



**WEST NOTTINGHAMSHIRE COLLEGE
CORPORATION BOARD**

Minutes of the Board meeting held in the Board Room at Derby Road on Thursday 21st September 2017 at 5.00 pm

GOVERNORS PRESENT: Tim Clarke
Nevil Croston, Chair
Terry Dean
Jamie Fryatt
John Holford
David Overton
Mark Williams
Alison Breeden
Luke Walters
Lewis Maskery

ALSO IN ATTENDANCE: Maxine Bagshaw, Clerk to the Corporation
Andrew Martin, Deputy Principal/Director of Finance
Lesley Roberts, Vice Principal Business Development
Tom Stevens, Executive Director Capital Projects and Estates
Andrew King, Director Strategy and Innovation
Louise Knott, Vice Principal Communications Engagement and Student Experience
Tracy Thompson, Vice Principal Human Resources and Organisational Development
Amanda Jogela, Director Quality and Performance
Gavin Peake, Director of IT

17.70 DECLARATION OF INTERESTS

The Chair reminded Governors present to declare any interests that they may have on items to be considered. No interests other than standing items were declared.

17.71 WELCOME INTRODUCTIONS AND APOLOGIES FOR ABSENCE

Apologies for absence were received from Kate Allsop, Ian Baggaley, Malcolm Hall MBE, Dame Asha Khemka DBE DL, John Robinson, Jane Hawksford and Julian Smith.

Luke Walters and Lewis Maskery, the two new student Governors, were welcomed to their first meeting. Also present attending as an observer was Darren Wilkinson, currently an Audit Committee Co-optee.

ACTION by whom	DATE by when

Signed : _____ Chair

Date:

17.72 MINUTES OF THE MEETING HELD ON 13TH JULY 2017

The minutes were reviewed and it was agreed that they were an accurate record of discussions. A number of points were made:

- Page 6 – the figures in section 17.46 (third bullet point) should read £1.482k and £1.606k not ‘million’.
- Page 9 – an update on the Amber Train investigation will be provided at the October Board meeting.
- Page 11 - Proposals regarding WNC being considered as a ‘Recovery College’ have been deferred to the New Year.

AGREED: to approve the minutes of the meeting held on 13th July 2017.

17.73 ACTION PROGRESS REPORT

Members reviewed the table provided and were happy that matters were being concluded as requested.

AGREED: to note the content of the update provided.

17.74 SAFEGUARDING UPDATE (INCLUDING SAFEGUARDING ANNUAL REPORT FOR 2016/17)

The Vice Principal: Communication, Engagement and Student Experience provided a presentation by way of annual refresher training to the Board. Key matters noted were:

- 1) What’s new and what’s not -
 - CSE guidelines issued in February 2017 – these have been built in to the College’s safeguarding procedures.
 - Funding requirements – where an organisation is being investigated by the police then there is an obligation to inform the ESFA.
 - Hate crimes – now includes sexism in Nottinghamshire.
 - Staff code of conduct – the Board were advised that there have been some professional ‘boundary’ issues in 16/17 and therefore the College is tailoring CPD to address this and give clarity in terms of expectations.
 - Fitness to Study policy – this is a policy to be invoked as a last resort. By way of example it was explained that there are perhaps 2 cases over the last 4 years where this would have been applied.
 - EHCs now have legal monitoring requirements.

What’s not included are trips and visits, although it was confirmed that detailed discussion about trip risks and assessment processes are undertaken.

- Sexting clarification – this is very much seen as a developing area.

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The context for safeguarding has now changed and has moved more to a proactive rather than reactive position. It is more about staff spotting early warning signs and referring rather than waiting for student disclosures.

- 2) As Governors it is important
 - To wear your identification lanyard.
 - Read 'Keeping Children Safe in Education' (and any updates as they occur).
 - Familiarise yourself with College procedures.
 - Understand your responsibilities, the risks and what is being done to address them.
 - Provide constructive challenge.
 - It was noted that Kate Allsop is the College safeguarding link Governor.

- 3) Statistics for last year
 - 742 referrals (+409%) – the College saw a significant increase with some multiple referrals regarding several individuals.
 - 223 referred to external agencies (+420%) – mostly to MASH.
 - 371 (50%) related to mental health and emotional wellbeing – this is the single biggest issue for the College and is showing an increasing trend.
 - 66 prevent referrals (264%).
 - no Prevent referrals to extend bodies (-300%).

