



**WEST NOTTINGHAMSHIRE COLLEGE
CORPORATION BOARD**

**Minutes of the Corporation Board meeting held in the Boardroom, Derby Road site on Thursday
21 November 2013**

GOVERNORS PRESENT: Kate Allsop
Ian Baggaley
Nevil Croston
Malcolm Hall
Jean Hardy (Chair)
John Holford
Asha Khemka
Mike McNamara
Diana Meale (for confidential items only)
Beverley Nita
Marie Oakton
David Overton
John Robinson
Colin Sawers
Chris Winterton

ALSO IN ATTENDANCE: Maxine Bagshaw, Clerk to the Corporation
Patricia Harman, Deputy Principal
Tom Stevens, Executive Director Capital: Projects & Estates
Louise Knott, Director: Communications, Marketing & Learner Engagement
Grahame Howe, Vice Principal: Business Development

13.79 DECLARATION OF INTEREST

The Chair reminded those present to declare at the start of the meeting any interests in matters to be considered. Standing declarations of interest were noted and it was agreed that none of the declarations prohibited participation in discussion.

13.80 APOLOGIES FOR ABSENCE

Apologies for absence were received from Chris Bodger, Tim Clarke, Amy Kendall-Smith, Hari Punchihewa and Terry Dean.

The new staff Governor, Beverly Nita, was welcomed to her first meeting.

13.81 MINUTES OF THE MEETING HELD ON 10 OCTOBER 2013

AGREED: That the minutes were a true and correct record and were signed by the Chair.

ACTION by whom	DATE by when
Chair	21 Nov 2013

Signed : _____Chair

Date:

13.82 ACTION PROGRESS REPORT

Members reviewed the updated progress table and agreed that matters were being completed as required.

13.83 PRINCIPALS REPORT

The Principal introduced her report and updated members on a number of matters:

- AoC conference – The Principal confirmed that she and the Chair had attended the conference earlier in the week and that the overall position was very positive and upbeat. She found the presenters engaging and a number of good presentations were made. The view from the floor was patchy, with a specific comment being made about the limited diversity on the platform, particularly in relation to the speakers this year. Key messages:
 - a) The sector simply has to continue operating in a tough world.
 - b) The onus is on the sector to deliver.
 - c) Colleges have to do their own work to raise their individual and collective profiles.
 - d) Vince Cable has announced some extra skills money available through LEPS. This funding will be primarily skills related, but not ring fenced to FE.
 - e) £232 million additional capital to revamp approximately 50 colleges which are in dire straits.
 - f) Routing of apprenticeship funding through employers – unsure how this will operate yet.
 - g) Tristram Hunt provided a presentation which was very academic and a political speech. There were a lot of hidden messages, one of which was that if labour comes to power then professional qualifications will become mandatory again. Also it is envisaged that there will be a new mission vision, etc regarding technical expertise in colleges, with some colleges being badged as ‘elite’.
 - h) Sense on a whole that the FE sector is quite buoyant.
 - i) Some colleges doing some fantastic things and really using their initiative. Some very positive messages which were nice to hear.
 - j) AoC, as an organisation, is doing very well, is well respected by Government and is very professional.
 - k) In terms of Governance, Susan Pember has provided her report. The Chair of Governors questioned the research as it seemed to focus on the negatives only. However, as a consequence, expect to see a formal programme of CPD for Governors which will take place in conjunction with Senior Managers.
- Government funding and update – Government funding for colleges has not yet been published, with firm details unlikely to be known until after the pre budget announcements in December 2013.
- The Education and Training Foundation recently announced the appointment of its new Chief Executive and Chair.

