

**Minutes of the Corporation
held on Thursday 13 May 2021 at 8.00 am
By Microsoft Teams**

Birmingham Metropolitan College

Present	Apologies
Sir Dexter Hutt (DH)	Iqbal Mohammed (IM)
Veronica Docherty (VD)	Christine Tolley (CT)
Hilary Smyth-Allen (HSA)	
Prof. Prue Huddleston (PH)	
Cliff Hall (CH)	
Pat Carvalho (PC) <i>from 8.40 am</i>	
Helen Miles (HM)	
Angela Myers (AM)	
Alaric Rae (AR) <i>until 9.30 am</i>	
Tracey Pearce (TP)	
Michele Larmour (ML)	
Asha Devi (AD)	
Natalie Alleyne (NA)	
Peter Croom (PCR)	
Naghma Nadiri (NN)	
Kashema Wray (KW) <i>until 8.35 am</i>	
Gabriel Morrissey-Limb (GM)	
In attendance	
Louise Jones (LJ)	
Stephen Belling (SB)	
Simon Eaton (SE)	
Zoe Lee (ZL)	
Hilary Barber (Clerk)	

Reference	Agenda item
	Welcome
	DH welcomed all present to the meeting including SE, newly appointed Chief Finance Officer for his first Board meeting.
1	Apologies
	Apologies were received from Iqbal Mohammed and Christine Tolley.
1	Declarations of Interest
	No declarations were received in addition to those contained in the College's Register of Interests.

2.1	Minutes of the meeting held on Thursday 18 March 2021
	<p>The minutes of the meeting held on Thursday 18 March 2021 were approved.</p> <p>IT WAS RESOLVED THAT: C21: 19</p> <p>The minutes of the meeting held on Thursday 18 March 2021 be approved.</p>
2.2	Matters Arising and Action Log
	<p>There were no matters arising.</p> <p>Action Log</p> <p>Item 1: This action is ongoing and linked to the proposed re-setting of the bank covenants (see agenda item 5)</p> <p>Item 3: This action was scheduled to be completed by the end of April; however, a new Safeguarding committee has been set up which will consider new DfE guidance and will recalibrate training to ensure it is appropriate to governors.</p> <p>Other actions are due for completion by the end of July.</p>
3.	Principal's Report
	<p>In addition to the report circulated prior to the meeting CH noted the following:</p> <ul style="list-style-type: none"> ▪ Ofsted inspectors are currently in college as part of their inspection of Teacher Education provision at the University of Wolverhampton with whom BMet is a partner. ▪ A grant has been received from the Birmingham and Solihull LEP for modifications to James Watt to provide a learning space for Built Environment. CH encouraged governors to visit this exciting and innovative refurbishment. ▪ The need to track initiatives arising from the proposed Bill referenced in the recent Queen's Speech. The college is well placed to work with the Birmingham and Solihull Institute of Technology on emerging opportunities. ▪ Walsall College are keen to partner with BMet to progress opportunities with FinTech and a joint bid has been submitted by Walsall College. ▪ Alongside a focus on the forthcoming FE Commissioners' visit on 25 May, a major priority is to complete Teacher Assessed Grades which must be signed off by the Principal and submitted by 17 June 2021. ▪ Detailed outcomes from the Student Survey will be reported at the ASQD committee. Headlines however show very pleasing increases in the numbers of students who would recommend the college to friends, numbers of students feeling safe and positive perceptions by students around behaviour. ▪ CH recognised the excellent contributions made by NN and KW to the college's Hustings events for the West Midland Mayor and Police and Crime Commissioner elections, reporting that the Lunar Society were delighted with the organisation of the event and the contributions made by students. ▪ Despite lockdown, a great deal of activity has ensured that students maximise the best opportunity to participate in "real" work experience. ▪ Following the recent Culture Survey completed by staff, Sharon Davies is running small groups with staff to further discuss outcomes of the survey. ▪ The inherent risk of reduced funding from the WMCA relating to Adult Education. However, the WMCA are very reassured with the work overseen by LJ and SB to ensure that provision with partnerships and sub-contractors is efficiently and appropriately managed. A recent internal audit report offers "substantial assurance" on all processes relating to the management of contracts. ▪ CH welcomed SE as the new CFO and noted the very positive impact that SE is already making. <p>Governors' Observations and Questions:</p> <p>1. "The impact of Covid delaying Ofsted inspections which would potentially take the college to Good, enabling a stronger lead in emerging partnerships is noted. There is a critical need to track</p>

	<p><i>developments with the Knowledge Quarter and ensure that curriculum planning is informed by potential opportunities.” (HSA)</i></p> <p>2. “Is an Ofsted inspection anticipated in the Autumn term?” (DH)</p> <p>CH confirmed that it is highly likely the college will have an inspection next term. CH noted HSA’s observation and confirmed that currently he is a member of the Knowledge Quarter Board – a position soon to be taken up by PC. Suzie Branch-Haddow is also heavily involved with the organisation. CH suggested that David Hardman, who initiated this exciting and transformative project, should be invited to present to governors at a future meeting.</p> <p>3. “The Hustings event appeared on Facebook and the College was to be commended on its superb presentation.” (AR)</p> <p>4. “Has the college submitted a bid for an award to recognise its handling of Covid?” (DH)</p> <p>LJ confirmed this noting that the college is a finalist in the Birmingham Post competition. The final awards will be made in June.</p> <p>5. “How do the Star Chambers work in practice?” (DH)</p> <p>CH advised that Star Chambers are part of a process to set out future plans across all areas. Academic groups focus on the curriculum and student experience and professional service groups address customer demand.</p> <p>IT WAS RESOLVED THAT: C21: 20 The Principal’s report be noted.</p>
4	<p>Student Voice</p>
	<p>KW reported on the very positive experience of presenting to the Hustings event for the West Midlands Mayoral election. KW noted how much she had learned about societal and political leadership in the region and how valuable it had been to represent the views of young people to the Mayoral candidates.</p> <p>DH also noted NN’s excellent contribution to the PCC Hustings event.</p> <p>CH added that BMet students are involved in a group of 10 colleges as part of the Student Commission on Racial Justice. They have received advocacy training relating to health, the police and justice. It is reported that senior DfE staff are keen to meet with students.</p> <p>Governors’ Questions and Observations</p> <p>1. “Student governors are to be thanked for their excellent contributions to the events. Did and students receive support with their presentations and general media skills?” (PH)</p> <p>CH advised that students had received training via the external organisers alongside mentoring by Student Experience officers.</p>
5.	<p>Financial Update – Management Accounts</p>
	<p>SE presented the Period 8 March accounts highlighting the following:</p> <ul style="list-style-type: none"> ▪ The accounts reflect the ongoing impact of Covid and Lockdown 3 resulting in an adverse variance of £1.1m. ▪ Savings are noted in non-pay and pay due to reduced activity. ▪ AEB is behind by £3.8m. It was noted that this figure may reduce further; however enrolment is improving. Key areas impacted are rail provision and ESOL. ▪ Pay currently shows a positive variance of £0.5m with more savings predicted resulting from the lack of requirement for Associate Lecturers. ▪ Non-pay increases result from a reduction in partner activity and less Estates expenditure. ▪ The cash position is very strong partly due to ESFA conditions funding which will not be spent until the summer.

- Currently the college is being paid at full rates by the WMCA and ESFA. Last year's clawback of £1.1m is being repaid over 24 months. Any clawback for this year is not yet confirmed.

1. "Is there a latent demand for provision following the restrictions of the last twelve months?" (AR)

SE advised this could be the case and noted that the WMCA are adopting a flexible approach and could consider additional funding to meet any such demands. Funding however, would not be front-loaded.

2. Will this have an effect on the college's marketing strategy? (DH)

CH advised that it had and that the WMCA are bringing opportunities to the college for consideration and that it is crucial to balance the need to have appropriate staffing capacity against any proposed cuts.

3. "Has the partnership with JLR completely finished?" (VD)

CH confirmed that the college withdrew from the partnership in November on the basis that it did not offer financial value and was not appropriate to continue in the current climate. Assets to be formally disposed of relate to building refurbishment work at an original cost of £60k which has now reduced to zero because of depreciation.

IT WAS RESOLVED THAT:

C21: 21

The management accounts for March 2021 be noted.

SB explained the situation around the proposed amendments to Facility Agreements as detailed in the paper circulated to governors prior to the meeting.

There was produced to the meeting an amendment and waiver letter from Barclays Bank UK PLC (the "Bank") to the College setting out the amendments to a facility agreement dated 03 October 2016 (the "Facility Agreement") pursuant to which the Bank has made a £2,907,695.84 facility available to the College (the "Amendment and Waiver Letter").

Governors' Observations and Questions

1. "Are the covenants tested annually? Could outcomes of any testing be affected by variances in the minimum cash balances?" (PCR)

SE replied that they are tested annually in July by the banks but monitored monthly as part of the management accounts process.

IT WAS RESOLVED THAT:

C21: 22

- That the amendments set out in the Amendment and Waiver Letter are in the interests of and for the benefit of the College and are most likely to promote the success of the College for the benefit of the members as a whole and that such terms and conditions of the Amendment and Waiver Letter be and are approved and accepted.
- That Sir Dexter Hutt and Hilary Smyth-Allen are authorised to sign the Agreement and Waiver Letter on behalf of the College to indicate acceptance of its terms.
- That the Bank is authorised to act in all matters concerning the Facility (as defined in the Facility Agreement) as amended by the Amendment and Waiver Letter upon instruction from the College, in its capacity as Borrower of the Facility, signed in accordance with the mandate for the Bank for any of the accounts of the College held with the Bank current from time to time.
- Governors agree to a similar letter being approved in relation to the Facility Agreement with Lloyds Bank on the same basis upon which the letter to Barclays is signed namely:

	<ul style="list-style-type: none"> ▪ That the amendments set out in an Amendment and Restatement Agreement are in the interests of and for the benefit of the College and are most likely to promote the success of the College for the benefit of the members as a whole and that such terms and conditions of an Amendment and Restatement Agreement be and are approved and accepted. ▪ That Sir Dexter Hutt and Hilary Smyth-Allen are authorised to sign an Amendment and Restatement Agreement on behalf of the College to indicate acceptance of its terms. ▪ That the Bank is authorised to act in all matters concerning the Facility (as defined in the Facility Agreement) as amended by the Amendment and Restatement Agreement upon instruction from the College, in its capacity as Borrower of the Facility, signed in accordance with the mandate for the Bank for any of the accounts of the College held with the Bank current from time to time. <p>C21: 23</p> <ul style="list-style-type: none"> ▪ Any reference in finance documents to “Assistant Principals (APs)” should be amended to read “Vice Principals (VPs)”. <p>C21: 24</p> <ul style="list-style-type: none"> ▪ The disposal of the balance of JLR assets be approved.
6.	Centre of Sporting Excellence – Transfer of Provision
	<p>LJ reported that the sale was completed at the end of March and the proceeds of £401k received into the college’s accounts.</p> <p>Governors are asked to approve Head of Terms for the transfer of football provision to Newcastle College. LJ noted there are matters to be resolved regarding the Head of Terms agreement between Newcastle College and Kidderminster Harriers which the college is helping to facilitate. There are contingency plans in place should an agreement not be reached in the proposed timescales.</p> <p>The key elements of the transfer are:</p> <ul style="list-style-type: none"> ▪ students and funding ▪ transfer of staff under TUPE <p>Lawyers have advised that no consideration is offered which results in no warranties being offered save the capacity to transfer and the accuracy of information given.</p> <p>IT WAS RESOLVED THAT: C21: 25</p> <p>Governors approve the Heads of Terms circulated prior to the meeting.</p>
7.	Curriculum Plan 2021/22
	<p>LJ presented the high-level Curriculum Plan which is being worked on by VPs and their teams. The college has not been notified of the WMCA allocation for the coming year but there are indications that it will be £1m less than 2020/21. However, it is anticipated that there will be opportunities to bid for further funding during the year.</p> <p>Governors’ Questions and Observations</p> <ol style="list-style-type: none"> 1. <i>“How do the values shown in the income table showing learner numbers compare to the period pre-Covid?” (AR)</i> <p>LJ agreed this would be a useful comparison and agreed to circulate the data to governors.</p> <ol style="list-style-type: none"> 2. <i>“The numbers of learners against digital technologies appear to be decreasing year on year suggesting there is a disconnect between employer demand and student uptake.” (HSA)</i> 3. <i>“Is there a similar lack of uptake in other colleges?” (DH)</i>

	<p>CH suggested that the position in other colleges is likely to be similar. Despite a great deal of work to prepare students for the digital economy, the demand from students is not evidenced. SE added that student demand does not always follow employers' priorities citing Cyber Security as an example.</p> <p>4. "Suggested that opportunities to grow pathways in the Social Care sector where the job market is buoyant should be optimised." (VD)</p> <p>5. "Increased publicity about potential job opportunities might have a positive impact on enrolment." (PH)</p> <p>6. "Careers advice in schools is also crucial in this regard." (DH)</p> <p>IT WAS RESOLVED THAT: C21: 26</p> <p>The Curriculum Plan 2021/22 be noted.</p>
8.	<p>Business Plan KPI report</p>
	<p>LJ reported that there is little change from the previous report but highlighted that:</p> <ul style="list-style-type: none"> ▪ The finance KPI's show a deterioration. ▪ The application data is improving. Compared to the same period last year – <ul style="list-style-type: none"> - 16-18 applications are up by 13% - Places offered are up by 18% - Acceptances are up by 51% <p>Governors' Observations and Questions</p> <p>1. "Given the report and in light of a delayed Ofsted visit, will the impact of Covid be taken into account during an inspection in terms of content and finance?" (ML)</p> <p>CH responded that there is not a great focus on finance by Ofsted. Currently they are visiting colleges to assess the impact of Covid. In the Autumn term it is likely the priority will be to judge how well-managed and effective students' blended learning has been and how safe they are in college. Student surveys indicate these aspects are positive but remain a focus for students and governors.</p> <p>2. "The Board's priority historically has been to support the college in getting a Good to Outstanding Ofsted judgement. The college needs to guard against losing the impetus of long-term strategies in the immediacy of managing the challenges of the current situation. The Board has had to be cautious but must continue to be bold and support stretch." (ML)</p> <p>CH agreed and added that the college managed this balance well. During observations AM and VD had noted the impact of Covid on learning and remarked that the college had a sense of being "subdued" when compared with pre-covid visits. It was to be noted that Covid requirements did have an impact on the learning environment and that all endeavours to support and help staff to feel invigorated in their practice.</p> <p>IT WAS RESOLVED THAT: C21: 27</p> <p>The Business Plan be noted.</p>
9.	<p>Strategic Planning</p>
	<p>LJ reported that substantial work had been undertaken during 2019/20 on the three-year Strategic Plan. Progress had been impacted by Covid during 2020/21. Given the imminent take up of the role by the new Principal it was recognised that PC will want to engage with all stakeholders, and it is proposed therefore that the current plan remains in place pending the outcomes of PC's conversations and</p>

	<p>considerations. KPIs will be updated to reflect progress and presented to governors at the July meeting to allow time for the Finance team to conclude their planning.</p> <p>Governors' Observations and Questions</p> <ol style="list-style-type: none"> <i>"It will be important to ensure that what has been a good coping strategy during the pandemic does not become the "norm".(DH)</i> <i>"There is a need to ensure that the energies employed in the amazing Covid response are channelled into future strategic planning. It is crucial that PC has chance to shape and influence this planning." (ML)</i> <i>"There is a need to recognise the changing environment and grasp the opportunities rather than risk "doing what we do". We should use our current priorities whilst looking for ways to ensure the curriculum is relevant and forward looking." (AR)</i> <p>IT WAS RESOLVED THAT: C21: 28</p> <p>The Strategic Planning report be noted.</p>
10.	<p>Marketing and Recruitment</p>
	<p>ZL highlighted aspects of the very comprehensive presentation circulated to governors prior to the meeting and was thanked warmly by governors for the breadth of work it details.</p> <p>Governors' Observations and Questions</p> <ol style="list-style-type: none"> <i>"Some students have been disadvantaged by lack of access to digital technology. Is there a range of activities that will reach such prospective students?" (VD)</i> <p>ZL advised that there is a full marketing mix including digital and advertising space to enable full engagement with the BMet brand. ZL added that schools and the college have worked hard together to ensure access to broad careers advice. Further opportunities are being taken up to visit schools as restrictions allow.</p> <ol style="list-style-type: none"> <i>"Is TikTok used in addition to Whats App as the algorithms to personalise and spread the message are very effective?" (NA)</i> <p>ZL advised that this platform was used last year for advertising and that this year it is utilised to offer peer to peer campaigns alongside Snapchat where students tell their stories.</p> <ol style="list-style-type: none"> <i>"There is a need for focussed careers advice in schools to ensure students understand the breadth of careers available, innovations in the job market and the region's skill shortages." (PH)</i> <p>ZL agreed and noted that the team offer one to one support, advice on CV writing and career guidance. ZL is keen that this guidance should include "show-cases" of what students at the college have achieved and how the wide provision offered addresses skill shortages.</p> <p>DH thanked ZL and the team for their excellent work.</p> <p>IT WAS RESOLVED THAT: C21: 29</p> <p>The Marketing and Recruitment presentation be noted.</p>
11.	<p>Any other Business and Governors' Questions</p>
	<p>DH reported to governors that LJ will be taking up post as CFO at Dudley College on 07 July 2021 after over 20 years of loyal service to BMet in its various guises. DH thanked LJ for the huge contributions she has made to the college during this long tenure and wished her well in her new post, adding that he was very sorry that she is leaving.</p>

DH also noted that this meeting is the last to be attended by CH prior to his retirement at the end of May. An initial "temporary" involvement of three months had stretched to two and a half years during which time the college has made fantastic progress. DH thanked CH warmly on behalf of the Board and CH responded that the time at BMet had been very enjoyable and stimulating and added that his commitment to the college had been cemented when DH was appointed as Chair of the Corporation. DH wished CH well for the future.

There being no other business, the formal meeting was closed at 10.00 am with governors staying to meet and talk with PC.



Signed: _____

Chair: Dexter Hutt