

Minutes from the November 2021

Board of Directors (Governing Body) Meeting

Meeting subject: Regular Termly Meeting of the Governing Body

Meeting date: Tuesday 23rd November 2021 4-6pm (in-College)

Date of previous meeting: 24th August 2021

Ex-officio members:

David Game – Principal & CEO (Chair)

John Dalton – Co-Principal

Funda Kavi – Marketing Manager

Dr John Sanders – Director of Higher Education (Deputy Chair)

Mansour Kaveh – UFP Director

Niel Pama – Director of Business Development

Invitations (GAC members):

Lindsay Badenoch

Jill Bainton

James Eytley

Philippe Herszaft

Agenda Items

1. Welcome and introduction from the Chair
2. Apologies for absence, confidentiality and quoracy
3. Review of minutes from previous meeting, matters arising and actions
- 4. Main Business**
 - 4.1 Report from the November 2021 meeting of the CLG (JD)
 - 4.2 Report from the Higher Education Academic Board (JS)
 - 4.3 Strategic Direction
 - 4.3.1 Boarding School development – update on progress with international recruitment network and Ofsted preparations (FK/JD)
 - 4.3.2 HE development plans (JS)
 - 4.4 Financial Sustainability
 - 4.4.1 Management Accounts (July 2021) and liquidity days forecasts (JS)
 - 4.4.2 Capital repayment plans (JS/PH)
 - 4.4.3 OfS developments (JS)
 - 4.5 Operational Risks
 - 4.6 Governance
 - 4.6.1 Governance - annual review to be presented by GAC members
 - 4.7 Key Performance Indicators
 - 4.8 Regulatory Compliance
5. Any other business
6. Date of next meeting

Minutes

1. Welcome and introduction from the Chair

JS welcomed the team to the meeting and outlined the agenda.

2. Apologies for absence, confidentiality and quoracy

JS noted that PH and FK had sent apologies for absence.

3. Review of minutes from previous meeting, matters arising and actions

JS noted that he had circulated the minutes for the previous meeting and highlighted the action points to the Board. JS asked about the Skills Matrix and JD advised the Board that this had not yet been completed. JS stated that the recruitment process for an HR manager was still ongoing. Further to this, the expansion of data management efforts was ongoing and progress was being made in HR. The submission of an access and participation plan had progressed, but JS had encountered a major problem he would report on later. A number of other key points including the boarding school and Barclays loan would be addressed later in the meeting.

The BoD approved the minutes.

4. Main Business

4.1 Report from the November 2021 meeting of the CLG (JD)

JD reported that the CLG met on the 2nd November 2021. **(ONE ITEM NOT FOR PUBLICATION.)** JD reported on further developments in DGC's curriculum. JS reported on DGHE's developments including the launch of top-up programmes with the University of Gloucestershire in Visual Communications and Criminology. In DGC a partnership with the University of Creative Arts was being formed to provide external examiners in art and design. JS suggested an alternative partnership with the University of Gloucestershire as a possibility, given DGHE's partnership ties with them and their strong art department. A new inventory system had been introduced. LB commented that this was quite time-consuming. New staff appointments were discussed, as well as health and safety updates. The proposed fire drill had been delayed to a later day in the term, but would go ahead then as planned. Mental health, training, and suicide prevention was discussed. The mental health lead had left the college. JD also updated the board on developments in safeguarding and Prevent. A dedicated role email had been created to report harassment and sexual violence. There was an extensive policy online in this area. New software for safeguarding called MyConcern was ready to use. This would centralise reporting on problematic behaviour from students or staff. Developments in the Boarding project would be discussed later. Security was discussed. Jill Bainton praised the CLG meeting for its collaborative spirit and focus on problem solving.

4.2 Report from the Higher Education Academic Board (JS)

JS advised the BoD that DGHE's Academic Board had been held yesterday. Academic performance was mixed due to the impact of the pandemic, with high levels of non-submissions. Pass rates at first attempt had been quite poor, but on second attempt were reasonable. There was a higher demand on welfare and wellbeing services. A new Student Success and Support Officer had been recruited to work with at-risk students. The academic briefs had been assessed and teaching materials had been improved. There was now a stronger emphasis on formative feedback and early identification of at-risk students. Efforts to safeguard students had been effective, with few COVID cases at DGHE. The delivery in-college hadn't been disrupted. Very positive reports from external examiners across all courses. Problems with submissions were discussed further and LB expressed hope that this was a

temporary result of the pandemic. Academic misconduct was also discussed, as this was a growing problem at DGHE and other parts of the college.

4.3 Strategic Direction

JS raised two key areas with regards to strategic direction: the boarding school and the HE development plan.

(NOT FOR PUBLICATION)

4.3.1 Boarding School development

(NOT FOR PUBLICATION)

4.3.2 HE development plans (JS)

(NOT FOR PUBLICATION)

4.4 Financial Sustainability

4.4.1 Management Accounts (July 2021) and liquidity days forecasts (JS)

JS had circulated the management accounts from July 21 to the BoD. The balance sheet was healthy. **(FURTHER SPECIFIC DISCUSSION NOT FOR PUBLICATION)** JS also highlighted the circulation of liquidity days reporting, with the current value of 77 liquidity days more than doubling OfS requirements. The financial position of the college was healthy.

