

Minutes of the Corporation Meeting

held Wednesday 30 March 2022

Present Joanne Chilton (*Chair*), Helene Jones (*Vice Chair*), Andy Dobson (*Principal*), David Allen, James Clayton, Andy Hanson, Thomas Huntbatch, Tiffany Harvey-Pallent, Gail Rothnie and Joanne Rouse, Mark Sterling, Jonah Woodley.

In attendance Jacque Carman (*Vice Principal, Chief Operating Officer*)
Jennifer Sunter (*Clerk to the Corporation*)

1		Apologies
		Apologies were received from the Deputy Principal.
		The Chair informed members that Zubdea Limbada had now left the Corporation, with thanks for her contribution to the governing body.
2		Declarations of Interest
		David Allen declared an interest in agenda item 6.1a Staff pay Review. Andy Dobson, Jacque Carman and Jennifer Sunter declared an interest in agenda items 11.1 and 11.2 regarding Senior Post Holder and Clerk remuneration.
3		Minutes of Corporation Meetings held and Matters Arising
	3.1	Corporation Meeting 13 December 2021
	3.2	Corporation Special Meeting 16 December 2021
	3.3	Corporation Special Meeting 28 January 2022
		Minutes of Corporation Meetings held 13 December 2021, 16 December 2021 and 28 January 2022 were approved as correct records. There were no matters arising with two actions from the meeting held 13 December addressed.
4		Strategic
	4.1	Principal's Report
		The Principal outlined the headlines from his report. Members recognised that due to absences, predominantly but not limited to Covid, and challenges in staff recruitment, staff were continuing to provide a range of additional cover and many were now exhausted. Pockets of undesirable student behaviour were reported both on and off campus. Members asked how this was impacting the College and community and discussed possible avenues to help address and mitigate problems, including enrichment activities, potential help from wardens to be appointed through the Halesowen BID and continued work with partner agencies. Student attendance and retention were discussed, particularly where despite deploying a range of measures some students remained disengaged and close to being deemed to have left. Members understood the relationship between retention and attendance data noting the current challenges in considering data from the previous two years. The Chair drew members attention specifically on the matter of inclusivity and doing best by all learners, with retention being in students' best interests. However, it was understood from the Principal that despite actions taken at every level, some individual student issues would not be resolved. Members therefore

		<p>recognised that there would be some students the College would no longer be able to retain.</p> <p>Members asked if student disciplinaries had increased and impacted on numbers leaving the College. The Principal commented that there was no particular trend and that the staged disciplinary process provided a number of chances for students, which was illustrated with anonymous examples from more extreme conduct issues to low level but accumulative disengagement.</p> <p>With regards to student applications for 2022/2023 the current data indicated that the College would be at or over capacity again with continued challenges to accommodation.</p> <p>Members asked about being overcapacity and addressing student numbers enrolling in September 2022. The Principal responded that while mindful of this it was too early to take action with regards to capping admission to courses. The complex balance between applications, acceptances, students holding offers for multiple providers and students achieving entry grades for courses were further considered. It was noted that A Level courses were most challenging and that there could be impact on other courses. Members asked if this could impact on the College's reputation for inclusivity and if the institutions in Black Country region had capacity. The Principal responded that the College's intake and provision across the levels of courses evidenced that inclusivity should not be impacted and further noted that modelling indicated that providers across the Black Country held capacity to meet the needs of the region's demographic.</p> <p>Members supported the management approach.</p> <p>Members received the update that the consultant report on estates confirmed that the College was most challenged on capacity at the Whittingham Road site. The Principal highlighted that the College was currently progressing a range of accommodation bids, which would require considerable monitoring and management over the short to medium periods to best support curriculum areas.</p> <p>Members sought and were given more detail on the calculation of capacity and overcrowding, how being over capacity was managed and how this impacted on student social space.</p> <p>The Principal outlined the complex position of staff pay being addressed under the agenda, noting the potential for national and local action by unions.</p> <p>Members also noted that concerns regarding current delivery of Apprenticeships were confirmed by an external review which would be considered and addressed.</p> <p>Members received an update on refreshing the College website and branding. Members sought and received assurance that the company chosen to take this forward would take a comprehensive and inclusive approach to branding.</p> <p>Members welcomed the appointment of the new Director of Learner Services. The report was received.</p>
	4.2	Review of Strategy and Annual Targets
		Members considered the graphic provided to illustrate progress against strategic aims. The measures were accepted as subjective at this early stage, but in developing the dashboard would be supported by data measures to be a useful tool in measuring evidence of success.
	5	Performance
	5.1	Draft Minutes of the Student, Curriculum and Quality Committee, 15 March 2022
		The Chair of the Student, Curriculum and Quality Committee outlined the areas of work addressed by the Committee picking out a few notable points including; that the Committee had met the new Director of Learner Services who had attended to deliver the Pastoral Report. Pastoral concerns remained regarding increasing mental health challenges and a rise in anxiety around exams,

