

MINUTES OF THE FEC BOARD OF GOVERNORS MEETING HELD ON WEDNESDAY, 2 DECEMBER, 2009

Present: Nick Brown, Madeleine Heap, Ian Hill, John Hodgkinson, Irene Howard, Richard Lee, Steve Lowe, Yvonne Memory, Gloria Oates (Chair), Mike Pitt, David Read, Peter Treadwell
In attendance: Robin Atkinson (Winstanley College), Bev Beaumont, Jayne Clarke, Charlotte Fitch (Winstanley College), Peter Roberts, Mick Walsh, Kath Wrigley (Clerk)
Apologies: Abdullah Al-Moshin, Scott Jackson, Iftikhar Naweed, Lily Risby
Absent: Cllr. Kay Knox, Linda Newitt

In opening the meeting, the Chair extended a warm welcome to Robin Atkinson (Governor) and Charlotte Fitch (Clerk) from Winstanley College and the two newly elected Parent Governors, Madeleine Heap and Yvonne Memory. The former had been invited to observe this meeting with a view to sharing best practice in governance amongst members of the College's Peer Referencing Group.

In her absence, the Chair also minuted thanks to Jackie Scholes who had recently completed a second term of office as a Parent Governor. As a valued member of the Governing Body and Quality Committee, JS would be greatly missed and a letter of thanks and gift would be posted to her as a token of the Board's appreciation of her contribution.

	<u>ACTION</u>
1. <u>Declaration of Interests</u> None was declared.	
2. <u>Minutes of the last meeting held on 30 September, 2009</u> The Minutes were accepted as a true and accurate record.	
3. <u>Matters arising</u> <u><i>College Performance</i></u> PR pointed out that the Minutes of the last meeting recorded that "AS and BTEC almost scored (3)" in the ALPS report 'T' scores. Following submission of some artwork for re-moderation, the score had been increased to (3) – thereby rising from <i>Good</i> to <i>Excellent</i> .	
4. <u>Correspondence</u> There was no correspondence.	
5. <u>Chairman's business</u> <u><i>Designation as a Sixth Form College</i></u> The Chair explained that, following information circulated with papers for the September meeting and as pointed out at that time, the College must formally apply to the LSC no later than 16 December for Sixth Form College designation. JC reported on a <i>Machinery of Government</i> Workshop and the <i>SFCF AGM</i> the previous week when the question of designation had been raised. There was a strong recommendation that SFCs should apply for designation although concern was noted amongst some Colleges regarding their relationship with the Local Authority and the fact that they did not offer traditional Sixth Form College provision. When the LSC ceased to exist in March 2010 any College not designated as a Sixth Form College would become a general FE College, funded by the SFA and with a different legal status. IHo asked if there would be any significant difference in the running of the College when funding moved to the Local Authority, in terms of delegated budget, the relationship with the Local Authority and its proximity to the College. NB responded that when the College was removed from LA control, on incorporation, the College continued to co-operate with them, thereby maintaining a good relationship. In addition, the College received significant funding through the Council each year via partnerships. Designation as a Sixth Form College would mean independent status and although commissioning would be through the LA the Corporation's existing powers would be retained. In response to IHi's query, JC confirmed that the LA would have a performance management role but the College would be audited as previously and inspected in the same way through Ofsted. RESOLVED: that the Clerk was authorised to formally apply to the DCSF for designation as a Sixth Form College.	
6. <u>Principal's business</u> NB added a further welcome to guests and new Parent Governors and looked forward to speaking with them at the AGM which followed this meeting. <u><i>Board meeting on 30 September</i></u> <ul style="list-style-type: none">as NB had been unable to attend the meeting on 30 September when his decision to stand down as Principal had been announced, NB explained his reasons for doing so as follows:	

- it had been a privilege to run the College since it opened in 1992 and the decision to stand down had been particularly difficult;
- NB had always intended to leave when the College had reached a high point in its achievements – with no problems or difficult circumstances for his successor to inherit. Current successes included outstanding examination results, excellent value added performance, a high volume of applications for places from across the region, the College's contribution to the regeneration and development of the town and its reputation as one of the best Colleges in the country, whose achievements, with an inclusive Mission, equalled those of any selective institution;
- in addition there was the College culture, the way in which staff stand together, despite having robust conversations when necessary, and the hugely supportive Governing Body who actively challenge, give sound advice and have the skills required to make things happen. Many Governors had been at the College throughout its lifetime;
- although sad to leave, NB felt that there were many excellent opportunities available over the next few years which would enable his successor to take the College to the next pinnacle.

Annual Report

NB explained that this year's Annual Report gave a reasonable analysis of the College's current position and where it could expect to be in the future. The document could be used to motivate others to work in a wider context than within the confines of the College. Questions were invited.

IHo commented that the Report evoked a real sense of interest in the College, providing reassurance and challenge – a fitting final Report in NB's style.

Science Centre

NB explained that the problems of capital funding would not be resolved in the near future and any money available was less likely to be forthcoming in view of the current recession. The Board was informed that an opportunity had arisen to pursue the capital project, the detail of which was deemed to be confidential.

SL added that as Chair of the Capital Project Steering Group, an in-depth discussion had taken place and Governors could be assured that the opportunity which had arisen was being carefully considered. A lot of work had been carried by both NB and JC and the Group would be giving them all the support they needed to progress. When in a position to do so, a full report would be brought to the Board.

The Board was asked once again to enable the Steering Group, which they appointed and to whom they delegated the power, to take any action necessary to ensure that the capital project was pursued to a successful conclusion.

7. Committee business

Audit Committee

PT led the discussion of this item referring to Minutes circulated prior to the meeting. The following points were noted:

- the Committee was pleased to acknowledge an excellent set of accounts, which showed a £457,000 surplus at year end. Congratulations were extended to all involved in this achievement;
- the External Auditors had issued a positive statement for the coming year in their Management Letter. BB had pointed out that despite attempts to reach a break even situation a surplus had been achieved, due primarily to the frugality of Department spending. However, it was noted that £3M had been earmarked towards the new Science Centre or refurbishment of current buildings. PT remarked that the LSC should be made aware of this fact;
- Clement Keys, the Internal Auditors, had presented their Annual Report which had raised no issues of concern and had resulted in substantial assurance, with very few recommendations;
- the Audit Strategy for the coming year was presented to the Committee who fully recommended it to the Board;
- discussion had taken place on the revised Fraud Policy. The amount regarded as constituting *significant fraud* was queried and it was subsequently agreed to remove the upper limit of £10,000 quoted in the Policy. It was agreed that the Policy would be amended in accordance with advice received in this respect;
- the Risk Management Self-assessment Report had been presented and no issues were raised;
- the Audit Committee's Annual Report to the Board had been copied to all members. This document explained the work of the Committee over the previous year and the College's level of satisfaction with the work of both Internal and External Auditors. No problems were recorded and the Annual Report was recommended to the Board;
- with regard to the latest FMCE, only the first two sections of the form required completion. The Committee agreed that the College had maintained its *Outstanding* status.

RESOLVED:

that the Board accepted the Financial Statements, Accounts Summary & Management Letter for the year ended 31 July 2009; and

that the Annual Report from the Audit Committee to the Corporation was accepted by the Board.

Finance & General Purposes Committee

DR reported on the last meeting of the Committee, referring to Minutes which were tabled. The following points were noted:

- the Financial Statements represented an excellent set of accounts and the Board could be assured that the College remained in a strong financial position;
- Grade A financial status had been maintained;
- if any Governor wished to discuss any aspect of the College's finances in more detail, DR would be pleased to provide additional information;
- in terms of the Monthly Management Accounts, £1M had been invested for six-months on an unbreakable bond and a further £1M had been invested on a 30-day notice bond for 14 months. Discussions with the NatWest had resulted in a possible release from this bond, losing only 30 days' interest, if this proved to be necessary;
- Chartwells had submitted a proposal to the Finance Committee for the refurbishment of Creelers Restaurant. The proposal was in addition to Chartwell's contractual agreement to provide a guaranteed income for the College over the next five years. The initial proposal to invest £110,000 had now risen to £125,000, funded entirely by Chartwells, who would work closely with the College in terms of the refurbishment of the catering areas;
- the Committee had received an update on the progress towards the new Science Centre. The Minutes from this part of the meeting were deemed to be confidential and would be recorded separately.

Personnel Committee

JH led this item referring to the Minutes from the last meeting which had been circulated previously.

The following points were noted:

- the Staffing Report for 2008-2009 was presented and discussed in detail;
 - it was noted that there had been an increase in the overall number of staff and retention during the year was 89.92%;
 - the staff absence rate over the year was 1.35%, excluding the long term absence of two members of staff. Given this particularly low percentage the Committee felt there was no cause for concern;
 - applications from ethnic minority candidates were actively encouraged. However, many were not short-listed because either their application forms were not completed fully or they were not appropriately qualified for the post advertised. In every case the over-riding criteria was to appoint the candidate best qualified for the post;
 - it was noted that 53 out of 112 staff held part-time Contracts. The Committee was assured that each application for reduced hours was considered on its own merits, under the Work-Life Balance Policy, with due consideration being given to the continued, effective education of students and the potential increased workload of other members of the Department. GO and PT agreed that there were definite advantages in employing part-time staff. JC explained that a strict set of criteria was used to support the decision whether or not to grant part-time Contracts;
- a *Cycle of Policy updates* had been introduced at the last meeting, to collate all personnel policies and establish a timetable within which they should be reviewed and updated. This exercise was almost complete and the cyclical review was scheduled to begin at the Committee's meeting in June;
- the revised Fraud Policy was considered in terms of its relevance to any potential personnel issues and MP's experience and input in determining the process had been invaluable;
- the College was again entering the Best Companies' Award, again applying for the global award which included both public and private sector companies. The Committee commended this decision and had every confidence in the outcome;
- the pay award had been discussed and, although not yet confirmed, the proposal was for a staged award totalling 2.3%. However, as the budget for the year included provision for a 2.3% pay award the Committee had accepted the College's decision to pay the full amount from 1 September.

Quality Committee

RL led this item referring to papers circulated prior to the meeting. The following points were noted:

- the Quality Calendar for 2009-2010 was presented to the Board. Governors could be assured that this cycle was followed throughout the year, starting in June with the launch of the Curriculum and cross-College Self-Assessment and Star Chamber processes;
- classroom observations had not been graded during 2008-2009, giving staff the opportunity to develop more innovative teaching styles. It was noted that this had not in any way affected the excellent examination results. Staff Observations would once again be graded next year to maintain the rigour of the quality processes;
- ALIS reports had been presented to the Committee. It was noted that:
 - overall results were excellent with the College performing well above average in terms of value added;
 - ALIS results at A2 were slightly lower than the previous year, giving some cause for concern;
 - the overall picture at AS was particularly strong, scoring the second best ever ALIS performance;
 - English Language & Literature was one of the highest performing subjects following a change of Exam Board;
 - AS Vocational subjects results were also pleasing;
 - the Ethnicity & Gender reports presented a more positive picture as the College appeared in the tolerance zone in every chart and graph. PR added that performance according to ethnicity and gender was considered outstanding in all areas;
- the Governance SAR had been presented to the Committee. In terms of areas for improvement, there was concern in terms of attendance but plans to begin all meetings at 8.30 a.m. could make a significant difference to this over the coming year. There was some discussion regarding the possibility of obtaining feedback on awareness of the work of the Board within the community. The Committee felt that responses would vary significantly between parents, stakeholders and students to the extent that results would be difficult to quantify. It was agreed that this Action Point would be removed from the final SAR;
- the draft College SAR had been copied to members but it was noted that the full version would be completed and brought to the Board in January. Following an explanation of the context and overall College performance, the Report included extracts from classroom observation reports for the Science and Psychology Departments to demonstrate the rigour of the process and the measures put in place to maintain performance and improve where necessary;
- the timing of the AGM was again discussed and it was suggested that this could be moved forward to February to allow presentation of a summary version of the SAR, which would effectively give an overview of the College's current position and aspirations for the future. The AGM was an extremely important event, even when there was a small audience, as it was an opportunity to showcase the work of the College and demonstrate openness and accountability. Feedback from those who had attended the AGM in the past had been excellent.

RESOLVED:

that the next AGM would be held in February 2011 and this would be included in the Cycle of Meetings for the coming academic year.

KW

9.

UpdatesMonthly Management Accounts (MMAs)

BB led this item, reporting as follows:

- the audited accounts for the year end 2008-2009 showed a healthier operating surplus than in previous years, partly because of the way in which Departments had achieved savings against their budgets and partly due to income received throughout the year and financial support for various projects;
- the forecast for the year 2009-2010 was an operating surplus of £5,552;
- funds had been invested longer than usual this year as it was unlikely the money would be required for the Science Centre for some months. However, the College had negotiated a 30-day break clause with the NatWest for one of the latest long term placements, should funds be required early in respect of the Science Centre. Research into the interest rates offered by Santander, Barclays and NatWest Banks, had revealed that the latter had offered the highest rate;
- changes to budget included deferred income from the previous year related to projects and AiP funding, which had previously been disallowed;
- there had been further additional income from examination re-sit fees;
- the annual pay award, back-dated to 1 September, had been paid to staff in November salaries and the staffing budget would be re-profiled as a result of this.

Health & Safety

MW reported that there were no major issues to report. All systems were now in place and an audit would be conducted throughout the College twice per year.

Student Association

Neither Student Governor had been available to report to the Board (for the first time) but MW reported on their behalf that two fund-raising events had been run this year. *Pink Day* and *Children in Need* events had raised over £1,100 and £500 respectively which, in the current economic climate, was a particularly significant achievement. MW added that this year's Student Association had been excellent and all members had been enthusiastically involved in the various activities.

10. Any other business

The Clerk drew attention to the forthcoming Annual Governance Conference in Birmingham on 18 and 19 March. Anyone wishing to attend was encouraged to do so and should contact KW for further details.

11. Date and time of next meeting

The next scheduled meeting was Wednesday, 27 January, 2010 at 4.30 p.m. However, it was noted that this date was subject to change and the new date would be notified in the New Year. **

All Staff, Staff & Student Governors left the meeting at this point.

12. Remuneration Committee

GO led the discussion of this item referring to the Minutes of the last meeting, which were tabled. The recommendation from the Committee was supported unanimously by those present. Two Governors, who were not present at the meeting, had previously given their agreement to the proposal.

13. Items of confidentiality

Governors agreed that the discussion of the Remuneration Committee's recommendations were confidential. These notes should be recorded separately and not included in the published Minutes.

The meeting closed at 6.45 p.m.

** The date of the next Board meeting was subsequently changed to Wednesday, 10 March 2010.

Submitted to Board for approval: 10 March, 2010

Signed: _____

Date: _____

Chair of the Corporation