

## SWINDON COLLEGE CORPORATION

### MINUTES OF THE MEETING OF THE GOVERNING BODY HELD ON TUESDAY 24 MAY 2011

#### Members Present

Rob Beale (Chair), Adrian Moore (Vice Chair), Faith Butt, James Cheriton, Anthony Cohen, Anne Crosby, Louise Hill, Nick King, Andrew Miller (College Principal), Philip Richmond, Carol Stone, Peter Wells, Nigel Wichall.

#### Also Present

Nick Letchet, Deputy Principal  
John Evans, Vice Principal, Curriculum and Quality  
Alasdair MacDonald, Clerk to the Governing Body

#### **The meeting commenced at 1600hrs.**

#### 120/11 APOLOGIES

Apologies for absence were received from Ram Thiagarajah.

#### 121/11 DECLARATION OF MEMBERS' INTERESTS

Faith Butt declared an interest prior to the meeting in agenda item 122/11 and, therefore, she did not attend the meeting for this item.

#### 122/11 McKIE VS SWINDON COLLEGE

*Members agreed that this was a confidential item.*

*Upon the conclusion of this item, the chair welcomed Faith Butt, James Cheriton and Mike Wadley to the meeting, and also Nick Letchet and John Evans.*

#### 123/11 GOVERNOR TRAINING

The chair welcomed Amanda Burnside and David Corcoran to the meeting. Amanda had previously issued an Ofsted-authored document entitled 'Best practice in safeguarding in colleges' to all governors.

Amanda and David gave a short presentation to the Board on Safeguarding, the notes of which are *attached to the minutes*. David also tabled notes on two recent examples of safeguarding issues and practices within the College which he spoke about briefly.

Members thanked Amanda and David for an informative presentation.

#### 124/11 APPOINTMENT OF CHAIR AND VICE CHAIR OF THE GOVERNING BODY

Rob Beale and Adrian Moore left the meeting for this item. Nick King assumed the chair. The clerk informed the meeting that the present chair and vice chair were prepared to stand for a further term of office of one year.

**It was proposed by Carol Stone, seconded by Anthony Cohen, that Rob Beale be reappointed as chair of governors. All members voted in favour.**

**It was proposed by Nigel Wichall, seconded by Philip Richmond, that Adrian Moore be reappointed as vice chair of governors. All members voted in favour.**

#### 125/11 MINUTES OF THE MEETING HELD ON 8 MARCH 2011

Document No 11/105 refers. The minutes of the meeting were approved as a true record and signed by the chair.

#### 126/11 MATTERS ARISING AND OUTSTANDING ACTIONS REPORT

Document No 11/106 refers. Members were satisfied with the responses to date to the requested actions.

#### 127/11 CONFIDENTIAL MINUTES OF THE MEETING HELD ON 8 MARCH 2011.

Document No 11/107 refers. The confidential minutes of the meeting were approved as a true record and signed by the chair.

#### 128/11 MONITORING COLLEGE PERFORMANCE

- a) Principal's Report – Document No 11/108 refers, introduced by Andrew Miller. He highlighted the following points:
- College Finances 2010/11 – the projected operating surplus for the full year was 44% better than budget
  - 19+ Adult Learner Responsive/TrainToGain/Apprenticeships – the Skills Funding Agency had increased the College's funding allocation in recognition of the College's improved performance in the current year
  - Capital Allocation - the College would receive a one-off capital allocation of £97k from the SFA in 2011/12
  - Removal of Notice to Improve – the SFA confirmed its removal which was directly linked to the College's improving financial position to date and projected performance over the financial plan period
  - Educational Maintenance Allowance – unfortunately, the AoC has confirmed that only £115m. would be available to all colleges rather than the £165m. stated in the Principal's report
  - Health and Safety – a change in practices had already been instituted based upon the immediate findings of the Fire Service although their final report was awaited. The insurance claim is currently progressing as planned. The Beauty salon would be back in service in September.
  - In-year target setting – the gap between the best and lowest performing curriculum areas was projected to fall from 41% to 15-16% at the end of 2010/11
  - New unitised part-time curriculum offer – this would be piloted from May –July in the current academic year aimed mainly at the 19+ and employer market; if successful it would be expanded for 2011/12
  - Visit to a University Technical College – the College was very interested in the potential of a UTC in Swindon and would seek to play a leading role in its development.

*(James Cheriton left the meeting at 1800hrs)*

- b) Operating Statement 2010/11 – Document No 11/109 refers. Andrew Miller reported that the OS was last updated by the Senior Management Team on 15 March 2011.

Whilst there were no 'red status' areas, Andrew did highlight concerns about two actions within Strategic Objective 4 'To provide good resources for learning', namely 4b 'To develop an updated College property strategy' and 4d '...produce an IT Strategy and a revised delivery proposal'. Both were behind schedule.

Members were disappointed about the delay in bringing a property strategy to the Board. Andrew commented that the reputation of King Sturge was good within the FE sector, but he agreed that they had not delivered to schedule and this would be addressed. He intended to bring a report to the Board at its July meeting. He clarified that it was a SFA requirement for colleges to have up-to-date property strategies, despite the very limited likelihood of significant financial support. He agreed that the core strategy was 'make do and mend' and to have incremental plans in place for the next 3-4 years. The underpinning curriculum plans were in place.

- c) Key Performance Indicators 2010/11 – Document No 11/110 refers. Andrew commented specifically on:
- Quality Improvement: FE long courses retention 16-18 L1 – there had been a 4% drop in retention in the last month and the reasons were being assessed. Performance remained in other areas above national average.
  - Quality Improvement: TraintoGain – success rates were shown to be below last year's actual and below target but this was a timing issue and not a concern
  - Teaching and Learning – teacher observation grades showed 77% of observations were good or better compared to a target of 78%. Members questioned the high adverse variance in re-observation grades and were told that only eight teachers were graded at '4' and six moved to grade 3 on re-observation. However, there had been a high turnover in learning coaches at the start of the academic year which had some impact on performance.
  - Learner Numbers – a number of adverse variances remained which were a concern albeit the reasons had been reported previously to the Board. The key variance was with 16-18yr olds.
  - Finance and Resources – the College's cash position was strong.
  - Human Resources – an update on the YTD actual was provided. The Interim PDR actual had moved from 19% to 80%.
- d) Risk Management Plan – Document No 11/111 refers. Andrew confirmed that the McKie vs Swindon College insurance risk had been added. He reported that the College's internal auditors had recommended a further modification to the reporting of risk which would be taken to the Audit Committee on 28 June and then to the Board on 12 July. This should enable the Board to focus more effectively on the management of significant risks. Members queried:
- Risk 6i: Inadequate IV processes – it was explained that this risk had been downgraded following extensive improvement to processes, confirmed by a clean internal audit report
  - Risk 4j: Reputational damage – it was agreed that this risk did not relate only to McKie vs Swindon College
  - Risk 1c: Failure to pay suppliers on time – it was suggested that this was a management decision and the risk was the impact upon the College should payments not be made on time e.g. reputational risk.

## 129/11 COLLEGE FUNDING 2011/12 AND BEYOND

The chair of governors commented that this item, when reported at the 8 March meeting, had been deemed 'confidential' and, whilst it remained sensitive, he believed that staff and student governors should be party now to the Deputy Principal's report.

Nick Letchet gave a short presentation in which he updated the Board on the cost reductions and income increases required to meet the estimated income shortfall over the financial plan period, as previously presented to members on 8 March 2011. The slides are *attached to the minutes*. Nick confirmed that the draft 3yr financial plan 2011-14, including the budget for 2011/12, would go to the Resources Committee on 5 July and to the Board on 12 July 2011 for final approval.

Nick confirmed that a significant element of the pay savings would come from natural wastage with posts being taken out of the staffing establishment rather than via redundancies. A number of staff had also come forward offering to reduce their contracts from full-time to fractional posts.

Members asked if any discrete areas of curriculum provision were being withdrawn. Nick stated that the curriculum plan for 2011/12 was the driving force for determining staffing needs per curriculum area and planned savings were due primarily to a more innovative and efficient way of delivering courses. Due to funding constraints, it was actually more efficient to reduce course hours than to extend the course year, other than within Business First which operated all year round as a matter of course.

The Board sought assurance that pay savings were balanced across teaching and business support service areas and the Deputy Principal assured members that there was a 50:50 ratio of pay savings. 'Back office' areas had been examined rigorously and all proposed reductions in posts were assessed for their impact upon the learner. The chair of the Quality and Standards Committee assured members that his committee was keeping a watching brief on this critical aspect of cost savings. It was noted that the College should not ignore compliance issues in any staffing reductions to service areas. Nick agreed that it would be ideal if reductions in posts could be completed before the new academic year commenced rather than in-year but, in practice, this was difficult to achieve.

The Principal informed members that staff would be told about cuts after half-term and full consultation would be undertaken. He would also announce a restructuring of College management with some impact upon posts.

#### 130/11 COLLEGE 3YR STRATEGIC PLAN 2011-14

- a) Notes of the Strategy Event 28 April 2011 – Document No 11/113 refers. Andrew Miller referred briefly to the outcomes of the strategy day, the feedback from which indicated that it been a successful event. Governors had undertaken two main tasks:
- A review of the College's performance in the previous 12 months and, in particular, in meeting its 6 strategic objectives; and
  - An assessment of the strategic alliances, federations and collaboration that might benefit the College in the future.

Numerous suggestions were taken forward to the meeting of the Strategy Working Group – see the minute below.

- b) Meeting of the Strategy Working Group, 19 May 2011 – a verbal report was given by the Principal. Five governors had attended this 2hr meeting in addition to the senior managers on the group. The Principal highlighted the following matters from the meeting:
- Reports were received from John Evans and Evelyn Little on areas of potential growth such as Apprenticeships, Higher Education, Adults 19+, the 14-19 curriculum, and Business First opportunities (commercial/full-cost/bids).
  - Building on the suggestions made by governors at the Strategy Event, the need for the College to be more entrepreneurial and the possible creation of a 'think

tank', whilst recognising the need to maintain a balance between commercial activities and the College's core mission

- A visit made to a University Technical College (UTC) in Walsall, which seemed to suggest that this was an exciting concept with development potential for Swindon with a possible lead role for the College. Oxford Brookes University had expressed an interest in the UTC idea.
- c) Next Steps – Andrew told the Board that he would progress the ideas emerging from the Strategy Event and from the work of the Strategy Group. Some ideas would find formal expression within the updated 3yr strategic plan to be brought to the Board on 12 July. The proposed meeting with the New College Chair of Governors and Principal would be arranged. Further discussions would be held about a UTC with potential local partners. The idea of a 'think tank' would be pursued. A continuing role for the Strategy Group in 2011-12 would also be considered.

Action: AM

#### 131/11 COMMITTEE CHAIRS' REPORTS

- a) The Audit Committee, 29 March 2011 – Document No. 11/114 refers. The committee chair informed the meeting that very positive reports had been received from the internal auditors in their recent audits of Corporate Governance and Quality Systems. Members received the minutes of the meeting held on 29 March 2011.

*(Faith Butt left the meeting at 1855hrs.)*

- b) The Search Committee, 31 March 2011 – Document No.s 11/115 and 11/116 refer. The committee chair reported on the assessment undertaken by the committee of Philip Richmond's application for another term of office and that the committee was pleased to support his application.

**It was recommended by Carol Stone, seconded by Adrian Moore, that Philip Richmond be re-appointed for a further 2yr term of office as a College governor. All members were in favour.**

The committee chair then asked the Board to approve the role description for the chair of governors as set out in Document No 11/116. She also advised members of further discussions held at the committee's most recent meeting of 19 May 2011 at which succession planning for this role was discussed again.

The committee chair reminded the Board that the Search Committee found new Board members but the normal practice was for the Board to elect a new chair from amongst its existing membership. The present chair of governors had made clear his intention to conclude his period in office soon after the next Ofsted inspection, or by the end of the 2011 calendar year should an inspection not have been held by then. It would be advantageous for the Board to appoint a replacement as soon as possible so that this person might 'shadow' the chair until he stood down. She urged all members to examine the role description and step forward if they felt able to undertake this role.

The Board agreed that the chair of the Search Committee should take the lead in seeking an internal replacement for the chair of governors.

Action: CS

Members also agreed that it made sense for the Search Committee to maintain an oversight of governors' induction and training needs.

- c) The Quality and Standards Committee, 5 April 2011 – Document No 11/117 refers. The committee chair reported that a highlight of the recent meeting had been the attendance of a number of curriculum managers and team leaders who answered questions put by the committee on their experiences of the significant improvements in success rates and in teaching and learning performance.

Members received the minutes of the meeting.

- d) Remuneration Committee, 8 April 2011 – Document No 11/118 refers. The committee chair advised members that the primary purpose of the meeting had been to review the award of an annual cost of living pay rise to senior post holders.

**It was proposed by Adrian Moore, seconded by Carol Stone, that the 1% annual cost of living award, already agreed for College staff, should be paid to senior post holders, backdated to 1 August 2010. All members were in favour.**

The committee chair also reminded the Principal and Clerk of the importance of bringing a proposal to the next meeting of the committee on the function of the committee in the appraisal of senior post holders.

Action: AM/JAM

- e) Resources Committee, 22 March and 10 May 2011 – Document No.s 11/119, 11/120 and 11/121 refer. The committee chair advised members that a thorough review of the proposed College tuition fees for 2011/12 had been carried out at the meeting held on 10 May 2011. The Deputy Principal briefly summarised the key changes:
- Adult full-time fees to increase from £1025 to £1200
  - The Access to HE full-time fee to increase from zero to £450
  - Overall adult tuition fees to increase in line with the increase in fee remission from 45% to 50% of the Skills Funding Agency's base rates in line with its fee policy.

**It was proposed by Nick King, seconded by Nigel Wichall, that the College Fees Policy for 2011/12 as set out in Document No 11/121 be approved. All members were in favour.**

Document No 11/121a was tabled by the Deputy Principal. He explained that approval was sought, in advance of the capital budget for 2011/12 being presented to the Board, for the appointment of a contractor to replace the Pegasus lifts. The need for early approval arose from the long lead time involved with this project and the importance of installation during the summer vacation. The total cost was £170k. plus VAT.

In response to members' concerns that this request had not been presented first to the Resources Committee at its recent meeting, the committee chair apologised but assured members that he had reviewed the case in detail with the Deputy Principal. It was a timing issue and it had not been possible for the committee to discuss the matter on 10 May 2011. He answered a number of questions from members.

**It was proposed by Nick King, seconded by Nigel Wichall, that approval for the appointment of a contractor for a capital project to replace the lifts in the Pegasus Building be given. Members voted in favour, with one abstention.**

#### 132/11 GOVERNING BODY ANNUAL SELF-ASSESSMENT PROCESS

Document No 11/122 refers, introduced by the clerk. He commented briefly on the contents of the document reminding members of the importance of the annual self-assessment process.

It was agreed that the members would complete the self-assessment questionnaire contained within Document No 11/122 and also the questionnaire on the chair of governors' performance. The clerk would issue electronic copies of both to all members.

Action: JAM

#### 133/11 AGENDA SETTING AND MEETING ASSESSMENT

Document No 11/123 refers. Members completed their meeting assessments and returned them to the clerk. The effectiveness score for the meeting was 1.9. Senior managers present scored the meeting at 2.0. The following comments were made by governors on their assessment forms:

- Too much time spent on the lifts and boilers debate
- Positive outcome: a way forward on McKie
- Room too large; poor acoustics
- Inevitable overrun on planned meeting time
- Very good Principal's report
- Good participation by all members
- Acoustics very poor in main hall
- If this venue is to be used again, governors will need to speak up, or utilise a sound system but preferably move to another room with natural light
- Unhappy about the tabling of Document No 11/121a without consideration by the Resources Committee
- Positive outcome: formal review of McKie vs. Swindon College
- Procedure for succession to chair's role agreed
- Poor room choice
- A special meeting should have been called for McKie vs SC
- Some items should have been taken off the agenda following the addition of McKie vs SC
- Positive outcome: agreement on action re. the budget

#### 134/11 DATE AND TIME OF NEXT MEETING

The next meeting of the Governing Body will be held on 12 July 2011 at 1600hrs in the Main Hall, Phoenix Building.

#### 135/11 ITEMS NOT FOR PUBLICATION

Minute 122/11 will be withheld from publication.

**The meeting closed at 1930hrs.**