

CITY OF WOLVERHAMPTON COLLEGE

Minutes of a Meeting of the Board of Governors held on Monday 18 September 2023 at 5pm via Teams

PRESENT

Mr Mark Taylor - Chair	Mr Mal Cowgill – Principal and CEO
Ms Ioana Axinte	Mr Ian Gardner
Ms Dionne Barrett	Mr Gabriel Gregorini
Mr John Bradford	Ms Wendy Harris
Ms Jane Carter	Mr Mike Hastings - Vice Chair
Mr Sam Duru	Ms Hshaana Knight
Mr Trevor Dutton	Mr Darren Shaw
Mr Simon Evans	Ms Amanda Tomlinson – Vice Chair (until 6pm)

IN ATTENDANCE

Mrs Alison Buick	Head of Governance
Mr Paul Davies	Interim Director of Finance
Mr Mike Dixon	Assistant Principal
Mrs Louise Fall	Deputy Principal
Mr Peter Merry	Deputy Chief Executive
Ms Lynn Parker	Assistant Principal
Mr Andrew Woodford	Director of Finance

The Chair welcomed all to the meeting.

It was noted that Jane Carter, Simon Evans and Darren Shaw were all attending their first meetings since appointment. Although he had attended the previous meeting as an observer, this was also Gabriel Gregorini's first meeting as Student Governor and Student Union President for 2023/24.

The meeting was also joined by Paul Davies, Interim Director of Finance, recently appointed due to the resignation of Andrew Woodford. Governors recorded their thanks to Andrew Woodford for his work at the college and in support of the Board, and wished him well for the future.

Governors were reminded to return their annual declaration forms if they had not already done so.

Attendees were advised that the agenda included a confidential item at the end and that staff members other than the Staff Governor would need to leave at that time.

01/24 APOLOGIES AND DECLARATIONS OF INTEREST (ITEM 1)

Apologies were received and accepted from Mr Scott Thompson. Ms Lindsey Flynn was not in attendance.

There were no declarations of interest. The Chair noted his usual conflict of loyalty as an employee of City of Wolverhampton Council.

02/24 APPOINTMENT OF A CHAIR AND VICE CHAIR (ITEM 2)

The Clerk reported that Amanda Tomlinson had been appointed as a Vice Chair at the previous meeting in July 2023, but that the Board needed to formally approve the appointment of a Chair and second Vice Chair at this meeting. There were no new nominations so it was **resolved** that Mark Taylor be appointed as Chair and Mike Hastings be appointed as Vice Chair for the academic years 2023/24 and 2024/25.

03/24 MINUTES (ITEM 3)

It was **resolved** that the minutes of the meeting held on 24 July 2023 be **approved**.

04/23 MATTERS ARISING (ITEM 4)

There had been one action agreed at the last meeting and it was confirmed that it had been completed.

05/24 CORRESPONDANCE (ITEM 5)

The following items of correspondence had been received and circulated to Governors ahead of the meeting:

- UCU Notification of Dispute.

The Principal confirmed that this had been provided for information. A response would be considered after the results of the national ballot were known.

06/24 PROPERTY (ITEM 6)

Rail

The Principal gave an update following the discussions at the Rail Task and Finish Group in the previous week. Slides were shared on screen and the following were noted:

- The college had run successful rail provision in Wolverhampton in partnership with National Infrastructure Solutions (NIS) and the West Midlands Combined Authority (WMCA) had invited the college to look at expanding into Coventry and Birmingham;

Black Country Innovative Manufacturing Organisation (BCIMO)

- This was a new research and development facility in Dudley with track, platform and a tunnel.
- WMCA had approved a growth case for the college to expand into Dudley.
- There would be a Signalling Academy on site.
- The budgeted costs and financial contribution were noted.
- The Governors' Strategy day in October would be held at BCIMO.

Coventry

- A site in central Coventry had been identified and a lease was being agreed, as discussed at the Task and Finish Group. It would be a five year lease with a three year break clause, and on an Internal Repairing Insurance basis (ie wear and tear) rather than a Full Repairing lease.
- The college was confident of demand for rail courses in the area and had the support of WMCA.
- The Task and Finish Group had recommended that the Board approve the lease agreements.

