

**APPROVED Minutes of the Board meeting
held on 14th September 2010 at 4.15 pm**

Governors Present

Ms Louise Barry)	External Governors
Ms S Carmichael)	
Mr Tony Cobain)	
Prof Gerald Pillay)	
Cllr Nick Small)	
Ms Vivienne Tyler (Chair))	
Mr David Wilson)	
 Ms Martha Harris		 Staff Governor (Teaching)
Ms Maureen Mellor, MBE		Principal

In Attendance

Ms Marie Allen, MBE	Vice Principal Curriculum
Ms Colette Berry	Acting Secretary to the Clerk
Mr Mike Doyle	Assistant Principal Resources
Ms Nancy Jenkins	Clerk to the Board
Ms Irene Loh Lynn	Vice Principal Corporate Services
Mr Brendan Ruane	Vice Principal Finance and Resources
Mr Barry Sherriff	Assistant Principal Employer Services and Adult Skills

10.81 Presentation

The meeting started with a presentation by Mr Paul Blott and Liz Davies of the Skills Funding Agency on '*Future Scenarios: Facing up to the challenges*'.

10.82 Apologies

Apologies for absence were received from Cllr K Afford, Ms S Carthy, Mr A Cearns, Ms C Crowther, Ms C Dove, Ms A Fillingham, Mr M Fletcher, Ms A Lees, Ms S Navarro, Mr S Qureshi and Dr J Ritchie. Apologies for late arrival were received from Cllr N Small and for early departure from Ms S Carmichael and Professor G Pillay.

10.83 Declarations of Interest

There were no declarations of interest.

10.84 Confirmation of Board Evaluator

Consideration of how meetings would be evaluated was deferred to a future meeting.

10.85 Minutes of the previous meeting

Minutes of the meeting held on 29th June 2010 were agreed as a correct record, subject to the correction of the Secretary of State's name under minute 10.67 to Vince Cable.

10.86 Matters arising from the Minutes

10.86.01 Outcome of Actions from Previous Meetings

The Clerk's report was noted. All activities had either been actioned or were being progressed.

10.86.02 Criminal Record Bureau Check for Governors (10.27.04)

The Clerk would issue the new format CRB disclosure form to new governors.

Act: NJ

10.86.03 Governance Self Assessment Report 2009/10 (10.73)

The Principal reported that the internal validation of the Governance SAR had agreed with the assessed grade 1 (outstanding).

10.87 Principal's Report

In her report the Principal informed governors that the College had received news of two increases in funding for 2010/11. An increase in the Standard Learner Number (SLN) ratio for 16-19 provision meant a £460k increase in funding from the Young People's Learning Agency (YPLA), and the Skills Funding Agency (SFA) would provide an additional £300k to support more people to achieve functional numeracy.

The YPLA would now directly fund colleges for 16-19 provision rather than this funding being directed through the local authority as had been introduced four months previously.

The College would respond to two consultation papers from the Department for Business, Innovation and Skills in relation to skills policy and adult funding.

The end of year student success data would not be validated until the end of November; however, the published results for AS, A2 and GCSE had been disappointing, the biggest concern being the decline in pass rates for GCSE and retention for AS courses. A full review was being undertaken and the action plan would be brought to the Board.

Ms Carmichael left the meeting at this point.

A Performance Dashboard report was being developed for reporting to governors on progress against key performance indicators.

Governors enquired about the Local Enterprise Partnership (LEP) which was expected to replace the Regional Development Agency. Cllr Small explained that he had been involved in the bid from Liverpool city region. It was assumed that the LEP would be accountable to the city region cabinet but much was unclear at present.

10.88 Provisional Financial Outturn 2009/10

The Vice Principal Finance and Resources (VPFR) reported that the forecast surplus for 2009/10 was anticipated to be significantly more than the budgeted surplus of £203k. The accounts had not yet been finalised or audited so figures were as yet provisional.

The College would also be reporting receipts of £1.07 million for sale of the former Canning Place premises; this would help fund the final stage of the accommodation strategy.

The report was noted. An update and finalised accounts would be brought to a future meeting.

10.89 Update Budget 2010/11

The VPFR reported that since the original budget was approved at the last meeting there had been changes in the allocations for 2010/11 to a number of funding streams. These were as a result of an increase in the SLN ratio and increased allocation in Adult Learner Responsive funding for the delivery of Numeracy provision. In total this amounted to

increased funding of £759,610. It would be premature to make an early commitment of these extra funds until the outcome was known of the government's comprehensive spending review in October 2010. Consequently, the income was profiled to be credited later in the year. Wherever possible, the additional monies had been allocated so that additional budgeted expenditure would not carry an ongoing commitment in future years and would provide future benefit to the College.

The updated Income and Expenditure budget 2010/11 was approved.

10.90 Risk Management Plan 2010/11

The VPFR presented the draft risk management plan, explaining that the College took a cautious approach to risk and that the internal auditors used the risk plan as a basis for audit planning. The structure of the plan had been amended to give a clearer definition of the risk and to identify a risk status of open or closed. Since the draft plan had been considered by the Audit Committee one risk (Local Authority commissioning of provision) had been replaced by a risk associated with the comprehensive spending review.

Subject to corrections to risks O4 and O5, the Board approved the Risk Management Plan for 2010/11.

10.91 Strategic Planning Process

The Board considered a discussion paper from the Vice Principal Curriculum (VPC) about governor involvement in strategic planning.

It was acknowledged that many governors found it difficult to attend a full day event. Shorter strategy meetings, starting earlier in the academic year, might enable governors to contribute more effectively. Given the amount of regulation, clarity was requested on what aspects governors could influence and their role in setting the strategic plan. Another view was that it was up to management to strategise, with the budget being the most important aspect. The drivers were funding and national government requirements. A series of meetings could be attached to Board meetings, perhaps in December, February and March.

It was agreed that the VPC and Clerk would draw up proposals and elicit views from all governors.

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10.92 Board Policy Manual Update

The Clerk's report proposed amendments to two sections of the Board Policy Manual: the Introduction, and the paragraph about Investments and Holdings in the Executive Restrictions policy on Asset Protection.

The question had been raised at the previous meeting as to whether the Board could be directly accountable to Parliament as stated in paragraph 3.1 (b) of the Policy Manual. The Clerk had checked the wording with Eversheds governance advisory service who confirmed it was correct, therefore no change in wording was proposed.

The Board approved the changes to the Policy Manual set out in the report.

10.93 Board Annual Business Cycle 2010/11

The draft business cycle in the Clerk's report would form the basis of agenda for Board meetings throughout the year. Monitoring of the Strategic Aims policy and Executive Restrictions had been included in line with the Policy Governance model.

Governors concurred with the content of the business cycle, on the understanding that this was subject to change, for example to include briefings or discussions on strategic planning as discussed earlier.

10.94 Board Reporting Format

The Board received a report from the Clerk with a sample report supplied by the Policy Governance consultant for monitoring compliance with strategic aims or executive restrictions.

Members were of the opinion that the proposed format would be very onerous for officers to complete and, unlike the current report format, did not clearly set out key issues on the first page. The summary strategic plan and risk register references, financial and equality implications should be included along with a reference to the relevant Board policy. It was noted that, in accordance with the Equality Act, policies required to be impact assessed.

The Clerk was asked to revise the format in line with the above.

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Note: Professor Gerald Pillay then left the meeting after which it was no longer quorate. What follows are Notes of discussion by those remaining.

10.95 Achievement of Student Numbers and Funding 2009/10

The Assistant Principal Resources reported on achievement of student number and funding targets for 2009/10.

The 16-18 Learner Responsive (LR) funding target of £17.44 million had been achieved and student numbers and Standard Learner Numbers (SLN) for that age range exceeded. Similarly, the Adult Learner Responsive (LR) funding target of £12.13 million had been met, and the student numbers and SLN targets exceeded.

The Employer Responsive (ER) funding target had been achieved for 16-18 Work Based Learning (WBL), with the opportunity to increase this funding with achievement data capture.

ER funding targets had not yet been achieved for adults, with ER Adult WBL being currently £50,000 short of target and Train to Gain £20,000 short. These shortfalls would be reduced by data captured and entered by the end of October.

Funding targets had been met for Additional Learning Support and Adult Safeguarded Learning.

The overachievement for 16-18 and Adult LR numbers in 2009/10 over the fixed allocations would not be paid to the college.

The Board noted the report and congratulated staff for their excellent work in achieving challenging student numbers in 2009/10.

10.96 Outcome of 2nd September 2010 Dispute Panel

The Board was informed of a dispute raised by the University and College Union (UCU) about changes to teaching timetables for GCSE and A Level courses at Clarence Street.

A Dispute Panel was held on 2nd September. The panel consisted of 3 governors. It was the opinion of the panel that there had been sufficient opportunity for dialogue between union and management, development of course timetables was the responsibility of College management and not a valid matter for a Dispute Panel.

A report on success rates for GCSE/AS/A Levels compared to previous years would be included on the agenda for the October Board meeting.

The Board noted the outcome of the Dispute Panel and thanked panel members for their time.

10.97 Draft Minutes of Committee Meetings

10.97.01 Audit – 23rd June 2010

These minutes were noted. The Clerk was asked to circulate to all governors the internal audit on corporate governance that would be brought to the 30th September 2010 Audit committee meeting.

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10.97.02 Finance, Estates and General Purposes – 17th June 2010

The minutes were noted.

10.98 Confidentiality of Items

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

- Item 7 Details of the SFA Investigation contained in the Principal's Report
- Item 8 Potential financial surplus figures mentioned during the meeting
- Item 22 Confidential minutes of the 29th June 2010 Board meeting.

The Senior Management Team other than the Principal, and Mrs Berry, then departed.

10.99 Confidential Minutes of 29th June 2010 Board meeting

The minutes were noted and would be brought to the next meeting for formal approval.

10.100 Other Business

10.100.1 Retirement of Principal

The Chair tabled a letter from the Principal in which she notified her intention to retire with effect from 30th April 2011.

Governors were asked to keep this information confidential for a short period until the Principal had made a public announcement to College staff. They expressed appreciation of Ms Mellor's many years of service to the College.

It was noted that the Board was required to appoint a selection panel of at least 5 governors including the Chair and/or Vice-Chair. Those present agreed that it was appropriate to engage Protocol National management services to assist with the appointment process. The Clerk was asked to contact all governors asking if they wanted to join the selection panel.

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10.101 Date and Time of Next Meeting

The next meeting will take place on Tuesday 19th October 2010 at 4.15pm.

The meeting closed at 6.30pm.