

Wakefield College Corporation (Corporation)

Board of Governors

Minutes of the Meeting held on 12 October 2021 (Meeting)

Present:

Yasmin Ayub (**YA**), Claire Corneille (**CC**), Julie Craig (**JC**), Andrew McConnell (**Chair**), Ben Porter (**BP**), David Powell (**DP**), Ruth Sacks (**RS**), Martyn Shaw (**MS**), Neil Warren (**NW**), Charlie-Lee Wigley (**CW**) and Sam Wright (**Principal**)

In attendance:

Executive Director of Finance and Resources, Executive Director of HR and OD, Executive Director of Curriculum, Lorraine Cross (Interim Executive Director) and the Clerk and Legal Officer (**Clerk**)

1. Welcome and apologies for absence

1.1. The Chair noted the following:

1.1.1. That the Meeting was quorate and he declared it open.

1.1.2. That Dmitry Fedotov had given his apologies.

1.1.3. That the Student Governors had not given their apologies but that they were not present.

1.2. The Chair introduced Lorraine Cross to the Board and explained her role which was to oversee the merger with Selby College.

2. Declarations of interest

2.1. The Chair asked for declarations of interest. None were given.

3. Minutes of meeting held on 6 July 2021

3.1. IT WAS RESOLVED THAT the minutes of 6 July 2021 be approved.

4. Matters arising

4.1. The Clerk noted that he would refer only to those matters arising which were outstanding:

4.1.1. On minute 9.3.1, it was agreed that the College would support the nomination of staff for external awards. The Principal confirmed that

this would be actioned at the appropriate time, later in the academic year.

- 4.1.2.** On minute 12.2.1, NW asked that the Executive Director of Finance and Resources report back to the Board regarding the College's staff cost ratio when the HR Strategy is presented. The Clerk noted that the strategy was due to be approved in April 2022.
- 4.1.3.** On minute 13.2, NW noted that the Audit Committee had recommended a wider Board discussion around its collective risk appetite to enable a review against the Risk Register's residual risks. The Clerk noted that an invitation was to be sent for 9 November 2021.
- 4.1.4.** On minute 14.2.1, the Chair requested a Governor tour of the College's campuses. The Clerk asked Governors to contact him should they require this.
- 4.1.5.** On minute 14.2.1, The Chair requested a revised version of the Infrastructure Strategy be brought to the Board before 2023. The Clerk noted that the Director of Estates was aware of this request and that he had made a note of it on the current schedule of business.
- 4.1.6.** On minute 18.2, Julie Craig asked that a safeguarding paper be provided to the Board for full discussion at the earliest available opportunity. The Clerk noted that he had provisionally scheduled this for 8 February 2022.

5. Chair's Business

- 5.1.** The Chair noted that he would not be raising anything under this item. The matters he wanted to raise, particularly regarding the merger, were to be discussed during the Meeting.

6. Principal's Annual Report

6.1. The Principal referred to her annual report and noted the following:

6.1.1. That external factors had continued to impact the College throughout the year, but it had become more adept at dealing with them and she was proud of staff and students' flexible approach and attitude.

6.1.2. That staff had worked hard to engage students with a wide range of activities and there had been lots to celebrate.

6.1.3. That apprentices had been particularly impacted by the pandemic causing a reduced number of starts and many breaks in learning.

6.1.4. That teaching, learning and assessment had continued to be challenging due to the pandemic, but staff had worked extremely hard to mitigate this.

6.1.5. That student wellbeing and safeguarding remained the top priority.

6.1.6. That student engagement remained very important but proved difficult due to the pandemic but staff had worked hard to ensure students remained engaged.

6.1.7. That the College was well placed to deliver the Government's skills strategies and regional and local priorities.

6.1.8. That she and senior leaders continued to sit on many boards throughout the region as outlined in the report.

6.1.9. That the College had continued to build relationships with schools, albeit mostly remotely, but an 'in person' open day was scheduled for 20 October 2021.

6.1.10. That the Children's University continued to flourish.

6.1.11. That curriculum development had continued to be excellent and had been aligned to local and regional priorities and skills sectors and

relationships with key employers in such areas had been further developed.

