

## Minutes of a Meeting of the CORPORATION held on Wednesday 18<sup>th</sup> October 2023 at College Business Centre

### **119/23DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **120/23 APPROVAL OF THE NON CONFIDENTIAL AND STAFF AND STUDENT CONFIDENTIAL MINUTES OF THE MEETING HELD 12 JULY 2023**

The confidential and non-confidential minutes of the meeting of 12 July 2023 were approved as a true record.

### **121/23MATTERS ARISING FROM THE MINUTES OF 12 JULY 2023**

The Director of Governance reported on Matters Arising. All items had been actioned as detailed in the report with the exception of the following: an update has been requested on the employer engagement report; the spreadsheet of employer collaboration is to be reviewed; feedback on Equality, Diversity and Inclusion (EDI) has been received and is on the agenda of this meeting. The Director of Governance subsequently circulated the response to Members.

### **122/23APPOINTMENT OF STUDENT AND STAFF GOVERNORS AND STRUCTURE CHART**

The Corporation APPROVED:

- the appointment of Grace Allen, Gus Lavell, and Raquel Morisini as Student Governors for one academic year until 31 July 2024;
- the appointment of Bev Burgess as Support Staff Governor for a 2 year term from 18 October 2023 to 17 October 2025.

### **123/23CORPORATION COMPOSITION AND COMMITTEE MEMBERSHIP**

The Director of Governance reported on current vacancies and thanked Mr Graham Cooper who has agreed to re-join Audit Committee for 2023/24.

The Corporation APPROVED the College Corporation Structure chart for 2023/24.

### **124/23ANNUAL GOVERNANCE MATTERS – REVIEW OF CONFIDENTIAL MINUTES**

The Director of Governance reported on the Annual Review of Confidential Minutes. She recommended that only confidential minutes that meet the following criteria are retained as confidential: where an individual can be identified; performance of auditors and other regulatory bodies; sensitive contractual information. Corporation and Committee minutes for the period July 2022 to July 2023 have been reviewed by the Director of Governance and items still deemed to be confidential under the above criteria have been identified. She recommended that all other items are now designated as non-confidential and published with other minutes on the College website.

The Corporation APPROVED the recommendation that all confidential minutes that do not meet the above criteria are now designated non-confidential and published on the College website.

### **125/23 ANNUAL GOVERNANCE ATTENDANCE AT MEETINGS DURING 2022/23**

The Director of Governance reported on Governor attendance during 2022/23. Average attendance at Corporation was 71% and below the 80% target. Average attendance at Audit, Capital, Search & Governance, and Remuneration Committees met or exceeded the 80% attendance target. Governor Updating Sessions had an average attendance of 69%, exceeding the target of 65%. The Director of Governance noted that the attendance of nine Governors met or exceeded the target attendance for Corporation including 100% attendance by six Governors. Factors in non-attendance and mitigations were outlined, in particular the release of the draft schedule of meetings for 2024/25 would be scheduled earlier in the Business Cycle for approval in May 2024. There would be ongoing monitoring of attendance reported to the Search & Governance Committee on a termly basis. The Chair emphasised the importance of attendance at Corporation.

The Corporation NOTED the report.

### **126/23 CHAIR'S BUSINESS/RATIFICATION OF CHAIR'S ACTION/GOVERNOR APPROVALS**

The Chair reported on the recent Ofsted inspection and the ministerial visit to CECAMM. She expressed her pride in staff, students and partners who had all contributed to the success of these events. She drew Members attention to the importance of the forthcoming Strategy Day on 1 November and emphasised setting strategy as a key role for Governors. The Chair was shortly to attend the Education and Training Foundation (ETF) Chairs' Leadership Programme. The Chair reported that she had signed a contract for Institute of Technology (IoT) equipment.

A Member raised a question regarding the Prime Minister's statement on T levels and the proposed Advanced British Standard. The Principal responded that the messaging had not been helpful during T level enrolment week. The Principal had looked at the proposal for the Advanced British Standard and would continue to keep abreast of developments.

A Member asked when the College would expect to be re-inspected and the Principal responded that this would be due in five years.

The Director of Governance reported on Governor approvals given since the last time the Corporation had met in July 2023.

The Corporation APPROVED:

- a purchase order for £126k for information technology (IT) expenditure in August 2023;
- a purchase order for £127,365.12 for equipment forming part of the approved IoT bid and approved IT equipment purchase for L block in September 2023;
- the proposed Staff Pay Award (on the agenda of this meeting) in October 2023;
- the appointment of Student Governors and Support Staff Governor (on the agenda of this meeting) in October 2023.

### **127/23 EXTERNAL GOVERNANCE REVIEW**

The Director of Governance reported on the External Governance Review. She reported that the Review is in process and on schedule to report before the July 2024 deadline set and required by the Department for Education (DfE) and Education and Skills Funding Agency (ESFA). She provided an outline

of work to date, including that of the Task and Finish Group, and confirmed the final schedule for the Review.

The Corporation NOTED the report.

## **128/23 MONTHLY FINANCE REPORT AND MANAGEMENT ACCOUNTS**

The Director of Finance presented the finance report for the two months to September 2023.

1. The management accounts report the ACTUAL position for the 2 months to date (to September).
2. As we always do, we are reporting the position against the budget agreed in July 2023. We are currently showing an operating surplus before structuring costs of £386k (versus a budget surplus of £134k), which is a £252k FAVOURABLE variance.
3. This has been driven by the following key items:
  - a. INCOME:
  - b. The ESFA allocation for pay awards (and not yet paid out) accounts for £80k of the income variance
  - c. Tuition fee income in advance of profile gives rise to a £55k variance
  - d. International income achieved of £25k for the year to date – international income was not included in the budget
4. PAY – Pay costs for the year are showing a £97k favourable variance for the year, due to non-recruited vacancies
5. NON PAY – Non pay costs are £43k higher than planned for the year to date – it's too early to determine whether this trend will continue, or whether it's phasing
6. BALANCE SHEET – key items include:
  - a. DEBTORS - total debtor days stand at 41 days, compared to 87 days in May Sep 2022
7. CASH – the total cash balance is £6.8m, of which £5.3m is college own funds (excluding unspent project monies). In September 2022, college own funds totalled £5.9m – but the ESFA phasing of cash receipts has changed, so it's not a like for like
8. COVENANTS – as noted before, the covenants are only measured by Lloyds on the 31<sup>st</sup> July. If it were based on September actuals, all covenants would be met, with some healthy head-rooms.
9. FINANCIAL HEALTH – the current financial health of the college would be outstanding.

A Member asked the Director of Finance to comment on utility bills and inflation. She responded that the non-pay budget had been based on spending for last year when there had been a considerably higher electricity bill. She was confident that the bill would be lower this year due to the utilisation of an ESFA grant to install more energy efficient LED lighting. There was still, however, a tight budget to achieve, she concluded.

A Member thanked the Director of Finance for providing the loan redemption statement. He noted that the breakage costs had changed and asked the Director of Finance to comment. She reported that there was now a more favourable loan rate and reminded Members that any change to loans would now need to be renegotiated due to the requirements of Office for National Statistics (ONS) reclassification.

Mr Graham Barnettson joined the meeting at this point.

The Chair requested a more graphical depiction of changes and trends through the year. The Director of Finance responded that she could action this and include the prior year for comparison.

The Corporation CONSIDERED the report.

With the permission of the Chair the agenda was taken out of order.

### **129/23 ANNUAL REPORT TO GOVERNORS 2022/23 OF CREDIT CARD USAGE, GOVERNOR EXPENSES AND FOREIGN TRAVEL**

The Director of Finance presented the annual report to Governors on credit card usage, Governor expenses, foreign travel, and payments in excess of £50k. All expenditure was reviewed and signed off by the Director of Finance, and the Chief Operating Officer. There were no Governor expenses.

A Member enquired regarding Governor expenses. The Director of Governance reported that expenses were not normally offered with some exceptions, for example travel to a training course on the mainland. The Member commented that he would not wish for expenses to be a bar to potential Governors.

The Corporation APPROVED the report.

The agenda returned to order.

### **130/23 PRINCIPAL'S REPORT**

The Principal presented her report which included an update on employer engagement; student enrolments, withdrawals, retention and attendance; apprenticeships; the Public Sector Equality Duty (PSED); and a draft agenda for the forthcoming Strategy Day. Student enrolments were close to target and comparable with the previous year but if numbers were lost this would have an impact. Withdrawals last year were too high and too late. The critical period was 42 days and therefore it was a little too early to report on this at this time. There was growth in apprenticeships. The process around timely achievement has begun to be implemented. The Principal outlined the financial impact to the College of apprentices going over 90 days past completion due date. End dates would be agreed with employers and any continuing past these dates would need to be funded by the employer going forward. She outlined her approach for the forthcoming Strategy Day and the intention for Governors to consider and capture aspirations to confirm values, mission and vision for the years ahead. There would also be engagement with employers, community stakeholders, staff and students.

A Member asked what happened after 42 days regarding withdrawals. The Chief Operating Officer responded that the 42 days is effectively a census point. After this point withdrawals affect retention figures. In the first half-term the College works hard to retain students by offering guidance as to which course is best for them to be on.

A Member enquired regarding the decline in enrolment for computing. The Principal responded that there was more work to do in this area but that it was not unusual to see a decline in traditional digital programmes with students going into more advanced and diverse areas in this field. Curriculum innovation was being considered. She noted the consistent number enrolling for e-Sports.

The Chair asked Student Governors to comment on their experience of enrolment. A Student Governor commented that their enrolment had been time-consuming and had had to be completed manually however this experience was not shared by the other Student Governors. The Student Governors reported that the induction process was very good and that they had found the support of Student Mentors particularly helpful.

A Member asked if student numbers were at saturation point. The observation was made in the context of a declining population of under 16s on the Isle of Wight. The Chief Operating Officer responded that the College uses Pupil Level Annual School Census (PLASC) data for modelling. A Member asked if the College's share of these numbers was changing. The Principal responded that the share was static but that there was more to do in the area of marketing and promotion. With engagement strategies and innovative curriculum, the College could become a more interesting option for more students.

The Corporation CONSIDERED the report.

### **131/23 HR (PEOPLE AND CULTURE) WORKFORCE DEVELOPMENT AND PEOPLE OBJECTIVES 2023/24**

The Head of Human Resources (HR, People and Culture) presented the workforce development and people objectives for 2023/24. The paper provided a bridging report since the last report in February 2023. This report provided a full year report for 2022/23. She outlined recruitment figures: there had been 74 new employees representing 23% of the total workforce. 27 of the new employees were teaching staff and 47 were employed in non-teaching areas. Recruitment on-boarding was taking up to 10 weeks following appointment offer and she was looking at ways to streamline this though some of the length was due to notice periods. She also noted that the College needs to protect itself from shortened notice periods due to untaken leave. In 2022/23 there had been 68 leavers representing 20% of the workforce. 12 of the 69 leavers (17%) had less than one year's service. This implied that there was further work to be done in relation to induction, and support for new staff to ensure that they were successful in their new roles. Exit interviews are undertaken. Staff sickness during 2022/23 had increased as three members of staff were on long-term sickness lasting over six months. There had also been an increase in short-term sickness due to respiratory infections.

A Member referring to the Staff Survey noted the increase in staff sickness, staff turnover and questioned the knock on impact of this on workloads and well-being. She asked if there was a consultative group with staff involvement that could look at helping to alleviate some of these issues. The Head of HR responded that she was keen to have staff engagement at a group level on this and was looking to encourage working groups going forward.

In response to a query from Member, the Head of HR confirmed that HR undertake exit interviews in the College.

A Member asked if it was possible for people to work from home when well enough to do so but to prevent transmission of infectious illnesses. The Principal responded that it was not possible to work from home for some positions, for example teaching staff.

A Member referring to the data tables in section 4 of the report requested percentages by category of worker. The Head of HR confirmed she would provide this.

The Teaching Staff Governor commented that it can be difficult for teaching staff joining the College from industry and could feel a bit 'sink or swim'. He thought this may be a workload issue and shared his own experience of starting with shadowing and then stepping up. The Head of HR said she would take that away and look at further. The Assistant Principal [Academic, HE and Vocational] reported that there was a grant that the College could potentially access equating to £18k to help alleviate the

pressure in this respect and this could be looked at for subject areas that were deemed difficult to recruit to.

A Member noting that 60% of leavers were categorised with reason for leaving as voluntary resignations including pay and benefits, enquired how much of this was due to pay and benefits. The Head of HR reported that this was a known contributory factor but that exact percentages were not recorded and she would be looking at the way data was captured and recorded in future could be improved. The Principal reported that in the current economic climate and cost of living crisis, pay and benefits were particularly important.

The Chair commented that as the planned objectives develop, she would like to understand key risks, a timeline for delivery, consideration of whether the objectives are ambitious enough, and how the objectives link to the overall College strategy. She also commented that in respect of performance indicators it would be helpful to see further information on 1-1 reviews and EDI.

The Corporation APPROVED the HR annual report for 2022/23 and objectives for 2023/24.

### **132/23        EQUALITY, EQUITY, DIVERSITY AND INCLUSION PROGRESS REPORT AND ANNUAL EQUALITY, DIVERSITY AND INCLUSION (EDI) STATEMENT**

The Assistant Principal (SEND and Foundation Skills) presented the Equality, Equity, Diversity progress report and the Annual EDI Statement. She reported progress on the 2020-2024 objectives and informed Governors that work was underway in respect of new objectives for 2024-2028 including the establishment of an EDI working group and plans to in-build student input. She reported on themes and trends identified in the recent Staff Survey.

A Member expressed concern at drops in satisfaction and attendance. He requested more analysis by group in reports. He was comfortable that students receive support following bullying but questioned the overall impact that bullying had on students. He considered the temporary breakdown of the lifts to be an EDI issue. The Assistant Principal responded that there would be further follow up with student focus groups to look at any long-term issues in more detail.

A Member asked whether contractors/ apprenticeship providers are required to sign up to anti-slavery policies. The Principal responded that she would look into this and report back.

The Corporation NOTED the report on progress and APPROVED the Annual EDI Statement for publication on the College website.

### **133/23 REVIEW OF GOVERNANCE PERFORMANCE 2022/23**

The Director of Governance presented the Review of Governance Report 2022/23. The Review of Governance had been undertaken in September 2023 and the draft report and Action Plan circulated. She drew attention to the recent publication of the Further Education (FE) Governance Code on 27 September 2023 and recommended that the Search & Governance Committee consider the new Code and report to Corporation with recommendations. The Director of Governance suggested that Governors would also want to consider any areas for governance development coming out of the Ofsted inspection, FE Commissioner Review, and External Governance Review.

The Corporation:

- CONSIDERED and APPROVED the report and Action Plan;
- tasked the Search & Governance Committee with considering the new FE Governance Code and making recommendations to Corporation.

### **134/23 ANNUAL REPORT ON COMPLAINTS**

The Assistant Principal (SEND and Foundation Skills) presented the Annual Report on Complaints. There had been three complaints during the reporting period. These were outlined including how the complaints were handled and actions implemented. She noted that Members had previously enquired regarding lower level complaints resolved in area to the satisfaction of the complainant and said that as these would not come through the normal process this was difficult to quantify.

The Chair commented that complaints appeared to be in the area of communication.

There was some discussion about low level complaints with a Member commenting that as there was no collection of information at this level how was it possible to learn from these? The Principal asked that this be looked at and considered for future reports. The Chief Operating Officer reported that from an Ofsted perspective there was evidence gathering on the ground with students regarding their experience and the response was very positive across all deep dives and survey.

A Member enquired regarding the accountancy course issues in 2022/23 and the experience of the current cohort. The Principal responded that the complaint had been resolved but that a new cohort had been paused until consistent staffing could be put in place.

The Corporation CONSIDERED the report.

### **135/23 STUDENT ENGAGEMENT PROPOSAL**

The Principal presented a proposal for student engagement in order to achieve a wider range of student voice around the table in governance. It was proposed that two students be invited to each meeting (on a rotation by department) to present their experience of being a student at the College with any suggested areas for improvement identified. This would then be responded to by the department staff in the following meeting. She shared her experience of learning about this practice from a visit to an FE College in Finland.

A Member commented that it was vital that this felt like a 'safe space' for reporting.

The Chair commended the proposal as offering a wider set of voices and invited the Student Governors to give their views. A Student Governor reported that a presentation may feel too formal and that presenting to such a large group may feel intimidating. It was agreed that work would be necessary to ensure students feel comfortable and that a variety of modes of presentation could be offered.

A Member asked if the students would be representing their courses or their own view. The Principal responded that the intention was for the former.

A Student Governor asked how the students would be selected. The Principal responded that the students would be consulted.

A Member asked if the staff presentation would focus on responding to the issues raised by the students. The Principal responded that it was envisioned that the staff report would respond to points raised by the students but would also be forward-looking.

The Support Staff Governor asked how this was linked with Student Voice. The Principal responded that Student Voice does not come to Governors though they receive a report. The proposal would help to achieve better triangulation. The Member asked if something similar could be achieved through Student Voice. The Principal responded that attending Student Voice altered the dynamic and that she believed this proposal offered an opportunity for wider engagement, voice, and triangulation.

The Corporation CONSIDERED the report and APPROVED the trial of a new approach to student engagement at Corporation meetings.

### **136/23 SAFEGUARDING: ANNUAL REPORT AND POLICY**

The Assistant Principal (SEND and Foundational Skills) presented the Annual Safeguarding Report and Safeguarding Policy. The report provided an update in key areas and the Policy has been updated in-line with the *Keeping Children Safe in Education* (KCSIE) guidance which came into effect 1 September 2023. The Policy with the approval of Corporation had received interim approval from the Designated Lead Governor for Safeguarding and was now presented for approval by Corporation. During the last academic year four audits of the Single Central Record (SCR) had been undertaken and changes made concerning recording and processes for external professionals and contractors. The SCR was recently scrutinised by Ofsted and found to be appropriate. FastVue had been introduced to monitor daily online activity and was working well. It would form part of the forthcoming Staff Development Day. The Safeguarding Lead Governor had raised a question on category and incident recording and the Assistant Principal reported that My Concern, a safeguarding database recently purchased by the College would improve the reporting and recording of safeguarding incidents providing a more detailed level of reporting. A separate safeguarding email address had been established and there was cover in place for the Head of Safeguarding, Prevent & Student Advocacy who was currently on sick leave. The Safeguarding Board had been broadened and now included the Head of Technical Services, and the new Head of HR. The Designated Lead Governor for Safeguarding continued to meet on a half-termly basis with the Assistant Principal and Head of Safeguarding.

The Chair noted that there appeared to be an increase in safeguarding incidents and questioned if this was due to better reporting. The Assistant Principal responded that she was looking at this and linking with Quality too.

A Staff Governor commented that he was concerned that there were mixed groups of 16-18 year olds and adults and asked what checks there were on adults attending. The Assistant Principal responded that there was supervision in classes and that checks were undertaken on students. Students on placement may be subject to Disclosure and Barring Service (DBS) checks depending on the type of activity.

A Member commented that the number of incidents and referrals were imbalanced. The Assistant Principal responded that there were new categories in eTrackr to record self-harm and bullying and in response to a further query from the Member she confirmed that the number of incidents with previous years was therefore not directly comparable.



A Member commented on the increasing importance of mental health and asked if there were sufficient numbers of staff trained in this area and whether there were plans to increase staff training. The Assistant Principal responded that this was being addressed as part of the Wellbeing Strategy.

A Member commented on increased mental health vulnerability post-COVID and asked the Assistant Principal if she felt this was part of the picture to which she agreed.

Following a discussion on the impact of bullying, the Assistant Principal confirmed that the College has a zero-tolerance approach to bullying and outlined approaches used working with Student Mentors.

A Member asked a query on the numbers of reports and it was clarified that this related to numbers of incident reports and not numbers of students.

The Corporation:

- NOTED the Annual Safeguarding Report
- APPROVED the Safeguarding Policy

### **137/23 OFFICE OF THE INDEPENDENT ADJUDICATOR FOR HIGHER EDUCATION ANNUAL STATEMENT**

The Assistant Principal [Academic, HE and Vocational) reported on the Office of the Independent Adjudicator for Higher Education Annual Statement. There were nil complaints/ appeals to report.

The Corporation NOTED the report.

### **138/23 COMMITTEE MINUTES**

The Committee minutes had been circulated. The Chairs had nothing further to add.

### **139/23 ANY OTHER BUSINESS**

There was no other business.

### **140/23 GOVERNOR SELF-REVIEW OF MEETING**

The Chair led a Governor self-review of the meeting inviting Members to consider where the Corporation had added value, whether it had met its responsibilities, and whether it had been strategic.

Members thanked the Chair for a well-chaired meeting. It was considered that Corporation had added value as the senior leadership team (SLT) had been given a number of things to take away and look at further. A Member commended the forward-looking reporting approach and said that he would like to see more of this. It was considered that the Corporation had met its responsibilities in terms of approving policy. It was agreed that the meeting had been strategic in terms of being forward-looking and agreeing a trial for a new approach for increased student engagement which was consistent with the strategic aim of putting students first. A Member considered that it had been less obvious regarding the strategic piece with employers and community stakeholders. It was agreed it would be good to see more of this at Strategy Day and going forward.

A Member asked the SLT if they felt the Corporation had added value at this meeting. The response was that it was good to have challenge; that good points had been raised for SLT to consider, respond to, and take away; that it was clear that Governors had read the papers and were asking pertinent questions; and that comments were helpful to shaping papers going forward.

A Member commented that the agenda of the next meeting was hefty and asked if there was a way of refining to enable more time to discuss key matters. The Director of Governance responded that the December meeting agenda was heavy by nature due to the impact of signing off on the Annual Financial Statements and related documents. She would plan the agenda as best as possible with the Chair to maximise time for discussion on key matters.

A Member queried approvals required outside of meetings. The Chair responded that this was sometimes necessary particularly with the number of capital projects in process.

**139/23 DATE OF NEXT MEETING**

Wednesday 13 December, 4pm.

Staff and Student Governors departed the meeting for a confidential part B of the agenda.

**140/23      REPORT ON PAY AWARDS – SEPT 2023 (CONFIDENTIAL)**

**141/23      POTENTIAL CO-OPTED GOVERNOR – CAPITAL COMMITTEE (CONFIDENTIAL)**