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In general conversation the board questioned whether the College knows the cost of providing this support, which seems to be an ever growing requirement. It was confirmed that the College is able to calculate the cost, however it has to be met as a statutory responsibility. It is not optional support, but what is disappointing is the fact that the Government does not recognise the increasing demands on education providers. Assurance was given that the College tracks all safeguarding cases and really knows what exactly is happening. The College has a specialist Safeguarding Officer employed and a second is now in post. The view expressed by the Board was that Association of College (AoC) needs to support the sector better and seek to secure more Government funding. It was agreed that the College would write to the Education Minister to express concerns and copy the AoC in on this.

- 4) In terms of partners for 2016/17
 - 20 safeguarding referrals were reported (+166%)
 - 4 referred to external agencies (+200%)
 - 0 prevent referrals.

It was acknowledged that the stark difference in statistics between on-site College provision and partners needs to be carefully monitored with potential greater focus on partner reporting requirements and compliance.

Executive/
Board

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- 5) Things for development
 - the consequences of a prevent referral
 - 'over ownership'
 - partner providers
 - employer partners
 - professional boundaries.

- 6) Professional boundaries
 - a person in a position of trust
 - on-line, in person, on or off campus
 - links with College values
 - understanding where the line is and not crossing it
 - being aware of what will happen as a result of inappropriate behaviour.

The Board were then given a number of scenarios and debated what the right thing to do would be in each set of circumstances.

In terms of Prevent it is an issue of understanding the nature of the risk, responding to attacks and ensuring that the College's risk assessment processes are robust.

Further support and guidance can be obtained via the College Safeguarding Officer and senior designated person, details of which were provided to the Board.

Members' attention was then drawn to the statistics provided within the annual report and also the content of the Safeguarding Development Plan for 2017/18. It was explained that anecdotally there is a view in the sector that other Colleges are in a similar position. The Chair of the sector managers group has been asked to try to collate/gather more statistical data to fully appreciate the trends developing.

The Board all agreed that they have found the safeguarding update incredibly useful but felt time constrained in terms of discussions. It was suggested that safeguarding be scheduled for further debate as part of the next governor development session.

VP: C, E, SE January
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AGREED to note the content of the update provided.

17.75 PRINCIPAL'S REPORT

In the Principal's absence the Deputy Principal presented her update. It was noted that she is currently in Australia promoting the College's BKSB product. One of the key matters for reporting at this meeting is the summer results. These are:

- the number of A2 exam entries increased from 302 in 2015/16 to 325 in 2016/17;

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- the number of AS exam entries increased from 450 in 2015/16 to 505 in 2016/17;
- the A2 pass rate shows a marginal (0.1%) decrease to 98.7% but remains 0.8% above the national pass rate at 97.9%. There were 100% passes in 14 out of 18 subjects, the same number as in 2016;
- the overall achievement rate for A2 has declined from 93.9% in 2015/16 to 91.7% due a decline in the retention rate from 95.2% to 92.9%;
- a total of 1904 studied GCSEs at the College this year compared to 898 in 2015/16. The fact that D(3) grade learners had to go on to GCSEs for funding contributes to this increase. The College and the sector generally are seeing huge increases in volumes;
- GCSE overall pass rate this year has declined from 96.8% to 92.4%. The Board questioned whether the GCSE results can be benchmarked. It was explained that this is not currently possible but will take place once the national picture and progress data in particular is released. It was explained that Maths and English students generally are relatively reluctant to keep studying GCSEs and as a consequence this will continue to be a challenge.

Q

AGREED to note the content of the update provided.

17.76 KPIs

The Director: Strategy and Innovation provided the 2016/17 year-end report and 2017/18 in-year position, albeit that in relation to the latter it was acknowledged that it is still very early in the year.

In terms of the 2016/17 yearend position key matters noted were:

- Study programmes main qualification progress (Level 3 qualifications) – progress is not as high as targeted when based on the national measures. English and Maths results simply aren't where the College wants them to be.
- Adult education budget split between D2N2 delivery location and otherwise – the position has not changed significantly from previous reports. The percentage delivery outside D2N2 is still higher than target. The Board were reminded that the College took a strategic decision to spend its allocation even if outside the D2N2 target areas. In real terms the College is unable to spend enough locally and therefore has to review and look to expand upon this.
- Apprenticeship income split between College and partner delivery – the College is behind its own delivery target although the College contribution in 16/17 is significantly higher than the 15/6 year. Progress is being made but not at the rate set in targets.
- Apprenticeship achievement rates – the College is ahead of the national rate but behind where it was in the prior year.

