

**CITY OF WOLVERHAMPTON COLLEGE**

**Minutes of the Meeting of the Audit Committee of the Board of Governors held on  
Wednesday 29 March 2023 at 5pm via Microsoft Teams**

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**PRESENT**

Mr John Bradford (Chair)                      Mr Mike Hastings  
Mrs Amanda Tomlinson                      Mr Trevor Dutton  
Ms Alison Shannon

**IN ATTENDANCE**

Mrs Elizabeth Ball (Head of Governance)  
Mr Peter Merry (Deputy Chief Executive)  
Ms Clare Parkes – TIAA (Internal Auditors)  
Mr Darren Webley – Information Technology Manager (Item 02/23)  
Mr Andy Armstrong – Funding and Compliance Manager (Item 02/23 and 6)  
Mr Dan Harris – Facilities and Procurement Manager (Item 02/23)

**01/23 MEETING WITH AUDITORS WITHOUT MANAGERS PRESENT**

The Internal Auditors had no issues to raise.

*The Deputy Chief Executive joined the meeting.*

**02/23 COMMITTEE DEVELOPMENT SESSION**

**IT**

***Mr Darren Webley joined the meeting***

The Information Technology Manager provided an update in relation to recommendations that had arisen from an Internal Audit report relating to ICT Business Continuity and Disaster Recovery and had been due for completion in December 2022.

**Wired Network Access Control**

The Information Technology Manager reported that it had been necessary to postpone this as a result of a staff vacancy. He advised that the post had now been filled and the necessary work will take place over the summer break.

**Application Whitelisting to be Enforced on College Managed Smartphones**

The Information Technology Manager reported that in fact a different approach had been taken and an application protection policy has been adopted which enables the College to control what happens to data on a phone, and which prevents data being pasted into another application and forwarded to another party.

He confirmed that this also applied to personal devices which were using College Outlook and Teams.

#### Disaster Recovery

The Information Technology Manager reported that the Disaster Recovery plan was being re-written to identify what actions can be taken and this includes the backing up of data daily from Wellington Road to Paget Road.

He advised that the recovery plan had been tested whilst upgrading the system and that it now forms part of the Crisis Management site.

The Deputy Chief Executive highlighted that whilst there had been delays the College had now been re-accredited for Cyber Essentials for the next 12 months and that this provides a level of external assurance for the Committee.

The Information Technology Manager confirmed that all controls at the College more than met the necessary standard for accreditation.

The Committee asked whether there was sufficient resource to enable all the recommendations to be implemented. The IT Manager and the Deputy Chief Executive confirmed that there is always more that can be done and as further controls are required it may be necessary to give consideration to the budget that is available.

It was highlighted that this is also linked to recruitment and the ability to pay higher salaries to attract and retain staff. It was also highlighted that the percentage spend at the College is significantly lower than the recommended level elsewhere, including the NHS.

It was agreed that this would be followed up at the next meeting and that the Information Technology Manager would find out if there were any metrics available.

#### GDPR

##### ***Mr Andy Armstrong joined the meeting.***

The Funding and Compliance Manager provided the Committee with a summary of Data Protection activity from August 2022 to April 2023.

He advised that to date there had been three student data access requests, one staff request and three from the Police and that this was broadly in line with previous years.

He also advised that there had been one data breach where an expression of interest was shared in error with the Teachers' Pension Scheme and one disclosure in error to the College when data from another College was inadvertently shared with the Funding and Compliance Manager.

The Funding and Compliance Manager advised that a review of the Funding and Compliance area was taking place which will also include a resource for Data Protection. This will generate the capacity to implement the data asset register, data impact reviews and there is an intention to have mandatory training for staff in relation to GDPR.

### **Health and Safety**

#### ***Mr Dan Harris joined the meeting.***

The Facilities and Procurement Manager presented data in relation to Health and Safety incidents for the last 5 years although he emphasised that some is distorted by the COVID 19 pandemic.

It was noted that KPI's have been introduced to embed Health and Safety across the College and that action had also been taken to improve the reporting of near misses.

The Committee noted the increase in reporting for the year-to-date and asked if there were any trends.

The Facilities and Procurement Manager advised that there is a significant increase in the reporting of near misses, but that the reports of injuries have reduced. He advised that near misses are being reported from areas that would be expected e.g. construction.

It was noted that the intention is to introduce some sector benchmarking and that this may be available for the next meeting of the Committee. It was also noted that at the next meeting the Internal Auditors will have carried out their follow-up review of outstanding recommendations.

The Committee asked whether the increase in reporting of near misses was as a result of knowing how to report, or was related to the number of students on the courses. They were advised that it is due to the ease of reporting.

The Facilities and Procurement Manager highlighted that the RIDDOR incident had involved a student in the High Needs Provision area. He also reported that there had been two instances of near misses involving electricity.

#### ***Mr Darren Webley and Mr Dan Harris left the meeting.***

### **03/23 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST (ITEM 1)**

The External Auditors were not in attendance at the meeting.

There were no declarations of interest.

### **04/23 MINUTES OF THE PREVIOUS MEETING (ITEM 2)**

**Resolved:**

**That the minutes of the meeting held on 30 November 2022 be approved as a correct record.**

**05/22 MATTERS ARISING (ITEM 2)**

The Committee noted that outstanding actions would be covered as part of the meeting.

