

## CITY OF WOLVERHAMPTON COLLEGE

### Minutes of a Meeting of the Board of Governors held on Monday 6 November 2023 at 5pm via Teams

#### PRESENT

Mr Mark Taylor - Chair	Mr Mal Cowgill – Principal and CEO
Ms Jane Carter	Ms Wendy Harris
Mr Sam Duru	Mr Mike Hastings - Vice Chair
Mr Trevor Dutton	Ms Hshaana Knight – until 6.20pm
Mr Simon Evans – until 6.58pm	Mr Scott Thompson
Mr Ian Gardner – until 6.55pm	Ms Amanda Tomlinson – Vice Chair
Mr Gabriel Gregorini	

#### 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

The Chair welcomed all to the meeting and thanked them for attending.

#### **14/24 APOLOGIES AND DECLARATIONS OF INTEREST (ITEM 1)**

Apologies were received after the meeting from Mr John Bradford.

Ms Ioana Axinte, Ms Dionne Barrett, Ms Lindsey Flynn and Mr Darren Shaw were 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.

#### **15/24 MINUTES (ITEM 2)**

It was **resolved** that the minutes of the meeting held on 18 September 2023 be **approved**.

#### **16/23 MATTERS ARISING AND ACTIONS (ITEM 3)**

There were no outstanding actions from the previous meeting.

#### **17/24 CORRESPONDANCE (ITEM 5)**

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

- UCU letter dated 11 October 2023.

The Principal confirmed that this had been provided for information. The college had been informed that that the threshold for strike action had been reached and that the strike days would be 14, 15 and 16 November 2023. This was national action that coincided with the AOC's annual conference.

Governors were informed that Government were funding 6.5% for a pay award but that this was based on the 16-18 cohorts in colleges and it was unclear whether this was a consolidated payment.

The college annual pay review date was February. Affordability was always a key factor in pay decisions so the additional funding was welcomed. Management met regularly with the unions although UCU did not always attend.

It was confirmed that the college would use all additional funding received for a pay award, and that this would be for all staff not just teachers. A discussion would take place with EMT and a proposal would be brought back to the Board in due course.

The Deputy Principal outlined plans and mitigating actions for the strike days. These fell within Enrichment week and therefore the disruption was expected to be minimal. It was not possible to ask staff if they planned to strike but UCU had given an indication of the areas in which they worked, and this was being used to plan. The biggest area of concern was Futures as there could be both teaching and support staff on strike. Risk assessments were being done to consider whether students could be taught safely with reduced staff. Student safety was the overriding priority. A Governor commented that communications with Futures parents needed to be worded carefully to ensure that they had sufficient information to be able to make informed choices about whether to send their students to college on strike days. This was agreed.

The Board would be kept updated on the industrial action.

## **18/24 PROPERTY AND CLQ UPDATE (ITEM 5)**

### Rail

The Principal gave an update and confirmed that plans were progressing in line with the discussions at the last Board meeting in September. The college was close to signing the agreement for the premises in Coventry. In Aston there were ongoing discussions with the landlord about rent free periods and other contributions. A Task and Finish Group meeting would be needed in the next two weeks, and this would be arranged. Action: Head of Governance.

### CLQ

The Deputy Chief Executive gave an update and Governors noted the following:

- The construction contract between the City Council and McLaughlin & Harvey had recently been signed, which was a significant milestone for the project.
- A licence had been granted to allow contractors access to Metro One.
- The development agreement and grant agreement were still to be signed.
- There were ongoing discussions about the potential legal charge.
- Further Governor approvals would be needed but not at this point in time.
- Work continued to review and reduce the funding gap.
- A first draft of the amendment agreement had been received and there would be further discussions on this with the DfE later in the week.

### Wellington Road

- Construction work for ATAC was progressing well. Now that steelwork was up, the finance and building risks were reducing. The project was on programme.

### Paget Road

- Restrictions on access to Paget Road were in place. These were for safety reasons due to the work at St Peter's and also in response to Martyn's Law.

Some local residents had raised concerns about the restrictions but no changes would be made.

Questions and comments were invited.