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- Customer satisfaction – the Board challenged the term 3 ‘100% employer satisfaction’ statistic reported and questioned whether this is right. It was explained that it is based on a low number of responses and therefore it was acknowledged that this is not a representative and reflective picture
- Financial indicators – the College has seen an improvement but is still however behind target.

AGREED: to note the content of the update provided.

In relation to the 2017/18 data dashboard it was explained that this is more of a template at this particular point in the year.

- 16-19 volumes – the College is very close to achieving target in terms of numbers, however what is now critical is to manage and minimise previously seen withdrawal trends.
- Study programmes main qualification progress – the College has not yet done a progress assessment, these are planned for every 6 weeks over the year.
- Adult education budget split between D2N2 delivery location and otherwise. It is too early in the year to show the position against targets, however there are a number of the College’s local partners who have struggled and/or gone in to liquidation and this therefore limits choice regarding how to deliver locally. The view expressed by the senior team is that whilst D2N2 and the East Midlands is a priority area, it is however better to spend the allocation even if outside the area rather than lose the potential of this income.

AGREED: to note the content of the update provided.

17.77 BUSINESS PLAN 2017/18 FINAL

The Director: Strategy and Innovation introduced this item and reminded Governors that the Business Plan was considered in detail as part of the residential event in June. It was agreed that the Business Plan should be developed to include key milestones for activities that went beyond KPIs that were set out. He confirmed that in place for each section of the Business Plan is a summary milestone chart which highlights some of the key actions that will be undertaken during the year. This will form the basis of additional reporting against the business plan to the regular KPI report to the Board. He explained that the introduction of milestones is the only significant difference.

AGREED: to approve the Business Plan for 2017/18 as presented.

17.78 INTERIM COLLEGE ENROLMENT REPORT FOR 2017/18

The Deputy Principal introduced his report and key matters noted were:

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- The College is currently at 100% of enrolment numbers for 16-19 year old students. There are a number of main subject areas where enrolment is behind target.
- Whilst current numbers are strong it will be important to retain these students as in previous years there has been significant erosion in numbers.
- Recruitment of 19+ students is behind the College target but not significantly so in absolute volumes
- HE recruitment is likely behind target although some courses planned will begin in January 2018.

Q The Board questioned what the position will be if the College does see a similar level of withdrawing learners. The Deputy Principal indicated that it will mean that the College will have reduced allocations going forward and provision will shrink.

Q The Board questioned whether there have been lessons learned from the previous year and actions taken to mitigate. It was confirmed that lessons have been learnt and the College is using the more successful areas as exemplars and models across the group. All staff are working hard to support the students already identified as 'at risk' based on attendance.

The full-time EFA 16-18 enrolment number is 2786. The big challenge is to retain as the College lost circa 200 students in the last academic year. In terms of full time SFA 19+ learners the position is now 367 with a very encouraging position seen in terms of loan funded enrolments. HE enrolment is at 351. There are 20 students due to start in January and therefore is pretty much on track regarding the plan.

AGREED: to note the content of the update provided.

17.79 VISION BUSINESS UPDATE

The Vice Principal: Business Development introduced a number of reports which were broken down in to three key areas; partnerships and contracts, enrolments and, achievement rates.

1) Partner contracts

Members' attention was drawn to the executive summary and it was noted that a RAG rating risk of red has been provided. As there are a number of partners who do not have new contracts then it is going to be very challenging to motivate them to focus on College provision as they will be focusing on their own learners not ours.

Key matters brought to members attention were:

- The College currently has contracts in place with 42 subcontractors.

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- Only 17 of these subcontractors have been approved to submit non-levy starter activity between May and December 2017.
- 10 subcontractors have been allocated funding from the Adult Education Budget. Two further subcontractors are currently undergoing the due diligence process for approval on this contract. Contracts are allocated on the subcontractors quality assured track record and their ability to support delivery within D2N2.
- The subcontract risk remains high as the College does not have the attraction of new start contracting as subcontractors only have continuation contracts in place from the New Year. Contract management will remain a challenge but additional measures have been implemented to mitigate this where possible.
- Work with compliance, QTLP and subcontractor performance management has been undertaken to increase audit and review of all subcontractors with increased learner and employer voice now being undertaken. Unannounced audit visits to both subcontractors and employer premises are now being carried out.
- Subcontractors with non-levy start activity are experiencing difficulties in fulfilling contract values at this point in the year. Where traditionally contract values were achieved they are finding the new reform rules challenging for non-levy apprentices.
- The independent investigation requested to be carried out by the ESFA on Amber Train is ongoing, so whilst the risk could potentially be significant, it remains unconfirmed at this time.
- The independent investigation requested to be carried out by the ESFA on Management Focus Training has been averted by providing the ESFA with detailed information on actions undertaken and how funds have been protected.

The Vice Principal: Business Development circulated 3 tables showing partner contracts. Report 1 is continuing learners only, report 2 is new start activity from May to December for non-levy activity and report 3 is new funding in relation to the adult budget. In relation to continuing learners she explained that Steve Cressey had recently undertaken a road show and has met with every partner. There has been an improvement seen in terms of engagement, however this is not because partners want more new starts, but instead it is so that they can maintain the existing relationship with the College, as their own levy activity is not coming through for them as quickly as anticipated. The management of the continuing learner contracts will require micromanagement as the College has lost its historic 'carrot and stick' model.

In reviewing the table it was noted that there is one partner RAG rated as red, JJJ Work Place Solutions Ltd.

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It was explained that this contract has been terminated and that JTJ have ceased to trade with learners transferred to Gateshead College who took over this activity.

When considering the detail provided in reports 2 and 3 the Board challenged the Vice Principal and queried how these figures sit against target. She indicated that at this point in time not all contractual commitments had been made and therefore it was likely that the allocations to partners are under target as flexibility is required to respond to partner performance.

Report 2 was described as the start activity. It was noted that there is one amber rag rated partner and it was confirmed that this situation is being monitored very carefully.

In relation to Amber Train it was confirmed that KPMG have carried out the investigation with a meeting with ESFA due next week. Until the conclusion of that meeting the position is speculative at this stage.

CH

As a general observation the Board challenged the Vice Principal and expressed the view that it was very difficult to absorb this information when papers are tabled. They stipulated that in all future meetings information is to be provided in advance and not at the meeting. They expressed the view that as apprenticeship activity is such an area of concern then Governors really need to have information provided well in advance, even if a short update on the data is provided at the meeting.

In terms of the partner contracts provided the Board were happy to approve the schedules as presented.

AGREED: to approve the partner contract amounts and changes as proposed.

2) Achievement rates

The Vice Principal: Business Development circulated her report and key matters noted were:

- At an all contract/all ages level the overall achievement at P13 is at 71% (partner delivered 71%, College delivered 69%) based on 6,114 leavers in year (90% partner delivered). It was explained that the 71% is still 4% above the prior year national average, however it is likely that the national average will reduce.
- Timely achievement is at 60% (partner delivered 61%, College delivered 55%) – it was explained that the College has until November to get more achievements on to the system and therefore this position will improve.

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It was explained that the timely achievement figure has been impacted significantly by four partners who the College no longer has active contracts with and therefore is finding it challenging to continue to press with the partners to complete in a timely manner. A number of partners who the College no longer engages with have also had a high number of withdrawals which will impact upon the achievement rates.

As an overall observation it was explained that there is a real challenge with partners to complete learners as WNC will no longer be a priority. They are focusing on their own learners and new levy business. The previous focus of reports has been on the financial impact of the new system but the College is also seeing the systems negatively impacting upon achievement rates as partners shift focus and priority.

AGREED: to note the content of the update provided.

3) Starts/enrolments

The Vice Principal: Business Development circulated a written report and explained that the team were seeing significant challenges regarding the enrolment process. In reality, she and the team have simply underestimated the process needs. She thought that the team were ready when in fact they weren't. She expressed the view that the team are not correctly using the current CRM system and therefore a new system is being introduced next week, this should eliminate the need for manual processing.

