

**Minutes of the Board meeting
held on 28th June at 4.15 pm**

Present

Ms Karen Afford)	External Governors
Ms Louise Barry)	
Ms Susan Carmichael)	
Mr Tony Cearn)	
Mr Tony Cobain)	
Ms Clare Crowther)	
Prof Gerald Pillay)	
Cllr Nick Small)	
Ms Vivienne Tyler (Chair))	
Mr David Wilson)	
 Ms Martha Harris		 Staff Governor (Teaching)
Ms Elaine Bowker		Principal

In Attendance

Ms Marie Allen, MBE	Vice Principal Curriculum
Mr Mike Doyle	Assistant Principal Resources
Ms Nancy Jenkins	Clerk to the Board
Ms Christine Lenderyou	Secretary to the Clerk
Mr Brendan Ruane	Vice Principal Finance and Resources
Mr Barry Sherriff	Assistant Principal Adult Skills and Employer Links

11.65 Welcome

Elaine Bowker was welcomed to her first Board meeting as Principal.

11.66 Apologies

Apologies for absence were received from Ms S Carthy, Ms C Dove, Ms Alex Fillingham, Ms S Navarro, Mr S Qureshi, Ms A Lees and Ms I Loh Lynn. Prof G Pillay gave apologies for early departure.

11.67 Declarations of Interest

Ms Carmichael held an interest in item 2 (Re-Appointment of Governor). It was noted that staff other than senior post holders had a potential interest in item 11 (Appeals against Dismissal).

11.68 Reappointment of Governor

Ms Carmichael left the room for the duration of this item.

The Search and Governance (S&G) Committee recommended the re-appointment of Ms Susan Carmichael for a second term of office. The Board concurred with the view of the S&G Committee that Ms Carmichael's wide portfolio of skills and experience and commitment to the role enabled her to make a valuable contribution to the Board and the

Audit Committee. Ms Carmichael was appointed for a 2nd term of office of four years until June 2015.

Ms Carmichael then rejoined the meeting and was informed of her re-appointment.

It was noted that the support staff governor, Ms Sue Navarro, would leave the College in August 2011. The Clerk was making arrangements for the election of a new support staff governor prior to the September Board meeting.

11.69 Minutes of Previous Meetings held on 22nd March and 17th May 2011

Minutes of the meeting held on 22nd March 2011 were agreed as a correct record, subject to the amendment of the date of next meeting to 17th May 2011. Minutes of the 17th May 2011 meeting were agreed as a true record.

11.70 Matters arising from the Minutes

11.70.01 Outcome of Actions from the 17th May 2011 Meeting

The Clerk's report was noted.

11.70.02 Partnership Arrangements

An information item on the College's Partnership Strategy had been requested at the last meeting and members noted the current state of play set out in the 'Developing a Partnership Strategy' document.

A fuller report on strategy implementation would be brought to the next meeting. Governors asked that the report include information about partnership risk assessment and management. Risks were not restricted to financial undertakings but involved quality as well; it was important that contracts were in place and checked before a student started a programme.

Act: BS

11.71 Principal's Report

The Principal had no significant national policy matters to report at this time. The impact of the Wolf report on Vocational Education was awaited.

Excellent links have been made with local employers as a result of work on the College's University Technical College (UTC) bid. The bid had been submitted on 1st June; however, the outcome was likely to be delayed as an application for a Free School has been submitted within a 10 mile radius

The Senior Management Team (SMT) had held an away day on 10th June to consider how to continue to secure the College's Outstanding rating, be an employer of first choice and diversity income. A strategic planning away day with governors was being planned.

The College would hold its first ever Awards Evening on 22nd June to which governors were invited. On 14th July the College was hosting a dinner in the Academy Restaurant for employers and key stakeholders.

Amongst a number of success stories, governors congratulated Chef Ian Jaundoo who had been crowned Education Chef of the Year 2011 at the Craft Guild of Chefs awards. This was a marvellous achievement and the College was looking to build on this achievement with expanded opening hours for the restaurant and other opportunities for showcasing the catering programme.

The whole College had now been awarded Dyslexia Friendly status.

