

Kirklees College Corporation

CORPORATION

Minutes of a meeting held from 15.00 to 18.00 on 29 January 2021 by Microsoft Teams

Present:

Mr G Hetherington	Independent Governor (Chair)
Ms A Blake	Independent Governor (from 15.10)
Mr B Blank	Student Governor
Ms M Carabine	Independent Governor
Dr A Conn	Independent Governor
Prof S Donnelly	Independent Governor
Ms C George	Independent Governor
Ms M Gilluley	Principal & Chief Executive
Ms F Hussain-Butt	Independent Governor
Mr H Linn	Independent Governor
Ms L Precious	Staff Governor
Mr J Royle	Independent Governor
Mr N Taylor	Staff Governor
Mr M Varyani	Independent Governor
Mr I Wainwright	Independent Governor
Dr A Williams	Independent Governor
Mr J Williams	Independent Governor

Attendance: 17/17 = 100% KPI 80% Quorum: 7 (40%)

In attendance: Ms J Arechiga Vice Principal Curriculum

Mr M Bennington Vice Principal Corporate Operations

Ms A Blake Observer (to 15.10)

Ms C Gonzalez-Eslava Vice Principal Curriculum, Performance & Innovation

Ms P Harrow Asst Principal Student Experience

Ms J Green

Mrs R Meara

Ms J Simpson

Ms J Simpson

Ms R Swallow

Clerk to the Corporation

Executive Director of Finance

Executive Director of HR

Student Experience Manager

Item Action/
Synopsis Item

PRE	PRELIMINARY ITEMS		
0	WELCOME AND INTRODUCTIONS		
i	The Clerk confirmed that due notice of the meeting had been given, that the requirement for all persons participating to be able to communicate with one another was satisfied and that the meeting was quorate.		
ii	The Chair declared the meeting open, welcoming Ms A Blake, who was recommended by the Search & Governance Committee for appointment to the Corporation; also noting that the meeting would be Vice Principal Ms C Gonzalez-Eslava's ("CGE") last at Kirklees College. Governors thanked CGE for her service to the College and wished her well in her next role.		
iii	The Clerk reported that Mr H Aslam had decided to resign from his role as Student Governor to pursue other projects. She passed on his thanks and best wishes and this was reciprocated by Governors, who agreed to record their thanks to Mr Aslam for his contributions to the work of the Corporation.		

1	APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST	
i	No apologies were received.	
ii	The Chair invited disclosures of interests. All confirmed that, except as previously disclosed, they had no direct or indirect interest in any way in the business to be transacted which should be disclosed.	
2.0	MINUTES OF THE 14 DECEMBER 2020 CORPORATION MEETING	
i	RESOLVED:	
	(i) To approve the minutes of 14 December, including the confidential annexes, as an accurate record.	
2.1	MATTERS ARISING NOT ON THE AGENDA	
i	No matters were raised.	
2.2	UPDATE ON AGREED ACTIONS	
i	Governors' IT needs: This had been actioned. The Clerk would analyse the data and report to the Chair and Principal.	
ii	Publication of EEC Terms of Reference: This had been actioned.	
GOVE	RNANCE	
14	SEARCH & GOVERNANCE COMMITTEE REPORT	
i	It was agreed that Item 14 should be taken out of time.	
ii	The Committee Chair Mr G Hetherington ("GH") presented the minutes of the meeting and the Committee's advice was noted. With Mr Aslam's resignation, the Corporation was carrying four vacancies including one Student Governor role and, having no further confirmed candidates in the pipeline, the Search and Governance Committee was proposing for appointment Ms A Blake ("AB") whose pen portrait and LinkedIn profile had been shared.	
iii	AB was asked to leave the meeting while the recommendation was discussed.	
15.10	Ms A Blake left the meeting.	
iv	GH explained that AB was Director of Development at Kirklees Council and had previously been Service Director Economy and Skills. He said the Committee's recommendation was unanimous; AB satisfied the essential criteria set out in the Independent Governor person specification and had the skills and experience specified by the Corporation as appropriate for Governors to have, in particular sharing Governors' passion for the transformative power of education. He said although there was a potential conflict of interest due to her connection to the Local Authority, this had been discussed with her and the Committee expected that it would be well managed.	
V	The Clerk had undertaken due diligence checks and had nothing to report. Being satisfied in terms of AB's suitability for the role, Governors agreed as follows:	
vi	RESOLVED:	
	(i) In accordance with Standing Order 2 and being satisfied that all requirements relating to Governor appointments are met, to appoint Ms Angela Blake as an Independent Governor from 29 January 2021 until 31 March 2024.	Synopsis Item 1

