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12.39 MINUTES OF THE MEETING HELD ON 8 MARCH 2012

The minutes were agreed as a true and correct record and were signed by the Acting Chair.

AGREED: to approve the minutes of the meeting held on 8 March 2012.

12.40 MATTERS ARISING AND ACTION PROGRESS REPORT

There were no matters arising and the action progress report was noted.

12.41 SKILLDRIVE PRESENTATION

The Governors received a presentation from a bksb representative. The following was brought to members` attention:

- BKSb provides the number one online solution for the assessment in development of English, Maths and ICT skills.
- Used by over 2000 UK organisations, the bksb process has developed the English, Maths & ICT skills of millions of people. Used by 80% of colleges, universities, schools, training providers, corporate and business sector, Government organisations, community and voluntary sector.
- bksb`s global reach includes UK, United Arab Emirates, India, Nigeria, South Africa and Australia.
- The bksb process is tailored to learning needs with an initial assessment, which identifies the learner`s general working level. This is followed by diagnostic assessment, which identifies specific gaps in the learner`s skills, this process generates an ILP (Individual Learning Plan). Third stage is the provision of learning resources, these are interactive learning resources, which develop skills and provide notifications. The system provides a skills check, this is a series of interactive summative assessments to confirm the learner`s competence.
- The bksb process enables Students to a) quickly identify their individual skill gaps, b) instantly access learning resources, c) take skills checks to confirm competences, d) access the software any time, anywhere, e) develop their skills in private or in a group situation to the highest level.
- bksb live provides each learner with an easy to use interface from where they can access all of their assessments and resources.
- The tutor can also log on to access the results of their learners in groups, within bksb live they can view individual results, group profiles and result summaries. They can also manage their groups and interact with learners.

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Members were then provided with a short video explaining the bksb strategy and opportunities for growth.

All Governors acknowledged that the development of bksb had been a real success story for the College and that, as an individual company, it was going from strength to strength. Members asked that their acknowledgement and appreciation be communicated to staff involved in the subsidiary company.

12.42 ENTREPRENEURIAL EXCHANGE PROGRESS

The Board received a presentation from the Deputy Principal and the Director of Communications, Marketing and Learner Engagement. They explained that the purpose of the presentation today was to update the Board on the work that the College is doing to develop an Entrepreneurial Exchange Programme. The following was brought to members' attention:

- Exchange programme aims – a) raise aspirations, b) develop the entrepreneurial skills of all students, c) develop creativity, innovation and critical thinking, d) support business start up or self employment.
- What will the programme do? – a) connect students with a business idea together, b) expose students to existing entrepreneurs, c) gain expert and technical advise, d) provide mentors, e) provide practical support.
- Progress to date – a) working group and sub-groups have been established, b) draft activity, c) visit to the London Exchange, d) attendance at global entrepreneurial congress, e) NACU bid successful, f) ERDF bid submitted, g) partnerships made with Mansfield 2020, NLP, Chamber, CBI, University of Nottingham.
- Draft programme includes a) pre-launch May/June, b) launch September 2012, c) inaugural meeting October 2012, d) public launch 2 November 2012, e) monthly meetings thereafter, f) gala dinner in July.
- What will the College have achieved in year one? – a) a forum for budding business people to share ideas and form networks, b) external links with the community and business groups, c) support for two or three business start ups, d) a sustainable model for the future.

In general discussion, it was agreed that the primary focus of the Entrepreneurial Exchange Programme was to develop employability skills for all students and support them to acquire skills to set up businesses, should this be an avenue that they choose for the future. It was noted that nine students attended the London Entrepreneurial Exchange.

Members all agreed that the programme established was an exceptional initiative and requested regular updates throughout the next academic year.

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(Kate Allsop joined the meeting at 5.30 pm).

12.43 PRINCIPAL'S REPORT

In the Principal's absence, the Deputy Principal introduced this report and drew the following to members' attention:

- 1) Funding Allocations 2012/13 – the College has now received its final funding allocations for 2012/13 financial year, and whilst challenging, are much better than had originally been anticipated. Work is now underway on the process of budgeting for the new year and the challenge remains to set a budget in line with the longer term financial plans which underpin the accommodation programme. For 16-18 on-site provision, the College settlement of £16.13million is around £71k (0.4%) lower than the current year with funding increasing for learner support. The Adult Skills allocation of £14million is £100k, (0.7%) less than this year. For 16-18 Apprentices the College has been provided a contract of £7.47million, which is around £430k more than the 2011/12 contract. In general terms, members were advised that the allocations represent a very small reduction and are very close to what the College currently has in place and that, as a consequence, from a financial perspective, the College is reasonably comfortable with the allocations. In relation to 16-18 apprentices, it was acknowledged that there is significant contract capacity within the sector, but that the difficulty is actually securing placements.
- 2) Monday 2 April saw the launch of the Education Funding Agency (EFA), this will replace the YPLA.
- 3) A new interim Chief Executive has been appointed to the National Apprenticeship Service, and this may mean a number of changes introduced in the short and medium term.
- 4) Key Performance Indicators 2011/12 – members' attention was drawn to the data table provided on pages 14 and 15, which shows statistics as at 31 March 2012.
- 5) Job Evaluation Update – proposals have been made to the JCNP, as approved by the Board. Unison observe a strict protocol that they have to follow before they can accept any proposal, which is proving to be a slow process. A further update will be given to Governors at the next meeting.
- 6) A celebration of Apprentices – an exceptional event held at the House of Lords, which some Governors were able to attend.
- 7) The College has finally, following numerous invitations, been able to secure a visit to College by John Hayes, MP, Minister of State for

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Further Education Skills & Lifelong Learning. This will be an opportunity to showcase the College. During general discussion it was accepted that, if at all possible, this visit should be used to highlight the NEET challenges in the area and the difficulties of engaging with these young people.

AGREED: to note the update provided.

12.44 PROPERTY STRATEGY UPDATE

The Executive Director: Capital Projects & Estates introduced this item and drew the following to members' attention:

- To date, the College has received £1.69million of the £1.9million SFA grant.
- As discussed at the March meeting, work to complete the Sports Hall is running behind schedule. The matter is further complicated by the ruby red ribbed cladding specification not being acceptable to the College.
- Sourcing an alternative form of cladding has proved more problematic than originally thought. By process of elimination the cladding selected for CREATE, will be used to ensure a matching appearance. It has also taken time to negotiate acceptable terms. The cladding is scheduled to arrive on 25 May 2012 and take around 4-5 weeks to install. This will further delay completion of the project, but as the cladding and any other effected works, such as paving are external to the building, this should not add further delay to internal completion.

Members discussed this issue in more detail and were advised that, technically, the Sports Hall should have been completed by the 7 May, but that because of contract delays, completion was not going to be anywhere near this date. At the current point in time, it is estimated that the delay may be up to 15 weeks. The Executive Director: Capital Projects & Estates indicated that at this point in time, it is unclear what has exactly caused the significant contract delay and that further meetings with Baggaleys are required to seek specific clarity on this point.

In relation to the error made regarding ordering the Sports Hall cladding, the Executive Director: Capital Projects & Estates confirmed that the College has sought to seek an admission of liability from the architects regarding the incorrect ordering of the panelling. It was explained that at this time they have sent a holding letter, although from contract documentation it is clear that the error rests with the architects. It was explained that until the College has a better understanding of the known 'outcomes' of the delay, then they are not able to pursue architects vigorously regarding any compensation. Members were advised that the new/correct panelling ordered, is at an additional cost of the £105k to the original anticipated budget.

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Members shared the concern of the Executive Director: Capital Projects & Estates regarding the unknowns in relation to additional costs, and all agreed that there was a need to get to the bottom of the likely financial implications, as there would be a knock on effect to future decisions later in the project. It was agreed that the Executive Director: Capital Projects & Estates would provide a more detailed report regarding the financial implications of the Sports Hall delay and cladding error as soon as clarity was known.

The Executive Director: Capital Projects & Estates confirmed that the additional costs would be subsumed within the original project budget, but that this would eliminate the contingency element of forecast costs.

Work on the new build and covered courtyard is progressing on schedule. Over the Easter vacation period the rooms in Foundation Studies and the Learning Resource Centre have been undergoing preparatory work to accommodate ducting to provide improved ventilation once the courtyard roof is in place.

The Executive Director: Capital Projects & Estates then went on to discuss the cladding of the six-storey tower and the aspiration to best use the summer period when students are not on site. He confirmed that the preferred way forward for the cladding of the six storey tower is to appoint a specialist building contractor via Mansells Construction, who will act as managing agent on behalf of the College. He advised that work is progressing at speed on the design with the objective of providing a report and cost analysis to the Finance & Estates Committee for consideration on 3 May 2012. He explained that to enable work to proceed during the summer vacation, the Corporation Board is invited to consider giving delegated authority to the Finance & Estates Committee to consider the programme and make recommendations for the appointment of a cladding contractor for the six-storey tower. Members were advised that the College is still awaiting details of formal costs regarding the six storey tower work and that it is as a result of this that the proposal to delegate to the Finance & Estates Committee is suggested.

Members discussed this proposal in detail and questioned whether the delegated authority to the Committee would be in line with the Financial Regulations, assurance that it would, was given by the Director of Finance. Members debated the potential difficulty of approving what may be an increased budget for this element of the overall accommodation strategy, when there was also unknown additional costs relating to the Sports Hall portion of the project. The Executive Director: Capital Projects & Estates confirmed that the Board has approved an overall £24million budget, and that the six-storey tower is only one part of the project components. It was acknowledged that the issue for the Finance & Estates Committee and the Board would be what to do if the

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six-storey tower works are costed at a higher level than budget. Members acknowledged that there would be a need to make a decision within the context of the overall budget/programme. The Executive Director: Capital Projects & Estates provided assurance that it would not be his recommendation to proceed with this element of the project unless it was felt that the costs were reasonable and manageable. It was explained that the tender process could be repeated and/or specification/design reviewed, if the results of the current tender process were unacceptable within the overall budget.

Following detailed debate, it was agreed the delegated authority to consider the six-storey tower programme and approve recommendations regarding the cladding contractor, would be delegated to the Finance & Estates Committee. It was, however, suggested that all Governors be invited to attend the meeting on the 3 May 2012. It was agreed that the Executive Director: Capital Projects & Estates would update Governors by email next week on the project cost variances and his intended recommendation to the Committee, so that Governors could decide whether or not they wished to attend the meeting.

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AGREED to:

- a) note the update provided, and
- b) delegate authority to the Finance & Estates Committee for decisions required for the progression of works on the six storey tower and appointment of a cladding contractor.

12.45 HR SIX MONTH UPDATE

The Director of HR introduced this item and drew members` attention to the report providing information from August 2011 to March 2012, the following was specifically brought to members` attention:

- Staff turnover from the period 1 August 2011 to 31 March 2012 - the College has recruited 123 new starters and had 72 leavers. Turnover of staff resigning from College is 4.9% compared to 4% in March 2011. It was acknowledged that whilst this is slightly higher, it did not cause any concerns.
- Absence levels continue to be low at 3.4%, this is 0.6% below the sector average of 4%, as reported by the AoC in September 2011.
- 75% of permanent staff received an appraisal in 2010/11. Employees within their probationary period are excluded from this calculation. This figure has increased by 3% since last month. Members were advised that completion of appraisals has now been introduced as part of the performance management systems, and if not completed will now be a discipline issue.
- The target percentage set for of all staff to be appraised within 12 months is 100%. To date, 70% of all staff (including sessionals) have

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been appraised. The HR Director explained that the College was confident that it will hit the 100% target.

- Percentage of Staff not white British – although this remains above the local average, it has been agreed by the College’s Equality & Diversity Team that the target would be increased to bring it in line with that of the full time learner profile which is 7.6% in 2010/11. It was noted that the year to date figure, as at March 2012, is 5.3%. The HR Director expressed the belief that the College is actually seeing more diversity in practice.
- Continual Professional Development – all delivery staff are required by the Governing Body (IFL) to complete a minimum of 30 hours CPD per annum to maintain their professional status. The figure is pro-rata for part time and hourly/sessional staff to a minimum of six hours per annum. The College has set the same CPD requirement for all support staff. When calculating achievement of this target, individual start dates are taken into consideration and the target reduced accordingly for individuals whose employment commenced after the start of this academic year. 97% of all employees have participated in some CPD so far this academic year. The HR Director explained that whilst six hours is the legal minimum, the College offers much more than this and has worked hard with sessionals to engage them more effectively.

Members were assured that the HR Team are also working hard with College partners to ensure consistency of approach.

AGREED: to note the report provided.

12.46 POLICIES & PROCEDURE REVIEW

The HR Director introduced this item and confirmed that the purpose of the report at this time was to provide Governors with an overview of Human Resources Policies & Procedures. She confirmed that the changes have been agreed with the College’s recognised Trade Unions. It was acknowledged that full copies of the policies and procedures had been made available to Governors electronically on the Governors` portal. Members’ attention was drawn to the summary of key changes. Members were entirely happy to support the amended policies and procedures presented.

AGREED: to approve amended policies and procedures.

12.47 MANAGEMENT ACCOUNTS TO 29 FEBRUARY 2012

The Director of Finance introduced this item and drew the following to members` attention:

- The financial performance of the College and the College Group up to the end of February 2012 includes a forecast improvement in the

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result, following a release of the provisions at the end of the previous financial year, which will no longer be recovered. This continues to support the positive underlying performance reported for the year to date.

- Total turnover for the Group has now reached £27.81million for the seven months to the end of February 2012, which is some £358k better than forecast levels. Whilst there are a number of variances across income lines, the key favourable variance is within the adult skills budget, which is due more to timing of activity rather than sustainable variance for the remainder of the year. This favourable variance is offset by an adverse performance compared to forecast for 16-18 apprenticeship programmes, which is unlikely to recover up to forecast levels by the end of the financial year.
- Operating profits for the Group up to the end of February 2012, stand at £1.629million, some £353k better than anticipated, due primarily to specific funding received in College for prior year delivery and the continued strong results of Skilldrive.
- At College level, an operating profit of £1.343million is £352k ahead of forecast, caused by the previously mentioned income from the funding body for prior year ALS activity and continued under spending in pay budgets.
- College income for 16-18 apprenticeships at £3.323million for the year to date is unlikely to reach the full year forecast of £7.5million, which has been reduced from an original budget of £8.5million and underlines what has been a very challenging year to maintain volumes from the substantial programmed growth achieved in 2010/11. Based on current performance, the out turn is likely to be well under £7million, which will have some adverse impact on the College's operating profit result, however, this adverse impact is likely to be offset by the continued under spending against forecast pay costs. Members were advised that the College Team are looking at the delivery strategy for this area in the next academic year and a presentation will be provided at the June strategy day.
- College pay costs of £13.751million represent an under spend against forecast of £157k, following just two months of reporting since the mid year financial review. The under spending is across a number of areas including Teaching (permanent and sessional), Teaching Support & Administration and is as a result of vacancies being held open for longer than had been assumed in the forecast.
- College non-pay costs of £11.884million are slightly higher than the forecast position by £128k and are almost entirely due to increased partner franchise costs due to the acceleration reported across the adult skills budget. As noted on the income side of this position, this is a timing variance as the College overall budget for adult skills is fixed. By the end of the year, it is anticipated that franchise partner costs will be under spent against forecast due to the performance within the 16-18 apprenticeship programme.

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- Subsidiary company trading performance for the year to date continues to be strong with Skilldrive performing above forecasting levels with a year to date operating profit of £519k. Safety Plus, whilst reducing the accumulated losses for the year to date is not currently improving at a fast enough rate to meet forecast out turn and will need to show significant improvement before the end of July 2012. It was noted that the Skilldrive Company is changing its name to bksb to avoid any confusion.
- The College balance sheet and solvency continue to weaken, although net current assets remain positive at £11k at the end of the period. Total cash of £4.579million remains sufficient to support working capital, and accommodation programme requirements until the end of July 2012. Capital expenditure on the programme to date has now increased to £5.99million as at the end of February 2012.

AGREED: to note the content of the Management Accounts to 29 February 2012.

12.48 STAFF GOVERNOR UPDATE

In the absence of the Staff Governor, the Clerk to the Corporation introduced this item and made the suggestion that the comments be noted. It was agreed, given the content of the report, that the Director: Communications, Marketing and Learner Engagement would meet with Philip Lancashire outside the meeting to discuss issues raised. Members were advised that display boards had been ordered and were due shortly, and once in situ would be used to display developments in West One and reception.

AGREED: to note the Staff Governor update.

12.49 SUBSIDIARY COMPANIES

- 1) Safety Plus Construction Ltd,
 - a) Terms of Reference, and
 - b) Memorandum of Understanding

The Clerk to the Corporation introduced this item and confirmed that the Board of Directors for Safety Plus Construction Ltd, at a meeting on 26 January 2012, had reviewed and agreed for recommendation to the College Board the proposed framework documents. She confirmed that these documents provide clarity regarding the nature of the relationship between the College and the subsidiary company and that the format of each was in line with that used for other College subsidiary companies.

AGREED to approve:

- a) Safety Plus Construction Ltd Terms of Reference, and
- b) Safety Plus Construction Ltd Memorandum of Understanding.

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2) Safety Plus Training & Consultancy Ltd – Inter-Company Loan

The Director of Finance explained that Safety Plus Training & Consultancy Ltd has an obligation to make the 2010/11 gift aid payment to the College before the end of April 2012. He explained that given the Company’s current trading position, an inter-company loan was required to enable this to take place. Members were advised that the loan requirement is £230k. The Director of Finance confirmed that this is a usual transaction between the College and its subsidiary companies, if required, and that the subsidiary Company will then make payment to the College as funds become available.

AGREED: to approve an inter- company loan between the College and Safety Plus Training & Consultancy Ltd for the sum of £230k.

12.50 EMPLOYER RESPONSIVE PROVISION UPDATE

In the absence of the Vice Principal, the Director of Finance introduced the report. Members` attention was drawn to the following:

- Progress towards targets agreed at the mid year forecast is good. Members` attention was drawn to the data table at page 52.
- Localism – further to the report to the Board in January 2012, the National Apprenticeship Service has finally listed performance for apprenticeships within Nottinghamshire. The results were reviewed on page 53. The data shows that for both 16-18 and 19-24 apprenticeship starts West Nottinghamshire College was the largest provider in Nottinghamshire last year, and remains so part way through this year. The College was fourth last year and currently third this year on 25 plus starts within the county, which is the lower priority. It was noted that Elmfield is the largest provider through their work with Morisons supermarket. Members were assured that the College is still serving local needs as well as having a strong, national profile. All agreed that what had been achieved was excellent.

Members` attention was drawn to the sub-contract variations proposed at page 55, members were entirely happy to support the recommended variations sought.

AGREED to:

- a) note the content of the report, and
- b) approve sub-contract variations as recommended.

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12.51 EXCEPTION REPORT - SAFEGUARDING, EQUALITY & DIVERSITY

The Deputy Principal introduced this item and drew members` attention to the detailed report. All agreed that the data provided was self-explanatory.

AGREED: to note the content of the report.

12.52 GOVERNANCE

1) Calendar of Meetings 2012/13

The Clerk to the Corporation introduced this item and presented a draft plan of meetings for the 2012/13 academic year, she confirmed that it was based upon the pattern of meetings seen in this academic year.

AGREED: to approve the calendar of meetings 2012/13.

2) Work Plan 2012/13

The Clerk to the Corporation introduced this item and confirmed that, following an internal audit recommendation to formally record a scheduling framework, this work plan was presented for review. She indicated that it represented a starting point to agenda planning and that items would always be added throughout the year as and when required.

AGREED: to approve the work plan 2012/13.

3) Education Act – Instrument & Articles Modification Order 1 April 2012

The Clerk to the Corporation introduced this item and reminded Governors that, at their last meeting, they had received a presentation from the Principal regarding the legislative changes to be introduced into the sector. She confirmed that the Modification Order presented was a formal notification of such changes. Governors were reminded that a working group had been established to review potential changes to the Instruments and Articles of Government, and this group would be meeting in May with a view to providing advice to the Board at the June residential.

AGREED: to note and adopt the Instruments and Articles Modification Order 2012.

4) Draft Agenda – Business Strategy Residential

The Clerk to the Corporation introduced this item and confirmed that the draft agenda presented was for review and feedback regarding any additional matters requested or required by Governors. Governors were

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entirely happy that it represented an accurate spread of information to be considered.

AGREED: to note and endorse the draft agenda for the Business Strategy Residential 21 and 22 June 2012.

5) Governor Vacancy

The Clerk to the Corporation provided a verbal update on this agenda item and confirmed that following a meeting with the Principal, a recommendation had been made to the Search Committee that Malcolm Hall, the Managing Director and owner of Hall-Fast Industrial Supplies should be appointed as a Governor. The Search Committee which had met shortly before this meeting was happy to support and endorse the recommendation. She confirmed that it was felt that his appointment to the Board would give an excellent local employer view and strengthen links with the local business community.

Members were entirely happy to support the Principal and Search Committee recommendation.

AGREED: to appoint Malcolm Hall as a Business Governor from 26 April 2012 until 26 April 2016.

12.53 AOB

Members` attention was drawn to the 'Becoming a Governor' booklet, which was circulated for comment. Members all agreed that it would be a useful tool to seek further recruitment to the Board in the future. Two minor changes were requested, 1) on the final page Chris Bodger is named as Chris Badger, 2) Maxine Bagshaw, who is Clerk to the Corporation, falls within the list of Governors and perhaps her name should sit outside this at the bottom of the list.

AGREED: to support the finalisation of the 'Becoming A Governor' booklet.

12.54 DATE OF NEXT MEETING

The Clerk to the Corporation confirmed that the next meeting was scheduled for Thursday 17 May 2012.

Staff and students left the meeting at 6.30 pm.

12.55 CONFIDENTIAL ITEMS

It was agreed that confidential items would be recorded separately.

Signed : _____Chair

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