Resolved – that the Board approved the signing of the lease for a property in Coventry as outlined

Birmingham

- The NCATI building had closed at 31 July and DfE had subsequently re-allocated it for use as a free school. There had been some discussions about the college using part of the space but it was now clear that this was not a viable option.
- However, DfE had agreed to gift some of the rail track and equipment to the college so there were discussions with the college about this.
- The college and WMCA were still keen to have a presence in Birmingham for rail provision and an alternative site was being considered. Any equipment gifted would be re-located to here.
- The Task and Finish Group had recommended that the Board:
 - Agree to pursue a Birmingham site within the NCATI cost forecast; AND
 - Delegate final review to the Rail Task and Finish Group with power to action delegated to the Chair and Principal with a report back to full Board.
- The site being considered was described and site layout photographs were shown. It was agreed to be well positioned within WMCA's target location for enrolments. The site was 10,000 square feet over two floors and was able to be re-configured appropriately for classroom and other facilities.
- A five year lease was proposed. Associated annual costs were noted.

A Governor asked whether the forecast costs were within the estimate originally in place for NCATI. The Principal confirmed that they were less. It was hoped that some rent free months would be agreed. Costs included VAT at 20%, which the college could not re-claim. WMCA had provided a letter of comfort that indicated their commitment to the rail sector

A Governor asked whether the equipment to be gifted was fit for purpose. The Principal stated that it was mainly rail track and similar to that in place at Wellington Road.

Resolved – that the Board **agreed** for management to pursue the option of an alternative Birmingham site, to delegate final review to the Rail Task and Finish Group and power to act to the Chair and Principal. The condition of all equipment would be established in discussion with DfE.

Joint Branding

It was proposed that the college and NIS create a new joint brand to support the rail strategy. This was at an early stage and some suggestions would be taken to the Governor Strategy day in October for comment. There were no planned changes to the status of the partners.

A Governor asked whether the college would retain the new brand if the partnership was dis-continued in future. The Principal noted that this was to be considered. There was an existing partnership agreement in place and this would be reviewed.

A Governor asked whether there had been any research done on the branding with the target audience. The Principal confirmed not.

CTOG Update

The Deputy Chief Executive gave an update that covered five areas, all of which had been discussed at the Campus Transformation Oversight Group (CTOG) in the previous week:

Paget Road

There had been no Reinforced Autoclaved Aerated Concrete (RAAC) found at Paget Road during the survey that had taken place in February 2023.

CLQ

The Council Cabinet meeting on 6 September had approved the revised budget and financial plan for CLQ, which was excellent news. However, there was now an extremely tight window in which to complete all legal and financial aspects, including the signing of the Development Agreement by 27 September.

The Development Agreement would need Board approval but was not ready for this meeting as it was still under review by solicitors. It was therefore proposed to circulate the final agreement document to all Governors for comment when ready, and to seek Board approval for Chair's Action to sign. In reality, the delegation would be to the Vice Chairs, given the nature of the Chair's conflict of loyalty, being a senior Council employee.

Comments were invited.

The Chair suggested that delegation be to one of the Vice Chairs in case both were not available. As Mike Hastings was Chair of CTOG, he was closest to the detail. After discussion it was **resolved** that the approval of the Development Agreement would be delegated to the Vice Chairs, with Mike Hastings being the first point of contact.

St Peter's

The lease had not yet been executed although the Board had previously approved Chair's action to sign. A letter of comfort had been received in the event that the lease extended past the planned date for vacating Paget Road.

Newhampton Arts Centre (NAC)

The college owned half of the freehold and the Council had recently approved its acquisition of this. The value was not yet confirmed but the receipts would be re-invested in CLQ. A completion date was to be agreed.

CowTechC

Work on site was progressing well. Steelwork was expected to start in early October.

Some PR activities were being planned.

07/24 COLLEGE UPDATE (ITEM 7)

1. Student Engagement

Safeguarding Annual Report

The Deputy Principal presented the highlights of the report, which gave assurances about tracking and monitoring and also showed any emerging trends. Governors were asked to particularly note:

- There had been a 28% increase in referrals, mainly due to criminal conviction referrals where students were required to be risk assessed prior to being in college. There had also be a slight increase in IT breaches;
- There were no significant patterns or trends identified in the data;
- There had been a small decrease in mental health referrals compared to the previous year.

The Chair commented that the newly appointed Safeguarding Link Governor was Dionne Barrett.

A Governor asked whether the Safeguarding Policy was on the college website and it was confirmed that it was.

A Governor asked whether the Board approval of the policy in July was too early, given that statutory guidance in Keeping Children Safe in Education was not finalised until September each year. The Deputy Principal responded that any major guidance changes between July and September would be added to the policy as necessary and brought back to Governors. July approval allowed the policy to be in place for the start of the new year.

