

## **MINUTES OF THE FEC BOARD OF GOVERNORS MEETING HELD ON WEDNESDAY, 30 APRIL, 2008**

Present: Phil Brisk, Nick Brown, Holly Bryson, Ian Hill, John Hodgkinson, Scott Jackson, Cllr. Kay Knox, Richard Lee, Iftikhar Naweed, Gloria Oates (Chair), Mike Pitt, David Read, Jackie Scholes, Ed Stacey, Peter Treadwell  
In attendance: Bev Beaumont, Jayne Clarke, Irene Howard, Peter Roberts, Mick Walsh, Kath Wrigley (Clerk)  
Apologies: Steve Lowe  
Absent: Linda Newitt, Joe Wilson

### **ACTION**

1. **Declaration of Interests**

NB and KW declared an interest in Item 13 – the Report from the Remuneration Committee.

2. **Minutes of the last meeting held on 30 January, 2008**

Both the published and Confidential Minutes were accepted as a true and accurate record.

3. **Matters arising**

**Saddleworth School**

RL gave an update on the presentation on Saddleworth School, reporting that applications from that school had increased from 144 to 171 this year. Congratulations were recorded to all involved.

4. **Election of Chair and Vice-Chair**

NB led this item inviting nominations for the position of Chair and Vice-Chair of the Corporation. GO was proposed and seconded as Chair of the Corporation and was duly elected in that capacity. Despite being unable to attend the meeting SL had confirmed his willingness to continue to serve as Vice-Chair and, in his absence, was proposed and seconded. It was noted that both GO and SL reached the end of their current term of office in September 2008 and April 2009 respectively. The re-election of GO in September 2008 was discussed further under Item 6 – *Search Committee* business.

**RESOLVED**

***that*** GO would continue to serve as Chair of the Corporation and SL as Vice-Chair of the Corporation.

5. **Correspondence**

There was no correspondence.

6. **Chairman's business**

**Inspection**

GO expressed thanks to those Governors who had attended the meeting with the Ofsted Inspectors. The Chair described the feedback meeting with the Inspectors, which took place the following day, as a most pleasurable experience. Although the Report was Confidential at the present time it was gratifying to hear the extremely positive comments expressed and congratulations were extended to all those involved.

The Chair then added that, following a brief word with IHi (Finance Committee) and JH (Chair of Personnel) Governors were asked to consider the proposal to give all staff at the College a 1% one-off, unconsolidated bonus in recognition of their contribution towards the excellent Inspection Report. However, to ensure that all staff received a meaningful bonus, those on a lower salary would be paid a minimum of £250. The cost of this bonus would be around £80,000 against an available staffing contingency in the current budget of £100,000. Awarding this bonus would send a sincere message of congratulations from Governors to all staff.

NB responded that staff would appreciate this gesture which would undoubtedly boost morale.

**RESOLVED:**

***that*** the Board agreed to award all staff a 1% one-off, unconsolidated bonus, with a guaranteed minimum payment of £250.

**Search Committee**

GO led this item referring to the Minutes of the Search Committee meeting held on 15 April which had been circulated prior to the meeting. Attention was drawn to the fact that IN's term of office ended on 30 April at which time he was eligible to serve for a further 4-year term. Subsequent to the meeting IN had expressed his verbal agreement to be considered for re-election and this was unanimously agreed.

GO left the meeting at this point.

The Clerk drew attention to the discussion concerning the re-election of GO in September 2008 when her term of office ended. After the Board's decision in January 2003 regarding the number of terms of office Governors could serve, GO was eligible for re-election for a further 4-year term. GO had verbally expressed her willingness stand for re-election, in the interests of continuity and particularly because of the number of critical decisions facing the College over the next few years.

The Clerk then invited Governors' views on GO's re-election and it was unanimously agreed that she would be invited to serve a further 4-year term from September 2008.

**RESOLVED:**

**that** IN was re-elected to serve for a further four-year term from 1 May 2008 to 30 April 2012. According to the revised Instruments & Articles of Government IN would serve as an *Independent Governor*; and **that** the Board had considered and agreed to GO's re-election in September 2008 when the current term of office ended.

GO returned to the meeting at this point.

On hearing of the Board's decision to re-elect, GO thanked Governors for their expression of confidence.

