

SANDWELL COLLEGE

**Minutes of the Board of Governors meeting
held on Friday 6 July 2018
in Room 5F/43, Central Campus at 9.45am**

Present:	Mr K Ellis (Chair)	(Independent)
	Mr G Bassi	(Independent)
	Mr J Britton	(Independent)
	Mr D Chuhan	(Staff)
	Mr N Johal	(Independent)
	Ms P Murphy	(Independent)
	Mr G Pennington	(Principal)
	Supt R Youds	(Independent)
Apologies:	Ms R Goodby	(Independent)
	Ms R Jenkins	(Independent)
	Ms A Sheridan	Assistant Principal, Quality, Learner Studies and Innovation
	Mr M Smith	(Staff)
	Mr M J Uddin	(Independent)
Absent:	Ms R Hanif	(Student)
	Mr T Mahmood	(Independent)

Also in attendance:

Mr D Holden Vice Principal
Mr S Morom Interim Executive Director for Finance and Resources
Ms R Pal Director, Information Services, Exams & Funding Data
Mrs E Scotford Clerk to the Corporation
Dr K Shaikh Prospective Governor

The meeting started at 9.50am

		Action
B18.69	<u>Welcome and Apologies</u>	
	The Chair welcomed all present to the meeting and introductions were made. Apologies were received from Raffaella Goodby, Rebecca Jenkins, Martin Smith and Jalal Uddin and were accepted by Governors. Radia Hanif and Tariq Mahmood did not attend.	
	RESOLVED: <ul style="list-style-type: none"> • That apologies be accepted 	
B18.70	<u>Declarations of Interest</u>	
	There were no declarations of interest.	

B18.71	<u>Governor membership update</u>	
		KS left the meeting
18.71.1	New Governor appointment • K Shaikh	
	The Chair advised that he and the Principal had met with Dr Shaikh on behalf of the Search Committee and outlined the experience, background and skills that he would bring to the Corporation and strongly recommended his appointment. Proposed by KE, seconded by NJ, approved unanimously.	
	RESOLVED • That Governors approved the appointment of Kamran Shaikh as an Independent member of the Corporation for a three-year term of office commencing 6 July 2018 and as member of the Audit Committee.	
		KM returned to the meeting
		KE left the meeting
18.71.2	Governor reappointment • K Ellis	
	Mr Britton, Chair of the Search Committee, recommended the reappointment of Mr Ellis and outlined the skills and experience he would continue to bring to the Corporation. Proposed by: JB, seconded by NJ, approved unanimously.	
	RESOLVED • That Governors approved the reappointment of Ken Ellis as an Independent member of the Corporation for a three-year term of office commencing 1 August 2018. Mr Ellis's role as Chair would also continue for the remainder of its term.	
		KE returned to the meeting
18.71.2	Governor reappointment • R Jenkins	
	The Chair recommended the reappointment of Ms Jenkins and outlined the skills and experience she would continue to bring to the Corporation. Proposed by: KE, seconded by JB, approved unanimously.	
	RESOLVED • That Governors approved the reappointment of Rebecca Jenkins as an Independent member of the Corporation for a three-year term of office commencing 1 August 2018.	
B18.72	<u>Minutes of the previous meeting held on 21 May 2018</u>	
	The minutes were approved as a true and accurate record and were signed by the Chair.	
	RESOLVED: • That the minutes be approved.	

B18.73	<u>Matters Arising</u>	
18.73.1	Point B18.50 – Lead Safeguarding Governor – the Chair reminded Governors that he was currently covering this role but welcomed expressions of interest from other Governors – interested parties to contact the Clerk.	Govs
		GP arrived
B18.74	<u>Principal's Report</u>	
	The Principal presented his report. Key points highlighted were:	
18.74.1	<p>Applicant numbers are strong and the target of 4300 should be achieved. Enrolment starts on GCSE results day and will continue until mid September.</p> <p>Governors asked how the College managed capacity if actual numbers were different to predictions. The Principal advised that the curriculum plan was based on a detailed analysis of courses and conversion rates of the courses.</p>	
18.74.2	<p>The new apprenticeship system is not yet embedded.</p> <p>Governors asked if it was affected by the apprenticeship levy. The Principal explained that many small companies were limited by staff time so the College needs to attract larger companies where this would not be such an issue.</p> <p>Governors asked what the impact on the bottom line was. The Principal advised that the College was not widely exposed as its core business was 16-18 year old students.</p> <p>Governors queried why the College was continuing with apprenticeships. The Principal explained that the College needed to offer pathways appropriate to students and to support local companies but acknowledged that this was difficult and the levy has made it more difficult. This impact has led to a breakeven financial position.</p>	
18.74.3	The Principal drew attention to the One World event he had attended, referring to it as a poignant event, one which would benefit from promotion to a wider audience.	
18.74.4	<p>Staffing update given. The new HR Director is reviewing college processes.</p> <p>The absentee rate of 2.2% is lower than the sector average of 3-4%. Details of Cadbury absentee rate were not known.</p>	
18.74.5	Governors pointed out that the Birmingham colleges were looking to operate a similar consortium to the Black Country Colleges Consortium.	
18.74.6	<p>Governors appreciated hearing the success stories of the students.</p> <p>The Chair strongly recommended Governors take the opportunity to attend college events when possible which would enable them to see the impact their decisions were making to the lives of the students.</p>	
18.74.7	RESOLVED:	

	<ul style="list-style-type: none"> • That the report be received 	
B18.75	<u>GDPR</u>	
	Presentation by Roxana Pal, Director, Information Services, Exams & Funding Data, outlining the background to the legislation and the action the College had taken to comply with the new GDPR regulations.	
18.75.1	GDPR is a new piece of European legislation which came into effect on 28 May 2018. It has far more stringent rules than the previous Data Protection Act. Its introduction was prompted by abuse of social media and marketing but has to be abided by all types of organisation. There are significant fines for non-compliance - up to 4% of global turnover.	
18.75.2	The new legislation has greater emphasis on individual rights and the individual's rights to control how their data is collected, used, stored and retained.	
18.75.3	All organisations need to adhere to the legal basis for processing data. The College is allowed to collect and process data for various categories, outlined by RP, and obtains the appropriate consent from individuals. The most important aspect is to ensure individuals are informed how their data is going to be used.	
18.75.4	Requirements and implications were outlined: an organisation has to be fully compliant with the legislation; has to have a Data Protection Officer (DPO) in place; has to have a Privacy Policy in place that is clear, transparent and in line with the principals of GDPR and is made available to all individuals; has to have a data register in place.	
18.75.5	In order to be compliant the College has: appointed Roxana Pal as DPO; reviewed and published its new policy on its website; reviewed its students policies; reviewed and improved its employee policy; reviewed whether documentation should be collected online or in paper form; regularly reviews and updates its Data Register; held staff awareness training which will be refreshed in the new academic year; is introducing new IT encryption.	
18.75.6	Governors asked how the GDPR legislation would be impacted by Brexit and would it continue to be a requirement post-Brexit. RP advised that it would continue to apply for a period of time.	
18.75.7	Governors asked if they would receive a regular GDPR compliance report. RP advised that any data breach would be reported immediately to the Board and the Information Commissioner's Office (ICO). The Chair recommended that an annual report be brought to the Board to ensure Governors received assurance that the College was compliant.	
18.75.8	Governors asked if the College charged for data requests, recognising that the new legislation's emphasis on accessibility of data might lead to an increase in such requests. The College advised that it did not charge students but students did have access to the personal data held on them on a regular basis and the College had methods of extracting the data and presenting it to them.	
18.75.9	Governors queried what action the College would take on a data breach. RP explained that the approach that would be taken to investigate the matter.	
18.75.10	RESOLVED:	

