

**College of West Anglia
Minutes of
The Corporation Board Meeting
11 October 2023
8.30am
Room U125, University Centre, King's Lynn Campus**

Present	Gill Rejzl	Governor (Chair)	In person
	Chris Ashman	Governor	In person
	Dave Clarke	Governor	In person
	Sam Fletcher	Governor	Remote
	Ray Harding	Governor	In person
	Carolyn Rand	Governor	Remote
	Seb Ivanov	Governor	In person
	Scott Leadley	Staff Governor	In person
	Sally Mitton	Governor	Remote
	Alan Measures	Governor	In person
	David Pomfret	Governor (Principal/CEO)	In person
Donna Woodruff	Staff Governor	In person	
In Attendance	Paul Harrison	Vice Principal Corporate Services	In person
	Kerry Heathcote	Deputy CEO and Vice Principal Curriculum & Quality	In person
	Rob Petto	Assistant Principal Funding & Performance	In person
	Jules Bridges	Head of Governance	In person

No.		Action
	The Chair welcomed new governor, Seb Ivanov, and introductions were made.	
1	Apologies Apologies for absence were received from Hein van den Wildenberg, and Paul O'Shea, Assistant Principal Student Services.	HoG
2	Declarations of Interests There were no declarations of interest. It was noted that the Chair would withdraw from item 5, and staff governors and members of staff would withdraw from the confidential report under item 7 of the meeting, and for the Remuneration Annual Report sub-item 3 under agenda item 16, Governance.	
3	Minutes of the last meetings held on 5 July 2023 The minutes of the meeting held on 5 July 2023 were reviewed and agreed as being an accurate record of the meeting.	
4	Matters Arising The progress against the outstanding matters from previous meetings was summarised in the report. It was noted that there is a need to expedite the governor link process and refresh the links. The Front Block boiler replacement tender process is ongoing but proposals once available will be reported back to the Finance and General Purposes Committee.	VPCQ HoG VPCS
	Governors were encouraged to attend the Ofsted Briefing which is now to be held on 1 November 2023 at the Wisbech campus.	All

All other completed items are to be removed from the report.

HoG

5 Resignations, Re-appointments, and Recruitment

The corporation noted that the term of office for Scott Leadley, Staff Governor, has come to an end. A recruitment campaign to find his successor is soon to commence.

The written resolution to appoint Seb Ivanov has been **passed** as a majority of members of the Corporation signified their agreement to it.

Thanks were extended to both Kay Driver and Lee Smith who have both resigned from the corporation. Lee Smith had commented that despite leaving the Board he remains a committed supporter of CWA and will advocate for the college at the Anglia Ruskin University.

The Chair handed over to the Vice Chair, declaring her interest, and left the meeting at 8.48am

The Vice Chair proposed the reappointment of Gill Rejzl who is eligible to stand for a second term of office. The corporation **approved** the appointment by a show of hands.

The Chair rejoined the meeting at 8.50am. The Vice Chair handed back to the Chair.

6 Committee Chairs' Briefing Items

1. *Employment Policy Committee*

The Chair of the committee reported that the committee will receive the college's recruitment policy once it has been finalised. Significant progress has been made to update the Single Central Record. Staff turnover and sickness absence will be the focus areas for the HR Department this academic year and the new Health and Safety Manager is positively impacting change quickly and identifying areas for improvement. The committee has approved the updated Health and Safety policy.

The committee was made aware that UCU has raised a pay claim of 15.4% and they are balloting for strike action. The college is in dispute although a confidential proposal under agenda item 7 of this meeting provided an updated position.

The Gender Pay Gap report for the year has been produced for publication and further discussion of the corporation was covered under agenda item 15 of this meeting.

2. *Finance and General Purposes Committee*

The Vice Chair of the committee mentioned that the committee has considered the subcontractor and partnership activities for the year, preliminary financial results for 2022/2023, and the Treasury Management Policy so that the college can put balances into interest bearing accounts.

It was noted that two subcontracted partners have withdrawn from delivery this academic year which is a potential loss of AEB income of £420K but there is interest from other partners who have been invited to tender for part of the provision.

New apprenticeship starts with Solutions 4 Polymer have been suspended pending the outcome to be received from the ESFA. An update on this, and the arising risks of the PwC full funding audit were covered by the Principal/CEO in agenda item 7 below.

There is still some movement before finalising the year-end figures and it was noted that the positive end position was supported by the balance sheet release of project funding.