In terms of numbers, the August financial against profiles is -£57,874. There are 125 starts but only 72 physically on the system. The other 50+ are awaiting outstanding information, however there is confidence that the team will get to the 125 position. Actual income to date is £19,174 which represents the 72 physically on the system. In terms of September the financials against profile are -£83,400. To achieve target there needs to be 268 starts plus the catch up of the shortfall seen in August.

As an overall observation the September position is improved on August, however nowhere near the target levels. A key issue has been the completion of all paperwork needed which has to be correct and accurate first time around.

The new CRM system to be introduced is much more systematic with a whole team approach. Going forward it is impossible not to fill in the system correctly.

The Vice Principal: Business Development expressed optimism regarding the possibility to make up the learner numbers, however the financials will be harder as August and September starts are worth more as full year values.

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Date:

The October target for starts is 220. November and December targets for starts are lower and in the hundreds. What the team will now have to do is maintain the increasing profile momentum or they will simply not hit targets.

The Board were advised that a first quarter review is planned once October data is known. This will allow a better income/cost analysis. The suggestion of the Board was that the sole focus of the November Board meeting would be the apprenticeship first quarter review.

The Vice Principal: Business Development indicated that there was still a huge challenge in terms of engaging the learners and employers and she and the team need to get on top of this quickly.

Q The Board questioned whether the problems are internal matters regarding systems and infrastructure or are there market challenges too. She indicated that systems are a big issue, however in terms of the market what the team have to be able to do is sell a quality service and product. To support this delivery has to improve. Infrastructure, sales and delivery all have to work more effectively together.

AGREED: to note the content of the update provided.

17.80 **GOVERNANCE**

The Clerk introduced her written report where a number of matters were considered.

a) Governor Links scheme for 2017/18

The Board all agreed that it made sense to continue with 2016/17 link areas in to 2017/18. In addition, the Heads of School are working on the curriculum planning process and Governors will be invited to link with this initiative during the latter part of the autumn term.

AGREED: to continue with the Governor Link scheme in place in 2016/17 unchanged in to the 17/18 academic year.

b) Governor re-appointments

The Clerk put forward the proposal regarding the re-appointment of Terry Dean. All agreed that his skills, particularly in relation to health and safety were a huge benefit to the Board. They were happy to approve the re-appointment recommendation made.

AGREED: to re-appoint Terry Dean as an independent Governor from 15th October 2017 to 15th October 2021.

Signed : _____ Chair

Date:

c) New Governor appointments

The Clerk drew members' attention to section C of her report and the proposal regarding the appointment of Lewis Maskery the Student Governor (SU President) and also Lee Radford and Martin Rigley as external Governors. Members considered the CVs provided and also the skills review. They were happy to approve the recommendation that all three individuals be given positions as Governors.

AGREED:

- a) to appoint Lewis Maskery as a student Governor from 21st September 2017 to 31st July 2018 (or until such time as he ceases to be a student at the College whichever is the earlier);
- b) to appoint Lee Radford as an independent Governor from 21st September 2017 to 21st September 2021;
- c) appoint Martin Rigley MBE as an independent Governor from 21st September 2017 to 21st September 2021.

Following the appointment of Governors the Clerk asked the Board to consider which Committees they should join. It was agreed that Lewis Maskery would be invited to join the Standards Committee, Lee Radford would be invited to join the Audit Committee and Martin Rigley would be invited to join the Finance Committee.

17.81 FINANCE REPORT – 2016/17 END OF YEAR POSITION (DRAFT)

The Board were happy to note the content of the report provided on the portal.

17.82 GOVERNANCE

A number of governance matters were presented for information only. These included

- a) Attendance for 2016/17;
- b) Training and development undertaken for 2016/17;
- c) Summary of Governor interests declared for 2017;
- d) Governor DBS position.

17.83 ANY OTHER BUSINESS

There were no items of additional business.

17.84 DATE AND TIME OF NEXT MEETING

The Clerk confirmed that the next scheduled meeting was 19th October 2017 at 5.00 pm.

Signed : _____ Chair

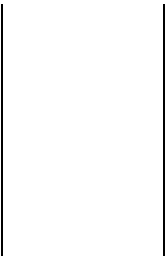
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17.85 **CONFIDENTIAL ITEMS**

It was agreed that confidential items would be recorded separately.

Staff and students left the meeting at 7.25 pm.

Meeting closed at 7.45 pm.



Signed : _____ Chair

Date: