

**Minutes of the Corporation  
held on Thursday 15<sup>th</sup> December 2022 at 4.00pm  
Sutton Coldfield Campus and By Microsoft Teams  
Birmingham Metropolitan College**

Present	Apologies
Sir Dexter Hutt (DH)	Iqbal Mohammed (IM)
Prof. Prue Huddleston (PH)	Hilary Smyth-Allen (HSA)
Helen Miles (HM)	Ianthe Wassell (IW)
Pat Carvalho (PC)	Christine Tolley (CT)
Angela Myers (AM) via Teams	
Alaric Rae (AR) via Teams	
Peter Croom (PCR)	
Afzal Hussain (AH)	
Sharon Isaacs (SI) via Teams	
Roy Priest (RP)	
Gobinder Gill (GG)	
Julie Willis (JW)	
In attendance	
Stephen Belling (SB)	
Simon Eaton (SE)	
Fiona Yardley (FY)	
Jason Allen (JA)	

Reference	Agenda item
	<b>Welcome</b>
	DH welcomed all present to the meeting and welcomed JW to the Board as a new independent Governor.
	<b>Apologies</b>
	Apologies were received from IM, HSA, IW, and CT.
	<b>Declarations of Interest</b>
	No other declarations were received in addition to those contained in the College's Register of Interests.
1.1	<b>Minutes of the meeting held on</b>
	The minutes of the meeting held on 6 <sup>th</sup> October and 3 <sup>rd</sup> November were reviewed. <b>IT WAS RESOLVED THAT: C22/23: 14</b>

Reference	Agenda item
	<p>Subject to amendment of typographical errors, the minutes of the meeting held on 6<sup>th</sup> October be approved.</p> <p><b>C22/23: 15</b></p> <p>Subject to the amendment of typographical errors, the minutes of the meeting held on 3<sup>rd</sup> November be approved</p>
1.2	<b>Matters Arising and Action Log</b>
	<p>Progress made in respect of the actions was noted.</p> <p><b>IT WAS RESOLVED THAT:</b></p> <p><b>C22/23:16</b></p> <p>The completion dates of the action log be amended to take account of revised completion dates.</p>
2	<b>Annual Accounts</b>
	<p>SE presented the Annual Reports and Account for the period 2021- 2022 and advised:</p> <ul style="list-style-type: none"> <li>• The Finance and Audit Committee had reviewed the annual accounts and reports on 29<sup>th</sup> November 2022.</li> <li>• The external auditors had now completed their audit.</li> <li>• The figures in the financial statements were broadly in line with those forecast in July 2023.</li> <li>• The total income for the academic year was in excess of £42 million which had left a deficit of £3.4 million.</li> <li>• There had been an actuarial gain in the pension scheme because of the additional interest generated by interest rate increases. This however is an accounting position and pension contribution rates are expected to rise in April after the completion of a Tri-annual review of the scheme.</li> <li>• The year finished with better than anticipated cash reserves because of improved performance during the year and delay in capital expenditure.</li> <li>• Negative cash generation during the year has resulted in a breach of the banking covenants as predicted and as a result it is necessary to classify the college as a going concern but with a material uncertainty regarding how the banks will respond to the breach of covenants.</li> <li>• In practical terms the college can pay its loans and is in a good trading position.</li> <li>• Looking ahead, because of the college being reclassified as a public body by the Office for National Statistics, it will receive an additional £488k capital finance in January to support energy saving expenditure.</li> </ul> <p><b>Governors Observations and Questions</b></p> <p><b>1. Does public sector reclassification mean that the material uncertainty could be removed from the 2021- 2022 accounts? (PCR)</b></p> <p>SE advised that the material uncertainty could not be addressed at this point in time because negotiations with the banks and the ESFA about possible debt restructuring need to take place.</p>

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	<p><b>2. <i>Can the additional capital monies awarded by Government be used to support development of the digital estate? (AR)</i></b></p> <p>SE advised that capital monies could be used to support development of the digital estate.</p> <p><b>IT WAS RESOLVED THAT</b></p> <p><b>C22/23: 16</b>  <b>The Self- Assessment Questionnaire be approved.</b></p> <p><b>C22/23: 17</b>  The contents of the Management Letter be noted.</p> <p><b>C22/23: 18</b>  The 2021- 2022 Annual Report and Financial Statements be approved.</p> <p><b>C22/23: 19</b>  The Letter of Representation be approved.</p> <p><b>C22/23 20</b>  The Statement of Governance be approved.</p>
3	Finance Committee
	<p>PCR referred to the Finance Committee Update report in the Corporation Pack and emphasised the following:</p> <ul style="list-style-type: none"> <li>• The 2021-2022 Reports and Accounts had been considered in detail by the Finance and Audit Committee.</li> <li>• The October management accounts had been reviewed and it was noted EBITDA is currently £1 million below budget but that is likely to be offset by savings made during the year.</li> <li>• A business case is being presented to the ESFA to request in year funding to support provision in relation to the additional 16- 18 learners who enrolled at the college.</li> <li>• The Committee had considered and commend the Ethnicity Pay Gap Report, The Gender Pay Gap Report and Fees Policy for approval.</li> </ul> <p>PC advised that staff had been informed of the factors that would enable a pay award to be considered and the points at which they would be reviewed. The next review date would be after the ESFA had considered the request for in year funding which was expected to be toward the end of January 2023.</p> <p><b>Questions</b></p> <p><b>1. <i>Do Finance Committee consider college finances to be in a reasonable position? (DH)</i></b></p>