3. *Performance Review and Quality Committee*

The Chair of the committee highlighted the great results on GCSE maths and functional skills and confirmed that the committee will no longer keep maths or English under close scrutiny, but apprenticeships/technology will remain a priority area of focus.

Legacy issues still exist with apprenticeship practice but the number of out of funded learners has significantly reduced from 845 back in 2019, to only 66 currently.

The committee has been considering how the college, across the curriculum, is meeting skills needs and there is confidence that the college will evidence a strong contribution to meeting skills needs at inspection.

The annual review of the Teaching, Learning and Assessment Strategy, covered under agenda item 11 below, has been considered by the committee. The year end quality improvement plan (QIP) was received and considered, and the committee has agreed the additional targets to be added to the 2023/24 QIP.

Finally, the Chair of the committee commented that student surveys show that students enjoy their experience at the college, are positive about the support they receive, feel that teachers are knowledgeable, and they feel safe.

4. Search and Governance Committee

The Chair of the committee confirmed that due to other commitments, Mark Eastwood has relinquished his governor role on the Board but will continue his connection with the college as a co-opted member of the Audit Committee.

The external governance review will start to gain pace around November/December 2023. The scope will be determined with the AoC, and the appointed reviewer, Rachel Nicol.

The new Code of Good Governance has been released. This comes into effect in 2024/2025 and was shared with the corporation under agenda item 16 below.

It was noted that the annual governance self-assessment process is to be reshaped as the current process is onerous to complete but does not provide helpful information, which can be used to drive improvements.

7 Principal's Strategy Report

The Principal/CEO confirmed that the first of the two bids (Norfolk County Council) has been submitted. This is for the development of a first-floor extension to the School of Nursing Studies. If successful, funds will need to be committed by 31 March 2024. Verbal confirmation has been received that the second bid with the University of Suffolk for £0.7m funding is likely to be successful. This would give CWA the capacity to fully equip the centre with state-of-the-art technology.

Confidential items under instrument 17(2) of the Instrument and Articles of Government

A governor commented that from the point of view of the Audit Committee, members were surprised to receive the briefing from the Principal/CEO about the significant audit risks arising given that the committee thought that they'd received assurance that this funding stream was being effectively managed. It has been arranged with auditors to meet to establish the root cause of how these issues have only now emerged. The Assistant Principal Funding and Performance commented that some of the emerging issues have been identified through the fastidious approach of new external auditors, RSM, and their approach to income testing.

Governors questioned in practical terms what the funding issues were. The Assistant Principal Funding and Performance confirmed that, as an example, one issue is the application and calculation of the 20% off the job training were queried and the logic behind the calculation of the minimum threshold, taking into account the start date, end date and the number of hours actually worked. These rules changed a number of times over the years so, these incorrect calculations have had to be reconfigured and recalculated. The other element is that apprentices have to log the activity throughout

their apprenticeship that meets this 20% requirement. Apprentices have to be on track during the course of their programme in line with the training so that when they get to the gateway, they have achieved the 20% off the job. RSM have been very assertive in the details of these logs and in some cases, they have queried the eligibility of logs against the four tests where individual entries don't clearly meet these. The four tests are 1) in work time, 2) is new learning, 3) is aligned to the content of the apprenticeship standard and 4) is not maths/English. The consequence of individual entries being deemed invalid is this can bring the logged time below the 20% threshold. Governors acknowledged the rigour and complexity of the funding rules and questioned how the college manages to monitor this. The college uses Smart Assessor and additional processes are being developed and built, together with deploying training for staff to ensure that the funding rules are understood, and additional checks, including a declaration signed by learners and employers that all entries meet the 4 tests, is being implemented prior to end point assessment.

Staff Governors, and members of staff withdrew from the meeting at 9.25am

Staff Pay Award Proposal

Confidential item under instrument 17(2) of the Instrument and Articles of Government

Staff Governors, and members of staff rejoined the meeting at 9.50am

8 Strategic Targets 2022/23 – Final Review

The notable positive performance outcomes included progress against ambition 1 targets:

- Study programme student numbers growth
- Improved attendance and retention
- Student progress monitoring
- Destination reporting
- WorldSkills performance and two additional students have made the finals, so CWA now has seven finalists across 6 different competitions which is a standout achievement
- Under strategic ambition 4 (4.10) attracting external grant funding to establish Carbon Net Zero Centre at the Wisbech campus.

The negatives include a shared disappointment on the AEB numbers and funding significantly behind target. Management teams have been tasked to consider how the AEB offer can be integrated into their areas of learning and will be expected to include this provision in curriculum planning.