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15.15	5 Ms A Blake rejoined the meeting.	
vi	The Chair informed AB that she had been appointed and Governors welcomed her to the Corporation.	
vii	Action: Clerk to attend to relevant paperwork following the Governor appointment.	JG
PRIN	ICIPAL'S REPORT	
3	PRINCIPAL'S REPORT	
i	Ms M Gilluley ("MG") spoke to her Principal's report, advising as follows:	
	Due to national lockdown, the College was closed to all but vulnerable learners and those for whom exceptional arrangements were being made for assessments.	Synopsis Item 2
	A centre to deliver lateral flow tests to staff was ready to go as soon as lockdown lifted. While there were reduced numbers in College, staff were being signposted to the Kirklees Community testing centres.	
	➤ The latest learner survey results were positive: overall satisfaction levels remained high at 94% and other questions scored more highly than the previous year.	
	More laptops had been received for distribution to learners. The Equality Diversity & Inclusion Strategic Group was monitoring as many still lacked access to equipment.	
	> At a meeting on 26 January, the Combined Authority had confirmed that Adult funding for the coming year would be more or less as the College had expected.	
	➤ The College had named the Pioneer café and hair salon after illustrious female alumni, the café 'Warsi's', after Baroness Sayeeda Warsi, and the hair salon 'Boothroyd's', after Baroness Betty Boothroyd.	
	> The latest edition of KC Chronicle (providing an update on activities, events and achievements of staff and students) accompanied the report.	
	Proposal for the Strategy Workshop Follow-up	
ii	This would consist of a two-hour workshop, following a 'Risk Appetite' session facilitated by the internal auditor. The White Paper had been published and MG had shared some thoughts about what it might mean for the College. A Governor commented that these had been insightful.	
iii	RESOLVED:	
	(i) To agree the proposed content for the Strategy Workshop Follow-up Session.	
	Response to the Black FE Leadership Group Action Plan	Synopsis
iv	MG referred the meeting to the 5 August 2020 Black Further Education Leadership Group open letter to address systemic racism in further education ("FE"), which accompanied her report. She said of the items in the action plan detailed in the letter, three related specifically to colleges and should be specifically addressed:	Item 3
	 Culture – All colleges to annually publish student performance, staff and governor profile data by ethnicity, including actions to address specific gaps. 	
	 Climate – College recruitment processes, including the deployment of recruitment companies, to proactively address imbalances in the diversity of leadership at all levels. 	
	10. Communications – All organisations with an investment in FE to ensure fair and positive treatment of BAME students, staff and communities, in terms of optics, content and impact.	

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٧	Governors agreed that the three items should be regular agenda items at meetings of the Equality, Diversity & Inclusion Strategic Group for monitoring.	
4	BUSINESS CRITICAL PERFORMANCE INDICATORS ("BCPIs")	
i	Vice Principal Corporate Operations Mr M Bennington ("MB") presented the BCPI report, highlighting as follows:	
	➤ Lockdown continued to impact Adult activity, with lost turnover largely unrecoverable due to the on-programme methodology. The worst-case predicted outturn was 71% and the Government was expected to reduce its contracting tolerance again. Work was underway to identify savings to offset lost turnover.	
	Concern about significant underperformance in apprenticeships had reduced and the risk had moved from 'Red' to 'Amber'. The College was working with employers to understand their plans and assess the impact of further delays in converting agreed new business. MB said the forecast did not include any new business.	
	Adult Learning Loan take-up was in decline and not expected to improve during the pandemic.	
	> Full cost commercial was not expected to recover in year and few school links provision students had been recruited.	
ii	RESOLVED:	
	(i) To note the status of the Business Critical Performance Indicators.	
ARTI	CLE 10 SELECTION PANEL ADVICE	
5	ARTICLE 10 SELECTION PANEL ADVICE AND RECOMMENDATION	
i	Following a recruitment process in line with Article 10 of the Articles of Association, the Selection Panel was recommending Mr Palvinder Singh for appointment as the next Principal and Chief Executive of the College. If appointed, Mr Singh would join the College during Summer 2021.	
ii	The Panel Chair, GH, said the Selection Panel had seen some strong candidates but the recommendation had unanimous support. Mr Singh had performed strongly in the assessment centre tests. He was a former College student who had worked in FE since 2000 and had held a range of senior appointments, most recently as Group Deputy Principal (Finance, Planning and Resources) for the Newcastle College Group.	
iii	RESOLVED:	
	(i) Being satisfied that all requirements relating to Principal and Chief Executive appointments were met, to approve the appointment of Mr Palvinder Singh as the next Chief Executive and Principal of the College, subject to contract and pre-employment due diligence.	Synopsis Item 4
QUAI	LITY AND CURRICULUM ITEMS	
6	INTERIM CURRICULUM MANAGEMENT ARRANGEMENTS	
i	Vice Principal Ms J Arechiga ("JA") shared the new curriculum management structure.	
15.40	Ms R Swallow and Ms P Harrow joined the meeting.	
15.40 7	PRESENTATION ON NAVIGATE SOFTWARE	

targets for and track their personal development, as well as enabling conversations with tutors and progress coaches around wellbeing, confidence and workload.

In response to a question, RS said the software was used by learners at all levels and the feedback had been positive. This was echoed by Student Governor Mr B Blank who said the Navigate software, which helped learners build strong CVs, was easy to use and typical of the excellent level of student support provided by the College.

15.50 Ms R Swallow left the meeting.

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EXPLORATION OF CURRICULUM INTENT

JA reminded Governors of the meaning of 'curriculum intent' in terms of curriculum design, aims, coverage and appropriateness and that it featured strongly in the Ofsted quality framework. She said, in the Kirklees College context, the key strands of the curriculum intent were:

Synopsis Item 5

- addressing skills shortages;
- focusing on areas of economic importance;
- broadening the Adult offer in response to unemployment;
- increasing provision in English and maths/support;
- a 14-16 offer for learners at risk of becoming NEET¹;
- a varied and broad offer from Entry to Level 5 with clear progression pathways;
- skills for employment: digital, teamwork, self-management.

ii CGE described the consistent cross-College approach to developing curriculum intent, using the strategic intent document for Engineering & Manufacturing as an example. It showed typical job roles alongside the College's current curriculum offer and (based on the UK Labour Market Projections) the anticipated growth in demand for relevant occupations in the Leeds City Region and in Calderdale and Kirklees between 2017 and 2024. The College's competitive position in terms of its market share and its key competitors was also shown.

CGE said whereas the market data indicated that the College's Engineering & Manufacturing programmes were well-matched to projected industry demand, in other curriculum areas it was clear that certain provision was no longer relevant and the College would use that information to inform its future strategy.

Governors commented on the clear presentation of information. There was discussion about the degree to which the national datasets could be relied upon and the need to combine it with local intelligence. AB said the national data on Engineering & Manufacturing opportunities matched the information the Local Authority had collected as part of its COVID-19 recovery work; feedback from industry was that Engineering and Manufacturing was where the jobs growth would be coming from, along with Healthcare and Construction. MG said the White Paper envisaged the establishment of College Business Centres with a sector focus, which would be an opportunity to promote Engineering, as well as Construction.

A Governor asked how the opportunity information contained in the reports was communicated to learners and potential learners. MG said this was mainly through the College careers service, including at events such as STEM² week, and through the prospectus, but there was ambition to do more, including closer working with schools.

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¹ an acronym for "Not in Education, Employment, or Training", NEET refers to a person who is unemployed and not receiving an education or vocational training.

² Science, Technology, Engineering, and Mathematics

Staff Governor Mr N Taylor shared his experience of undertaking the curriculum νi planning work. He said managers supported the approach and had welcomed the opportunity to engage with the curriculum intent and set the direction of travel. **EQUALITY, DIVERSITY & INCLUSION** 9.1 **EQUALITY, DIVERSITY & INCLUSION STRATEGIC GROUP REPORT** The minutes of the 13 January 2021 meeting were received and the 'items of report' were noted. In particular, the Group had discussed the annual Equality, Diversity & Inclusion report, which it was recommending for approval. 9.2 **EQUALITY DIVERSITY & INCLUSION COMPLIANCE REPORT** Executive Director of HR Ms J Simpson ("JS") introduced the Equality, Diversity and Inclusion Annual Report (the "Report"), which provided an overview of the diversity profile of the College workforce and the learner population and provided examples of how the College had continued to effectively promote and successfully integrate equality, diversity and inclusion into the student experience during 2019/20. It also set out the further positive actions the College intended to take going forwards into 2020/21. ii It was noted that the Report would be incorporated into the College's annual Financial Statements by reference and it was agreed that the following mandatory reporting requirements were met: The Report detailed the work undertaken and the progress made in 2019/20 towards achieving the measurable objectives set out in the 2019-22 Single Equality, Diversity, Inclusiveness and Belonging Scheme Action Plan, approved by the Corporation in January 2020 and monitored by the Equality, Diversity & Inclusion Strategic Group at its termly meetings; The Equality Act 2011 requirement to publish, at least annually, information to demonstrate compliance with the general equality duty was satisfied; and The Report referred the reader to the College Equality, Diversity & Inclusion policy. Learner Equality Monitoring Data (Part 3 of the Report) iii JS explained that the COVID-19 pandemic had impacted the College's achievement data for 2019/20. She said while some gaps had opened up between different groups, these were caused by issues related to the pandemic and would not otherwise exist. iν Governors noted as follows: Outcomes for High Needs learners remained outstanding and above whole College for achievement, retention and pass rate - and significantly higher than national rate; ➤ Learners receiving support from the ALPS³ Team continued to outperform their peers both in College and nationally. Achievement, which had improved continuously for the past three years, was significantly above national rate; Hearing impaired supported female learners' performance was significantly poorer than their peers in the 16-18 and 19+ age groups: For visually impaired supported learners, overall retention, achievement and pass rates were higher than in 2018/19 and higher than whole College and national rates; Learners with an Education Health Care Plan (EHCP) were out-performing their peers both in College and nationally.

³ The Additional Learning Programme of Support (ALPs) Team provides support for additional learning needs.

Staff Equality Monitoring Data (Part 4 of the Report) ٧ Governors were pleased to hear that the College was continuing to make good progress on bringing its workforce in line with the local demographic, including in teaching roles. 19.48% of staff were now from BAME groups, a 1% increase on the previous year, continuing the year-on-year increase of BAME staff since 2013/14. JS said the proportion was higher than the overall Kirklees workforce (14.55%) and towards the top end of the FE workforce range (reported at 10-20%). νi Governors commended the Report, commenting that it was well put together and had been an uplifting read, showing the College in a very positive light. vii **RESOLVED:** (i) To receive the Equality, Diversity & Inclusion Annual Report, note its contents, Synopsis and approve it for inclusion by reference in the College's Financial Statements. Item 6 GOING CONCERN - MATTERS OF FINANCE, REGULATION, LEGAL ISSUES **HUMAN RESOURCES STRATEGY** 10 JS presented the 2020/23 Human Resources ("HR") Strategy, which Governors agreed reflected the ethos of the College, having a clear focus on the Values and how the HR function could support the achievement of the goals of creating an excellent student and staff experience and providing high quality teaching, learning and assessment. ii The HR Strategy outlined the rigorous approach taken as part of annual business planning to determining an adequate and affordable staff development budget; it was noted that this ranged between £122k and £139k. The Clerk reminded the meeting that the Corporation was required to agree the HR iii Strategy, ensuring in the process that it took account of the Equality, Diversity & Inclusion Policy. It was noted that Section 7 of the HR Strategy emphasised the need to encourage staff to achieve their full potential in an environment that actively challenged all forms of unfair treatment, discrimination, bullying and harassment and set out a clear aim of being "welcoming to all, supporting, encouraging and developing our people regardless of background - respecting and promoting diversity". The Strategy went on to describe a road map to getting there which included staff training, removing barriers to employment and progression and ensuring HR processes, policies and procedures were legislatively compliance and reflective of industry best practice. iν **RESOLVED:** (i) Being satisfied that it: **Synopsis** takes due account of the Equality, Diversity & Inclusion policy; Item 7 reflects the ethos of the College; > aids excellence in quality, teaching, learning and assessment; and > is affordable, to approve the Human Resources Strategy as presented. MODERN SLAVERY STATEMENT 11 JS presented the proposed Modern Slavery Statement, which outlined the steps taken in the last financial year to ensure that slavery and human trafficking were not taking place in the College's supply chains. There was discussion about the risks around using agency staff and JS explained that the procurement of a master vendor through a detailed tendering and implementation process had mitigated this risk substantially.

