



**MINUTES OF THE CORPORATION MEETING HELD ON 18 OCTOBER 2021
AT 5.00 PM REMOTELY VIA MICROSOFT TEAMS**

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MINUTES OF THE CORPORATION MEETING HELD ON MONDAY 18 OCTOBER 2021 AT 5.00 PM REMOTELY VIA MICROSOFT TEAMS

Present: Phil Dover (Chair), Alan Brady, Hazel Clint, Andrew Cochrane, Stuart Ellis, Martyn Marples Jane McNeil, Kevin Slack, Mandie Stravino

In attendance: Robert Bamford, Richard Eaton, Kate Martin, Heather Simcox
Rose Matthews (Clerk)

PART ONE - GENERAL MINUTES

01/21-22 WELCOME AND APOLOGIES FOR ABSENCE

Apologies for absence were received from Sue Bradley and Mike Kapur. It was noted Jane McNeil would be arriving slightly later to the meeting.

The Chair welcomed Vanessa Simpson the newly appointed staff governor to the meeting.

02/21-22 DECLARATIONS OF INTEREST, CONFIRMATION OF ELIGIBILITY AND QUORUM

All members were eligible, the meeting was quorate and there were no new declarations of interest.

03/21-22 MINUTES OF THE PREVIOUS MEETING HELD ON 5 JULY 2021

APPROVED: The minutes of the meeting held on 5 July 2021 were formally approved and signed as a true and accurate record.

04/21-22 MATTERS ARISING

There were no matters arising.

05/21-22 HEALTH AND SAFETY STATUS REPORT

The Director of Health and Safety summarised his report to Members.

Health and safety policies and procedures were all in date with one due for review next month.

Inspection and audit programmes had resumed, as had fire drills with all on track. There were no concerns that currently required escalation.

Members noted this meeting had been planned on site but had taken place remotely due to an increase in Covid cases. Further control measures had been implemented to prevent cross-contamination – such face coverings for indoor communal areas and covid asymptomatic tests.

Accident reporting was now able to benchmark against the industry average, with employee accident rates within the Group below the industry average. A further drill down into accident level and harm will be present for future meetings.

Action Date

One RIDDOR incident had been reported since the last meeting and preventative action had been taken to avoid reoccurrence.

Hazel Clint, Health and Safety Link, explained she met regularly with the H&S Director. She said they had discussed Covid and the changing nature, along with what risk assessments needed to be carried out and students' acceptance of wearing masks again.

Safety on site was discussed by members, with questions around if cases were rising and action being taken by the College.

There had been an increase in cases locally and nationally, but these had reduced as of this Monday. The majority of the cases had been from the student population. The College were working with Derbyshire Community NHS to see if vaccinations could be delivered on site, but their resources were focussed on the schools programme.

The Chair asked if the College were likely to reach a point where centres would close. The Director explained, it wasn't a matter of a particular cohort being isolated, but about reintroducing control measures. He said it was unlikely we would look to close sites at this stage.

The Deputy Principal pointed out some teachers who had tested positive for Covid, but were non-symptomatic had been delivering from home remotely, with students remaining on site. The College were doing their best to keep the continuum.

06/21-22 ENROLMENT REPORT

The Deputy Chief Executive provided an overview on the 2021-22 Study Programme enrolments.

The 16-19 enrolments presented a positive picture with numbers increasing since the report had been produced. The majority were Level 2 and above. In terms of English and Maths, English had seen an increase of 20 on the figures presented, with GCSE maths an increase of 126, but this was a changing picture every day.

Members questioned if this was likely to increase and it was noted there might be a small rise in figures.

Members raised the risk around grade inflation and students' abilities on the higher-level courses. It was noted the maths and English team were working to support students that weren't at the required level. A Swap don't Drop event was held recently which presents an opportunity to change courses if students change their minds.

07/21-22 REPORT FROM THE JOSEPH WRIGHT (JWC) LOCAL BOARD MEETING HELD ON 27 SEPTEMBER 2021

The Chair of the Joseph Wright Local Board summarised discussions at the meeting held on 27 September 2021.

The Local Board discussed the outcome of the Teacher Assessed Grades with the overall pass rate and high grades an improvement on the previous year, but with a caveat they could not be compared against 2020 or 2019. The Local Board Chair congratulated the team at JWC.

Well-performing areas, alongside appeals were discussed, along with the grading profile.

Admissions had seen an increase in numbers at the JWC and the GCSE Plus and Applied Science had been popular choices and an explanation relating to students picking A Levels rather than vocational courses.

The A Level Improvement Plan for 2020-21 was closed down and the 21-21-22 actions shared. The priority for the forthcoming year related to examination preparation.

The Curriculum Manager for Humanities shared his project on Assessment, Feedback and Target Setting.

Finally, the Local Board met with four students who were all pleased to be back on site. They spoke positively in terms of support provided.

Andrew Cochrane questioned how prepared students were for next year's exams and would universities be resistant to offering places.

The Deputy Principal said there had been lots of discussion between the DfE and awarding bodies, with exams focussing on pre-provided material. The process will be different over the next two or so years working towards traditional exams in three or four years. Students were worried and there was a focus on exam techniques. A lot of the Catch-up funding was being used to target exam preparation.

Examining bodies were looking at changing the grade boundaries, but students have to be prepared for university life and balancing the rigor expected. There had been lots of discussion with parents and the credibility of their results.

Jane McNeil joined the meeting.

Martyn Marples questioned the gap between advantaged and disadvantaged students. Since writing the report this had decreased due to the appeals. It was explained analysis was taking place to identify areas of deprivation to allow the necessary interventions to be put in place. A lot of work had taken place with character education in the College and disadvantaged groups.

08/21-22 CHARACTER EDUCATION ASSESSMENT

The Chair of Standards Committee attended the Character Education visit around two weeks prior and was pleased to advise the College had become the first college in the country to receive the Character Assessment kitemark.

The Committee Chair had the opportunity to meet with a number of staff in a variety of positions and students who were so enthusiastic about the work the College did in relation to character education.

He commended the College on all their hard work to achieve the kite mark recognition.

09/21-22 FEEDBACK FROM GOVERNORS' VISITS

Broomfield – Andrew Cochrane

Andrew had attended Broomfield on 14 September. His impressions were it was a wonderful place to learn. He visited four different areas, visited the farm, animal welfare unit, and the outstanding nursery. His only observations were the need for capital investment in the estate, particularly the animal welfare unit.

Broomfield were also involved in the Queen's Canopy – to mark the Queen's Platinum Jubilee.

Engineering, Construction and Motor Vehicle, including a tour of the Hudson and Johnson– Stuart Ellis

Stuart met with a number of members of staff and spent time with the Head Engineering and Motor Vehicle on 20 September. He had been impressed to see students from local schools in Construction and the Royal School for the Deaf.

Everyone was hugely enthusiastic and he was able to see the apprentices in Construction, Carpentry and Painting and Decorating – their work of which linked with P&D students painting the work produced by the Carpentry students.

The visit included the Johnson Building which housed Motor Vehicle. Stuart was appraised of the financial commitments on that building and wider discussion around the provision.

He also had the opportunity to discuss the organisation of Engineering apprenticeships and how this worked with the Engineering curriculum.

Finally, he met one T Level group, who were particularly engaged. Some had travelled long distances for the course, which showed the demand.

10/21-22 SUB-CONTRACTING AND PARTNERSHIPS ANNUAL REPORT AND POLICY

The CFO provided an overview of sub-contractor outcomes for 2020-21

An appraisal of performance in terms of 2020-21 performance was shared including outcomes, which defined the future strategy with poorly performing sub-contractors dismissed for the forthcoming year.

In terms of proposals for 2021-22, the Sub-contracting Policy had been reviewed and included an educational rationale for its provision.

Procurement was due to take place to secure AEB and Apprenticeship sub-contractors for 2021-22 which had been in discussion with the ESFA.

Jane McNeil said she was happy with the Policy, but asked if future reports could contain more information in terms of educational rationale for long standing partners. The CFO explained that had been something discussed internally and he would be happy to provide more information.

RESOLVED: The Corporation approved the sub-contractor policy, arrangements and costs, including any subsequent increases to reflect final rollover values, as follows:

CFO 13/12

16-19 provision

Subcontractor	Delivery	Number of learners	Estimated funding contract	Notes
Chameleon School of construction	Construction training within DCG Normal recruitment area	70	£350k	ESFA approval granted for whole programme subcontracting for 21/22
Derby Trailblazers	Cycling	20	£20k	Added to subcontractor list following change in revised ESFA guidance
	Basketball	20	£20k	Added to subcontractor list following change in revised ESFA guidance

AEB provision

Perform a procurement exercise in line with ESFA guidance, focussing upon:

- Links with Local Employers
- Delivery in D2N2 priority areas
- Complimentary provision to DCG own provision
- High quality providers with a good track record of delivering outcomes and progression into employment.

Apprenticeships

Subcontractor	Rollover contract	New starts contract
Risual	Yes – 6 learners	£25k
Sally Montague	Yes – 6 learners	£25k
Breedon House	Yes – 91 learners	£25k
MW Cripwell Ltd	Yes – 17 learners	£25k
Canal Engineering*	No	-
Derby Teaching Hospitals	No	-
Uniper	No	-

A procurement activity for new starts will also be run, focussing upon

- Working with local employers
- Delivery in D2N2 priority areas
- Complimentary provision to DCG own provision
- High quality providers with a good track record of delivering outcomes and progression into employment.
- Which elements of the programme DCG will deliver to these learners

Rolls Royce apprenticeship provision

Rollover contracts will be allocated to the following on the basis of the HE learners who are currently enrolled:

University of Sheffield – 20 learners
University of Derby – 90 learners

11/21-22 **REPORT FROM THE AUDIT COMMITTEE MEETING HELD ON 21 SEPTEMBER 2021**

The Chair of the Audit Committee presented his report following the meeting held on 21 September 2021.

The Director of IT had joined the meeting to provide assurance on the cover and preventative measures in place with regards to cyber security. The Committee heard about work on a mock attack, staff training and the Cyber Essentials Plus accreditation which provided external validation of the robust measures in place.

Two internal audit reports were received. The Mock Funding Audit and the Follow up Report, both of which had been discussed in detail at the Committee with the Management Team as detailed in the report.

The CFO explained the External Audit was underway with samples already collected from 16-19 and apprenticeships. The External Auditors had provided a status update at the meeting and confirmed work was well underway and noted the additional work on the funding audit.

The Committee had reviewed its draft Annual Report, the final version of which would be presented at the next meeting.

The ESFA Regularity Checklist had been reviewed and there was no cause concern in relation to it.

Members received a report on the ESFA's Data Integrity Guidance – A Guide for College Corporations, which related to the changes in the Post-16 Audit Code of Practice and reinforced the ESFA's approach to funding claims.

An update had been shared following the OFS audit of DCG's ILR data for 2019-20. It had been the first one the organisation had been through but DCG had accepted the recommendations and a comprehensive action plan was in place.

The Committee considered the results of its Annual Self-Assessment and were satisfied there were no major areas of concern.

The DPO Report was shared in the confidential session, no breaches had taken place since the last meeting.

The Audit Committee Terms of Reference had been reviewed with changes related to strengthening the section on fraud and irregularity and a holistic approach to financial and non-financial expertise and these were recommended to Corporation for approval.

APPROVED: The Corporation approved the updated Audit Committee Terms of Reference.

The Strategic Risk Management Report had been presented, along with an overview of HE risks. The Committee requested a full review take place, starting from a zero base when considered against adequate mitigation. Further work would be undertaken and presented at a future meeting.

Martyn Marples said there were a lot of horror stories about audit firms not having the capacity to deliver the external audit due to increased

expectations. He asked if any problems had been highlighted with regard to deadlines. The CFO said no issues had been raised, he noted there were audit firms exiting the education market due to increased risks from the ESFA requirements and the perception colleges could not afford the additional costs.

Members noted HE risk now featured on the agenda and were pleased to see the split in the new roles between the HE Manager and the OFS Compliance Officer post, which provided comfort the Group's OFS compliance was closely monitored.

The Committee had undergone training on the new Post-16 Audit Code of Practice.

12/21-22 REPORT FROM THE FINANCE AND RESOURCES COMMITTEE MEETING HELD ON 5 OCTOBER 2021

- **MANAGEMENT ACCOUNTS FOR JULY 2021**
- **MINUTES OF THE FINANCE AND RESOURCES MEETING HELD ON 5 OCTOBER 2021**

The Finance and Resources Committee Chair shared his report. Overall it was a positive meeting with a wider remit covering finance, HR and estates and IT resources.

At the point of the meeting Period 12 Management Accounts were not quite complete, but a verbal update was provided. They showed a slight increase on period 11 and were broadly in line with no drastic changes.

The Committee debated the ratios and financial health of the Group and will be revisiting as measures change. A discussion took place in relation to non-pay costs, which were unlikely to remain low due to increased curriculum material costs.

A lengthy debate took place on recruitment and retention and the work being undertaken to address that. The differentials from minimum wage was something the Executive Team were aware of and were trying to manage.

Progress towards capital bids was shared and a discussion ensued around carbon reduction.

Space management was a critical element and the team were making the most of the space available. Key risks were also shared.

Challenges with regard to IT and digital delivery times were raised which had led to shortfalls in completing projects.

The Finance and Resources Committee were recommended for approval by the Corporation.

APPROVED: The Corporation approved the Finance and Resources Terms of Reference.

The CFO added the Period 12 Management Accounts would be the set sent to the External Auditors. He advised a business case had been submitted to the ESFA with regard to clawback of AEB and expected to hear back in November.

The Chair of Audit Committee asked if that would be additional monies, but the CFO clarified it was in the accounts and being paid back through December to March.

Members also questioned the position following the summer restructuring exercise and enrolment, which could be seen in the accounts.

RATIFIED: The CFO's report with regard to the outcome of the insurance tender had been circulated remotely on 23 July. Members had approved the appointment of FE protect as DCG insurers from 1 August 2021 onwards for a period of three years, with the potential to extend for a further two. The CFO would also negotiate cyber cover in conjunction with FE protect.

13/21-22 RESPONSE TO THE LETTER FROM THE INTERIM ACCOUNTING OFFICER AND CEO OF THE ESFA

The Interim Accounting Officer and CEO of the ESFA had written to College Accounting Officers (the CEO), setting out thoughts and expectations concerning the standards of good financial management and governance in college corporations.

The Clerk had undertaken a compliance exercise evidencing current practice to provide assurance for the Corporation.

Members considered the letter, accompanying report and discussed with the Executive Team.

14/21-22 APPOINTMENT OF CHAIR FOR THE 2021-22 ACADEMIC YEAR

Phil Dover expressed an interest in continuing in the position of Chair.

APPROVED: The Corporation moved to appoint Phil Dover as Chair for the 2021-22 academic year.

15/21-22 APPOINTMENT OF VICE CHAIR FOR THE 2021-22 ACADEMIC YEAR

Andrew Cochrane expressed an interest in continuing the role of Vice Chair.

APPROVED: The Corporation moved to appoint Andrew Cochrane as Vice Chair for the 2021-22 academic year.

16/21-22 CORPORATION COMMITTEE CHAIRS AND MEMBERSHIPS

Following a discussion outside of the meeting with the Chair, Chair of Audit Committee and Mike Kapur, Mike had been approached to continue as a Member until 31 December 2021.

APPROVED: The Corporation approved the extension of Mike Kapur's tenure until 31 December 2021.

APPROVED: The Corporation annually reviewed and approved the committee chairs and membership as follows:

- Audit - Kevin Slack (Chair), Hazel Clint, Mike Kapur, Rosslyn Green – Co-opted

- Standards - Alan Brady (Chair), Sue Bradley, Angela Cruz, Phil Dover, Vanessa Simpson, Mandie Stravino
- Finance and Resources – Martyn Marples (Chair), Andrew Cochrane, Phil Dover, Mandie Stravino
- Search and Governance - Phil Dover (Chair), Andrew Cochrane, Mandie Stravino
- Remuneration (*consists of Committee Chairs*) – Kevin Slack (Chair), Alan Brady, Phil Dover

LINK AND LEAD GOVERNORS

- Health and Safety Lead Governor – Hazel Clint
- Safeguarding Lead Governor – Sue Bradley
- Finance Lead Governor – Martyn Marples
- Joseph Wright Link Governor – Alan Brady
- Broomfield/Little Explorers Link Governor – Sue Bradley
- Higher Education Link Governor – Phil Dover
- Engineering, Construction and Motor Vehicle – Stuart Ellis

17/21-22 REPORT ON CODE OF GOOD GOVERNANCE

The Clerk presented a report on the AoC's Code of Good Governance for English Colleges.

Although the adoption of this Code was voluntary, the Group's funding agreement required a Code to be adopted.

A summary of the key changes were shared and it was noted there was much more rigor around expectations.

The Corporation agreed the Clerk would carry out a further review, comparing the AoC Code against the Charity Code and the Corporate Governance Code with a view to presenting the findings to the next Search and Governance Committee.

Clerk 15/11

18/21-22 POLICY UPDATE

Only policies which have undergone substantial changes will be presented to the Board. The following policies have been reviewed with no changes proposed:

- Admissions Policy
- Student Financial Support Policy
- Student Voice Policy
- Little Explorers Safeguarding Policy
- Safeguarding Policy

Part 1 of the meeting finished at 6.45 pm - Staff and Student Governors left the meeting.

Signed: _____ Date: _____