



**Minutes of a meeting of the Governing Body held on Wednesday 19 March 2008 at 5.00pm in the Board Room, York College**

**Present:** Mr J Short, Chair  
Miss H Bainbridge  
Dr A Birkinshaw (Principal)  
Mr J Clark  
Ms J Conde  
Miss H Crook (from minute 08.08)  
Professor B Gilbert  
Mr D Jackson (from minute 08.05 – 08.29ii)  
Mr D Johnson, Vice Chair  
Professor D Maughan Brown (from minute 08.05 – 08.27)  
Mr A Mendus  
Mr D Morgan  
Councillor C Runciman (from minute 08.05)  
Ms T Wolf  
Ms S Phillips

**In Attendance:** Mr T Armer, Director of Finance  
Mrs M Birch, Clerk  
Mr G Murdoch, Deputy Principal QA & Customer Support  
Mrs M Price, Director of Teaching and Learning (from minute 08.08)  
Mrs A Tyrrell, Deputy Principal Operations

**Action**

**08.05 Apologies for Absence / Declarations of Interest**

Apologies had been received from Mr Burrows, Mr Deadman, Mr East, Mr Marsh and Miss Moore.

Governors were invited to make declarations of interest as they arose.

**08.06 Minutes of Previous Meetings**

**i 13 December 2007**

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

**li 5 March 2008**

Following circulation in the meeting, the minutes and confidential minutes were approved as an accurate record and signed by the Chair.

**08.07 Matters Arising**

The Action summary from 13 December 2007 was noted.

Mrs Price and Miss Crook joined the meeting at this point (5.10pm).

**PRINCIPAL**

All reports had been previously circulated.

**08.08 Principal's Report**

The Principal provided a supplementary oral report from which the following was noted.

Governor Committees had received the Ofsted Inspection Findings report (which included a confidential "Recording of Main Findings"). The final report will be published by Ofsted on 20 March and all Governors will receive a copy. Overall the College's provision has been judged to be "Good"; work is now being undertaken to move it to "outstanding".

Clerk

The College's 2006-07 achievement against Minimum Levels of Performance (MLP) may result in the removal of funding for three areas of work for 2008-09. No significant changes to 16-18 work are anticipated but loss is predicted in some apprenticeship provision. It was noted that decisions are based on historical data and that the College is now performing better. The potential funding loss reinforces the importance of positive performance against targets. It was noted that the headline student data in the Principal's report is based on Full Time Equivalent (FTE) student numbers, not individual learners, and is consistent with information within the Director of Finance's report. An explanation was provided for the definitions used in the table under paragraph 3.4. College management have considered other potential areas of financial risk, with one only being identified and for which the College offers alternative provision. A new funding methodology will be introduced from 2008/09 and staff training for this is taking place. The new methodology increases funding volatility and therefore represents a higher risk for the College. This again increases the importance of achieving learner number targets.

Councillor Runciman joined the meeting at this point (5.26pm).

A meeting is to be held with the Learning and Skills Council (LSC) on 31 March at which time it is hoped to discuss the 2008/09 16-18 funding allocation. Governors again noted the late notification by LSC of financial allocations for the following year.

The position of Yorkshire Coast College, following financial and quality difficulties, was discussed. The Governing Body discussed the pros and cons of possible partnership arrangements with the College. The view was that they would dilute management energy and focus without providing a major strategic benefit. This is increasingly important in the context of the Framework for Excellence (FFE) and the significant focus on quality performance. The ability of York College to provide quality provision for 16-19 year olds is

essential at a time when the sixth form presumption is being raised within local schools.

Clerk

The Principal has been involved in a ministerial consultation regarding the Machinery of Government changes, a consultation report for which has just been issued. It was **agreed** that a brief summary be circulated to Governors.

Governors noted that the LSC is to be disbanded although the successor organisation is yet to be determined. There will, however, be a transitional period prior to a new structure being put into place. It was further noted that the proposed College restructure has now been made public within the College.

#### **08.09 Health, Safety and Welfare Report – Autumn Term 2007**

A supplementary oral report was received from the Deputy Principal Quality Assurance and Customer Support (QA&CS). It was noted that the report had been considered by the Personnel Committee in February. Governors noted that internal health and safety inspections and College audits had been delayed due to migration but are due to recommence from April. Following a visit from the Health and Safety Executive Inspectorate the College has implemented an action plan to respond to staff stress management issues. On a return visit the Inspector had reported his satisfaction with progress in this area. Governors noted that the car park surface had been an area of concern. Actions had been taken by management which have led to a reduction in accidents. It was further noted that a check will be made regarding whether the College insurers have been notified of specific issues and management action taken to respond. Governors noted that health surveillance had focussed on lung function and hearing as this is information which the College is required to provide; data for heart function and weight has already been obtained.