ii	RESOLVED:	Synopsis
	(i) To reiterate the Corporation's commitment to understanding modern slavery risks and ensuring that there is no modern slavery in its own business and supply chains.	Item 8
	(ii) To note the preventative steps the College is taking (and intends to take) to avoid the risk of modern slavery occurring within its services, particularly within the higher risk areas identified in the Modern Slavery Statement.	
	(iii) To approve the Modern Slavery Statement for publication on the College website.	
12	EXECUTIVE DIRECTOR OF FINANCE REPORT	
	Finance Record and Accompanying Commentary	
i	Governors recalled that at the previous meeting, a new reporting requirement had been discussed: a requirement to obtain Corporation approval of the 'finance record' either before or very shortly after submission. The Corporation had approved the use of the data reported to the Education & Skills Funding Agency ("ESFA") in November 2020 for this forecast, as the College's mid-year review would not take place until February. The submission had been made and the reports were received for approval.	
ii	RESOLVED:	
	(i) To approve the Finance Record and accompanying Commentary submitted to the ESFA in January 2021.	Synopsis Item 9
iii	A Governor commented on a graph in the Commentary showing cash balances for financial years 2019/20 and 2020/21, as well as the forecast cash balances for 2021/22. The Governor remarked that cash levels were low from mid-2020/21 onwards compared to previous levels and asked Executive Director of Finance Mrs R Meara ("RM") to comment. RM said this was due to the making of loan repayments. Also, she said, she had taken a pessimistic view of the July 2022 position; she expected that in the 2021/22 budget, the cash position would be better.	
	Financial Report	
iv	Referring to the BCPI report, RM reiterated that there were concerns on fees and Adult Education Budget income lines due to the reduced student numbers caused by the pandemic. She said despite this, with expenditure budgets holding well under forecast, she had confidence that when the full year re-forecast was presented in March, the EBITDA ⁴ position would be in line with the original budget. She added that, should the Halifax Road sale complete, there was a possibility of achieving 'Good' financial health by the end of 2020/21. Governors agreed that this would be quite an achievement, given the position the College was in just three years previously.	Synopsis Item 10
	Estates Update	
V	With the refurbishment of Pioneer House complete, the College was completing some environmental enhancement works at the rear of the property, using Kirklees Council Better Spaces Programme funding. It expected to complete them by the end of March.	
vi	The sale of Halifax Road was delayed slightly but was expected to complete the following week. The reasons for the delay were set out in the report and were noted.	

 $^{^4}$ Earnings Before Interest, Tax, Depreciation and Amortisation (EBITDA) is a measure of a business's operating performance which is used by the College in its financial planning and reporting.

FE Capital Funds vii Governors recalled that, in October, they had approved proposals for spending a £1.5m capital grant for submission to the ESFA. She said due to the pandemic lockdown, the ESFA had somewhat relaxed its 31 March deadline for completion of funded capital works and the College had taken the opportunity to apply for a delay. requesting flexibility over £300k of expenditure until September. This had been agreed. viii RM said, while the proposal's expenditure themes were unchanged, some minor changes had been made within categories to meet the grant requirements. She shared the projected College cash contribution required to meet the full grant conditions. Taylor Hill Salix Grant Proposal ix RM explained that the College had applied for funding from a Government fund set aside for decarbonisation initiatives. It planned to use it to improve the energy efficiency of a greenhouse type structure in the centre of the Taylor Hill site. She said as the funding would be non-repayable grant, it was an opportunity to reduce the carbon footprint and reduce future energy costs at no cost to the College. Х A condition of funding was that works must be completed by 31 March, so management had tendered for the work and was seeking Corporation approval for the expenditure in advance of the bid being approved. RM acknowledged the risk of failing to complete the works on time and explained how it had been mitigated down to a level that would be manageable within the envelope of uncommitted capital funds for 2020/21. χi **RESOLVED:** (i) To approve the proposed expenditure at the Taylor Hill campus, subject to the Salix Grant bid being approved. 13 **AUDIT COMMITTEE REPORT** The Committee Chair Mr J Williams ("JW") said the Committee had met to discuss an internal audit review which had returned a 'Limited Assurance' opinion. He said the Committee had been concerned by the findings of the report, which concerned aspects of health and safety compliance, but was satisfied with the management response and that appropriate monitoring arrangements were in place, so it was not raising a concern with the Corporation. The minutes of the meeting would be circulated separately. **RESOLVED:** (i) To note the advice of the Audit Committee. 17.40 Ms R Swallow and Ms P Harrow joined the meeting. 15 STUDENT UNION REPORT Student Union President (and Student Governor) Mr B Blank and RS presented the report, reminding the Corporation of its responsibilities for overseeing the work and particularly the finances of the Students' Union. Governors were impressed by the high number of student representatives the College had recruited and the investment it had made in training and supporting them, so as to augment and amplify the student voice. The recent activities of the Students' Union were noted. ii RESOLVED: **Synopsis** (i) To receive the Student Union accounts. Item 11

15.3	STUDENT GOVERNORS INVOLVEMENT IN COMMITTEES
i	RESOLVED:
	(i) To appoint Student Governor Mr B Blank to the Quality, Performance & Standards Committee with immediate effect.
16	PUBLICATION OF AGENDA PAPERS
i	RESOLVED:
	(i) In accordance with the Instrument, all items marked with an asterisk on the Agenda shall be confidential and excluded from publication.
17	USE OF CORPORATION SEAL
i	The report was received. It was noted that the Corporation seal had not been used.
PAPE	RS FOR ASSURANCE/INFORMATION PURPOSES ONLY
18	ESTATES STRATEGY ADVISORY GROUP MINUTES
i	The minutes of 10 December were received and the contents noted.
19	USE OF THE WRITTEN RESOLUTION PROCEDURE
i	The report was received and the contents noted.
20	DATE OF NEXT MEETING
i	Friday 26 March 2021 3pm, Corporation meeting

Synopsis

#	Details	Minute
1.	The Corporation appointed Ms Angela Blake as an Independent Governor.	2iv
2.	An update on the College response to COVID-19 was received.	3i
3.	The Black Further Education Leadership Group open letter to address systemic racism in further education was discussed, and the Corporation approved the Principal's proposed approach to responding to the Action Plan set out in the letter.	3iv, 3v
4.	Mr Palvinder Singh was approved for appointment as the next Chief Executive and Principal of the College, subject to contract and pre-employment due diligence.	5iii
5.	The Vice Principal Curriculum led a discussion on curriculum intent.	8
6.	The Corporation received the 2019/20 Equality, Diversity & Inclusion Annual Report, noted its contents and approved it for inclusion by reference in the College's Financial Statements.	9vii
7.	The Corporation approved a new Human Resources Strategy.	10iv
8.	The Corporation approved a Modern Slavery Statement for publication on the website.	11ii
9.	The Corporation approved an ESFA financial return.	12ii
10.	A finance and estates update was received.	12iv-xi
11.	The Student Union's financial accounts were received.	15ii