Signed : _____Chair

Date:

- The Future of Apprenticeships in England – Implementation Plan. At the end of October the Government published The Apprenticeships in England Implementation Plan. The report sets out the Government's plans for taking forward a programme of reforms to ensure apprenticeships become more rigorous and responsive to the needs of employers.
- The Skills Show – the college once again sent a team of staff to the Skills Show at Birmingham NEC from the 13 – 15 November. This, as always, is a very high profile event.
- LEP update – on behalf of the 11 college principals, Asha Khemka approached Sir Alan Meale MP, for Mansfield, to ask for the opportunity to organise a lunch or dinner for us to meet with local MPs for the D2N2 area. A similar event took place last year which resulted in a place being made available for a college representative on the D2N2 Board. At a recent meeting, the Principal provided a presentation which was very well received and explained how the FE sector and colleges are a major contributor to the area.
- Pay award 2014 – following consultation with the recognised trade unions, Unison, UCU and AMiE the college will be implementing the Board approved pay award with effect from 1 January 2014.
 - a) A consolidated salary increase of £282 per annum for staff earning at or below £14,052.
 - b) A consolidated increase of 0.7% for staff earning over £14,052.
 - c) A minimum hourly rate of £7.45 for the first point above the trainee scale.
- Events – The Principal reminded Governors of the events planned for 22 and 23 November and 19 December.
- Beacon Award – The Principal indicated that, unfortunately, the college was not successful in obtaining the Beacon Award. The feedback is that the college needs more evidence to show impact. It was confirmed that the college would resubmit for the award next year.

AGREED: To note the content of the update provided.

13.84 PROPERTY STRATEGY UPDATE

The Executive Director: Capital Projects and Estates introduced this item and drew a number of matters to members' attention:

- Cladding 6 story tower – insulation is complete. Brackets for cladding complete on north and west elevations. 50% complete on south and east elevations. Red cladding 75% complete on west elevation, 50% complete on north elevation. Entrance canopy on 1st floor removed. Wiring for tower lighting 25% complete.
- Sample sail – erected near the tennis courts on the western edge of the campus for final design verification. Installation on the tower will commence January/February 2014 subject to weather conditions.
- Cladding 3 story block – start to be confirmed, but it is hoped progress on the tower will enable an early start in February 2014.
- Engineering Innovation Centre – in a position to make a building

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contractor appointment. Authority to make the appointment was delegated to the Finance & Estates Committee. The Board will be provided with a progress update under confidential matters later in the meeting.

- Visual Arts Project – progress deferred until such time that a timetable for the relocation of fabrication and welding into the new Engineering Centre can be confirmed.
- Skills Infrastructure Capital Fund (SICF) – the SFA has created a small pilot fund for 2013/14. The objective of this fund is to target and support improvements in infrastructure. The minimum project value for the acquisition of high cost special equipment is £100k plus VAT. The SFA will expect two thirds matched funding. Application had to be submitted by 7 November 2013 and a bid has been made to create a Centre of Excellence in Fashion and Textile Design. The total equipment cost is £164,480 and, if successful, the college will receive a grant of £54,227. A decision is anticipated by 7 December 2013.
- Studio School – members were advised that this is progressing well. Members` attention was drawn to the updated visuals which show a clear and illuminated frontage. It was explained that the Studio School has put in a planning permission request to remove the trees to give a better impact for the frontage. Internal refurbishment is progressing well.

Governors were provided with a supplemental report, where it was explained that a particular matter that requires resolution within the heads of terms is a clause relating to what will happen should the lease be terminated if the Studio School is not successful and the Secretary of State is unable to find alternative use for the site as an academy.

It was explained that the EFA have indicated that they are not prepared to change the lease terms to incorporate an additional statement. However, advice from Eversheds is that the college would not be disadvantaged if it were to accept the current terms as the lease allows for early termination in the event of the termination of the funding agreement. It provides that “the lease comes to an end 30 days after the expiry of the funding agreement unless the Secretary of State wishes to reassign the lease. If the assignment of the lease does not take place within 90 days after the expiry of the funding agreement then the lease will terminate”. The tenant is under an obligation to notify WNC of any termination likely in relation to the funding agreement so WNC will be well aware of this.

In was acknowledged that the lease does, in effect, give the college a return option and therefore all Governors felt comfortable that no additional specific clause is required. It was confirmed that the college has paid approximately £600 to Eversheds for their advice on this specific element of the lease. In addition, terms of the lease would be reviewed at a cost of approximately £3k. It was acknowledged that whilst this is only a modest sum, the college has to bear in mind, at all stages, that it has given the Studio School the property at a peppercorn rent and

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therefore there must be careful monitoring of any costs to the college both in terms of financials and time. Members` attention was also drawn to the content of the clauses relating to alterations and forfeiture.

