

**Minutes of the Meeting of the Corporation
held on Thursday December 14th 2017 at 9.00am
in the Boardroom of Matthew Boulton Campus**

Present:	Apologies:
Steve Hollis (Chair)	
Veronica Docherty (VD)	
Keith Horton (KH)	
Andrew Cleaves (Principal)	
Joel Blake (JB)	
Simon Thompson (ST)	
Hilary Smyth-Allen (HSA)	
Michele Larmour (ML)	
Amardeep Gill (AG)	
Dan Zastawny (DZ)	
Deborah Edmonds (DE)	
Mohammed Al-bukair (MA) (student governor)	
Justin Hurlock (JH) (student governor)	
Jane Smith (JS) (Staff Governor)	
Sonia Crook-Lake (SCL) (Staff Governor)	
In Attendance:	
Louise Jones (LJ)	
Liam Nevin – (LN)	
Simon Cosson (SC)	

Apologies for absence

No Apologies were received.

Deborah Edmonds joined the meeting by telephone

Declarations of Interest

No declarations of interest were received.

Item 1 – Actions Arising from the Last Meeting

(i) Open and Confidential Minutes of meeting held on 14 September and 19 October 2017

These were agreed as a true and accurate record of the meeting.

(ii) Matters Arising and Action Log

The Action Log was noted and AC advised that in relation to the second action, this was a reference to a European Social Fund opportunity which the College had not bid for as it could not offer 50% match funding. However, the College had been successful in two other ESF bids, one with Solihull supporting SMEs and the other as a sub-contractor to Calderdale College.

Item 2 – Decisions Taken as Chair’s Action

The Chair summarised the circumstances behind the decision, and the recommendation of the Finance Committee that a pay award of 1.25% be made to staff below the level of Director.

Item 3 – Report from the Chair of the Academic Standards and Quality Development Committee

(i) Draft Minutes of 7th December 2017

These were noted and VD advised that a further meeting of the Committee was being arranged for early February 2018.

(ii) Overview of Academic Results 16/17

VD summarised the presentation delivered to the Committee and in particular it was noted that there had been a thorough analysis of achievement by age, qualification types, and volume of students with a comparator against national rates, and there was clarity in respect of the areas where the College had improved or declined. The results confirmed that one of the main area for improvement was A levels and that this would be subject to consideration by the Committee and the Corporation at the next meeting in February.

Accordingly it was

RESOLVED

- **That the overview of academic results for 16/17 be noted**

(iii) Self- Assessment Report and Post Inspection Action Plan

VD summarised the document and advised the Corporation that it had been compiled based on the Ofsted Common Inspection Framework and that the data used to compile the judgements had been fed into the Post Inspection Action Plan. The Corporation were advised of the self-assessment grades in relation to the key judgements and types of provision it being noted that overall effectiveness was still graded as a 3 “requires improvement.”

VD stated that the College also needed to improve its added value and LJ confirmed that on a 9 point scale, the College was at 7, and that lower numbers indicated greater progress.

The Committee had explored the areas for improvement identified by the SAR and that although they had previously cautioned against implementing too many initiatives they were satisfied that the Executive were confident that they were focussed on the areas that would have optimal impact. It was felt by the Executive that in relation to the key judgements and types of provision that were currently graded 3 that these were on the cusp of a 2.

ML asked what the potential barriers were in getting to good, and what evidence was behind the growing optimism, and LJ advised that it was a combination of changes in the quality framework including more rigorous observations, and the work of progress and learning coaches. In so far as there was a barrier this was the urgency of recruiting the additional implementation teams to ensure that they were in place by the first week in January.

JS stated that since the SAR had been compiled one of her subject areas had been identified as requires improvement through lesson observations and she asked how new information and judgements were reflected in the assessment of progress.

LJ reminded the meeting that the SAR reflected performance in 2016/17 and the judgements therefore reflected the position as at the end of June 2017. The SAR would be subject to a refresh in February 2017 but lesson observations were only one criterion used to determine whether a course required improvement. All quality indicators would be examined and tailored feedback given to each Director on the extent of any support and intervention required.

HSA stated that in reading across to the Performance Report later in the agenda there were a number of areas that were RAG rated as amber and attendance particularly stood out as a concern.

