



**Minutes of a meeting of the Governing Body held on Thursday 16 July 2009
at 5.00pm in Rooms 1F024 and 1F025, York College**

Present: Hilary Bainbridge
Alison Birkinshaw
Kevin Deadman
Bruce Gilbert
Tom Hobman
David Jackson
David Johnson
Andrew Lindsay
Lynne Marston
David Maughan Brown
Andy Mendus
Danny Morgan
Carol Runciman
John Short, Chair
Terry Wolf

In Attendance: Trevor Armer, Director of Finance
Richard Hinde, Clerk to the Governing Body
Glyn Jones, Assistant Principal: 16-19 ALevel/GCSE
Louise Lawrence-Crockford, Assistant Principal: Employer Engagement
Graeme Murdoch, Deputy Principal Quality Assurance & Support
Bob Saynor, Assistant Principal: Lifelong Learning and HE
Anne Tyrrell, Deputy Principal Operations
Clare Wareing, Assistant Principal: 14-19 Vocational

The meeting started at 5.05pm.

Action

09.23 Apologies for Absence / Declarations of Interest

Apologies had been received from Peter Burrows, Jim Clark, Elizabeth Fenn, David Marsh and Bill Woolley.

Governors were requested to make declarations of interest as they arose. No declarations of interest were made.

09.24 Appointment of New Student Governors

The Chair explained that Tom Hobman had been elected as the new Student Union President and Elizabeth Fenn had been elected as the new Student Union Vice President. Mr Hobman was introduced and welcomed to the meeting.

The Governing Body **resolved to appoint** Tom Hobman as the HE Student Member and Elizabeth Fenn as the FE Student Member of the Governing Body with immediate effect.

09.25 Minutes of Previous Meeting – 26 March 2009

The minutes and confidential minutes were approved as an accurate record and signed by the Chair.

09.26 Matters Arising

a) Action Summary Sheet

Members considered the action summary sheet of the previous meeting and noted that all actions had been completed or were in progress.

b) Any Other Matters

Discussion took place about the Governing Body's earlier resolution that Governors should be subject to Criminal Records Bureau (CRB) checks. Concern was expressed about the declaration at the end of the form for completion and whether it could be said to be satisfied. Members felt that it was a matter of interpretation but supported their earlier resolution that CRB checks should still be carried out and that they would complete the form. The Chair said he would explore how best to express the concern and clarify the College's position to the appropriate authority.

Chair

09.27 Principal's Report

The Principal presented her report outlining key developments across the sector and for York College including updates on the changes to the departmental responsibility for FE which had switched to the newly-created Department of Business, Innovation and Skills; on the LSC allocation for 2009/10 which was said to be reduced on the current year; on the redundancy process which began in May and which had just concluded; on the significant improvements in retention and achievement in the current year; together with an outline of celebratory events and other successes at the College.

It was reported that the College was confident that it would meet its HE allocation for 2009/10, and that the key issue was actually potential over-recruitment. Discussion took place about the application process and recent Government announcements about future funding increases. The 16-18 allocation for 2009/10 had also been received. This was said to be better than anticipated but still very challenging.

The position with 14-16 year olds was still uncertain. The City of York Council had recently concluded that a possible joint use by the College of the Burnholme school site was not feasible.

The Chair explained that in order to try and increase the College's profile with schools, invites had been issued to the governors of schools in York to come and see the College's facilities and what it did. The response had been somewhat disappointing and representatives from only three schools had attended, though those

present had appeared to be impressed with what the College had to offer. It was intended to repeat this exercise in the autumn term and issue invites to schools in North Yorkshire. On a separate occasion similar invites had also been issued to councillors and half a dozen had attended the College. This event was said to have been very positive.

Discussion took place about Framework for Excellence and the proposed changes to the scheme for the future. Specific attention was paid to the learner views survey and the process was explained. Comparison with the College's own learner survey from the previous year was also provided.

It was noted that the College had been a finalist in the LSC/ RIBA FE Design Awards and had been the runner-up.

The Chair also reported that the College had laid on many events, presentations and shows within the last month which had been very good. Members were encouraged to attend as many of these events in future as they could, in order to expand their knowledge of the College and learn about students' achievements.