	<ul style="list-style-type: none"> That Governors note the College's compliance with the GDPR regulations. 	
18.76	<u>Safeguarding Policy</u>	
	The Vice Principal presented the Safeguarding Policy highlighting the 2 key changes:	
18.76.1	The child sexual exploitation section has been strengthened relating to allegations against staff and adults in a position of trust.	
18.76.2	The changes to the Keeping Children Safe in Education regulations will have implications for safeguarding and the College is working over the summer to ensure it is compliant with the legislation by 1 September 2018. This will be written into the policy and the latest version of the Safeguarding policy will be brought to the next meeting of the Corporation.	
18.76.3	<p>A report will be made to the next Learners, Quality and Curriculum Committee (LQCC) meeting on the safeguarding training that takes place over September, which includes online training via Smart Log.</p> <p>Governors asked if the College was able to monitor staff completion of training. The Vice Principal advised that the HR Department carry out an audit and follow up with those staff who have not done their training. The Vice Principal advised that Smart Log is additional to the face to face safeguarding training sessions held by the Safeguarding Manager.</p> <p>Governors asked if staff's knowledge of safeguarding was tested. The Vice Principal advised that there are 3 Safeguarding Officers and each curriculum area has a safeguarding lead but every staff member is responsible for safeguarding.</p>	DHo
18.76.4	<p>RESOLVED:</p> <ul style="list-style-type: none"> That the Safeguarding Policy be received and approved 	
18.77	<u>Equality and Diversity Summary Annual Report</u>	
	The Vice Principal presented the report. Key points highlighted included:	
18.77.1	Equality and diversity (E&D) is an outstanding feature of the College. At present there are 104 languages spoken across the College which demonstrates its diversity.	
18.77.2	There are very few diversity-related behavioural issues because the College has an inclusive approach.	
18.77.3	The gender balance has changed to 54% female, 46% male – mainly because Health and Social Care is a growth area and tends to attract more female students.	
18.77.4	<p>There are no gaps in achievement, students from different ethnic backgrounds achieve. The main gap relates to white 16-18 boys who did achieve but less well than the same cohort of girls – an action plan is in place to address this. The success rates will be reported in October.</p> <p>Governors asked how this gap was being addressed. The Vice Principal advised that the gap related to GCSEs. At the start and at 2 other points in the year, the College brought in motivational speakers to outline to students the benefits of passing GCSEs. Much resource and intervention</p>	

	had been put into students achieving English and maths. There is an action plan related to the curriculum as well as the gender gap.	
18.77.5	E&D is embedded in all lessons. A number of events are held across the year including: One World and Black History month.	
18.77.6	Governors pointed out that Birmingham was diverse but nevertheless people still tend to live in their own communities, limiting diversity. The College acknowledged this was a nationwide issue. The College provides opportunities for people of different communities to come together and mix with each other. The Principal pointed out the College's intention to improve the variety of enrichment activities to provide a more broad appeal.	
18.77.7	Governors recommended the College's strength in cultural diversity and harmony should be promoted more widely.	
18.77.8	Governors referred to the lack of workers in the health and social care sector, asking what were the destinations of the College's own students in that discipline. The Vice Principal advised that many were going on to university to adult nursing courses and outlined the destinations of some of its current Access students. The Director, Information Services, Exams & Funding Data, pointed out that there was a direct correlation between recruitment levels in Health and Social Care and jobs in the sector.	
18.77.9	Governors referred to the College's database of employers which helped to ensure good quality work experience placements.	
18.77.10	The Vice Principal outlined the rise in the numbers of high needs students from 50 2-3 years ago to 195-200 this year. The College has repeatedly expanded its provision in line with local authority requirements and numbers reflect the quality of provision the students receive from the College.	
18.77.11	Governors suggested the report would benefit from a breakdown of ethnic minorities between student groups. The Vice Principal confirmed that the data would be included in the success rate report.	DHo
18.77.12	Governors referred to mention at a previous meeting of Pakistani males not hitting benchmark and asked what action had been taken. The Vice Principal advised that they were not the lowest achieving group. The issue related to curriculum areas rather than ethnicity. An analysis has been carried out this year of predicted success rates across curriculum areas, e.g. Business Studies, where there is a high percentage of Pakistani males – success rates at L2 and L3 have improved so the College is confident that gap had been addressed. The College acknowledged that gaps may arise in certain areas: if teaching and learning is weaker; the gap may also look greater if the national average is lower than other areas. The College has received assurance from Ofsted that there are no gaps for this category of students.	
18.77.13	RESOLVED: <ul style="list-style-type: none"> • That the report be received 	

