



BOARD OF GOVERNORS

Minutes of the meeting held on 30 September 2020

PRESENT:

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|----------------------|---|
| Steve Burgin (Chair) |) External Governors |
| Tim Legge |) |
| Andrew Elsby-Smith |) |
| David Isteed |) Governor present following minute 21 |
| Tony McGovern |) Governor departed following minute 55 |
| Andrea Chilton |) |
| Helen Simpson |) |
| Mike Rowley |) Governor departed following minute 55 |
| Philip Atkins |) Governor present following minute 21 |
| Phil Tapp |) |
| 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 Curriculum & Quality |
| Karen O'Reilly | Assistant Principal - HR |
| Miranda Hughes | Clerk to the Corporation |

PART 1

APOLOGIES FOR ABSENCE

1 None.

DECLARATION OF INTERESTS

2 None.

CYBERSECURITY UPDATE

3 The Deputy Principal updated the Board with regard to a cyber alert which had taken place on 10 September 2020; which resulted in a loss of internet service for a short period: the background reason for this was confirmed to be due to a sustained DDOS (Distributed Denial of Service) attack. At the time of the meeting, it was confirmed that the attack was ongoing however, via a combination of new Dark Trace hardware and work by Jisc, the situation was reported to be under control.

4 It was also reported that the College, in addition to approximately 40 other educational institutions within the United Kingdom, had experienced a malware attack on 11 September 2020. The Deputy Principal stated that the College had strengthened passwords in recent months and, combined with Two-Factor Authentication, sufficient network controls were in place successfully manage the situation. Governors were

also informed that staff training and testing on cybersecurity had been heightened, over and above the mandatory staff training that takes place as part of the standard CPD activity at the College.

5 A governor queried if insurance cover was in place that specifically related to cybersecurity attacks. Confirmation was received that cover was in place and, at the time of the meeting, the College was reviewing what instances were covered under the policy.

6 **Resolved**

1. that the outcome of the review of insurance cover relating to cybersecurity be shared with the Audit Committee at its November 2020 meeting.
2. that the College Risk Register be updated accordingly in response to the situation.

REOPENING UPDATE

7 The Board received an update in regard to the wider reopening of the College, including the measures taken to ensure staff and students could return to work and to study safely by reducing the likelihood of COVID-19 transmission. College communications were also shared in the event of a positive case. Confirmation was received that the measures, communicated via the College website, posts on social media, induction and via staff communications, were under constant review. The following information was highlighted:

- In response to Government guidance from Department for Education (DfE) and Public Health England (PHE), from September 2020, the College had re-opened to ensure all learners returned to a full high-quality education programme. In doing so, the main focus of the College was to ensure that a) robust health and safety measures were maintained and b) staff were fully supported to enable teaching and learning to continue.
- In light of updated guidance from DfE and PHE, the College COVID-19 Risk Assessment had been refreshed accordingly and published on the COVID-19 area of the College webpage.
- The enrolment process, delivered predominantly in a digital format, ensured that physical contact and the use of paper and its transfer between people was removed. Returning students were automatically enrolled and new students were required to physically attend once to complete their enrolment, via a booking system.
- In line with government guidance at the time of the meeting and as a result of the control measures detailed within the report, face coverings would not be required unless in communal areas such as food outlets or when supporting learners on a one-to-one basis, where social distancing could not be achieved. It was confirmed that all staff, learners and visitors were welcome to wear face coverings should they wish to do so.
- Timetables had been staggered with groups starting and finishing at different times to reduce any busy periods and help support social distancing during peak times. Additionally, breaks would be staggered to limit numbers in corridors and on circulation routes.
- Catering for students would be provided through 'grab bags', available from food outlets, enabling students to have lunch within timetabled spaces, monitored by staff. Lunchtimes were confirmed to be staggered to avoid large numbers of students out of class time and to also avoid large queues. At the time of the meeting, seating areas in food outlets and communal areas were not in use.
- Staff had been provided with care packs, containing sanitiser gel, spray and wipes and a pack of face masks and sanitiser points had been installed at all entry/exit points and throughout College buildings, with sanitiser wipes and sprays to be used in classrooms.
- The College was being cleaned thoroughly each day with enhanced cleaning regimes in place.
- In addition to timetabling, the College was operating an internal test and trace app, a system to capture the names of staff and students who may have come into contact with one another outside of social distancing rules and without adequate PPE, to enable the swift identification of those who must self-isolate when necessary to do so.
- Staff feedback continued to be collected via an online survey, reviewed by the leadership team for positive comments and further action required.
- The College had prioritised a larger proportion of onsite delivery for both practical courses and courses up to Level 1. Level 1 and below would be onsite for 100% of their timetable with timetables for learners at levels 2 and 3 structured to ensure online delivery would not exceed 30%. All learners were to be in attendance for at least one day a week, in bubbles.

