

CORPORATION BOARD

Minutes of a virtual Corporation Board meeting held on Thursday 15 October 2020 at 5pm

Present

Jacqui Canton, Principal
Gavin Maitland-Smith (from
5.15pm), Chair
Jessica Birkhead
Fay Croft,
Howard Dodd
Vicky Field
Roger File
Nick Handy

Ali Kennedy
Nicolas Pages
Eduardo Pereira
John Revis
Kathryn Schutterlin
Stephen Vickers (to the
end of item 7)
Sean Wellington

In attendance

Jenny Craig, Deputy Principal
Mark Lay, Finance Director
Matt Phelps, Vice Principal,
Apprenticeships & Employer
Engagement
Joanne Milsom, Vice Principal,
Student Engagement
Ruth Reavley, Clerk
Fiona Gay, SMT PA, work-
shadowing

Governor questions are represented with bullet points, and management responses are italicized.

As the Chair had been delayed in joining the meeting, the Vice Chair opened the meeting at 5.05pm, and varied the order of the agenda by common consent.

2. Minutes of the meetings

Members approved the public, private and restricted circulation minutes of the meeting held on 6 July 2020 as accurate and appropriate to sign. Members noted that the Board was due to review the decision on staff pay award at its December meeting.

Action	By Whom	Deadline
Add business item on staff pay award to December 2020 Board agenda	Clerk	asap

3. Matters arising from the Minutes not covered elsewhere on the agenda and Action tracker

Gavin Maitland-Smith joined the meeting.

No additional matters arising were raised. Use of written resolutions since the last meeting were recorded: Barclays and Lloyds bank signatories, use of College Seal, creation of Nominations, Remuneration and Governance Committee, variation on published staff governor election timeline, and, after the papers were circulated, appointment of a staff and a student governor. The paper was noted.

Governors were reminded of the status of the College as a publicly-funded institution and thus subject to the Freedom of Information provisions. Emails should at all times be worded appropriately.

1. Opening comments, apologies for absence and new declarations of interest

The chair welcomed Kathryn Schutterlin and Jessica Birkhead as the new staff and student governors respectively; an induction programme would ensure they met governors and SMT members informally. He wished to put on record the Board's thanks to Tony Petruso for his 4-year term as staff governor, and for his commitment to the role. There were no apologies, and no new declarations of interest.

4. Extension of the Strategic Plan

The Principal introduced her paper. Five changes were proposed in response to the Board's decision to extend the current three-year plan (2017/18 – 2019/20) for a further year. It was

proposed that the titles of four objectives were re-named, one objective removed, and the mission statement re-worded. In addition, operational objectives were introduced alongside clear, relevant and measurable KPIs, and some re-wording to clarify ambition.

The proposed new mission statement *“Improving lives, communities and the economy through learning”* was discussed:

- Was “through learning” a sufficient indication of the breadth of what the College does? Students gain from their social interaction; staff gain through professional development; might “learning” be a disincentive to students disengaged from institutional education? *The College does deliver a wide variety of experiences for its students and staff, however, the College exists to provide learning – all the benefits indicated are predicated on that primary purpose. The Senior Management Team had discussed and was confident that the statement differentiated the College – learning at its heart. Some staff comments indicated discussion about “learning” or “education”*
The Teaching staff governor indicated that there was general support for the term “learning” as more encompassing, and a better representation of what is delivered. Another governor observed that there is no doubt that the government sees Colleges as integral to post-Covid economic recovery; “learning” as a term is consistent with the policy direction for Colleges and allows for recognition of the intangible benefits arising from learning. He now hoped for an improved funding settlement for Colleges to underpin the emergent policy.
- Why change the mission now, when this extension is in place for just one year? *The Principal was keen to take these small and subtle steps now at the start of a more ambitious journey*
- What was the thinking behind removing the “fulfilling external requirements” objective? *Originally the objective was around employers, the Local Economic Partnership (LEP), but has now become understood to refer to compliance with the regulatory and contractual obligations of Banks, Auditors and similar agencies. It was no longer a clear objective. LEP needs are addressed in delivering curriculum. Regulatory etc compliance should not be a strategic objective – it’s operational.* The Business Support Staff Governor supported the revised Mission Statement, but had marginal reservations about removing fulfilment of external requirements from the Strategic Plan.
- The amended finance objective is appropriate – “working within our means” was right in 2019/20; delivering sustainable growth was appropriate for 2020/21.
- It was important that the Principal used the revision to show the direction of travel for the College.
- Were the College Values well understood and embraced? *The staff poll comments had been circulated. The College is, without doubt, values -driven; however there is work to be done as the published values do not truly reflect the institution’s values. The current values in part reflect wider expectations on the integration of British Values into FE College life.*

The Board approved the proposed strategic plan and associated KPIs for 2020/21.

The Board noted the Principal’s proposal that a timetable for development of a new strategic plan should be considered at the December 2020 meeting, to incorporate a Board Strategy Day and consultation with staff, students and external stakeholders.

Action	By Whom	Deadline
Add Strategic Plan 2020/21 to the website; withdraw previous Strategic Plan	Clerk	asap

5. Principal's Report

The Principal began by outlining since the paper had been circulated.

Governors had received three emails on the Ofsted Interim Visit arrangements and updates. The visit had gone well. At the end, Inspectors said "Staff worked relentlessly to ensure that learners and apprentices were not disadvantaged by lockdown. They talked with pride about how they had all worked together".

The FE Commissioner had been in contact in relation to a structure and Prospects Appraisal (SPA) for Ruskin College. The outcome of a relatively recent SPA had been that it remained a stand-alone College. The detail of what has changed is not clear, but residential Colleges had been adversely affected by Covid-19 across the sector. She was to have a meeting with the Deputy FE Commissioner in the following week.

Relations with The Henley College remained positive; the two Principals had met recently. They were emerging from formal intervention and had over-recruited this year, which would have long-term financial benefits.

Governors discussed the report.

- Governors congratulated Ed Pereira on winning the Oxfordshire Apprentice Ambassador Award at the Oxfordshire Apprenticeship Awards. His support in the student governor recruitment process, and in the Ofsted Interim Visit, were also acknowledged.
- Is there news on the T-level capital bid? *Detailed discussions about capacity are ongoing. Officers at the Department of Education will be briefed on their perception that the College has excess capacity, and the reality of special needs provision and other specialist course provision, and the challenges for student travel between Abingdon and Witney campuses; the College will make the case for capacity to be considered on a campus basis.*
- What are the government's expectations now for T level industrial placements? *For T Levels, most industrial placements are spread over 2 years, with the majority taking place in the second year; the College is confident that suitable arrangements will be possible.*
- That 28 HE students have been recruited over the target is good; do we know why? *The target for Foundation Life Sciences was very prudent, with some expectation that Oxford Brookes University might take the provision in-house, but that has not happened, and the College has a cohort.*
Are students choosing the College as it is a safer environment than residential University campuses? *Students are living at home. It is difficult to know whether that was a consideration.*
- In using the £760k for improving the college estate and IT infrastructure, are there any constraints? *The College must contribute a further 25%; work may only be funded on buildings classed B, C or D in a Condition Survey undertaken by the ESFA. The College has presented some arguments for work nominally outside the conditions, e.g. addressing air conditioning issues in a Server Room in an otherwise category A building, supported by a third party report evidencing the problem. The College is required to submit a plan for the use of the grant now, with a report in March 2021 on actual expenditure*
- How real is the prospect of bringing FE back into the public sector, as a discussion point in the FE White Paper? *FE Colleges are a great deal more complex than they were in 1992. Principals are concerned about loss of autonomy. The White Paper has yet to be published.*
- Have there been any incidents of Covid-19 amongst staff or students? *There have not been any positive tests yet; this week two tests have been negative, and the*

results of two tests are awaited. In other Colleges, outbreaks have been caused by 18th birthday parties, and affected students across several courses or campuses. The College has modelled this as a critical incident.

In handling a “cluster” of three cases at his University, one governor reflected that a major learning point was the importance of clear staff communications and protocols. Effectively addressing anxiety levels was key.

The Head of Occupational Health & Safety echoed this observation. In his weekly meetings with Public Health officers, the Police, and the two local universities, managing anxiety is the biggest issue.

Amplifying on the Ofsted Interim Visit, the Principal reminded governors that the purpose of the visit was to identify “how” the College had responded to the Covid-19 pandemic, and not on “how well” it had done so. Staff and students had given very truthful accounts of how the College had ensured no student was disadvantaged; Inspectors noted the high level of support for students with special educational needs. Teachers and managers fed back on the many types of collaboration they had put in place to effect this. Teachers gave examples of how their pedagogy had developed to deliver blended learning, supported by collaboration and through the support of the Digital Learning Team and the Teaching Skills Academy.

The Nominated Safeguarding Governor commented on the detailed and pertinent responses given by the Head of Occupational Health & Safeguarding, the Vice Principal, Student Engagement and the Head of Student Engagement during the Safeguarding meeting with inspectors she had attended.

It had been a large amount of work; there would be a specific report which was expected in November, covering the three themes:

- the College’s provision of an appropriate curriculum that responds to the reasonable needs of learners and stakeholders and adapts to changed circumstances
- steps taken by leaders, managers and staff to ensure that the approaches used for building knowledge and skills are appropriate to meet the reasonable needs of learners
- ways that leaders ensure that learners are safe and well informed about potential risks, including from online sources

In addition, a paragraph would be included in a composite report on the many Interim Visit currently being carried out.

- Was there any sense of a benchmark given? *Only by reading between the lines.*

The Deputy Principal was thanked for her contribution as Ofsted Lead.

The Principal’s Report was noted.

6. Annual Reports

6.1 Health & Safety 2019-20

The Head of Occupational Health & Safety, a Staff Governor, introduced his report. The nominated Health & Safety Governor reported that she considered the College had effective, and impressive arrangements in place. She held weekly meetings in person or by phone, and was aware of the range of Risk Assessment work being undertaken, and the cascading of good practice through the College.

- Who else was in the Health & Safety Team? *His was the only dedicated H&S role. How was the risk of the Head of Health & Safety being unavailable being managed? Through the operation of Campus H&S Committees and the Central H&S Committee, all chaired by Senior Management Team members, there was a spread of knowledge. Two of the three Estates Team senior managers had completed*

NEBOSH¹ Level 3. The Head of Estates and Capital Development is very experienced and capable. Most Senior Management Team and College Leadership Team members had completed Institute of Occupational Health & Safety "Managing Safely" certificates; newer members would be asked to do so.

The College could also use local consultancies for short-term support. That was part of the plan; the College had mitigated the risk.

- *How was the area of non-compliance on fire doors being addressed? This was being funded through the additional FE capital funding stream (£760k in total).*

6.2 Safeguarding 2019-20

The Nominated Safeguarding Governor commended the report to governors and reminded them to fulfil their responsibility to read parts 1 and 2 of the latest issue of Keeping Children Safe in Education. The Vice Principal, Student Engagement, would deliver safeguarding training for all governors before the December Board meeting. A previously proposed governor Immersion visit on Student Services would be re-instated when conditions allowed.

The Vice Principal, Student Engagement introduced the report. Stakeholders (the Oxfordshire Safeguarding Children Board, and Oxfordshire Virtual School) had praised the College's approach to supporting vulnerable students during lock-down.

- *Was the rise in casework presented as incidents, or individuals? Casework was reported by individual.*

6.3 HR 2019-20

The Principal introduced the report, which had been considered in detail at the Finance & General Purposes Committee.

- *Was the rise in dignity at work cases a new trend, or a consequence of more detailed reporting? There are peaks and troughs. Incidence is higher in an unhappy team. More is now done to work on early intervention.*
- *Staff governors commented that the HR Team had made a strong contribution to keeping staff "level", and had supported staff in pulling together during the past 6 months in particular. They were working well with those staff who experienced high levels of anxiety. The sense was that the College had got through the challenging period together, as an institution.*

The three Annual Reports were approved.

Covid-19 general discussion

Discussion broadened out into a wider consideration of Covid-19 responses, referring back to the Principal's Report and forward to the Curriculum report. The Chair invited student and staff governors to comment.

- *Had more students dropped away during the past 6 months? The situation was closely monitored. Blended learning was delivered across the whole curriculum. No 16-18 learning was wholly online. Detailed adjustment was made according to level of student and the proportionality of the work (vocational practical subjects did not lend themselves to virtual learning). The College was looking forward to a safe return of more students, and recognised that lower level and younger students typically struggled more with virtual learning. During lockdown student engagement averaged 85% which compared favourably with the national picture and retention remained high at 95%.*
- *How are laptops allocated? Bursary application evidence is used.*

¹ National Examination Board in Occupational Health & Safety Corporation Board 2020-21

- From personal experience, the PC provision in the Learning Centres/Libraries is being under-used by students. How can that be promoted? *The Library in Abingdon and in a classroom in Witney PCs are set aside for students. The College will publicise availability again.*
- What use has been made of the start-of-year IT survey? *Data was collected during student induction. Students have found that mobile phones are not suitable for completion and submission of assignments. The College is cross-referring to the bursary application information to allocate laptops. If there are any left after that, the information from the Induction Survey will be used to complete allocation. The PDBW (Personal Development, Behaviour and Welfare) Committee has considered how to support families whose income is on the threshold for bursaries and will issue information about purchase support schemes.*

7. Curriculum, Quality & Students Report

The Deputy Principal introduced the report.

- Noting the challenges related to Accounting, will the College eventually know the results of examinations? *They will be published by awarding bodies, but probably not in time for the College Self Assessment Report.*
So year on year comparison will not be appropriate? *That is correct.*
- From a student perspective, teachers' creative use of Teams has been brilliant – is it consistent across the institution? *The College has increased the quality assurance work on online lessons. Online and in-person teaching are observed and recorded differently and the quality analysis is different. The College is confident that quality is mostly consistent and that supportive interventions are made where appropriate.*
- Does the Achievement Rate vary across courses? *Achievement rate measures the proportion of those who started a course, who ultimately pass. Some courses do worse than others; the differing practices of awarding organisations has some impact.*
What does the College do with the 25% of Apprentices who don't achieve? *Furlough and redundancy have had an impact. The College sources alternative employment where that is possible. The College retention rate is strong.*
How many apprentices have been lost? *35 out of 400 have been placed on a break in learning. National comparators are not available, but anecdotally, it appears the College has done well.*
- Will changes to the national GCSE exam timetable have an impact? *The resits in November are going ahead as normal. A 3-week delay in summer 2021 exams will allow the College to address the deficit in student experience in summer term 2020, when schools were less able to deliver intensive revision and exam technique work. Awarding Bodies have reported that there will be no Centre Assessed GCSE grades in 2020/21. We await the detail for vocational exams.*
- Are Endpoint Assessments for Apprentices still a problem in some cases? *Some Awarding Bodies have been quicker than others in offering adapted assessments. Observations are often part of the process, which is problematic. Communications from Awarding Bodies are improving.*
How does that contribute to achievement rates? *Just under 50% of the 251 students leaving their apprenticeship programme in 2019/20 were studying apprenticeship standards, so had to complete end point assessments. Business Administration and Accountancy have been adversely affected. The significant majority of apprentices not achieving in a timely fashion are still on programme and will still achieve their apprenticeship.*

The report was noted.

Stephen Vickers left the meeting, which remained quorate.

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8. Finance

The Finance Director introduced the report. No concerns had been raised to date by the Finance Statements Auditors.

8.1 Management Accounts

- Given the significant move in net pension liability, giving a technically negative balance sheet, should advice be taken from the Auditors? That it was a sector-wide issue was noted.
This had been considered by the Finance & General Purposes Committee. The revised 600% Bank Covenant had been met. The cash element of the net pension liability is handled differently from the pension liability element. The F&GP Chair proposed that the Board should note that the College is:
 - In a state of net liability
 - That the cash position projections are sound and not of concern
 - That comment is expected on the matter from the Auditors.

The Management Accounts were noted.

8.2 Budget

There had been no changes made since the papers were reviewed by F&GP in September.

- With respect to the OXLEP £2.5m for the Green Construction Skills Centre at Abingdon, was it still the case that the College contribution of £0.25m would be entirely in “soft contributions”, or was there a cash element as well? *There would be a cash element of £250k, and contributions in kind bringing the College contribution to £500k*
- What was the timing on the sale of Avenue One? *Provided the Board approved signature and sealing of the HMRC transfer deed, completion was anticipated in w/c 19 October 2020.*

The Budget update was noted.

8.3 Sale of Avenue One, Witney²

Governors unanimously approved the application of the College seal to the HM Land Registry transfer form.

8.4 Green Construction Skills Centre, Abingdon³

Governors unanimously approved the College incurring £50k of costs at risk related to professional fees which would be recovered when the OXLEP contract is signed

A pre-planning meeting was scheduled to consider the site proposal, and the provision of alternative car parking which would be a consequence of the build.

9. Risk Management

The Finance Director introduced the report.

- Was risk 3.1 adequately expressed? It is normal for such a risk to include both governors and senior managers (the risk is currently expressed as “The calibre of Governors and their skill sets are insufficient to achieve effective governance”). *The point would be addressed*

² One student governor aged under 18 was not eligible to vote.

³ One student governor aged under 18 was not eligible to vote.

- Was risk 4.5 (too much reliance is placed on Government funding and the College fails to diversify income streams) properly worded? In current reality the risk is a reduction in government funding, or/and inadequate diversification. *The point would be addressed*

The changes made to the Risk Register as reported were approved.

Action	By Whom	Deadline
Amend risk 3.1 to incorporate Senior Management Team	Finance Director	Before Audit Committee, 25 November 2020
Amend risk 4.5 to reflect discussion: In current reality the risk is a reduction in government funding, or/and inadequate diversification	Finance Director	Before Audit Committee, 25 November 2020

10. Governance

The Chair reported governor feedback on future conduct of meetings. Virtual meetings were effective, but it was hard to sustain the informal and human interactions. It was appropriate to adhere to Government and Charity Commission advice. Was there a College room where all could safely meet? It had been suggested that hybrid meetings with governors in-person and Executive virtual could be considered, but some governors felt hybrid meetings were unacceptable. Some governors felt in-person meetings were inappropriate at present. The College in-house policy was online meetings and having as few people as possible on campus. What governors missed was generating creative ideas and innovations.

Governors could be provided with training materials on using online breakout features, where informal conversations could be held during meeting breaks. Different governors had different versions of Teams, which made for an inconsistent experience. Governors had the members' contact list and could arrange informal contact.

The Chair and Clerk would respond to these points.

The Clerk Recruitment update was noted. The closing date was Sunday 18 October 2020. Progress on developing the principal's objective for 2020/21 was noted.

The Board Self-Assessment and Action Plan were approved.

Recommendations arising from the Ney Report were approved.

Plans for External Governor recruitment were noted. Governors noted that FE experience is the key concern, but that those with suitable experience were in short supply.

Policies were approved: Board Confidentiality, Tuition Fees 2021/22, Freedom of Information, Policy Framework, and a revision to Standing Orders.

The draft Committee minutes were noted.

Action	By Whom	Deadline
Implement actions arising from the Ney Report	Clerk	immediate
Proceed with external governor recruitment	Clerk	immediate
Make approved policies available as appropriate: Board Confidentiality, Tuition Fees 2021/22, Freedom of Information, Policy Framework, and a revision to Standing Orders	Clerk	immediate

11. Any Other Business

December's business agenda was very largely taken up with the Self-Assessment Report and the Financial Statements. A Safeguarding Presentation would precede the meeting. It was anticipated that the Board agenda for March 2021 would include a presentation on Blended Learning.

Members reflected on the meeting. There was a majority in favour of returning to Zoom as a platform, rather than Teams. The College would consider purchasing an account.

The College continued to perform well. With several new members of the Senior Management Team, it was a priority to ensure governors had opportunity to meet informally with them. The contributions from new staff and student governors had been most welcome.

The Board wished their congratulations to be passed to staff following the Ofsted Interim Inspection – the feedback bore out all that they had contributed over the past 6 months in particular.

The meeting closed at 7.40pm.

Approved for signature (meeting date)14 December 2020

Signature

Date