DPO

#### **08.10 Ofsted inspection Findings Report**

The report, including the confidential Recording of Main Findings report, was noted. It was further noted that the final published report will be circulated to Governors. Work is now being undertaken on the post inspection action plan which will be considered by the Quality and Curriculum Committee before submission to the Governing Body. Governors noted the overall positive outcome but that further work is required to raise standards in specific areas, importantly at Level 1 and Level 2 (including additional qualifications). The Principal confirmed that significant work is being undertaken to improve success rates and that in-year retention appears improved against data for 2006-07.

Clerk

DPQA&  
CS/Clerk

#### **08.11 Governance Issues**

##### i New Instrument and Articles of Government

Publication of the new Instrument and Articles of Government,

effective from 1 January 2008, was noted. Further noted that all Governors have received a copy of the new document.

ii Search and Governance Committee – 26 November 2007

The approved minutes, the previously circulated draft having been subject to amendment, were noted.

iii Search and Governance Committee – 19 February 2008

Professor Gilbert, Committee Chair, supplemented the minutes with an oral report on the main items considered. These included the new Instrument and Articles, Ofsted Inspection and mock inspection, proposed College restructure and governance issues.

iv Governance Decisions Report

Following consideration the Governing Body **approved** the following:

a) Governing Body Composition

The Governing Body to retain a membership of 20 as follows:

- 15 members with the necessary skills and expertise to ensure the Governing Body carries out its functions under Article 3 of the Articles of Governance, these members to be drawn from key College stakeholder groups to include business (both large and small), education (higher education and other sectors), the public and community sectors
- 2 staff members, 1 academic and 1 non-academic
- 2 student members, 1 FE and 1 HE
- the Principal

It was noted that work would be undertaken to further refine the skills and membership required to best support the work of the Governing Body.

**Clerk /  
S&G  
Comm**

b) Governing Body and Committee Membership

- Ms Terry Wolf was re-appointed as a member of the Governing Body for a 4 year term of office, with effect from 1 August 2008
- Mr James Clark was re-appointed as a member of the Governing Body for a 4 year term of office, with effect from 1 April 2008
- Mr Jon Arundel was appointed as a co-opted Committee Member for a 3 year term of office, to commence on 1 April 2008 (specific committee membership to be determined).

It was noted that Mr East's term of office is to conclude at the end of March 2008. Action will be taken to fill this vacancy with reference to the new composition agreed. On behalf of the Governing Body, Mr Short recorded his thanks to Mr East for his contribution to the College during his Governor term of office.

**Clerk /  
S&G  
Comm**

c) Working Groups

That the following be established and to report their findings and recommendations to the July 2008 meeting:

**Self Assessment Working Group** (comprising members of the Governors' Self-Assessment Group and the Search and Governance Committee Chair) to consider a revised governance self assessment questionnaire, the timing of its use, governance KPIs, committee self assessment and the development of a web portal for governors.

**Governance Working Group** (membership to include the Chair of the Governing Body, the Principal and the Chair of Quality and Curriculum Committee plus two other Governors ) to review the efficiency and effectiveness of the Governing Body and its committees and to include the Principal's objectives linked to improving performance.

Due to a fire alarm the meeting was suspended at this point (6.00pm); the meeting reconvened at 6.20pm with the same persons present.

d) Search and Governance Committee Terms of Reference

New Terms of Reference to conform to the new Instrument and Articles of Government **were approved**.

e) Policy and Public Access to Meetings, Minutes and Reports

It was determined to retain the current policy on public access to meetings and **agreed** that this be further considered by the Governance Working Group. The revised policy on public access to minutes and reports **was approved**. (Both policies are appended to these minutes for information.)

Clerk /  
Gov WG

Clerk

f) Appointment of Clerk to the Corporation

Following the Selection Panel's recommendation **it was agreed** to appoint Mr Richard Hinde as Clerk to the Corporation with effect from 1 June 2008.

Chair/  
Principal

**08.12 Academic Board – 27 February 2008**

The Deputy Principal Operations provided an oral report. It was noted that items considered included the Ofsted Inspection, learner numbers, success rates, performance improvement actions and update on the New College.

**08.13 Remuneration Committee – 19 February 2008**

The Chair provided an oral report. It was noted that the Committee had approved pay awards for senior postholders and that individuals had been notified on the decisions made.

## **TEACHING AND LEARNING**

The previously circulated reports were considered.

### **08.14 Director's Report**

The report was supplemented by an oral report from the Director of Teaching and Learning from which the following was noted.

Research has been undertaken into the AS learners in 2006/07 who did not progress onto A2 provision in 2007/08. This has informed action progression strategies with current learners to improve progression rates. An electronic applications system for 2008/09 is being used and is proving effective. Although the different timing of Easter in 2007 and 2008 makes direct comparison difficult, the current data appears to indicate a positive application trend for 16-18 full time learners. HE applications also are promising.

It was noted that the outcome of the Gateway application for the new Diplomas is that York College will lead on 4 areas with Hair and Beauty commencing from 2010. This will be a pilot phase with the College licensed to offer provision to a stated number of learners (to be approved by the local 14-19 planning group). By 2013 all learners in York will have an entitlement at all levels. It was noted that the new Diplomas are considered to be academic in focus and demanding. Governors noted the recent discussion at the Quality and Curriculum Committee where concern has been expressed that the new Diplomas would not contain the practical vocational skills required by employers and that current qualifications (which provide the necessary vocational skills) may be withdrawn from funding.

The continuing improvements in Work Based Learner (WBL) processes were noted and had been commented on in a recent audit of the WBL provision. There is an issue with MLP as some poorer achievement from previous years is being used to evaluate College performance for the tendering process in 2008-09. Governors noted the current improved achievement rate is 74%. Within Train to Gain (TtG) the College is reviewing the entry criteria and diagnostic assessment used to ensure that candidates have the ability to achieve. Governors noted the way in which an internal management decision is made to allocate learners between TtG Pot A (core LSC FE funding) and TtG Pot B (funding through a separate FE Means Business contract). Information was also provided for the Yorkshire and Humber TtG Construction brokerage which demonstrates positive activity within the sector.

Curriculum Leaders are now planning for 2008/09 within a context of significant and ongoing change in the external environment. The recent Ofsted inspection had recognised the effective use of ILT and the positive way in which it is being used by tutors to support learners.

In response to a query it was noted that only Young Apprenticeships in Engineering and Business will be funded next year. Other vocational areas can be offered but this will require schools to pay for the provision. This may leave the College with financially unviable cohorts.

**08.15 Strategies to Improve Learner Success – Progress Report**

The report summarised actions taken and ongoing to improve learner success in 2007/08. This is a key College strategic objective and underpins the success of the College, both qualitatively and financially.

It was **agreed** to take the Students' Union Report and Students' Union Constitution, both previously circulated, as the next items.

**08.16 Students' Union Report**

The report was supplemented by an oral report from Ms Phillips, Student Union (SU) Executive member. Recent activities were noted including a visit to the Osbaldwick construction facility. Governors welcomed this positive move to encourage a whole College experience for learners and noted that it is part of the SU's strategy to increase its involvement with vocational learners.

**08.17 Students' Union Constitution**

The revised Constitution was supplemented by an oral report from the Deputy Principal QA&CS. It was noted that the SU have consulted widely on the revisions with learners, staff and senior management. The Quality and Curriculum Committee had received an earlier draft and recommended approval subject to a number of further amendments. These had been incorporated in the revised draft under consideration. Governors noted that the wording within the Disciplinary Procedure in Appendix 2 should be reconsidered to ensure compliance with College procedures. Subject to the clarification of the Disciplinary Procedure the Governing Body **approved** the revised Students' Union Constitution.

DPQA&  
CS

**FINANCE**

All reports, with the exception of the Confidential minutes under item 08.19i, had been previously circulated.

**08.18 Director's Report**

The Director of Finance provided an oral update. It was noted that the catering team are continuing to respond positively to new opportunities to develop catering services for learners, staff and visitors. In response to a query regarding financial objectives for catering it was noted that catering is not a profit making area. However, it needs to generate sufficient income to cover the costs of provision and future reinvestment in the catering service.

Ms Phillips left the meeting at this point (7.15pm).

The LSC has confirmed that the College has been reassessed and is now Financial Health Group A. Although a stronger position than at any time in the previous few years, and showing significant progress from Financial Health Group C, this is a fluctuating position and may revert back to Financial Health Category B during the year.

**08.19 Finance and General Purposes Committee – 6 March 2008**

i Report of the Meeting

The minutes, and confidential minutes (circulated in the meeting), were supplemented by an oral report from Miss Bainbridge, Committee Chair. It was noted that the Committee had been pleased with notification of LSC Financial Health Group A status. Consideration had been given to the College's move towards an "outstanding" financial assessment. The Committee had concluded that, whilst a sound financial operation is important, this must be achieved within a context of quality provision for learners. The financial position had been considered closely together with the action plan to improve learner success which would, in turn, avoid LSC funding clawback.

The Committee also noted that a change in approach to Key Skills, Enrichment and Tutorial had generated additional funding. Following the Committee meeting a further meeting had been held with the Committee Chair, Chair of Governors, Principal and College staff. This had considered LSC funding guidance and confirmed that the provision being delivered attracts relevant funding. The Committee had also considered financial objectives. These are largely the same as those previously agreed. Room and staffing utilisation had also been discussed. Overall the Committee considered that the College's financial position is sound and that good progress continues to be made.

**08.20 2007-08 Mid Year Financial Forecast**

The following five reports were considered as confidential items for which a separate confidential minute was taken.

i 2007-08 Mid Year Financial Forecast, ii Reconciliation with 2007-08 Budget, iii Comparison with Financial Objectives, iv Comparison with New College Project Targets and v Comparison with Loan Covenants.

Following consideration of item 08.20i. the 2007-08 Mid Year Financial Forecast **was approved**.

DoF

**08.21 Investment in Knowledge Based Limited**

Governors noted that the Board of Knowledge Based Limited has placed the Company in creditors' voluntary liquidation. After consideration, it was **agreed** that the College should write off the £500 investment in the Company.

DoF

**08.22 Audit Committee – 11 March 2008**

i Report of the Meeting

The minutes were circulated in the meeting and supplemented by an oral report from Mr Clark, Committee Chair. The main items considered were highlighted including recommendations relating to updating the Terms of Reference for the Internal Audit Service and the Risk Management Policy approval.

ii Internal Audit Service – Terms of Reference

The previously circulated report was considered following which the updated Terms of Reference **were approved**.

DoF

**08.23 Pure Business Solutions Limited – 28 February 2008**

The draft Board minutes were circulated in the meeting and supplemented by an oral report from Mr Johnson, Chair of the Board of Directors. Governors noted the appointment of the Principal and the Head of Employer Engagement as Company Directors and the agreement that a review of the Employer Engagement Strategy should be undertaken. It was further noted that a small surplus is projected for year end consistent with the 2007/08 budgetary strategy adopted for the Company.

**08.24 Risk Management**

The two reports had been previously circulated.

i Termly Risk Management Report

The report, including progress with actions, was noted.

ii 2007-08 Risk Management Review

Following consideration, and the recommendation from the Audit Committee, it was **agreed** that the current Risk Management Policy be approved for a further year to enable a full review to be undertaken during 2008/09.

DoF

**QUALITY ASSURANCE AND CUSTOMER SUPPORT**

All reports, including Committee minutes, had been previously circulated.

**08.25 Directorate Report**

A supplementary oral report was provided by the Deputy Principal QA&CS. Items noted included a review of the College Quality Assurance processes, the forthcoming June review of HE provision through the Quality Assurance Agency and a re-assessment visit in April for Investors in People. Governors noted that this visit will focus on two areas for which a lack of cross College consistency in applying processes had been identified during the previous visit in 2007. Systems have been put in place to address this and ensure compliance.

**08.26 Personnel Committee – 21 February 2008**

A supplementary oral report was received from the Principal (who

had chaired the meeting). Key items considered were noted and included staff absence data, training and development linked to performance review, and tutor utilisation. In discussion Governors noted that future tutor utilisation management will focus on quality improvement and learner success strategies.

**08.27 Quality and Curriculum Committee – 27 February 2008**

A supplementary oral report was provided by Mr Mendus, Committee Chair. It was noted that a significant focus for the Committee had been a review of the draft Ofsted inspection report and the College response. The College's forward strategy is to enhance systems to improve learner success whilst maintaining the positive College ethos. Changes being undertaken to achieve this include implementation of a revised management structure. An investigation is seeking to identify reasons for lack of progression from AS in 2006/07 to A2 in 2007/08. In discussion Governors noted that learners leaving at the end of the AS year achieve a qualification (not previously provided by the A Level structure). Also, a significant percentage remain in education although change their study programme. The first Learner Satisfaction Survey had returned some lower satisfaction levels than in previous years. This is being further investigated to identify whether it is a cross College response or relates to specific groups (including new or returning learners). Governors noted that the survey had been undertaken early in the life of the New College and lack of familiarity in the new environment may have impacted on the results.

Professor Maughan Brown left the meeting at this point (8.00pm).

In response to a query it was noted that the New College ethos of creating different environments in specific areas of the College has been successful within the time constraints to date. This approach provides the ability to break the building down into smaller, localised areas. However, it may lead learners to be reluctant to explore the wider College. Governors discussed ways in which learners could be encouraged to experience other College areas.

**08.28 Annual Operating Plan 2007-08 Progress Report**

A supplementary oral report was received from the Deputy Principal QA&CS. Governors noted the progress to date and the expectation that target outcomes will be achieved by the year end. In the Summer Term Quality Assurance systems will be reconsidered in order to maintain and strengthen the cross College focus on learner success.

**08.29 Learner Performance Reports**

i FE Success Rates 2006-07

The graphical information identifying previous years' retention, achievement and success rates by Group, Qualification and Age was considered. It was noted that the post Inspection Action Plan and

the Learner Achievement Strategy are providing College teams with clear actions to improve success rates, particularly for Levels 1 and 2 which are currently below the national benchmark.

ii FE Retention Rates 2007-08

Governors noted that, at present, rates are above national benchmark across all ages and levels. Staff are working hard to ensure that rates are maintained during the remainder of the year. Governors noted that the current retention levels need to be maintained in order that benchmark is achieved at the end of the year. They further noted that improved rates will be a target in 2008/09.

Mr Jackson left the meeting at this point (8.10pm).

Governors considered that learner retention is central to learner achievement. The Principal reported that the national benchmarks reflect national averages and that colleges in the top 10% will have significantly higher rates.

iii HE Retention and Attendance Rates 2007-08

It was noted that the report format is different as the provision is funded through the Higher Education Funding Council for England (HEFCE), not the LSC. Although noting that, generally, the retention rates are strong, Governors queried the lower performance for IT and Computing. It was noted that this could be related to staff absence through ill health which highlights the importance of appropriate staff contact and support for learners.

iv WBL Success Rates 2005-06 to end of January 2008

Governors noted that success rates, and timely success rates, for both Advanced Apprentices and Apprentices are either at, or above, benchmark. Actions being taken to further improve success rates for 2007/08 were also noted.

v 14-16 Attendance and Retention Rates 2007-08

Governors noted that all learners are currently retained and, generally, attendance is good when all factors are taken into consideration (including some learner disaffection). The lower level of attendance for one programme area (with 4 learners) is being investigated.

Having considered the reports Governors noted the actions being taken to improve success rates for all learners. They further noted that the Quality and Curriculum Committee will continue to monitor progress closely and request management action where targets are not being met.

**08.30 Freedom of Information – Register of Requests**

A supplementary oral report was received from the Deputy Principal

QA&CS. Governors noted that responses to the 15 requests had been made within the required timescale. It was further noted that the College's Freedom of Information Policy will be reviewed between June and December 2008.

DPQA&  
CS

**OPERATIONS**

The reports for items 08.31 and 08.32 were considered as confidential items and, with the exception of the oral report under 08.32ii, had been previously circulated. A separate confidential minute was taken for these items.

**08.31 Director's Report**

**08.32 New College Strategy Group**

i Report of Meeting held on 13 December 2007 and ii Report of Meeting held on 18 March 2008

**08.33 Any Other Business**

None.

**08.34 Date of Next Meeting**

Thursday 17 July 2008 at 5.00pm in the Board Room (2F098). The following two further meetings were noted:

- i. Wednesday 23 April at 5.00pm – Governor Training (topics will be Child Protection and LSC Funding)
- ii. Friday 16 and Saturday 17 May 2008 – Governor Residential Event at The Parsonage, Escrick.

The meeting closed at 8.30pm.

Following conclusion of the meeting the Chair, on behalf of the Governors, made a presentation to Mrs Price who would be retiring from the College at the end of March 2008. Mr Short thanked Mrs Price for her commitment, professionalism and energy which she had dedicated to the College over the previous 12 years.

**Signed:**

**Chair:** .....

**Name** .....

**Date:** .....



## **Appendix**

### **Policy on Access to Meetings and Minutes and Reports**

#### **ACCESS TO MEETINGS**

The Governing Body has determined that there should be no public access to any of the Governors' meetings including committee meetings. The exceptions to this general rule are the Clerk to the Corporation and, by invitation, members of college management.

#### **PUBLICATION OF MINUTES AND REPORTS**

Public access to approved minutes and to the agenda and reports of the meetings of the Governing Body and its Committees is available from the College's Learning Centre during normal office hours. Signed Governing Body and Committee minutes (with the exception of confidential minutes) will be placed on the College website and remain there for a twelve month period. Consistent with the Freedom of Information Act those items considered as confidential are not available for public access but will be kept under review.

Approved at the Governing Body meeting of 19 March 2008  
Review: July 2008