8 Further detail on College bubbles was sought. It was confirmed that groupings consisted of no more than 28 learners from course tutorial groups, split in two for delivery. The Assistant Principal Quality & Curriculum advised that some learners also extended to English and maths bubbles, also in numbers of 28 and split in two for delivery. In the event of a positive case, she advised that the maximum number of affected learners would be under 90, plus staff, dependant on the size of the curriculum area.

9 A question was raised regarding the impact of transport on bubbles and confirmation was received that College transport would follow national guidance which included wearing face coverings. Hand sanitiser would also be used on entry to the vehicle and thorough cleaning of College minibuses would be undertaken after each journey with ventilation maximised to prevent the spread of infection. A governor clarified national policy by stating that, in the event of a positive case, all contacts would be traced by the NHS and told to self-isolate for 14 days which could extend the impact beyond bubbles.

10 With regard to PPE, a governor queried if individuals such as contractors and technical staff, wore face coverings if they were to interact with a bubble. The Deputy Principal advised that the College had revised its guidelines for visitors and as such there was an expectation that face coverings would be worn. For staff, face coverings were not mandatory however social distancing would be maintained in the event that work could not be undertaken remotely.

11 A governor asked how the College test and trace app interconnected with the national NHS COVID-19 app, where it was confirmed that all staff and students had been encouraged to download the NHS tapp and as such, QR codes had been placed at all entrances and other strategic locations across all five sites in an effort to support the NHS. It was clarified that the College test and trace system would be completed for those individuals who had come into contact by less than two meters, without adequate PPE, as an additional identification measure beyond that of timetabling, in the event of a positive case. The Assistant Principal – HR confirmed that the College test and trace system had been in place for some time as a means to capture information prior to the release of the NHS app, however following the release of the national app, it was intended that the two would work in parallel with one another as a means to swiftly identify individuals needing to isolate.

12 A governor queried if the College had sufficient levels IT equipment to support learners in need of devices and facilitate online delivery. Confirmation was received the College had invested significantly in IT over the summer and as such, all teaching staff had been issued with a new laptop and wireless headset to ensure the effective delivery of teaching. Additionally, the enrolment period was used to identify those learners who required devices. Confirmation was received that IT equipment had then been allocated in priority order, commencing with those learners who would undertake higher levels of remote learning from the outset, followed by late enrollees. In the event of a second national lockdown, devices would also be ready to issue to learners who required them that currently received only onsite delivery.

PRINCIPAL'S REPORT

13 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 2,610 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 2% on the previous year, growth in learner numbers was reported at every campus, specifically Tamworth, with an increase of 15%.
- It was verbally reported that the College had received 33 additional adult enrolments compared to the same point in 2019-20 and that recruitment would continue to take place throughout the year. It was also confirmed that the curriculum plan in place ensured the College addressed regional priorities to close skills gaps and that the College would continue to be responsive and provide provision at any point during the year to meet needs of the community given the economic climate owing to the public health emergency and the likelihood of significant redundancies.
- The 2020-21 target for apprenticeship income was confirmed at £2.35m with £1.9m of funding carried forward from 2019-20, leaving a balance of £902k to be achieved from new starters this academic year. The target would be closely monitored throughout the year.

- At the time of the meeting it was reported that Higher Education enrolment was still taking place however, early indications showed that income would be between £375k and £400k against a target of £300k.
- It was verbally reported that there had been an increase in High Needs enrolments, specifically at the Rodbaston campus compared to the same point in the previous academic year. The exact value of High Needs income would be confirmed following October half term and as such further detail would be provided at subsequent Board meetings.

14 The Board noted that grade inflation had equipped learners to register on to higher level courses and as such, queried how the College would support these students and reduce the risk of withdrawals. The CEP confirmed that the College was highly aware of this and therefore a large body of work had been undertaken to ensure all learners were registered onto the correct level of programme within the initial stages of enrolment via course interviews, one-to-one tutorials and early reviews of skills gaps. Right Choice Interviews would be undertaken in week four which provided a further opportunity to ascertain the correct level of programme for learners. Additionally, Progress Coaches had been assigned to each curriculum area to support those learners not achieving target grades to address academic underperformance and additional funding would be used as a further means to address skills gaps. The Board were assured that the College would continue its sharp focus in this area moving forward to ensure students were fully supported (*see also minute 30-33*).

