

CORPORATE BOARD

NORTH WEST KENT COLLEGE

Minutes of a meeting of the CORPORATE BOARD

held at 5.30pm on Wednesday, 26 January 2011 at Lower Higham Road, Gravesend

Present: Mr E Anderson (Chairman)
Dr R Finney
Ms E Birchenough
Mr J Parkes
Mrs S Adams
Mr R Singh Gill
Mr B Newell
Ms D Wroblewski
Mr R Higgins
Mr A Parkinson
Mr D Gleed
Mr N Butterfield (excluding Item C-1)

In attendance: Mr D Holland (Clerk to the Corporation)
Mrs P Morgan (Vice Principal)
Mr T Knight (Vice Principal, Estates) (Items P-3, P-4, R-1, R-3, D-1)
Mr G Parrett (Director of Finance and Systems) (Items P-3, P-4, R-1, R-3, D-1)
Mr I Goodwin (Director of Curriculum, Gravesend) (presentation and R-3)
Mrs C Hopkins (minuting secretary)

A demonstration was provided to members of the new Governance site on the College' Sharepoint system, which would serve, predominantly, as an archive for members.

P-1 APOLOGIES

Apologies for absence were received from Mrs P Jones, Mr G Moody, Mr O Oguns, Miss S Norman and Miss P Laretive.

P-2 DECLARATION OF INTERESTS

Referring to Item I-4, Ms Birchenough declared her husband's employment with Mott MacDonald Limited.

Action

The Director of Curriculum, Gravesend, presented to members a booklet on the restoration of the Thames sailing barge, *The Cambria* (Paper No CB/26.01.11/1 (tabled)). He explained that *The Cambria* was the last UK registered vessel to trade cargo under sail alone, its last commercial voyage taking place in 1970. The vessel was then neglected until 1996, when a charitable trust was formed. In 2007 a Lottery grant of just under £1m was awarded and the extensive restoration at Faversham began.

Members noted that it had been many years since boatbuilding had been carried out on the Thames. The College had been involved in the restoration for the past three years, which was unique within Further Education. Four College students had secured apprenticeships and worked on the restoration. The Director of Curriculum, Gravesend, believed this to have been a rewarding experience for the students involved, as well as the College, and a further opportunity to be involved with another boat would be forthcoming. He advised that the barge would be used for educational purposes in future and would be in the Gravesend dock in February for refurbishment. At the request of members, the Director of Curriculum, Gravesend, agreed to arrange a tour for members.

Clerk

Members thanked the Director of Curriculum, Gravesend, for his presentation and involvement with the project.

P-3 MINUTES

- 3.1 The minutes of the meeting held on 15 December 2010 were approved and signed as a correct record, subject to amendment of the resolution relating to the Capital Project Status Report, November 2010 (I-7) to read:

RESOLVED *that the Director of Finance and Systems and the Principal prepare a paper on the strategic utilisation of the funds for the next Board meeting, on 26 January 2011, ~~with their suggestions for the expenditure or otherwise of the funds.~~*

3.2 Matters Arising

3.2.1 (R-4.3) Student Equality and Diversity Policy

The Clerk referred to the clarification requested in relation to clause 4.6 (harassment) and advised that the Student Equality and Diversity Manager had reported that there was specific reference to racial and sexual harassment in the Equality Act 2010 and she believed that clause should remain. Members were satisfied with the response and agreed that the clause should remain.

3.2.3 (C-1) Any Other Business

The Principal reported that he had reminded the Facilities Manager of the recently acquired enforcement powers of the Environment

Agency, as advised by Ms Birchenough. The Facilities Manager had been aware of the new powers and was in the process of ensuring the College was prepared in the event of an unsolicited visit.

Action

P-4 PRINCIPAL'S REPORT

Members received and noted the Principal's Report (Paper No CB/26.01.11/P-4).

YPLA 16-18 Funding – latest information

The Principal reported on the change in 16-18 funding from 2011/2012, specifically, that the current additional 114 hours of funding provided for tutorials and enrichment activities for 16-18 year old students on full-time programme would be reduced to 30 hours per year, or 51 minutes per week, for tutorials but not enrichment activities. Members were reminded that Ofsted inspectors currently reviewed the tutorial and enrichment provision and, although their opinion had been sought on the impending changes, no response had been forthcoming. As a result of the reduction, the Principal expressed concern for the College and the students' enrichment.

As a result, overall, funding for 16-18 year old students would be reduced by 14-18% per student, depending on the programme being undertaken. However, the reduction would be phased in over a four year period, with next year's reduction being no more than 3% per learner.

Members were reminded by the Principal of the reduction in student learner numbers (SLNs) this year, the appeals which followed, and the resultant detrimental affect on the funding. He was pleased to report that the funding methodology for 2011/2012 would be based on actual rates last year, a higher student number ratio, and should be favourable to this College. The funding would also be based on this year's student numbers and, as the College had recruited well, should also be favourable.

Overall, the Principal's initial calculations suggested that the funding for 2011/2012 would be similar to the current year, despite the 3% reduction due to the loss in tutorial/enrichment hours.

The Chairman considered that the impact on the College should be discussed at the Corporate Conference in March. Referring to the viability of colleges generally, and the opinion of this College's auditors, the Director of Finance and System advised of the possible demise of a number of colleges **this** year. In the event of failure, the Principal expected those courses being undertaken at the failed college would be provided by another establishment. In response to the Vice Chairman's request to clarify the likely outcome next year if this College stood still for a year, the Director of Finance and Systems advised of funding of £17.3m, which amounted to £17m using one model and £16m using another. The Principal expected this College would show a loss of less than £500,000 next year, but suffer greater losses in the years following.

Clerk

SFA 19+ Funding – indicative allocation

Action

The Principal was pleased to report that the first draft allocation received prior to Christmas totalled £3.367m funding for next year, a reduction of £62,000, with £80,000 being designated as ‘outcome incentive payments’ (a new initiative, which would be paid if students progressed to employment and remained for a set period of time). He advised that colleges could opt out of the new initiative but that this College would not elect so to do.

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R-1 RESERVED

R-2 GOVERNORS’ REVIEW COMMITTEE

2.1 Membership of Standing Committees and Link Governorships

Members received and noted the recommendation of the Governors’ Review Committee relating to proposed Standing Committee membership and Link Governorships (Paper No CB/26.01.11/R-2.1).

The Chairman explained that the Clerk had been requested to make proposals on membership based on the skills audit.

Mrs Adams drew members’ attention to the fact that the Policy and Finance Committee was an all-male committee. Members acknowledged the fact, and would reconsider the matter if a need were identified prior to the next review of membership.

Referring to the role of Chairman of the Search Committee, Dr Finney proposed, and Mr Singh Gill seconded, that it be

RESOLVED to appoint Mrs Susan Adams as Chair of the Search Committee for a term to correspond with her re-appointment as a governor, expiring in July 2013.

Clerk

As a result of Mrs Adams’ appointment as Chair of the Search Committee, members acknowledged that she would become, de facto, a member of the Governors’ Review Committee.

Members discussed the role of link governors and noted that the purpose and reporting lines now required clarification, in the light of changes to Faculty structure and Standing Committee remits. The Clerk reminded members that the Vice Chairman had previously prepared a Guidance Note on the responsibilities of Link Governors. It was agreed that the document be reviewed and form an agenda item at the Corporate Conference.