The Chair reflected on the work that had preceded the signing of the construction contract. This was a significant achievement and he wished to thank all involved in getting to this stage.

A Governor commented that the contract had not been awarded to a local firm and questioned whether enough emphasis was being placed on supporting local businesses to be part of the CLQ project. It was noted that the contract procurement had been through the City Council and not the college. Given that the college was part of the city's 'anchor' network, it was felt that there were opportunities to support local procurement in future phases of the project. The Principal would discuss this further at his next meeting with the anchor partners. Action: Principal.

The Chair suggested that a wider update on the anchor network to a future meeting or strategy day would be helpful. Action: Principal.

## **19/24 COLLEGE UPDATE (ITEM 6)**

### **Student Engagement**

#### Annual Complaints Report

The Deputy Principal presented the highlights of the report, which related to 2022/23:

- There had been 96 complaints in 2022/23, which was three more than the previous year. There had been six appeals against the outcome of investigations.
- All final written complaint responses were signed off by the Deputy Principal.
- Analysis did not show any real patterns or trends to the complaints. The areas were similar to previous years. Where there had been several complaints about the same area, this had been fully investigated.

The Chair commented that the trend was stable and that the track record of the college in dealing with complaints and appeals was good.

#### Student Survey Outcomes

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

- This was an early survey aimed mainly at full time students.
- There had been an increase in the number that had responded.
- Outcomes were similar to last year and all areas were rated as green.
- 96% agreed that their student experience was positive, which was a key indicator.
- Safety had been raised as a concern by some students, but the survey had coincided with an incident at Wellington Road which may have affected answers.
- All comments received had been included in the report, so Governors received a full picture of all that had been made.
- Curriculum teams were reviewing the survey outcomes. Service Heads in key areas such as catering, security, IT and Estates also received the survey and had input to the responses.
- A 'You Said, We Did' campaign would be launched so that students were aware of actions taken from the survey.

Questions and comments were invited.

A Governor commented that seeing the survey results segmented more would be helpful, so that responses from different types of student, such as those with SEND, could be seen. The Deputy Principal responded that curriculum managers would look in detail at the responses including those from SEND students. She added that staff gave presentations to students, so they had information about how to complete it. Ofsted had reviewed the survey at the inspection in January 2023 and commented positively on it.

A Governor commented on the excellent and high response rate. It was a strong set of results. Future information on the 'You Said We Did' communication loop would be helpful. The Deputy Principal stated that the Student Council would also receive the headline survey results for discussion.

### 2023/24 Enrolment Update

Governors noted the highlights given in the verbal update from the Deputy Principal:

- The college was on track to meet its 16-18 contract. There were 2215 students enrolled at this point in time.
- Health and Social Care, Early Years and Construction had all recruited well. There had been a notable increase in Travel and Tourism. Business and Automotive had not recruited as well as had been hoped.
- GCSE results had resulted in more enrolments at Level 2.
- Adult enrolments were positive so far and would continue throughout the year. There were 4439 adult enrolments as at the meeting date.
- The HE offer had been reduced so smaller numbers had been expected. There were 114 current HE enrolments. The HE Strategy was being reviewed, led by Lynn Parker, Assistant Principal. It would align to the LSIP priorities and be brought back to a future Board meeting.

A Governor asked whether 16-18 automotive recruitment included electric vehicles. The Deputy Principal responded that the electric vehicle courses were mostly for adults although there were some components in the 16-18 courses. Curriculum staff had noted a shift towards multi skills courses, which may have affected the automotive enrolments. The course and awarding body was being reviewed.

The Chair commented on the small HE numbers and whether provision was viable. It was explained that HE had been reviewed and streamlined, but that there was more to do on this, including with key employers.

## **Student Success**

### Student Outcomes

The Assistant Principal (Lynn Parker) provided updates on the 2022/23 achievement rates. The latest available national benchmark data related to 2018/19, pre Covid.

- Overall college achievement was 89%, 3% higher than national.
- 16-18 achievement was 88%, 6% higher than national.
- Adult achievement, at 89.7%, was in line with national but 4% higher than the college figure for 2021/22.
- High needs achievement was 88.7%, 3% below the national benchmark. The number of students with High Needs, and the range of needs had increased considerably.
- The biggest impact of Covid had been on apprentices, with overall achievement of 50%. This was below national but higher than the previous year. Interventions to make improvements continued.