A Governor asked if there were any benchmarking figures for the data breaches and criminal convictions referrals, and whether these were issues at other colleges. The Deputy Principal thought not but would ask through the Colleges West Midlands group.

Enrolment Update

The Deputy Principal gave a verbal update, including the following:

- The college was on track to meet funding allocations and student number targets for 16-18 students.
- There were 2,330 16-18 enrolments to date, higher than the same time in 2022.
- There were particularly high numbers in Construction, Health & Social Care and Sports. Numbers had increased in Travel & Tourism and Early Years.
- There were more Level 2 than Level 3 enrolments.
- There was still some movement due to students changing course. 'Swap not Drop' activities were ongoing.
- Some courses, such as through Prince's Trust, continued throughout the year.
- Enrolments for Maths and English GCSE re-sits were high, with 1,000 students across both subjects.
- Early indications were that adult enrolments would meet funding targets.
- HE courses did not start until October. The offer had been revised and enrolment was continuing.

Questions and comments were invited.

The Chair commented that data today showed a positive picture.

A Governor asked whether the college was seeing an increase in numbers of students with large gaps in knowledge due to the pandemic, and what support was available to them.

The Deputy Principal commented on staff activities to complete initial assessments for students, the behaviours being seen and the support available.

A Governor asked about the cut off dates for enrolment and it was confirmed that October half term was the end point for full time courses. Some adult courses enrolled throughout the year. Late starters were at higher risk so staff support and monitoring for these was in place. The Deputy Principal also explained the 'swap not drop' process, to encourage students to look at alternative courses rather than leave college.

2. Student Success

Achievement

The Assistant Principal (Mike Dixon) provided updates on achievement data and the following were noted:

- Grading for GCSE and A Levels was back in line with pre Covid levels this year but comparisons to 2019 data were inappropriate due to the effects of the pandemic. Ofqual's rationale for this decision was outlined.
- Final achievement data would be confirmed in October and national comparators for 2023 available in March 2024.
- The college was still processing achievement data, and the various reasons for this were explained.
- Achievement to date was 84.4%, compared to 87% in 2022.
- Retention was 93.4%, which was in line with 2022.
- A Level performance had been affected by grade boundary changes. The overall pass rate (ie grades A* to E) was 77% with high grades (A* to B) being 10%. These were lower than 2019 (the last year of published data pre Covid) and lower than 2022. Despite this, all students had gone on to positive destinations.
- There had been a high number of U grades in 2023. All papers had been reviewed and some requests for re-marks had been submitted.

Questions were invited.

A Governor asked whether other colleges were seeing similar results. Staff responded that comparisons were difficult due to significant differences in cohorts that enrolled. However, it did seem that some local colleges had similar results.

It was confirmed that work was in progress to review courses and address issues. Governors would continue to be invited to curriculum quality and performance monitoring meetings. Despite lower grades, overall achievement was similar to 2022.

A Governor commented that whilst grades were disappointing it was good to see all students moving to positive destinations. Progress was being seen and this was key. The Deputy Principal gave examples of universities that college students were now attending.

The Assistant Principal (Lynn Parker) gave an update on GCSEs and Apprenticeships:

- Grade boundaries for GCSEs had risen significantly and there had been a higher number of students overall.
- GCSE English results showed 97% achievement (grades 9 to 1) and 32% high grades (grades 9 to 4). This was higher than 2022 and 2019.
- GCSE Maths results showed 93% achievement and 10% high grades. Achievement was higher than in 2022 and 2019, but high grades were lower. Focus therefore remained on Maths.
- Apprenticeship achievement to date for 2023 was 47%, which was higher than 43% in 2022. Some results were still being processed, so it was hoped that the final outturn would be higher.

A Governor asked whether results reflected End Point Assessments (EPA) or success rates on programme. It was confirmed that they related to EPA. EPA and Gateway processes were explained.

A Governor asked about opportunities to expand apprenticeships into other areas. It was noted that there were significant numbers of local employers in the health and care sectors, so this was a target area for growth.

A Governor asked about re-takes for GCSE Maths and commented on how difficult it was for some students to pass. There was a discussion about the time available for the college to turnaround low grades, but that any improvement in grade showed positive progress.

There was a wider discussion about Maths. GCSEs were often better understood as a qualification than functional skills. Entry requirements for HE courses and T Levels were often grade 5 or above.

People Engagement

HR Policy Updates

A large number of HR policies had recently been reviewed and updated, but did not need Board approval.