AGREED:

- a) To note the content of the update provided.
- b) To approve the drafts heads of terms for the Studio School.

13.85 SUCCESS RATE DATA 2012/13

The Deputy Principal introduced her report and drew the following data to members` attention for the 2012/13 year:

- Under 16 year olds 95% an increase by 10%
- 16-18 overall success 85% an increase of 4%
- 16-18 – increases in success rates for entry level, level 1, 2 and 3
- 16-18 decrease in very short (less than 5 week) qualifications
- Adults overall success 83% an increase of 2%
- Adults – increases in success for long level 1,2 and 3 qualifications
- Decrease in long level 4 qualifications with entry level 1 remaining the same
- Adults increase of short qualifications
- Adults decrease of very short qualifications
- HEFCE funded success rates improved by 9% to 80%
- Apprenticeships – overall success rates increased by 5% to 81%, timely success rate has increased by 2% to 60% (both timely and overall success rates may improve)
- Advanced apprenticeships – overall success rate has decreased by 3% to 75%, timely success rate has decreased by 9% to 46% (both timely and overall success rates may improve)
- Workplace learning – overall success rates increase by 5% - 95%. Timely success rate has decreased by 7% to 77%

In general discussion it was acknowledged that, whilst the college is moving in the right direction, there is still more to be done and the college needs to move quicker. Success rates seem to be heading in the right direction, but much more work needs to be done regarding timely success. The Deputy Principal assured Governors that the college teams can improve upon the current position.

A supplementary report was circulated, which summarises the success rate targets for 2013/14. It was explained that the targets are based on the previous year`s performance and the 11/12 percentile national success rates. It was explained that the rates for 2012/13 will not be published until later in this academic year. It was acknowledged that the targets for some categories are very stretching when compared to the performance for 12/13. However, this is necessary if the college success rates for all categories are to move towards the 75th percentile for classroom based provision and be well above the national averages for work placed learning. All Governors agreed that challenging targets needed to be set if the college wants to get to outstanding. It was

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disappointing to note that on some current statistics the college is only at the 50th percentile. It was explained that the college success rates targets have been used by heads of school to create individual targets at course level.

AGREED: To note the content of the report provided.

13.86 AUDIT COMMITTEE ANNUAL REPORT 2012/13

The Audit Committee Chair introduced this item and confirmed that what was enclosed was the Committee's annual report to the Board. He explained that the internal audit service had merged in year, but that for the vast majority of the 12/13 year, the college was served by RSM Tenon as internal auditors. Members' attention was specifically drawn to paragraph 4.2 on page 47 which gives the annual opinion from internal auditors. Members' attention was also drawn to paragraph 5.3 on the same page which provides the external view from KPMG who are the college's external auditors. All Governors acknowledged that it was a positive position from both an internal and external view.

Members raised a question in relation to paragraph 8.1 and the 'other' services carried out by KPMG. It was confirmed that this was the due diligence exercise undertaken when considering the Pearson in Practice acquisition.

AGREED: To note the content of the Audit Committee Annual Report for 2012/13.

13.87 PARTNER AND ERU REPORT

The Vice Principal introduced this item and drew members' attention to a number of matters:

- The college delivered 90% of ER funding available in 2012/13.
- Overall success rates improved by 5% in each funding stream.
- Timely success dropped in each funding stream and will be a key focus for 13/14.
- Analysis of 12/13 shows that the programme predominantly supports the SME market.

Members' attention was drawn to the table at paragraph 1.1 which illustrates the funding performance for 12/13. All acknowledged that, given the challenges in 12/13 to deliver the revised allocations as a result of the acquisition of PiP, an overall income base of 90% funding available was a good result. Governors were reminded that within 12/13 the college saw a large shift from NVQs delivered to learners in the workplace to supporting the unemployed through adult learner responsive funding. This flexibility is allowable under the single adult skills budget and, provided it is not at the expense of adult apprenticeships, it is encouraged. Though still the largest college for 16-18 apprenticeships the funding available was not delivered and continues to prove a challenging area to deliver growth.

