

CITY OF WOLVERHAMPTON COLLEGE

**Minutes of the Meeting of the Board of Governors
held on Monday 12 October 2009 at 5.00pm in the Community Room, Wellington Road**

PRESENT

| | |
|--------------------|---------------|
| Dr V Wylie (Chair) | Dr J Hunt |
| Mr N Bettam | Mr R Landman |
| Mr B Bird | Mr I Millard |
| Ms C Boughton | Mr WA Parker |
| Mr S Catchpole | Cllr J Rowley |
| Ms K Douglas | Mr N Spencer |
| Dr M Hardacre | |

Ms S Meddings (Clerk)

IN ATTENDANCE

Mr A Brodie
Mr B Dhir
Mr J McHugh
Ms S Nicholson
Ms E Payne
Ms S Prince
Mr P Polowyj
Mr J Stretton

The Chair welcomed everyone to the first meeting of the 2009/10 academic year.

The meeting was preceded by a briefing on Equality and Diversity presented by Mr Robin Landman, a Governor of the College and Chief Executive of the Network for Black Professionals.

Before the Briefing took place, however, the Chair suggested that agenda item 11 – Board of Governors, appointment of members – should be taken first to enable the newly appointed Governor to join the meeting for the Briefing.

48/09 BOARD OF GOVERNORS APPOINTMENT OF MEMBERS

The Chair referred governors to the minutes of the meeting of the Search and Governance Committee held on 21 September 2009 and specifically to Minute No 24/09 where the Committee had considered the nomination of Mr Stephen Catchpole, the Chief Executive of the Wolverhampton Development Company. Mr Catchpole had been nominated by WDC's Board in response to a request for an expression of interest from the Committee.

The Chair further reported that Mr Catchpole has extensive experience at a senior level in both public and private sectors and broad experience of the FE sector (including as a college governor). Mr Catchpole's background was in property development and law which were two areas of experience the Committee had been seeking.

Resolved:

That Mr Stephen Catchpole be appointed as a member of the Board of Governors for the period ending 31 March 2013 and as a member of the Resources Committee.

Mr S Catchpole joined the meeting. In welcoming Mr Catchpole, the Chair invited Governors and Officers to introduce themselves.

The Chair then handed over to Mr R Landman for the Briefing.

The Briefing – Equality and Diversity – included

- an overview of the remit and achievements of the Network for Black Professionals
- national statistics for the BME population as percentages of the population, labour market and student numbers in FE and schools and HE
- outlined key issues for the UK and FE
- provided data on BME staff as a percentage of the FE workforce and the percentages of BME staff at teaching, business support and at management level, including at Principal level.

The Briefing was followed by questions and discussion. In the context of discussion around target setting, it was agreed to establish a small working group of Governors to look at the College data once it had been collated, if appropriate.

The Chair thanked Mr Landman for his presentation.

STANDING ITEMS

APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Ms R Bansal, Mr J Crockett, Mrs J Kitchen and Mr D Swingwood. Dr J Hunt and Cllr J Rowley sent notice of late arrival.

There were no declarations of interest.

49/09 MINUTES OF THE PREVIOUS MEETING – 20 JULY 2009

In presenting the minutes for approval, Dr Wylie drew attention to the wording of Resolution iii at Minute No 38/09 which had been amended to read “That it be noted that the College’s financial health assessment for 2009/10 is Good”

Resolved:

That the minutes of the previous meeting held on 20 July 2009 be approved as a correct record.

50/09 MATTERS ARISING

Framework for Excellence Outcomes

Arising on Minute No 35/09, the Vice Principal Business Strategy and External Relations updated Governors on the College’s application for the Training Quality Standard. It was reported that the College’s application had been assessed, that the Assessors were pleased with what they had found and that the College was expecting confirmation that the Standard had been awarded by 25 November 2009.

Health and Safety Annual Report 2008/09

Arising on Minute No 30/09, Dr Hardacre asked whether the Resources Committee had addressed the question of awareness of Health and Safety responsibilities and requested that this should be considered at the next Resources Committee meeting.

51/09 PRINCIPAL'S REPORT TO GOVERNORS

In presenting his second Principal's report to Governors the Principal reiterated that he welcomed any comments from Governors on both content and format.

