



Minutes of a Meeting of the Board of the Corporation

held in the Conference Room of the College
on 30th March 2009 at 5.30pm.

Present:

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

Apologies:

Mrs D Logan McCance, Mr J Davies, Miss F Dent.

In attendance:

Mr R Oliver Director of Finance and Resources, Mr M Sowerby, (Clerk to the Corporation), Mrs S Welsh Director of Curriculum and Quality.

1. Introduction

1.1. The Chairman welcomed everyone present and reminded members that some of the reports to be discussed contained sensitive and confidential items.

2. Minutes of a meeting of the Board of the Corporation held on Tuesday 27th January 2009

Matters arising:

2.1. In relation to item 2.3, the Chair advised Members that in the speech he gave at the Awards Event evening he had made a significant emphasis of the Boards appreciation for the work done by staff at the College.

2.2 In relation to item 8.1.3 the Chair informed Members that he had amended the wording of a previous letter and this had been sent out by the Clerk. The Clerk advised Members that the letter had been sent to 17 local companies and financial institutions but only two had replied to date.

Agreed:

2.3. THAT the Board receive the minutes as a true record.

3. *Minutes of the meeting of the Audit Committee held on Monday 19th January 2009*

3.1. The Chairman of the Audit Committee informed the Board that a report on the outstanding audit recommendations had been presented to the Audit Committee at the meeting held last week and the majority of items were up to date.

Agreed:

3.2. THAT the Board receive the minutes.

4. *Chairman's verbal report*

4.1. The Chairman informed Members that he had been involved in a number of matters since the last meeting of the Board. These included the Remuneration Committee, the building defects offer and the Awards Event.

4.2. The Chairman advised Members that a report on the findings of the Remuneration Committee would be presented later in the meeting. The Chairman then informed Members that he had agreed the offer made during the building defects negotiations, the details of which would be presented in the Principal's report. The Chairman advised Members that a binding confidentiality clause was part of the settlement.

4.3. The Chairman informed Members that the Awards Evening had been an excellent event and he thanked Members for their contributions. The Principal added that the evening had promoted the College in a very positive way.

4.3.1. In response to a query raised by a Member, the Chairman reported that the DVD used at the event, had been produced to a professional standard. However, there was a technical problem with the equipment at the Empire Theatre which resulted in the sound being out of sync with the vision. This was beyond the control of the production company and the College. The Chairman further reported that the DVD had been used by the College beyond the event to great effect, when no such problem existed. This was confirmed by the Principal and the Director of Curriculum and Quality.

4.4 The Chairman finally informed Members that an appeal against dismissal had been requested by a member of staff and a hearing was to be arranged. Three Members would be involved in the hearing. Due to the change in the number of senior post holders this may be the last time Members are involved in a matter of this type.

Agreed:

4.5. THAT the Board receive the Chairman's report.

5. Principal's report

5.1 The Principal presented his report which included the following:

- Recruitment update
- Building Defects settlement of legal action
- Response to the Academies Consultation.
- Greencroft School.
- Strategic Review

5.2 Recruitment update

5.2.1. The Principal presented his report which looked at the LSC and College 2008/09 recruitment targets and the current position.

5.2.2. Members were advised that in relation to Learner Responsive 16 –18 and Entry to Employment 16-18 the College was on target. The Learner Responsive Adult target had been exceeded and the LSC have advised that recruitment should cease. In relation to Employer Responsive, the Principal informed Members that a written assurance had been received that the increase in Student Learner Numbers would be funded.

5.2.3. The Principal informed Members that Apprentice recruitment was extremely difficult due to the current economic climate and that this would have an effect on the College funding allocation.

5.2.4. Following questions from Members the Principal confirmed that during the year the tariff for Employer Responsive had been changed and therefore the allocation had increased. The Director of Finance and Resources also confirmed that the College received more for some qualifications than others.

Agreed:

5.2.5. THAT the Board receive the Recruitment update.

5.3. Building Defects – settlement of legal action

5.3.1. A copy of the legal agreement was distributed and the Principal highlighted certain aspects of the settlement. Members were reminded of the confidentiality clause contained within the agreement.

5.3.2. The Chairman confirmed he had been contacted by the Principal during the negotiations and had approved the settlement figure which was within the parameters proposed by the sub group. The Principal informed Members that the offer amount had been received and the retention money released within the required timescales.

5.3.3. The Chairman thanked the Principal and Members of the sub group for their work in bringing the matter to a satisfactory conclusion and reminded members that the settlement was not profit or surplus but it will enable the building to be completed to the required standard.

5.3.4. The Principal confirmed that 92% of the defects were completed and the remainder will now be completed. The Principal then gave his thanks to the Board and a special thanks to Richard Oliver, Karen Donaghy and Jim Williamson for all the work they had done. The Chairman agreed to write to the three officers on behalf of the Board.

Agreed:

5.3.5. THAT the Board approve the building defects settlement and recognise the work of the officers involved.

5.4. Response to the Academies Consultation

5.4.1 The Principal informed Members that a letter in response to the consultation had been sent and then went onto highlight the main aspects of the letter. The Chairman informed Members that he and the Clerk had attended the Strategic Development day and that Academies were one of the challenges facing the College. A report will be presented to the May meeting of the Board.

Agreed:

5.4.2. THAT the Board note the response.

5.5 Greencroft School

5.5.1. The Principal informed Members that he had attended a meeting at the school to discuss their proposal to apply for Trust Status. At the meeting Durham County Council advised that all applications for Trust Status would be held in abeyance until the Academies situation was resolved. In response to a question regarding the powers of the County Council the Principal confirmed that the County Council have the right to be consulted in this matter.

Agreed:

5.5.2. THAT the Board note the situation.

5.6. Strategic Review

5.6.1. The Principal informed Members of the Strategic Review which took place on the 25th and 26th of March and advised Members that a new development plan will be presented to the Board at the meeting in May.

Agreed:

5.6.2. THAT the Board note the position.

6. Finance and Resources Reports

6.1. Finance Report for the period to 28 February 2009.

6.1.1. The Director of Finance and Resources presented the Finance Report and informed Members that the surplus for the period was £64k. This was below the budgeted forecast but the introduction of demand led funding now means that the College only gets paid for work done and this is not spread evenly over the year. Members were however informed that it was anticipated the annual targets for income and cash would both be achieved.

6.1.2. The Director of Finance and Resources informed Members that the building defects settlement figure will impact on the College's surplus for the year and future reports will show both the figure included and the more accurate position with the figure excluded.

6.1.3. Following questions regarding showing the costs incurred over the last five years, prior to the settlement, it was agreed that the Director of Finance and Resources and the Member would meet to discuss this and report to the Board at the next meeting.

6.1.4. The Director of Finance and Resources confirmed that the settlement money will be safely invested for the next few months until it is confirmed how it is to be allocated. Following questions the Director of Finance and Resources confirmed that most of the fees relating to the dispute have already been paid.

Agreed:

6.1.5. THAT the Board note the report.

6.2. Health and Safety Report

6.2.1. The Director of Finance and Resources presented the half yearly report and informed Members that the accidents and incidents reported mainly occur at the start of the new academic year and involve students who are new to the College. Members were then reminded that both the Ofsted inspection and the LSC visit looked closely at Health and Safety arrangements in the College and found that appropriate arrangements were in place.

6.2.2 The Director of Finance and Resources informed Members of the new Health and Safety Offences Act 2008 which came into force on 16 January 2009 and the implications contained within the Act.

Agreed:

6.2.3. THAT the Board note the report.

6.3. Annual Report of the Equality and Diversity Committee

6.3.1. The Director of Finance and Resources highlighted each section of the report and the work carried out by the Committee. Members were also informed that there had been a very small increase in the number of disabled and Black and Minority Ethnic staff over the year.

Agreed:

6.3.2. THAT the Board note the report.

7. Curriculum and Quality Reports

7.1 College Performance Report

7.1.1. The Director of Curriculum and Quality presented the report which included tables relating to the following:

- Success rates 2007/08
- Value Added 2007/08
- Attendance 2008/09
- In-year retention 2008/09

7.1.2. The Director of Curriculum and Quality explained each of the tables in detail and informed Members that one of the major challenges facing the College was the behaviour of some young people applying to, or attending College. A further report regarding these issues was distributed to Members.

7.1.3. The Director of Curriculum and Quality explained the issues, the current strategies being utilised and future actions to be taken. The Principal assured Members that this level of problem was not normal and informed Members that in the last three years there had only been one student excluded. Members were advised that the government's policy on re-engaging young people who have been previously excluded is the cause of much of the disruption as many of these students do not understand boundaries. A group of students previously from Consett Community College had to be tackled within 4 - 5 weeks of the start of term. The Principal confirmed that these issues will have an effect on retention, attendance and success rates.

7.1.4. At the request of the Chairman the staff Member present confirmed the situation. A Member who was an ex school Governor also confirmed that this was likely to be a continuing problem for some time. Following further questions the Principal confirmed that discussions with schools are improving and a strategy is being developed for this September. The Director of Curriculum and Quality highlighted the further problem of students not taking their medication.

7.1.5 The Chairman confirmed that the Principal and staff had the full support of the Board in taking action against the minority of students whose behaviour

was disrupting the education of the majority and asked the Principal to keep the Board informed of developments.

Agreed:

7.1.6. THAT the Board note the report.

8. *Board Matters*

8.1 Review of the Public Interest Disclosure Policy and Procedure

8.1.1. The Clerk informed Members that the Public Interest Disclosure Policy and Procedure had originally been approved by the Board in March 2000. The review carried out has updated and clarified the procedure by including designated post holders and clear guidelines to follow in the event of an allegation being made.

Agreed:

8.1.2. THAT the Board approve the revised Public Interest Disclosure Policy and Procedure.

8.2. Membership update

8.2.1. The Clerk informed Members that he had received no objections to the re-appointment of Tony Edwards and Geoff Marshall and therefore both Members were re-appointed for a further four year term.

8.2.2. The Clerk informed Members that the term of office of the Chairman ends in May and it will be necessary seek nominations and elect a Chair at the next meeting of the Board.

8.2.3. The Clerk informed Members of the resignation of Councillor Bill Gray.

Agreed:

8.3.2 THAT the Board note the report.

9. *Next meeting Agenda*

9.1. Items for the next meeting include:

- Minutes of the previous meeting
- Minutes of the Audit Committee (16 March 2009)
- Chairs verbal report
- Principal's report
- Strategic Development report
- Finance report.
- Business Continuity Plan Review
- Election of Chair

10. Any other business

10.1. Following a request for an informal discussion about Academies the Principal advised Members that he will highlight all the implications for the College in a report which will be presented to the next meeting of the Board.

Agreed:

10.1.4. THAT the Board note the proposed action.

10.2. The Chairman reminded Members that as the next formal meeting of the Board does not take place until the 19th May, it may become necessary to call an extraordinary meeting of the Board before the next meeting.

10.3. The Chairman informed Members that the next meeting of the Board is to take place at C.A.V. A factory tour will be available prior to the meeting for Members who notify the Clerk in advance of the meeting date.

The Principal, Directors, other College staff and students left the meeting at this point.

11. Principal's remuneration

11.1 The Chairman reported that the Remuneration Committee had met on the 25th February 2009. The Committee had considered the Principal's remuneration in the context of the Association of Colleges Survey of Remuneration of Middle Managers and Senior Postholders report published in January 2009. The Chairman then advised Members of the recommendation of the Remuneration Committee.

Agreed:

11.2. THAT the Remuneration Committee proposal to increase the Principal's salary be effective from 1st April 2009.

12. Date of next meeting

12.1. The date of the next meeting is Tuesday 19 May at 5.30pm. The location of the meeting is to be the Board room at C.A.V.

12.2. The meeting closed at 7.20pm.