Forms

The Chair reminded those present that the Declaration of Interests, Register of Interests and Skills' Audit forms should be completed and signed prior to returning to the Clerk as soon as possible.

Membership of Committees

A paper had been circulated prior to the meeting and the Chair drew attention to the following:

- two former members of the Special Committee no longer served on the Governing Body and the Chair invited nominations to replace them. **KK** and **ES** agreed to join this Committee;
- one additional member was invited to join the Audit Committee and **SJ** agreed to serve;
- all current members of the various Committees agreed to continue to serve.

It was noted that the Chair of each Committee would be elected at their next meeting.

**RESOLVED:**

**that** KK and ES were duly elected to the Special Committee; and

**that** SJ was elected to serve on the Audit Committee; and

**that**, subject to the above, the membership of all Committees remained unchanged.

Annual General Meeting

The Chair reminded Governors that the AGM scheduled to be held after the current meeting had been postponed as a result of the Ofsted Inspection. A new date was then discussed and it was agreed that the next scheduled Board meeting would be postponed from 25 June to **Wednesday, 2 July, 2008** from **4.30 p.m.** to be followed immediately by the AGM at **6.30 p.m.**

7. **Principal's business**

NB led this item, updating Governors on progress on the following:

Ofsted Inspection

NB reminded the Board that the last Inspection was the fourth in the College's history. The first had judged the College to be *Good*, the second *Very good* and the third *Outstanding*. This year's Inspection had resulted in an exceptionally remarkable Report which was even better than the previous three. It was fair to say that it was unlikely other Colleges in the country could boast a better Report. JC reported to the Board, in confidence, on the feedback meeting with the Inspectors.

Science Centre

NB confirmed that the College hoped to build the new Science Centre on the site of the Pennine Way Hotel. A group of Governors would meet the following day to discuss ways of taking this project forward, given the tight schedule to complete the building by September 2010. The College had received much support locally and its national status continued to grow.

Applications for places

NB reported that, to date, 300 more applications had been received compared with the same time last year and this raised concerns about available accommodation. Governors would be asked to give some consideration to the College's entry criteria, which had not changed since the College opened in 1992. School curriculums enabled pupils to achieve A-C grades at GCSE which met the current entry requirements but which did not necessarily give them an adequate foundation to follow a Level 3 programme of study. NB proposed a review of the matriculation requirements, comparing them against changes in the examination system, before bringing a recommendation back to the Board. In addition to accommodation constraints there were difficulties in timetabling significantly more students next year.

Discussion followed:

ES asked how the College would distinguish between those who had adequate entry requirements for a particular course, possibly using subject criteria? NB replied that there would be mechanisms in place to deal with applications from partner schools, but achievement in Maths and English was important. The College would consider in which subjects the 5 A-C grades had been achieved. A similar exercise had been carried out in the JU and it was interesting to note that some students in Year 8 were already disbarred from some professions. ES agreed that students were often encouraged to take courses which did not adequately prepare them for further education or a specific profession, adding that schools were now obliged to publish pass rates in Maths, English and Science.

NB

As a Governor of a Secondary School, KK added that it was interesting to hear from pupils who had attended a 12-day intensive course which resulted in 2 GCSE A-C qualifications. These students were likely to be disillusioned when they realised the demanding level of study required at College. Some young people were disadvantaged because schools were required to meet targets which were often not in the best interests of their students. If the entry criteria were to be changed to reflect this, then it was a justifiable decision.

IHi commented that when the Science Centre opened the College would have more space for additional students. Given the excellent examination results with the current cohort, would achievement be as high with significantly more students? NB explained that the Science Centre would allow for a small increase in student numbers and ease problems of timetabling;

RL expressed the view that the greatest disservice to students was inappropriate advice given to those wishing to study science subjects and it was important to rectify this before the Science Centre opened;

PB felt that it was also important to make students aware that employers often viewed a Degree from one of the better established Universities as more valuable than one from other institutions. Similarly, students from a Sixth Form College should be made aware of potential employment problems resulting from obtaining a degree from the wrong University or in the wrong area. NB agreed, adding that the number of Universities had grown significantly in recent years. In effect, the answer was to ensure that students received the correct advice. To this end, the College continued to send representatives to school assemblies, advising students to aim for the highest possible qualifications.

