

SOUTH CHESHIRE COLLEGE

MINUTES OF THE CORPORATION MEETING HELD ON FRIDAY 27 MARCH 2009 AT 2.00PM AT LEGENDS, BENTLEY MOTORS

Present:

K Lea (Chair of the Corporation)
D J Collins (Principal and Chief Executive) (until the point shown)
J Bache (from the point shown)
C Blanchard
J Dowell
F Ellison
G Fyffe
R Jones
S Utting
T Wheeler

In attendance:

P Swift (Principal Designate)
G Bebbington (Director of Finance and Administration)
D Harwood (Director of Quality & Marketing)
E Davies-Jones (Clerk to the Corporation)

The Clerk confirmed that the meeting was quorate.

Item

15/09 FORMAL MATTERS

15/01/09 Apologies for Absence

Apologies for absence were received from Vic Harris on 16 February 2009. Apologies for absence were also received from Peter Bowie, Simon Yates, John Dwyer, Ryan Booth, Craig Lamont and Margaret Simon.

15/02/09 Declarations of Interest

The Chair enquired whether any of the members attending this meeting considered that they held any personal interest in the items as listed on the agenda to be considered at this meeting. No declarations of interest were made by those members present regarding the Part A agenda items.

15/03/09 Approval of Minutes of the Part A Meeting held on 16 January 2009

IT WAS RESOLVED that the minutes of the Part A meeting held on 16 January 2009 be approved as a true and accurate record of that meeting and that the Chair sign them accordingly.

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Matters arising

Minute No: 03/09: Future Direction and Strategy

It was noted that this is to be considered at the Corporation Retreat meeting on 14 May 2009

Minute No: 04/09: Framework for Excellence

It was noted that the Director of Quality and Marketing will be presenting an update at the Corporation meeting on 24 July 2009

Minute No: 79/02/08: Curriculum Area Self Assessment Reports – Basic Skills

The Director of Quality and Marketing presented the report informing members of the progress made in the Basic Skills subject area following the decline in performance reported in the 2007/08 Self Assessment Report. He informed members that the key performance indicators were showing improvement with retention on both the Literacy and Numeracy programmes having improved in the year to date and are on target to exceed last year's outturn. He went on to inform members that there has also been an improved tracking of individual student progress together with a targeted assessment /examination approach; support for students has been enhanced by providing extra drop-in sessions.

IT WAS RESOLVED to receive the report and to receive a further report on progress at the Corporation meeting on 24 July 2009.

There were no other matters arising from the minutes of the last meeting which were not dealt with as part of the agenda items for this meeting.

John Bache joined the meeting at this point

16/09 VICE PRINCIPAL APPOINTMENTS– RECOMMENDATION OF THE SELECTION PANEL

The Chair informed members that the Selection Panel had interviewed the three candidates who had reached the final shortlist. He informed members that, following the system of short listing and interviewing of the candidates for the positions of Vice Principal, 14-19 Curriculum & Strategy and Vice Principal, Adult Skills, Higher Education & Business Development, the Selection Panel considered that the selection procedure had been well based. The Selection Panel had raised some concerns regarding the level of academic qualifications but this concern had been set against the post qualification career development of the candidates. The candidates who had been put forward for the final interviews had been subject to very vigorous interviewing by the Selection Panel and with the support of the Principal and the Principal Designate members had deliberated and were unanimous in recommending that the Corporation appoint Alexander Fau-Goodwin as Vice Principal 14-19 Curriculum & Strategy and appoint Suzanne Wainwright as Vice Principal, Adult Skills, Higher Education & Business Development. Both appointments to be offered at the advertised salary.

IT WAS RESOLVED to appoint Alexander Fau-Goodwin as Vice Principal 14-19 Curriculum & Strategy and to appoint Suzanne Wainwright as Vice Principal, Adult Skills, Higher Education & Business Development.

17/09 FINANCIAL STATEMENTS 2008/09 TO 28 FEBRUARY 2009

The Director of Finance and Administration presented the financial statements to 28 February 2009 which showed –

- closing bank balance £1,076,000 with £5,964,000 borrowings (original forecast £1,141,000 with £13,100,000);
- actual operating surplus was £30,000 as opposed to the estimated loss of £146,000, due in the main to a positive variance of £146,000 on staffing costs;
- projected operating deficit of £390,000 and historical cost deficit of £288,000 against original forecasts of £466,000 operating loss and £364,000 historical cost loss, representing a positive variance of £76,000 for the year;
- projected bank balance as at the year end is £1,023,00 with £10,464,000 borrowings as opposed to the original forecast £1,081,000 with £12,300,000 borrowings;

- Current ratio of 1.24:1 due to the new build payments prior to the bank loan drawdown;
- Closing bank balance as at end February 2010 is forecast to be £1,052,000 with borrowings of £22,850,00,000 and Learning and Skills Capital support of £31,320,000 claimed;
- College enterprise activities:
 - training restaurant turnover down by £1,100 compared to the previous year and £4,000 down against budget;
 - salon turnover on a par with the previous year and down £1,000 against this year's budget;
 - nursery income is on a par with the previous year and £4,000 down against the increased budget target.

The Director of Finance and Administration informed members that the accounts were presented on the basis that there would be no claw back being imposed by the Learning and Skills Council. He informed members that there was likely to be some claw back but the mechanism for calculating the amount of claw back that may be imposed is not yet known.

Members were informed that it is proposed that a reduction in costs of £500,000 should be planned for in 2009/10 with a further preliminary reduction of the same amount for the following year, 2010/2011. Members noted that such a reduction in costs will have a consequent effect on the culture of the organisation and must be carefully planned for.

IT WAS RESOLVED to receive and approve the financial statements to 28 February 2009.

18/09 STRATEGIC LEADERSHIP OF TECHNOLOGY & GOVERNANCE

Following his attendance at the event held in London on 6 February, organised by LISIS, Francis Ellison gave feedback to members. He informed members that the information provided at the event regarding the practical use of technology mirrored the information which the Director of Curriculum Support and Operations had given to members at the Corporation meeting on 16 January 2009. He went on to inform members that the presentation given by Ofsted had emphasised the need to consider how governors use technology in their routine procedures and to fulfil their duties, how governors use technology to monitor and evaluate performance and how governors challenge the college and help set priorities for the use of technology in learning.

IT WAS RESOLVED to:

- ***receive the verbal report;***
- ***agree that the governing body should seek to recruit a champion in IT who has an industrial background; and***
- ***receive a further report from the Director of Curriculum Support and Operations, on the use and development of technology, at the Corporation meeting which is being held on 14 May 2009.***

19/09 GOVERNANCE IN THE F E SECTOR

The Principal, in his capacity as President of the Association of Colleges, gave a presentation detailing the current issues affecting the college sector. He went on to detail the approach which the Association of Colleges is taking with regard to driving the future direction of governance, self regulation, the curriculum, student loans and grants, development of leadership and management, qualifications, tackling inequality, funding and student support.

IT WAS RESOLVED to receive the report and presentation

20/09 2008/09 OPERATIONAL PLAN UPDATE

The Principal Designate presented the paper providing a detailed report on the progress towards achieving the organisation's strategic objectives. He informed members that the College is making good progress implementing the action plan.

In answer to members' questions he confirmed that:

- BTEC qualifications would continue to be provided as long as funding was available;
- employer engagement is being actively progressed;
- the College is working with local schools with the aim of reducing NEET (not in education, employment or training) numbers;
- the College would not be entering the Sunday Times Best 100 companies competition this year but would be undertaking its own internal staff survey during the summer term; and
- the requirements for DDA compliance in the new build are being addressed.

IT WAS RESOLVED to receive the report and to appoint Ron Jones as the governor with specific responsibility to assist College management with regard to DDA compliance..

21/09 RISK MANAGEMENT

Members considered the College's risk register which included the updating comments provided by the senior management team.

IT WAS RESOLVED to :

- ***receive the risk register;***
- ***note the current position in respect of the management of risks identified in the register: and***
- ***request that the senior management team review the reporting mechanism in order to more clearly highlight the significance of particular risks at the time of updating the register.***

22/09 GOVERNOR/CURRICULUM LINKS PROGRAMME UPDATE

Members received a report on the progress of the programme of student focus group meetings arranged and undertaken by governors involved in the curriculum links programme. It was noted that the curriculum link visits have extended the breadth of knowledge of governors regarding the delivery of the curriculum within the College. At the date of this meeting there was only one student focus group meeting outstanding within the programme.

IT WAS RESOLVED to receive the report and to encourage those members involved in the programme, to progress the arrangements for the staff focus group meetings.

23/09 REPORTS OF THE CHAIR, CHIEF EXECUTIVE AND COMMITTEES

23/01/09 Report of the Chair

The Chair reported his involvement in the process of the selection of the new Vice Principals and informed members that he had attended the College's Annual General Meeting held at Rookery Hall Hotel on 5 March 2009.

IT WAS RESOLVED to receive the report.

23/02/09 Report of the Chief Executive

The Principal Designate presented the report to the Corporation detailing issues which would affect strategic planning for the college's future including: current developments in the delivery of the curriculum; staffing matter; marketing; management of the financial budgets; and estates. The report included a summary of the outcome of subject sector inspections by Ofsted which were carried out in February 2009 together with highlights of the student year to date.

IT WAS RESOLVED to receive the report.

23/03/09 Report of the Campus Development Committee

The Chair presented the paper informing members of the matters which the Campus Development Committee had dealt with during the term. Members had received copies of the Part A minutes of the two meetings of the committee which had taken place on 12 February and 13 March 2009 and noted developments in the progress of the new build.

IT WAS RESOLVED to receive the report and to approve the Committee's action approving the following modifications & associated costs:

- ***“change LDZ floor structure and finish to match Street” (cost reduction of £995.52);***
- ***“replace Theatre hydraulic seating with standard seating” (cost reduction £4,895.60);***
- ***“correct Employer Requirements occupancy rates” (cost increase of £1,125.00);***
- ***“increase size of existing Dane Bank entrance Acodrain to 300mm” (cost £4,820.00)***

23/04/09 Report of the Quality and Standards Committee

Members considered the Committee's report detailing those matters which had been considered by Quality and Standards Committee members at the meeting held on 12 February 2009 including:

- Classroom Observations undertaken in the period from September 2008 to January 2009
- 2007/08 final published student data
- Student Attendance
- Performance of students - Franchised Provision
- Analysis of complaints and accolades received between August 2008 and January 2009

Members' considered the recommendations put forward by the Quality and Standards Committee concerning the proposal to increase the benchmark for student attendance from the current level of 85% to 95% for the academic year 2009/10.

Members also considered the report on the College programme and the plans for continued franchise and partnership arrangements which had been presented to the Committee by the Principal Designate.

Members also considered the recommendations of the Committee regarding the updated Quality Policy and the Academic Appeals Policy.

IT WAS RESOLVED to receive this report and to approve :

- ***the recommendation that the benchmark for student attendance is increased to 95% in 2009/10***
- ***the plans for the continued franchise and partnership arrangements;***
- ***the updated Quality Policy SCCPOL 00;***
- ***that the Academic Appeals Policy SCCPOL 01 continues in its current format until the next review date.***

23/05/09 Report of the Audit Committee

The Chair of the Audit Committee presented the report informing members of the matters which had been considered by Audit Committee members at the meeting held on 5 March 2009. Members were informed of the extent of the internal audit reports which the Committee had considered and noted that on 21 April 2009 the Committee members, together with the Director of Finance and Administration and the Deputy Director of Finance, would be interviewing the four firms shortlisted to be considered to provide services as internal auditors from 1 August 2009.

IT WAS RESOLVED to receive this report and to agree to receive the recommendations of the Audit Committee, regarding the provision of internal audit services for 2009/10 onwards, at the Corporation meeting which is being held on 14 May 2009.

23/06/09 Report of the Organisational Development Committee

Members considered the Committee's report detailing those matters which had been considered by Organisational Development Committee members at the meeting held on 12 March 2009.

IT WAS RESOLVED to receive the report and to:

- ***approve the eligibility criteria for the staff bonus 2008/09 as appended to the minutes of the Committee meeting;***
- ***approve and adopt the exercise of discretions and associated policy statements under the LGPS as appended to the minutes of the Committee meeting;***
- ***note that the Health and Safety Policy SCCPOL 11 has been reviewed and that no changes ,other than updating references to legislation and names of safety representatives, first aiders and fire wardens, are proposed at this time;***
- ***note that the Data Protection Policy SCCPOL 06 and the procedure for dealing with requests for information about students SCCPOL 17 have been reviewed and that the policies should continue in place with updated operational appendices;***
- ***approve that the College should develop a policy based on the AoC guidelines for the use of force to control or restrain and that the College should implement the guidelines as issued by the Association of Colleges with immediate effect;***
- ***note that the CCTV Surveillance Policy SCCPOL 038 has been reviewed and that no changes are proposed at this time; and***
- ***approve and adopt the AoC model policy and guidelines on the use of Internet and eMail as appended to the minutes of the Committee meeting.***

23/07/09 Report of the Search Committee

The Chair of the Search Committee, presented the report informing members of the matters which had been considered by Search Committee members at the meeting held on 13 March 2009 and in particular the recommendations put forward by the Search Committee for consideration by the Corporation.