The Chair commented on the role of the Apprenticeships Task and Finish Group in overseeing this area.

The Assistant Principal (Mike Dixon) commented on areas of focus for this year.

- Level 3 continued as a priority area. Although results were in line with national, they needed to be higher. Catch up funding and interventions were in place.
- Level 2 enrolments in 2023/24 had increased.
- 2022/23 results had been for students that had predicted GCSE grades and no experience of sitting exams. This had presented a number of challenges. However, at all levels results were in line with national benchmarks.

A Governor asked whether retention was a national issue. It was agreed that it was but that the national benchmarks dated back to 2018/19 so comparisons between colleges were difficult. National data was not broken down into geographical areas and if it were, the college's results may look similar to those with similar demographics.

A Governor asked about the change between Level 2 and Level 3 qualifications. The Assistant Principal responded that the step up varied depending on the course. Success dependent on a range of factors including attendance and support available/accessed.

### SAR Process

The Deputy Principal confirmed that all curriculum validations had been completed and thanked Governors that had attended. The draft grades were Good for all areas except Apprenticeships. The impact of Covid was still being seen in Apprenticeships so although there were many improvements, they were not yet having sufficient impact to evidence a Good judgement for the area.

The college had a reciprocal arrangement with Vision West Notts college, so their staff had supported the validation work.

The final SAR would come to December Board for approval.

### People Engagement

#### Staff Survey Outcome

The survey summary report had been included with the written papers. The survey had been carried out in July 2023. Staff had completed benchmarking against the previous year's results and sector data collected by York College for 50 other colleges.

The following were noted:

- The response rate was slightly reduced compared to 2022.
- Results were overwhelmingly positive.
- Each of the five summary areas were RAG rated as Green.
- 91% of staff were proud to work at the college, compared to 87% in 2022.
- The college performed well against the York benchmark data.
- There were a small number of areas that were Amber, including job security, CLQ and safeguarding. Management felt that safeguarding was due to an incident that had taken place at the time of the survey.

Questions and comments were invited.

A Governor queried data from the section on management styles. It was agreed that this would be clarified. Action: Deputy Chief Executive.

Governors noted that staff issues related to parking were relatively common. However, it was also felt that feedback to staff on issues raised was important, particularly the safeguarding concern. The Deputy Principal confirmed that safeguarding staff acknowledged concerns raised and provided feedback where appropriate.

(Hshaana Knight left at 6.20pm)

## **Business Success**

### **Management Accounts – September 2023**

The Interim 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 figures provided a very early view of the year to date.
- Adult enrolment were beginning to come through so would be reflected in future reports.
- Apprenticeships enrolments were broadly on track.
- Advanced Learner Loan Income was down.
- It was too early to have a reliable view of HE enrolment.
- Pay costs were favourable to budget for the year to date. A provision for restructuring costs had been included but not used.
- Non-pay costs included savings on energy costs to date.
- The college cashflow position continued to be carefully tracked and the cash position was strong.
- Barclays debt had been repaid so the current ratio was much improved. This would be reflected in the year-end financial health score.
- The year-end audit was in progress and would be considered at Audit Committee and then Board in December 2023.

Questions were invited.

The Chair commented that the report and succinct presentation was helpful.

A Governor noted current staff vacancy levels together with comments in the staff survey about resources, and asked whether there were some areas that needed to recruit. The Interim Director of Finance confirmed that some new appointments had been made in October, so gaps were being filled. The Deputy Chief Executive added that staff vacancies were generally spread across the college and not in one area. There were ongoing challenges to recruit in some vocational areas such as electrical. It was also felt that survey references to resources were defined as facilities and equipment and not staff.

A Governor asked why there were apparent underspends on partner payments and rent. The Interim Director of Finance responded that partnership costs would increase as work started on 2023/24 contracts and that the budgeted rents related to rail premises that were not yet in place.

The Interim Director of Finance also commented on the recent tender for multi-functional devices and print room technology. Savings of around £10k were expected with the appointment of Richoh.

