



Minutes of the Board meeting  
held on 23<sup>rd</sup> April 2013 at 4.30pm

**Present:**

Ms Louise Barry	}	External Governors
Ms Sue Carmichael		
Mr Tony Cobain		
Ms Clare Crowther		
Ms Claire Dove, MBE, DL		
Ms Vivienne Lacey		
Cllr Nick Small		
Ms Vivienne Tyler		
Mr David Wilson		

Ms Elaine Bowker Principal

Mr Aaron Booth Student Governor  
Mr Daniel Hayes Student Governor

**In Attendance:**

Ms Gill Banks	Vice-Principal Curriculum
Mr David Brennan	Vice-Principal Partnerships & Business Development
Ms Angela Cox	Deputy Principal
Mr David McIntyre	Vice-Principal Finance & Corporate Resources

Ms Christine Lenderyou Acting Clerk to the Board

**13.55 Appointment of Governor**

The Search & Governance Committee and the Board had previously identified that there was a gap in strategic HR and transformation experience on the Board. Authority had been delegated to the Chair and Principal to meet with suitable candidates and make a recommendation for appointment to the Board. Ms Lacey closely matched the required skills profile having experience of HR management plus strategic, integrated approaches to change, capability building and organisation design and development. Ms Lacey also had experience of the FE and Skills sector, including as a customer of the College. The Board approved the appointment of Ms Lacey to the Board for a period of four years, until 22<sup>nd</sup> April 2017.

*Ms Lacey joined the meeting from this point and was welcomed to her first meeting.*

**13.56 Apologies**

Mr Peter Grieve, Ms Martha Harris, Mr Neil Lazenbury, Mr John Nolan and Professor Gerald Pillay had sent apologies. Ms Claire Dove had sent apologies for late arrival.

**13.57 Declarations of Interest**

Mr Booth declared an interest in Item 15 as he would be running for one of the sabbatical officer student union positions.

**13.58 Any Other Business**

It was agreed to take Item 11 – Internal Audit reports – under the confidential section of the agenda.

The Board wished to record its congratulations to Ms Claire Dove on the excellent news of her Lifetime Achievement Award in the Queen's Award for Enterprise Promotion.

**13.59 Minutes of Previous Meeting**

The minutes of the previous meeting held 12<sup>th</sup> March 2013 were agreed as a true record.

**13.60 Outcome of Actions from Previous Meeting**

**13.13 Teaching and Learning Observations (OTLs)**

While the Executive Team had understandably focussed on the Post Inspection Action Plan, the Board requested that a broader report on teaching and learning observations be brought to the following meeting. **Act: AC**

**13.14 College SAR**

Although it had previously been suggested that departmental SARs would be reviewed in detail at Board meetings, it was agreed that it may be more effective for the outcomes of Performance Reviews to be RAG rated and brought to the Board instead. **Act: AC**

**13.61 Post-Inspection Action Plan (PIAP)**

Following the Ofsted inspection which took place in February, the College was required to complete a PIAP as a result of its inadequate grading. The PIAP would be agreed with the Skills Funding Agency (SFA) and Education Funding Agency (EFA) at the first of the College's monthly case conferences. Governors were asked to note that the document they were being asked to approve was provisional and that the PIAP would be a dynamic document, changing as required.

The Deputy Principal clarified that the split in the columns on page 5 reflected 16-18 year old students and 19+ students. In addition the targets for apprenticeships would be added before the PIAP was forwarded to the funding agencies. In response to a query as to whether the 2014/15 targets were sufficiently challenging the Deputy Principal advised that targets would be adjusted based on the outcomes for the current year as well as national benchmarks. Governors suggested that it would be helpful to have the 2011/12 figures available to illustrate progress and although they were reminded that the focus was on forward trends, the Deputy Principal agreed to include this information subject to feedback received at the case conferences. **Act: AC**

It was queried how the response rate for student surveys would be improved and the Deputy Principal acknowledged that the data collected had to be meaningful rather than just numerical and that there were a range of initiatives planned to capture a broader spectrum of views such as key questions in student forums and the use of smartphone compatible QR codes.