6.1.12. That, despite the disruption caused by the pandemic and the drop in HE students and apprentices, the College had been able to end the year with outstanding financial health.

6.1.13. That the College had received an unexpected allocation of 16-19 tuition funding and acceleration of the infrastructure strategy had been facilitated by receipt of an FE capital allocation.

6.1.14. That the College had moved its sustainability agenda forward and reduced its carbon emissions.

6.1.15. That the wellbeing of staff had been a top priority and flexible working patterns had been a part of ensuring this.

6.1.16. That the majority of planned staff development had been done remotely with a focus on developing teaching and learning online delivery skills.

6.1.17. That the College's strategic objectives had been refreshed in the summer and a new strategic plan would be developed for 2022/23.

6.1.18. That the merger with Selby College was a big part of the College's growth strategy which Governors were aware was on track.

6.2. Governors asked the following questions:

6.2.1. Is the Principal's Annual Report published? The Principal noted that it was not.

6.2.2. What have been the key learning points for the College during the last academic year? The Principal noted that the College had developed more flexible processes which increased effectiveness and efficiency especially in relation to online learning, flexible working and enrolment.

- 6.3.** The Board congratulated the Principal and her staff for the achievements secured during the academic year which, it was noted, had been very challenging. The Principal noted that she was very grateful to staff who had rallied to make this possible. Governors asked that the Board's thanks be communicated to staff. The Chair agreed to write a communication of thanks.
- 6.4.** The Principal referred to her Principal's Business presentation and noted the following:
- 6.4.1.** That the College continued to align itself to meet the needs of the skills agenda.
 - 6.4.2.** That the Skills and Post-16 Education Bill was to go through the House of Lords that month.
 - 6.4.3.** That, in response to the initial White Paper, regional consortia were invited to apply to become 'Local Skills Improvement Plan Trailblazers' led by the Chambers and Strategic Development Fund ("SDF") pilots. She noted that West Yorkshire had not been successful, but she noted she would keep an eye on South Yorkshire which had. She noted that the Learning City Board was mapping skills regardless and that an application would be made in due course for SDF grant funding to support collaborative working, if available.
 - 6.4.4.** That the FE sector was lobbying for additional investment, longer-term planning, simplification of funding, a single skills fund, and a focus on climate action in relation to the upcoming spending review.
 - 6.4.5.** That there had been a cabinet reshuffle which could benefit the sector.
 - 6.4.6.** That the Leeds City Region Employment and Skills Framework had been released as had the Wakefield Council Employment and Skills Strategy 2021-25.

- 6.4.7.** That the College was doing the following to respond to skills priorities:
- 6.4.7.1.** Reviewing detailed labour market intelligence to inform curriculum planning relating to high level skills for high productivity areas and lower-level skills where there were the highest shortages.
 - 6.4.7.2.** Engaging regularly with Wakefield district partners to develop a clear picture regarding skills gaps.
 - 6.4.7.3.** That the College was in the process of redeveloping its employer engagement strategy including developing employer forums.
- 6.4.8.** That there were some cross cutting themes for both the Leeds City Region and Wakefield district including inclusive growth to address social exclusion of those with low level formal skills qualifications, digital skills and green skills.
- 6.4.9.** That the College was an embedded partner within Wakefield Learning City and District and the District Recovery Board.
- 6.4.10.** That the College had made a number of successful bids and was awaiting the result of many more which she outlined.
- 6.4.11.** That the DfE and Ofqual had released details of the format for exams for the summer of 2022 which she outlined.
- 6.4.12.** The College's COVID-19 statistics.
- 6.4.13.** That attendance figures were at or above target for all but 16–18-year-olds which was two percentage points down. However, work was continuing to be done to rectify this.
- 6.4.14.** That the College had aligned its response to sexual harassment and peer on peer abuse to guidance provided by Ofsted and the NSPCC to ensure it was taking the right steps.

