



Minutes of the Board meeting  
held on 21<sup>st</sup> May 2013 at 4.30pm

**Present:**

Ms Louise Barry  
Ms Sue Carmichael  
Mr Tony Cobain  
Mr John Denny  
Mr Peter Grieve  
Ms Vivienne Lacey  
Mr Neil Lazenbury  
Professor Gerald Pillay  
Mr Ian Pollitt  
Cllr Nick Small  
Ms Vivienne Tyler (Chair)  
Mr David Wilson

External Governors

Ms Elaine Bowker

Principal

Ms Martha Harris  
Mr John Nolan

Staff Governor – Teaching  
Staff Governor - Support

Mr Daniel Hayes

Student Governor

**In Attendance:**

Ms Gill Banks  
Mr David Brennan  
Ms Angela Cox  
Mr David McIntyre

Vice-Principal Curriculum  
Vice-Principal Partnerships & Business Development  
Deputy Principal  
Vice-Principal Finance & Corporate Resources

Ms Christine Lenderyou

Acting Clerk to the Board

**13.82 Apologies**

Mr Aaron Booth, Ms Clare Crowther and Ms Claire Dove sent apologies. Professor Gerald Pillay gave apologies for early departure.

**13.83 Declarations of Interest**

Ms Harris declared an interest as a member of UCU which was referenced in the Principal's Report but she was not attending the meeting in a union capacity.

The Principal, Councillor Small, Mr McIntyre and Mr Brennan declared interests as Board members of First 4 Skills (item 14).

**13.84 Any Other Business**

There would be an additional item to be taken under the confidential section of the agenda.

**13.85 Minutes of Previous Meeting**

The minutes of the previous meeting held 23<sup>rd</sup> April were agreed as a true record.

**13.86 Outcome of Actions from Previous Meeting**

All items were either complete or on-going. The report was noted.

**13.87 Post-Inspection Action Plan (PIAP) Monitoring Report**

Following the Ofsted inspection which took place in February, the College was required to complete a PIAP as a result of its inadequate grading. Progress against the PIAP would then be monitored.

The Board were pleased to hear that satisfactory progress was being made against the PIAP. Three areas of the plan were rated red, however all items with a completion date of 31<sup>st</sup> May were on target. As standard, the funding agencies had not given an opinion on the PIAP itself. While governors felt it may be helpful to include percentage complete information for each item, it was acknowledged this would consume too many resources, particularly as the PIAP was a dynamic document, subject to change.

The report was noted.

**13.88 Principal's Report**

The Principal stated that the first case conference had been positive and the College had been able to demonstrate it was in control of its own destiny. The case conference had been attended by representatives from the Skills Funding Agency (SFA), the Education Funding Agency (EFA), the Learning and Skills Improvement Service (LSIS), the Universities and Colleges Union (UCU), as well as the full Executive team and the Chair of the Board. As the minutes showed, the case conference was open and honest but laid out the severity of the situation, reiterating that the College could not grow while it was classed as inadequate. Future case conferences would require hard evidence of the progress made and the College would need to demonstrate qualitative improvements to teaching, learning and assessment as well as to success rates. The College needed to be able to intervene based on data. Support from LSIS would be taken up.

The Principal advised the Board that a collective grievance had been received from UCU which focussed on three main areas: "no notice" observations; poor communication; and administrative burdens. The Board supported the Executive team and their stance on the observations, referencing the disparity between what was evidenced by students during the Ofsted inspection and what their usual experience was and that Ofsted would expect significant action taken to address this. The Principal did point out that some staff had not had the right levels of support in previous years. Regarding the other two points, the Principal conceded that there was some validity in the claims and action was being undertaken to mitigate them. The Principal made the Board aware that although the meetings had been fairly positive, there was some work to do and if the dispute could not be resolved informally, it would be escalated to the Board.