Governors understood that the follow up visit in September would see progress judged as "significant, reasonable or insufficient" and were keen to know what the parameters for each judgement were and how the College expected to be judged. Although there was no clear guidance published, the Executive team were aiming for significant improvements. Key points would be success rates for this academic year and the start students received in the 2013/14 academic year. There was substantial work being carried out in the current academic year which would impact in the following year. It was acknowledged that the summer break when reduced teaching took place would pose a challenge, however to mitigate this, lots of initiatives were being put into place now. Work was being undertaken to ensure that all success from the current year was captured. Teaching, Learning and Assessment continued to be strengthened. Students were

being given additional support this year and the Student Union was in the process of being reactivated to strengthen learner voice. The management team which had been fairly new at the point of inspection had grown in experience. There would also be significant changes to the way in which enrolment and inductions were managed. Returning students would be re-enrolled before they left for the summer which meant that only new students would be enrolling in September. The admissions and timetabling systems had also been refined. Preparation for teaching in 2013/14 would be completed before the summer break.

The Board asked how staff were reacting to the process. The Principal advised that although there were some staff that were finding it difficult to adjust, there had been a positive response overall. Staff were aware that there were huge consequences to not making progress by September, but this was balanced by incentives such as resources being reviewed. The Deputy Principal highlighted that it was important that the College honoured its commitment to staff in terms of support and investment. The Principal was aware that sometimes it was difficult for people to accept that they needed to engage with intensive support.

A governor asked whether it was possible to get an early indication from Ofsted regarding whether the PIAP was fit for purpose. The PIAP had been critiqued by an Ofsted consultant and would be subject to panel reviews. In addition, the Executive team had engaged with external agencies and had also examined what other colleges had done.

It was requested that a monitoring report be brought to the 21<sup>st</sup> May 2013 Board meeting. Governors wanted to be made aware of problem areas. The Board agreed with the Deputy Principal's suggestion that RAG rating with reporting by exception may be the most effective way of receiving the information.

**Act: AC**

The Board approved the provisional Post-Inspection Action Plan.

### **13.62 Principal's Report**

The Principal's report focussed largely in the implications of the result of the Ofsted inspection in February. The government had been vocal on its plans for failing colleges, not least by the introduction of an FE Commissioner though the exact nature of this role was still unclear.

The biggest concern facing the College was financial as investment was needed but the budget was tight and the impact of the Ofsted inspection result on student recruitment was not yet known, although the Marketing and Communications Director had undertaken excellent work to limit reputational damage. The two studio schools and the proposed academy sponsorship had been withdrawn although the University Technical College (UTC) was unaffected and progressing well.

Changing the culture would be challenging; assertive action was being taken to deal with the first responses to increased performance management i.e. increases in staff absence, sickness rates and complaints. Managers had tremendous work to do in managing under-performance but it was necessary to ensure next year's students had the right College experience. Ofsted would expect the College to have taken strong action. There was some concern that the measures taken did not go as far as those taken by other colleges in a similar situation, but a direct comparison could not be made as the other colleges tended to have better infrastructure to begin with in terms of HR and data. Governors requested and received clarity on the scale of under-performance. The Deputy Principal highlighted the high expectations of performance needed to be matched with high levels of support. The Principal was clear that the focus must be on what students experience and that as the time students spent at the College was relatively short, under-performance must be dealt with swiftly. More Advanced Lecturers had been appointed and their main role was to support teaching staff. Governors queried the use of Protocol as the Executive team had

previously committed to reducing the College's use. The number of Protocol staff had been reduced and the number of main grade lecturers increased, but as a result of the unprecedented student growth the number of Protocol staff had increased again. The College remained committed to reducing its reliance on Protocol staff. The Principal explained it would cost more to have increase the number of directly employed staff but it would be worthwhile, not least because they would share departmental duties.

