

**Minutes of the Full Corporation meeting held on
25 April 2009**

09.43 Membership

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

09.44 Apologies

Apologies were received from Cllr Bosnjak, Mr Green, Mr Holden, Mr Saha and Mr Shephard.

09.45 Declarations of interest

Mr Darby declared a financial interest in item 09.50 (franchising matters) as a company with similar provision were clients of Darbys Accountants.

Declarations of interest made by Mr Lloyd and Mrs Chambers in respect of Item 09.46 were noted in respect of their reappointment to the Corporation.

The declaration of interest made by Cllr Pressley in respect of Item 09.46 was noted in respect of his appointment to the Worksop Post 16 Governing Committee.

09.46 Appointments to the Corporation – Recommendations from the Search Committee

The Clerk referred to the Unconfirmed Minutes of the Search Committee meeting that was held on 31 March 2009. Several recommendations had been made by the Committee for the Corporation's consideration and these were summarised in turn.

The Clerk confirmed that a full and considered debate had taken place with regard to reappointing Mrs Chambers and Mr Lloyd and that the contribution made by both individuals was highly valued, as were their professional skills, loyalty and commitment to the College. It was therefore proposed they both be reappointed, Mrs Chambers for a period of two years and Mr Lloyd for four years.

It was further recommended that Mr Lloyd continue to Chair the Remuneration Committee and the Audit Committee.

Following consideration of the expressions of interest received and the meeting that had taken place with the individuals concerned, it had been recommended the Corporation appoint Mr Atholl Stott for an initial term of office of one year. The Clerk explained that a very lengthy debate had taken place in terms of the skills and expertise both Mr Garside and Mr Stott would bring to the Corporation and that Mrs Chambers had been particularly keen to ensure the individual appointed had a sound background in HR in order to provide support to the senior management team. Following considered debate the Search Committee had recommended Mr Stott be appointed at this time, and that Mr Garside be approached if any vacancies arose in the near future. It was agreed that the details of the remaining individuals should be retained on file.

It was further recommended that Mr Darby move from the Worksop Post 16 Governing Committee to sit on the Retford Post 16 Governing Committee and that Cllr Pressley be appointed to the Worksop Post 16 Governing Committee in Mr Darby's place.

The Clerk informed Governors that a recommendation had been made by the PFA Audit team at inspection in relation to Mr Savage's membership of the Audit Committee. Given Mr Savage's role as a member of staff and as a Director with responsibility for a significant budget, the PFA team perceived there may be a conflict of interest. The recommendation had been accepted on the understanding that it would be considered by the Search Committee. Following discussion on the matter, the Committee did not consider Mr Savage's membership presented a conflict of interest and had therefore proposed he continue to serve on the Committee until his term of office ended.

The Clerk reported that he had been informed by Mr Saha that he would shortly be resigning from the Corporation in order to take up a post outside of the area. The Clerk confirmed that the vacancy that would be created by Mr Saha's resignation would be considered at the next Search Committee meeting which would take place as soon as possible.

Following discussion, it was

RESOLVED 09.46.1 **To appoint Mr Atholl Stott as a member of the Corporation for an initial term of one year, and to appoint him as a member of the Audit Committee;**

- RESOLVED 09.46.2** To reappoint Mrs Chambers for a term of two years with immediate effect;
- RESOLVED 09.46.3** To reappoint Mr Lloyd for a term of office of four years with immediate effect; Mr Lloyd to continue as Chair of Audit Committee and Chair of the Remuneration Committee
- RESOLVED 09.46.4** To appoint Mr Darby to the Retford Post 16 Centre Governing Committee;
- RESOLVED 09.46.5** To appoint Cllr Pressley to the Worksop Post 16 Governing Committee.
- RESOLVED 09.46.6** That Mr Savage continue his membership on the Audit Committee.

09.47 Unconfirmed Minutes of the Full Corporation meeting held on 15 February 2009

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

09.48 Unconfirmed Confidential Minutes of the Full Corporation meeting held on 12 January 2009

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

09.49 Matters arising from the above meetings

The Principal commented that in relation to Confidential Minute 09.13, following the declining of the College's offer, the potential purchaser would be applying for planning permission for change of use. Depending on the proposed use, an opportunity remained for further negotiations with the vendor if planning permission was not granted. The outcome of the negotiations would impact on the College's revisions to its Property Strategy, which were to be discussed under Item 09.52.

09.50 Franchising Matters – Confidential

A separate Confidential minute was recorded of this item.

09.51 Tuition Fees Policy

The Assistant Principal explained that Governors were required to set a fee policy on an annual basis. The document presented set out the framework for the fees associated with the delivery of all publicly funded and non-funded courses taking cognisance of Government policy, the needs of the community and local and national economic conditions.

Governors were given assurance that under the fee policy framework all staff involved in advice, guidance, enquiry, application and enrolment would be sufficiently competent and able to implement the policy.

The views of stakeholders had been considered in developing the policy, including different types of learners and levels of fees as applicable. Governors sought details of the level of anticipated income, to which the Assistant Principal stated the expected level of fee contribution set by the LSC was currently 47.5%. This had been taken into consideration when setting the upper limit for a single course fee, which is reviewed annually and this year had been increased to a maximum of £550. Following further questions from Governors in relation to students suffering hardship, the Assistant Principal stated that extended payment terms were offered to help such individuals and fees were remitted if the individual was in receipt of means tested benefits.

Mr Darby observed that the Fees Policy would have an impact on all students and asked if this would be considered in terms of equality and diversity. The Deputy Principal confirmed that as it was a new policy it would be impact assessed and reviewed by both the Equality & Diversity Management Group and Quality Management Group to ensure there was no negative impact. Mr Neal commented that the Policy should align with the stated Government objective of increasing employer and learner contributions to the cost of learning.

RESOLVED 09.51 To approve the Fees Policy subject to the necessary E&D impact assessment.

09.52 Principal's Report

The Principal addressed Governors on operational matters, stating that there had been further delays to the confirmation of funding which was still awaited. It was hoped there would be additional funding for 16-18 of around 2% which would put the college in a similar position to last year. In terms of the increase to the College's success rates, this had also helped to increase the level of funding that was expected. The Principal's report summarised the considerable uncertainty in the sector particularly as a result of the Machinery of Government changes which impacted directly on the management resources of the LSC. Constraints in funding for Train to Gain had also been announced as activity levels for 2010 were expected to exceed available funding. Overall, it was anticipated the final funding allocation would be in line with expectations and this was being factored into the business planning process.

Further to the Principal's last report, the review of the Capital programme undertaken by Sir Andrew Foster had been completed and the Report, which was published recently, heavily criticised the LSC for gross mismanagement of the programme. Announcements had been made identifying just eight Colleges whose schemes would go forward under detailed approval this year. The Chancellor, in his budget speech on 22 April, had announced a further £300m of available capital funding in the current CSR period which would allow the LSC to give approval to a limited number of projects starting in 2009/2010. However, needs-based criteria were to be implemented, and priority would be given to those projects which were ready to start construction on site within three months. Governors recognised that the College would not be considered within this category and that further delays to the project would impact negatively on the College's position, both reputational and financial.

Following questions from Governors, the Principal advised that the College would need to undertake a detailed review of its Property Strategy in the light of the needs criteria and that ultimately this may result in costs already legitimately

expended on development work having to be written off. Following lengthy debate, the Principal undertook to provide a breakdown of the costs expended to date in relation to the new build programme as requested by Governors, adding that some of the conceptual development work would still be of value within a revised strategy. In terms of financial loss, which would be assessed fully once the net cost had been determined, Governors were keen to ensure that if necessary, the loss is recognised within the 2008/9 financial year.

The Principal updated Governors on the previously reported issue with regard to the Retford Schools, expressing his extreme disappointment that a recommendation to make a change to Schedule 4 of the Governance and Management agreement, which sets out the basis for determining which institution learners will be enrolled, had been put to the last meeting of the Governing Committee, against his express wishes and also against the agreement reached at the preceding Centre Management Group meeting. Whilst a resolution was passed agreeing to the proposed change, the Principal had written to the Heads of each school advising them that the resolution was invalid due to the nature of the changes being made, which related to BTECs and also that any changes must be unanimously agreed by all parties. Governors were advised that contact had therefore been made with the Nottinghamshire County Council Schools' improvement partner in the hope of brokering an agreeable solution. The Principal advised Governors that he would keep them fully informed of developments.

The Principal explained that following concerns expressed by students at Shireoaks with regard to limited space and refreshment facilities, the Unit adjacent to the Plumbing and Plastering Centre had become vacant and available. Recognising that leasing the additional Unit would address these quality issues, the appointed Agents were requested to negotiate for lease renewal terms to include Unit 6. Favourably discounted terms were agreed and the Chair, following advice from the Clerk, had agreed the need to act swiftly to secure the lease. Approval was therefore given to enter into a lease arrangement. Governors fully supported the Chairman's decision, recognising the additional space would greatly improve the quality of the students' experience. The request for Governors to ratify approval for the lease on Unit 6 at Shireoaks was therefore confirmed.

The Principal informed Governors that the Director of School for Technology had resigned in March, which created an opportunity to review the current structure of the leadership team and focus on the corporate objective of becoming good or better by 2012. Due to current financial pressures facing the sector, the Principal advised that he would not be re-appointing to the vacant post. In terms of other areas, the Work Based Learning provision was being combined with the Business Development Unit and CREATE to bring all the employer focussed provision together. This would also help in terms of progressing the College's aim towards applying for the Training Quality Standard.

RESOLVED 09.52.1 To approve the College entering into a five year lease for Unit 6, Shireoaks Network Centre at an annual rental of £10,335.

09.53 Performance Monitoring – Student Data

The Deputy Principal introduced the report, informing Governors that retention was currently 5% ahead of benchmark for all ages at all levels. Retention figures for March were slightly below those reported for January but the rate of

withdrawal was expected to slow down at this point of the year. The Deputy Principal reported that there had been some problems with Registers in the School of Technology and that cleaning of the data to produce accurate records was currently being undertaken. Following the resignation of the Director of School, the Deputy Principal had taken over line management of the area; however realignment of this responsibility was being progressed.

Data for student attendance indicated varying levels between 84% and 91%. In terms of teaching and learning, the Deputy Principal's report indicated no significant change in the number of Grade 3 observations. Governors were reminded of the procedures put in place over the last two years to improve teaching and learning and whilst grades were continually improving, further refinement was required to meet the target of becoming a good college by 2012. It was proposed further revisions be made to the Teaching and Learning Policy to introduce extra support with a view to improving Grade 3's to a 2 or better. The procedures already in place for those staff awarded a Grade 4 would continue as before. Following a question from Governors asking for clarification of the number of Grade 4s making up the 2%, the Deputy Principal confirmed there were 4 out of the 115 observations that had taken place, each of which related to different members of staff. Governors were fully supportive of the proposals which would be necessary in order to meet strategic objectives.

The Deputy Principal was pleased to report that following inspection the College had no Grade 4 provision and no provision below the LSC Minimum Levels of Performance.

RESOLVED 09.53 **To endorse revisions to the Teaching and Learning Policy for 2009/10 in order to meet Corporate targets.**

09.54 Equality and Diversity

In terms of the Fees Policy, which was approved by Governors at Agenda Item 09.51, Mr Darby, E&D Champion had made a recommendation that the Equality and Diversity Management Group ensure impact assessment of the Policy took place and that any negative impact, particularly on disadvantaged groups be reported.

09.55 Governance Risk

09.55.1

It had been acknowledged that progress on the Property Strategy continued to be a significant risk in terms of the uncertainties over the level of funding that would be made available over the next two to three years and the subsequent necessity to revise the strategy accordingly in order to reduce the continuing impact on those areas of curriculum which have been recognised as being delivered in poor accommodation, most notably Construction and Engineering.

09.55.2

Governors recognised that the risks associated with the Franchise matters reported under confidential Item 09.50 were being managed appropriately through due diligence.

09.56 Confidentiality

It was agreed that the Report and Minute relating to Item 09.50 remain confidential for commercial reasons until such time as the Corporation determined.

It was agreed that the negotiations referred to by the Principal at Minute 09.52 remain confidential for commercial reasons as determined at the last meeting.

09.57 Date and time of next meeting

Thursday 14 May 2009 at 6.15 pm.

Signed _____ Chairman

Date _____