SANDWELL COLLEGE

Minutes of the Board of Governors meeting held on Monday 14 March 2022 at 4.00pm Sandwell College

Present: K Ellis (Independent) (Chair)

N Makin (Independent)

O Popek (Student Governor – Sandwell)

P Stanaway (Independent)
A Taylor (Independent)
J Tew (Independent)
M J Uddin (Independent)

Apologies: N Bostan Associate Principal

J Francis (Independent) N Grace (Independent)

Z Hussain (Student Governor – Cadbury)

G Pennington (Principal)

Absent: G Bassi (Independent)

Also in attendance:

J Bailey Executive Director, Finance & Resources

R Barrett-Price Director of Estates Development and Capital Projects
B Beaty Executive Director, HR and Organisational Development

C Demetrios Associate Principal

S Griffiths Director of Strategy and Projects

D Holden Vice Principal

S Hunt Managing Director, Employers, Skills and Innovation

E Scotford Clerk to the Corporation
T Sharma Prospective Governor

A Sheridan Assistant Principal, Curriculum & Student Services

J Stevens Executive Director, Quality & Academic Standards, and Principal,

Cadbury College

		Action
B22.1	Welcome and Apologies	
22.1.1	The Chair welcomed all present to the meeting. Apologies were received from Jayne Francis, Noel Grace, Zeeshan Hussain and Graham Pennington. Apologies were also received from Nargis Bostan. Gurvinder Bassi was absent.	
22.1.2	RESOLVED THAT: apologies were approved by Governors.	
B22.2	Declarations of Interest RESOLVED THAT: There were no declarations of interest beyond the standing register of interests.	
	TS, JT and JU left the meeting	

B22.3	Board membership	
22.3.1	Governor Appointment – Tony Sharma	
	Governors noted the skills, background and experience of Mr Sharma and the value he could add to the Board.	
	RESOLVED THAT: Governors approved the appointment of Tony Sharma as Independent Governor for a 3-year term of office and as member of the Audit Committee w.e.f. 14 March 2022.	
22.3.2	Governor reappointment – John Tew	
	RESOLVED THAT: Governors approved the reappointment of John Tew for a new 3-year term of office w.e.f. 14 March 2022.	
22.3.3	Governor reappointment – Jayne Francis	
	RESOLVED THAT: Governors approved the reappointment of Jayne Francis for a new 3-year term of office w.e.f. 14 March 2022.	
22.3.4	Governor reappointment – Noel Grace	
	RESOLVED THAT: Governors approved the reappointment of Noel Grace for a new 3-year term of office w.e.f. 17 May 2022.	
22.3.5	Governor reappointment – Jalal Uddin	
	RESOLVED THAT: Governors approved the reappointment of Jalal Uddin for a new 3-year term of office w.e.f. 1 August 2022.	
	TS, JT and JU rejoined the meeting	
B22.4	Minutes of the previous meeting held on 6 December 2021	
	RESOLVED THAT: Governors approved the minutes of the previous meeting held on 6 December 2021 for signing by the Chair.	
B22.5	Matters Arising	
	There were no matters arising.	
B22.6	Principal's Report	
22.6.1	Income had increased by £800k due to positive recruitment numbers.	
22.6.2	Applications year for 2022/23 were on track across all 3 campuses. The recruitment events including Open Days and walking tours with prospective applicants were proving particularly successful.	
22.6.3	The College recruited adult learners throughout the year so was confident its adult allocation would be met by the year end.	
22.6.4	Governors asked if adult numbers had been affected by Covid more than 16-18 year old students.	
	The College advised this did not appear to be the case. Attendance usually stood at around 86% at this time of year so was probably higher than the same time last year.	