Regarding what happened when OTLs were deemed inadequate, the Principal and Deputy Principal advised that in the next academic year there could be immediate intervention. Although training was constantly on-going, there could be scope for some to be delivered over the summer break.

The report was noted by the Board and the Chair thanked the Principal for an in-depth report.

*Ms Dove joined the meeting at this point.*

### **13.63 Performance Dashboard**

At the last meeting of the Board a performance dashboard approach to oversight was agreed. The first quarterly report was reviewed by the Board. The VPPBD clarified that where there were gaps in tables they related to annual indicators rather than quarterly or that there was more work to do i.e. finding a way of representing the value of commercial contracts across the pillars.

The success rates were identified as being a key area. It was asked whether the deferral of the Clarence Street refurbishment would impact negatively on the targets for progression to HE? The VPC answered that steps were being taken to better utilise the resources already available and that more effective planning would also help. Governors were concerned about what actions were being taken to improve the performance of apprenticeship contractors. The VPPBD advised that private providers were facing challenges across the country, particularly for 16-18year olds and that the College's previous approach to partners had ringfenced contract value to apprenticeship delivery. However, in-house provision was in a relatively good position and the trajectory in terms of growth was steep; this would need to be maximised in future years.

The VPPBD had requested feedback on the format of the report. It was suggested that the RH column might include a forecast position and that the inclusion of national benchmark figures would be helpful where they were available although it was appreciated these were often on an annual basis. Governors also suggested including a starting position. Governors acknowledged that the performance dashboard was intended to be a document for quick reference and could not contain everything, but the VPPBD would review the format in respect of the comments made.

**Act: DB**

### **13.64 Risk Management**

Governors requested that the high risk items be placed at the top of each pillar. There was also some discussion regarding whether risks that did not fit into one pillar, but could impact on all three should have their own section. Governors appreciated that the VPFGR had kept the format pure by listing risks to the three pillars as previously requested by the Board but debated whether it would be better to have the risks listed and related to the pillars rather than the list being driven by the pillars.

There was some debate over whether certain risks were management issues or Board issues and it was clarified that something like managing finances was not inherently a Board issue but its success or failure would impact on the Board's strategic aims.

The Principal stated that key risks to the College were: the re-inspection in September; the challenge between balancing the budget and rectifying years of under-investment; the quality of the College's data; and how the College gets staff to the position they need to be in. It was also commented that neither the student experience nor safeguarding featured in the Performance or People pillars. Furthermore it was requested that RAG rating be applied on mitigating actions; the VPFCR said this was already in progress.

The Board noted the report and the VPFCR would review in respect of the comments made.

**Act: DMcl**

**13.65 Student Performance: Narrowing the Gap**

The report was tabled but Governors agreed with the Chair that this was too important an issue to discuss without governors having a chance to read the document. Governors were asked to take the report away and feedback any comments to the Deputy Principal over the next week with a revised report being brought back to the Board as soon as practicable.

**Act: All Governors/AC**

**13.66 Student Performance: Student Survey**

The Deputy Principal commented that one survey had been carried out before the Ofsted inspection and one carried out afterwards with no real difference in the results. The satisfaction rate of 95% was viewed with caution as it did not reflect the responses received through other mediums. A number of suggestions were made such as a breakdown between course satisfaction and College satisfaction and a question about whether students felt accountable for their own work and to review the survey alongside complaints received.

**Act: AC**

The report was noted.

**13.67 Internal Audit Reports**

Moved to confidential section of agenda.

**13.68 Safeguarding – Termly Update**

The termly safeguarding update showed an increase in the number of incidents (particularly relating to mental health), however this corresponded with increased awareness and improved procedures and was largely as expected for an inner-city FE college. The Board were informed there was adequate resourcing in place and counselling services had been increased. Governors commented that the number of students who had ultimately withdrawn from their course was low and that this was encouraging.

The report was noted.

**13.69 Clarence Street Refurbishment**

The proposed refurbishment of Clarence Street was reliant on bank borrowing, however the banks approached were unwilling to lend at the current time due to the lack of confidence in the College's ability to attract students following the publication of the Ofsted report and any corresponding impact on the College's financial stability. It was proposed that the project be deferred until the summer of 2014. In the meantime the College would liaise closely with its bankers to ensure that borrowing would be more forthcoming at that point and the intention was to improve both the surplus levels and cash position in 2013/14. However the preparatory work undertaken regarding design and planning would still be relevant. The Head of School for City 6 had been asked to identify ways in which Clarence Street could be improved immediately for relatively little expenditure, the outcome of which would be brought in a report to the Board.

**Act: DMcl**

The Principal praised the teaching staff concerned for their understanding.

The deferral of the planned Clarence Street works until the summer of 2014 was approved.

### **13.70 Property and Accommodation Strategy**

The Vice Principal FCR drew the Board's attention to an amendment on page 10 as the references to the studio school were no longer applicable. Governors were reminded that they were not being asked to approve any expenditure, but were being asked to approve a medium term strategy which would improve academic performance in order of priority.

With the deletion of the third paragraph on page 10, the property and accommodation strategy was approved.

### **13.71 Student Union Constitution**

The College did not have a functioning Student Union and the constitution was outdated. It was proposed to replace the constitution with one based on the model developed by the Association of Colleges (AoC) and National Union of Students (NUS).

The structure of the Student Union according to the model constitution was felt to be too complex, having three tiers. It was pointed out that although the model constitution needed refining, it was significantly superior to the existing constitution and had the added benefit of being a format recognised by the Charities Commission. The Chair was experienced in setting charities up and offered to meet the VPPBD to discuss the draft.

The Board noted with pleasure the revival of the Student Union.

The Board approved the Student Union Constitution in principle with authority delegated to the Principal to finalise the detail. **Act: EB**

### **13.72 Write Off Bad Debts Report**

The report had previously been to the Finance, Estates and General Purposes Committee where some minor amendments had been requested before the report went to Board.

The Board approved:

- The write off of bad debts over £1,000 totalling £11,780
- The suggested amendments to the Financial regulations in respect of making provisions for bad debts

The Board confirmed:

- The actions of the VPFCR in writing off bad debts over £200 and under £1,000 totalling £12,740
- The actions of the Director of Finance in writing off bad debts under £200 of £8,530

The Board noted:

- The fees waived of £10,565 that were not covered by the College's fee policy.

**13.73 Financial Regulations**

The College's Financial Regulations required reviewing on an annual basis. The amendments to the Financial Regulations had previously been to the Finance, Estates and General Purpose Committee.

The Board approved the amendments to the Financial Regulations.

**13.74 Update on UTC**

The UTC project steering group had met the previous week and good progress was being made. The alternative site which had been proposed was located in a prominent position with potential to extend in the future. Representatives from the EFA were clarifying whether the land costs were included in the sale price.

The public consultation and the associated documents had been described by the Baker Dearing Trust as exemplary. The Board wished to record praise for Della Thomas who had led the consultation.

The Board noted the report.

**13.75 Committee Minutes**

The minutes of the FEGP meeting on 28<sup>th</sup> February would be brought to the next Board meeting.

**Act: Clerk**

The minutes from the Audit Committee meeting on 6<sup>th</sup> March were tabled. The Chair of the Audit Committee highlighted that the report on monitoring audit recommendations had been rejected by the Committee on the basis of too few timely responses. The report would be re-issued.

**Act: Clerk/DMcl**

The VPC informed the Board that the College had recently invited City and Guilds to review the systems and processes in place and had received positive feedback although there were some areas where improvement was required for consistency.

**13.76 Confidentiality of Items**

No items were deemed confidential, except for any appendices which contained personal information (items 1, 12 and 16).

**13.77 Date of Next Meeting**

The next meeting would be held on 21<sup>st</sup> May at 4.30pm.

*All staff and students with the exception of Ms Bowker and Ms Lenderyou left the meeting at this point.*

**13.78-13.81 Confidential Minutes held by Clerk.**

**Meeting Closed at 8.20pm**