09.28 Strategic Planning

a) Strategic Priorities 2008/11 End of Year Evaluation

The Principal and Deputy Principal Quality Assurance & Support presented the progress report identifying the very wide range of activities and actions that had been taken in respect of achieving the targets identified in the Strategic Plan. Much emphasis had been placed on marketing activities (the impact of which would only be seen when applications and subsequently enrolments came through) and Teaching & Learning (the positive impacts of which were being seen through improved student retention rates). Progress had been made on the establishment and operation of a Staff Recognition Group and on compliance with Performance Review frameworks (although part-time variable hour staff was still an area for further attention). Pending the outcome of an external review of the College's Information Systems, a number of related actions had been deferred.

b) Strategic Plan 2009/12

The Principal presented the draft Strategic Plan for 2009/12. It was explained that this had been developed following a two day SMT planning conference, the Governors' residential in May, consultation with managers, and discussions at a range of Governing Body sub-committees over the past few weeks. Reference was also made to the summary document that had already been circulated to Members.

Consideration was given to each individual section of the Plan and comments invited from Members. In relation to the College's

Employer Engagement, discussion took place about the College's target market, in particular whether greater emphasis should be paid to small and medium-sized enterprises (SMEs) and the wider North Yorkshire business community. Discussion also took place about the College's proposed provision and whether this was correctly aligned with employers' needs. It was explained that these issues would be addressed in the implementation of the strategy.

Further discussion took place about the scale of the Plan and the significant number of targets that it included. The method of measuring achievement was also considered. The use and purpose of the Plan were re-iterated and key priorities identified.

The Governing Body **resolved to approve** the College's Strategic Plan for 2009/12. **SMT**

09.29 Health, Safety & Welfare Report

The Deputy Principal Resources presented the Health, Safety and Welfare Report for the spring term 2009, which was considered by Members. The report included accidents statistics for the spring term 2009 and incidents reported to the HSE under RIDDOR; the results of Health & Safety Audits completed to date; feedback from the College's LSC Regional Health & Safety visit; and an analysis of the College's current position against the good practice identified in the HSE report on leading Health & Safety at Work.

In relation to the College's LSC Regional Health & Safety visit, it was reported that the overall assessment had been "good". This was an improvement on the last assessment which had been "satisfactory". Explanation was provided as to how the College had improved in this regard, and discussion took place about proposed future initiatives and measures to bring about further improvement. It was noted that the College was now aiming to achieve an "outstanding" standard.

09.30 Personnel Committee – 25 June 2009

The Chair of the Personnel Committee presented the minutes of the meeting, which were noted by the Governing Body. Specific reference was made to the comprehensive suite of policies that had been approved at the meeting, and the Management Development Programme had been strongly endorsed.

09.31 Learner Enrolments 2008/09 – Progress Reports

The Deputy Principal Resources presented the report summarising the data on recruitment as at 9 July 2009, together with a summary of key issues arising from initial analysis.

With 16-18 Learners (excluding apprenticeships) it was reported that there was an increase of 172 learners compared with the

previous year's outturn and the College had achieved over 97.42% of its LSC year end target. The latest Standard Learner Numbers (SLN) position was 94.72% of target. The College's SLN values were below those anticipated earlier in the year, although its learner numbers had exceeded mid-year projections. This was the result of a greater number of students accessing shorter programmes in the latter part of the year. This included the College's NEETs provision and other part-time programmes for under 19 year-olds. It was anticipated that the College's funding position would be over 95% in its final return.

16-18 Apprenticeships were currently 83 below target which was almost the same position as reported in December 2008 and March 2009. The fact that the numbers of apprentices had not increased was evidence of the lack of apprenticeship opportunities available in the current economic climate.

With Adult Responsive (19+) Provision (excluding Apprenticeships) learner numbers and funding had shown a significant improvement since the last report and the College was ahead of its previous end of year forecast. The College was currently achieving 83.89% of its year-end target, based on learner numbers and 92.78% of its year end SLN target.

The College's actual level of funding was now above 95% of its target funding, which meant that it had now avoided in-year reconciliation for both its adult and 16-18 learner responsive provision.

19+ Apprenticeships were currently 34 below target, with the same concerns as for 16-18 Apprenticeships. With FE Workplace NVQs and Train to Gain, it was reported that Train to Gain was currently above the College's original target level.

Construction Skills were at target. HE provision was above target, and International recruitment had continued to be below target.

