



CONFIRMED MINUTES OF THE

BOARD OF GOVERNORS MEETING

HELD ON WEDNESDAY 17TH MARCH 2021

Present: Anna Barnish, Lucy Barrow, Lisa Buxton, Gary Doyle, Sue Higginson (Principal), Lorraine Jones, Tim Kelly (Chair), Joe McArdle, Phil McKeown, Ian Parkinson, Jayne Winders, Vix Wrigley

In attendance: Ste Bailey, Assistant Principal – Student Services
Christine Carter, Vice Principal – Curriculum
Joe Finneran, Director of Estates
Pooja Furniss, Executive Director of People & Culture
Jade Gibson, Assistant Principal - Quality
Phillip Jones, Vice Principal – Quality
Nikki Leising, Head of Finance
Sarah Norris, Student Engagement Manager (minutes 182 to 186)
Michael Norton, Deputy Principal
Lesley Venables, Clerk to the Governors

APOLOGIES FOR ABSENCE

155 Apologies for absence were received from Paul Askew, Richard Mawdsley and Paul Smith.

DECLARATIONS OF INTEREST

156 The following interests were declared:

- Lucy Barrow - on secondment from Wirral Council to the Liverpool City Region Combined Authority.
- Tim Kelly - any matters relating to the Merseyside Pension Fund.
- Phil McKeown - in respect to his position as a partner of a local legal firm.

PRINCIPAL'S UPDATE

157 The Principal gave a verbal update on recent College activities, including COVID-19 arrangements.

158 It was noted that the ESFA had originally planned to reimburse colleges for the expenditure on establishing COVID-19 testing centres at each site. However, it now appeared that this may be changed to colleges receiving payment per test. The Principal felt that this disadvantaged institutions such as WMC, as they had multiple sites and establishing them, staffing them and managing them was a cost per centre, irrespective of the number of tests undertaken. Another impact on the funding allocation for 2021/22 had been based upon the 'ratio' the Funding Agency had used to calculate the growth in vulnerable young people attending the College between January and July. Clearly, since lockdown one was from March 2020, 5 months of this term had prevented new student starts and, as these students were from the young people not in education, employment or training (NEET), this was an artificial position. Under normal circumstances, the College would have been actively recruiting NEET throughout that time. It had been understood and documented that funding would not be

detrimentally impacted by Covid and that the ratio for 2018/2019 would be used to compensate for the impact of Covid. This had not happened and a business case had been submitted to the ESFA, which set out why the College's funding should properly reflect the students recruited throughout the year, particularly since they are the most vulnerable. The outcome would be reported to a future meeting.

159 Work continued on the refurbishment of the Treasury Building, which is to be known as the Hamilton Campus, consistent with the names of other campuses, which reflect their place based geography. This would become a Professional Development and Trade Union Education Centre. The project was progressing in line with the agreed timetable and was on budget.

160 Governors noted the range of opportunities and pastoral support provided to students, which had been highly effective throughout the lockdown period. The Principal thanked the staff for their resilience and outstanding efforts during such a difficult period.

DRAFT 2021/2024 STRATEGIC PLAN

161 The Principal presented the draft Strategic Objectives for 2021/2022 and the Strategic Plan for 2021 to 2024 for approval. This built on the work done in the earlier plan and incorporated both national trends, reflecting the White Paper on Skills, regional trends, the regeneration plans for Birkenhead, Wirral and the wider City Region. It also reflected the College's intention to contribute to the decarbonisation and green agenda to reduce its carbon footprint and become more sustainable.

162 Governors were advised that consultation with key stakeholders was already underway to ensure that it met local, regional and national needs, including any recommendations resulting from the recently-published FE White Paper on Skills.

163 A governor asked whether specific reference to High Needs learners should be mentioned specifically in the Objectives. It was agreed that the Principal would discuss this with the Senior Leadership Team and add an additional point at 2.3c to reflect this important aspect of the College's work.

- 164 **Resolved -**
- 1 That the draft Strategic Objectives be approved, subject to the further suggested amendment.-
 - 2 That the draft Strategic Plan be approved
 - 3 That key stakeholders be consulted on the content of the Plan

ESTATES STRATEGY

165 The Deputy Principal presented a draft Estates Strategy, which provided background information on the College's current accommodation and capital projects, together with proposals for future developments.

166 Learner number modelling indicated that for the period 2021/2024 there would be a shortage of space, particularly for the 16-18 cohort due to demographic changes, which built on the 25 to 30% increase in this group over the last 5 years. Although space utilisation was efficient overall, certain curriculum areas were becoming cramped, for example Construction and Motor Vehicle, and there was a shortage of general classrooms across all sites.

167 Additional space was now available as part of the development of the conversion of the Treasury Building to house the College's professional studies provision, which could address some of the space issues.

168 The 'temporary' structure of the COVE building was energy inefficient and did not provide a high standard of teaching space compared to other sites. Although it had a limited lifespan management felt that it could still be viable but would only be graded as category C under the ESFA's classification system. It was possible to replace this structure with a 2 storey building, which would require full planning permission.

169 Governors noted that the wider introduction of T Levels in 2021/2022 and beyond required students to have a realistic work environment to support their learning. This meant that further investment in areas such as Early Years was needed.

170 Applications had recently been invited from FE colleges to submit proposals to two ESFA funding streams – the Capital Transformation Fund and the T Levels Fund. The deadline for the submission of outline expressions of interest (which did not necessarily have to be pursued subsequently) in both funds was 26th March. The Deputy Principal reported that the first of these applications comprised the conversion of the Treasury Building basement, the transfer of the Birches Restaurant to the Hamilton Campus (Treasury Building) and the redevelopment of the COVE building. The suggestion for the T Levels Fund was to expand the Wirral Waters Campus to support the areas of Construction, Early Years and Digital.

171 Governors received information on a number of potential projects that could form part of the funding applications. These were as follows:

- a) Wirral Waters – remodel some office space into teaching space
- b) COVE building – rebuild for use in Motor Vehicle department
- c) Birches Restaurant at Conway Park – convert to facility for High Needs learners
- d) Hamilton Campus basement – convert to classroom accommodation and a dedicated HE study zone.
- e) Hamilton Campus first floor - removal of the Wirral Council provision from the first floor of the building, currently subject to Licence. This was part of a Towns Fund proposal that was currently awaiting decision and would, subject to approval, become a community hub for adult learning for the most vulnerable groups, working with a series of strategic community partners.
- f) Early Years & Digital T Levels – create a realistic working environment

172 There was a requirement for 50% matched funding for all of the projects listed. The Board sought assurance that the contribution of approximately £1.2m which would be the maximum, assuming all proposals were approved, was affordable and that the projections for increased learner numbers were realistic and achievable. Governors expressed concern that the Board was being asked to make a significant decision in a short timeframe but recognised that this was due to the bid opportunities and deadlines imposed by the capital funding bodies for the various strands detailed.

173 The Capital Project Working Group had agreed that it would take forward the project proposals and review these in greater detail. It was felt that the overall Estates Strategy could be revisited and further refined still further.

174 The Deputy Principal responded that realistically the College was limited in the available options for using any surplus generated each year and that investment in its estate was the most effective way of maximising the College's assets and improving its long-term sustainability. Current cashflow forecasts were for between £2.5 and £2.8m headroom before the College's financial health rating would be impacted and reduce from its 'outstanding' grading to 'good'.

175 The Board asked whether there was any element of contingency funding included in any of the proposed bids and was advised that all featured an appropriate amount to cover potential risk of drift. The costings of some projects had been driven by the funding bodies.

176 Further proposals set out the opportunities to improve energy efficiency at each campus and for outreach provision as part of the Towns Fund application, building on the College's existing partnership arrangements to provide education and training to vulnerable groups in the community.

177 A governor asked about the College's strategy in relation to replacing expensive short term leased properties. The Deputy Principal explained that the College had gradually moved its holdings from expensive short-term leasehold arrangements to either freehold or longer term leasehold with a peppercorn rent. (minimum 9 years). Board members requested that to give greater clarity on the categorisation of all accommodation, further information on each building should be provided within the Estates Strategy.

- 178 Resolved -
- 1 That the draft Estates Strategy be approved, subject to the inclusion of information on the leasehold/freehold status of all current buildings
 - 2 That the applications to the ESFA's Capital Transformation Fund and T Levels Fund for the 5 projects outlined above be approved
 - 2.1 Wirral Waters – expand teaching space
 - 2.2 COVE building – rebuild for use in Motor Vehicle department
 - 2.3 Birches Restaurant – convert to facility for High Needs learners
 - 2.4 Hamilton Square basement – convert to classroom accommodation and a dedicated study zone. Support the development of Hamilton Campus first floor – linked to Town's Fund.
 - 2.5 Early Years & Digital T Levels – create a realistic working environment
 - 3 That the Capital Projects Working Group monitor progress of the capital applications and provide regular updates to the Board

FE COMMISSIONER'S LETTER

179 Governors received for information the most recent letter from the FE Commissioner. This set out revised financial benchmarks against which the sector could measure performance.

BALANCED SCORECARD

180 The Board received a report on performance against the Balanced Scorecard for 2020/2021, together with a number of updates. As noted in the previous report to the Board (December 2020), a review of apprenticeships was underway the outcomes of which would be reported to the April QSS Committee.

181 Additionally, the areas of Commercial Income (including full cost courses) and ESFA Adult Education Budget were currently below the target. This was a direct result of the pandemic. It was noted, however, that performance on the LCR AEB contract was in line with projections and the College had just been awarded a further £100,000, together with an advantageous adjustment to its hardship funds. Potentially, these activities would mean that the College's targets for Total Income and the Pay-Income Ratio would probably still be achieved however, management would continue to monitor the situation closely.

Sarah Norris joined the meeting.

182 The Student Engagement Manager reported on activities during the second term of the academic year. These included meetings of the Student Council, involvement in planning well-being and mental health events and awareness-raising on COVID-19. In response to a question about the level of participation amongst students, the Student Engagement Manager commented that using technology had enabled a higher number of students to be involved than anticipated, with tutors able to engage many students in group activities that also reflected the lack of social interaction due to lockdown and a virtual Lockdown Lounge had been successfully developed with students.

183 Materials on mental and other health issues would be kept accessible online to provide a valuable resource for existing and future students. The Board commended management on the range and quality of student engagement activities.

184 Governors were advised that the current response rate to the recent National Student Survey had increased by 4.9% to 51.5% compared to 2019/2020. The survey was open until April, with the results reported to the Board in July.

185 A total of 900 Learning Talks had been completed during term 1, with the second batch now underway and 650 responses received to date. The Assistant Principal (Quality) reported that the online system on Microsoft Teams provided easier access for students. Each curriculum manager had been asked to document the impact of the learning talks in-year, rather than analysing the outcomes at the year end to feed into the annual Self-Assessment Report.

186 The College's digital team continued to support both staff and students in maximising the use of technology and online learning.

Sarah Norris left the meeting.

187 A successful virtual open day had been held in January. The most recent virtual parents' evening had taken place online and had been successful with 120 individuals participating and positive feedback. The College planned to continue to hold such virtual events in the future, even when the lockdown period had ended.

188 The variety of marketing and promotional activities was noted, particularly with local employers, including Industry Week and National Apprenticeship Week. Governors commented that the range of partners with which the College works was highlighted in the

report on student success, with case studies and individual stories showing the impact of the teaching and learning that was provided.

