



Minutes of a Meeting of the Board of the Corporation

held in the Conference Room of the College on 18th March 2008 at 5.30pm.

Present:

Mr T Edwards (Chairman)
Dr K Chester, Mr A Croney, Mr M Eggleston, Mr G Marshall, Mr I Stephenson, Mr T Hazell, and Mr D Waugh.

Apologies:

Mr D Allsop, (Acting Clerk to the Corporation), Councillor J Davies, Mrs D Logan-McCance

Absent:

Nil.

In attendance:

Ms M McHale, (Observer), Mr G D Gibson, (Observer), Ms F Dent, (Student Observer), Mr R Oliver, (Director of Finance and Resources), Mrs J Atkinson, (representing the Acting Clerk to the Corporation), Ms S Welsh, (Director of Curriculum and Quality).

1. Introduction

1.1 The Chairman welcomed Board members to the meeting and in particular Ms Francesca Dent, who was attending her first meeting as a student representative. Ms Dent is replacing Ms Holly Willis who is unable to continue to fulfil the function. Board Members introduced themselves.

1.2 The Chairman reminded members that if sensitive and confidential matters are considered at this meeting, they need to be treated as such by those present. He also reminded members of the need to declare any interests.

2. Presentation: Finance update

2.1 The Director of Finance and Resources made a presentation covering the following areas:

- A more detailed account of the financial position as at the end of February
- This year's expected out-turn

- Next year's financial prospects
- Details of the proposals for a new funding system.

2.2 Board members raised a number of issues and asked a number of questions which the Director addressed. The Chairman thanked the Director for his presentation.

Agreed:

2.3 THAT the Board receive the presentation and note its contents.

3. Minutes of a meeting of the Board of the Corporation held on Tuesday 29th January 2008

Matters arising:

3.1 The Principal confirmed that Mr F Atkinson does wish to continue as the independent member on the Search Committee.

3.2 The Director of Finance and Resources updated the Board on the confidential matters considered at the last meeting. He will provide a further update for the Board meeting in May.

3.3 The Chair reported that The Acting Clerk has been in liaison with the ICT section to facilitate the required website changes to implement the new Instrument and Articles of Government requirements. This requires a significant investment and technical changes to the College website to enable the required outcomes.

3.4 The minutes were accepted as a true record and signed as such by the Chairman.

Agreed:

3.5 THAT the Board approves the minutes and the actions taken in relation to the confidential items.

4. Audit Committee meeting held on Monday 17th March 2008

4.1 Mr Marshall, the Chair of the Audit Committee gave a verbal update on the meeting which had taken place the previous evening. There was one particular matter requiring a decision from the Board:

- Approval of the Appointment of Financial Statements Auditor.

4.2. The Audit Committee had reviewed the performance of the Financial Statements Auditor and recommended that the Board approve Baker Tilly's re-appointment for the 2008/2009 financial year.

- 4.3 It was noted that the revised Financial Regulations had been reviewed and amendments suggested by the Audit Committee. It was agreed that the Director of Finance and Resources would make the changes and forward the amended financial regulations for the attention of the Board at the meeting to take place on 20th May 2008

Agreed:

4.4 THAT the Board approves the re-appointment of Baker Tilly as the Financial Statements Auditor for the 2008/2009 financial year.

4.5 THAT the Audit Committee minutes be circulated prior to the next meeting of the Board on 20th May 2008.

5. Chairman's verbal report

5.1 The Chairman reported that the Remuneration Task Group had met to consider the Principal's remuneration. This will be considered later in the meeting.

5.2 The Chairman reported that he had received a letter from UCU expressing dissatisfaction with the revised staff grievance, disciplinary and dismissal procedures approved by the Board at its last meeting. He has written a response to their letter setting out the position of the Board with regard to such issues.

5.3 The Chairman reported that he had met with the Principal on 2 occasions since the last Board meeting. The Chair and the Principal had discussed a number of ways in which the SMT and Board members could meet on a regular basis in a more informal setting and suggested a monthly lunch date in Chapters Restaurant. The Clerk to the Board to arrange a series of lunches.