#### 8. **Child Protection Policy**

MW led this item referring to papers which had been circulated prior to the meeting. The following points were noted:

##### Guidelines on the Protection of Young Adults

- the Policy, which outlined the College's commitment to students, was updated annually and only minor amendments had been made this year;
- Governors were reminded that Lynn Smith was currently responsible for this Policy and that Kay Knox was the link Governor responsible for child protection. The main change this year was that, from August 2008, MW would take over responsibility for Child Protection. MW had already been trained in Child Protection and had taken part in the NSPCC training course, of which the College now had its own version. He would be the first contact for any child protection concerns;
- from a legal perspective the Policy covered young people under 18 years of age. Whilst the College's main cohort was aged 16-18, the Policy also applied to students under 16. On occasion, students following a 14-16 curriculum in schools attended College for Taster Days or other relevant sessions and they were also covered by the Policy.

##### Forced Marriage: Guidelines for College staff

- this Policy had been amended to a greater degree in that detailed guidance had been provided for staff. There was some overlap as both documents related to Child Protection;
- from August 2008 MW would be the first contact for any concerns under this policy;
- there had been an increase in the number of students affected this year. The College was aware of 10 students to date, who would continue to be monitored. However, these students were still attending College and had not been pressed into marriage;
- in terms of Child Protection, a total of 6 issues had been referred to Social Services to date – similar to last year, although forced marriages generated more concern, not only in Oldham but elsewhere in the country;
- IHi added that it was generally assumed that only young girls were forced into marriage but, following a trip to Bangladesh the previous year, it had been made clear that an equal number of boys was affected. A total of 64 boys and girls had been sent back to this country from just one town. MW agreed, adding that the focus tended to be on girls but staff must be aware that boys were also affected;
- the College had excellent contacts in Social Services and the Police now took more serious notice of these cases. GO added that there had been a lot of activity in this area within the Policy Authority, which had been reported to the Scrutiny Panel of which she was chair. KK added that the growing number of reported cases did not necessarily represent an increase in numbers, but was a reflection of the fact that students were able to discuss their situation in a place of security and safety.
- GO was pleased to note that the latter Policy correctly referred to the *Children Act* and urged that care should be taken to avoid using the term Children's Act.

##### **RESOLVED:**

**that** the Guidelines on the Protection of Young Adults and the Forced Marriage policy were accepted by the Board.

9. Committee businessAudit Committee

ES reported on this item, referring to papers circulated prior to the meeting. The following points were noted:

- risk management was discussed at length and attention was drawn to:
  - the number of changes taking place in the curriculum which should be monitored closely;
  - the need for additional back-up storage for the College's data. A server based at The Oldham College was currently being used to back up data but because of the huge redevelopment project on that site the College was currently seeking alternatives;
- the Committee received a very informative presentation on the Star Chamber process and the way in which the College SAR was independently verified by external assessors;
- attention was drawn to the Committee's decision to go to Tender for the Internal Audit Service. Following an internal staff restructure and a change of ownership, coupled with the fact that the College had used Bentley-Jennison's services for 10 years, it was considered good practice to invite Tenders from a number of other providers. Some submissions had already been received and BB added that the closing date was Friday, 2 May, with interviews scheduled for early June.

Finance & General Purposes Committee

IHi reported on this item, in the absence of SL, referring to Minutes circulated prior to the meeting. The following points were noted:

- earlier reference had been made to the £100,000 predicted surplus on the staffing budget, some of which would be used for the bonus payment to staff;
- the College had received £150,000 grant funding from the LSC to replace 12 boilers with greener, more energy efficient models;
- the Expenses Policy had been reviewed and updated;
- the current Cleaning Contract had been discussed and the Board was reminded that KGB had been appointed on a 3-year Contract, with the possibility of extending this to 5 years subject to satisfactory service. BB had confirmed that KGB had fulfilled their Contract and there were no issues to report. The Committee had therefore agreed to extend the Contract for a further 2 years;
- progress on the new Science Centre was discussed. The main difficulty highlighted was the speed at which decisions would be taken and a group of Governors would be meeting the following day to discuss how to proceed. The Board would be kept informed of progress. GO added that a group of Governors had already been identified to move this project forward. NB added that a letter received recently from Lord Adonis had confirmed that Academies in Oldham would not have a sixth form. This was a highly significant decision as Oldham was the only borough where this exception had been made. The letter also invited the Sixth Form College to be involved in running the Academies. The implications of this were discussed as well as other developments in the area.

