

**Minutes of the Full Corporation meeting held on
15 January 2009**

09.01 Membership

- A Cllr J Bosnjak
Mrs J H Chambers
Mr J Connolly
Mrs L Coombes
Mr S Darby
Mr K Green
- Ap Mr R Holden
Mr M Lloyd
- Ap Mr K McKoy
Ms D Needham
Ms A Neilson (Vice Chair)
Cllr D Pressley
Mr R Rowley
Mr S Saha
Mr J Savage
Mr J Sephton (Chair)
Mr J Shephard
Mr L Stone

In attendance:

- | | |
|---------------|--------------------------------------|
| Mr M E Murphy | (Clerk to the Corporation) |
| Ms A J Oaks | (Deputy Clerk and College Secretary) |
| Ms G Saville | (Deputy Principal) |

09.02 Apologies

Apologies were received from Mr Holden and Mr McKoy.

09.03 Briefing on Equality and Diversity Legislation

The Clerk provided Governors with an overview of the legislation relating to Equality and Diversity, summarising how the obligations in relation to each of the Acts was being met by the College to ensure compliance. Mr Murphy advised that in addition to the plethora of legislation summarised in the report, the Employment Relations Act and Equal Pay Act should also be noted for their related impact. The Clerk advised that the Equality Bill, which had received Royal Assent in December, required Public Bodies to combine all legislation into one scheme. Governors were informed that in order to comply with this obligation, a Single Equality Scheme (SES) had been implemented by the College in December 2008 and was available on the website. The Principal commented that the planned Equality Bill would present a challenge to the LSC's recommended fee policy and level of funding allocated.

The Chairman thanked the Clerk for a thorough report.

09.04 Declarations of interest

There were no declarations of interest.

09.05 Minutes of the meeting held on 25 November 2008

The Minutes were agreed as true and accurate record and were signed by the Chairman.

09.06 Minutes of the meeting held on 11 December 2008

The Minutes were agreed as a true and accurate record and were signed by the Chairman.

09.07 Matters Arising from the above meetings

There were no matters arising.

09.08 Annual Report – Equality and Diversity

The Deputy Principal, Ms Saville, presented the report which demonstrated the actions taken by College to ensure it was compliant with the relevant legislation summarised earlier in the meeting by the Clerk. She reported that there had been several developments in the management of Equality and Diversity (E&D) over the last year, including the appointment of an E&D Champion. An E&D Management Group and an E&D Committee had also been established, the former of which was responsible for setting the strategic direction in terms of E&D issues.

Ms Saville explained that under the Single Equality Scheme the College was required to screen and impact assess its policies, the majority of which related to learners. To date 33 out of 76 policies had been screened. The legislation also placed an obligation on the College to ensure staff and students received appropriate awareness raising and training in terms of E&D. In addition to an action plan that was being implemented, Ms Saville advised that brochures and leaflets were being produced for staff and students as part of the awareness raising programme.

The Deputy Principal reported that there were some issues to address in terms of the emerging trends in student data and that the E&D Champion was working with Programme Managers to understand these in order to report to the E&D Management Group.

Governors were informed that following an approach from the College, LSIS had agreed to provide five days of support for the College to work with South East Leicestershire College on E&D issues. The HR Director and the E&D Champion would be visiting the College later in the month to scope terms of reference.

The Report was noted and received.

09.09 Annual Report – Child Protection

The HR Director, Ms Digby-Taylor, presented the Report which summarised actions taken by the College in order to ensure compliance with legislation relating to Safeguarding Children and Vulnerable Adults. The Report, which had been compiled by the Student Services Manager focused predominantly on student issues. The HR Director emphasised that the risks associated with non compliance were being effectively managed by the implementation of appropriate policies that were in place, and regular staff training that was undertaken.

The number of referrals in respect of learners had risen since the last report to Governors, which reflected the improved awareness raising and training amongst staff, undertaken on a regular basis. In terms of safe recruitment, the HR Director assured Governors that she was confident appropriate procedures were in place and that whilst there were no issues, she believed further improvements could be made. Procedures for undertaking List 99 and CRB checks were robust and checks are updated every three years.