The main contents of the report included:

- An early snapshot of FE enrolments for 2009-2010 and the implications for the year
- A look back at some headlines from 2008-2009
- Looking forward – a crunch time for FE and the challenges ahead
- Some themes for 2009-2010
- Some recent news on the College, staff and students.

In receiving the Principal's report, Governors noted specifically the themes for 2009-10 which included consistency of the levels of service and delivery across the College and the challenge of being excellent whilst remaining true to the College values, vision and ethos of commitment to access, inclusion and social impact.

Dr Hardacre thanked the Principal for his report and commented that the introduction of the Principal's report was a welcome innovation on the Board's meeting agenda.

Cllr J Rowley joined the meeting.

STRATEGY AND RESPONSIVENESS

52/09 STRATEGIC PLANNING

Governors received a report providing an update on the status of the 2009-12 Strategic Plan.

It was reported that 500 copies of the gatefold version were currently being printed ready for distribution to governors, management and partners and the A4 executive summaries were currently being finalised before distribution.

In respect of the next steps for the Strategic Plan, Governors noted that a high level working framework had been produced based on the strategic priorities and objectives from the three year plan. The Senior Management Team were currently using the framework to develop objectives and action plans which would roll out priorities across the College and drive monitoring and evaluation processes. A more detailed action plan together with proposals for developing a longer term strategy would be brought to the December Board meeting.

It was further noted that, as part of the planning process, the SMT were also looking at scenarios to underpin the response to the impending cuts in public funding as a result of the economic downturn.

53/09

PROPERTY STRATEGY UPDATE

Governors considered an update on the College's Property Strategy and noted the following headline issues:

Wellington Road

- the contractor has completed all main works other than minor snagging items
- the Football Foundation has formally confirmed that a capital grant of £556,758 and a revenue grant of £63,521 has been awarded to support the All Weather Pitch and additional changing rooms. It was reported that the surveyors were on site and that it was anticipated that the All Weather Pitch would be completed by the end of January 2010 if not sooner.
- a further contribution of £250,000 was being sought from the ERDF Sustainable Urban Development Fund
- the College and the contractor have undertaken further discussions regarding penalty adjustments relating to delays in the early stages of the development, and a compromise was close to being agreed
- the revised overall costs from the combination of these factors was within the range previously reported to Governors in July (ie £14.4m to £14.89m), and was estimated at being between £14.4m and £14.791m (dependent upon the outcome of the ERDF submission and the penalty discussions)

Aspirations at iCentral and Paget Road

- the LSC capital programme difficulties leave little room for confidence that any support was likely to be confirmed from the LSC or its successor bodies.
- the college retains the aspiration to replace the Paget Road campus with a new build, whilst for iCentral it is the intention to retain the concept of the delivery at the Paget Road site rather than progress to a new build
- given the improbability that grant support would be forthcoming from the LSC or its successor bodies, the college remains committed to taking forward work which would seek options on funding availability to support a new build at Paget Road in the region of £35m. It was the intention to fully brief Governors on these options at a future meeting.

MONITORING

RESOURCES

54/09

DRAFT OUTTURN 2008/09

Governors received a report which provided an indication of the annual accounts position for 2008/09, subject to the visit by the external auditors, KPMG in October 2009 and noted the following headline issues:

- the historical surplus for the year, prior to the costs of voluntary severance/redundancy costs, and the LGSS FRS17 pensions valuation, was anticipated to be £309,000 which was an improvement of £902,000 compared to the financial year 2007/08

- the annual accounts would include the costs of voluntary severance/ redundancies and pensions adjustments, shown below the line, which gives a deficit of £1.075m for the year
- the college has been notified that as well as the financial statements review to be undertaken by KPMG in October, a students records audit would be undertaken in early November.

55/09

COLLEGE BUDGET 2009/10 AND MONITORING REPORT

In receiving the monitoring report on the College budget for 2009/10, Governors noted the following headline issues from the Executive Summary:

- the LSC have formally confirmed the portfolio of contracts with the college for 2009/10 – which were in line with the approved budget
- the LSC have imposed a cash profile for Train to Gain activity on the £2.5m contract which would effectively mean the college would be ‘short’ paid by £600,000. It was noted that this was a sector wide issue. It was further noted that this had been discussed at length at the Resources Committee meeting on 28 September 2009.
- The profile of LSC payments for December through to early spring would result in a tight position in respect of cashflow. The college bankers had been kept informed of this situation.
- student numbers and enrolments for 2009/10 were not likely to be settled until mid October across all areas. The management accounts provided to the Board at this meeting were therefore to be treated as “indicative”
- an “autumn update” would be undertaken for all major areas of activity across the college, at which point implications for the full year would be confirmed, ie variations up and down to original budget

Dr J Hunt joined the meeting.

56/09

COMMITTEE MINUTES

In the absence of Mrs J Kitchen, Chair of the Resources Committee, Mr WA Parker presented the minutes for adoption and drew governors’ attention to the following decisions and recommendations of the Committee.

Minute No 04/09 – The Committee had discussed the LSC’s imposition of a cash profile on Train to Gain activity and expressed some concern that the balance of the contract monies might disappear with the disbanding of the LSC although there has been a guarantee to the sector that the new funding body would honour the commitments. The Committee had noted that the AoC has taken this matter up with the LSC together with the issue of the capital funding debacle.

Minute No 08/09 – The Committee had received an update on the level of debtors on the balance sheet as at July 2009 and had agreed to recommend to the Board the write off of student debts up to 2007/08 totalling £112,707.

In discussing the Train to Gain cash profile imposition and considering whether there was any further action the Board could take, Governors agreed to continue to work through the AoC but to request that the AoC convey the message to the LSC that repayments should include recouped financial costs.

Resolved:

- i) That the write off of dated student fees totalling £112,707 relating to 2006/07 and 2007/08 be approved.
- ii) That the minutes of the meeting of the Resources Committee held on 28 September 2009 be adopted.

QUALITY, CURRICULUM AND STANDARDS

57/09 STUDENT ACHIEVEMENT 2008/09 – AS, A LEVEL AND GCSE

Governors received a report on student performance at AS, A level and GCSE for 2008/09 and noted the following key issues:

- The GCSE A* - C pass rate was now at the national average of 64%
- The A level pass rate was 96% with 100% pass rate in 18 subjects
- The AS pass rate has improved by 1% to 81%
- The College continues to target long level 3 success rate improvements, a critical indicator of overall performance for outstanding colleges.

It was emphasised that, although an important part of the College's provision, the proportion of students who study AS, A level and GCSE qualifications was relatively small. In enrolment terms, they account for 6% of the College's long qualifications. Full achievement data would be presented to a subsequent Board meeting and to the Standards Committee in the Spring term.

The following discussion points ensued:

- The position on AS A level and GCSE achievements was fairly static and the results did not represent the effort that staff have put in. The College was now looking at the curriculum offer to check that it was relevant and fresh.
- When tracked against predicted outcomes, on average the College's students achieve what they are predicted to achieve, sometimes more.
- The Principal emphasised that the College was trying to achieve excellence but was also committed to providing access and that, should access be restricted, the College would lose sight of what it was trying to achieve.
- The College's HE aspirations and Strategy and the more flexible routes offered by universities.

58/09 REVISED COMMON INSPECTION FRAMEWORK FOR FURTHER EDUCATION AND SKILLS

The Board received a report providing the revised Common Inspection Framework (CIF) and the implications for the Self Assessment Report (SAR) 2008-09 and noted the following headline issues:

- The revised CIF has a stronger focus on judging Capacity to Improve, in line with the drive towards self regulation.
- Procedures for Safeguarding Young People and Vulnerable Adults (child protection) and Equality and Diversity have become limiting grades and weak performance in these areas would be reflected in the overall college grades. A Briefing for Governors on Safeguarding and Governors' responsibilities has been scheduled for the February 2010 Board meeting.

- The focus on achievements and standards remains key but is complemented by a broader consideration of partnership work and community activity.
- The profile of governance has been raised, with a separate section included as part of the review of Leadership and Management. Work was underway with the Clerk and the Search and Governance Committee to ensure that appropriate changes are made to Governors' self assessment.
- The necessary amendments to the College's self assessment documentation have been made and the SAR for 2008/09 will be in a format and style which complements the new Framework.