		<p>that student progress remained difficult to predict particularly around A Levels and vocational courses with exam elements,</p> <p>that Curriculum Area Reviews had been in progress and the Committee was reassured that managers understood well and could direct to where teaching was outstanding or required improvement.</p> <p>The draft minutes of the Student, Curriculum and Quality Committee held 15 March were received.</p>
	5.1a	Annual Review of Safeguarding and Prevent Strategy
		<p>The Chair of the Student, Curriculum and Quality Committee reported that the report on Safeguarding and Prevent had been reviewed and was recommended to the Corporation.</p> <p>Policy and procedures were updated including for child exploitation, peer on peer abuse and online safety.</p> <p>The key message that Safeguarding and Prevent were a whole College responsibility was highlighted.</p> <p>A request to consider the document format had been noted by the Committee and the lead governor for Safeguarding emphasised that the documents remained a comprehensive resource in addition to being policy.</p>
	Action 5.1a	Members asked the Principal to review the reference to religious institutions within the Prevent Strategy.
		On recommendation of the Students, Curriculum and Quality Committee the Corporation approved the Safeguarding Policy and the Prevent Strategy.
	5.2	Equality and Diversity LGBT Update
		<p>Members received an update on the College's progress in working towards achieving the Rainbow Flag Award. Three of the six measures had been achieved to date and the approach was being considered as a model for reviewing other aspects of how the College was taking diversity forward.</p> <p>The Principal further noted that a member of staff now had the work being undertaken embedded in their role with capacity and authority to develop a new action plan.</p>
	Action 5.2a	It was agreed that a presentation to the July meeting of the Corporation would be provided by key staff.
	6	Finance
	6.1	Draft Minutes of the Finance and Resources Committee, 16 March 2022
		<p>Members noted the work of the Committee particularly;</p> <p>a revised management accounts pack to support greater clarity in monitoring performance against targets,</p> <p>that the College was operating in a landscape of increasing risk,</p> <p>that the additional funding for further education of 8% still equated to 1% when taking account for the additional study delivery of forty hours per student,</p> <p>that the introduction of the costed curriculum had benefits of increased transparency and accountability, though the 50% contribution target has been narrowly missed.</p> <p>The draft minutes of the Finance and Resources Committee held 16 March 2022 were received.</p>
	6.1a	Confidential Staff Pay Review 2021/2022
		The Chief Operating Officer outlined the previous action taken by the College to address the impact of a rise in the National Minimum Wage on the College pay scale. The latest rise in the minimum wage together with pay awards not keeping pace with inflation further impacted the pay scale.