Feedback from the unions indicated that there was frustration with how changes were communicated and it was felt this could undermine the attempts to change the culture within the College. Discussions had been held with the Wider Leadership team about the need to communicate the "why" as well as the "what". While most staff were engaging with the process, there had been apparent increases in sickness rates and the number of staff undergoing capability or disciplinary processes, although this was not felt to be exceptional

when the College's current position was considered. While it was appreciated that staff could not come to work if they were ill, the cost of covering sickness related absence was an additional pressure on an already tight budget. It was highlighted that in previous years, sickness had not been effectively monitored and that whilst annual reports were reflected upon, there had been no active monitoring or management which meant there could not be an accurate comparison with previous years. Sickness was now monitored on a monthly basis and included in the Performance Dashboard. The Board asked what the impact of staff members going through capability processes was on students and were informed that staff who went through the process generally improved which benefitted students and that the real risk for students was if the College failed to deal with capability issues. It was acknowledged that considerable management resources were being focussed on this area.

Governors asked whether there had been any feedback from other unions and it was explained that the other main union the College dealt with was Unison which represented support staff. Staff governors were of the opinion that generally, support staff felt there had been an improvement in the College.

The report was noted.

### **13.89 Performance Dashboard**

There had been some movement from the last Board meeting. Retention had declined but this was expected over the course of the year. The adult retention rate was expected to be slightly below target. The retention rate for 16-18 year olds was encouraging. It was commented that the apprenticeship figures seemed static and it was explained that the College had reduced its use of partnership providers and had increased in-house provision. It was agreed that it was important for the College to be increasing its in-house provision and building direct links with employers.

The Principal drew the Board's attention to the success rates and advised that while retention was looking positive, achievement needed to increase. The Executive team were cautiously optimistic that the focus on improving teaching, learning and assessment would result in an increase in achievement for the first time, with the improvement in success rates last year having been largely down to retention strategies. Most vocational results would be received within the next four weeks. The student governor commented that the student body seemed to share the Executive's optimism.

The VPPBD asked for feedback regarding the format of the report. It was suggested the last column could be used more effectively. While governors would appreciate the report including a forecast column, it was acknowledged that this would be largely down to judgement rather than facts so its value would be limited. Governors were informed that all targets were an increase on the previous year's position.

The report was noted.

### **13.90 Risk Management**

As the budget was extremely tight, governors queried whether finance (ref 12/11) was rated highly enough. The VPFCR advised that it was being kept under review. Governors referred to discussion earlier in the meeting around improving communication and wanted to know how widely the risk register was distributed. The strategic risk register was available to all staff on the College intranet. Additionally, there was risk management within each department or school. In response to a query, the Principal said there had not been a noticeable increase in resignations.

The report was noted.

**13.91 Observations of Teaching and Learning Update**

The College introduced a new observation scheme in January 2013. After feedback from Ofsted, the College moved to no notice observations from 25<sup>th</sup> February 2013. 400 staff would be observed by the end of May 2013. The College was committed to reviewing the scheme in June taking into account feedback from staff, managers, external observers and Ofsted. The Pro-Observe software module would be put into place which should improve the timeliness of information being relayed.

The Deputy Principal anticipated having 80% of observations rated as effective. Governors felt this was a huge movement from Ofsted's rating and asked for clarification on how the Executive had confidence in the accuracy of assessments. It was explained that external Ofsted consultants had been used and they had trained staff accordingly. There was not a direct comparison between Ofsted's findings and those of the College as Ofsted had also observed Protocol staff. In addition, Ofsted included attendance rates in their judgement as well as measuring wider learning in Learning Resource Centres etc. There was also a recognition that the grading criteria language needed to have more focus on learning and assessment with a small percentage of staff who would be borderline between effective and non-effective practice graded positively. This would be resolved during the planned review in June ready for September observations. The Deputy Principal was aware that there was a need to also develop new quality assurance strategies to judge the overall learning experience rather than solely what happened in classrooms. The Board were also assured that when Ofsted examined the observations carried out by the College, the assessments were the same. Protocol would be observing their staff, again using Ofsted consultants. 17 observations had been carried out so far. The Principal mentioned that the College had its own staff who acted as Ofsted inspectors externally but were unable to do so while the College was graded inadequate. The Board were clear that independent, expert judgement was the best way to produce accurate, rigorous information that could be analysed. It was commented that it was beneficial for staff and their own development to be aware of the context and see for themselves where improvement was required. While the Board agreed that taking attendance figures into account would not help to develop staff, they felt staff needed to be aware of how that information impacted on judgements. The Deputy Principal also commented that next year there would be an even greater focus on learning and assessment for learning.