189 Health and safety and COVID-19 measures continued to operate effectively, with regular audits to ensure that these were appropriate and that there was a high level of compliance. Management felt that the College had far exceeded the COVID-19 requirements and this was recognised and appreciated by the majority of students and staff.

190 Asymptomatic testing was now available to staff and students. Four new temporary members of staff had been employed to support the in-house testing centre on the Conway Park Campus. Currently no positive results returned.

191 Under new Government guidance this model would move to home testing for students following first 3 on-site tests in the 2 week period after students were invited back on site from 8th March. A small on-site testing facility would be retained (in line with the guidance) for those students who were unable to test themselves at home. All testing was voluntary and individual consent was required in advance.

192 The total number of positive COVID-19 tests for all staff and students since September 2020 was 119, 50 of which were staff and 69 of which were students. Governors noted that every case had been followed up with Public Health and there had been no 'outbreaks' at the College, all being contracted from the community.

193 In response to a question about the potential impact of the pandemic on students and staff the Principal reported that the College was extremely supportive of individuals affected by COVID-19. Any staff who contracted the virus or were self-isolating were paid in full for the 2 weeks isolation period and whilst this was recorded in their sickness record it was not included in any cumulative case progression. Absences of longer than 2 weeks would then be resumed in the usual sickness absence management process. The College was also mindful that staff may require up to 2 days sickness absence after any adverse reaction to the COVID-19 vaccinations. Flexibility of working from home had also been deployed to support both staff and students, with their continued studies.

194 Student absences due to the pandemic were treated appropriately and their eligibility for bursary funding was not adversely impacted.

195 The Board was advised that management was currently working through the latest Government guidance document on COVID-19 requirements. A task and finish group had been established and the action plan resulting from its activities was presented for information. All points had been addressed with the exception of 2 areas where work was ongoing.

PEOPLE STRATEGY

196 The Director of People & Organisation gave an update on the College's performance against the People Strategy in 2020/2021. Governors were reminded of the 6 strands of the Strategy and were advised that there was substantial evidence of progress and of each of the these gaining traction within the College against the background of the COVID-19 pandemic.

197 The College's employer brand now had a much higher profile which was having a positive impact on staff recruitment. A number of exemplars of good people practice had been identified and communicated across the organisation, which were also highlighted during an Internal Audit visit (which graded the College's systems as providing a 'substantial' level of

assurance). A 'welcome pack' had been prepared for prospective new staff which outlined the benefits associated with the College and the surrounding area.

198 Recently the College's status as a Disability Confident employer had been revalidated. A substantial proportion of HR processes had now been digitalised, together with its recruitment practices, both of which had been successful. In terms of recognition and reward, a Medicash scheme had been introduced and free flu vaccinations had been provided for the last season. The College had also facilitated Covid vaccinations for all staff involved in continuity during lockdown and those supporting vulnerable students who required care,

199 The impact of these and other measures could be seen in the higher level of staff retention and a greater resilience amongst the workforce. Governors noted that the turnover of staff was much lower than the average for the FE sector. Sickness absence levels (including for COVID-19 reasons) continued to be only slightly above the College's target of less than 3% which had been set, prior to the pandemic.

200 Information was also provided on the College's Gender Pay Gap Report for 2019/2020, which had been posted to the website, as required by law.

CONTINUING PROFESSIONAL DEVELOPMENT

201 The Assistant Principal (Quality) presented a report on Continuing Professional Development undertaken by staff in 2020/2021. The Board was advised that, through the use of technology, more members of the staff had been able to attend online events, such as the national Association of Colleges' conference in which about 40 members of the management team participated.

202 The main areas for CPD activity had been digital skills and health & well-being. There was now a close link between the Quality and Human Resources departments, which meant that training needs and support for staff could be provided more easily and effectively.

203 The College had recently been re-evaluated successfully for the Investors in People accreditation. A copy of the report would be provided to the Board and it was noted that the assessor had commented on how the College processes exceeded the review criteria in many aspects.

204 The College had staff involved in the "Taking Teaching Further" initiative, which would be extended in 2021/2022 due to the grant funding from the Education Training Foundation to recruit teachers directly from industry using their experience to enhance the curriculum and align it to employer needs.

205 In response to a question on whether staff undertook regular qualification updates the Assistant Principal reported that the College supported applications from staff to undertake any business-critical or job-related courses. In many cases, such as health, they were required to undertake a set number of hours to maintain their vocational competence.

MANAGEMENT ACCOUNTS

206 The Financial Controller presented the Management Accounts as at 31st January 2021. The College continued to be in a positive financial position and financial health remained just inside the category of 'Outstanding.' The current year end forecast was for a surplus of £896K, which was slightly lower than the approved budget (£986K).

207 Further grants had been received for capital items and maintenance works, both of which needed to be spent by March 2021. The College had increased its income through higher 16-18 year old numbers and additional contributions to the Teachers' Pension Scheme.

208 However, the Adult Education Budget income provided by ESFA for students that reside outside of the Liverpool City Region had reduced compared to the forecast, mainly as a result of curriculum areas that had suffered due to the lockdown situation (Hairdressing/Beauty Therapy, Business and ESOL) and also due to the lack of a January enrolment programme, none of which was possible to achieve in a national lockdown. It was noted that the College had recently received an additional £100K from the Liverpool City Region for adult provision as part of the Government's skills agenda.

209 The Financial Controller reported that enrolments for 2020/2021 had improved. Income for apprenticeships and higher education programmes was lower than anticipated although reflective of national reductions linked to the impact of Covid-19 and tuition fees had reduced, together with trading income (again, due to the lockdown). Expenditure savings of £195K partly offset the underperformance in income. The Vice Principal Quality and the HE Manager and Finance Team were working closely to minimise the amount of bad debts.

210 Governors noted that the majority of the College's income was derived from 16-18 funding grants, which were guaranteed for 2020/2021. The threshold for clawback on adult funding had still not been confirmed.

211 The Head of Finance reported that the current level of expenditure was 44.7% of the total yearly forecast, compared to 47% in 2019/2020. Cash balances were £7.6m, against a budget of £4.5m. However, the profitability margin indicated by the management accounts was much tighter for the current year.

RISK MANAGEMENT

212 The Deputy Principal presented the Risk Management Update. Following the recent Cyber-security internal audit the risk score for data security had been increased in advance of the full implementation of the recommendations of that report. Management felt that the scoring may need to be adjusted downwards at some future point.

213 In response to a question on the level of insurance cover that the College had set for 2020/2021 it was agreed that a report would be provided to the next Board meeting on the full schedule of insurances. The Chair of the Audit Committee added that the recommendations on cyber security had related to housekeeping issues rather than the integrity of the College's IT systems.

214 Governors were informed that the College was working to tight deadlines for the submission of applications for capital funding from the ESFA. These bids had been considered by the Capital Projects Working Group, which would monitor progress of all successful current and future projects. All existing projects were set to be delivered by the due deadlines and were on budget.

TIMETABLE OF MEETINGS

215 The Board received a draft schedule of meetings for 2021/2022. Governors were asked to forward any comments or amendments to the Clerk, who would submit a final version for

approval at the July Board meeting. It was suggested that the timings of Board meetings should be reviewed to include an additional meeting in the Spring Term.

- 216 **Resolved -**
- 1 That the schedule of meetings for 2021/2022 be approved, subject to any further amendments
 - 2 That the Clerk and the Principal review the schedule with a view to including an additional Board meeting in Spring 2022
 - 3 That a final version be submitted for approval at the July Board meeting

CHAIR'S REPORT

217 The Board received for information a report on the Chair's activities since the December 2020 meeting.

BOARD MINUTES – 16TH DECEMBER 2020

218 **Resolved** That the minutes of the meeting held on 16th December 2020 be approved as a correct record and signed by the Chair.