	<p>The Corporation had delayed consideration of a pay award based on unknown factors impacting the budget and affordability.</p> <p>The risk factors had now been quantified in the budget model underpinning the recommendations on pay. The proposals were based on the AoC recommendation of a general award of 1% or £250 (whichever is the greater) and that the pay spine be recalibrated to maintain pay differentials while addressing the revised National Minimum Wage. The emphasis was upon the staff who were currently paid least receiving most benefit.</p> <p>The Finance and Resources Committee had initially considered the budget model based on a non-backdated pay award. The Committee had emphasised that it wished the college to be a good employer whilst retaining financial resilience and had requested the cost for backdating the award to be provided for the Corporation. It was recognised that the proposed award did not meet the union requests or cost of living rises.</p> <p>The impact of additional cost on affordability, measures for EBITDA and pay as a percentage of income were detailed. A further budget revision was due in year with potential for cost savings, however even if these were not found the College could retain Outstanding financial health in the short term.</p> <p>Members further discussed pay as a percentage of income with the College moving from 60% to 61% against the sector benchmarks of 64% average, and the outstanding measure between 60% and 62%.</p> <p>Members discussed and asked that staff were made aware of the potential for an additional non-consolidated award at the end of the college year based on affordability.</p>
	<p>The Corporation resolved that the pay scale be updated from April 2022 for points 6 to 15 based on National Minimum Wage and, a pay award of 1% or £250 (whichever is the greater) is made on all scale points backdated to 1.9.2021.</p> <p>The Corporation further resolved that given the pressure on individuals to meet the rapidly increasing costs of living, as a short-term measure, it would further review the capacity to make a non-consolidated award at the end of the financial year based on budget review 3 and forecast final out turn for 2021/22.</p>
6.1b	Tuition Fees Policy 2022/2023
	<p>Members noted the updated policy and rates for fees for 2022/2023.</p> <p>Members also noted that as previously discussed the fees for Higher Education would be increased from 2023 in relation to competitors.</p>
	<p>On recommendation of the Finance and Resources Committee the Corporation approved the revised policy.</p>
6.1c	Update position paper re Outstanding Financial Health
	<p>Members considered the College position regarding retention of outstanding financial health and that future reduction in measures used to ascertain financial health placed greater emphasis on EBITDA.</p> <p>The advantages of outstanding financial health were recognised as supporting resilience and being agile and responsive to change, supportive of credit and borrowing and in maintaining lower rates of contribution in respect of the LGPS pension deficit.</p> <p>The position was noted particularly regarding EBITDA going forward, with close monitoring to continue.</p>
7	Audit
7.1	Draft Minutes of the Audit Committee, 8 March 2022
	<p>The Chair of Audit Committee outlined the work addressed by the Committee.</p> <p>It was noted that the revised Whistleblowing Policy and associated leaflet would support transparency and raise the profile of policy and procedures with.</p>

		The draft minutes of the Audit Committee meeting held 8 March were received.
	7.1a	Appointment of External Auditors
		The Chair of Audit Committee outlined the tender exercise and interview of three audit services providers. The preferred provider was recommended for appointment.
		On recommendation of the Audit Committee the Corporation approved the appointment of Bishop Fleming as external audit providers to Halesowen College for a period of three years commencing with the audit process for 2021/2022.
	7.1b	Risk Update
		<p>Members received the update on risk which the Audit Committee recommended to them, as it provided a timely view and triangulation against risks, many of which were being discussed by members across the Corporation meeting.</p> <p>Key themes had been updated and those highlighted included retention and recruitment of staff including pay, capital projects, rising inflation and the impact on the supply chain, and rising student mental health concerns.</p> <p>It was recognised that while risks were being well managed an increased number were above the risk appetite and that the landscape was also increasing in risk.</p> <p>Members noted that the work done to mitigate risk was reassuring and that the recent desk top exercise in disaster management and resultant learning points was a good example of the proactive approach being taken.</p> <p>The update was received.</p>
	8	Governance
	8.1	Update on Governor Recruitment
		<p>The Clerk outlined the current external recruitment campaign being undertaken to address vacancies.</p> <p>The Principal also noted additional internal work in further support of increased diversity.</p> <p>The update was received.</p>
	9	Any Other Business
		<p>The Clerk highlighted;</p> <p>the planned round table meeting to address governor training, forthcoming governor one to one meetings with the Chair and Vice Chair as part of Corporation self-assessment, access to the ESFA College dashboard.</p> <p>The Chair reported on the key headings from the Regional Governance Conference from 30 March 2022:</p> <p>That Ofsted September inspections would incorporate how Colleges considered local skills needs and communication with employers.</p> <p>That the AOC was collating a list of consultants to undertake Corporation/Board Reviews going forward.</p> <p>That under student mental health concerns there was an average of twelve attempted suicides across FE, and that governors should look to understand what intervention measures were in place at the College.</p> <p>The College might wish to consider good examples of sustainability from the conference workshop.</p> <p>The skills white paper was being addressed between the Houses of Lords and Commons but should be passed in April.</p> <p>The green paper on Health and Education was recommending a link governor for SEND which could be addressed early.</p>