The report was noted.

**13.92 Student Performance: Narrowing the Gap**

The Deputy Principal was commended for her work in revising the document. Governors noted that there was still work to be done in terms of how Equality and Diversity ran through the whole College and there was some disparity between schools. However, the report was encouraging regarding the progress already made. The Managers of Equality and Diversity and Safeguarding were working more closely together and this appeared to be working well.

The report was noted.

**13.93 Environmental & Sustainability Policy**

The Board had retained approval for the Environmental and Sustainability Policy which had last been approved by the Finance, Estates and General Purpose Committee in March 2009. Governors wanted the policy to be more aspirational and detailed. They felt it should include students and enrichment as well as linking with the University Technical College (UTC) and the green academy at Vauxhall Road. Governors also referred to the previous policy being embedded within the curriculum.

The VPFCR advised he could bring the underpinning strategy to the following Board meeting. Governors were conscious that the VPFCR had many urgent matters on-going and would not expect revising the policy to be prioritised over them. However, governors also felt that the VPFCR should be able to delegate most of the task. Mr Grieve was happy to give advice if required and it was suggested that the Local Enterprise Partnership (LEP) may be able to provide an example of good practice.

The policy was not approved and would come back to the Board with revisions. If practicable, the policy would go to the Finance, Estates and General Purposes (FEGP) Committee first. **Act: DMcl**

**13.94 Budget Update**

*This minute has been deemed confidential.*

**13.95 FE Funding Allocations**

The Board noted that the funding methodology had changed. The major change was that payment would be split so 20% of it would be for achievement and the other 80% would be paid at monthly points through the year based on the actual student profile. The Principal explained that it was in line with the way private providers were paid and it was another reason to ensure retention was increased. The finance team were doing some modelling to illustrate what the impact would be on the College's funding and cash flow. The VPPBD felt some providers could mitigate by front loading recruitment at the start of the academic year, however the College wanted to position itself as a responsive organisation with recruitment throughout the year so there would need to be a balance.

Governors were asked whether the result of the Ofsted inspection had shown a negative impact on applications. The VPPBD said it seemed applications were up, but data in previous years was not robust enough to provide an accurate comparison and the real challenge was in converting applications to enrolments. While marketing costs had reduced compared with 2011/12, they remained higher than in previous years but this was deemed to be a necessary investment, considering the College's current position.

**13.96 First 4 Skills Key Reporting Matrices**

*Part of this minute has been removed as it was deemed confidential.*

The Board were pleased to note that First 4 Skills was performing very well. The company was operating smoothly with no complaints or significant issues being raised.

A large contract had been awarded in Scotland and the VPPBD commented that this positioned First 4 Skills as a leading provider there.

A joint conference was being organised and the Principal would be among the speakers.

The Board wished to record its congratulations to First 4 Skills on its continuing strong performance.

**13.97 Committee Minutes**

This item was deferred.

**13.98 Confidentiality of Items**

Item 11 – Budget Update (commercially sensitive information)

Item 14 – First 4 Skills Key Reporting Matrices (some commercially sensitive information)

**13.99 Date of Next Meeting**

The next meeting would be held on 2<sup>nd</sup> July 2013 at 4.30pm at the Bankfield Road site.

The draft calendar of meetings for 2013/14 would be circulated to governors. **Act: CL**

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

**13.100-13.103 Confidential Minutes held by Clerk.**

**Meeting Closed at 7.30pm**