219 Governors received a progress report on the actions identified at the previous meeting.

QUALITY & STANDARDS SCRUTINY COMMITTEE

220 The Board received a verbal summary of the Quality & Standards Scrutiny Committee meeting held on 20th January 2021.

221 Governors had been assured of the robustness of the College's formative assessment and progress tracking processes. Deep-dives and performance reviews had been carried out in each curriculum area during Term 1, the findings of which provided a high level of assurance to management.

222 The growth in 16-18 numbers was positive, but concern had been expressed about enrolments in the adult cohort compared to the identified target, which was being experienced by many FE colleges and was exacerbated by the COVID-19 pandemic.

223 Many students in the adult cohort were returning to learning after a substantial gap in education and had challenging home environments, including home schooling and caring responsibilities. This meant that maintaining high levels of attendance was more difficult and that the College needed to provide ways in which students could catch-up with their studies.

224 A programme of 'catch-up' activities had been devised in line with the latest Government guidance for young people who had fallen behind in their educational development. The local authority was examining the gap to provide progression opportunities for disadvantaged groups and WMBC had been highly complimentary of the work being undertaken by the College on the Career Connect initiative and the NEET programme.

225 Performance on the November 2020 re-sits for English programmes had improved by 4.8% compared to 2019/2020 (from 23.1% to 27.9%) and for Maths performance had improved by 2.5% (from 11% to 13.5%) but still remained a key area for improvement. There

had been an increase in pass rates for the 16-18 cohort and it was noted that many of these students had received centre assessed grades from their schools in summer 2020, having been unable to attend classes in person since March 2020. Staff would now be building on learner confidence to achieve higher grades in future.

226 A total of 77% of all planned teaching observations planned for 2020/2021 had now been completed and it was noted that the good or better in line with the detailed report.

227 Assessment of the 'quality of education' now formed 50% of Ofsted's Education Inspection Framework. The College is now within the scope for review by Ofsted, management had undertaken a number of 'deep dives' into particular curriculum areas, focusing initially on the weaker departments. The review team had analysed digital audit reports and examined the remote processes and infrastructure that had been operational since March 2020. An action plan had been developed and work was underway to focus on areas for improvement.

AUDIT COMMITTEE

228 The Board received for information the minutes from the Audit Committee meeting held on 24th February 2021.

229 A recent Internal Audit of the College's Academic Quality Framework had resulted in a 'Substantive Assurance' audit opinion, with no recommendations made and the Auditor had concluded that the control systems were well-designed and operated effectively. Several areas of good practice had been identified during the review.

230 The Committee had also received an Internal Audit report on the outcomes of a specialist review of the College's Cyber-Security Framework. This had concluded that the current systems provided a 'reasonable' level of assurance, with four areas for improvement. These had already been actioned by management and progress would be monitored at future meetings.

231 Information that compared the College against the Internal Auditor's client base was discussed and highlighted the positive position for all categories, which provided assurance to the Committee on the effectiveness of the internal control framework.

232 The Management Accounts and an update on Risk Management had also been reviewed (both of which featured under earlier agenda items).

233 The Committee had received updated terms of reference, which had been reviewed to ensure that these were compliant with the latest version of the Post-16 Audit Code of Practice. Two minor amendments had been recommended for adoption by the Board.

234 The Board was advised that the contract for the provision of the Financial Statements/Regularity audit service would expire in July 2021. A tender process was underway and the successful firm would be approved at the July Board meeting.

235 **Resolved -** That the revised terms of reference for the Audit Committee be approved

CAPITAL PROJECTS WORKING GROUP

236 The Chair of the Capital Projects Working Group presented a summary of the meeting held on 10th February 2021. The Board was advised that, under its delegated authority, the Committee had approved a bid to the Government's Salix Low Carbon Fund for a total of £367K.

DATE OF NEXT MEETING – Wednesday 19th May 2021

Signed:



Date: 19th May 2021

Chair