

Kirklees College Corporation

## CORPORATION

### Minutes of a meeting held at 15.00 on 24 September 2021 in the Conference Suite at the Waterfront Campus and by Microsoft Teams videoconference

Present:	Mr G Hetherington	Independent Governor (Chair)
	Ms M Carabine	Independent Governor (via Teams)
	Ms J Walters	Independent Governor
	Dr A Conn	Independent Governor
	Prof S Donnelly	Independent Governor (via Teams)
	Ms F Hussain-Butt	Independent Governor (via Teams)
	Mr H Linn	Independent Governor
	Mr C Robinson	Independent Governor
	Mr P Singh	Principal and Chief Executive
	Mr I Wainwright	Independent Governor (via Teams)
	Dr A Williams	Independent Governor (from 16.00)
	Ms G Woodyet	Student Governor (via Teams)

Attendance: 12/14 = 86% KPI 80% Quorum: 8 (40%)

In Attendance:	Ms J Arechiga	Vice Principal Curriculum and Innovation (from 15.10)
	Mr M Bennington	Vice Principal Corporate Operations (from 15.10)
	Ms J Green	Clerk to the Corporation
	Ms P Firth	Assistant Principal Adults & Higher Education (from 15.10)
	Ms P Harrow	Assistant Principal Student Experience (from 16.30)
	Mr R Harwood	Head of Health & Safety (Item 7 only)
	Ms P Hughes	Assistant Principal Quality & Apprenticeships (from 15.10)
	Mrs R Meara	Executive Finance Director (from 15.10)
	Ms J Simpson	Executive Director of Human Resources

### Item

### Action/ Synopsis Item

PRELIMINARY ITEMS		
<b>0.0</b>	<b>WELCOME AND INTRODUCTIONS</b>	
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. A hybrid meeting was being held for the purposes of business efficacy.	
ii	The Chair welcomed Governors and declared the meeting open.	
iii	It was noted that Staff Governor Ms L Precious had resigned with effect from 31 July, shortly before the natural end of her term. Governors asked that their thanks be recorded for Ms Precious's valuable contributions over the past few years.	
<b>1.0</b>	<b>APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST</b>	
i	Independent Governors Mrs C George and Mr M Varyani had sent apologies.	
ii	All confirmed that, except as previously disclosed, they had no direct or indirect interest in any way in the business to be transacted at the meeting which should be disclosed.	

ARTICLE 10 SELECTION PANEL RECOMMENDATION		
<b>3.0</b>	<b>APPOINTMENT TO THE SENIOR POST OF VICE PRINCIPAL CURRICULUM</b>	
i	The Chair had asked for the meeting to begin in closed session with Executive Director Mrs J Simpson in attendance to report on the selection process, so that the Item 3 decision (appointment of the Vice Principal Curriculum and Innovation) could be taken without delay. This was agreed and the item was taken out of turn.	
ii	In discussion with the selection panel (the "Panel"), the Corporation satisfied itself that the recruitment process had been in line with Article 10 of the Articles of Association. The Chair thanked Panel members: - the Principal Mr P Singh ("PS"); - Independent Governor Mr G Hetherington ("GH"); - Independent Governor Dr A Williams; - Independent Governor Ms F Butt; and - Education consultant and former FE college Vice Principal Curriculum Mr D Harding.	
iii	The Panel chair GH shared the unanimous recommendation.	
iv	<b><u>RESOLVED:</u></b>  <b>(i) Being satisfied that all requirements relating to Senior Post Holder appointments were met, to appoint Ms Julia Arechiga to the post of Vice Principal Curriculum and Innovation.</b>  <b>(ii) To wind up the Article 10 Selection Panel with immediate effect and to thank those who served on it, in particular the external member Mr Harding.</b>	Synopsis Item 1
<i>15.10 The meeting adjourned to allow a briefing on the Education Inspection Framework to take place. When it reconvened, in addition to those who were previously present, VP Curriculum &amp; Innovation Ms J Arechiga, VP Corporate Operations Mr M Bennington, AP Adults &amp; Higher Education Ms P Firth, AP Quality &amp; Apprenticeships Ms P Hughes and Executive Finance Director Mrs R Meara joined the meeting.</i>		
<b>0.0</b>	The Chair welcomed everyone and congratulated Ms J Arechiga ("JA") on her Vice Principal appointment.	
<b>2.0</b>	<b>MINUTES OF THE 16 JULY 2021 CORPORATION MEETING</b>	
i	<b><u>RESOLVED:</u></b>  <b>(i) To approve the 16 July 2021 minutes as an accurate record.</b>	
<b>2.1</b>	<b>MATTERS ARISING NOT ON THE AGENDA</b>	
i	None were raised.	
<b>2.2</b>	<b>UPDATE ON AGREED ACTIONS</b>	
i	<b>Governor Safeguarding training:</b> Governors were reminded to complete this.	
ii	<b>Governor Training Record (rolled over):</b> This was part of the meeting pack. The Clerk had since updated it to correct an omission.	
iii	<b>Strategic Planning Event:</b> This was on the Agenda (Principal's Report).	
iv	<b>The External Audit Plan:</b> As the Audit Committee meeting had been moved to October, the Plan would be brought to the November meeting.	