LJ agreed that attendance was not satisfactory but in relation to performance it needed to be seen in the context of a wider range of measures including observations, the percentage of students achieving above the national rate, progress evidenced through Markbook and student satisfaction. Targeted interventions were also being done with individual courses where attendance was unsatisfactory, including learning walks.

SHA asked whether this part of the performance report was consistent with being on the cusp of good, and LJ stated that the 17/18 forecast had not yet been undertaken and this should not be RAG rated at this stage.

JS expressed a concern that departmental managers were burdened by a teaching caseload that was making it difficult to free up enough time to get into classrooms and ensure effective intervention.

LJ stated that was true in some cases but depended on staff utilisation. Whilst there was a need to alleviate pressure in some areas, others needed to improve effectiveness. To enhance capacity, duty manager responsibilities were being withdrawn from departmental managers, and the teaching case load of each departmental manager was being assessed. This conversation was being had with directors over the course of the next week.

SH stated that this was the most critical agenda item and noted that there had been limited movement in the self- assessment grades. The question for the Corporation was whether it was satisfied that from January 2018, the College was moving quickly to a "good."

KH stated that the Academic Standards Committee had asked this question and considered that the PIAP demonstrated significant activity but that it was very difficult to relate cause and effect and predict impact. The trajectory appeared to be positive and that things were improving but he could not say at this point whether that was sufficient to warrant a grade 2.

LJ stated that inspection outcomes would not be based on the 16/17 results and that all recent inspection reports focussed on progress in the classroom. Consistent with this the College had focussed in this academic year on enabling staff to demonstrate student progress. The purpose of the SAR was not to evidence that the College would be achieving good by February, and the key information in that regard was the PIAP which set out the key areas for improvement and how far the College had travelled to date in implementing the key actions.

ML stated that there was evidence of huge change but that the Corporation needed to assess where it was on the trajectory so that it could assess actual or likely impact. LJ advised that the Business Review/Performance Report was a synopsis across a range of key indicators that gave this overview, and which should be read alongside the more detailed assessment in the PIAP.

ML asked LJ to explain the basis of the assurance in the PIAP that the College was moving towards good and LJ stated that there had been progress each month in teaching and learning assessment, focus on classroom progress and performance management all of which were areas for improvement, arising from the Ofsted inspection.

HSA referred to the letters from the ESFA, Ofsted and the FE Commissioner that were included with the agenda pack. These set out the matters that the College should be concerned with and were all matters for discussion on the agenda. This provided assurance that the Corporation were mapping across to get cross-cutting assurance on the College's progress.

VD noted that the SAR was being peer reviewed and that the College was also receiving constructive support from the FE Commissioner and Ofsted.

ML stated that looking at all the information contained in the agenda pack there was still a question about the timescale and the amount that the College had to do in the lead up to the next inspection, particularly so if the College was still initiating change rather than consolidating what was already in place.

The Principal observed that there were no new initiatives and what was proposed was to intensify activity already underway. ML stated that this was re-assuring, because it was important that staff were accustomed to the processes that the College was utilising.

The Principal offered and it was agreed that the monthly PIAP update would be sent to all governors.

KH stated that the openness and transparency of the Executive were appreciated and at the Academic Standards Committee there was a clear sense that the Executive were in command of the detail and were persuasive in their response to all challenges. Having this additional monthly detail would provide additional assurance.

MA stated that every class was different and teachers needed to adapt their style to reflect this. It was important that teachers were part of the change process.

The Principal agreed and stated that the PIAP involved working on improving any weaknesses in the classroom by working with individual teachers.

Accordingly it was

RESOLVED

- **That the Corporation approve the content and grading of the SAR**

(iv) Annual Report on Safeguarding Children and Vulnerable Adults

VD summarised the arrangements as set out in the accompanying report and confirmed that the College had well managed and effective arrangements. Nevertheless, it was apparent that the College was receiving more referrals, sometimes with multiple and complex needs and it had therefore recently appointed additional counsellors who were working effectively within a network of external agencies providing specialised support.

Accordingly it was

RESOLVED

- **That the report be noted.**

(v) HE Performance Review

VD explained that the report included both the annual monitoring return and she drew the attention of the meeting to the performance against the Key Enhancement Objectives for the year, and the internal assessment conducted by the College against the Teaching and Excellence Framework.

Accordingly it was

RESOLVED

That the Corporation approve the Cross College Annual Monitoring Report for 2016/17 as evidence that:

- **The report and action plan relate to the continuous improvement of the student academic experience and student outcomes, and which includes evidence from**

the provider's own periodic review processes which involve students and include external peer or professional review.