5.4 With regard to the appointment of new Board members, the Chair proposed the appointment of Mr Geoff Gibson and Ms Moira McHale and nominated Francesca Dent as the student representative. The Chairman reported that the Acting Clerk has been unable to set up a meeting with Derwentside DC's nominated applicant for the Board. The applicant was not aware of the Search Committee's normal pre-approval process believing that his nomination is automatic. The Acting Clerk has explained that isn't the case and he will now liaise with the Council's Corporate Strategy and Policy Officer to explain the procedure

Agreed:

5.5 THAT the Board receives the Chairman's report and agrees the appointment of the new Board members.

6. Principal's report

6.1 The Principal presented his report, which made reference to:

- F05 Return 06/07 final outturn
- Recruitment Update 07/08;
- Ofsted Annual Assessment Visit – 10th January 2008;
- UCU Dispute – Pay Claim 2007/08
- UCU Pay Claim 2008/09
- Update on Academies;
- Strategic Review Dates 27th – 28th March 2008.

6.2 The FO5 is the final return submitted to the LSC regarding the College's recruitment performance.

6.3 The Principal outlined the current recruitment numbers and the position is broadly in line with that reported to the January meeting. Recruitment is on target except for AWITT and Work Based Learning (WBL). The current estimated outturn equates to a shortfall in profiled income of approximately £90,000.

6.4 The Principal gave further details of the Ofsted Annual Inspection Visit, which had taken place on January 10th and had been reported to the last meeting. He explained that the official report of the visit had been received on 4th February 2008. Ofsted had concluded that the College was making 'reasonable progress' in five out of the six areas reviewed. Ofsted expressed concern about inadequate or inappropriate accommodation, whilst acknowledging the ongoing litigation claim. The lack of childcare facilities on site was discussed and the Principal gave the background to this issue. However, financial support is given to learners for childcare provision. Discussion also took place on the restaurant, refectory and recreational areas for learners. It was noted that this is one of the areas identified for expansion in the capital plan. However, funding would be required from the LSC. A suggestion was made by the student representative to take down the barrier in the refectory area to allow increased space.

6.5 The Principal gave the background to the development of the Learner Involvement Strategy and reported that further consideration will be given to the process necessary to complete the work at the Strategic Review meeting later this month.

6.6 The Principal reported that Unison had agreed the 2007/08 pay award on February 28th but that UCU has invoked the agreed Disputes Procedure. The dispute relates to the Board's decision to defer the award until 1st April 2008. The Principal reported that the management and the Union had met that morning in accordance with Stage 1 of the Disputes Procedure. The result of the meeting was that there was a 'failure to agree'. The procedure now needed to proceed to stage 2 and this will require the involvement of the Chair of the Board and another Board member. Potentially, ACAS could become involved at stage 3. The Chair reported that he has received the report from

management and he awaits the UCU report. The Chair and the Vice Chair agreed to form the panel to consider Stage 2 of the procedure.

6.7 The Principal also indicated the likelihood of a further dispute arising over the 2008/09 pay claim. UCU had written to all college Principals on February 7th outlining their claim. It is highly unlikely that any college will be able to meet the claim which is unaffordable in the context of anticipated funding levels. UCU will be opening a ballot for industrial action on March 19th. The Principal reported that the records of union members in the Derwentside College Branch that had been sent to him by the National Office of the Union were inaccurate and it was his intention to write to UCU informing them of this.

6.8 The Principal referred to the report relating to Academies considered by the County Council Cabinet, copies of which had been circulated to Board members on March 3rd. The Principal confirmed that the matter was now in the hands of the Minister and recommended that no action by the College was proposed at this time.

6.9 The Principal repeated his invitation to Board members to attend the strategic review meeting to be held in the college on 27/28 March. He highlighted that the first day would be of particular interest to Board members. The Chair requested that Board members inform Jean Atkinson, the Principal's PA, if they wish to attend the meeting. He confirmed that a full report will be made to the May Board meeting.

Agreed:

6.10 THAT the Board receives the Principal's report and notes its contents.

7. Finance and Resources Reports

7.1 The Director of Finance and Resources referred to his earlier presentation. The main features were:

- The financial position as at 29 February 2008 reflects a surplus of £100,000 compared to a forecast of £100,000 for the period.
- Year-end forecast surplus is now £174,000 not £224,000.

Agreed:

7.3 THAT the Director of Finance and Resources' report be received and its contents be noted.

The Principal declared an interest in the next item and he, Directors and other College staff left the meeting.

8. Principal's remuneration

8.1 The Chair reported that the Remuneration Task Group (RTG) had considered the Principal's remuneration in the context of the Association of Colleges *Survey of Remuneration of Management Staff and senior Postholders* report published in January 2008. He reported on the recommendation from the RTG which was unanimously agreed by the Board.

Agreed:

8.2 THAT the RTG proposal to increase the Principal's salary be effective from 1st April 2008.

8.3 The Principal, Directors and other College staff rejoined the meeting and the Chair confirmed the Board's decision. The Principal thanked the Board.

9. Appointment of Clerk

9.1 The Chair reported that the College had been operating for some time with an Acting Clerk. It was now appropriate to regularise the position and seek a permanent appointment. This could be done on the basis of either a contract of service or a contract of employment and he recommended that a small task group be appointed with delegated authority to consider the best way forward and make the appointment. The Acting Clerk had indicated his willingness to apply for the permanent position.

Agreed:

9.2 THAT a task group be formed from the Chair, Vice Chair and Keith Chester and the Principal, and that they be given delegated authority to make arrangements for the appointment of Clerk on such terms and conditions as fulfil the agreed job specification.

10. Annual Meeting Schedule

10.1 On behalf of the Acting Clerk, Mrs Atkinson tabled a meeting schedule for the period to July 2009.

Agreed:

10.1 THAT the schedule be received and its contents be noted.

11. Skills audit

11.1 It is good practice for the Board to periodically take stock of the skills available to it and to use the results to inform the future appointment of Governors when vacancies arise. It is also useful in informing Board training

proposals. On behalf of the Acting Clerk, Mrs Atkinson tabled a skills audit proforma and asked members to complete it and post it to the Acting Clerk by Friday, 28th March 2008. The Acting Clerk will collate the results and report the outcome to the next meeting.

12. Board Training

12.1 The Chair reported that this item had been deferred pending the outcome of the skills audit.

13. Director of Curriculum and Quality Reports

13.1 The Director of Curriculum and Quality presented two reports:

- 2006/07 College Success Rates;
- 2007/08 Attendance to date.

13.2 The headline success rate for 2006/07 is 81% compared with 82% and 85% in the previous two years. The decline had been expected following the reduction in short course provision previously reported to the Board. The Director outlined the priorities for improvement and the specific actions to be taken by Curriculum Managers and their teams in implementing their action plans for improvement.

13.3 The Director reported that attendance for 2007/07 to date stands at 88%, 2 points below target and the level achieved last year. Attendance in the range 85 – 90% is cited as 'good' by Ofsted. The Director outlined the specific actions to be taken by Curriculum Managers and their teams to address the slight decline and improve attendance.

Agreed:

13.4 THAT the Director of Curriculum and Quality's reports be received, their contents noted and proposed actions endorsed.

14. Seven day rule items

14.1 On behalf of the Acting Clerk, the Chair reported that no member had requested that the papers which had been circulated under the 7 day rule be included on the agenda. Consequently, the:

- Child protection annual report
 - Report on observation of teaching and learning; and
 - Annual report of the equality and diversity committee
- are all received and approved.

15. *Next meeting Agenda*

15.1 Items for the next meeting include:

- Minutes from previous Board and Committee meetings
- Chairman's report
- Principal's report
- Draft College Development plan
- Finance Report
- Business Continuity Plan Review
- Risk management
- Applications Report 2007/08
- Board self assessment and training
- Appointment of Clerk

16. *Any other business*

16.1 There were no items of any other business

17. *Review of the Meeting*

17.1 A number of members commented that it had been a good meeting

18. *Date of next meeting*

18.1 The date of the next meeting is Tuesday 20th May 2008 at 5.30pm in the Conference Room.

18.2 The meeting closed at 8.10 p.m.