A governor commented that section 4 of the progress report is less 'green' than desirable. The changes in HR management in the year have led to a change in focus and priorities for the team and the need for balance sheet adjustments to achieve many of the financial targets has also impacted progress.

A comment was also made about contribution analysis as mentioned in strategic target 4.2.3 and it is anticipated that better progress will be made to achieve the average contribution of 44% and the Finance and General Purposes committee has received a presentation about this at their last meeting which shows a more positive anticipated position this year. In addition to this the college has asked the FE commissioner for a review of CWA performance around curriculum planning and financial management, which is due to commence at the end of December/beginning of January.

Finally, the Chair commented that the Tower Block roof was due to be replaced/repaired over the summer, but this work was delayed. It was queried whether the current arrangements are likely to suffice throughout the winter months. The Vice Principal Corporate Services confirmed that there was confidence that it will last throughout the winter, but it is being closely monitored.

9 Preliminary Financial Results 2022/23

The VPCS reiterated the good news concerning the apprenticeship partner provider, S4PL as the ESFA has agreed that our arrangements are compliant with regulations. Outside of audit concerns the year end position ended with a small surplus, supported by the release of prior years' income from the balance sheet. Without this the financial health would have fallen to 'requires improvement' and a deficit position at the year end.

The releases from the balance sheet also affect the financial KPIs and the results would not look so positive without the release. It was noted that there are still some adjustments to make. The final funding return to the ESFA for last year is to be made, and the numbers are currently being audited by RSM plus the pension actuary assessments have just been announced so the pension liability in the accounts will change in a positive direction.

The meeting was postponed for a break at 10.10am

10 Funding Position and Data Control

The Assistant Principal, Funding and Performance reported that income targets across all funding streams have been achieved. The 2023/24 funding position is positive with an additional 300 16-18 study programme learners recruited which will bring in excess of £1m income growth, perhaps as much as £2m. The focus is to retain students beyond the census point. The impact of this will create tension for staff and class sizes have increased. Many colleges have recruited well this year with many recruiting 5% or more. The lagged funding methodology, however, means that the additional income will not be realised until 2024/25. A case for in year growth to fund the over recruitment can be applied for with the ESFA although this is not usually evaluated until February and is not necessarily considered or guaranteed.

The loss of two subcontractors will play a part in 2023/24 on the AEB income line and governors were made aware that it will cause pressure to achieve this income target in the year.

The sizeable Study Programme income growth is generally across the board with some areas higher than others. Many of these learners are enrolled at lower learning levels (foundation, levels 1, and 2) due to GCSE grade boundary adjustments which may positively increase the number of learners progressing and staying in learning at the college for longer. Governors asked if more study programme learners than apprentices, had been recruited. Until the next ILR run this cannot be determined or comparisons drawn. It was noted that A level recruitment has improved with better retention into year 2.

11 Teaching, Learning and Assessment Strategy Review Report

The strategy has been considered by the Performance Review and Quality Committee. The key points to note are the progression planning and change in leadership. This document will continue to be led by the Head of Learning Improvement.

Next year's HE strategy will focus on the OU and a distance learning model. The Chair suggested that on page 2 where the document outlines the colleges approach to teaching, learning, and assessment, it also included the governors' role. It was also questioned if the statements made around British life were appropriate as the college prepares its learners for success in their studies, employment, and international opportunities, not just for modern British life. This sentiment was shared with governors, but the terminology is prescribed by Ofsted/DfE.

12 Current Performance Data and KPIs 2022/23 (Emerging Outcomes)

Achievement for the 2022/23 academic year is 77%, which is an improvement of 8.7% on the 2021/22 outcome of 68.3%. Governors asked at what point the indicator moves to a purple grade (perilous) in the achievement table on page 75 of the pack of papers. This was confirmed at 10%. It was noted that A level overall outcomes had dropped and

as previously reported, this is a legacy of in year leavers from the COVID period impacting the grades. There is improved progression of cohorts from level 1 into level 2 and additional work has been undertaken to ensure that learners are exam ready.

13 Hearing the Student Voice 2022/23

The recruitment of student governors has proved challenging, with little interest received in the role. This is not uncommon in the sector and CWA will explore different ways to engage its learners and participate effectively at board level.

The Area Performance Reviews conducted in the year are to be moderated before being compiled into 'at a glance' heat maps, to demonstrate the clear progress made. The college's Self-Assessment Report is being finalised with a grade 1 judgement for High Needs Learners. It was noted that 56% participation and engagement in student surveys was low, but this is on par with other colleges and more importantly the learner priorities for the 2023/24 academic year are sound.

14 Risk Register Review

A new entry has been added to the register to manage the risk of RAAC (Reinforced Autoclaved Aerated Concrete) across the college. The DfE asked all colleges to undertake an internal survey of buildings and CWA has identified four potential locations where RAAC may be evident. The DfE issued a booklet to help identify RAAC and although some material in college looks like RAAC it is thought unlikely that it actually is. The DfE has been notified of the findings, location of use, and dates of buildings. A case officer and a surveyor are to be appointed and a visit to college arranged. There are two flat roofs where RAAC may exist however the external cover is fine and there are no signs of deterioration and no suggestion that the integrity of the structure is compromised.

A governor asked why risk 16 had increased from a score of 4 up to 9. This relates to the quality of higher education provision and has increased due to the collaborative process that the college is following with the OU. This involves meeting and evidencing 149 lines of compliance, which the college is working through. The level of risk has been adjusted to reflect this and will hopefully reduce again as progress completes.

It was questioned by governors if there was a risk to the college with the 300 increase of 16-19 student numbers and therefore a higher number of students needing English and maths provision. This was confirmed and converts to a 54% increase of learners needing English and a 38% increase for maths. The college had anticipated a growth of around 20% more learners at entry levels and larger cohorts, and an assessment of the delivery and resource requirements of English and maths had been completed ahead of recruitment.

15 Gender Pay Gap Report – March 2023

The report has been considered by the Employment Policy committee and is due to be published by the DfE and on the college website. The key message is that both the mean and median figures have increased for 2023 over 2022. The DfE has just published its first set of FE workforce data (for 2021/22) and gender pay appears to be an issue for the sector. The key findings nationally are that 66% of FE employees are female, but only 56% are in leadership grades. Across all bandings such as teachers, support, and management, men earn more on average, than women. The report was noted by the Corporation and **approved** for publication.

16 Governance

1. Governance Self-Assessment 2022/23

The annual self-assessment concluded that governance is good and strong but as highlighted under item 6.4 above, the process is to be reshaped as it is onerous to complete but does not provide helpful information, which can be used to drive improvements.

2. Governor Attendance 2022/2023

The Chair thanked governors for devoting their time to the college. Attendance in the 2022/23 has remained consistent with the previous year at 86% overall and the average Board attendance level has improved from 76% (2021/22) to 82% (2022/23). The data shows that there are lower attendance rates for the strategy and training events so thought is being given as to how we can deliver these sessions differently to enable higher participation and attendance.

Under Instrument 13(6)(d) senior post holders withdrew from the meeting at 11.10am

3. Remuneration Annual Report

Confidential item under instrument 17(2) of the Instrument and Articles of Government

Senior post holders rejoined the meeting at 11.15am

4. Code of Good Governance

The new Code of Good Governance has been released and was shared with the Corporation. For any reporting related to the previous academic year, the previous AoC code will remain in place. All colleges are to use the code for the 2024/25 academic year. The Head of Governance will conduct a review of the new Code over the coming months and will report back.

5. Governor Recruitment and Selection Policy

The policy will be subject to amendment further to the consideration of the Search and Governance committee at the meeting held on 4 October 2023. The document will be presented for approval once finalised.

6. Application of the College Seal

It is a requirement of the Instrument and Articles of Government that a record is maintained of all applications of the Corporation seal. Since the last report to the Board in July 2022 the seal has been applied twice. The details of which were recorded in the report.

7. Applewood Nursery Annual Report 2022/2023

The report has been considered by the Performance Review and Quality committee. Significant progress has been made with the development and profile of this provision. Under new leadership, a significant number of new initiatives and ideas to improve the quality, collaboration, and financial viability of the nursery, are now being realised.

8. Learning Walks- Feedback

The Head of Governance will invite governors to attend observation/learning walk training.

HoG

17 CWA Public Value Statement

The statement has been updated to align with the 2023-2026 strategic plan. The Corporation **approved** the document for publication on the college website.

HoG

18 Any Other Business

The Chair thanked staff governor, Scott Leadley, for his tremendous contribution to the Board and his advocacy role with college staff. His input, energy, and humour will be missed as well as his independent view on key strategic decisions. The board is particularly delighted that governors have shared and witnessed Scott's professional development over the years at the college and wished him every continued success.

19 Date and time of next scheduled meeting

Wednesday, 6 December 2023 at 8.30am

Meeting ended at 11.25am