18.78	<u>Policies/procedures</u>	
18.78.1	Fees Policy	
	There were no major changes. The College reminded Governors that no fees are charged to 16-18 students or adult learners in receipt of benefits. HE fees are £5,000 for full-time and £2,500 for part-time.	
	English and maths resits are free for 16-18 year olds in line with government policy but every person with the ability to achieve English and maths will be put through the exams.	
	The Refund Policy and Residential Policy remain unchanged.	
	RESOLVED: <ul style="list-style-type: none"> • That the Fees Policy be approved. 	
18.78.2	Health & Safety Welfare Policy and Statement	
	Minor changes only to names, titles and staff responsibilities. The Vice Principal, rather than the Exec Director, Finance & Resources, is now responsible for the policy.	
	RESOLVED: <ul style="list-style-type: none"> • That the Health & Safety Welfare Policy and Statement be approved. 	
18.79	<u>Minutes of Committee meetings</u>	
18.79.1	Audit Committee – 19 June 2018	
	The minutes were taken as read. The meeting had received and discussed: the internal audit reports for 2017/18 on cyber security framework, apprenticeships framework review, payroll, follow-up, high needs controls framework; the internal audit progress report 2017/18; the internal audit strategy 2018-21; the financial statements audit plan 2017/18; the draft Regularity Audit Self-Assessment Questionnaire 2017/18; the register of outstanding internal audit recommendations; a risk management update; the half-yearly Health & Safety report 2017/18.	
	Following discussions held by the Committee and subsequent recommendations for approval to the Corporation: <p>RESOLVED THAT:</p> <ul style="list-style-type: none"> • Governors approved the Internal Audit Strategy 2018-21. • Governors approved the Financial Statements Audit Plan 2017/18. • Governors noted that the Audit Committee had considered the Regularity Audit Self-Assessment Questionnaire 2017/18. • Governors approved the Risk Management Report • Governors approved the Risk Management Policy • Governors approved the Internal Auditors' Performance Indicators 2018/19 	
18.79.2	LQCC – 20 June 2018	
	The minutes were taken as read. The meeting had received and discussed: a Programme Standards Review on Childcare; provisional success rates 2017/18; the quality improvement plan – impact statement;	

	an update on external standards verification 2017/18; the Quality Strategy 2018/19; the Safeguarding interim report 2017/18; approved the HE Admissions policy and the College's Course Closure Programme; an update on the QAA matter.	
	RESOLVED: <ul style="list-style-type: none"> That the LQCC minutes be noted. 	
18.79.3	Search Committee – 25 June 2018	
	The minutes were taken as read. The meeting had received and discussed: an update on Governor membership and vacancies arising; the governance SAR monitoring report; a suggestion that a review of the start times of meetings take place with a view to bringing them forward to maximise attendance and ensure meetings are quorate; the Link Governor scheme would be reviewed and refreshed; a review of the Committee structure take place with the possibility of introducing a Finance & Resources Committee – greater scrutiny and discussion at committee level would enable Board meetings to have a more strategic focus.	
	RESOLVED: <ul style="list-style-type: none"> That the Search Committee minutes be noted. 	
	Staff and Staff Governors left the meeting	
	CONFIDENTIAL SESSION	
	The Principal outlined the reasons for moving into Confidential session at this point.	
18.80	<u>NFP</u>	
18.81	<u>NFP</u>	
18.82	<u>NFP</u>	
18.83	<u>NFP</u>	
18.84	<u>Any Other Business</u>	
18.84.1	<u>NFP</u>	
18.84.2	<u>NFP</u>	
	The Principal, Clerk and remaining Senior Managers left the meeting	
18.85	<u>NFP</u>	
18.86	<u>Determination of Confidential Items</u>	
	Minutes 18.80, 18.81, 18.82, 18.83, 18.84.1, 18.84.2, 18.85	
18.87	<u>Date and time of next meeting</u> Tuesday 25 September 2018, 5.30pm – Venue: Sandwell JOINT CORPORATION MEETING WITH CADBURY GOVERNORS	

The meeting ended at 12 noon