4.4.2 Capital repayment plans (JS/PH)

JS reminded the board that this had been discussed at the last meeting and discussion with Barclays had progressed considerably since. A repayment loan through Barclays would be agreed over the next few weeks. This facility offered lower costs and interest relative to the alternative, as well as the ability to reduce the college's debt burden. Principal David Game had accepted the proposal with a variable rate. This loan would improve the balance sheet of the college and was going ahead.

4.4.3 OfS developments (JS)

The annual financial return had been submitted to the OfS. Given the college's strong financial performance, JS naturally expected that the OfS would conclude the institution was financially viable.

JS discussed the access and participation plan and the college's potential application for an improved fee cap status. JS asked Independent HE what would be needed to make an application and had received advice in this area. The access and participation plan had been drafted, but the OfS warned DGHE that a change of category would require a completely new application. This would significantly delay the increased fee cap status past the point of September 2022. There was no guidance from OfS on this point on their website. This would have a financial impact on the college. However, the figures submitted to the OfS were already at the lower rate, so this would not be impacted. JB asked if fees could be made up with other charges and JS pointed out that the key question was the SLC loans, which were essential for DGHE's mature students. JS advised the board that his work on the 2022/3 Access and Participation Plan was now redundant given the delay.

There was no possibility of increasing HND course fees until September 2023 at the earliest. This made international recruitment or a university partnership a more promising avenue for growth.

4.5 Operational Risks

JS asked if new risks had been identified. It was agreed that boarding was a key new risk, particularly with the regard to the divisions of the building and safeguarding students of different ages. Another departmental meeting would be convened to discuss room utilisation and compliance with regulations. JD raised the prospect of a complete restructure if the inspection led the college in this direction. He suggested that the Board should prepare for this possibility. MK also raised the issue of expanded recruitment placing additional demands on space. JS confirmed that solutions were being explored for room space close to the college. Another meeting would be held to discuss NP's efforts in this area.

JS warned the BoD that university fees might go down as a result of government action. A reduced nation-wide fee cap would result in a top-up from the teaching grant, which DGHE could only access if it had achieved fee cap status. JS also advised the BoD that DGHE had lost several key members of staff and had encountered problems with recruitment to replace these roles. The loss of the Head of Academic Development and other key academic roles was a concern. The Board discussed possible candidates and agencies. JS raised the possibility of raising salaries to facilitate recruitment, but this would have implications for other salaries at the college. JS advised the Board that the college's senior pay was below the HE market rate. JS also discussed the terms and conditions of the work, as this was another area where the college's provision was below the average for UK HE.

4.6 Governance

JS raised the importance of improving governance to secure an improved fee cap status and the requirement to appoint an independent member to the Board. This search was underway.

4.6.1 Governance - annual review to be presented by GAC members

JB presented the findings of the annual review and focused on the conclusion. JB was very positive on being invited to the current Board meeting. JB was also positive about being invited to DGHE's CLG. JD agreed that LB had not been sufficiently involved in discussions on the boarding school project in the past and LB agreed that she was now more involved in these discussions. JB stated that the GAC could make further contributions if given the opportunity. JS discussed the context of the separation between the Board and the CLG and the invitation of some GAC members to each meeting. JS agreed that in future GAC members would all be invited to both the GAC and the Board.

4.7 Key Performance Indicators

KPIs were been discussed in the context of other parts of the agenda.

4.8 Regulatory Compliance

Regularity compliance was discussed in the context of other parts of the agenda.

5. Any other business

Discussions with the landlords were currently stalled.

JS reported that he was under growing pressure to introduce hybrid working at DGHE. He was consulting with various teams on this point and each team would submit a proposal on what could be done without compromising service standards. JS discussed how working from home might be possible for full-time academic staff during their non-teaching hours. Part-time academic staff would not work from home. Some roles, including the library and the reception, could not work from home and were not included in the policy. JB agreed that this development was common across the sector and it would be sensible to hear the proposals. JS was holding a meeting to hear proposals and

expected one or two days working from home a week to be the standard. JB and JS agreed this was important for recruitment and retention.

6. Date of next meeting
March 2022

BoD Meeting Actions/ Matters Arising (from 23/11/21)

Action Point	Deadline	Person Responsible
Complete Skills Matrix for CLG	TBC	John Dalton
Recruit for HR Manager post	TBC	Dr John Sanders
Expand data management to better inform new KPIs	1 March 2022	Dr John Sanders (HE) John Dalton (FE)
Continue to develop policy and train staff to prepare for Boarding School project	TBC	John Dalton
Take legal advice from Penningtons and evaluate possibility of securing UKVI license for international student recruitment into DGHE	25 February 2022	Dr John Sanders
Develop new strategy to target raised fee-cap status for DGHE in 2023	28 January 2022	Dr John Sanders
Convene meeting to discuss room utilisation and regulations for Boarding	TBC	John Dalton
Secure new working spaces close to the college to accommodate space demands of boarding provision	TBC	Niel Pama
Replace key HE staff, altering pay and working conditions if necessary	4 January 2022	Dr John Sanders
Manage introduction of hybrid working at DGHE	10 January 2022	Dr John Sanders