15 A governor queried the level of reliance the College had on achieving the apprenticeship target income value of £2.35m and how swiftly the College could reduce costs in the event of rising job losses. The Deputy Principal advised that there was a 40% margin which would result in a potential impact of approximately £220k should the College fail to receive further income. At the time of the meeting, he stated that the main business recruitment period for apprenticeships was underway and therefore this activity must firstly settle before any decision-making could take place. He advised that, if necessary, the Governments Flexible Furlough Scheme could be considered should the College find itself in a situation where an Assessor's workload is significantly reduced.

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

- The College appointed a Head of Quality Improvement during the Summer and therefore work had now commenced on team self-assessments and quality improvement action plans to support cross-college improvement.
- A new observation process has been designed for use in 2020-21 and Induction Learning Walks commenced on all sites with outcomes reported at the next Board meeting.

Current priorities for this objective:

- *To ensure all learners complete adapted and delayed assessments by the end of September*
- *To provide teachers with support from digital learning technologist's with 'live' online learning*
- *To ensure all learners are able to work remotely and online and are provided with effective pastoral support*

Deliver Excellence

- Provisional retention for 2019-20 was 90.5% and around 0.5% up on the 2018-19 outturn of 90%.
- Provisional retention for 16-18 year olds is 91% compared with 89.5% in 2018-19 and therefore showing an improvement of 1.5%.
- Provisional achievement for 2019-20 was expected to be between 83-84%.
- Due to adapted and delayed assessment the College would not be in a position to confirm final outturns until the end of October 2020, however estimates were reported.
- High Grades in English had improved from 13% in 2018-19 to 24% in 2019-20.
- High Grades in Maths improved from 6% in 2018-19 to 14% in 2019-20.

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*
- *To closely monitor learner attendance and engagement in the opening weeks of term and action any concerns*

Develop a highly engaged and skilled workforce

- A significant body of work had been undertaken within the Human Resources Department, following the appointment of the new Assistant Principal in March 2020 (*see also minute 22-26*).
- The main focus over the summer had been to prepare the organisation for the pay increases effective 1st September which had been reported to be well received by staff.
- COVID-19 sickness figures were reported to be low and significantly under the sector average.
- The College had now un-furloughed all staff with effect from 7 September 2020.

Current priorities for this objective:

- *To complete the negotiation for lecturer contracts with UCU.*
- *To resolve the situation with UNISON and agree the Business Support contracts on and move our staff onto the new contracts.*
- *To work with UNISON and NEU to agree the new Managing Attendance policy and additional papers*
- *To create a HR Strategy considering feedback received from staff.*
- *To complete the tender process for the new HR/Payroll system*
- *To review the family friendly policies e.g. Maternity, Paternity, Parental, Shared Parental Leave, Adoption to incorporate legal changes and to also consider how these policies can be used as benefits*

Achieve financial stability and improve efficiency

(Reported on under Outline Management Accounts to 31 August 2020 and 2019-20 Financial Outturn Update)

- *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 Prospectus

16 The CEP advised that a Capital Investment Prospectus had been developed and shared widely following the collaboration with other providers within the West Midlands, which in turn ranked the college within the top three institutions within the region with the poorest estate. The Prospectus was circulated to local MPs and as a result, a meeting with Gavin Williamson took place in July where Estates Strategy plans were shared.

17 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. At the time of the meeting, a plan to address the recommendations detailed within the Estates Strategy was being worked on which would be presented at the October 2020 Board meeting.

Bids

18 Confirmation was received that the College had been successful in its application for Digital Hubs at Tamworth and Cannock and as such was working with the LEP in order to progress this work.

19 The CEP advised that both Stoke and Staffordshire and Greater Birmingham and Solihull LEPs announced the opportunity by Ministry of Housing, Communities and Local Government (MHCLG) to submit proposals to a) accelerate existing capital projects to generate activity within 18 months and b) seek funding

for additional shovel ready capital projects which can be delivered within 18 months. Further detail on this would be reported in due course.

Best Further Education College for Apprenticeship Training

20 On 3 September 2020, the College was declared the Best FE College for Apprenticeship Training. The CEP advised that the award, coupled with the year's earlier success which saw the College recognised as the top college in the West Midlands for Apprenticeship Achievement, illustrated the hard work and commitment of staff to deliver an outstanding apprenticeship provision for its apprentices and underlines the significant improvements seen in this area over the last two years.