Signed : _____ Chair

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Members' attention was drawn to the tables at paragraph 1.4 onwards which show the success rates for work with employers. It was confirmed that this was the first year in delivering employability provision through adult learner responsive funding so there is no comparison. However, 99% overall success will be rated in the upper percentages of national averages. However, in the apprenticeship and NVQ work the college has seen some improvements on overall success of 5% for each funding stream, but a fall in timely success for each funding stream. It was confirmed again that the fall in timely success will be a focus for the 13/14 year.

Members reviewed the table at paragraph 1.6 which analyses the employers that the college has engaged with. The trends provide insight into the type of employer this supports to achieve funding targets. Analysis of the split between large (250 or more employees) and small (249 or less employees) across each income stream highlights that the college's work is predominantly in the SME market. All agreed that whilst this is admirable it had to be borne in mind that this is more expensive. It was confirmed that this split in ratios would be reviewed in this academic year. Of particular note is the fact that 13.8% of learner volumes come from a single learner with an employer (2238 learners).

Members reviewed the performance statistics at paragraph 2.2. It was explained that the total percentage of targets now sits at 20.3%, which is in line with what is required and expected at this particular point in time. Governors were reminded again of the SFA difficulties regarding its funding software.

In relation to the provision, members asked if the college has efficiency data available. The Vince Principal confirmed that, yes, it does have the data but that it has not yet been possible to undertake the analysis. It was agreed that this is a real area for focus and that the college needs to better understand it and address any inefficiencies that are apparent.

Governors were invited to consider the updated partner list appended to the report and approve any variations highlighted in yellow.

AGREED:

- a) To note the content of the report.
- b) To Approve the subcontractor financial contracts set out in appendix a.

13.88 EXCEPTION REPORT – SAFEGUARDING, EQUALITY & DIVERSITY

The Deputy Principal introduced this item and indicated that there were two incidents of safeguarding (college provision) reported in October 2013. It was explained that, in both instances, the individuals were already known to social services. The first included a student who was homeless following a family relationship breakdown. A hostel place was sourced for one night and a social worker supported to secure housing

Signed : _____Chair

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the following day. In the second, a student disclosed difficulties with the foster care arrangements and a social worker has taken the case forward.

AGREED: To note the content of the report provided.

13.89 STUDIO SCHOOL

The Deputy Principal introduced this item and confirmed that the project steering group met on 4 November and was attended by two members of the Studio School division for DFE. They confirmed that they were happy with progress made and were very complimentary. The consultation period has now closed and 112 responses were received, 94% of the responses indicated support for the Studio School. A parents' information evening was held on 2 October with over 100 attendees and very positive feedback. It was explained that as at today's date there are 39 applications, 14 for year ten and 45 for year twelve. The target is 50 for year ten and 75 for year twelve but to be able to progress the Studio School, the college has to achieve 25% of the maximum permitted which would be 32.5 applications.

AGREED: To note the content of the update provided.

13.90 GOVERNANCE

(Nevil Croston stepped out of the meeting).

a) Position of Chair.

The Chair confirmed, as discussed at last meeting, Nevil Croston has indicated that if the Board approve he would be willing to take on the role of Chair following the conclusion of her time as a Governor on 31 December 2013. All Governors were supportive of the appointment proposed.

AGREED: To appoint Nevil Croston as Chair of the corporation for the period 1 January 2014 – 31 July 2015.

The Clerk to the Corporation explained that in anticipation of the Board's decision, the Audit Committee reviewed both membership and the position of Committee Chair (as it is the case that the Instrument and Articles and good practice provide that the Corporation Chair should not sit on nor be the Audit Committee Chair). To ensure best practices it was agreed at the last meeting that from January 2014 David Overton will take over as the Audit Committee Chair. The Clerk also confirmed that at the scheduled December Board meeting an agenda item will look at committee membership for 2014 to reflect changes required given Jean Hardy's departure from the Board.

(Nevil Croston rejoined the meeting and Kate Allsop and John Holford stepped out).

