

Minutes of the Special Corporation Meeting Held Virtually at 8.30am on 30 June 2022

Present: Shahalam Ali, Prue Amner, Mark Cooper, Ashley Cullen, Katie Hill (staff governor), Tim Jackson, Samantha Miller (staff governor), Paul Quigley (Chair), Katy Quinn (Principal/CEO), Mike Stoneham and Pauline Tiller.

Apologies: Lily Camacho (student), Rob Nitsch, Kit Peet (student) and Paul Walton

In Attendance: Matt Phelps Deputy Principal/Deputy CEO
Paola Schweitzer Director of Governance
Maria Vetrone COO

Minutes

1 – Standing Items

094 Attendance and Participation

Lily Camacho (student governor), Rob Nitsch, Kit Peet (student governor) and Paul Walton sent their apologies.

Paul apologised for failing to properly notify Estates & Sustainability Committee members that their tentative meeting scheduled in June had been cancelled. Paola also offered her apologies.

095 Declarations of Interest

Mark Cooper declared his interest as an employee of the University of Portsmouth. There were no other declarations of interest.

096 Higher Education (HE) Office for Students (OfS) status

Matt presented paper 195/22/C proposing that the College reconsider the decision taken by the Highbury College Board in June 2021 to decommission directly funded HE provision commissioned by the Office for Students (OfS). Under this decision HNC/D students were to complete their qualifications in 2021/22 and the 2022/23 curriculum offer would be validated by the University of Portsmouth.

The College's new leadership team had undertaken significant analysis and proposed that the Board reconsider the decision on the basis of local market forces, the College's improving position and the fact that members of the senior leadership team

had substantial experience in delivering high quality HE provision, both directly funded and via partnership arrangements. In addition, the College now had robust quality improvement, assurance and monitoring processes. The paper outlined three options:

- **Continue as planned:** ie deregister from the OfS and work in partnership with the University of Portsmouth to map progression pathways and provide the University with an HE curriculum development roadmap to develop, validate and run HE provision from September 2022
- **Do not deregister from the OfS** and work with the University of Portsmouth to map progression pathways. The College would enrol some directly funded students in 2022/23, develop more directly funded provision for 2023/24 and explore wider partnerships. This would require implementing the necessary OfS controls and framework.
- **Enrol all HE students as directly funded by OfS from September 2022** ie maintain status with OfS and bring forward HE courses listed in the 2023/24 academic year to commence delivery in September 2022 and continue to develop progression pathways with the University of Portsmouth.

Maria estimated that the cost of remaining registered with the OfS was up to £80k. This had not been included in the 2022/23 budget. One governor asked if there were any penalties associated with deregistering, to which Matt responded there weren't and that the only risk was ensuring continuing learners were effectively transferred to the University of Portsmouth. This had been provided for in the budget. Tim noted that the OfS was bureaucratic, requiring a level of resources and expertise and asked if the College had this expertise. Katy assured governors that the Executive Management Team understood the importance of ensuring the College had the appropriate framework and expertise to deliver high quality provision and ensure it was fully compliant with OfS requirements and an individual had been identified who could be support the College in achieving this. Katy believed the College had some operational experience, but this would probably need to be enhanced by upskilling existing members of staff or through additional resources.

In response to a question, Matt stated that OfS registration was required to deliver some qualifications including Higher Technical Qualifications, but not all. Prue noted the tight timeline to offer direct provision from September 2023. Katy agreed it was tight but believed it was achievable. Maria noted that the College was exploring the possibility of working with direct delivery partners and if this was pursued, the timeline could shrink.

Tim sought clarification on the College's commitment to the University of Portsmouth, noting that he had extensive experience of working with HE institutions but had gradually stopped working with other institutions in order to focus on its relationship with the University of Portsmouth. Matt stated that both he and Katy had discussed the matter with Mark prior to the meeting and stressed that under all three options, the spirit of partnership would be maintained with the University of Portsmouth and they would remain the College's preferred HE institution. The second and third options would, however, give the College flexibility to explore other strategic partnerships if necessary. Katy agreed, stating that the University of

Portsmouth would remain the College's first choice for higher level qualifications where both institutions' curricula aims aligned and noted that the partnership also sought to create seamless progression routes for College students.

Mike expressed his support for option 2 but sought assurance on the financial viability of the opportunities outlined. Maria described her experience with a delivery partner. Nescot had offered high quality HNDs and HNCs in several areas through a direct delivery model. It was a high risk, innovative venture but high reward and had generated an operating surplus of over £1m at one point. She believed working with a delivery partner presented a great opportunity for the College. She noted the importance of investing in governance structures and quality assurance to ensure a high quality delivery model. In response to a question, Maria confirmed that Nescot had worked with legal advisers to ensure the appropriate due diligence and that the DfE, ESFA and auditors had scrutinised the arrangement. She stressed it was a direct delivery contract, not a subcontract, with staff seconded from the delivery partner to the College. Tim was heartened it was not a subcontracting arrangement and asked that proposals were brought to the Board, noting that Audit Committee might wish to scrutinise them. Katy agreed, welcoming governors' experience and scrutiny. In response to another question, Maria stated that this model did not rely significantly on relationships with employers as it focused on widening participation with hard to reach communities.

Paul invited Mark to comment on the discussion, in view of his role at the University of Portsmouth. Mark stated that wearing his governor's hat, he supported the College's ambition and more specifically, option 2. Wearing his University of Portsmouth hat, he stated that the University was supportive of the College's ambition to deliver HNC and HNDs and would be willing to have a conversation about badging other qualifications at no cost to the College. He noted that other colleges' had struggled with OfS requirements and that there was nothing other organisations could offer the College that the University couldn't offer.

Paola noted that this decision went to the heart of the College's educational character, a Board responsibility set out in the College's Articles of Government.

Governors **Agreed** to support option 2, namely that the College did not deregister with OfS and instead, continued to develop the University of Portsmouth partnership in relation to progression pathways and codesign of curriculum and to develop curriculum to be directly funded by OfS from September 2022. Due to his conflict of interests in this matter, Mark abstained from this decision.

Paul thanked governors for the well-rounded discussion and noted that proposals concerning the College's direct HE provision would be considered by the Board in due course. Paul would confirm the Board's decision with the OfS.

The meeting ended at 9.15am.