Assistant Principal Curriculum

21 Following a rigorous recruitment process, the CEP confirmed that David Cousins would commence post as Assistant Principal for Curriculum on 5 October 2020.

ANNUAL HR REPORT

22 The Annual HR Report was received. The report included a summary of the composition of the HR team, key activities during 2019-20, including the work undertaken with regard to the COVID-19 pandemic, employment contracts, policies, DBS/Barring lists and recruitment. Detail on performance, pay, staff benefits and health and wellbeing had also been incorporated into the report.

23 The turnover of staff within the HR Department in 2019-20 was noted and as such a question was raised regarding why this was the case. The Assistant Principal – HR responded by stating that staff had been recruited before a clear structure or responsibilities had been developed in line with business needs. Additionally, she advised that salaries were previously not aligned with the sector which in turn led to skills gaps. As such, a change to the staffing structure combined with a recent recruitment drive focused upon experience of HR processes and the implementation of systems would stabilize the area and facilitate further improvements.

24 In regard to DBS and Barring processes, confirmation was received that all records were in line with both DBS and Ofsted requirements with the Single Central Record reviewed on a weekly basis. The Assistant Principal advised that clear and robust system-based processes were in place which continued to be developed for inclusion within Safer Recruitment training. Governors were invited to review records at any time (*see also minute 36-40*).

25 The percentage of staff on zero hours contracts was noted and confirmation was received that a body of work would be undertaken to reduce this moving forward, commencing with teaching staff in the first instance.

26 On behalf of the Board, the Chair thanked the Assistant Principal for the significant amount work carried out since joining the organisation in March 2020.

2020-21 TARGET SETTING

27 The Deputy Chief Executive presented a close-down KPI report for 2019-20, combined with a proposed set of targets for the Board to monitor for 2020-21, which also included analysis between the targets and outcomes being proposed compared to the previous year. Confirmation was received that final outturns for all strategic priorities were largely confirmed, with the exception of Strategic Priority Three, Deliver Excellence, given that a proportion of data was yet to be confirmed due to adapted and delayed qualification outcomes in light of the COVID-19 pandemic. Attention was also drawn to the following areas:

- A process of updating College vision for 2025 and beyond was being undertaken which would be the key focus of discussion at the governors' Strategy Event in November 2020.
- A large proportion of the KPIs were taken directly from the Financial Plan, approved in July 2020. Target setting rationale for KPIs set outside of the Plan was also shared.

28 A question was raised regarding whether the targets that had been set were in line with external expectations. The Deputy Chief Executive confirmed that whilst no target gave the leadership team any undue concern in this respect, the KPIs carrying the highest risk related to achieving the outcomes set for education, given the challenges facing the 2020-21 owing to the health pandemic.

29 **Resolved** that, subject to the comments above, the targets be approved.

ENGLISH & MATHS

30 An English and maths update was presented to the Board. The following information was highlighted:

- Overall English and maths GCSE achievement was good, compared with both the previous year's performance and national averages.
- Regarding grade inflations, 153 GCSE English students received a higher grade than teacher assessed, and 268 GCSE maths students received a higher grade than teacher assessed.
- Although still above national average, Achievement in Functional Skills (FS) was significantly lower than 2018-19, which had been impacted by COVID-19 and as such the College still had learners working towards FS qualifications due to delayed assessments.
- Progress scores had improved in both English and maths over a three-year period and were above national average figures.
- Headline high grades had improved across headline data and at all campuses, despite remaining below national average. However, confirmation was received that the College had enrolled a high proportion of learners onto GCSE qualifications with a clear focus on progress scores to improve learners' English and maths.

31 In light of grade inflation, a governor queried whether the high grades received were a true reflection of improvement in this area. The Assistant Principal responded by stating that, prior to lockdown, students were making good progress. Following this, a great deal of work had been undertaken to review performance across a wide range of assessments which was subsequently validated and verified. Confirmation was received that evidence was then sampled which resulted in minimal external issues with awarding bodies or appeals. As such, she advised that governors could be assured that every effort had been made to obtain accurate grades for students. The Assistant Principal added that a percentage of students may have not performed in exam conditions, however it would be impossible to pinpoint what this figure would be. For these reasons and more, it was confirmed that Ofsted would not use 2019-20 data in inspections this year.

32 The Vice Chair queried staffing levels within this area and confirmation was received that, at the time of the meeting, there were no issues to report following a successful recruitment drive in the previous academic year.

33 The Board agreed that English and Maths updates should continue to be provided at each meeting of the Quality Recovery Group, specifically in relation to skills gaps and the action taken to minimise the impact on learners.

