

**The College of West Anglia
Minutes of
The Corporation Board Meeting
19 May 2021
9.00 am
Remote Meeting – Microsoft Teams**

Present	Sharon Cambridge	Governor (Chair)
	Chris Ashman	Governor (Vice Chair)
	Andrew Cave	Governor (Vice Chair)
	Dave Clark	Governor
	Sam Fletcher	Governor
	Rebecca Hamilton	Governor
	Ray Harding	Governor
	Scott Leadley	Governor
	Alan Measures	Governor
	Sally Mitton	Governor
	Jacob Morton	Governor
	David Pomfret	Governor (Principal)
	Carolyn Rand	Governor
	Gill Rejzl	Governor
	Lee Smith	Governor
	Gary Webb	Governor
	Roderick Watkins	Governor
	Hein van den Wildenberg	Governor
	Donna Woodruff	Governor
 Attending	Paul Harrison	Vice Principal Corporate Services
	Ruth Harrison	Vice Principal Curriculum & Quality
	Paul O'Shea	Assistant Principal Student Services
	Rob Petto	Assistant Principal Funding & Performance
	Stephen Halls	Clerk to the Corporation

The Chair welcomed Carolyn Rand, Sally Mitton and Hein van den Wildenberg, newly appointed governors to their first Board meeting. The Chair also welcomed Paul O'Shea and Rob Petto in their respective new roles as Assistant Principals, joining the Senior Management Team.

1 Apologies

Apologies for absence were received from Cristiana Germeno and Lucy Nethsingha. Sam Fletcher had advised in advance that she would be slightly late to the meeting.

2 Declarations of Interests

A declaration of interest was recorded for Roderick Watkins regarding Institute of Technology applications, noted in the report for Item 8 – Principal's Strategy Report.

3 Minutes of the previous meeting – 17 March 2021

The Minutes of the meeting held on 17 March 2021 were reviewed and agreed as being an accurate record of the meeting.

4 Matters Arising

The progress against the outstanding matters from previous meetings was summarised in the report for item 4. There were no questions or concerns raised on the items.

5 Governance Items

The schedule of meetings for 2021/22 was given at Appendix 1. The Clerk advised that the Search & Governance Committee would be reviewing the continued use of remote meetings at its meeting on 2 June 2021 and that confirmation of which meetings next year would be on-site or held remotely would be advised in due course.

The report was noted.

6 Committee Chairs' Briefing Items:

- Audit Committee – The Committee Chair provided an update from the Committee's last meeting held on 24 March 2021, at which it welcomed Carolyn Rand as its new member. During the meeting, the Committee reviewed risk and the risk register, cyber security, outstanding actions from previous audits, the Student Union accounts for 2019/20, the CWA Publication Scheme (noting that some suggestions had been left for managers to consider prior to its next review), the Gifts & Hospitality Register (with a recommendation that a change be made to the regulations regarding the refusal of cash and vouchers), the Whistleblowing policy, terms of reference (with one correction being requested), discussion on the audit plan for 2021/22, to be continued at the next meeting and the review of the performance of the external and internal auditors. The Committee Chair thanked Hein van den Wildenberg for drafting and proposing the use of a 'heat map' for use in presenting the risk register; this would be discussed in more detail at the Committee's next meeting on 23 June 2021.
- Performance Review & Quality Committee – The Clerk reported that at its meeting on 28 April 2021 the Committee continued to focus on Technology, Apprenticeships, Maths & English and ESOL. The Technology faculty currently had no vacancies and staff were positively engaged in their work. Teacher Assessed Grades were causing additional work and pressure for teaching staff. Overall performance grades were expected to dip this year. Apprenticeships continued to be affected by the Covid situation. The presentation of KPIs & QIP to governors would be reviewed. The HE Strategy document had been reviewed but further work had been requested by the Committee, for review again at the next committee meeting. The Ofsted re-inspection of the Applewood Nursery was eagerly anticipated – all areas of concern had been addressed. The Committee was confident in the approach of the Vice Principal Curriculum & Quality to the various matters covered during the meeting.

The updates were noted.

Ray Harding joined the meeting at 9.10 am

7 Safeguarding and Equality & Diversity Meetings - Updates to Governors

The Chair, as Safeguarding link governor, reported that both she and Gill Rejzl had attended the last meeting of the Safeguarding Board in January 2021. Gill would be taking over as link governor when the Chair retired in 2022. Both were now working with Paul

O'Shea, Designated Safeguarding Lead, in reviewing the terms of reference for the Board. It was considered that staff were fully aware of the importance of safeguarding. There was a notable increase in the reporting of mental health issues among students. Gill Rejzl added that there was a need for stronger monitoring of issues by the Safeguarding Board.

Rebecca Hamilton, as link governor for Equality, Diversity & Inclusion, reported on the meeting held on 2 March 2021, this being the first meeting without the group lead, Andrew Gedge, Assistant Principal Quality & Students. This meeting was chaired by Trazy Howe, Additional Support Co-ordinator. The meeting discussed training issues, the use of EDI champions, the impact of the coronavirus pandemic and the difficulties this had caused in sharing information, the increase of awareness via staff and student inductions, the need for improved listening skills and future training needs (ADHD, LGBT issues and resilience). The next meeting would be on 1 June 2021.

The Principal advised that 5 staff had applied to be considered to be the lead on EDI activities across the College to which Clare Pelling, Learning Experience Manager, had recently been appointed. Clare would chair future meetings of the EDI group with Trazy Howe acting as deputy. The Chair asked how SMT would remain in touch with the group; the Principal advised that EDI was a standard agenda item at SMT meetings and would receive regular updates from Clare Pelling. The Principal added that it was not essential for SMT members to lead all of the respective groups across the College and that where appropriate, other managers could be utilised for their own interest and development.

The updates were noted.

8 Principal's Strategy Report

The Principal referred Governors to his report outlining a number of current issues, mainly relating to funding and various initiatives.

Capital Development Opportunities - *this item was deemed 'Confidential.'*

Sam Fletcher joined the meeting at 9.21 am

Subcontracting Reforms - *this item was deemed 'Confidential.'*

Institute of Technology (IoT) - details of the College's involvement in a bid for IoT funding with the University of Suffolk were provided within the report.

The Board approved the College's engagement in the emerging New Anglia Institute of Technology.

The report was noted.

9 Strategic Targets 2020/21 Progress Review

Governors reviewed the current progress on the strategic targets for 2020/21 and commented on the following particular items:

- i. Target 1.8 (a,b,c) Student Progress regarding what seemed to be a high proportion of learners with no status set. The Vice Principal Curriculum & Quality advised that this target was mainly used for 16-18 learners. Adult learners, particularly those receiving their tuition via subcontracted partners, tended not to have status set. It was accepted that for adults this had not been managed by the College and in time it would be encouraged.

- ii. Target 4.11 Average Contribution from Income Centres, noting this target had not been achieved, even though other financial income targets would be achieved. The Vice Principal Corporate Services advised that this was due to a misalignment of targets, and that the contribution levels were set proportionally higher than the other financial targets; these would be brought into line in future target setting. Governors asked if lower rates should be allowed, giving faculties the opportunity to invest more in their respective areas. The Vice Principal advised that in-year spending was allowed and would note the importance of setting the correct level of expected contribution for future years. Governors asked if other factors had affected the contribution rates achieved. The Vice Principal explained that the pandemic had caused some operational inefficiencies during the year, such as reduced class sizes to allow for the social distancing requirements.
- iii. Academic Performance Targets – Governors commented generally that a number of targets were currently behind or were shown to be not being achieved in the year. The Principal explained that these were mainly the result of the pandemic where there had been much disruption for learners throughout the year. Attendance was lower than would be seen in a normal year. The use of Teacher Assessed Grades would have an impact in the current year's results. The Principal expressed his concern at the requirement for functional skills learners to have to undertake exams. The Principal added that much consideration would be undertaken when setting the targets for the following year. Governors noted their concern of the legacy of the pandemic rolling into the future years.

Governors asked how next year's targets could be assessed or set based on the current year's performance. The Vice Principal Curriculum & Quality advised that some data was available across the sector (MIDES) to aid in the setting of targets. Assessment could also be considered in terms of performance in a learner's current course, progression to the next level of study and their ultimate destination. The Principal added that targets would be set based on the assumption that all teaching would be back on campus next year and that targets should focus on the priority areas for the College.

- iv. Target 1.1 (b/c) Internal Progression – Governors asked what action could be taken to improve internal progression. The Vice Principal Curriculum & Quality commented that this related to curriculum intent with the correct courses and levels being made available to learners. The College was aware of the learners who failed to move from L1 to L2, and could become NEET (not in education, employment or training). Curriculum design was an important factor, noting that Technology was now offering a 2-year course to a L2 qualification. The Vice Principal mentioned her concerns regarding Functional Skills where 700 exams had been booked, noting that learners would need to attend for 4 elements for English and 2 elements for Maths. The Vice Principal considered that although overall achievement performance was important, progression data for individual learners was perhaps of more importance.
- v. Target 4.10 Alignment of Curriculum Plan to Budget – Governors were interested if this was proving to be successful. The Vice Principal Corporate Services advised that this was the first year of creating the budget in detail using the 4Cast software and that curriculum planning had been very robust.

The report was noted.

10 Student Governor Report

Jacob Morton reported that the local election hustings event had not taken place due to poor engagement from students.

Governors asked about the recent careers week where student feedback suggested events had been poorly communicated. The Student Governor advised that he had had meetings with the Careers team who considered that the week of events had gone well and that the comment reported was perhaps not reflective of the overall view.

The report was noted.

11 Student Union Accounts to 31 July 2020

The Chair of the Audit Committee commented on the funds of circa £3,000 which remained unspent in the accounts and that students should be encouraged to utilise these for their benefit. Jacob Morton, Student Governor, advised that he had only recently been advised that he had responsibility for overseeing the account and was now liaising with Clare Pelling, Learning Experience Manager, to spend the funds in the current academic year.

The Board approved the Student Union Accounts for the Year Ending 31 July 2020.

12 Management Accounts – March 2021 & Reforecast Update

The Vice Principal Corporate Services reported that the accounts had been reviewed by the Finance & General Purposes Committee at its meeting on 5 May 2021. The accounts were positive and would assure both the ESFA and the FE Commissioner that the finances at the College were in a good state of health. The reforecast exercise had resulted in a changed position to the bottom line, in that the budgeted deficit of £166k had been revised to a surplus of £897k. Overall, the financial KPIs were considered to be good. The cash position at year end was expected to be around £6m.

Governors queried the reforecast outturn for Student Support Staff Costs, which were £516k more than the original budget. The Vice Principal explained that this related in the main to the pandemic, where temporary staff had been employed, particularly to assist with the testing of students across the 3 campuses. All temporary staff had now been stood down. The ESFA had been asked to review the level of support offered to the College, particularly as the College had 3 campuses on which to provide testing services; a response was awaited from the ESFA.

Governors commented on the improved style and layout of the management accounts report and asked for the Board's thanks to be passed onto the Head of Finance.

ACTION-VPCS

The Vice Principal explained that the improvements followed the recommendation/directive from the FE Commissioner to improve the reporting of financial information to the Board. The Principal added that the ESFA Relationship Manager had also commented favourably on the new style of reporting.

Governors noted that contribution analysis information per faculty appeared to be improved on the previous year. Also noted were a number of KPIs that had declined slightly on the previous month. The Vice Principal advised that all targets would be met, with the exception of the Pay Costs/Income ratio where it would be very difficult to reach the FE Commissioner's expected target of <65%.

The report was noted.

13 Medium-Term Financial Plan

The Vice Principal Corporate Services reported that the medium-term financial plan had been reviewed by the Finance & General Purposes Committee at its meeting on 5 May 2021. The Committee had raised a question regarding one item of non-pay expenditure, which, following investigation, had been found to be in error and had now been corrected in this updated report. Financial health across the future years would be either 'Good' or 'Outstanding;' surpluses would be generated resulting in good cash balances.

The only area of concern was the Pay Costs/Income ratio which remained at around 70%. The Vice Principal was concerned that if outsourced contracts were brought in-house over the next couple of years, the ratio would worsen. Governors noted the recurring issue with this ratio and discussed the risks of not reducing it and the threat of continued monitoring from the regulators. The Vice Principal commented that for CWA, the value of 65% was aspirational, however, in practice, unachievable without further significant restructures, noting that over the last 5 years, even with restructures, the ratio had moved very little due to the continued increase in pay costs caused by increases in national insurance rates, pension contributions and the effects of the minimum living wage rates. This was an issue being faced by other financial directors across the sector. Governors asked what the effect and consequences would be if the College was to reduce its pay costs so that the ratio hit the 65% target, and if these were considered to be unacceptable then the College should set a target that it was comfortable with. The Vice Principal Curriculum & Quality commented on a recent finance course she had attended led by Andrew Tyley, Deputy FE Commissioner, where he had commented to delegates that if all other financial targets were good, then the Pay/Income ratio could be ignored. Governors suggested that the 3 possible solutions for the College to consider would be to drastically reduce pay costs, look to grow income more so than had been included in the financial plan, or to accept that the target of <65% was not possible. The Principal expressed his concern at trying to reduce pay costs further and was confident that with the overall improvement in the College finances over the last 2 years, and with positive projection moving forward, that the College would receive a good report from the FE Commissioner. The Principal was keen for the College to raise ambitions and move forward and for that, the College needed to retain the support from its strong and committed workforce.

Governors asked about the reduction in Tuition Fees from £341k to £326k in 2023/24 and then further to £299k in 2024/25. The Vice Principal Corporate Services advised that he would investigate the reduction and report to Governors following the meeting.

ACTION-VPCS

The report was noted.

14 Applewood Nursery – Update Report

The Vice Principal Curriculum & Quality reported that the College was awaiting the re-inspection by Ofsted now that inspections had recommenced from 4 May 2021. The nursery continued to be regularly visited and reviewed by herself and the Head of Faculty. The Vice Principal considered that the support from external consultants had been encouraging for staff. The numbers of children attending were steadily increasing. The Chair asked about the period of advance notice that would be given for the re-inspection; the Vice Principal advised that only a day's notice would be received, adding that Applewood would be considered a priority by Ofsted, so the re-inspection was surely imminent. Governors acknowledged the effort put into the nursery improvements and thanked the Vice Principal, and staff, for their efforts. Governors referred to the quality improvement plan, noting that some areas would require further embedding and continued monitoring after inspection. Governors were hopeful that in time the Applewood Nursery could be removed from the College's risk register.

The report was noted.

15 Current Performance Data and KPIs – 2020/21

The Vice Principal Curriculum & Quality advised that the data had been reviewed by the Performance Review & Quality Committee at its last meeting on 28 April 2021. The commentary had been updated and more analysis had been included in the report for the Board. There were no questions or concerns raised.

The report was noted.

16 Quality Improvement Plan 2020/21

The Vice Principal Curriculum & Quality advised that the plan had been reviewed by the Performance Review & Quality Committee at its last meeting on 28 April 2021, with reference now being made to the Ofsted inspection results from January 2019.

The Vice Principal noted the good progress made in the development of students' understanding of fundamental British values, where 86% had now completed this.

Governors accepted that the QIP was a management tool for internal use but asked that the style of language and the information conveyed was mindful of the document being read by external readers.

Governors considered if it was now necessary for the full Board to continue to review this report at each meeting, noting the improvements made since the last inspection, and the fact that performance information was received in the KPI reports and that the Performance Review and Quality Committee would continue to receive and scrutinise this report at its meetings. The Vice Principal advised that the Board would continue to monitor overall improvements via KPIs and the annual area performance reviews, and that any issues of concern noted by the PR&Q Committee would be highlighted to the Board by the Committee Chair during the Committee updates report at each Board meeting.

The Board agreed that the regular review of the Quality Improvement Plan at each meeting was now no longer required.

The report was noted.

17 Review of the Risk Register

The Vice Principal Corporate Services advised that the latest changes to the register were displayed in 'red.' The scoring and rating for the Applewood Nursery had been reviewed but had not been downgraded. The next update to the risk register would include new risk items for cyber security and sub-contractor activities.

The Chair of the Audit Committee reported to the Board that the Committee continued to review the register in detail with much discussion. There was perhaps a need to triangulate more the concerns of student withdrawals/attrition and that actions ought to be included to aid recruitment and retention. The Committee Chair noted the suggestion of the use of a 'heat map' by Hein van den Wildenberg, which would be given further consideration. With regard to Risk 2018 (5) Apprenticeships, two new controls/mitigations items had been included: supporting SMEs with the digital apprenticeship scheme and support for overdue apprentices: it was thought that the 'green' rating was incorrect. The Vice Principal would review this rating.

ACTION-VPCS

Governors queried the scoring and rating for Risk 2018 (13) on Sub-Contracting, asking for this to be re-assessed following the new directive on governance for sub-contracted activity from the ESFA.

ACTION-VPCS

The report was noted.

18 Governance & Financial Management Regulations 2021

The Clerk reported that the Finance & General Purposes Committee had reviewed an earlier draft of the regulations at its meeting on 5 May 2021. Since that review, a number of further minor changes had been made, as detailed in the report.

The Chair of the Audit Committee asked for an addition to be made to the terms of reference for the Committee: duties to include the review of contracts, waivers and debt write-offs. The Clerk would make the amendment prior to final publication.

ACTION-CLERK

The Board approved the Governance & Financial Management Regulations 2021, subject to the amendment noted above.

19 Whistleblowing Policy - Review

The Clerk reported that the Audit Committee had reviewed the current policy at its meeting on 24 March 2021. The policy was in line with the AoC's model document. The only amendment required following this review was the inclusion of 'age' as a protected characteristic among the others already listed in the policy.

The Board approved the Whistleblowing Policy.

20 Charters

The Assistant Principal Student Services advised that the 3 charters (student, employer and mental health) had all been reviewed with no changes required at the current time, noting that this followed a significant review the previous year.

Governors accepted that the reviews by the various stakeholders and departments had already been completed for the current year, however, asked that in the next review the student charter considered culture, values, behaviours and expectations of how students should regard each other. For the employer charter, increased focus should be on the recent White Paper referring to employers as 'partners' and the expectation of enjoying closer and improved working relationships.

ACTION-APSS

The Board approved the Student Charter, the Employer Charter and the Mental Health Charter.

21 Auditors – Performance Review & Appointment

The Clerk advised that the performance of the external auditor (KPMG) and internal auditor (Scrutton Bland) had been considered by the Audit Committee at its meeting on 24 March 2021. Audit feedback reports from the managers involved in each audit were supplied as appendices to the report. Both auditors were currently in their second year of their respective 3-year contracts, and that in the next academic year the College would need to undertake a tender exercise for re-appointment to new contracts. The recommendation from the Audit Committee was for both KPMG and Scrutton Bland to continue for a further year.

The Board approved the recommendation from the Audit Committee for KPMG and Scrutton Bland to continue as auditors for a further year.

22 Any Other Business

Governors noted that two of the College's lecturers would be appearing in the next series of the Channel 4 television programme 'Bake Off: The Professionals' commencing on 25 May 2021. Governors asked about the potential marketing opportunities for the College from this. The Assistant Principal Student Services advised that press announcements were very limited at this stage due to the secrecy clauses within the contracts signed by the participants with Channel 4. However, where possible, the College would make use of the television coverage.

23 Date and time of next meeting

Wednesday, 30 June 2021 at 8.30 am.

The Chair thanked everybody for their attendance and participation in the meeting.

The meeting closed at 10.57 am