principal advised that, at the end of September total spend in this area totalled approximately £50k, excluding loss of income.

151 Governors were pleased to observe the further development of the narrative detailed within the Management Accounts, specifically with regard to cash, debtors and creditors. The Deputy Principal was thanked for his work on this.

DRAFT 2019-20 FINANCIAL OUTTURN

152 The Deputy Principal updated the Board on the likely outturn from the 2019-20 financial year, reviewed in advance of the meeting by the Finance Recovery Group. He reported that external audit activity was largely complete and that the current operating position had improved following the September Board meeting from a deficit £228k to a deficit of approximately £197k. The following information was highlighted:

- Non-pay costs below forecast with some additional costs accrued, which included a combination of an increase in bad debt provision and an accrual of historical business rates for the TORC site.
- The removal of bursary funds and corresponding costs had led to a reduction in funding and non-pay costs.
- A substantial increase in calculated costs relating to actuarial Local Government Pension Scheme (LGPS) valuation changes to cover the potential of future liability, which in turn led to increased Staff Costs, Interest and Other Finance Costs lines.
- The financial information presented excluded potential additional funding in relation to apprenticeships and additional 16-18 in-year funding, which would be dependent upon national affordability.

153 LGPS pension liability was discussed by the Board and the representation of the College on the Staffordshire Local Government Pension Scheme Panel.

154 **Resolved** that College representation on the Staffordshire Local Government Pension Scheme Panel be explored.

FINANCIAL REGULATIONS

155 The Deputy Principal presented the revised Financial Regulations to the Board, providing detail on the amendments made to the document. The Board received confirmation that the Finance Recovery Group had reviewed in advance of the meeting where a recommendation for approval had been made.

156 **Resolved** that the Financial Regulations be approved.

TENDER AND/OR QUOTATION OUTCOMES EXCEEDING £75K

157 A report which detailed payments in excess of £75k was presented to the Board, which included confirmation of the tender process in relation to each purchase, reviewed in advance of the meeting by the Finance Recovery Group.

158 **Resolved** that the tender and quotation outcomes exceeding £75k be approved.

COVID-19 RISK REGISTER & ACTION PLAN

159 The Board received the COVID-19 Risk-Register and Action Plan, where the nine key risks facing the College were discussed, along with the progress made and associated trend analysis. It was confirmed that the document would be further reviewed ahead of the November meeting of the Audit Committee.

STANDING ORDERS

160 The Clerk advised the Board that an annual review of the Board's Standing Orders had taken place and as such, presented the revised document for approval along with detail on the amendments made. Governors received confirmation that the Governance & Search Committee had reviewed the document at its last meeting where a recommendation for approval had been made.

161 **Resolved** that the updated Standing Orders be approved.

GOVERNOR CODE OF CONDUCT

162 The Clerk advised the Board that a review of the Board's Governor Code of Conduct had taken place and as such, presented the revised document for approval along with detail on the proposed amendments. Governors received confirmation that the Governance & Search Committee had recommended the document for approval at its last meeting where a recommendation for approval had been made.

163 **Resolved** that the updated Governor Code of Conduct be approved.

SCHEME OF DELEGATION

164 The Clerk presented a Scheme of Delegation to the Committee, recommended for approval in advance of the meeting by the Governance & Search Committee, where she advised that the document had been designed with the intention to set out how the Corporation distinguished between matters reserved exclusively for the Board of Governors' approval or decision, and those delegated to committees or individuals. Confirmation was received that, should the Board approve the document, it would be published on the College website and subsequently reviewed by the Governance & Search Committee every three years, recommending updates as required to the Board thereafter.

165 **Resolved** that the updated Governor Code of Conduct be approved.

GDPR POLICY

166 The Board received the revised GDPR policy for re-approval and governors were advised of any material changes to the policy. Equality Impact Assessment analysis had been reviewed by a member of the Board in advance of the meeting with records shared within the electronic Governors' Area for reference.

167 Confirmation was received that the College was actively seeking to operate with a 3rd Party Data Protection Officer (DPO) rather than have an employed DPO. This service was not yet in place but once it

had been confirmed, the DPO will be designated in the Policy itself. At the time of the meeting, DPO responsibility sat with the Director of IT.

167 **Resolved** that the GDPR policy be approved.

ANY OTHER BUSINESS

Subcontractor Declaration: Finance & Management Business School (FMBS)

168 A report was presented to the Board in order to seek approval for the College to enter into subcontracting activity with the Finance & Management Business School (FMBS). Confirmation was received that the College had been in discussions with FMBS since late summer, where the original intention had been to deliver courses on a partnership basis. Despite the courses being delivered online, it was however felt that the mode of delivery was more akin to subcontracting rather than partnership and therefore Board approval was sought.

169 A robust discussion took place with regard to the rationale for the proposal in connection with risk profiling with the ESFA, whereby the leadership team confirmed that FMBS, unlike other similar providers, would support the expansion of the College's footprint within the geographical location of the West Midlands Combined Authority (WMCA) area to deliver adult employability courses at levels one and two which would in turn compliment its existing curriculum offer. The CEP also advised that FMBS worked in connection with the Department of Work and Pensions (DWP) in order to deliver specific qualifications in alignment with the job market. Confirmation was received that no other subcontracting activity took place at the College, with the exception of legacy apprenticeship provision with Code Nation, of which the remaining five apprentices were due to complete imminently.

170 **Resolved**

- 1 that the proposal for FMBS to be added to the College subcontractor register be approved.
- 2 that a report detailing subcontracting activity be presented at both Finance Recovery Group and Board.

DATE OF NEXT MEETING

- a) 9am Thursday, 19 November 2020 (Strategy Event).
- b) 9am Thursday, 10 December 2020.

Chair

Date