GOVERNANCE

59/09

COMMITTEE STRUCTURE AND MEMBERSHIP FOR 2009/10

The Clerk reported that the Search and Governance Committee had considered the Board's current committee structure at its meeting on 21 September 2009 and recommended to the Board that the Accommodation Strategy Project Board and the Academy Steering Group should be dissolved, having both served the purpose for which they were established.

In respect of the College's Property Strategy, the Committee recommended that the Resources Committee should be tasked to set up a working group of governors to look in detail at options around a revised Property Strategy and to advise the Board accordingly.

The Committee had further considered the Board's Committee membership for 2009/10 in the context of the Board's skills matrix and Governors' individual preferences. The proposed committee membership was presented for Governors' approval.

Resolved:

- i) That the revised committee structure be approved.
- ii) That the membership and committee chairing arrangements of the Board's committees for the 2009/10 academic year be approved.

60/09

BOARD OF GOVERNORS – DRAFT TRAINING AND DEVELOPMENT POLICY AND REVISED APPOINTMENT POLICY

Governors were requested to approve the draft Governor Training and Development policy and the revised policy on the Appointment of Members on the recommendation of the Search and Governance Committee.

It was reported that the draft governor training and development policy had been developed in response to discussion at the Board meeting on 18 May 2009 on Governors' training and development. The draft policy outlines a framework for the training and development currently offered to the College's governors including the modular induction programme. The policy further references governors' statutory responsibilities, strategic planning and time limited briefings at the beginning of Board meetings on current issues of importance.

It was noted that the policy on the Appointment of members to the Board of Governors had been revised primarily to reflect the decisions on the composition of the Board of Governors made by the Board on 20 July 2009.

Resolved:

- i) That the policy on governor development and training be approved.
- ii) That the revised appointment policy be approved.

61/09

COMMITTEE MINUTES

Resolved:

That the minutes of the meeting of the Search and Governance Committee held on 21 September be adopted.

62/09

ACADEMY - UPDATE

Governors received a progress report on the establishment of the Academies which included the following headline issues

- In respect of the South Wolverhampton and Bilston Academy, following the Special Board meeting on 28 July 2009, the DCSF gave formal approval to the funding agreement and authorised the opening of the Academy which was formally inaugurated on 1 September 2009.
- The Academy has started operation and initial feedback on changes made has been positive. The GCSE performance has improved (27% 5A* - C including English and Maths) but still remains below the national floor target of 30%
- The City of Wolverhampton Academy Trust has been established and held its first meeting on 24 August 2009. At that meeting, Mr WA Parker was appointed Chair of the Trust Board.
- Work has commenced on the planning and preparation for establishing the North Wolverhampton Academy. A similar process to the process used for the South for review by the Board of Governors of the key documents for the North Academy would be undertaken.
- In respect of reporting arrangements to the Board of Governors, it was proposed and agreed that there should be a standing item on the Board meeting agendas to provide the opportunity for reporting back to the Board by the Trust Board Directors (three of whom were College governors). It was further proposed and agreed that the two key areas of finance and standards should be regularly reported to the Board.

Governors were invited to comment on the reporting proposals.

Dr Hardacre suggested that further consideration should be given to how the Academy Trust Board should report to the College's Board of Governors and suggested that reporting back should not be via individual Trust Directors but via a formal report from the Trust Board.

Mr WA Parker emphasised that the Board of Governors should be careful to ensure that College officers continued to focus primarily on the core business of the College which was paramount.

The Principal reported that membership of the South Wolverhampton and Bilston Academy local governing body was currently being considered and asked for Governors to decide the College nominations to the local governing body. It was agreed that the College nominations to the local governing bodies should be decided by the College's Directors on the Academy Trust.

63/09 **CONFIDENTIAL MINUTES OF THE PREVIOUS MEETING – 20 JULY 2009**

Resolved:

That the confidential minutes of the previous meeting held on 20 July 2009 be approved as a correct record.

64/09 **CONFIDENTIAL MINUTES OF THE SPECIAL MEETING OF THE BOARD OF GOVERNORS – 28 JULY 2009**

Resolved:

That the confidential minutes of the Special meeting of the Board of Governors held on 28 July 2009 be approved as a correct record.