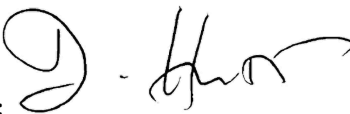
Reference	Agenda item
	<p>PCR advised that the Finance Committee did believe the college finances to be in a reasonable position.</p> <p><b>2. What do staff feel about stance on pay award? (DH)</b></p> <p>GG expressed the view that staff understand the current position, appreciate the issues involved and recognise the desire to make a pay award.</p> <p><b>IT WAS RESOLVED THAT</b></p> <p><b>C22/23:21</b> The October Management accounts be noted.</p> <p><b>C22/23: 22</b> The College Fees Policy for 2022- 2023 be approved.</p> <p><b>C22/23: 23</b> The Gender Pay Gap report be approved.</p> <p><b>C22/23 : 24</b> The Ethnicity Pay Gap report be approved.</p>
4	ASQD Committee update
	<p>PH referred to the ASQD Update report in the Corporation Pack and emphasised the following:-</p> <ul style="list-style-type: none"> <li>• The number of A level students had doubled in recent years.</li> <li>• Higher education achievement rates have increased.</li> <li>• Plans are in place to improve and extend the Higher Education Offer to Level 4 and above.</li> <li>• Members of the ASQD Committee had participated in all of the departmental Self-Assessment Reviews and could confirm that the process had been robust, strengths and improvement areas had been noted and the observations made by Ofsted in their monitoring visit affirm that progress was being made.</li> <li>• ASQD felt that the college was on track to secure “Good” status at the next Ofsted Inspection.</li> <li>• The college’s new Quality Improvement Plan (QIP) had a clear focus on the actions required to improve quality and address matters raised in the last Ofsted inspection.</li> <li>• The number of complaints received in the last academic year had been halved and all had been logged and addressed. It was to be noted that more compliments than complaints had been submitted.</li> </ul> <p>PH and DH thanked AM for her work in the SAR process and the Committee’s work during the autumn term.</p> <p><b>Governors’ Observations and Questions</b></p> <p><b>1. When do we anticipate seeing the impact of changes made in relation to the provision for High Need Learners? (AR)</b></p>

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	<p>PC advised that a positive impact was already noticeable. The inspector who reviewed this area in the last inspection noticed changes in the follow up monitoring visit.</p> <ol style="list-style-type: none"> <li>2. From engagement with the Self- Assessment Process, Foundation work was progressing well and some areas of work might now be classified as Outstanding (AM)</li> <li>3. From engagement with the Self- Assessment Process, Governors could see that high quality work was being done by both team leaders and members of those teams. (DH)</li> <li>4. Staff are now able to use a dashboard to get a full picture of the support required and available for EHCP learners.(GG)</li> <li>5. Updates regarding High Needs and Adult provision at all Corporation meetings will be helpful. (DH)</li> <li>6. The importance of maintaining quality in all areas is noted and not just the areas identified by Ofsted as requiring improvement. (AH)</li> </ol> <p><b>IT WAS RESOLVED THAT</b></p> <p><b>C22/23: 25</b> Key Points in the ASQD Update Report be noted.</p> <p><b>C22/23:26</b> The 2022- 2023 Higher Education Self- Assessment Report be noted and approved.</p> <p><b>C22/23:27</b> The 2022- 2023 BMet Self- Assessment Report be noted and approved.</p> <p><b>C22/23:28</b> The 2022- 2023 Quality Improvement Plan be noted and approved.</p>
5	Audit Committee
	<p>HM referred to the Audit Committee Update report in the Corporation Pack and emphasised the following:</p> <ul style="list-style-type: none"> <li>• Regarding health and safety, Committee were assured that the position regarding Covid continued to be reviewed appropriately, the Lock Down procedures had been tested and the Health and Safety Committee was working effectively.</li> <li>• Committee had noted that the serious incident and the Erdington Skills Centre had started outside of the college and been assured that appropriate action had been taken.</li> <li>• The cost of insurance has risen but on the insurance broker's advice the amount of cover for cyber security had been reduced to be more in line with sector equivalents. The volume of insurance claims is in line with pre- pandemic levels.</li> <li>• Committee had been assured that contract compliance was being monitored. Actions were being taken to deal with the late signing of some contracts.</li> <li>• The work being done with BDO to review levels of risk appetite and update the Risk Register was nearing conclusion and would be considered in detail in the March Audit Committee meeting.</li> <li>• RSM's proposed internal audit programme covered the areas of concern to Committee and include a specific focus on IT and cyber security.</li> </ul>

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	<ul style="list-style-type: none"> <li>• RSM's provision of a sector insight report was helpful and evidenced their work in and knowledge of the FE sector.</li> <li>• The Audit Committee had been inquorate on 29<sup>th</sup> November and therefore all commendations were referred to Corporation for approval</li> </ul> <p><b>IT WAS RESOLVED THAT</b></p> <p><b>C22/23:29</b> The minutes of the meeting held on 24<sup>th</sup> June 2022 be commended to Corporation for approval.</p> <p><b>C 22-23: 30</b> The content of the Autumn Health and Safety Report be noted.</p> <p><b>C 22/23: 31</b> The content of the Annual Insurance Report be commended to Corporation for noting and approval.</p> <p><b>22/23: 32</b> The content of the Contract Compliance Report be noted.</p> <p><b>C 22/23:33</b> An annotated report on progress made in respect of compliance be provided to Audit Committee in March 2023.</p> <p><b>C 22/23: 34</b> The content of the Risk Tracker Report be noted and approved.</p> <p><b>C22/23:35</b> The internal Audit plan for 2022- 2023 be approved</p> <p><b>C22/23:36</b> The Audit Committee Update Report be noted.</p>
<b>6</b>	<b>Sports Department Dual Career Programme.</b>
	<p>JA gave a presentation regarding the Sports Department's Dual Career Programme explaining, its history, its aims and objectives and how it works in practice. Points emphasised were:</p> <ul style="list-style-type: none"> <li>• BMet is a recognised Talent Centre to support young people invest in their sporting career and gain a good education in a flexible way so that they have career opportunities when their sporting careers end.</li> <li>• The programme takes account of learners being out of college at key periods of time, desire to achieve high grades and working collaboratively with learners, their parents, and staff.</li> <li>• The class of 22 includes learners achieving critical acclaim in golf, cricket, archery and both men's and women's football.</li> <li>• Alumni provide support and encouragement to current learners.</li> <li>• BMet is the only college in the area with the kite mark for a talented athlete programme.</li> </ul>

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	<p><b>Governors' Observations and Questions</b></p> <p>1. <b><i>Does the college link with other sporting academies? (AH)</i></b></p> <p>JA confirmed that the college does link with other sporting academies.</p> <p>2. <b><i>Do other staff know about the Dual Career Programme and its participants? (DH)</i></b></p> <p>JA advised that the Sports Argus is distributed to all members of staff.</p> <p>3. <b><i>How is the Dual Career programme promoted? (RP)</i></b></p> <p>JA advised that the programme is promoted by visits to schools and sports clubs, on the college website and use of social media.</p>
7	<p><b>Principal's Briefing</b></p>
	<p>PC invited questions arising from the Principal's Briefing in the Corporation Board Pack.</p> <p>1. <b><i>What was the outcome of the meeting with BCU's Vice Chancellor? (AR)</i></b></p> <p>PC advised that a meeting had provided an opportunity to review the historic working relationship with the college, take account of BCU's future planning and paved the way for future meetings.</p> <p>2. <b><i>What was the outcome of discussions with the WMCA? (DH)</i></b></p> <p>PC advised that discussions had focussed on minimising the need for clawback because of under- delivery, WMCA's requirements regarding ESOL delivery and employment outcomes, the college's strategy for adult delivery and support in making a valuable contribution to the city and the region.</p> <p>3. <b><i>Is funding available to support marketing and promotion activity? AR</i></b></p> <p>PC advised that funding is related to pure delivery and marketing is seen as a general overhead to be found by the college. WMCA does some promotion work on behalf of colleges.</p> <p>4. It is important to evidence the college's ability to deliver and engage in dialogue in a timely way. AH</p> <p>5. It will be helpful to conduct a deep dive in relation to adult provision and employability. (PH)</p> <p>6. It will be helpful to consider in more detail work being done in relation to the development of meta-cognitive skills and students being effective learners (AM)</p> <p><b>IT WAS RESOLVED THAT:</b></p> <p><b>C22/23:37</b> The contents of the Principal's Briefing be noted.</p>
8	<p><b>KPI Report</b></p>
	<p>SE presented the KPI report in the Board Pack and emphasised the following key points:</p> <ul style="list-style-type: none"> <li>• The report reflects the end of year position for the 2021- 2022 academic year.</li> <li>• KPI 1.4 and 1.5 were affected by late learner withdrawals.</li> <li>• KPI 4.4 reflected a nationally reported 37 year- high of long- term sickness</li> <li>• KPI 5.4 will be reviewed for the new academic year.</li> </ul>

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	<b>IT WAS RESOLVED THAT</b> <b>C 22/23:32</b> The content of the December KPI report be noted and approved.
<b>Item 9</b>	<b>Any Other Business</b>
	PC advised that following interviews Anna Jackson had been appointed as Interim Deputy Principal. SB advised that an additional Governors meeting would be convened in January to consider and if appropriate award contracts to undertake capital works made possible by the Further Education Capital Works Programme. DH expressed thanks to SLT Team and all staff for their work during the autumn term. There being no other business the meeting was closed at 6.00 pm

Signed: 

Chair: Dexter Hutt