- The methodologies used as a basis to improve the student experience and student outcomes are robust and appropriate.

Item 4 – A Level Progress Update and Key Corporation Business for the New Year

LJ introduced the report and reminded the Corporation that at the October meeting it had been agreed that further work would be done on both costing options and consultation in respect of the A level review. In parallel with this the Executive had also stepped up intervention work, and had appointed an external expert to assist with the process. As set out in the report, two phases of consultation with staff were proposed, along with consultation with external stakeholders. Although this would take longer than originally proposed it would result in a more informative assessment of the options.

HSA referred to the recent presentation at the KIT session on the development of T levels and the options open to the College. This had been a useful opportunity to explore the developing picture in more detail and it had demonstrated that the issues were nuanced. It was agreed that all governors should consider the information arising from this session prior to the Corporation meeting in February.

Accordingly it was

RESOLVED

- That the Corporation note the progress made to date on the A level review and the timeline leading to completion.
- That the Corporation note the additional business for the Corporation in February 2018.

Item 5 – Performance Report/Business Review

SC introduced the report and advised that the Review reported on the annual objectives, the KPIs supporting them and the progress made towards those objectives.

KH said that he was surprised that strategic goal 2 *“to deliver outstanding education and employment outcomes for all”* was not RAG rated as red given that only 2/3 of lesson observations were judged to be good. LJ explained that this was because the focus had been on higher risk areas, where it had been expected that lesson delivery would be inconsistent. This had been a conscious decision to facilitate early intervention.

KH stated that this was a matter of concern because even with the context, it appeared to be a high risk issue. LJ replied that it was anticipated that this target would be achieved and there would be a programme of re-observations to follow the interventions and assess impact.

ML stated that it was necessary to see the amber “RAG” ratings in context, and it would be helpful to show areas where improvement has happened and those which still required concerted effort, including those that had not yet been assessed.

Accordingly it was

RESOLVED

- That the Business Review/Performance Report be noted

Item 6 – Report of the Chair of the Finance Committee

(i) Draft Minutes of 1 December 2017

These were noted. HSA advised that the Committee had considered each report separately but also as part of an overall picture of the financial position of the College, which included an assessment of the financial statements, the management accounts, income risk and investment requirements. Whilst there were evident challenges for the College, the overall picture was reasonable and warranted the additional investment that was recommended by the Committee. It was particularly notable that whilst the College had missed its income target, income had increased by £3 million since the previous year.

(ii) Financial Statements

HSA referred to the financial statements and the covering paper and advised that KPMG had not raised any issues of substance.

SH noted that there was a significant movement on the balance sheet arising from pension provision and SC advised that this had arisen from a revaluation of the pension fund and the adjustment was a requirement of FRS 102. It was noted that whilst the adjustment was favourable it could equally in future be reversed given the manner in which the pension fund was valued.

ST stated that the three financial concerns for the College were the balance sheet, outstanding loans and its pension liabilities. The latter had not received much attention but there was a significant deficit on the scheme that was likely to grow. This warranted closer scrutiny as part of the Corporation's duty to manage risk.

ML stated that the financial statements were reassuring but that in relation to the current year there was still some concerns about recruitment with apprenticeship growth below forecast.

The Principal advised that nationally, apprenticeship recruitment had fallen by approximately 50% but the College had increased its provision by approximately 10%. An adjustment to the income forecast had been made to remove approximately £500k of projected growth but the sales team had been encouraged to push for maximum growth.

VD advised that the Academic Standards Committee had also discussed the shortfall in HE recruitment and the Principal advised that the forecast had been adjusted to reflect this but that the Executive were confident that approximately half of the shortfall in HE income could be achieved.

Accordingly it was

RESOLVED

- **That the Financial Statements for 2016/17 be approved**

(iii) Management Accounts

SHA stated that the Finance Committee had asked for a sensitivity analysis that set out the tolerances that the College had in relation to cash and SC advised that this was being done with the ESFA as part of the CFADS modelling.

Accordingly it was

RESOLVED

- **That the management accounts be noted**

(iv) Income Risk

This paper was noted

(v) Strategy Day Summary and Investment Proposals

HSA advised that the Committee had carefully scrutinised the proposals, particularly in the context of the College's overall financial position. The detail was set out in Appendix B and it was clear that there were strong linkages with the recommendation of the FE Commissioner following the last stocktake visit. The Committee supported the proposals but emphasised that the impact of the investment on the quality of teaching and learning would need to be carefully monitored.