6.5. Governors asked the following questions:

- 6.5.1.** Is there a local skills improvement plan? The Principal noted that, although West Yorkshire had been unsuccessful in its bid to become a ‘trailblazer’, work was being done to create a skills strategy for the Wakefield district, regardless, and there had been close collaboration with DWP and Job Centre Plus.
- 6.5.2.** Are the bids relating to staff development collective or for the College only and what are they for? The Principal noted that they were collaborative. The Executive Director HR and OD noted that the College had taken a lead with some of these and gave the example that one was to support teachers who joined the College during the pandemic.
- 6.5.3.** What are Selby College’s enrolment figures? The Principal noted that these were not yet available but that she understood it had not reached its targets except in relation to HE.
- 6.5.4.** How has the College encouraged students to take lateral flow tests and wear masks? The Principal noted that there had been a big push to encourage these behaviours but student compliance had begun to slip. She noted that the College was working hard to continue to promote these issues via communications and that vaccinations had been offered via pop up centres. Governors asked whether this formed part of the PSE programme which the Principal confirmed.

7. Consultation Document and Statutory Notice

7.1. Lorraine Cross noted the following:

- 7.1.1.** That Governors had seen the document at the Board’s recent development session but that which was being presented to them at

the Meeting was the designed version including the comments of the Board and the Selby College Board.

7.1.2. That statutory consultation was to commence on 21 October 2021 and several staff meetings had also been planned and she gave the dates of these. She noted that there had been encouraging online engagement.

7.2. IT WAS RESOLVED THAT the Consultation Document and Statutory Notice be approved.

8. Merger Due Diligence

8.1. The Executive Director of Finance and Resources noted the following in relation to financial due diligence:

8.1.1. That the College's appointed advisers had all the information they required through which they were working.

8.1.2. That no issues of concern nor ILR problems had been identified to date.

8.1.3. That legal advisors had been appointed in relation to the transfer of the Selby College pensions to the West Yorkshire Local Government Pension Scheme. He explained that the legal advisors were confident that the transfer would be completed by 1 March 2022 but that it was out of the College's hands, to some extent, as it required Secretary of State approval.

8.2. Governors asked: Will current ILR data be considered under due diligence? The Executive Director of Finance and Resources noted that the College had asked for an ILR from the current financial year giving student numbers at the first funding census date.

8.3. The Clerk noted the following in relation to legal due diligence:

- 8.3.1.** That lawyers had been instructed to advise in relation to due diligence.
 - 8.3.2.** That the lawyers had confirmed that they were receiving everything they needed in a timely fashion and they had, to date, not identified any issues of concern.
 - 8.3.3.** That Governors should be aware that post-merger sponsorship of the Selby Educational Trust (“SET”) had been highlighted by the lawyers as an issue to be determined. He explained that a fairly complicated process would be required for the College to assume sponsorship responsibilities but that the SET had indicated a desire to move to self-sponsorship. He noted that the matter was being progressed in a timely manner.
- 8.4.** The Chair noted the following by way of update in relation to the merger:
- 8.4.1.** *This item is confidential as it contains commercially sensitive information.*
 - 8.4.2.** That he was thankful to governors for replying to him regarding their governance aspirations post-merger.
 - 8.4.3.** That the Governance Workstream Group had made good progress regarding the recommended post-merger group structure, of which Governors were aware, and the number of meetings necessary at each level, which he outlined.
 - 8.4.4.** That a skills audit of existing governors was ongoing to determine membership positions according to skills needs.
 - 8.4.5.** That there would likely need to be recruitment to the Wakefield and Castleford Local Boards due to the relatively small current membership of the Board and that there would be an emphasis on community contribution.

8.4.6. That he would give further updates in due course.

8.5. IT WAS RESOLVED THAT the Chair be given such delegated authority as is necessary to negotiate on behalf of the Board such agreements as are necessary in relation to the Principal's appointment as interim Principal of Selby College.

8.6. CW joined the Meeting.

8.7. AM introduced CW explaining that she had been elected as Student Governor along with Kayleigh Hampton, President of the Students' Union who was not present.

8.8. JC asked CW whether lockdown had been difficult for her as an art and design student. CW noted that it had been difficult, and learning had been easier since she had been back at College.