ANNUAL CAREERS REPORT

34 The Annual Careers Report was received, which enabled governors to monitor statutory compliance against the Government's Career Strategy in accordance with the principles established in Section 42A of the Education Act 1997. The Assistant Principal – Learner Services reported that the College had been awarded the Matrix Standard in June 2020. External feedback from this exercise provided validation of the quality of the careers service at the College which confirmed that a) the College had embraced the eight Gatsby Benchmarks and as such viewed them as a development tool and b) that the Careers not Courses focus of the Careers Strategy was embedded into the ethos of the College. The following information was also highlighted:

- UCAS applications had risen by 31% on the previous year.
- Interviews for learners with an EHCP have increased by 10% in 2019-20.
- Referrals from non-learners accessing the careers service to receive advice and guidance had risen by 31%.
- Independent careers guidance was presented in an impartial manner.
- The Careers team attended feeder schools to deliver careers activities to raise aspirations and to highlight South Staffordshire College provision, which had resulted in a series of positive feedback.

35 With regard to COVID-19, a governor enquired if its impact was a risk for the Careers Team in 2020-21. The Assistant principal advised that the team successfully delivered information, advice and guidance remotely throughout lockdown, which resulted in increased communications with students in comparison to previous years, and as such the team would adopt the same process should the College be presented with a similar situation moving forward. Furthermore, she stated that whilst the impact of the pandemic could have

an affect on the ability of students to gain employment in the short term, the impact should not affect careers in the longer term.

ANNUAL CHILD PROTECTION, SAFEGUARDING & PREVENT REPORT

36 The Assistant Principal – Learner Services/Designated Safeguarding Lead (DSL) presented the Annual report to the Board which provided detail relating to the number of child protection, safeguarding and mentoring referrals made to the College's Safeguarding Team during 2019-20 academic year, which also encompassed the third term. As part of the Board's oversight of this vital area, a termly report had been introduced to enable the governors to discharge their statutory responsibilities effectively. The following information was highlighted:

- Detail regarding the measures put into place to engage, maintain contact with and support learners throughout the public health emergency to ensure their well-being had been provided, which also included the work undertaken with the Local Authority, Social Workers and Looked After Children.
- Retention stood at 84% overall for Safeguarded learners in 2019-20, compared with 85% in 2018-19. Confirmation was received that the new recording system, reclassified to follow the Ofsted framework, resulted in a smaller number of safeguarding referrals with more serious issues which affected their ability to continue with their course.
- Retention for mentored learners increased from 85% in 2018-19, to 92% for 2019-20.
- Retention for Looked After Children increased by 5% to 88% in 2019-20.
- All staff undertook safeguarding and Prevent training annually.
- The DSL and the lead governor for Safeguarding communicated on a regular and ongoing basis throughout the year.

37 A governor noted the fall in the number of referrals relating to self-harm, suicidal tendencies and suicide attempts and went on to ask how the rates compared with other colleges. The DSL advised that the results were reflective of the national picture, particularly amongst young females.

38 The Chair enquired into the reasoning behind why the Rodbaston site had the largest number of referrals. The DSL advised that findings suggested that specific course areas offered at Rodbaston attracted students with an increased likelihood of being referred. She went on to state that a significant number of referrals at the site were attributed to learners with an EHCP and as such, increased provision of mentoring support had been placed at Rodbaston in view of this.

39 The lead governor for safeguarding stated that the report is an illustration of how seriously the College was committed to safeguarding via a whole-College approach, reflected in the annual training programme for staff and via the retention figures in relation to Looked After Children in particular which suggested that the College was making a positive impact in this area. He made reference to the national picture of mental health and wellbeing and how it must remain high upon the public agenda.

40 It was agreed that the report demonstrated that a good-quality service was provided to learners and staff were thanked for their work. The Chair went on to ask if records relating to safeguarding could stand up to external scrutiny and confirmation was received that this was the case. A discussion took place with regard to the ways by which the Board would receive ongoing assurance in this area where it was confirmed that a safeguarding update would be provided at every Board meeting.

MINUTES

Board

41 **Resolved** that the minutes of the meeting held on 9 July 2020 be approved as a true and accurate record.

Action Grid

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

Audit Committee

43 The Board received the minutes of the meeting held on 16 September 2020 noting that, in the pre-meeting, both internal and external auditors that there were no issues to raise with the Committee. Similarly,

the Committee and management met without the auditors present and confirmation was received that no issues were raised in private.