As reported by the Deputy Principal in December 2008, external support had been sought from Pivotal Training to provide training for those staff working with students where challenging behaviour was an issue. The HR Director stated that the results had been very positive and that an increase in referrals would reflect robust procedures. Following a question from the Vice Chair, she added that the College had a strong links with the Schools, particularly in relation to the 14-16 cohort of students. The Chair was keen to ensure the College had sufficient resources to ensure adequate support and training was being provided, to which the HR Director stated that whilst there was no formal supervision in place for the School links team currently, options were being explored to provide this support from within the Student support team. She added that external organisations also provided support where appropriate, and that she believed this worked well.

The Chairman thanked Ms Digby-Taylor for the report and asked that thanks be conveyed to the Student Services Manager. Ms Digby-Taylor left the meeting.

The Report was noted and received.

09.10 Annual Review – Confidential Minutes and Papers

The Deputy Clerk, Ms Oaks, presented the report which highlighted matters the Corporation had deemed confidential during the last year. In terms of ensuring compliance with the Freedom of Information Act 2000 and the Instruments and Articles of Government in respect of minimising the number of items classified as confidential, Ms Oaks was pleased to report that there had been no Minutes classed as confidential in 2008, other than those relating to Remuneration.

Some information contained within Reports that had been presented during 2008 had been classed as confidential and details of those matters had been summarised in the report. In accordance with the Corporation's procedures, dates for release of the information had been determined by when it was agreed that the reason for the information to remain confidential was no longer applicable. In respect of the remaining items, consideration would be given to releasing the information under the next review.

Referring to the Property Feasibility Study presented to Governors in March 2008, the Principal proposed this remain confidential until such time as Contracts had been agreed for the construction stage.

Ms Oaks stated that the improved procedures for determining confidentiality clearly indicated that there had been a significant reduction in the number of items deemed confidential and that Governors should continue to apply these principles to ensure compliance was maintained.

Following a question from Cllr Pressley on requests for information under the FOIA, Ms Oaks said that very few formal requests had been made, as information was made routinely available by the College. However the new Publication Scheme, which should be implemented from January 2009, placed an obligation on the College to make information more easily accessible through its website. Governors had been made aware of this requirement when information packs

were circulated in November. It was proposed a report be presented to the next meeting summarising requests made to date, and detailing the requirements of the new Scheme

RESOLVED 09.10 To present a report to the next meeting

09.11 Quality Improvement Plan

The Deputy Principal presented an Executive summary of the QIP which identified improvements made during 2007-8 and proposals for 2008-9. The report highlighted the progress that had been made against the areas identified for improvement, highlighting key strengths and areas for further improvement in 2008/9 which would be reported on in more detail next month by the Deputy Principal in her performance monitoring report. An action plan was in place to support the areas for improvement and the introduction of the Quality Improvement Strategy would deliver improved retention and achievement rates. Much work was being undertaken by the College to drive up quality including the Key Skill Support programme, cross college training days, Subject Learning Coach Network, and Equality and Diversity awareness raising activities, all of which were well received and noted by Governors.

The Report was received.

09.12 LSC Contract monitoring and franchising operations

The Assistant Principal, Mr Neal, advised that the report highlighted the final position in respect of the College's performance against the LSC Contract for 2007/8.

The outturn for the year indicated that the College had over achieved its 16-18 targets both in student recruitment, funding and full level 2/3 enrolments. An under-achievement in adult volumes, sub target performance and WBL adult targets was reported. Mr Neal spoke in detail about the data, commenting that the opening of the Post 16 Centres had not had the feared adverse impact on recruitment, moreover the College had maintained a very favourable market share of students.

The LSC had indicated they would release details of funding allocations for 2009/10 by the end of January. Mr Neal confirmed that a provisional allocation for 16-18 had been made and that the College had expressed its concerns to the LSC as the figure was significantly lower than expected. The LSC had confirmed that similar concerns had also been expressed by other Colleges in the region and they had acknowledged there was a significant variation in the levels of funding allocations compared to the previous year. Subsequently the College had been approached by the LSC to assist them in reviewing the allocation. The Principal and Mr Neal planned to attend a meeting with the LSC the following week to pursue this.

The report was noted and received.

09.13 Principal's Report

The Principal informed Governors that, following indications before Christmas that there would be an announcement from the LSC, confirmation had been received that the Council had postponed further consideration of any new build schemes that had not yet received AID, pending a full review of the national picture. At

the time of writing the report, the Principal had not received any formal notification of this, but had been circulated with copies of communications that had taken place between the AoC and the LSC in early January. These were appended to the report.

The Principal indicated there was disquiet across the sector, both as a consequence of the way in which communication of the announcement had been handled, and of the impact it would have on Colleges. The Principal believed that the decision, which had been taken in December, was mainly due to the number of schemes being submitted and the impact of the recession on increasing costs where colleges were seeking greater levels of intervention and support. With the LSC being unsure of their financial commitment, it had decided a national review would take place to be considered on 4 March 2009.

Governors expressed concern at the potential impact this would have on the college in terms of inspection, financial health and reputation and sought clarification from the Principal with regard to short term proposals. The Principal stated that he would be meeting with the Design team the following week to discuss what worthwhile progress might be made without incurring significant potentially abortive costs, pending the outcome of the March review.

With regard to the poorest accommodation, particularly in construction and engineering, Governors acknowledged that aborting the current plans would have a serious impact on the quality of provision in key areas. It was therefore proposed to consider bringing forward the construction of the Engineering block as Phase one of a reduced build programme, should the outcome of the LSC's review necessitate this. Governors agreed that this would resolve the accommodation issues and still provide the desired synergy with the Fluid Power Centre.

Discussion took place in respect of a further proposal and it was agreed this should remain confidential for commercial reasons. A separate minute, recording this discussion was taken.

Following a question from Mr Green, the Principal advised Governors that he would be communicating the announcement to staff and students as soon as possible as he was keen to keep them informed of developments.

The Chairman proposed a contingency plan be agreed in terms of the Principal's proposals, which was supported by the Board.

RESOLVED 09.13.1 **Pending the outcome of the LSC's review in March 2009, to bring forward plans for the phasing of the new build scheme which would urgently address the poor quality teaching accommodation in Construction and Engineering;**

RESOLVED 09.13.2 **Confidential. See separate Minute.**

09.14 Minutes of the Audit Committee meetings

The Minutes of the meeting held on 27 November 2008 were noted and received.

Ms Needham commented that her absence and apologies had not been recorded in the Minutes on 11 December 2008. Ms Oaks confirmed that the Minutes would

be amended accordingly for the Chair of the Committee to sign off at the next meeting of the Committee. The Minutes of the meeting were received.

09.15 Withdrawal of staff

Item 09.17 of the Agenda was confidential and it was therefore appropriate for staff to withdraw. Mr Connolly, Ms Saville, Mr Neal and Ms Oaks withdrew from the meeting.

09.16 Withdrawal of staff and student governors

Mr Murphy stated that the recommendations from the Remuneration Committee meeting held on 13 January 2009 referred to the remuneration of senior postholders and members of staff senior to the staff Governors present. It was therefore appropriate for the other members of the Corporation to consider resolving the withdrawal from the meeting of staff and student Governors.

RESOLVED 09.16 That Mr Shephard, Mr Savage, Mr Stone and Mr Rowley withdraw from the meeting.

09.17 Recommendations of the Remuneration Committee meeting held on 29 January 2009

Confidential. Separate minutes were taken of this part of the meeting.

09.18 Equality and Diversity

None.

09.19 Governance Risk

09.19 .1

The likely delay to the new build project increased the risk of the continuing use of substandard teaching accommodation. This risk was being managed as far as possible and would be evidenced by the Corporation's consideration of a property strategy contingency plan at its next meeting.

09.19.2

The potential reduction in the LSC's indicative funding allocation for 2009/10 was considered to be a significant risk, which was being managed as far as possible by the College's involvement with the local LSC and regional funding managers.

09.20 Confidentiality

09.20.1

It was agreed that item 09.17 be deemed permanently confidential in accordance with Instrument 17 (2)(a) as the recommendations of the Remuneration Committee referred to the remuneration of senior post holders and members of the senior management team.

09.20.2

That part of Minute 09.13 be deemed confidential for reasons of commercial sensitivity until such time as agreed by the Corporation.

09.21 Date and time of next meeting

Thursday 12 February 2009 at 6.30 pm.

Signed _____ Chairman

Date _____