8.9. CW noted that students had been involved with the "Hello Yellow" (to promote positive mental health) and "Black Lives Matter" campaigns.

8.10. Governors asked: Are students having vaccinations, doing Lateral Flow Tests and wearing masks? CW noted that the student response to each was mixed, that she was trying to spread a positive message and had had the vaccination herself.

8.11. CW left the meeting.

9. Interim Student Performance and Feedback 2020/21 (inc. HE)

9.1. The Executive Director of Curriculum referred to her presentation and noted the following:

9.1.1. That all figures were provisional.

9.1.2. That Governors should be cautious of making comparisons against 2019/20 which saw inflated grades due to calculation methods employed during the pandemic.

- 9.1.3.** That the overall achievement rate for 16–18-year-olds was 85% (86% in 2018/19). She noted that this was a good result given that only one third of teaching was carried out face to face during the period and that this figure was above the national average for 2018/19 which were the last available figures. That the overall retention rate was 88% (95% in 2019/20). She explained that this was due to inflated school grades leading to students with increased academic support needs, a lack of time to build skills, late modifications to learning outcomes leading to student anxiety and an especially large number of students gaining employment who could not come into College to complete assessments.
- 9.1.4.** That 19 plus achievement was 84% (86% in 2018/19). She noted that many NHS and Council worker students left the College during the period due to COVID-19. Others struggled with home schooling due to existing responsibilities and online learning did not suit the College's asylum seeker population which struggled without a more nurturing face to face approach. She outlined some disappointments including difficulties finding work placements for some L4 Counselling students and some students who had not achieved due to anxiety.
- 9.1.5.** That the Access to HE achievement rate was 82% (82.5% in 2018/19), well above the national average for 2018/19 and retention was 87% (88% in 2018/19). She noted that some students had been lost due to pandemic related issues but that there had been exceptional results in Humanities and Health.
- 9.1.6.** That HE achievement was down on 2019/20 (79% against 82%) but this was primarily due to retention issues in certain areas. She

explained that retention problems were, in part, due to employment at the second lockdown.

- 9.1.7.** That the HR grade profile was pleasing with more merits at Higher Nationals, compared with 2019/20, a similar Foundation Degree profile and more Honours Degrees.
- 9.1.8.** That the apprenticeship achievement rate was 59% against a 2018/19 national average of 67.8% although she noted that the current national rate was rumoured to be around 58%. She explained that lockdown had resulted in redundancies and many breaks in learning but, while many withdrew, 78% had returned. She noted that many end point assessments were late which would boost the current year's results.
- 9.1.9.** That A-Level results should be compared to 2018/19 due to 2019/20 grading methodologies. She noted that grades had been determined by teacher assessed grades and that there had been a two-percentage point increase on 2018/19 at 98%. She explained that 10 of the 14 A-Level subjects achieved a 100% pass rate and 12 out of 14 achieved over 50% high grades although three courses saw a decline in high grades due, in part, to the loss of a long-standing member of staff.
- 9.1.10.** That BTEC high grade performance was slightly better than 2019/20.
- 9.1.11.** That, in relation to 16-18 GCSE Maths and English, comparison grades for 2019/20 were likely inflated by pandemic grading methodologies. She explained that she was pleased that the College had performed in line with, for Maths, and higher than, for English, 2018/19. However, she explained that governors should be cautious with this comparison as not all students were entered for GCSEs in

2018/19 and that fewer students had been lost due to an absence of external exams.

9.1.12. That, in relation to adult GCSE Maths and English, achievement rates were significantly up on 2018/19, which was the appropriate comparison due to likely inflated grades in 2019/20 and the fact that there had been no change to the College enrolment model.

9.1.13. That professional judgement analysis for 16-18 and adults followed a similar pattern to previous years and tended to be slightly cautious. She suggested improvements might indicate how hard teachers work during the final push for achievement.

9.1.14. That student tuition funding had been received to provide additional English and Maths support sessions and additional specialist support sessions and she outlined the criteria for students to take advantage of this and the steps the College was taking to provide the funded support.

9.2. Governors asked and noted the following questions:

9.2.1. Are national rates expected to come down reflecting some of the figures seen by the College? The Executive Director of Curriculum noted that they would but explained that colleges had been able to choose their own teacher assessed grade process and some institutions may have chosen more lenient approaches.

9.2.2. DP noted that professional judgement accuracy was extremely high and that governors should be assured of this. He and JC noted that this was a difficult skill to master and that it was important that support is available to help newly qualified teachers. The Executive Director of

Curriculum noted that support in the form of internal verification workshops was available.

- 9.3.** The Chair noted that Governors were keen to receive assurance that merger business was not hindering College business which they had obtained.
- 9.4.** DP asked BP, Academic Staff Governor, for his comments. BP noted that he was pleased that retention data was so high as his experience had been of students giving up due to COVID-19 restrictions. He explained that additional support both digital and face to face and student tuition funding had clearly had a positive impact on students during a very difficult time. He noted that he was pleased that so many students were so positive about coming back to College following such a trying time. YA, Support Staff Governor, noted that she and her colleagues had worked hard to keep students engaged with their studies and socially active which was particularly necessary during the pandemic.
- 9.5.** The Executive Director HR and OD noted her thanks to the staff who had worked so hard to support students through the pandemic and to achieve. The Principal echoed this and noted how crucial the work of the teaching and support staff had been.

10. Subcontracting

- 10.1.** *This item is confidential as it contains commercially sensitive information.*

11. Finance Report

- 11.1.** The Chair thanked the Executive Director of Finance and Resources regarding the College's outstanding financial performance.
- 11.2.** The Executive Director of Finance and Resources referred to the Provisional Outturn 2020/21 paper and noted the following:
- 11.2.1.** That outturn was up on target by approximately £100,000.
- 11.2.2.** That EBITDA performance was extremely strong.

11.2.3. That the financial year had ended with the College having approximately £8 million pounds in cash which, he noted, was a fantastic achievement against the backdrop of the pandemic.

11.3. NW, as Lead Governor for Finance, noted that performance was strong and in line with previous forecasts, which should give Governors assurance. He opined that many organisations had achieved well during the pandemic, and it would be useful to understand how the College was faring when the impact of COVID-19, both positive and negative, is stripped out. He explained that he had discussed the College's improved position regarding its pension deficit. He congratulated the Executive Director of Finance and Resources for the College's outstanding finances.

11.4. Executive Director of Finance and Resources referred to the Debts Written Off During 2020/21 paper and noted the following:

11.4.1. That less than £100,000 had been written off.

11.4.2. The process by which write offs were authorised and the categories of debts that had been written off.

11.5. Governors noted that tuition fee write offs had decreased significantly. The Executive Director of Finance and Resources opined that this may have been due to the increase in fully funded learners. He explained that library debts were significantly down as students worked remotely.

11.6. The Executive Director of Finance and Resources referred to the Report on Waivers from Financial Regulations 2020/21 paper and noted the following:

11.6.1. That the College had robust process in place regarding tenders but that it was not unusual for the College to waive these processes where necessary.

11.6.2. That there had been a spike during the year due, primarily, to necessary purchases during the pandemic and he outlined the areas in which it had been necessary for waivers to be given. He also noted the appointment of advisers relating to the merger in respect of which waivers were given due to time constraints.

11.7. Governors thanked the Executive Director of Finance and Resources for his transparency and confirmed that they were comfortable with the waivers made having heard the rationale for these.

11.8. The Executive Director of Finance and Resources referred to the Student Recruitment paper and noted the following:

11.8.1. That enrolment was positive and up 24% in two years while, at some other colleges in the region, numbers appeared to be falling.

11.8.2. That increased enrolment represented a resourcing challenge.

11.8.3. That AEB enrolment was less positive but was broadly in line with other colleges in the region.

11.8.4. That HE numbers were down but if the College could keep the learners it had, it could still hit its HE tuition fee income target.