44 Further to discussions at the July 2020 Board meeting (see *minute 460-462*), the Committee approved the proposal for the College commission a funding review of learner numbers as soon as practically possible, conducted by an external firm with specific expertise within this area, in advance of the November 2020 Audit Committee.

45 Attention was drawn to the outcomes of recent internal audits relating to Financial Business Planning and Stress Testing and Cyber Security, both of which received outcomes of Reasonable Assurance. The Chair went on to report that the first audit would have resulted in Substantial Assurance had the College's Business Continuity and Accommodation Strategies been documented at the time the audit took place. Regarding the Cyber Security Audit, she reported that whilst a significant amount of improvements had been made in this area, an overarching security policy must be in place, combined with regular testing.

46 In reference to cybersecurity, the Chair of the Committee advised that the Committee would remain updated with developments within this important area.

47 The Committee reviewed the updated Internal Audit Action Grid, which enabled them to monitor progress regarding the implementation of audit recommendations and as such, an update was received regarding the progress made following the Health and Safety audit. Confirmation was also received that all recommendations arising from the apprenticeships audit had been completed.

48 The Chair reported that an addendum to the Audit Strategy Memorandum was presented which detailed the key updates from the ESFA in respect of the impact of the COVID-19 pandemic, the main changes following the issue of the Post-16 Audit Code of Practice for 2019-20 and the updated filing deadline for the College 2019-20 financial statements.

49 Confirmation was received that the College and COVID-19 Risk Registers were also reviewed by the Committee, in advance of its November meeting.

50 The Committee reviewed the Fraud Policy and Response Plan and as such, recommended it for Board approval (see *also minute 78 and 83*).

51 With regard to Safeguarding, confirmation was received that an internal audit was carried out in 2019-20, where an outcome of Substantial Assurance was received. It was suggested that the College's internal audit programme could be utilised as a further means by which the Board could receive ongoing assurance in this area.

2019-20 Internal Audit Annual Report

52 The report confirmed that a total number of seven assurance reviews had been undertaken during the academic year, which had resulted in outcomes of one 'substantial assurance', five 'reasonable assurance' and one 'limited assurance'. In total, 42 recommendations had been made, comprising of two 'urgent', 19 'important' and 21 'routine'.

53 The Chair of the Audit Committee drew attention to the internal auditor's annual opinion that, for the internal audit reviews carried out during the year, the Corporation had reasonable and effective risk management, control and governance processes in place. This was a positive outcome from the year's internal audit work and would be reflected in the Committee's Annual Report that the Board would receive in December 2020.

Regularity Audit Self-Assessment 2019-20

54 The Board received the self-assessment for 2019-20 which would be reviewed by the External Auditor during the audit of the financial statements.

55 **Resolved** that the Regularity Audit Self-Assessment for 2019-20 be approved for signature.

MANAGEMENT ACCOUNTS TO 31 AUGUST 2020

56 The Deputy Principal advised that the first set of Management Accounts for 2020-21 would be for September and would therefore be reported at the October Board meeting. An early assessment of areas of

concern as well as areas where there may be financial gains was therefore presented. The following information was highlighted:

- Strong 16-18 recruitment which supported the current year position and ensured growth in 16-18 income in 2021-22.
- The Adult Education Budget could present a challenge, especially if the region suffered an additional lockdown or significant time away from learning, however the College remained responsive to announcements regarding adult skills initiatives which could result in a reduction of risk in this area.
- Higher Education recruitment was reported to be better than the levels anticipated in the financial forecast.
- Apprenticeships recruitment was confirmed as the main funding concern; however the College was in receipt of approximately 80 new starts in September. Combined with the carry-in funding of around £1.4 million, full year funding was estimated to be at around £1.8 million against a target of £2.35 million, which would be closely monitored.
- At the time of the meeting it was reported that High Needs presented a difficult area of funding to predict and as such, further detail would be provided at subsequent Board meetings. Confirmation was received that the College target of £1.171 million is challenging but the College has seen additional enrolments to support this growth.
- Catering, Residences and Conferences and Income generating activities may suffer should there in the event of further government restrictions in response to COVID-19.
- Risk regarding transport income was reported in light of increased online delivery and as such, cost savings exercises were being explored.
- Pay costs were generally in line but there was risk reported around teaching costs due to the additional learner numbers combined with the need to put on extra groups of provision.
- Non-pay costs were confirmed to be in line with expectations but large COVID-19 related costs were reported. Such costs were being collected under a specific account code to allow the College to keep a track of its costs in this area.
- Pension Service and Finance Costs had been forecast on previous year estimates. These costs were likely to increase but were reported to be non-cash items, so the impact therefore manageable.