		That there was a national review of Careers.
10		Date of Next Meeting The next meeting of the Corporation was the Corporate Strategic Review Tuesday 24 March at 7.30pm and the with the final meeting of the cycle on Wednesday 6 July 2022 at 6pm.
		<i>In accordance with Standing Orders; Andy Dobson, Jacquie Carman and Jennifer Sunter withdrew from the meeting. by resolution of members present the staff and student governors were asked to and did withdraw from the meeting.</i>
11		Confidential Items
	11.1	Confidential Draft Minutes of the Remuneration Committee held 16 March 2022
		The draft confidential minutes of the Remuneration Committee held 16 March 2022 were received.
	11.2	Confidential Recommendation on Staff Pay – Senior Post Holders and Clerk
		Following discussion, the Corporation approved a pay award of 1% backdated to 1.9.2021 for senior post holders and the clerk in line with the staff pay award agreed.

Actions from Meetings			
Ref	Agenda item and action	Review Date	Report ed by
Corporation Meeting 20 March 2022			
Action 5.1a	Annual Review of Safeguarding and Prevent Strategy Members asked the Principal to review the reference to religious institutions.	May 2022	ADo
Action 5.2a	Equality and Diversity LGBT Update It was agreed that a presentation to the July meeting of the Corporation would be provided by key staff.	July 2022	ADo
Corporation Meeting 13 December 2021			
Action 4.2a	Careers Strategy It was agreed that a further report on Careers would be returned to the Corporation. Addressed by Students Curriculum and Quality Committee March 2022.	March 2022 Closed.	JWi
Action 5.2a	Annual Plan and Targets 2021/2022 Update It was agreed that to develop a new Estates Strategy would be rated as amber in the current plan. March 2022 – Clerk checked action achieved.	January 2022 Achieved/closed March 2022	JCa/ Ado
Action 5.3a	Equality and Diversity Annual Report Members asked for a specific update on the work being done moving forward with LGBT+. March 2022- Update report provided	March 2022 Closed	JSu/JGr
Action 6.1	Minutes of the Finance and General Purposes Committee held 24 November 2021	March 2022	JSu

	The minutes of the Finance and General Purposes Committee held 24 November 2021 would be updated for approval by the Committee. Approved by Finance and Resources Committee March 2022	Closed	
Corporation Meeting 30 June 2021			
Action 4.2a	Draft Strategic Plan 2021-2025 Members were asked to provide any further comments to Andy Dobson by 9 July 2021. Andy Dobson would review the matters raised by governors and return the strategic plan to the Corporation for approval.	September 2021 Closed	Ado
Action 7.1.2a	Reappointment of Internal Auditors Clarification on the clauses used in the Internal Audit Letter of Engagement and Terms of Reference would be sought from TIAA.	September 2021 Closed	JCa
Action 8.1.2a	Governor Offices and Membership of Committees, including Additional Roles Membership Update Members agreed that biennial appointment to offices should be taken forward in the review of framework documents. September 2021 – Pending December 2021- Addressed	December 2021 Closed.	JSu
Action 8.1.3a	Committee Terms of Reference It was agreed that a meeting be arranged with the Chair of Finance and Resources Committee to further consider the Committee Terms of Reference.	August 2021 Closed.	JSu
Action 8.1.4a	Calendar of Meetings 2021/2022 Members agreed to additional committee dates in October 2021 to specifically address training combined with an overview of the start of the academic year 2021/2022. September 2021 – Pending December 2021 – Action under Away Day January 2021	March 2021 Overtaken/Closed	JSu