11.9. Governors asked the following questions:

11.9.1. Why AEB enrolment was in decline? The Executive Director of Finance and Resources noted that this was a national trend and that the pandemic had made people re-evaluate their circumstances but that it was a College issue which needed addressing. He noted that the Executive Team had been meeting to discuss the issue and the College had been collaborating with the West Yorkshire Combined Authority to help find solutions.

- 11.9.2.** Are 16-18 demographics improving? The Executive Director of Finance and Resources confirmed they were.
- 11.9.3.** Had the increase in numbers had a negative effect on the student experience? The Executive Director of Curriculum noted that there had been issues in relation to mental health and that the student tuition fund would be vital to address this. The Principal noted that staff and students were beginning to feel the effects of the pandemic and that the funding would be vital to address behavioural and mental health issues.
- 11.9.4.** Was additional recruitment available to help alleviate the pressures on staff and to help the students academically after the pandemic? The Executive Director of Finance and Resources noted resourcing issues in certain areas and the difficulties of providing necessary space. He explained that the College had made a bid for additional funding to increase the size of Castleford campus workshops.

11.10. Governors asked for an update regarding the decline in AEB enrolment and the behavioural and mental health effects of the pandemic at the next meeting.

12. Safeguarding Children and Vulnerable Adults Policy and Procedure

- 12.1.** The Executive Director of HR and OD outlined the major changes to the policy including those relating to sexual violence and peer on peer abuse.
- 12.2.** JC, as Lead Governor for Safeguarding, noted that she was happy with the policy but asked that the Principal make available in the College the poster she had presented as part of her earlier presentation.
- 12.3.** IT WAS RESOLVED THAT the policy be approved.

13. Health and Safety Policy

- 13.1.** The Executive Director of HR and OD noted the following:

13.1.1. That the amended policy had been reviewed by the Health and Safety Management Committee.

13.1.2. That the policy would be revisited post-merger.

13.2. Governors asked whether the policy had been subject to external review. The Executive Director of HR and OD noted that it had not. She confirmed that she would propose this to the Health and Safety Management Committee.

13.3. IT WAS RESOLVED THAT the policy be approved.

14. Briefing Papers

14.1. The briefing papers were noted.

14.2. The Clerk thanked Governors for their questions regarding the briefing papers the answers to which, he noted, would be circulated in due course.

14.3. The Clerk noted that he had received a request for the Board's approval of an application for £50k of funding from the Local Authority relating to the College's investment in the 'Wakefield Mainstream Providers Project' which, if successful, would enable the College to carry out capital works that increased its ability to be inclusive and ensure young people with SEND in Wakefield have the choice to access a mainstream provider. Governors discussed the application.

14.4. IT WAS RESOLVED THAT the application be approved.

15. Review of Effectiveness of Meeting and Identification of Emerging Risks

15.1. Governors agreed that the Meeting had been effective.

15.2. Governors asked that both screens in the room in which the Meeting took place be used for presentations in future for ease.

15.3. Whether a virtual/in person blended approach could be facilitated. The Clerk confirmed this was possible, if necessary.

15.4. The Chair closed the Meeting.

Signed Date.....

Actions

No.	Minute	Details	Deadline	Responsibility
1.	6.3	The Chair agreed to write to staff to thank them for their hard work and achievements during 2021/22.	ASAP	The Chair.
2.	11.10	Governors asked for an update regarding the decline in AEB enrolment and the behavioural and mental health effects of the pandemic at the next meeting.	The Board meeting of 7 December 2021	The Executive Team
3.	12.2	That the Principal make available in the College the poster regarding sexual violence and peer on peer	ASAP	The Principal

		abuse she had presented as part of her earlier presentation.		
4.	13.2	The Executive Director of HR and OD noted that she would propose that the Health and Safety Policy be subject to an external review to the Health and Safety Management Committee.	ASAP	The Executive Director of HR and OD
5.	14.1	The Clerk agreed to circulate the answers to Governors' briefing papers questions.	ASAP	The Clerk.
6.	15.2	Governors asked that both screens in the room in which the Meeting	The Board meeting of 7 December 2021	The Clerk

		took place be used for presentations in future.		
--	--	--	--	--