**06/23 CORRESPONDENCE (ITEM 3)**

There was no correspondence for consideration at the meeting.

**07/23 INTERNAL AUDIT REPORTS (ITEM 4)**

Learner Numbers

The Internal Auditor presented the Internal Audit Review of Learner Numbers.

She advised that this review had been carried out remotely and provided Substantial Assurance, with no recommendations or operational effectiveness points being raised.

The Committee commented that this was an excellent report as there had been some difficulties in this area in the past.

The Deputy Chief Executive advised that managing data is very complex and that as a result it cannot be guaranteed that there will not be some recommendations arising from future audits.

Outstanding Audit Reviews

The Deputy Chief Executive detailed the Internal Audit Reviews which would take place before the end of the current academic year.

He advised that a Curriculum Planning Audit Review had taken place recently, which included the Internal Auditor attending one of the Curriculum Purchasing Meetings.

It was noted that the review of Sub-Contractor controls, which is required by the ESFA, has also been scheduled before the end of the year.

**The Committee noted the report and agreed that the Board of Governors be advised of the outcome.**

**08/23 ILR DATA AUDIT – OFFICE FOR STUDENTS (ITEM 5)**

The Deputy Chief Executive advised that there are additional data sets for HR and that this causes a significant burden on the College in view of the small number of students involved.

The Committee noted the audit letter which confirmed that OfS had received the action plan in response to the recommendations made in an audit report dated 2 September 2022 and that all actions should have now been implemented.

The letter confirmed that overall, OfS was satisfied with the action plan and that necessary action had been taken and as a result the audit was closed.

The Funding and Compliance Manager confirmed that the provision of data is a significant burden, but the reassurances evidence that the position has improved and that the College has much better-quality data.

**The Committee noted the report.**

**09/23 RISK MANAGEMENT UPDATE (ITEM 6)**

The Deputy Chief Executive presented an update on the College's risk register and advised that there remain 41 risks included on the main register.

It was reported that overall the significant risks had not changed, but that the risk to adult funding had reduced as a result of the strong relationship with the West Midlands Combined Authority. The risk relating to sub-contracting had been increased, however, as a result of increased activity.

He also highlighted that the risk in relation to the capital developments had increased to reflect the potential for the College to be successful in its bids for capital funding which would require additional capacity.

The Committee were advised that in accordance with the discussion at the last meeting, the Risk Appetite Matrix now reflected the avoid/adverse approach to Health and Safety.

The Committee commented that they should consider whether the table identifying changes since term one appeared to be balanced when considering materiality. The Deputy Chief Executive advised that it should also reflect the discussions that are taking place at Board and EMT meetings.

The Committee asked whether there was any further action that should be taken in relation to the risk of not delivering the apprenticeship plan, whilst recognising that the Board had established an Apprenticeship Task and Finish Group.

The Deputy Chief Executive reported that there has been some restructuring in the area and that this had been identified as high risk as it is the area that requires improvement.

He advised that there remains a concern about the 'out of funding' students as this affects levels of achievement and secures 20% of the funding.

**It was agreed that the Committee note the report and advise the Board of Governors.**

## **10/23 REVIEW OF POLICIES (ITEM 7)**

The Committee reviewed the Anti-Fraud Policy, the Anti-Bribery Policy, the Fraud Response Plan and the Counter Fraud Strategy which had been subject to some minor revisions.

They asked whether the policies were co-ordinated and commented that there was no reference to ransomware and cyber attacks and whether staff would know what action to take in those circumstances.

The Head of Governance reported that it would be helpful to have an awareness raising session for staff, but that the relevant policies could be reviewed to incorporate signposting.

The Deputy Chief Executive advised that Business Continuity Plan would be relevant in the case of a cyber security attack and that the College has a system which guarantees against a ransomware attack. He also reported that the College has insurance cover for a Cyber Security incident, which means that experts can be brought in immediately to deal with position.

In view of a recent attack, however, the Committee suggested that the College may wish to have a discussion with the Information Commissioners Office.

The Committee also requested that there be a review of the provisions of the Fraud Response Plan relating to the reporting of fraud within the College (clause 2.5) to see if this can be simplified or whether a flow chart would be helpful.

As a result, it was agreed that further consideration of the policies should be deferred to the next meeting.

**It was agreed that further consideration of the policies be deferred to the next meeting of the Committee.**

***Ms Clare Parkes left the meeting.***

## **11/23 INTERNAL AUDIT CONTRACT**

The Deputy Chief Executive reported that TIAA were appointed as the College's Internal Auditors in September 2020 for three years to the 2022/23 academic year, with the potential for a two-year extension which would be subject to an annual inflationary increase based on CPI.

It was noted that TIAA were in agreement with the contract being extended and that they had delivered on the contract and have provided a high quality service.

This was supported by the Committee.

**It was resolved that the Board of Governors be recommended to approve the extension of the contract with TIAA as Internal Auditors for a further two years.**

**12/23 ANY OTHER BUSINESS**

There was no other business.

**13/23 CONFIDENTIALITY**

There were no items to be withheld from public access.

**14/23 DATE AND TIME OF NEXT MEETING**

12 July 2023