Governors were informed that the College's "16-19 Learner Responsive Provider Data and MI (Management Information) Report" for 2009/10 had been published on the provider gateway by the Young People's Learning Agency (YPLA). This included a section on the socio-economic performance indicator (SEPI), which replaced the previously used Index of Multiple Deprivation (IMD) success measure for this age range, and compared the College's qualification success rates to an aggregate for colleges with similar deprivation in their 16-18 Learner Responsive (LR) cohorts. The SEPI data was the key document used by inspectors.

The College's SEPI figures for 2009/10 were of concern. College success rates had not improved over the last three years whereas national rates had improved over the same period, and so the College had fallen to a lower relative position. This increased the likelihood of greater YPLA monitoring which might include selection for inspection. The Assistant Principal Resources' report later on the agenda provided more detail on SEPI and other data reports and highlighted areas of risk.

Retention, more than achievement, had been a long term issue at the College with the resultant effect on success rates. Following a comprehensive review of curriculum planning in February, the Curriculum Management Team had put a lot of work into addressing courses identified as being on or below Minimum Levels of Performance. In the vast majority of cases there had been a marked improvement in attendance/retention during 2010/11, although on Level 3 courses this was still below satisfactory levels. Retention figures for the year would not be finalised until July, but the indications were that it had improved on the previous year, and it was anticipated this would have a positive effect on success rates.

An economist from EDP Associates Ltd had been engaged to do further analysis around SEPI and other local and national data regarding adding value, deprivation and the city. However, this did not detract from the fact that the College had more work to do to improve success rates.

Governors expressed concern at receiving the apparently unexpected information on high risk issues. It was explained that, although the SEPI methodology for collecting and publishing comparative data was new, the failure to improve long course success rates for LR provision over the last two years was something the College was aware of and had been reported to the Board. The former Standards Committee used to receive detailed reports and the Board needed to ensure that it was provided with the right level and timeliness of reports on quality and curriculum matters.

Governors asked why certain areas were performing better, why there were issues with Level 3 in particular, and how senior management could measure if the actions taken were having the desired effect. They also queried whether any colleges were performing better under the new framework and if we could we learn from them. Details of the strategies put into place and the initial outcomes for 2010/11 would be brought to the next meeting.

Act: MA/MD

Progress with capital projects was noted. Practical completion of the Learning Exchange had been achieved on 20th May 2011 and internal fit out was now underway. The final total forecast cost was £29,770,078. The Enhancement and Remedial Works in other buildings had commenced. Completion was anticipated for 2nd September with final migration by 5th September 2011.

11.72 Performance Dashboard: Key Performance Indicators 2010/11

Achievement against key performance indicators in 2010/11 to date was noted.

11.73 Success Rates and Comparative Performance Indicators

The Assistant Principal Resources' report on performance in SEPI and other data reports was noted, the contents having been discussed during receipt of the Principal's Report.

11.74 Budget and Three year Financial Plan

11.74.01 Proposed Budget 2011/12

The Vice Principal Finance and Resources (VPFR) presented the draft budget for the next year. For 2011/12 the College aimed to make an adjusted operating surplus of £446k (excluding pension deficit costs). This gave a cash-based operating surplus of £2.2m, yielding a Financial Health score of 'Good'. Key movements and assumptions were described in the report along with the balance sheet and cash flow. The College continued to comply with all bank loan covenants.

It was commented that the College should aim to generate greater surpluses after depreciation, bearing in mind the predicted increases in inflation and interest rates. In response, it was noted that the Finance, Estates and General Purposes (FE&GP) Committee had found the College to be prudent in its calculations so the surplus might well end up greater than predicted.

The Budget for 2011/12 was approved.

11.74.02 Three Year Financial Plan

The report from the VPFR set out the three year financial plan for the period 2011/12 to 2013/14. During that period the College was expected to maintain its operating performance whilst strengthening its solvency and slightly reducing its borrowing. A Financial Health score of Good was predicted throughout the period.

A prudent approach had been adopted and it was acknowledged that the plan would be subject to change in line with developments in the College.

The three year plan was approved. An update would be brought to the next meeting.

11.75 University Technical College

The Board received a progress report on the University Technical College (UTC) bid from the Vice Principal Curriculum (VPC). As required by the bid process, a company, Collaborative Training Solutions, had been formed with Academy Trust status. The UTC bid had received Liverpool City Council support and continued to attract sponsors. A comprehensive financial plan had been drafted in liaison with a financial consultant based on the revenue funding related to target pupil numbers. The College had calculated that the UTC would be viable and would generate a surplus each year. The final application was forwarded within the deadline to the Department of Education. Whether or not the bid was successful was unlikely to be known before September.