**The Board of Governors received the Management Accounts to September 2023.**

**2022/23 Year-End Update**

The Deputy Chief Executive commented on progress of the audit.

- The wholly owned college subsidiary would be incorporated into the college accounts.
- Final accounts would be presented to the December Board for approval.
- The audit was ongoing and no significant issues had been identified so far.
- The removal of the Barclays debt was expected to remove any issues around bank covenants and material uncertainty. The balance sheet position would improve and it was hoped that the Financial Notice to Improve would be lifted.
- The divestment of Newhampton Arts Centre was unlikely to be completed before the accounts were signed off but some narrative on this may need to be included.
- The LGPS liability of £16m in 2022 was now an asset of £5m. There were ongoing discussions with auditors about how to show this in the accounts. The college would have overall net assets.

The Chair noted the position with the LGPS and the sale of Newhampton Arts Centre.

#### Subsidiary Company Update

Covered above and nothing further to add.

#### Health and Safety Annual Report

The Deputy Chief Executive referred to the detailed written report and highlighted the following:

- Health and safety was a high priority for the college.
- The total number of accidents reported included minor incidents and near misses, which accounted for the large increase in numbers since 2022. However, the actual number of incidents that had resulted in injury was similar to last year.
- There had been an internal audit review of Health and Safety in 2022/23. This had made a small number of recommendations that were complete or in progress.
- There were several areas of focus for this year, including leadership at EMT level, prioritisation of paperwork completion and more emphasis on communication for crisis management.

A Governor commented on the importance of recording feedback and making staff aware of this. They also asked if there were any concerns about incidents or verbal or physical assault on staff. The Deputy Chief Executive noted that this was a challenge but that staff were trained to promote safe working environments. Security staff did provide support where needed. Team Teach techniques were used where necessary and appropriate.

A Governor suggested the use of de-escalation training to upskill all staff and increase their confidence in dealing with incidents. The Deputy Principal agreed to consider this. The college was doing trauma informed and attachment training this term.

#### Partnerships and Bidding Update

The Deputy Chief Executive informed Governors of the recent untimely death of Graham Taylor, a long standing staff member who had been involved in management of projects and partnership work, including reporting to the Board.

- Partner performance for 2022/23c was as set out in the written report. Retention and achievement were high.
- Final ILR returns had been completed.
- There were few updates to the 2023/24 contracts to report. The Board had approved these contracts in July 2023.

(Ian Gardner left at 6.55pm)

- Senior staff continued to monitor opportunities for new bids. The results of this for 2022/23 and 2023/24 to date were set out in the written report. Some were in progress and updates would be provided to future meetings.

(Simon Evans left at 6.58pm)

#### Value for Money Update

VfM was defined as making optimal use of resources to achieve intended outcomes - spending less, spending well, spending wisely and spending fairly. Strategic aims included financial sustainability, maximising resources, increasing cash generation and investing in the estate and infrastructure. A detailed report on activities in 2022/23 had been provided.

The Deputy Chief Executive noted the following;

- Savings were identified wherever possible.
- Use of the subsidiary company saved VAT on some services.
- There had been investment in software to streamline procurement activities.
- Savings had been achieved in utility costs.
- The purchasing, procurement and estates staff all worked closely together.

#### **19/24 COMMITTEE REPORTS (ITEM 8)**

The minutes of the following recent meetings had been circulated:

- Campus Transformation Oversight Group 11 September and 9 October 2023;

It was also noted that the Apprenticeship Task and Finish Group scheduled on 5 October 2023 had been cancelled as not quorate. Sam Duru had been appointed as Chair of this Group.

**The Board of Governors received the committee reports.**

#### **20/24 ANY OTHER BUSINESS (ITEM 11)**

None.

#### **21/24 CONFIDENTIALITY (ITEM 12)**

**It was resolved that the following reports would remain confidential:**

- **Property and CLQ Update**

#### **22/24 DATE AND TIME OF NEXT MEETING (ITEM 10)**

Board of Governors – Monday 11 December 2023 at 5pm on Teams

The meeting ended at 7.10pm.