Signed : _____ Chair

Date:

b) Position of Vice Chair

The Clerk to the Corporation introduced this item and confirmed, as set out in her report, that Kate Allsop and John Holford have expressed an interest in the position of Vice Chair. The Chair indicated that rather than hold a vote she would wish to invite a discussion and see if the Board could form a consensus view. A number of particular matters were raised:

- Governors felt that the Board ought to be led by Nevil Croston as his relationship with the Vice Chair would be incredibly important.
- Governors felt that they had experience of working with Kate as a Committee Chair and that she was comfortable in the role.
- Kate is very involved in the local community.
- John Holford is well liked as an individual and has an eye on detail.

On balance it was felt that Kate Allsop would be the slightly stronger candidate at this stage. All acknowledged that she has experience of chairing the Standards Committee and views the college as a business as well as an education provider. One concern/note of caution was raised regarding Kate's political links. Governors, however, felt that this was a risk and a challenge that could be managed. Governors felt that the new Chair may wish to have a conversation with her regarding management of conflicts. All agreed, however, that as Kate is very experienced and very committed to the college, this is not envisaged as a problem that could not be addressed. With regards to John Holford, Governors expressed the view that he had not had enough experience at this point in time, but that it would be really good for him to develop this in the future. All were very grateful that he had taken the time to express an interest in the position.

AGREED: To appoint Kate Allsop as the Vice Chair to the Corporation for the period 1 January 2014 – 31 July 2015

(John Holford and Kate Alsop rejoined the meeting).

13.91 MINUTES OF THE SEARCH COMMITTEE MEETING HELD ON 12 SEPTEMBER 2013

AGREED: To note the content of the minutes

13.92 MINUTES OF THE MEETING OF THE AUDIT COMMITTEE HELD ON 7 NOVEMBER 2013

AGREED: To note the content of the minutes

13.93 MINUTES OF THE MEETING OF THE FINANCE AND ESTATES COMMITTEE HELD ON 26 SEPTEMBER 2013

AGREED: To note the content of the minutes.

Signed : _____Chair

Date:

13.94 **MINUTES OF THE MEETING OF FINANCE AND ESTATES COMMITTEE
HELD ON 14 NOVEMBER 2013**

The Chair of the Board indicated that she had received an email from Hari Punchihewa expressing some concerns regarding the college's current finances. She explained that, although he did wish to raise his concerns, he did feel confident that the issues are known to management and that plans are in place to address.

Governors took the opportunity to discuss staff capacity concerns. It was noted that Tom Stevens has a Facilities Manager in place to help support him in relation to the VWS portfolio. It was explained that the Audit Committee requested that all VWS sites be treated as individual cost centres so that quick decisions can be made, if required, regarding the viability of each.

The Chair of the VWS board of Directors confirmed that the Board were meeting monthly and working as quickly as possible to address concerns and issues.

It was acknowledged that, at the Finance & Estates Committee meeting, there was detailed discussion regarding the college and the group. It was explained that the separation out of work related learning has led to the identification of some really significant issues to address in relation to costs and capacity.

In terms of the college's financial position the two areas of the highest risk are VWS and work related learning. These are known problem areas and plans are being put in place and developed to stem the losses.

AGREED: To note the content of the minutes.

13.95 **MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE MEETING
HELD ON 14 NOVEMBER 2013**

AGREED: To note the content of the minutes.

13.96 **AOB**

The Clerk took the opportunity to request a change of date to the January Board meeting. It was agreed that the January Board meeting be changed from 16 January to 30 January 2014 at 5.00 pm. It was agreed that the January Board meeting would be separated into two parts the first hour being usual Board business and the second hour to be focussed solely on VWS.

13.97 **DATE OF THE NEXT MEETING**

The Clerk to the Corporation confirmed that the next meeting was 5 December 2013 at 5.00 pm.

Signed : _____Chair

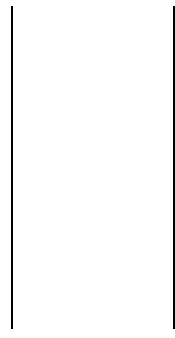
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13.97 **CONFIDENTIAL ITEMS**

It was agreed that confidential items would be recorded separately.

Staff and students left the meeting at 6.55 pm.

Meeting closed at 7.50 pm.



Signed : _____Chair

Date: