

Minutes of a Meeting of the CORPORATION held on

Wednesday 22 February 2023

at 16.00pm – 18.30pm

1/23 DECLARATIONS OF INTEREST

Prof. Adam Amara was welcomed to his first meeting. Mr Martyn Pearl was welcomed back following a period of illness.

There were no declarations of interest.

2/23 APPROVAL OF THE NON-CONFIDENTIAL AND CONFIDENTIAL MINUTES OF THE MEETING HELD ON 14 DECEMBER 2022

The non-confidential and confidential minutes of the meeting of 14 December 2022 were approved as true records.

3/23 MATTERS ARISING FROM THE MINUTES OF 14 DECEMBER 2022

The Director of Governance reported on Matters Arising from the meeting of 14 December 2022. The development of a revised structure model for two Vice Chairs with portfolio was being taken forward by the Search & Governance Committee at their next meeting. A Skills Audit to inform a Governor recruitment campaign had been completed in January 2023 and the Search & Governance Committee would consider a report on recommendations for recruitment at their next meeting. The process of identifying a new Chair for the next academic year would commence shortly. The External Governance Review Task & Finish Group has begun its work and the draft minutes of the first meeting had been circulated to Corporation. The new College English and Maths Management Group has been established. An update on Maths is included in the Principal's report to Corporation. All other Matters Arising had been actioned.

4/23 COMMITTEE MINUTES

The draft minutes of the following Committee meetings had been circulated for information:

Draft Capital Committee Minutes of 14 December 2022 (Confidential)

Draft Minutes of the External Governance Review Task & Finish Group 1 February 2023

The Chairs of the Capital Committee, and the External Governance Review Task & Finish Groups gave brief reports to the meeting.

5/23 APPROVAL OF CAPITAL T-LEVEL WAVE 5 BID

The Director of Governance reported that following an online consultation with all College Governors, approval had been given to submit bids for T Level Wave 5 funding for the Creative and Design T Level; and the Hair and Beauty T Level as detailed in letters of 2 February 2023 circulated to the Department for Education (DfE) and Governors.

The Corporation RATIFIED the APPROVAL for the submission of T level Wave 5 funding.

6/23 GOVERNANCE ACTION PLAN FROM JANUARY 2023 GOVERNOR STRATEGY DAY

The Chair of Search & Governance Committee reported on the Governance Action Plan developed from the Strategy Day discussion on 11 January 2023, and on progress made to date.

The Corporation APPROVED the Governance Action Plan.

7/23 GOVERNOR CONTACT DAY DRAFT AGENDA

The Director of Governance reported on the draft agenda for Governor Contact Day on 26 April 2023. Governors were encouraged to advise Sam Brand of any areas that they would be particularly interested in visiting on the day. A simple online form would be circulated for the purpose.

The Chair commented that the day should not be a repeat of the Learning Walks currently being offered. He asked if the hosts could be briefed and encouraged to stand back a little and give space for the Governors to speak to students. The Deputy Principal, who is the senior management team (SMT) lead on Governor Contact Day thanked the Chair for his feedback which she would take forward and requested Governors to provide a clear commitment regards their attendance. At the request of the Chair and with the support of the Principal a coffee break with selected students would be arranged. The Chair briefed Governors on the purpose of this part of the day.

In response to a query from a Member, the Director of Governance confirmed that she had been informed that it was not possible to dine in the restaurant due to timetabling reasons but catering would be provided in the College Business Centre.

The Corporation APPROVED the Governor Contact Day agenda.

8/23 CHAIRS BUSINESS/RATIFICATION OF CHAIRS ACTION

The Chair congratulated Ms Samantha Rooney on her recent promotion to the role of Assistant Principal (Safeguarding) and welcomed her to the meeting.

The Chair congratulated the Principal on her recent communications and welcomed her continued commitment to communication. He welcomed the forthcoming employer breakfasts as a positive initiative and applauded the work the Principal had been undertaking with College alumni.

The Chair shared his recent experience of participating in Learning Walks with the Hair and Beauty, Public Services, and Business departments. He was impressed at the learning spaces following capital building projects and considered that the students' behaviour had been lifted in these good learning facilities. He had observed an impressive presentation given by two Public Services students.

The Chair, as part of the Governor Updating session held earlier, had noted the Island's A Level results in which the Island was bottom of the results table in 20 out of 28 subjects. He asked how the College could raise the profile of T Levels to raise student outcomes on the Isle of Wight. The Assistant Principal (Curriculum) responded that the College had recruited good learners to T Levels and that it was crucial to demonstrate good outcomes for success in order to attract students to T Levels. The Chair noted the high take up of T Levels at the College as compared with other colleges in the region. He suggested an article in the *County Press* or *Isle of Wight Observer* to raise the profile of T Levels. A Governor queried whether these sources of news and information would be used by the College's target market. The Chair

acknowledged the point considering that parents would use these sources. The Principal reported that a need for further information and awareness was frequently arising in conversations with employers and she committed to further work on this with employers. She added that there was consensus amongst employers that Isle of Wight Radio was listened to by parents as a source of news and information.

In response to a query from a Member, the Assistant Principal (Curriculum) confirmed that there were no off-Island industry placements due to the cost of travel but that there was some flexibility for remote engagement.

The Chair raised the profile of safeguarding measures with Governors. He noted progress on door access controls, and requirements for Hair and Beauty, and Restaurant visitors to check in at Reception. He reminded Governors of the recent communication from the Director of Governance reminding Governors to wear their Governors ID lanyards and requesting Governors to sign in at Reception. The Chair encouraged Governors to lead by example in wearing lanyards and to politely challenge anyone not wearing a lanyard. He added that checking in was a good opportunity to have friendly and informal conversations with College staff.

9/23 HR ANNUAL REPORT

The Deputy Principal presented the HR Annual Report. She drew attention to the unfilled vacancy for HR Officer which had gone back out to advertisement. The HR Manager has resigned and will leave her post at the end of March 2023. The Deputy Principal and Principal were looking at how to address the vacancy.

56 new employees had been recruited during the 2021/22 academic year, the majority of whom were appointed to Learning Support Assistant (LSA) roles. There were both negative and positive reasons for the high turnover of LSAs. The Assistant Principal (Safeguarding) noted the phenomenal progression of LSAs within Pathways. The Deputy Principal reported that management roles had largely been filled by internal applicants. There had been 35 leavers since August 2022, largely LSAs and teaching staff. The Deputy Principal noted that it was important to look at induction to ensure staff have the support they need to succeed. The mentoring programme for new staff was to be scaled up. 10 of the 35 leavers were for retirement.

The staff survey had produced mixed results. It was noted that feedback on communication was particularly disappointing despite interventions in this area. The Deputy Principal also noted the action that had been taken and embedded as part of the Wellbeing Strategy. A large number of employees had trained as Mental Health First Aiders.

The Key Performance Indicators (KPIs) had been circulated with the report. These would be reviewed and new KPIs may be proposed for 2023/24.

A Member welcomed the Annual Report noting that it would be helpful to have a regular snapshot to improve oversight. She noted information that would improve Governor understanding in this area for example around total numbers of LSAs and where sickness was having an impact. The Assistant Principal (Safeguarding) reported that there were 32 LSAs in Pathways and 60 across the College. A Member enquired what the normal attrition rate was as a percentage including LSAs. The Deputy Principal responded that turnover had historically been low but had increased. She was not able to give a specific figure in the meeting but confirmed that it was below benchmark.

The Chair enquired the extent to which internal versus external factors were impacting in the staff survey results, in particular he queried whether publicity on national issues on pay was a factor. The Deputy Principal considered that pay and workload was a factor and that the weighting model under which the College operates was being looked at. She acknowledged that there were high expectations placed on new staff to hit the ground running and that there was more work to do in ensuring staff have the support they need to succeed. She also considered that the COVID-19 pandemic had had an impact and that life choices and career perspectives had changed. The Chair enquired whether the College has the tools it needs to improve in this area. The Deputy Principal responded that there were steps the College could take in this respect but that some of these would come at a financial cost. It was important to balance retaining staff over a longer period with resource demands and resource prioritisation in this area was required, she concluded.

A Member enquired regarding sector benchmarks on sickness and observed that there appeared to be an upward trend in this respect which was in line with his commercial experience. He requested further data on the reasons for staff sickness. He also enquired whether there was any opportunity to talk with staff and understand how they wish to be communicated with. He noted that the response rate appeared to indicate a dramatic reduction on the prior year but otherwise a step up on the preceding period. The Deputy Principal confirmed that there are sickness absence benchmarks and she has asked the HR Manager to provide these. It was noted that sickness absence is reported on in the Health and Safety Report, and acknowledged that there were too many absences categorised under 'Other' and that this needed bottoming out.

A Member observed that staff surveys tend to be a vehicle for historic emotions. He recommended a staff survey wellbeing tool.

A Member commented that communication was two-way and that as well as receiving information, she drew attention to the importance of staff having a chance to be heard. The Deputy Principal acknowledged that it was important to drill down into the results and understand which staff were expressing dissatisfaction.

The Corporation APPROVED the Annual HR report 2021/2022.

10/23 PRINCIPAL'S REPORT

The Principal's Report provided an update on four key areas: maths provision and progress against actions; 14-16 supplementary provision; SMT changes; and employer engagement activities. Members were invited to ask any questions or comment on key risks.

A Member welcomed the biweekly monitoring sessions in maths teaching and the supportive feedback given.

A Member welcomed the employer engagement initiatives and enquired of the Principal's recent presentation at Liz Earle. The Principal responded that the event had gone very well. It was well-attended and focused on equality, equity and inclusion. There were high profile keynote speakers. The event had been a successful opportunity for networking and raising the profile of the College.

The Chair thanked the Principal for her report noting the detail and energy demonstrated. He enquired regarding the attendance during the mock exams week. The Assistant Principal

(Safeguarding) reported that attendance was over 80% and was higher than the previous year by a few percentage points. The Principal noted that there had, amongst some students, been a reluctance to enter the exam hall due to high levels of anxiety. It was important to note that these students had attended College for the exam but needed further support and encouragement to go into the exam hall.

The Chair enquired regarding any current action on pay negotiation. The Principal responded that the national picture was mixed. As previously reported, she would be working with the Deputy Principal to look at the weighting policy with further work considering holidays, benefits and rewards to address in the round. Options would be reported to the Corporation. It was important to note that increased utility costs had not been budgeted for and that there was a need to balance prioritising a sustainable future for the College with the offer of a fair package for staff. Work was being undertaken analysing where the College sits in the market sector and on the Island.

The Principal would be tabling an employer engagement report for the next meeting and Governors would be provided with a list of employers.

The Chair enquired regarding the GCSE results for the students attending the 14-16 supplementary provision. The Principal responded that her current priority had been compliance and this was reflected in her report but that she would be tabling a report on 14-16 provision achievement for the next meeting to be brought by the Assistant Principal (Safeguarding) for the next meeting. It was noted that this group was atypical with a high percentage of home education elected learners.

The Corporation CONSIDERED the report.

11/23 HEAD OF DEPARTMENT REPORT MOTOR VEHICLE

Mr Rob Mew, Head Of Department (Land Based Studies) presented his report. The Motor Vehicle department had stabilised following a dip in performance. There had been some student-related issues post-COVID. The department head had spoken with the student mentor for the department who reported a high concentration of issues related to mental health and bereavement. Mr Mew reported that there had been issues with staff recruitment and retention, and apprenticeship achievement rates. He considered that department potential was high but that there had been a 'cluster factor' of challenges that had affected the department. Student retention remained high. Maths was embedded within the curriculum but there was some damage from negative school experiences of English and maths. Mr Mew was confident that students were on track and commented on how articulate the students were. Timetabling was satisfactory but the department was still short on staffing. The department was looking forward to new technologies with electric vehicles.

A Member reported on his recent Learning Walk at the department.

A Member thanked Mr Mew for his report and enquired how confident he felt regarding staff recruitment. He responded that there was work to do, previous candidates had not been up to specification and he was waiting to see what applications were received in the next round. In response to a query from a Member he confirmed that he did consider staffing issues to be one of the factors affecting the dip in performance. In response to a further query on whether the current year was looking better, Mr Mew confirmed that it was. He reported that students were doing well in maths and English and that 10 full-time students had been accepted into apprenticeship provision. Employers were engaging well and had been carrying out mock and real interviews.

A Member noted that a previous departmental report had looked ahead to new equipment relating to the move from combustion to electric engines and asked if this area was opening up provision at Level 3. Mr Mew responded that he was looking at areas of growth in consultation with local garages. The withdrawal of petrol and diesel vehicles by 2035 has been announced by the Government. At present, 10% of vehicles on the Island are electric. A Member asked if students were studying electric vehicles, and Mr Mew responded not necessarily but that the option was open. A Member observed that there may be transferable skills to marine ie from cars to boats and envisaged that this may become a more specialist area in future.

A Member noted the students' request for a vending machine in the department and suggested that this be provided. The department head confirmed that there had previously been a vending machine but unfortunately this had been vandalised.

The Corporation CONSIDERED the report.

Mr Mew departed the meeting.

12/23 STUDENT FEEDBACK: SAFEGUARDING

Ms Becca Howes presented the report. At the October meeting of Corporation, the Student Governors had reported feeling vulnerable on the College's open campus. In January 2023, Ms Howes and Ms Ella Young, Student Governors, had met with the Principal, Head of Student Advocacy and Safeguarding, and Director of Governance. They had discussed how student surveys overall indicated that students feel safe at College and explored measures that could be taken to address feelings of vulnerability on the open campus. The Principal was implementing a staff duty manager who would be visible at breaktimes and whom students could approach if needed. A poster in the canteen area with a QR code would advise students of the duty manager and provide further information.

The Chair welcomed the report.

A Member enquired how students were feeling about the lanyards. A Student Governor responded that on her course students had been surprised but after discussion recognised the steps taken as positive. The Member asked SMT how this had been received across the College. The Principal responded that some departments disliked lanyards for practical reasons but understood the purpose of them for safety and wellbeing. It was noted that lanyards are normal practice in other educational settings and workplaces.

The Corporation CONSIDERED the report.

13/23 HEALTH & SAFETY 2021/22 ANNUAL REPORT

Mrs Jenny Webb, Campus and H&S Manager presented the report. It had been a year of two halves with the first part requiring a significant focus on COVID including the use of 'fogging' and acting as a vaccination setting. The second part of the year had more of a focus on T Levels and refurbishments and the health and safety elements of these.

A Member noted sickness absence levels. Mrs Webb responded that even with COVID as a reported reason for sickness absence removed levels were still high with mental health particularly being a factor. Work was being undertaken with HR looking at wellbeing. A Member expressed concern stating that

sickness levels were double the sector average. Mrs Webb responded that where mental health was reported as the reason for sickness absence these instances were generally for more than a couple of days and accounted for some long-term absence which represented a significant proportion of the total sickness absence days. There were four cases of long-term absence due to mental health issues. All other sickness absence cases were for 19 staff. The Principal noted that mental health absence was higher across the sector.

A Member observed that it was important that health and safety was seen as everyone's business and asked how the College ensured with was embedded across all staff, and how well local managers were providing support with sickness absence. Mrs Webb responded that these questions were being raised and looked at and that she was working with HR on enhancing the current management training offer. She said that she would like to see this covered as part of every appraisal/ probationary review and heads of department agendas.

A Member noted that the reason recorded for 20% of sickness absence was 'Other'. Mrs Webb responded that HR were aware and working on bottoming this out.

The Corporation APPROVED the Annual Health & Safety report 2021/2022.

12/23 HEALTH & SAFETY: EMERGING ISSUES UPDATE FOR GOVERNORS

Mrs Webb provided an update on emerging issues in Health & Safety for Governors. She reported on the forthcoming Martyn's Law and the duty it would place on a range of settings including colleges. There was no confirmed date for the legislation at present. Lockdown preparedness was a key part of the duty. The College would need to invest in physical barriers and controls in some instances to comply with the new legislation. Access controls were currently present in 50% of the College's buildings. The College was investing in training and a counter terrorist police training has been scheduled for 23 March 2023. 'Run, hide, tell' was already in operation and practice drills had been undertaken or scheduled. Experience showed that this was emotionally unsettling and she was making sure staff were comfortable with the process before introducing drills for students. A Member noted that in 90% of all cases the threat comes from within. The Assistant Principal (Finance and Resources) noted the case of a stabbing of teacher in a Paris school today.

A Member enquired whether training included logging of notes about times and people involved. Mrs Webb responded that she would be following up when the legislation is available and was working to ensure that all staff and students know what they need to do in the event of a terrorist attack.

The Corporation CONSIDERED the report.

Mrs Webb departed the meeting.

13/23 MONTHLY FINANCE REPORT: MANAGEMENT ACCOUNTS

The Director of Finance presented the Monthly Finance Report.

1. The management accounts report the ACTUAL position for the 5 months to date (to December).
2. As we always do, we are reporting the position against the budget agreed in July 2022. We are currently showing an operating surplus before structuring costs of £405k (versus a budget surplus of £429k), which is a £24k ADVERSE variance.

3. This has been driven by the following key items:
 - a. INCOME:
 - b. We are showing an adverse variance against tuition fee income of £314k - £208k of which relates to a much lower take-up in Advanced Learner Loans.
 - c. Erasmus project income was budgeted to have achieved £151k for the year to date, and there has only been £2k of income for the year to date. A revised forecast has been prepared by the budget manager, which forecasts significantly less income for the year, and subsequently a higher repayment of unspent Erasmus funds to follow.
4. PAY – Pay costs for the year are showing a £247k favourable variance for the year. As previously reported, this is mainly due to non-recruitment of budgeted vacancies (although some posts are covered by temporary staff, leading to higher non pay costs).
 - a. NON PAY – Non pay costs are now showing just a £37k favourable variance against budget for the year to date – but it is important to remember that we had included £422k for the year as an allowance for inflation on non-pay (which equates to £176k for the year to date). Given we only have an £37k favourable variance, non-pay costs for the year to date have consumed £141k of this inflation allowance. Premises maintenance costs are significantly higher than budget, as anticipated – due to higher utility costs.
5. BALANCE SHEET – key items include:
 - a. DEBTORS - total debtor days stand at 51 days, compared to 111 days in December 2021. In terms of absolute value, current debt totals £328k – and was £450k at this time last year.
 - b. CASH – the total cash balance is £5.4m, of which £4.8m is college own funds (excluding Erasmus funds, unspent project monies including SDF and T levels). In December 2021, college own funds totalled £4.4m.
6. COVENANTS – as noted before, the covenants are only measured by Lloyds on the 31st July. If it were based on December actuals, all covenants would be met, with some very healthy head-rooms.
7. FINANCIAL HEALTH – the current financial health of the college (based on a years’ rolling income) would be OUTSTANDING at 240 points. (In December 2021, the equivalent points were also 20 points, giving a financial health score of outstanding.)
8. JANUARY MANAGEMENT ACCOUNTS – The January management accounts have been prepared, and are showing a high level of spend on utilities. An investigation into the charged costs, and an analysis of consumption will be prepared during March, in preparation for the next Corporation.

A Member enquired regarding Advanced Learner Loans. The Deputy Principal responded that it was unlikely anything could be done to address this at this stage in the year. Recruitment had been disappointing with Access to Higher Education experiencing a decline. Several factors had been at play but income was not recoverable in year, she concluded.

A Member noted the large values in terms of payments received in advance and accrued expenses, she enquired if this included payroll. The Director of Finance confirmed that it did but that there were also a variety of other accruals. In response to a further query, the Director of Finance confirmed that payments received included Erasmus funding as well as funds from the Education and Skills Funding Agency (ESFA).

A Member enquired whether it was known how Lloyds would react to a covenant breach given the exceptional circumstances at present. The Director of Finance confirmed that a meeting was scheduled

for the Principal and Director of Finance to meet with Lloyds to address this. She confirmed that the previous agreement had related to Erasmus holds.

A Member asked if the current and forecasted utility costs were captured in the forecast. The Director of Finance confirmed that this was the case but that she was concerned that bills to date had been higher than allowed for. She would be looking into this in more detail including mitigations.

A Member observed that it was very important that the College did not end up in debt this year, and the Director of Finance agreed with this observation noting that continued losses would lead to very high rates of interest. The Assistant Principal (Finance and Resources) noted that re-negotiations with Lloyds were likely to be lengthy.

The Chair noted the need to monitor this situation.

The Corporation NOTED the report.

14/23 FINANCIAL FORECAST – LATEST ESTIMATE

The Director of Finance presented the Latest Estimate.

1. LATEST ESTIMATE - The latest estimate has been prepared, and predicts a loss of £148k – BEFORE any mitigating actions have been undertaken. It is also possible that if non-recruited vacancies continue, this will help to reduce the potential loss. Based on the scenario modelling undertaken, a breakeven position must be returned for the college, to ensure all covenants are met.

The Corporation NOTED the report.

15/23 ANY OTHER NON-CONFIDENTIAL BUSINESS

There was no other non-confidential business.

16/23 DISCUSSION WITH PRINCIPAL WITHOUT STAFF AND STUDENTS PRESENT (CONFIDENTIAL)

17/23 DATES OF NEXT MEETINGS

Wednesday 1st March 2023 Audit Meeting, 4.00pm-5.30pm, The College Business Centre

Wednesday 22 March 2023 Search & Governance, 11.00am-12.30pm

Wednesday 22 March 2023 Capital Meeting, 2.15pm-3.30pm, CECAMM

Wednesday 22 March 2023 Corporation meeting, 4.00pm-6.30pm, CECAMM