57 A governor enquired as to whether the Job Retention Scheme Bonus had been baked into the 2020-21 financial plan and confirmation was received that this was not the case which therefore would result in additional income to the budget upon receipt. The same would apply for apprentice bonuses given that the College employed a number of apprentices across its business.

57 On the subject of holiday opportunity, a question was raised regarding whether 2019-20 holiday pay provision would be released in 2020-21. The Deputy Principal advised that, given the unknowns in the current year, he did not wish to take release as a benefit at this time.

58 In response to a question regarding asset disposal, confirmation was received that sums detailed within the Income and Expenditure report related entirely to the sale of the houses at the Rodbaston site. It was reported that the house sales were reflected in cash balances and the College would look to differentiate between operating cash asset sales impact moving forward.

59 It was noted that there had been an increase in debtors compared with 2018-19 year end and as such, a question was raised concerning whether there was risk of write offs owing to bad debt. The Deputy Principal advised that, at the time of the meeting, a body of work was being undertaken to review historical debt and therefore some write offs were planned at year end, which would be covered in terms of provisions.

60 A governor asked if there was a particular reason for the increase in creditors detailed within the Balance Sheet and confirmation was received that, at the time of the meeting, sums within this area had dropped which resulted in creditors overall being lower than the previous year. The reasoning behind increased management consultancy costs was also discussed.

61 A governor stated that it was good to see the risk ratings detailed within the report and went on to ask for detail on the impact if the budget was set at the levels marked with an amber risk level as opposed to a red risk level. The Deputy Principal advised that despite the College's positive start, there were challenges associated with making monetary assessments against some of the risk areas presented within the report, however assurance was received that close attention would be paid to these areas on a frequent basis as the year progressed and as such the first formal reforecast would take place in November with financial values added as soon as it was possible to do so.

62 A discussion took place regarding an increase in pension costs and whether the College should take a more pessimistic view of this area moving forward. The Deputy Principal advised that the College would pay a set sum towards pension costs for the next 2.5 years and therefore pensions would not present a particular issue in the short term. Moving forward into the medium term, he stated that contributions were likely to rise over time unless there was a change in the economic outlook or to retirement age. Confirmation was received that any adjustment made when preparing the financial accounts would relate to non-cash accounting effects owing to pensions to cover the potential of future liability.

UPDATE ON THE 2019-20 FINANCIAL OUTTURN

63 The Deputy Principal advised that the Annual Financial Statements commenced on 28 September where the accounts would be presented to the Audit Committee on the 25 November followed by Board on the 10 December. Confirmation was received that despite the fact that the ESFA had granted colleges an extra month to submit their accounts, the College would still aim to complete and submit its accounts by the 31 December.

64 The Deputy Principal updated the Board on the likely outturn from the 2019-20 financial year. He indicated that the current position showed a deficit of around £200k although a number of areas were still under investigation. Confirmation was received that cash balances and covenant positioning were strong and that the calculated Financial Health rating should be Good.

65 Both the CEP and the Chair thanked the Deputy Principal and the Finance Team for the work undertaken throughout the 2019-20 academic year.

RISK REGISTERS & ACTION PLANS

2020-21 Corporate Risk Register & Action Plan

66 The Board received and noted the current Risk Register.

67 Regarding Risk C1, and the subject of schools retaining pupils in Sixth Forms, confirmation was received that the College continued to recruit learners until week six to ensure sufficient opportunity for learners to complete course transfers.

68 In reference to Risk C2, a governor asked what more governors could do to promote industrial ties. The Clerk advised that links with industry sat in the domain of College management in the context of the CEPs responsibility for determining the provision offered by the College and its effectiveness in meeting the needs of employers, apprentices and learners. As such, the governors' role in promoting industry links would be to find ways of scrutinising that activity as part of their oversight role by way of reports presented to the Board or via attendance at meetings between industry representatives and College staff, should the opportunity arise. Confirmation was received that the new Assistant Principal - Curriculum would have a sharp focus on this area moving forward.

69 With regard to Risk C4, a governor asked for the main reasoning behind staff leaving the organisation on a self-elected basis. Confirmation was received that reasoning was varied, which included leaving for increased pay and permanent contracts. 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.

70 Governors noted the plans to implement a new and improved student records system within Risk C14 and asked for further detail on indicative costs. The Deputy Principal advised that, notwithstanding initial upfront implementation costs, a new system would be more cost effective than the current system over a three to five-year period, reflected within the approved budget.

71 **Resolved** that the risk relating to the implementation of a new student records system be tracked through the Risk Register.

COVID-19 Risk Register & Action Plan

72 The COVID-19 Risk-Register and Action Plan was received and noted.

ANNUAL HEALTH & SAFETY REPORT

73 The Board received the annual report which provided a summary of yearly incident statistics, noting a decrease in the number of accidents compared to the previous year. Confirmation was received that the Health and Safety Strategy would shape and enforce the commitment to the College's Health & Safety obligations and compliance requirements.

74 Resolved

1. that the Health and Safety Manager present the strategy to the Board in-year.
2. that both Health and Safety and Safeguarding reports be given as the opening items on every Board agenda moving forward.

ANNUAL COMPLIMENTS, COMPLAINTS & COMMENTS REPORT

75 The Board received and noted this annual report, which confirmed that the number of compliments received had increased by 51 compared to the previous year. Whilst complaints had seen a minimal reduction in 2019-20, the speed at which the College responded to complaints had increased from 15.9 days to 9.2 days.

76 The Chair observed that 59% of the complaints received were attributable to the Rodbaston campus and asked why this was the case. The Assistant Principal – Quality & Curriculum advised that, over an above the other campuses, all College commercial activity was situated at Rodbaston. The CEP added to this by stating that because the quality of provision had been on a journey of improvement, coupled with a high turnover of staff, the likelihood of complaints in this area had increased however. Governors were assured that the number of complaints would begin to go down as the College continued to drive forward improvements in this area.

COLLEGE SEAL

77 The Clerk reported the use of the College Seal for the purposes executing the deeds in relation to the sale of house numbers 3, 10 and 138 Rodbaston Drive. Additionally, confirmation was received that the Seal had also been used in relation to the Lloyds Banking arrangements, approved by the Board at its July meeting.

POLICY APPROVALS

78 The Board received the following new and revised policies that were due for approval:

- Fraud Policy and Response Plan
- Freedom of Speech Policy
- LGPS Discretionary Policy
- Personal Relationships at Work Policy
- Flexible Working Policy
- Flexible Homeworking Policy
- Teaching, Learning & Assessment Policy
- Managing Attendance Policy & Procedure

79 Governors were advised of any material changes to the policies, including feedback from unions where appropriate. 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.

80 With regard to the Teaching, Learning & Assessment Policy, a governor asked if there would be an addendum for 2020-21 due to the impact of COVID-19. The Assistant Principal – Quality & Curriculum advised that the impact of COVID-19 would be detailed within the College Self-Assessment Report, which would be presented for consideration in December 2020. The governor went on to ask under what conditions would physical observations be conducted, and confirmation was received that socially distanced face-to-face observations and formal learning walks of virtual classrooms had commenced from Induction Week.

81 In reference to the Managing Attendance Policy & Procedure, it was observed that as the Disability Discrimination Act 1995 has been replaced by the Equality Act 2010, there is no need to mention the former. Confirmation was received that the policy would be updated accordingly.

82 Also regarding the Managing Attendance Policy & Procedure the nature of elective surgery was discussed, specifically in relation to organ donations, where confirmation was received that cases would be discussed on an individual basis with the leadership team, in advance of the procedure in order to determine what would be reasonable under the circumstances on a case-by-case basis. The Assistant Principal – HR went on to add unions were comfortable that the College would respond to such circumstances both reasonably and fairly.

83 **Resolved** that, subject to the abovementioned amendments, the policies be approved.

ANY OTHER BUSINESS

84 On behalf of the Board, the Chair commended the leadership team for their hard work, resilience and tenacity throughout 2019-20, which in turn provided a great platform of opportunity for the College moving forward.

2025 KPIs

84 A governor requested a progress update with regard to how the College nurtured entrepreneurial flair through its curriculum. The Assistant Principal – Quality & Curriculum responded by advising that the College had created a Business Start-Up Academy for 20-21, in conjunction with Staffordshire Chambers of Commerce which was scheduled to Launch in October 2020 at both Tamworth and Cannock campuses for learners aged 19+. Moving forward, she advised that the College had also worked with Staffordshire County Council to offer a similar model specifically targeted at 16-18 year old's.

Student Governors

85 The Clerk gave an overview of the student governor appointment process and reported that this could only commence following the completion of the Student Representative recruitment drive, which had come to an end on 25 September 2020. As such, further detail would be provided as soon as it was possible to do so.

DATE OF NEXT MEETING

22 October 2020 at 9am.

Chair

Date