The report also set out the consequences of an unsuccessful bid, which included potential loss of 16-18 year old students. However, even were the bid to be unsuccessful, the exercise had brought about fantastic links with local employers.

College management would continue to seek employer support to ensure an equal balance for both subject areas (Environmental Technologies and Superport). Development groups and meetings schedule were being finalised to start as soon as the bid result was published.

In answer to a query about whether the College would take on financial liability for the new company it was confirmed that the company had been set up as a company limited by guarantee and was not consolidated.

Governors were assured that the College had both the curriculum capacity and the expertise to deliver. The UTC was a separate entity with its own Principal and staff.

It was emphasised that the UTC was a very clear part of the 14-19 strategy and was core in terms of inclusiveness and driving economic growth which were both city and College priorities.

Governors wished to see details of how the College might benefit financially from the UTC. The VPFR would bring a report to the Board. **Act: BR**

The Board supported the actions being taken to progress the UTC bid.

11.76 Appeals Against Dismissal

Governors were informed that the joint unions (University and College Union and Unison) had requested the Principal to ask the Board to review the section of the Disciplinary and Dismissal Policy (for staff other than senior post holders) that covered appeals against dismissal. The current procedures allowed for dismissal by a senior post holder (ie Principal or Vice Principal), with appeals normally being heard by the Principal. The unions would prefer for appeals to be heard by a panel of governors.

When asked about practice elsewhere in the sector, the Clerk advised that it seemed that nationally, few colleges still had appeals against dismissal heard by governors. Governors that had been involved in appeals in the past highlighted the logistical difficulties of fixing time for a panel to meet. It was also contrary to the Policy Governance approach that the Board had adopted.

The Board agreed not to revert to dismissal appeals being held by a panel of governors.

11.77 Draft Business Cycle 2011/12

The Board considered the draft annual business cycle which would form the basis of Board agenda during 2011/12.

The Chair highlighted the need to review key policies for which the Board wished to retain authority. Items on curriculum development were requested. The Clerk would check whether any annual reports could be brought forward from the November to the September meeting. The cycle would also be reviewed in the light of the 2011/12 risk register to establish by what means the Board would be able to receive assurance against each risk.

Act: NJ

The Business Cycle was approved as a work in progress.

11.78 Committee Membership

The Clerk reported on recent and proposed changes to Committee membership.

The Board approved the revised committee membership as set out in the report, with the addition of Cllr Nick Small who volunteered to join the FE&GP Committee. The membership would be kept under review as new governors were appointed.

11.79 Board Policy Manual Review

The Board considered a report from the Clerk on proposed changes to some sections of the Board Policy Manual. This was mainly a 'tidying up' exercise and the amendments had been discussed in detail by the S&G Committee.

The Board approved the changes to the Board Policy Manual. The Clerk would keep under review the list of required and retained approvals. **Act: NJ**

11.80 College Self Assessment Process 2010/11

The VPC informed the Board of the Self Assessment Report (SAR) process and how it had changed since the previous year.

Self assessment was carried out in all areas of curriculum provision and business support culminating in a cross-College SAR. The SAR was aligned to the Common Inspection Framework which was divided into three aspects: Outcomes for Learners, Quality of Provision, and Leadership and Management, graded on a four point scale. From these judgements it was possible to establish the overall effectiveness of the College and its capacity to improve.

Performance monitoring meetings with Heads of Section now took place three times a year. The outcomes were used to inform action planning against underperformance and to inform the SAR. Governors queried whether the meetings were embedded with the quality issues discussed earlier in the meeting and whether staff development issues would be flagged. It was confirmed that was the case and that it had proved an extremely useful process.

Internal inspections continued and results of an Ofsted-style inspection of the College carried out by an external advisor would soon be available.

Professor Pillay left the meeting at this point.

11.81 Staff Survey 2011

The Board noted a report from the HR Manager summarising outcomes from the May 2011 on-line staff survey. The report compared results against the previous year and against benchmarks from 39 colleges using the same survey (46 questions).

The response rate was 28.2% compared to 32.5% in June 2010. 7 questions had improved their rating internally since 2010 and were above benchmarks. The question which received the lowest rating ('There are opportunities here for me to progress my career') was rated 28%, which was 10% below the sector average. 12 questions had improved ratings since 2010 and eight questions showed a negative distance travelled.

Governors commented that staff welfare was a key issue and asked what actions were being taken to address issues recorded as being below the norm for the sector. Positive distance travelled should not disguise the fact that for some answers the response was still negative. Although the participation rate of 28.2% was comparable to other colleges, this was felt to be well below the private sector which could be 85%.

The Board was advised that the results had only been received the previous week. A more detailed report to inform the People Strategy would be brought to the September meeting.

Act: ILL

The Principal was keen to obtain a stronger student voice and for students to have greater involvement in policy development. Two members of staff had been researching this and recently done a presentation to the Senior Management Team. Governors used to attend student focus groups; this could be examined again. Students in the workplace also needed to be given a voice. It was noted that student governor attendance had been poor in 2010/11 and that more time should be invested in support for student governors. It was suggested that exploiting new technology and social media could be one way forward.

11.82 Current Significant Risks

The VPFR updated the Board on the current significant risks facing the College. These related to: increased partner engagement to raise apprentice numbers and access funding; achievement of learner numbers (the current shortfall was in adult numbers, with 16-18 numbers expected to be achieved); success rates (potential for inspection if these remained flat); Best Value review of support staff carrying potential for conflict with staff; potential for future loss of students with changes to funding and support; and managing the Income and Expenditure budget to a surplus.

It was noted that the University and College Union were taking industrial action on 30th June 2011 in relation the Government's changes to pensions.

11.83 Review of Previous Confidential Items

The Board received a report from the Clerk. The Chair and Clerk had reviewed confidential Board items received up to June 2010 with a view to whether any could now be released into the public domain. The vast majority of items could now be released. In the case of items relating to individuals, it was felt that these should always remain confidential. Were the Clerk to receive a request for access to any items still listed as confidential she would take advice before deciding whether to release the document.

The Board noted the summary of confidential items and action taken.

11.84 Other Business

11.84.01 Memorandum of Understanding between Liverpool Community College and Liverpool Business Services Ltd

The VPFR's report explained that the SFA required colleges to establish a memorandum of understanding with any subsidiary companies.

The memorandum between Liverpool Community College and its subsidiary company Liverpool Business Services Ltd had been revised in line with changes in College staff and Board membership. The changes had been approved at an extraordinary meeting of the company the previous week.

The Board approved the Memorandum of Understanding attached to the report.

The Clerk suggested that a future version of the memorandum might list designations (Director/Secretary) rather than named individuals thereby avoiding the necessity of approving changes every time there was a change in membership.

Act: NJ

11.84.02 Principal's Qualification

The Board was informed that a clause in the Principal's contract on appointment required her to complete the 'Executive Leadership Development Programme' (Principal's Qualification). However, this qualification was no longer compulsory for the sector and subsequent research had shown that the Principal already held a breadth of knowledge and experience equivalent to the qualification. The removal of this clause from the Principal's contract was approved.

11.84.03 Free School Application

The Principal informed governors that Everton Football Club had submitted a bid to set up a Free School and had asked the College to be a curriculum partner. There were implications for the UTC bid if a Free School was set up within a 10 mile radius.

11.85 Confidentiality of Items

The following items, or parts thereof, were deemed confidential:

- Item 8 The Comparative Performance Measures within the Appendices to the report on Success Rates and Comparative Performance Indicators
- Item 9.2 Three Year Financial Plan (for a limited time period)
- Item 22 Skills Funding Agency Investigation
- Item 23 Confidential Minutes of Meetings held on 22nd March and 17th May 2011

11.86 Date of Next Meeting

The next meeting will be held on Tuesday 27th September 2011 at 4.15pm.

Christine Lenderyou left the meeting at this point.

11.87 Skills Funding Agency Investigation

Confidential minute held by the Clerk.

11.88 Confidential Minutes of Meetings held on 22nd March and 17th May 2011

These were approved as a correct record.

11.89 Matters Arising from the Minutes

There were no matters arising from the minutes that had not been dealt with earlier in the meeting.

Governors recorded thanks to two long-serving senior members of staff who would be leaving the College in the summer. Ann Lees, Assistant Principal Student Services and Support, and Jeanette Hinds, HR Manager. In both cases their vast experience and professional service to the College and the Board over many years was much appreciated and governors wished them well for the future.

The meeting closed at 6.50pm.