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v	<b>Approval of the Health &amp; Safety policy:</b> This was on the Agenda.	
vi	<b>VP Curriculum Recruitment:</b> This had been attended to.	
4.0	There was no item 4.	
<b>PRINCIPAL'S REPORT</b>		
5.0	<b>PRINCIPAL'S REPORT</b>	
i	<u>16-19 Enrolments</u> PS confirmed that 16-19 recruitment remained challenging. There would be further enrolment activities over the next week but half term would be the cut-off. Over-inflated grades were thought to be impacting on 16-19 enrolment across the sector, with learners choosing A levels over vocational courses. The College had written to partner organisations as well as to prospective students and their parents, to highlight its readiness to respond to anyone wishing to change track in-year.	
ii	<u>West Yorkshire Colleges Consortium Membership</u> For the various reasons outlined in his report, PS was recommending that the Corporation exercise its right to withdraw from membership of the limited company West Yorkshire Colleges Consortium Limited (company number 4165288) but continue to work in partnership with the other West Yorkshire Colleges on a less formal footing. Following discussion, this was agreed.	
iii	<u>RESOLVED:</u> <b>(i) The Corporation shall cease to be a member of the West Yorkshire Colleges Consortium Limited (company number 4165288).</b> <b>(ii) The Principal Mr P Singh is authorised to give notice to West Yorkshire Colleges Consortium Limited (the 'Company') of the Corporation's intention to withdraw from membership of the Company and to sign any documents that may be necessary to give effect to such withdrawal.</b>	Synopsis Item 2
iv	<u>COVID 19</u> This continued to be a key focus. The College had hosted a pop-up vaccination clinic and continued to encourage mask wearing.	
v	<u>2020/21 Student Outcomes</u> As planned, these would be reported at the Quality, Performance & Standards ("QPS") meeting. Closedown was in progress and there were some positive signs. In particular, maths and English showed improvements in high grades and progress measures.	
vi	<u>28 January Strategic Planning Day – Strategy 2022+</u> The Corporation would hear from two external speakers, having a regional and national profile respectively. External consultation had begun to build a picture of how the College was perceived by its stakeholders; this would inform the discussions. The strategy development work was being overseen by the Chair and Vice Chair.	
vii	<u>Reflections</u> PS shared an article by Arundhati Roy (Man Booker Prize winner and political activist). He said, while past data trends would be useful, life would inevitably be very different going forwards and the College would need to both adapt and change itself, and guide and support learners through the challenges.	

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viii	<p><u>Proposed Business Critical Performance Indicators and 2021/22 Targets</u></p> <p>The proposed Business Critical Performance Indicators (“BCPIs”) and associated targets were discussed. PS said the key change was the removal of the 16-18 budget, a contract value which would not change in year. A Governor questioned whether the indicators would give a sufficiently wide view of the College, as they were very finance focused. PS assured the meeting that further indicators would be used to measure other aspects of the provision, for example QPS would discuss quality indicators at its next meeting and equality and diversity impact measures were already in place.</p>
ix	<p><b><u>RESOLVED:</u></b></p> <p><b>(i) To approve and adopt the proposed 2021/22 BCPIs and associated targets.</b></p>
<p>15.30 AP Student Experience Ms P Harrow joined the meeting.</p>	
6.0	<p><b>THE STRATEGIC CONVERSATION PART I</b></p> <p><u>Social Consciousness: The Inequalities Challenge</u></p> <p>i PS and Assistant Principal Ms P Harrow (“PH”) spoke to slides, PS explaining that he intended to facilitate a strategic conversation in three parts, the first part exploring inequality, particularly social and race disparity.</p> <p>ii The meeting explored both the College and the wider context, considering national data from the Commission for Social Mobility, alongside local data for the Kirklees population and the College cohort. PS said research showed half of adults from the lowest socio-economic groups received no training at all after leaving school. Those who did still received, on average, 17% less pay in comparison to their peers from better off backgrounds. Locally, the College was the destination for the vast majority of those from disadvantaged backgrounds who did access further education.</p> <p>iii The meeting reflected on the impact of the Covid-19 pandemic on the already significant gap between rich and poor and also noted the intersection between race and poverty, young people from poor Black and ethnically diverse backgrounds being the worst affected in terms of academic achievement.</p>
<p>16.00 Independent Governor Dr A Williams joined the meeting.</p>	
iv	<p>PS said, over the next ten years, the UK would have to come to terms with many different aspects of demographic change. The proportion of the population that identified as Black and ethnically diverse was growing rapidly and, by 2030, the UK would be much more ethnically diverse. At the same time, racism was on the rise, including at the institutional and structural levels, for example in 2005, the population of incarcerated young people was 25% Black/ethnically diverse (even then, an overrepresentation); the figure had since increased to 49%.</p>
v	<p>PS said a similar phenomenon was in evidence at the College, with students from Black and ethnically diverse groups (around 40% of the College student population) making up 62-63% of student suspension panels. This was in line with the national trend. Furthermore, the data showed a disproportionate number of Black, Asian and Minority Ethnic staff were being taken through formal or informal HR processes.</p>
vi	<p>There was discussion about how well the College had so far succeeded in its aim to more closely match the proportion of students who identified as Black and ethnically diverse to the proportion of staff who identified as Black and ethnically diverse. PS said the gaps remained significant; the smallest was in the 16-19 Provision and Learner Services directorate, where it was 8%; it was 24% in Quality &amp; Apprenticeship Provision and 25% in Adults &amp; Higher Education. In addition, as Governors were well aware, the</p>

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	largest proportion of Black, Asian and Minority Ethnic staff were in the lowest paid job roles; at Executive and Head of Faculty/Department level, 88% of College staff were White British.
vii	It was noted that the College response to these disparities and others was regularly discussed at the Equality, Diversity & Inclusion Committee. The need for the Corporation and the wider College community to become more consciously aware of racial and class inequality was acknowledged.
viii	PH shared data on the barriers to education College students faced, reminding Governors that, as a cohort, they experienced higher levels of poverty and had poorer diets and living conditions, as well as higher levels of digital poverty than their peers. As a consequence, they were at a higher risk of poorer life outcomes, including exploitation and being drawn in to criminality.
ix	PS said if the College wished to have a real impact on equality and equity gaps, as well as to reap the many proven benefits of inclusivity and diversity, it would need to be socially conscious of its values and leverage the lived experience of its diverse communities. He said it had taken a significant step by signing up to the Black FE leadership group 10 point plan and this would be a transformational piece of work.
x	A Governor commended management's clear and concise framing of the issues, saying the Corporation had of course seen the data before but the richer level of detail PS and PH had provided had brought it to life and leant some urgency to the conversation.
xi	Another Governor, picking up on a point PS had made about values underpinning culture, emphasised the need for aspirational values. The Governor said the College must have high aspirations for students and students must have high aspirations for themselves. The College must seek to instil these, even where experience may have convinced students that certain opportunities were only for the privileged few.
xii	Another Governor shared personal experience of growing up in a poorer community with low aspirations, saying it was further education that had provided a way out. The Governor said the more the College got out into communities and sold the aspiration of transformation to parents, the greater the difference it could make to people's lives.
xiii	The Corporation agreed to pause the conversation and return to it at the strategic planning day. Governors emphasised their commitment to building on the foundational values they had already laid for the College in this area.
<b>CORPORATE OPERATIONS</b>	
<i>16.30 the Head of Health &amp; Safety Mr R Harwood joined the meeting.</i>	
<b>7.0</b>	<b>HEALTH &amp; SAFETY POLICY APPROVAL</b>
i	The Health & Safety Link Governor Dr A Conn ("AC") said the Head of Health & Safety Mr R Harwood ("RH") had done an excellent job of refreshing the Health & Safety Policy (the "Policy") in consultation with College stakeholders. He emphasised the Corporation's central role in ensuring Health & Safety compliance, drawing attention to paragraph 2 of the Policy, where Governors' collective responsibilities were particularised.
ii	RH outlined his expectations in terms of how the refreshed Policy would positively impact on the Health & Safety culture. A particular change was a stronger emphasis on accountabilities and responsibilities, with clear signposting of these within the Policy. He said implementation would be supported by a poster campaign, coaching and training, and the use of policy management software to monitor engagement with the Policy and record staff attestations to having read relevant sections.
iii	

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<p>iv</p> <p>A Governor sought assurance in terms of the effectiveness of the governance framework around Health &amp; Safety. The Clerk described the systems and processes the College had in place, and RH described the monitoring activities that were undertaken and how any learning and assurance obtained from those was disseminated, reported and used.</p> <p><b><u>RESOLVED:</u></b></p> <p>(i) To approve the Health &amp; Safety Policy, subject to any final amendments;</p> <p>(ii) To authorise the Chair and Principal to approve further amendments to the Health &amp; Safety Policy on the advice of the Head of Health &amp; Safety, such amendments not to materially change the Corporation’s overriding policy on Health &amp; Safety; and</p> <p>(iii) To put on record the Corporation’s strong recognition of Governors’ responsibilities and the importance of Health &amp; Safety, and its commitment to set the tone from the top.</p> <p>16.50 Mr R Harwood left the meeting.</p>	Synopsis Item 5				
<p><b>8.0</b></p> <p>i</p> <p>ii</p> <p>iii</p> <p>iv</p>	<p><b>VICE PRINCIPAL CORPORATE OPERATIONS REPORT</b></p> <p>Vice Principal Corporate Operations Mr M Bennington (“MB”) provided an update on the operational agenda. Governors noted in particular that:</p> <ul style="list-style-type: none"> <li>the Brunel Construction Centre expansion project (a major capital programme) was approaching completion and remained on budget. Although it was two weeks behind schedule, the delay had not impacted delivery or the student experience.</li> <li>the College’s Hargate Hill Equestrian Centre had been closed, with progressing students transferring to other providers. It was noted that the closure, due to low student numbers, had affected a very small amount of provision, with no Higher Education element; it would neither materially affect the College’s business model, nor its willingness or ability to comply with its terms of funding or Office for Students conditions of registration.</li> </ul> <p><u>Notification of RIDDOR Incident</u></p> <p>MB reported on a recent RIDDOR<sup>1</sup> incident, saying the Health &amp; Safety Executive had been notified and he would update Governors once the internal investigation concluded.</p> <p><b>Action:</b> To provide an update on the RIDDOR incident.</p> <p><u>Business Critical Performance Indicators (“BCPIs”) 2020/21</u></p> <p>The meeting discussed the year end status of the 2020/21 BCPIs, noting the mitigating actions being taken to respond to some areas of shortfall.</p>	Synopsis Item 6	Synopsis Item 7	Synopsis Item 8	MB
<p><b>9.0</b></p> <p>i</p>	<p><b>ADULT EDUCATION REPORT</b></p> <p>MB presented a report which examined risks relating to the Adult Education Budget (“AEB”). He said AEB was a high-risk budget line for various reasons, in particular:</p> <ul style="list-style-type: none"> <li>2021/22 being the first year of devolution to the Mayoral Authority;</li> <li>the overall funding AEB allocation having quite substantially increased due to an Education &amp; Skills Funding Agency non-devolved allocation and carry-over from 2020/21;</li> <li>the continuing impact of Covid and market disruption; and</li> </ul>	Synopsis Item 9			

<sup>1</sup> The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 regulate the statutory obligation to report deaths, injuries, diseases and "dangerous occurrences", including near misses, that take place at work or in connection with work.

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ii	<p>- the fact that, with no set tolerance for underperformance, any underspend against the allocation would result in a reduced allocation the following year.</p> <p>MB's paper detailed the number and value of the enrolments as at 16 September, as well as the total income received to date. Attention was drawn to relevant narrative in the report. Governors discussed mitigating actions the College was taking, in particular in response to the shortfall in English and maths enrolments. In response to a question, MB said there would be fewer rather than smaller classes but this would not compensate for the loss of income in the event of a shortfall and the College would need to look at other mitigations.</p>	
<b>SEARCH &amp; GOVERNANCE</b>		
<b>10.0</b>	<b>SEARCH &amp; GOVERNANCE COMMITTEE REPORT</b>	
i	The minutes of the Committee's 13 September 2021 meeting were received and the items of report and the Committee's advice were noted.	
ii	<b><u>RESOLVED:</u></b>	
	<b>(i) The Governor attendance target for 2021/22 shall be 80%.</b>	
	<u>Code of Good Governance for English Colleges (the "Code") Compliance Report</u>	
iii	The Search & Governance ("SAG") Committee's recommendations were accepted but it was agreed that, in future, the Corporation and its Committees should take a more active role in reviewing compliance. The management team should also be consulted. The Clerk said she would welcome additional eyes on compliance and would facilitate this next year. She said, in the meantime, Governors could take comfort from the fact that they were commissioning an external review of governance, to include an assessment of performance against the values and responsibilities in the Code.	Synopsis Item 11
iv	The Committee, having identified some potentially weaker areas in terms of compliance with the Code, had asked management to bring a report on those areas to strengthen the Corporation's understanding and ability to support the Director of External Relations, the Vice Principal Corporate Operations and the wider management team.	
<b>11.0</b>	<b>CODE OF GOOD GOVERNANCE KEY AREAS OF FOCUS</b>	
i	<p><u>Responsiveness to Employers and other External Stakeholders (Code Area 5) and Arrangements for Partnership Working (Code Area 7)</u></p> <p>MB and Vice Principal Curriculum Ms J Arechiga ("JA") presented a report on the arrangements for partnership working and employer responsiveness, emphasising the importance of strong employer and other relationships such as with local schools, Members of Parliament, the Chambers of Commerce and the College's principal partner, Kirklees Council. They shared a list of the College's key partnership relationships, and highlighted the College's role as an anchor organisation within the borough, and its work as part of the West Yorkshire Skills Partnership. MB said the College was conducting a review and refresh of its stakeholder relationships.</p>	Synopsis Item 12
ii	The Corporation had recently approved the establishment of an employer-focused task and finish group, to strengthen the governance framework for employer responsiveness and other partnership working, both in light of the Skills for Jobs White Paper and to more effectively support the frontline management teams. The membership included an Independent Governor member, Mr I Wainwright. Employer boards were also being set up to better inform curriculum planning.	
iii	Governors were pleased to hear that the College's Employer Engagement Strategy	

	had been refreshed and that there were in place a number of supporting strategies for engaging with employers and other stakeholders, including marketing and market research. MB described the mechanisms the College used to engage with employers, in order to better understand and meet their needs, including a comprehensive Customer Relationship Management system.	
iv	Risks and opportunities were discussed. JA said with the Government furlough scheme ending, there could be a spike in adult enrolments. With unemployment on the increase, the sector-based work academy programme was high on the agenda and the College was looking at how to get an offer out. It had opened an adult centre at both Pioneer and the Waterfront where prospective students could drop in to enquire about courses, get advice and enrol. It was also looking at options such as traineeships, to give students opportunities to get a foot in the door with employers and sell themselves, as there had been a sustained drop in the number of apprenticeships on offer.	
vi	In discussion, Governors reflected on their collective responsibility to ensure the quality of the College's products and services and that it was able to deliver on its commitments, in order to build enduring customer relationships. It was agreed that a strong track record of high performance was key. One Governor asked how the College knew it was offering what employers wanted. JA said in addition to customer feedback, the College used market intelligence software to inform curriculum design, for example technology employed the previous year had highlighted opportunities in Construction around renewables and green technologies.	
vii	There was agreement that the discussion had advanced many Governors' understanding of the College's work in the area of responsiveness and partnerships, better equipping them to support management's work. The Chair thanked MB and JA for their report and said the Corporation would look forward to further reporting on the subject, including via the new task and finish group.	
<b>12.0</b>	<b>GOVERNOR TRAINING AND ACTIVITIES</b>	
i	The Clerk asked if there was anything to add to the record. There were no additions.	
<b>13.0</b>	<b>PUBLICATION OF AGENDA PAPERS</b>	
i	<b><u>RESOLVED:</u></b> <b>(i) All items marked with an asterisk on the Agenda shall be deemed confidential and excluded from publication.</b>	
<b>14.0</b>	<b>USE OF CORPORATION SEAL</b>	
i	<b><u>RESOLVED:</u></b> <b>(i) To ratify the use of the seal.</b>	
<b>15.0</b>	<b>CHAIR AND VICE CHAIR'S REPORTS</b>	
i	The Chair said another meeting of his learning set of college chairs was pending; he and the Vice Chair would be attending a Black FE Leadership Group training; and the Vice Chair would be attending the Association of Colleges Conference.	
<b>ITEMS FOR ASSURANCE/INFORMATION PURPOSES ONLY</b>		
<b>16.0</b>	<b>GOVERNANCE SELF-ASSESSMENT REVIEW PROCESS</b>	
i	The update was received and noted.	



Item		Action/ Synopsis Item
<b>17.0</b>	<b>ARTICLE 10 SELECTION PANEL MINUTES</b>	
i	The minutes of 2 September were received and the contents noted.	
<b>18.0</b>	<b>EDI STRATEGIC GROUP MINUTES OF 15 JUNE 2021</b>	
i	The minutes of 15 June were received and the contents noted.	
<b>19.0</b>	<b>USE OF THE WRITTEN RESOLUTION PROCEDURE</b>	
i	This had been used to appoint Governor Ms M Carabine (“MC”) to a procurement panel. MC said this was a positive experience; she was able to play a useful role.	
<b>20.0</b>	<b>DATE OF NEXT MEETING</b>	
i	Monday 12 November at 3pm	

Synopsis		
#	Details	Min
1.	Ms Julia Arechiga was appointed as Vice Principal Curriculum and Innovation.	3(iv)
2.	The Corporation resolved to withdraw from membership of the joint venture company West Yorkshire Colleges Consortium but to continue to work closely with local college partners.	5(iii)
3.	Business Critical Performance Indicators and associated targets for 2021/22 were approved, providing a set of measures for the Corporation to use to monitor performance.	5(ix)
4.	The Corporation engaged in the first of a three-part strategic conversation which would set the groundwork for its strategic planning day in January 2022. Governors discussed equality and social and race disparities, pledging their commitment to pursuing equality and equity objectives as part of the College’s long-term strategy.	6
5.	A new Health & Safety Policy was approved and Governors reaffirmed their commitment to set the tone from the top and support management to ensure Health and Safety compliance.	7(iv)
6.	An update was provided on a major capital programme involving some redevelopment of the Brunel Construction Centre. This was approaching completion and was on budget.	8(i)
7.	Management reported that the College’s Hargate Hill Equestrian Centre had been closed due to falling student numbers.	8(i)
8.	It was noted that a significant incident had been reported to the Health & Safety Executive under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.	8(ii)
9.	The meeting discussed the risks relating to the Adult Education Budget.	9(i)
10.	The Governor attendance target for 2021/22 was fixed at 80%.	10(ii)
11.	The Search & Governance Committee’s advice on the Corporation’s compliance with the Code of Good Governance for English Colleges was discussed and accepted. The Corporation considers itself to be substantially compliant with the Code, albeit there are some areas for improvement most notably around responsiveness and employer engagement.	10(iii)
12.	The Corporation received and discussed a report on the arrangements for partnership working and employer responsiveness to improve its understanding of those concerns.	11