The Staff Disciplinary and Capability policy did need Board approval and the changes were outlined.

Resolved – that the Board approved the Staff Disciplinary and Capability Policy.

Restructure

Staffing was kept under constant review and curriculum planning for the year had identified two areas in scope for re-structure. Progress to date and impact were outlined. Further details would be brought to the Board in due course. The college Redundancy policy would be followed.

Business Success

Management Accounts – July 2023

The Director of Finance presented the report and highlighted key points including variances in relation to income and pay and non-pay budgets.

Governors noted the following:

- The accounts showed the interim year-end position, pending any final adjustments up to the ILR R14 deadline on 19 October.
- The forecast outturn was good.
- The reasons for lower than budgeted income were explained.
- Pay costs were under budget and forecast, and included the pay award, as previously approved and back dated to February 2023.
- Non-pay costs were also under budget and forecast for reasons set out in the written report.
- The figures reflected adjustments to the college having exited the Barclays arrangement in July. It was expected that this would have a positive effect on the financial health score in future.
- The cash position at year-end was considerably better than at either of the two previous years.
- In respect of 2023/24, there had been announcements relating to additional Government funding, details of which would be incorporated into future accounts. However, there had also been an announcement of a 6.5% pay award to school teachers, and therefore there would be continuing pressures on college pay budgets. Some of the additional FE funding given was expected to be used to fund pay awards, but the amounts received depended on 16-19 student cohorts, so differed between colleges.

The Chair noted the college's financial history and the Notice to Improve that was still in place with ESFA. The Deputy Chief Executive explained the likely timescale for the lifting of the notice. The accounts for the year ended 31 July 2023 would need to be audited and then approved at the December Board meeting. DfE would review in early 2024, so it was hoped that the notice would be lifted in or around February.

A Governor noted the high level of spend on agency staffing and asked whether it was expected that this would reduce in 2023/24. The Director of Finance responded that it was hoped so, but that increased student demand for support services had an impact. Agency staff were used for this and also for teaching where there was a need.

The Board of Governors received the Management Accounts to July 2023.

Procurement

The Deputy Chief Executive commented on two services that had recently been tendered and required Board approval to appoint.

Waste Management

Details had been provided in the meeting papers. Management had considered prices, quality of service and environmental impacts during the tender evaluations. It was proposed to re-appoint Veolia, the existing service provider, on the basis set out in the written report.

Resolved – that the Board approved the re-appointment of Veolia as waste management contractors for the college for three years with an option to extend for a further two years.

Multi-Functional Devices (MFD)

The tendering process and outcome was explained. It was proposed to re-appoint Ricoh, the existing service provider, on the basis set out in the written report.

Resolved – that the Board approved the re-appointment of Ricoh for the provision of multi-functional devices for a three year period from November 2023.

08/24 COMMITTEE REPORTS (ITEM 8)

The minutes of the following recent meetings had been circulated:

- Audit Committee 12 July 2023;
- Rail Task and Finish Group 20 July 2023.

It was also noted that the Rail Task and Finish Group and CTOG had both met on 11 September 2023.

The Board of Governors received the committee reports.

09/24 GOVERNANCE MATTERS (ITEM 9)

Board Agenda Plan 2023/24

The outline plan for the year was noted. The plan would be used as a starting point when preparing agendas but was flexible to accommodate changes as needed.

Committee Memberships 2023/24

Proposed Committee memberships for 2023/24 were noted and approval was requested.

Resolved – that the Board approved the Committee Memberships for 2023/24.

Terms of Reference

The terms of reference for committee and task and finish groups had been reviewed, with only minor changes made. Governors were asked to approve these.

Resolved – that the Board approved the Terms of Reference

10/24 EMT SUCCESSION PLANNING (ITEM 10) CONFIDENTIAL

It was agreed to move this item to the end of the meeting. For reasons of confidentiality, it has been minuted separately.

11/24 ANY OTHER BUSINESS (ITEM 11)

None.

12/24 CONFIDENTIALITY (ITEM 12)

It was resolved that the following reports would remain confidential:

- **Property Update**
- **Re-structure**
- **EMT Succession Planning**

13/24 DATE AND TIME OF NEXT MEETING (ITEM 10)

Board of Governors – Monday 16 October 2023 at 4pm at BCIMO

PLEASE NOTE THAT THIS MEETING WILL BE AT AN EARLIER TIME AS IT WILL FOLLOW THE GOVERNORS' STRATEGY SESSION BEING HELD AT BCIMO

The meeting ended at 7.35pm.