LJ stated that a forensic view had been taken of the issues and the interventions needed, and therefore the proposals were granular including the details of individual staff requirements.

SH asked what change would be seen in January as a consequence of the investment and LJ advised that there was now a scorecard that assessed the performance of all managers and which was informing interventions. These interventions would include performance development arrangements, support in the classroom for individual staff, leading learning coaches and progress and learning coaches, and training more pivotal instructors.

ML asked how many staff were currently on performance management measures and LJ advised that the number on formal performance measures was currently less than five but there were a number in the informal stage of the process.

ML stated that the extent of performance management was important if there had been marginal improvement in the last year but more significant improvement was required leading into the inspection.

VD stated that the lesson observation process in the last year had not been robust enough but that there was now a more rigorous process in place. LJ acknowledged that one of the areas of improvement arising from the last inspection was the effectiveness of performance management and the investment proposed would provide greater reach for intervention and improvement strategies.

JS stated that lesson observations were now focussed on student progress and this gave better analytical evidence where there were weaknesses.

ML asked for assurance that there would be sufficient time to see the impact of the investment prior to inspection and LJ confirmed that rapid improvement was targeted and the Corporation would be updated in February.

The Principal concluded by stating that he had met with the leadership and management teams three weeks ago and had set out the challenge and the expectation that all significant issues had been addressed by February. This would include formal performance management where necessary, and he would therefore respond to this challenge further at the Corporation meeting in February.

HSA stated that it was assumed that the College would receive SCIF funding of approximately £250-280k but this was not guaranteed and the Corporation were being asked to support the proposal with that risk and with the acknowledgement that revenue funding would continue in the next financial year.

Accordingly it was

RESOLVED

- That the Corporation support the SCIF programme bid as summarised in the report.
- That the Corporation approve:

- (i) Additional expenditure of £504,750 in 2017/18 to support the SCIF programme, offset by an anticipated contribution of £288,500 from the SCIF
- (ii) Additional costs as “match” to the SCIF fund in 2017/18 of £108,250.
- That an update on progress against the priorities identified at the Strategy Day be presented to the March Corporation.

(vi) Financial Comparison with Selected Multi-Site Colleges

This report was noted.

(vii) Property Disposals

This item is recorded in a confidential minute

(viii) Pay Award 17-18

This matter is recorded against agenda item 2

(ix) Partnerships Update

This report was noted

Item 7 - Report of the Chair of the Audit Committee

(i) Draft Minutes of the Audit Committee 8.12.17

These were noted

(ii) Draft Management Letter and Letter of Representation

ST summarised and advised that the Management Letter had raised no new recommendations and also confirmed that the recommendations from the previous year had been implemented. It was rare to see a management letter with no recommendations and credit was due to SC and his team. The letter of representation was in standard form and the specific representations in paragraph 13 were drawn to the Corporation’s attention.

Accordingly it was

RESOVLED

- That the management letter be noted and the letter of representation be approved

(iii) Regularity Audit Questionnaire

ST drew the attention to the responses in the questionnaire and that the Corporation were being asked to approve the completed answers. It was noted that the section on subsidiaries did not contain any detail on Harborne Academy and it was agreed that in relation to page 8, the steps taken to safeguard assets be described, subject to which the questionnaire responses be approved.

Accordingly it was

RESOLVED

- That the regularity audit questionnaire be approved subject to the amendment referred to in the preamble to this minute.

(iv) Internal Audit Annual Report 2016/17

ST advised that this was a good summary report and that BDO were working effectively with the College.

Accordingly it was

RESOLVED

- That the internal audit report for 2016/17 be noted.

(v) Audit Committee Annual Report 2016/17

This report was noted.

(vi) Risk Management Update

This report was noted.

(vii) Health and Safety Update

HSA observed that there were few near misses reported given the size of the organisation, and that this should be seen as a health warning for the College. Thereafter the report was noted.


(viii) Insurance Annual Report

This report was noted

Item 8 – Governor Confidential Discussion and Any Other Business

This item is recorded in a confidential minute

Date of Next Meeting: TBC for February 2018

Signed.....
Chairman
Date.....

8/3/18