09.32 Quality and Curriculum Committee

a) Minutes of Meeting on 17 June 2009

The Chair of the Quality and Curriculum Committee presented the minutes of the meeting, which were noted by the Governing Body. Specific reference was made to Framework for Excellence, and the Committee's suggestion that pertinent sections of the Strategic Plan should feature as part of the Link Governor scheme, with Members having regard to those elements that were applicable to their own link area.

Clerk

b) Internal Reviews Update – Level 1 Programmes

The Chair of the Quality & Curriculum Committee introduced this report as an example of what the Committee had been striving to

achieve in its meetings in driving quality improvement and the outcomes that had been produced. The Deputy Principal Quality Assurance & Support presented the report showing progress on activities associated with the Level 1 Programmes Internal Review, as requested at an earlier meeting of the Quality & Curriculum Committee. It was explained that a working group had been established to follow through the outcomes of this review. The working group consisted of middle and senior managers and tutors responsible for the delivery of Level 1 programmes. The working group was said to have generated many good ideas which were being carried forward including a tutor forum for sharing good practice, and reward schemes for highly performing students. There had also been a much greater scrutiny of data. It was explained that the College's retention and attendance levels had improved compared to the same period the previous year. Discussion took place about the College's policy on minimum class sizes.

c) Complaints Report

The Deputy Principal Quality Assurance & Support presented the report showing that the number of complaints received in 2008/09 was the same as in 2007/08. However the range of complaints had changed. The main areas of complaint during the year related to Educational Maintenance Allowances (EMA); course provision not meeting the expectations of individuals; and a small range of general service issues such as the cost of food on site, course fees, appeals against exam results, and issues involving other students. The response time for dealing with a complaint had reduced by four days. All complaints were resolved and some had led to improvements in College processes. Explanation was provided as to how the College measured whether a response had been adequately dealt with.

The number of compliments received during the year had also been the same number as in 2007/08. Compliments received had been directed to teams, individuals, students and College events.

09.33 Student Union President's Report

The Student Union President presented the report which identified the new Student Executive members. It also covered training for Student Union officers, and plans for the forthcoming year. It was also explained that measures were being taken to ensure closure liaison between the Student Union and College clubs and societies.

09.34 Finance & General Purposes Committee

a) Minutes of Meetings on 24 June and 2 July 2009

The Chair of the Finance and General Purposes Committee presented the minutes and confidential minutes of both meetings, which were noted by the Governing Body. Specific reference was made to the College's staffing costs and the proposed review against relevant benchmarking data; the College's savings through

improved energy management; and the reviews of the College's Business Units and partnership arrangements.

Reference was also made to the Committee's consideration about the possible repayment of the College's New College Project loan and the Committee's decision that a Sub-Group should be established to consider this issue in more detail. Consideration was also given to the Committee's recommendation that delegated authority be given to the Chair and Vice Chair of the Governing Body, Chair of the Finance & General Purposes Committee and Principal to make a decision on the possible repayment of the loan on the recommendation of the Sub-Group should circumstances require it. Consideration was given to the likely timescales and it was acknowledged that it was unlikely that such delegated authority would need to be exercised. It was also noted that such delegated authority had actually already been given to the four Members identified at an earlier Governing Body meeting.

Clerk

The Governing Body **resolved to endorse** the delegated authority granted to the Chair and Vice Chair of the Governing Body, Chair of the Finance & General Purposes Committee and Principal to make a decision on the possible repayment of the College's New College Project loan if required to do so on the recommendation of the Sub Group established for this purpose.

(Andrew Lindsay left the meeting at 7.00pm).

b) 2008/09 Year End Financial Forecast

i) 2008/09 Year End Forecast

This item was treated as confidential and a separate confidential minute produced.

ii) Comparison with 2008/09 Budget and 2008/09 Mid Year Forecast

This item was treated as confidential and a separate confidential minute produced.

iii) Comparison with Financial Objectives

This item was treated as confidential and a separate confidential minute produced.

c) 2009/12 Strategic Financial Objectives

The Director of Finance presented the report with details of the College's proposed Strategic Financial Objectives for the period 2009/12 which had previously been considered with approval by the Finance & General Purposes Committee at its meeting on 2 July 2009. It was noted that the achievement of these financial objectives would result in the College maintaining financial health category "A" throughout the three year period to 31 July 2012 and achieving "Outstanding" financial health under Framework for

Excellence by the same date.

The Governing Body **approved** the College's proposed Strategic Financial Objectives for the period 2009/12.

d) 2009/10 Budget with Commentary

This item was treated as confidential and a separate confidential minute produced.

e) 2009/12 Three Year Financial Forecast

This item was treated as confidential and a separate confidential minute produced.

09.35 Audit Committee

a) Minutes of Meeting on 7 July 2009

The Director of Finance presented the minutes of the meeting, which were noted by the Governing Body. Specific reference was made to the very significant improvement in the College's Work Based Learning records that had been confirmed in the latest audit review of this area. Discussion also took place about the College's Risk Maturity review that had been carried out by the College's internal auditors, and the meaning of the assessment that had been made.

b) Audit Issues

i) 2008/09 Financial Statements and Regularity Audit Fees

The Director of Finance presented the report confirming the audit fees proposed by KPMG for the audit of the College's and Pure Business Solutions Limited's financial statements for 2008/09, together with the fees proposed for the College's Regularity Audit work for 2008/09. It was noted that, overall, the fees had increased by 2.5% but were 0.5% below those budgeted, and had been considered with approval by the Audit Committee at its last meeting.

The Governing Body **resolved to approve** the proposed 2008/09 Financial Statements and Regularity Audit fees.

ii) Re-appointment of Internal Auditors for 2009/10

The Director of Finance presented the report outlining Bentley Jennison's performance as internal auditors in 2008/09 against the criteria established by the College. It was noted that the Audit Committee had already considered the performance indicators at its last meeting and had felt that overall the performance of the internal auditors had been satisfactory. The Audit Committee had recommended that Bentley Jennison should be re-appointed.

The Governing Body **resolved to re-appoint** Bentley Jennison as the College's internal auditors for the 2009/10 academic year.

(David Maughan Brown left the meeting at 7.40pm.)

iii) 2009/12 Strategic Internal Audit Plan

The Director of Finance presented the report outlining Bentley Jennison's proposed Internal Audit Strategic and Operational Plan for 2009/12, which reflected the outcomes of the College's 2009/10 risk management process. It was noted that the Plan had been considered with approval by the Audit Committee at its most recent meeting.

The Governing Body **resolved to approve** the College's proposed Internal Audit Strategic and Operational Plan for 2009/12.

09.36 Pure Business Solutions Limited – Meeting on 18 June 2009

This item was treated as confidential and a separate confidential minute produced.

09.37 Risk Management

a) 2009/10 Risk Management Review

The Director of Finance presented the final draft of the College's 2009/10 Risk Management Review, which was considered by Members. It was explained that the Review summarised the process by which the College's priority risks for 2009/10 had been identified and the action plans that the Senior Management Team had drawn up to address them. It was further explained that as in 2008/09 there was no separate 2009/10 Risk Management Action Plan, as the actions identified in the 2009/10 Risk Management Review had been incorporated in to the College's 2009/12 Strategic Plan.

The Governing Body **resolved to approve** the College's Risk Management Review for 2009/10.

09.38 Employer & Skills Committee – Meeting on 18 June 2009

Danny Morgan presented the minutes of the meeting, which were noted by the Governing Body. It was acknowledged that significant progress was being made by the Committee in relation to the College's Employer Engagement and marketing strategies.

09.39 Governance Issues

a) Minutes of Meeting of Search & Governance Committee on 22 June 2009

The Chair of the Search and Governance Committee presented the minutes which were noted by the Governing Body. Specific reference was made to the most recent Governor Development Event; the terms of office of the newly-appointed Student Members; and the Governance website under development. Terry Wolf also provided an overview of the Committee's consideration of its governance self assessment process and Governors supported this approach.

TW/Clerk

The Governing Body **resolved to appoint** Lynne Marston as a Member of the Quality & Curriculum Committee with immediate effect.

b) Schedule of Governance Meetings 2009/10

The Governing Body **resolved to approve** the proposed schedule of Governing Body and committee meetings for 2009/10, subject to final amendment.

09.40 Any Other Business

None.

09.41 Date of Next Meeting

Wednesday 14 October 2009 at 5.00pm.

The meeting closed at 8.00pm.

Richard Hinde
Clerk to the Governing Body

Signed (Chair):

Name

Date: