

**CITY OF WOLVERHAMPTON COLLEGE**

**Minutes of a Meeting of the Board of Governors held on  
Monday 13 December 2021 at 5pm  
Conducted via Microsoft Teams**

**PRESENT**

Mr Mark Taylor (Chair)	Mr Clarence Crosdale
Mr Mike Hastings (Vice Chair)	Mrs Amanda Tomlinson (to item 8)
Ms Emma Bull	Ms Lindsey Flynn (to item 8)
Mr Mal Cowgill	Mr Sam Duru
Ms Sally Slater (Staff)	Ms Anya Priya Luis
Mr Ian Gardner (to item 8)	Ms Nisha Rai
Mrs Hshaana Knight	
Ms Ioana Axinte (from item 6)	

**IN ATTENDANCE**

Mrs Louise Fall	-	Vice Principal Student Engagement
Mr Ian Browne	-	Vice Principal Student Success
Mr Peter Merry	-	Vice Principal Business Success
Mrs Elizabeth Ball	-	Head of Governance

**102/21 APPOINTMENT OF CHAIR**

Mr Mike Hastings was appointed as Chair of the meeting.

**103/21 APOLOGIES AND DECLARATIONS OF INTEREST (ITEM 1)**

Apologies were received from Amardeep Singh, Trevor Dutton and John Bradford.  
Mr Mark Taylor declared an interest as an employee of City of Wolverhampton Council.

**104/21 MINUTES AND MATTERS ARISING (ITEM 2)**

**The non-confidential minutes of the meeting held on 18 October 2021 were approved as a correct record.**

**105/21 REPORT ON OUTSTANDING ITEMS (ITEM 3)**

The Board of Governors received an update on actions that were outstanding from previous meetings.

It was noted that only one item remained outstanding but that the College was unlikely to be able to pursue a claim for additional growth funding.

**106/21 FE COMMISSIONER'S ACTION PLAN UPDATE DECEMBER 2021 (ITEM 5)**

The Principal presented the report and highlighted the update on progress as at December 2021.

Governors noted that the ongoing actions had been rag rated as green in view of the progress that continues to be made.

Whilst the recommendation relating to the review of the composition and membership of the Board had now been completed, the Board requested that the information be updated to reflect that several new appointments had been made with a focus on Board diversity '*and skills*'.

The Chair advised that the College had been notified that the FE Commissioner's Team would be visiting the College again on 14 February 2022. As they had repeated their request for information, he reported that he asked that the team concentrate only on the recommendations that had been made following their last visit. He also encouraged Governors to respond to the survey in relation to the FE Commissioner if it was circulated to them.

Governors noted the reference to the 'transaction unit approach' which was referred to in the update.

They were advised that this approach looks at the overall position in relation to the margins from courses and is more in line with how Colleges operate.

Governors also requested that a typographical error identified in the report be amended.

**It was resolved that the updated action plan be noted.**

#### **107/21 KEY PERFORMANCE INDICATORS 2021/22 (ITEM 6 (a))**

A report on performance against Key Performance Indicators for the first quarter was presented to the Board of Governors.

Whilst it was noted that these are reported against the four business areas of Student Engagement, Student Success, Business Success and People Engagement, the position is complex in that a number of other measures are used to establish and report on the overall KPI's that are presented to the Board.

*Ioana Axinte joined the meeting.*

Key points were highlighted to Governors including the position in relation to EBIDA, performance against funding and financial health.

Also noted were student progress and value added, student complaints and enrolments, and rates of staff turnover.

*Clarence Crosdale left the meeting.*

Governors asked whether the Vice Principal Business Success had been able to project what the cash position will be at its lowest point in Spring 2022. He confirmed that it was anticipated even at the lowest point the College would not need to make use of its overdraft facility.

They also asked whether there was any common thread in relation to student complaints and were advised that whilst there had been some start of term issues, and some complaints had been carried over into the current year, action had been taken and no ongoing monitoring was required.

The Principal reported that he considered it would be helpful for Governors to attend a development session when there would be an opportunity to give more detailed consideration to how the KPI's are developed and how they are monitored.

Governors welcomed this opportunity but also commented that where possible they would like to see benchmarking information and data relating to employer impact.

The Principal reported that whilst the report only related to the first quarter, the overall message is positive. He advised that in terms of benchmarking this is more difficult in areas other than finance, particularly as a result of the impact of the pandemic.

He agreed however, that more data is needed about the contribution that the College is making to employers.

**It was resolved that the report be noted and that a Governor development session takes place in the New Year to consider KPI's in more detail.**

### **108/21 YOUTH UNEMPLOYMENT (ITEM 7)**

The Principal presented the report which identified the actions to be taken to deal with the high level of youth unemployment in the City, particularly in the age group 18-24.

The report detailed the partners that the College is working with, the local context and the contribution being made by the College.

Also highlighted were the College activities that had already taken place, together with the potential initiatives and planned provision.

These included the establishment of a Youth Hub at the Wellington Road Campus and the establishment of more Sector Based Work Academy Programmes, the work carried out previously in relation to sustainability will also be revisited.

*Clarence Crosdale re-joined the meeting*

In particular the Principal emphasised the importance of building the Leadership Pledge into the activities of the College.

Governors commented that they supported the approach being taken by the College and the examples provided in relation to the Health and Care sector and they were advised that phase 1 of the programme is delivered over a four week period, following which students can progress onto higher levels courses up to level 5.

Governors agreed that the College was responding well to opportunities and should continue to take a lead role in developing provision. It was noted that there were sectors where the LEP consortium could provide additional help with job posting and linking with current vacancies and apprenticeship provision.

**It was resolved that the Board of Governors:**

- **Note the City-Wide Youth Unemployment levels and the proposed College response.**
- **Recognise the Further Jobs, Further Skills, Access Employers, Access Talent Framework developed by ESEB for use within the Defining Futures brand.**

- **Agree EMT should approach CWC and WMCA to seek funding for:**
  - **Resources to support DWP proposed Bilston Youth Hub to increase 18-24 engagement in education and skills and to track destinations.**
  - **A mix of new provision which will provide employment opportunities through skills delivery and upskilling to reduce high levels of unemployment and make employment sustainable for young people.**

## **109/21 COLLEGE REPORT (ITEM 7)**

The Principal introduced the report and highlighted the key areas where the College can evidence a '*step change*' in performance.

He identified where further improvements were required and the impact of lockdowns on the student experience. One concern related to the impact on mental health of staff and students and student behaviour.

### **COVID 19**

It was noted that cases at the College remain low and that the College continues to follow Government guidance to continue with face-to-face teaching. The College is supporting the recommendation to wear masks in communal areas and in classrooms and is also providing masks to ensure compliance.

Governors noted that so far there had not been a significant impact on staff absence although there is more absence as a result the usual coughs and colds.

The Vice Principal Student Engagement reported that testing kits continue to be distributed and staff and students are being requested to take a test before returning to College in January.

### **1. Student Engagement**

#### **College Self-Assessment Report**

The Vice Principal Student Engagement advised that the Self-Assessment report 2020/21 provided an honest and true reflection of the College's performance against the Common Inspection Framework.

It was noted that curriculum area self-assessment report had been validated at sessions which had been attended by a number of Governors.

The Vice Principal Student Engagement reported that overall, the College is self-assessing as Good, but highlighted those areas which had been self-assessed as Requires Improvement.

Governors noted that the Quality Improvement Plans for each area have informed the whole College plan and that Governors have been invited to the Quality Improvement Boards which will take place in January and in March/April to monitor progress.

Governors noted that the link to the tutorial programme pre COVID had been explained and asked whether the College would still be measured against that or whether the requirements would be modified to reflect the current position.

The Vice Principal Student Engagement advised that whilst there are still some aspects that have not transitioned into face-to-face delivery following lockdown the position is being addressed and there is confidence that the requirements will be met.

It was highlighted that if the College was forced into another lockdown there was confidence that the expectations in relation to delivery would be met.

**The Board of Governors received the report and noted that the College is maintaining its Ofsted rating of being overall Good from its self-assessment process for 2020/21.**

#### Behaviours, Attitudes and Personal Development

The Vice Principal Student Engagement reported that a deep dive activity focussing on the College's Tutorial provision had been carried out in October 2021.

It was noted that the findings were that behaviour and attitudes is good whilst personal development requires improvement and that these had been triangulated by learning walks, desk top activities and staff and student feedback.

The Vice Principal Student Engagement highlighted that the return to face-to-face teaching has caused some challenges and that there were a high number of students who are anxious about the return. These are not necessarily triggering safeguarding referrals, but the issues need to be worked through with these students.

The Vice Principal also highlighted the ongoing commitment to address any issues relating to peer-on-peer abuse and ensuring that all students know how to, and are comfortable with reporting any incidents. Governors were assured that the College is being pro-active in this and that it was also a particular focus for Ofsted.

In relation to personal development, it was noted that now students are back in College any gaps in learning are being addressed as part of the tutorial programme. Students are now confident in their learning and as a result the focus can return to their personal development.

Governors commented that discussions about personal development and behaviour are being repeated across educational establishments and asked what action was being taken to continue improvements in relation to behaviour.

The Vice Principal Student Engagement reported that the student disciplinary procedures are reviewed on an annual basis and where any themes are identified these are addressed as part of the tutorial system.

She confirmed that the profile of safeguarding is being raised and bespoke CPD is being developed for staff as some of the challenges that are being faced are

different. In addition, the College has new members of staff who are being supported with clear guidance.

It was noted that actions to bring about improvements will be aligned to the College Quality Improvement Plan and progress monitored.

**The Board of Governors received the report and noted that the College's Tutorials provision (Behaviour and Attitudes and Personal Development) requires improvement post pandemic.**

#### Student Welcome Survey Outcomes

The Vice Principal Student Engagement presented the report on the outcome of the Student Welcome Survey which took place in September/October 2021.

It was noted that overall, the College had maintained its position compared to the previous year and that overall satisfaction levels had increased by 1% to 95% with 97% of students agreeing that the College had taken suitable steps and measures to reduce the spread of COVID 19. There had also been a significant improvement in relation to the usefulness of discovery days and students knowing how maths and English would form part of their course.

The Vice Principal Student Engagement advised that whilst there had been a very small reduction in levels of satisfaction for HE students these continue to have fairly high agreement levels as identified in the appendix to the report.

Governors noted the comments made by students in relation to improvements that could be made to the College experience and that focus groups will now take place to consider any particular concerns in curriculum areas or at course level.

**The Board of Governors received the report and noted the high levels of student satisfaction.**

## 2. **Student Success**

### 2020/21 Student Success Update

The Vice Principal Student Success presented the report which detailed the achievement rates for 2020/21. He advised that overall achievement rates have been measured against the 2018/19 tables as this was the last time they were published.

The report provided detailed information relating to achievement and retention rates for each type of provision and a comparison to achievement and retention rates in 2018/19. The Vice Principal Student Success confirmed however that the College continues to use its pro-achieve system to make comparisons to previous years.

Governors noted that overall achievement rates continue to improve and remain good. Areas of focus were identified particularly in relation to lower-level students who became more disengaged as a result of lockdown.

Governors reviewed the gender achievement rates and ethnicity achievement rates and were advised that there were no substantial gaps between the achievement rates for female students.

In relation to ethnicity it was reported that this data had only recently been validated and it will be subject to further discussion with a focus on closing any achievement gaps that are 5% or more compared to the College's largest cohort.

One Governor commented that at a recent session he attended it appeared that the national data mirrors that of the College. However, it was highlighted that in the FE Sector there was a lack of role models and that additional work was needed to attract individuals who could act as these role models into Colleges.

It was noted that local community leaders had agreed to do some further analysis and it was hoped that the College would be able to make use of this information.

In relation to learning difficulties and disabilities the Vice Principal Student Success advised that further reports are being prepared to review any achievement gaps to look at action necessary to close any achievement gaps that are 5% or more.

Governors asked whether in relation to achievement gaps there were any links with digital poverty and access to resources.

The Vice Principal Student Success reported that as the data has only just been validated further work will be needed to identify any particular issues.

Governors asked whether the College was satisfied that plans moving forward would address any under representation and what this involved.

The Vice Principal Student Success confirmed that student forums would be set up to examine and discuss any gaps in achievement and that this would be supported with additional information provided by the West Midlands Combined Authority.

In relation to role models Governors questioned how change would happen. They considered that it was an important issue and asked how Governors could be involved and have an input.

Governors also commented that in view of the difficulties in attracting and retaining staff there was a need to review the diversity of College teams and challenge the position.

It was acknowledged that part of the solution may be a review of where vacancies are being advertised and how a diversity of applicants can be achieved.

As this was an important issue Governors asked if regular reports could be made to the Board.

The Principal stated that regular reports can be provided, however this information is only available on an annual basis and the College has not experienced any significant gaps in achievement in recent years.

**The Board of Governors received the report.**

Student Destinations

The Board of Governors considered the benchmarking data which compared the destinations of students at City of Wolverhampton College with other West Midlands Colleges. It was noted, however, that this does not yet align with the new criteria set for 2021/22.

It was reported that the College was in a strong position with more students moving into employment compared with other West Midlands Colleges. In addition, unemployment destination rates are lower.

Whilst progression to HE was slightly lower it was noted that overall positive destinations for the College were 12% above the West Midlands benchmark.

The number of students who were not contactable was reported to be the same as other Colleges, but it was acknowledged that this needs to improve.

As requested, the Vice Principal Student Success provided an update on the College processes in capturing destination data and advised that in view of the increased importance of accurate and timely in-year destination data, the College is using a new system with intended destinations being captured at the start of the course and actuals being captured at the end of the course.

In view of this and the requirements of WMCA a Project Lead has now been appointed to chase outstanding destinations.

**The Board of Governors noted:**

- **that the College continues to be successful in achieving high levels of positive destinations compared to other West Midlands Colleges and despite the challenge of operating in a pandemic year.**
- **Good progress is being made in developing College systems to report on student destinations and progression.**

3. Business Success

Management Accounts

The Vice Principal Business Success presented the Management Accounts to 31 October 2021 together with the 3+9 reforecast.

In particular the Vice Principal Business Success highlighted the savings in pay and non-pay expenditure, performance against funding targets, the cash position and the adjustments to the 3+9 forecast.

He advised that whilst it was not anticipated that the College would be able to apply for in-year growth funding there was an expectation that there would be some inflationary increase in 16-19 funding this year.

*Mark Taylor left the meeting.*

**The Board of Governors received the report and noted the Q1 financial results and 3+9 reforecast.**

#### Sub-Contracting Update

The Vice Principal Business Success presented the report which detailed the College's sub-contracting arrangements and performance for 2020/21 which included the partnership arrangements with the West Midlands Combined Authority.

*Mark Taylor re-joined the meeting*

It was noted that the sub-contracting policy is reviewed on an annual basis, but that no changes were proposed for 2021/22.

Governors also noted the arrangements that were in place to ensure compliance and the quality of the provision.

**The Board of Governors noted the report.**

#### Annual Report on Data Protection and Freedom of Information

The Vice Principal Business Success presented the report which covered the 2019/20 and 2020/21 academic years.

It was noted that a recent audit of data protection had yet to be considered by the Audit Committee, but that the audit had resulted in four important recommendations being made together with four routine recommendations.

All actions had been agreed and would be implemented in a timely manner.

Governors noted the small number of incidents that had taken place together with the number of subject access requests. They also noted the requests that had been made in accordance with Freedom of Information.

Governors asked if there was a significant data breach where there would be financial consequences, whether the College would be covered by any insurance policy.

The Vice Principal Business Success replied that there would not be any cover in relation to negligent acts, the College does have insurance in place in relation to cyber security.

Governors welcomed the openness and transparency of the report.

**The Board of Governors noted the report.**

#### Financial Statements Update

The Vice Principal Business Success explained the background to the decision to defer submission of the financial statements until February 2022 and that this had been agreed by the Funding Agency.

He advised that the funding audit work had been completed, but that the funding confirmation from the ESFA had not yet been received.

*Amanda Tomlinson left the meeting.*

**The Board of Governors noted the report.**

#### Unit 4 Finance System

The Vice Principal Business Success presented the report which detailed the rationale for the approval by way of Chair's action to remain with Unit 4 as the provider of the College's Financial Software System.

**It was resolved that the Board of Governors endorse the action taken by the Chair in approving the contract for Unit 4 (finance system)**

## **4. People Engagement**

### Pay Award

It was reported that there had been very little increase in staff salaries over the past 5 years and that the Board had already stated its desire to recognise its staff, particularly in view of their performance during the pandemic.

The Principal highlighted that there was an ambition to reward lecturing staff in line with teachers in schools and that there was confidence that a pay award of 2.5% would be affordable. He added, however, that there was a need to balance the financial costs alongside the expectations of the College regulators and funders.

Governors commented that in principle they believed that staff should receive a pay award, but that this did not just affect the current year. As a result, it was important to understand the cumulative impact over the next few years to be assured of affordability.

The Principal reported that the cumulative effect of an increase in staff pay would be built into future years and that he believed the College's position was

secure. The Vice Principal Business Success confirmed that provision would be made in the financial forecasts so that the impact can be assessed.

He also advised that the Board of Governors will be discussing the position relating to going concern in view of the loan with Barclays Bank and that the situation relating to repayment of the restructuring loan needs to be clarified.

It was highlighted, however, that there was a need to ensure staff are rewarded properly and that the College was already seeing difficulties in recruiting and retaining staff.

Governors stated that the College's most important asset is its staff and that this would be a powerful statement that needs to be made now, as there are a plethora of other providers and significant competition.

In addition, it was important to ensure that staff have appropriate development opportunities as progression is also a significant motivator.

Governors noted that in discussing the College's performance it was clear that staff were driving improvements and were performing well and they considered that this should be recognised.

They also considered that there should be a recognition of the succession plans that are in place and the risks involved if skilled staff leave and cannot be replaced.

A point was raised about colleagues being in the room that would be affected by any increase that was awarded to staff. However, it was highlighted that the purpose of the discussion was currently to assess the affordability of a pay award. In addition, the proposal related to all staff at the College.

In summary Governors were fully supportive of the proposal to award a salary increase to all staff at the College. They recognised that even an award of 5% would in reality still not make up for an actual loss over the past few years due to inflation, they emphasised that any award must be sufficient to recognise the ongoing efforts and performance of staff, whilst being balanced with affordability.

*Lindsey Flynn left the meeting*

*Ian Gardner left the meeting*

**It was resolved that a report on a staff pay award by considered at the next meeting of the Board of Governors.**

#### **110/21REPORT FROM THE SEARCH AND GOVERNANCE COMMITTEE (ITEM 8)**

The Board of Governors considered the report from the Search and Governance Committee which met on 29 November 2021.

## Minutes

The minutes of the meeting held on 29 November 2021 were received.

## Code of Conduct

It was noted that the Eversheds Code of Conduct for Governors had been updated and was attached to the report for adoption by the Board.

**It was resolved that the Board of Governors adopt the Code of Conduct for Corporation Members, Seventeenth Edition – Further Education Colleges Version 2021.**

## Search and Governance Committee Annual Report

The Board of Governors reviewed the annual report from the Committee which included information relating to membership and attendance, a review of the Terms of Reference and assessment of performance.

**It was resolved that the annual report from the Search and Governance Committee be adopted.**

## **111/21 CONFIDENTIAL MINUTES (ITEM 9)**

**The confidential minutes of the meeting of the Board of Governors held on 18 October 2021 and 11 November 2021 were approved as a correct record.**

There were no matters arising.

## **112/21 CONFIDENTIAL MINUTES FROM COMMITTEES (ITEM 10)**

**The Confidential minutes from the Search and Governance Committee held on 29 November 2021, the Apprenticeship Task and Finish Group held on 2 December 2021 and the Campus Transformation Group held on 6 December 2021 were received.**

## **113/21 ANY OTHER BUSINESS (ITEM 12)**

Confidential report

## **114/21 CONFIDENTIALITY (ITEM 13)**

**It was resolved that the following reports and minutes remain confidential and not be made available for public access:**

- **Confidential minutes of the meeting held on 18 October 2021**
- **Confidential minutes of the meeting held on 11 November 2021**
- **Confidential minutes of the Search and Governance Committee held on 29 November 2021, the Apprenticeship Task and Finish Group held on 2 December 2021 and the Campus Transformation Oversight Group held on 6 December 2021.**

- Report and minutes from the meeting of the Remuneration Committee held on 29 November 2021.
- Confidential Any Other Business.

**115/21 DATE AND TIME OF NEXT MEETING (ITEM 14)**

**Meeting of the Board of Governors 31 January 2022 at 5pm**