Personnel Committee

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

- unusually, the meeting was inquorate, but those present had decided to proceed and Notes were taken which had been circulated to members of the Board;
- the College's CRB Policy was reviewed. All new employees were subject to a CRB check and this practice would continue, but discussion took place regarding whether all staff should have an enhanced disclosure rather than teaching staff only, for whom the enhanced disclosure was a requirement. The Committee felt that best practice would be to request an enhanced disclosure, as the benefits would outweigh the slightly higher cost. List 99 checks were carried out on line;
- the Ex-Offenders Policy was discussed and a copy had been circulated. This policy, which the Board was asked to adopt, had been prepared taking into account recent legislation. **The Board adopted the Ex-Offenders Policy;**
- there was extensive discussion of the *Best Companies' Award 2008*. JC then gave a detailed report on the process and result as follows:
  - there were two aspects to the Award – one for small Companies of less than 250 employees and one for other Companies regardless of size; Companies were divided into 3, 2 or 1 star status, *One to watch* or unclassified;
  - the College did not appear in the top 100 Sunday Times list but was awarded two-star status – "*Outstanding*";
  - of 653 Companies who applied, 558 went through the process;
  - 48 organisations achieved 3-star, 112 achieved 2-star and 142 were awarded 1-star status with a further 197 deemed to be *Ones to watch*;
  - the College was in the top 165, comfortably placed in the 2-star status category - an excellent result, although it had been hoped that the College would have featured in the top 100 list;
  - in terms of other Sixth Form Colleges, one was placed 35<sup>th</sup> in the top 100 – a drop of 14 places on last year and two other Colleges received one-star status;

- because of increasing awareness of the Award it had become far more competitive. However, the College competed against large, private sector Companies offering incentives such as team building weekends and days out – which would be inappropriate for public sector/educational organisations. Overall the College had performed extremely well;
- the entry fee was £800 and although the question of value for money was raised, it was agreed that this Competition provided another way to acknowledge and endorse the College's achievements not only in terms of recognition by Ofsted but also by promoting the College as a good place to work and to attend as a student;
- JH agreed that the Competition provided a different view of the College – as an employer rather than from the student perspective;
- RL added that some of the questions were inapt for the education sector – such as “*At the end of the day [do you] feel exhausted*” – which would have received a negative score;
- in response to ES's query, it was confirmed that the IIP Award was not taken into account;
- JH concluded by drawing attention to the review of benchmarking data at the meeting. It was reassuring to note that the College had both an average length of day and start/finish times; class sizes were slightly lower and good provision was in place for middle management training.

KK left the meeting at this point.

#### 9. **Quality Strategy**

PR led this item, referring to a document circulated prior to the meeting. The following points were noted:

- an effective quality policy and quality systems were integral to maintaining the College's position and performance;
- these were essential to how the College moved forward and it was reassuring to note the encouraging remarks made regarding the different aspects of the quality systems in the SAR and the audit of Quality;
- the Inspection Team agreed that the SAR appropriately highlighted strengths and weakness and it was also reassuring that they confirmed the strong focus on quality within the College;
- the Policy Statement began with the framework outlining the strategy, followed by the quality cycle – the latter currently under review, during which all staff would be consulted. This consultation could result in amendments to the timescale;
- the curriculum would be reviewed to assure the quality of teaching and learning and ways in which this could be improved;
- the College had invested heavily in middle management training and staff had been enabled to take on new roles;
- students had been consulted more than ever this year and 70% responded to a subject-specific questionnaire which invited their views on various courses. Student focus groups had met to discuss further possible improvements ;
- in terms of accountability, the Quality Committee and the Board as a whole, rigorously interrogated the quality systems and policy, while Ofsted held the College accountable;
- the purpose of a quality cycle was to ensure regular reviews, setting ambitious targets for improvement and maintaining performance.

Discussion followed:

GO felt that the Quality Committee fulfilled a very important role in the College's quality strategy;

NB remarked that it was particularly impressive that the day after the Ofsted Inspection had finished, another Inspector had attended the College to review the SAR and suggest further improvements.

PT left the meeting at this point.

#### 10. **Updates**

##### Monthly Management Accounts

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

- forecasted outturn for year ended 2007-08 was an operating deficit of £151,626 and a historical surplus of £242,046;
- the financial position had been reviewed at March month end to include additional funding received and how this had been used;
- grant income from OBMC would be used towards the professional fees for the Science Centre;
- LSC grant income and funding from NRF had been included in staffing costs and some had been placed in reserves to reduce the operating deficit, which had already reduced from a predicted £270,000 to £151,626. BB explained that the College had an operating deficit year on year due to the extremely high depreciation costs and the Inspectors had acknowledged this. However, because many Colleges were now undertaking building projects they too would face higher depreciation costs and could move towards a similar operating deficit;

- the College's ratios continued to be high and there was over £3M in reserves which could be used to resource the College and reward staff;
- there had been two items of capital expenditure;
- cash flow variances had been revised in line with increased income;
- the charity bond had matured on 24 April and, in agreement with the Chair of Finance, a further £2.5M had been placed for three months;
- NRF funding had been guaranteed for another 3 years, subject to an annual review. The College continued to meet all NRF targets.

ES queried the changes in personnel within the LSC and the way in which the College would be funded in the future. NB was asked to provide a short paper for the Board to explain how the changes would affect the College, in particular with regard to future funding which move from the LSC to the Local Authority.

#### Health & Safety

NB confirmed that the annual review of health and safety would take place before the end of term.

#### Student Association

HB reported that:

- tickets were currently being sold for the event "OSFC's got talent" for which 6 acts had been chosen. It was hoped that the Large Lecture Theatre would be filled this year to exceed last year's performance. All money collected would be in support of Francis House;
- Student Association elections were currently being held, students voting over the Internet. The results would be announced at the end of the week. There had been fewer candidates than last year but 7 out of 15 would form the new Student Association Executive;
- this was HB's last meeting as Student Governor. She would be leaving after the final exams and hoped to attend Leeds University to study Broadcasting & Journalism. HB expressed her thanks were expressed to all Governors for their support and encouragement during her tenure. GO added that HB had made an outstanding contribution to the Board meetings and had been a superb representative for the College;

MW informed the Board that the Centre for Excellence in Leadership was inviting nominations for the most outstanding Student Governor and HB would be nominated for the award. Governors gave their full support to this proposal.

NB

#### 11. Any other business

##### Corporate Manslaughter & Corporate Homicide Act

The Clerk gave a brief report on the new Corporate Manslaughter legislation which had been introduced in April 2008. The legislation now enabled prosecution of corporate body in the event of a death due to a breach of health and safety regulations, in addition to prosecution of an individual found to have acted negligently. A checklist was tabled which gave details of the various measures which should be in place to avoid any possible breach of health and safety regulations. The Clerk assured Governors that all the necessary procedures were in place and attention had been drawn to the legislation for information only.

##### Governance Website

KW informed Governors that the revised Governance website was operational, having been completed in early April. The first page showed a brief profile and photograph of all serving members and subsequent pages included published Minutes and other supporting documents. Governors were invited to view the site and forward any comments to the Clerk.

#### 12. Date and time of next meeting

The next meeting would take place at 4.30 p.m. on Wednesday, 2 July, 2008 in Meeting Room 1, followed by the AGM from 6.30 p.m. in the Small Lecture Theatre.

All Staff, Student Governors and the Clerk to the Corporation left the meeting at this point.

#### 13. Remuneration Committee

GO reported on the last meeting of this Committee, referring to Minutes circulated previously. Members of the Remuneration Committee expressed some concern that they felt they had received insufficient background information to support the Remuneration Committee's recommendations. The Committee agreed that, for their meeting in June, the Clerk would be asked to provide further details to support their discussion of the Senior Postholders' salaries. The Remuneration Policy would be reviewed again in the meantime.

The recommendation to offer the Clerk a further one-year Contract **was accepted**.

#### **RESOLVED:**

**that** the Clerk to the Corporation would be offered a further one-year Contract on the same terms and conditions.

14. **Items of confidentiality**  
Governors agreed that some of the discussion under *Principal's business* was confidential and should be recorded separately and not included in the published Minutes.

The meeting closed at 6.45 p.m.

**\*\* The date of the AGM was subsequently postponed – the new date to be announced as soon as possible.**

Submitted to Board for approval: 2 July 2008

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Chair of the Corporation