Members considered the recommendation of the Search Committee regarding the re-appointment of John Dwyer as a member of the Corporation following the completion of his second term of office on 31 March 2009.

The Search Committee had, at its meeting on 13 March 2009, considered the available data including attendance records and the value of this member's expertise and experience and concluded that, in the light of his attendance, commitment, contribution and experience, the committee recommended to the Corporation Board that John Dwyer be re-appointed for a third term of office of four years commencing on 1 April 2009.

The Principal informed members that within the sector many colleges restrict the length of time/ number of terms of office which a member may serve as a member and/or as chair.

IT WAS RESOLVED to:

- ***to receive the report;***
- ***to reappoint John Dwyer as a member, in accordance with the provisions of Clause 2(1)(a) of the Instrument of Government, for a period of 4 years commencing 1 April 2009; and***
- ***that the Search Committee should consider the length of time/number of terms of office which a member may serve as a member and/or as chair and make recommendations to the Corporation as to whether any changes should be made to the Corporation's Standing Order with regard to this.***

23/08/09 Report of the Finance Committee

The Chair of the Corporation presented the report informing members of the matters which had been considered by Finance Committee members at the Committee's meeting held on 12 March 2009 which included the following matters:

- consideration of the strategy to maximise fee income;
- consideration of the content of the Memorandum of Understanding between the College and the subsidiary company;
- student numbers/funding and priorities for the College Programme 09/10;
- the proposed Tuition Fee Policy 09/10; and
- the performance of the subsidiary company to date against the business plan 2008/09 which was approved by the Corporation in July 2008.

IT WAS RESOLVED to receive this report and to approve:

- ***that following strategies for maximising fee income be adopted as from 1 August 2009:***
 - ***to improve the data collection process to maximise the fee income from students eligible for fee remission.***
 - ***to continue to increase fees in line with fee policy for 2009/10***
 - ***to introduce a minimum fee of £50 payable by full-time adults who are not entitled to fee remission in line with the fee remission policy (£25K estimate)***
 - ***to introduce a minimum fee of £10 per term for ESOL students (£10K estimate)***
 - ***to increase the curriculum portfolio to include non-accredited courses to provide new opportunities for fee income***
- ***that the Memorandum of Understanding between the College and SCEL should remain unchanged and be reviewed following the appointment of the Vice Principals;***
- ***the Tuition Fee Policy in the form as appended to the minutes of the Finance Committee Meeting held on 12 March 2009;***
- ***the priorities for the College Programme 2009/10 as set out in the minutes of the Finance Committee meeting (ref: minute number F 04 /09)***

23/09/09 Report of the Clerk

The Clerk reported the details of members' attendance records for 2008/09 year to date. It was noted that the Corporation's Standing Orders provide that the performance indicator of 75% attendance at meetings of the Corporation and its supporting committees.

IT WAS RESOLVED to receive this report and to note attendance at meetings to date in 2008/09.

24/09 NON-TRADING SUBSIDIARY COMPANIES

Members considered a report detailing the ownership of the share capital of the two companies: Training and Consultancy (TRAC) Limited and The Cheshire Management Centre Limited.

IT WAS RESOLVED that:

- ***the company "Training and Consultancy (TRAC) Limited" be dissolved; and***
- ***the Corporation accept the transfer of the two issued ordinary shares in company "The Cheshire Management Centre Limited" and that the two said shares should be registered in the name of the Corporation.***

25/09 REVIEW OF CORPORATION BOARD RESOLUTION NUMBER 54/03/08

Members considered the proposal that the Principal Designate should be authorised to give instructions to the Bank in the event that Dr Collins is unavailable.

IT WAS RESOLVED that as from 27 March 2009 either Dr David Collins (Principal & Chief Executive) or Peter Swift (Principal Designate) are authorised to give instructions (jointly with Graham Bebbington (Director of Finance & Administration)) to the Bank to accept in all matters concerning the facility and confirms specimens of the signature of these officers if not already known to the Bank

Tim Wheeler and Claire Blanchard left the meeting at this point.

There being no further business, the meeting concluded after Part B confidential items at 4.55 p.m.

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(Chair)

Production: 2 April 2009
Chair's approval: 8 April 2009
Corporation approval: 14 May 2009