22.6.5	Governors suggested that many people were looking to change career direction post-Covid.	
	The College confirmed that there had been a rise in adult learners, e.g. access to HE programmes in Health, which had increased dramatically as many learners were leaking to pursue a career in Nursing	
	as many learners were looking to pursue a career in Nursing. The College was exploring a progression link agreement with Newman University in addition to Wolverhampton University.	
22.6.6	Covid update – although government policy had changed, the College continued to ask staff and students to isolate for 5 days if they tested positive, with 2 negative tests required before a return to site.	
22.6.7	The Quality team had conducted reviews based on Ofsted criteria which reaffirmed the correct areas of focus were in place and quality reviews were operating effectively. The external review conducted by existing Ofsted inspectors supported the College's own findings.	
22.6.8	Student projects and awards were detailed which included the new allotment project run by supported learning students. The fruit and vegetables grown would be sold in college and given away to families in need in Sandwell; the new Student Street had been set up in the Atrium; the look of the College had been refreshed with posters highlighting career paths and job opportunities, average salaries, student achievements.	
	Governors were pleased to note salaries and careers expectations were highlighted to students as this would help improve aspiration in students from the local community.	
22.6.9	Salary costs had increased for full time and agency staff due to increased student numbers.	
22.6.10	In response to a Governor's suggestion, the College confirmed that there was a regular schedule of external speakers on a variety of career paths including: banking, automotive, engineering. They took place on a 6-weekly basis at Central St Michael's. Future events would be themed to a particular area e.g. finance, law, nursing and engineering, and would be publicised via for posters in college.	
	Governors recommended and the College agreed that the events needed to be more widely publicised.	
	Governors noted that the LQCC received student and staff input, viewpoints and feedback at its meetings on such matters and referred to the case studies included in the LQCC minutes.	
22.6.11	Governors noted that safeguarding issues varied across campuses, with most demand at Cadbury. 25% of current referrals related to student mental health post-Covid.	
22.6.12	Governors asked what were the issues of most concern for the College at present.	
	The College advised that T levels were due to their proposed format. They involved a high level of work experience and less delivery in college. They were very narrow in scope.	
	At the moment the Government had given stay of execution, with the programmes meant to replace Edxel postponed for another year. The	

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	Government had made a strong commitment to T levels so was unlikely abandon them. It was hoped that eventually T levels would be watered down or some BTECs allowed to run alongside them because they would not prepare students who were not ready and needed to do a qualification to prepare them for the workplace.	
22.6.13	The Principal had represented the FE sector on this matter, visiting the House of Commons, and encouraging Lord Baker to lobby the Secretary of State for Education. Civil servants had not been helpful and had been obstructive in their approach. Concern was expressed that the main representative body for FE, the AoC, had not led the lobbying, instead focusing on unrelated priorities at this time and not recognising the number of students who may become disenfranchised. T levels would meet some need but there were more students whose needs would not be met. The Government was to review L2 BTECs and reduce the number of subjects offered. In addition, some universities would not accept T levels which was a major issue. The College's curriculum remained dedicated to improving the life chances of its students.	
22.6.14	RESOLVED THAT: Governors received the Principal's report.	
B22.7	External review – feedback	
22.7.1	Feedback was given on the recent external review, specifically the questions asked of Governor representatives. The main areas of focus were safeguarding and triangulation of information and how Governors held the College to account. Full feedback would be given at the Governors Annual Strategy Forum.	
22.7.2	Governors had been questioned about weaknesses across the College. Governors had stressed that when areas for development were identified they would be challenged at early stage, with action plans requested to be in place and feedback provided for Governors, before they became a problem.	
	Attendance was cited as an issue. Governors were aware of the range of strategies across the College to maximise attendance.	
	It was noted that nationally 10% of students had not returned to full time education.	
	The timing and format of an Ofsted inspection was outlined for Governors' information.	
22.7.3	RESOLVED THAT: Governors noted the external review feedback.	
B22.8	College Projects Report	
22.8.0.1	Cadbury Science City Phase 1 – now complete. Very positive feedback had been received from students. There were some minor issues to resolve.	
22.8. 0.2	Cadbury Phase 2 – new build stand-alone building – funding was in place, with the design completed and tenders received and currently being assessed.	
	Budget challenges had been created by a combination of Brexit, Covid, and the Birmingham Commonwealth Games, which were taking a huge amount of resources out of the region. The impact of the Ukraine conflict also meant that material prices were increasing on a daily basis,	

	e.g. a 25% impact on steel prices in 24 hours. All these factors had created a very volatile marketplace.	
22.8. 0.3	Governors asked if Cadbury Phase 2 provided more space for students.	
	The College confirmed that it created more classroom space.	
22.8. 0.4	Construction and Civil Engineering Centre, West Bromwich - funding approved by the Council. The project briefing was challenging but on budget. Options were being drawn up. An off-site modular solution was under consideration.	
22.8. 0.5	In response to a Governor's query, the College advised that the most realistic proposed end date was summer 2023.	
22.8. 0.6	Centre of Excellence in Health – a partnership agreement was in place with Sandwell and West Birmingham NHS and university partners. The project was progressing well. Access plan to be revisited.	
22.8. 0.7	In response to a Governor's query, the College explained that the facility would be based at the Midland Metro University Hospital in a separate building to the hospital. 200 houses were to be built nearby which would create a local workforce.	
22.8. 0.8	Governors sought assurance that the College was involved in meetings with Sandwell and West Birmingham NHS and university partners.	
	The College confirmed it was. The early design phases had taken place in the 2 years since the process started. The hospital designs were now being considered. The next stage would focus on the governance and partnership arrangement. Meetings were scheduled to ensure there were clear ideas on how the building would be used and the numbers likely to use the building.	
22.8. 0.9	Governors noted sustainability was a key area of focus and attempts would be made to make the building net zero carbon.	
	The College explained that running costs would not be known until the facility was built.	
22.8. 0.10	Training and Education Centre, Cradley Heath – was progressing well. The brief and concepts were being developed. There was significant engagement with planners and public consultation to determine how best to partner with the local community.	
22.8. 0.11	RESOLVED THAT: Governors received the College projects report.	
B22.8.1	T Level Capital Fund update	
22.8.1.1	The competitive process to secure T Level Capital Funding was explained. The College would seek to maximise additional resources through capital investment and the Towns Funds.	
22.8.1.2	Governors sought clarification on the implications of investing the College's capital in a building/facility owned by another organisation.	
	The College explained that the Engineering Centre would be wholly owned by the College.	

	The College would explore including the Centre of Excellence Health facilities in a partnership agreement with the Hospital. The guidance did not prohibit this as long as it was not a commercial arrangement and the resources were retained in the public sphere.	
22.8.1.3	RESOLVED THAT: Governors approved the College pursuing two TLCF (Wave 4) applications for use at: The Civil and Mechanical Engineering Town Fund site in West Bromwich and the Midland Metropolitan Learning Campus Town Fund site in Smethwick	
B22.9	College SAR 2020/21 and QIP	
22.9.1	College SAR	
22.9.1.1	The revised format and main changes to the previous version were highlighted.	
22.9.1.2	Key strengths were included as well as how they were being implemented.	
22.9.1.3	Development areas had been updated to the previous version. They were modelled on judgement areas from the EIF and now included: behaviour and attendance; development of key learning behaviours; ensuring students were able to articulate their understanding of Fundamental British Values (FBV).	
22.9.1.4	Governors asked how the College would enable students to articulate their understanding of FBV. The College explained this was covered in tutorials and would be linked into all areas of the curriculum.	
22.9.1.5	RESOLVED THAT: Governors received and approved the College SAR.	
22.9.2	QIP/QDP	
22.9.2.1	As last year was not a normal year, the QIP had been renamed the Quality Development Plan (QDP) which better reflected the work planned as some issues did not relate to weaknesses, e.g. learners' starting points were checked because there were no external public exams and TAGs were inconsistent between schools.	
22.9.2.2	Other areas of focus included: mental health, catch-up learning coaches and PAMs across all students; a common tutorial programme; all students with a Grade 3 being entered for November GCSE resits; increased student support services for personal development; increased work experience opportunities for all students.	
22.9.2.3	RESOLVED THAT: Governors received and approved the College QDP.	
B22.10	<u>Destinations</u>	
22.10.1	Destinations were an important area of focus for Ofsted.	
	The main 2 destination headlines were: the number of L3 completers; and the high proportion of students who go on to university.	

22.10.2	Data was presented which outlined the number of students progressing	
	within the College from one level to another.	
22.10.3	The College's progression was very good compared to other colleges. Its main strategy was to ensure students left with a L3. Overall progression rates stood at 83%. The College had more 16-18 learners than many other colleges as it worked hard to retain students to ensure they could progress.	
22.10.4	Of L3 Y2 completers, 70% progressed to higher education. Progression to university for A level students was higher at over 83%. 95% of the College's students go on to positive destinations.	
22.10.5	Figures of leavers' destinations were given. The College explained that it was not easy to ask or find out where they had all gone.	
22.10.6	Governors noted that progression was lower for 19+ learners as adults entered at a higher level to do a specific course (with the exception of ESOL); progression into paid employment was much higher than 16-18; progression into HE was 12% which was high for adults and aligned to the College's access to HE offer in Health.	
22.10.7	In response to a Governor's question, the College advised that comparison destination data for previous years would be similar but no such data set was available because of the Covid situation.	
	The College provided a high standard of advice and guidance to help learners into employment.	
22.10.8	Governors were impressed by the number of 18 year olds who were self-employed.	
22.10.9	Governors asked that the report be provided in a colour coded dashboard format.	
22.10.10	Governors had found the Ofsted Matters newsletters useful, particularly the 'reasons to be proud of the College' which were listed. Governors suggested that future publications collate and report on the College's relentless focus to ensure every student maximised their progress and achievements, e.g. via PAMs, and catch-up sessions.	
22.10.11	The College pointed out that already there were 1100 applications for university next year and 44% of the College's students were the first in their family to go to university.	
22.10.12	Governors noted that more 19+ learners were going into paid and self- employment and asked that each curriculum area compiled a number of case studies outlining student destinations last year to circulate to Governors.	DH
22.10.13	Governors noted the curriculum met the skills needs of the local economy.	
22.10.14	Governors asked for a breakdown of classifications of self-employment and traineeships.	DH
22.10.15	Governors suggested that those former students who had gone into self- employment be invited back into college as role models to highlight their success stories.	

	The College confirmed this was already in place.	
22.10.16	RESOLVED THAT: Governors received the destinations report.	
B22.11	Safeguarding – peer on peer sexual harassment	
22.11.1	Peer on peer sexual harassment was a focus for Ofsted due to government concern arising from the website Everyone's Invited. Background explained. Ofsted conducted a full survey and found such sexual harassment was prevalent in most institutions. Colleges and schools had been told to assume it this was taking place in their institution.	
22.11.2	LQCC had scrutinised this area of safeguarding. Policies and procedures had been changed accordingly. Issues were highlighted through posters and tutorials to ensure everyone knew how to report any concerns.	
22.11.3	Consequently, to December 2021, there had been a 277% increase in the reporting of sexual harassment. This demonstrated students were comfortable expressing and highlighting any concerns which then enabled the College to address matters.	
22.11.4	Awareness was highlighted through single sex safeguarding talks as well as focus groups looking at the experience of female students across the campuses including what constituted appropriate behaviour towards the opposite sex, self respect, boundaries and relationships. Internal and external representatives gave presentations across all campuses. Through the Student Union and talking to students, the College had developed the role of Champions for combating sexual harassment on all campuses and invited young female students to volunteer. This would provide another reporting strand if students were not comfortable reporting to others. The initiative had received a lot of support and a number of volunteers.	
	Talks were held with male students as they could also be harassed. Male Champions were sought too.	
22.11.5	The action plan set out what the College had done from the start of the year and its impact. The College encouraged people to react and report any concerns immediately.	
22.11.6	All students across all campuses knew to whom to report any sexual harassment issues in the College.	
22.11.7	The Link Governor Safeguarding had focused on this issue in his link visits with Paul Smith, Safeguarding Manager.	
22.11.8	Governors asked what impact social media had on the issue.	
	The College explained that social media had heightened awareness but sexual harassment occurred online too. The College was encouraging students to report any instances, however small they might be.	
22.11.9	Governors asked how the issue was highlighted via posters and visuals.	
	The College detailed where posters were positioned around the campuses. Examples of posters to be forwarded to Governors.	DH

22.11.10 The College explained the issue involved changing culture and attitudes and was very challenging. 22.11.11 The Exec Director, Resources, pointed out that the College's work in this area was well received in the recent internal audit. 22.11.12 RESOLVED THAT: Governors received the update on safeguarding — peer on peer sexual harassment. Meeting adjourned 5.35pm - 5.45pm B22.12 Policies B22.12.1 Health, Safety and Welfare RESOLVED THAT: Governors approved the Health, Safety and Welfare Policy. B22.13.1 Recruitment remained challenging and competition for talent was great, however, 3 key appointments had been made recently in the Skills Division. A number of successful recruitment events had been held, with 9 appointments made from the December event. A new talent bank was in place. All initiatives were supported by a social media campaign. 22.13.2 Covid and wellbeing update given. The focus had shifted to living with Covid. The College continued to ask staff not to attend college if they tested positive. 22.13.3 Help and training was in place for staff to deal with sexual harassment issues. 22.13.4 Regular internal communication continued with a new weekly Ofsted Matters newsletter introduced. Governors found Ofsted Matters a useful update. 22.13.5 Governors noted that Our Great College was now visible across the College environment. 22.13.6 Governors thanked the Executive Director, HR and OD for a comprehensive report, and passed on their thanks to the HR team for their hard work. 22.13.7 RESOLVED THAT: Governors received the HR update report. Finance Report (incl. Management Accounts) 22.14.1 The new style report followed the FE Commissioner's new recommended format. 22.14.2 Cash was on track and ahead of budget because of the timing of receiving funding for capital projects. This ensured the pressures on pay budgets were managed, e.g. NI increase. It was acknowledged that energy costs would be challenging with a building this size. Electricity usage and bills would be higher than gas			
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22.14.4	The financial summary and KPIs were included as standard.	
22.14.5	The Finance & Strategy Committee had requested more detailed information for particular lines.	
22.14.6	A challenging target had been set and bursaries had been marketed strongly which had increased the number of applications.	
	Governors asked if bursaries were connected to benefits.	
	The College confirmed they were and were subject to very strict rules, the bar was very low for income at £7k.	
22.14.7	Governors asked if free school meals (FSM) were affected by stigma or lack of knowledge.	
	The College advised that did not appear to be the case and it worked closely with the canteen to ensure the offer was attractive. There were a number of other benefits and support available from being eligible for FSM, examples given included trips and Chromebooks.	
22.14.8	Major capital projects would take place over time and impact on college finances for a time.	
22.14.9	IT improvements were an area of focus and investment. Additional IT software costs were noted, e.g. Zoom.	
22.14.10	Governors noted that payroll costs would be challenging because of inflation and the potential pay rise as well as increased NI costs. The 40 open roles might cost more than was ideal if they were filled. Currently payroll costs stood at 68.4% of budget, the benchmark was 65% for FE and 70% for Sixth forms. This percentage seemed to be increasing. Governors asked what the College anticipated moving forwards.	
	The College advised that the Executive Directors of Resources and HR and OD regularly discussed the need to balance fixed costs against a permanent established staff body to ensure best quality provision and considered permanent appointments against phased staffing for the 40 open posts. The College's growth improvement and solvency was key. Increasing the College estate in West Bromwich and Cradley Heath allowed a permanent staffing establishment. Making an appointment was an investment for the future and the investment was paying dividends.	
22.14.11	Governors asked if the College was tied into a contract for energy costs.	
	The College advised that it was in a good position being under contract until the end of next month after which the situation would need to be carefully monitored. It was not the only college in this position. The College used public sector procurement methods to negotiate the best deal and would liaise with the Consortium that bought energy on behalf of the whole education sector.	
22.14.12	RESOLVED THAT: Governors received the Finance Report.	
B22.15	Budget setting timetable 2022/23	
	RESOLVED THAT: Governors received the budget setting timetable 2022/23.	

B22.16	Risk Register	
22.16.1	Governors reviewed the Risk Register and noted new risks (achievements, retention, student mental health, inflation) and amended risks: increased – LGPS pension; decreased - apprenticeships.	
22.16.2	Governors recommended that energy costs be included on the Risk Register.	JB
22.16.3	Governors asked how high a risk Covid remained.	
	The College explained that Covid could still cause disruption even without a lockdown, e.g. staff absence would impact on a number of students.	
22.16.4	RESOLVED THAT: Governors received and approved the Risk Register.	
B22.17	Nova training	
22.17.1	Update given on Nova training. Progress was slow but the College continued its preparation work in the meantime. An update was expected from Nova's Directors.	
22.17.2	Full legal and property due diligence would be carried out in due course using a specialist legal firm.	
22.17.3	Board approval was sought to continue with the strategy adopted so far.	
22.17.4	RESOLVED THAT: As per the resolution passed by the Finance & Strategy Committee and recommended to the Board, Governors approved, in principle, the acquisition of Nova (subject to full due diligence and should no insurmountable obstacles emerge).	
	OP left the meeting	
B22.18	Minutes of sub committees	
B22.18.1	LQCC – 19 January 2022	
	Presentations were received from staff and students from 3 curriculum areas: A levels; Health and Social Care; and Business Studies. Governors were able to ask students about their courses and career aspirations.	
	Governors were recommended to read the LQCC minutes thoroughly as they detailed Governors' work and interaction with students. Presentations from staff were also included in the meeting pack.	
	RESOLVED THAT: Governors received the minutes.	
B22.18.3	Finance & Strategy Committee – 17 February 2022	
	The minutes were taken as read.	
	RESOLVED THAT: Governors received the minutes.	

B22.19	Draft Schedule of meetings for Board and committee meetings	
B22.13	2022-23	
	RESOLVED THAT: Governors approved the schedule of meetings 2022-23.	
	Staff left the meeting	
	CONFIDENTIAL SESSION	
B22.18.2 NFP	Search & Governance Committee – 7 February 2022	
18.2.1	Governor Training and Development	
18.2.1.1	The Search & Governance Committee recommended that the Board approve subscription to the ETF Governance Development Programme. Details of the cost and the series of modules available to study were outlined. Governors agreed that the programme offered a useful way to enhance knowledge and was good value for money. Governors could choose which modules to study and would also be guided by the Committee and via the Governor 1-1 Review meetings.	
18.2.1.2	RESOLVED THAT: Governors approved subscription to the ETF Governance Development Programme.	
22.18.2.2	Link Governor Programme	
18.2.2.1	The Link Governor programme had been held in abeyance because of Covid. The Search & Governance Committee agreed, in principle, to recommend, for Board approval, the introduction of a Link Governor Scheme with specific details regarding link areas to be confirmed at the July Board meeting.	
18.2.2.2	Governors asked if they could be linked with areas associated with their substantive external roles.	
	The Committee Chair advised that the Principal would suggest curriculum areas but it would make sense if they were linked to Governors' area of strength and experience.	
18.2.2.3	RESOLVED THAT: Governors approved, in principle, the introduction of a Link Governor Scheme.	
22.18.2.3	AOC Code of Good Governance	
18.2.3.1	Governors noted the requirement for Boards to adopt and comply with a recognised Code of Governance. The AoC Code was specific to the FE sector.	
	Governors were concerned at the length and onerous nature of some elements of the Code, particularly the emphasis on environmental sustainability, which was important, but Governors felt the Board's time should be devoted to its key focus and function: students.	
18.2.3.2	Discussion took place about the Code and more generally about the work of the AoC, specifically the Principal's concern that the Association might not be representing the sector as well as it should. This was prompting the Principal to consider cancelling the College's subscription which cost in the region of £50k per year.	

B22.24	<u>Date and time of next meeting:</u> Annual Strategy Forum – Friday 13 May 2022, 11.00am Board – Monday 11 July 2022, 4.00pm	
	Confidential session Minute Nos. B22.18.2-B22.21.	
B22.23	Determination of Confidential Items	
	There was no other business.	
B22.22	Any Other Business	
B22.21 NFP	Minutes – Remuneration Committee – 13 January 2022	
B22.20 NFP	Board membership	
18.2.3.3	RESOLVED THAT: Governors agreed that the decision to adopt the latest version of the AoC Code of Good Governance should be deferred pending comparison with alternative Codes. Compliance would continue with the current version of the Code adopted by the Board in the meantime. Governors would want to be involved in any decision to withdraw from membership of the AoC.	
	Governors were keen to understand the impact of such a decision from a governance perspective given the various communication, information and updates they received from the AoC so would want to be involved in any decision to withdraw from membership.	

Meeting ended at 6.30pm

	d: (Chair) Date: 11 July	Date:	Chair)	·
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