Clerk

It was noted that reference to the Governors' Review Committee had been omitted, as had the Student Governors being members of the Staff and Student Committee. Subject to these amendments, as proposed by Ms Birchenough and seconded by Mrs Adams, membership of the various Standing Committees was

RESOLVED *Audit Committee: Julian Parkes (Chairman), Daniela Wroblewski, Graham Moody, Andrew Parkinson, Robbie Higgins;*

Policy and Finance Committee: Eddie Anderson (Chairman), Roger Finney, David Gleed, Nick Butterfield, Brian Newell;

Quality and Curriculum Committee: Roger Finney (Chairman), Graham Moody, David Gleed, Pam Jones, Olu Oguns;

Staff and Student Committee: Brian Newell (Chairman), Nick Butterfield, RajVinder Singh Gill, Daniela Wroblewski, Robbie Higgins, David Gleed, Miss S Norman, Miss P Laretive;

Estates and Facilities Committee: Elizabeth Birchenough (Chairman), Susan Adams, David Gleed, Olu Oguns, Andrew Parkinson;

Remuneration Committee: Eddie Anderson (Chairman), David Gleed, Julian Parkes, Pam Jones;

Search Committee: Susan Adams (Chairman), David Gleed, RajVinder Singh Gill, [Councillor Ian Armit];

Special Committee: Roger Finney (Chairman), Elizabeth Birchenough, Julian Parkes;

Governors' Review Committee: Eddie Anderson (Chairman), Roger Finney, Julian Parkes, Elizabeth Birchenough, Brian Newell, Susan Adams, David Gleed, with authority to 'co-opt' additional members, if necessary;

and, further, the following link governorships:

Student Experience and Support: Roger Finney, Brian Newell;

Curriculum Gravesend: Elizabeth Birchenough, Julian Parkes;

Curriculum Dartford: Andrew Parkinson, Graham Moody;

*Vice Principal, Estates: Olu Oguns;
Director of Finance and Systems: Daniela
Wroblewski;
Curriculum Improvement and Partnerships: Susan
Adams, Nick Butterfield;
Vice Principal: Pam Jones;
North West Kent Business Services: Robbie Higgins.*

Action

2.2 Action Plan arising from Corporate Board Self Assessment Process

Members received and noted the resolution of the Governors' Review Committee relating to the Action Plan (Paper No CB/26.01.11/R-2.2). As proposed by Mrs Adams and seconded by Mr Singh Gill, it was

RESOLVED *to endorse the recommendation of the Governors' Review Committee that the action sheet, arising from the perceived weaknesses noted in the Corporate Board Self Assessment Report, be considered and compiled by the Policy and Finance Committee.*

Clerk

Clerk

2.3 Terms of Reference: Policy and Finance Committee

Members received and noted the draft Terms of Reference of the Policy and Finance Committee (Paper No CB/26.01.11/R-2.3).

The Chairman advised that he had agreed the draft Terms of Reference, which the Clerk had prepared for discussion at this meeting. Brief discussion followed.

As proposed by Dr Finney and seconded by Mrs Adams, it was

RESOLVED *to endorse the draft Terms of Reference of the Policy and Finance Committee, as proposed in Paper No CB/26.01.11/R-2.3, subject to the removal of clause 2.12 and the amendment of clause 2.3 to read:*

To propose the business of the Corporation's Annual Conference, for endorsement by the Corporate Board, and monitor the outcome of the Conference proposals."

Clerk

R-3 POLICIES

3.1 E-Safety Policy

Members received and noted the draft E-Safety Policy (Paper No CB/26.01.11/R-3.1). The Director of Curriculum, Gravesend, as the College's Child Protection Officer, advised that, although not a separate safeguarding requirement, he believed it complemented the College's

Safeguarding Children and Vulnerable Adults Policy. He stressed that this policy had *not* been highlighted during the Ofsted inspection as a requirement.

Action

Referring clause 5.1, the Chairman questioned whether a ‘misuse policy’ was in force and queried the use of the word “visit” in that clause. Members were reminded of various policies in force, including the *Information Technology Conditions of Use (Staff) and (Student)*, in addition to the *User Agreement* to specific terms being required upon log-on to College computers. The Director of Curriculum, Gravesend, agreed to consider all policies together, noted on the cover sheet of the E-Safety Policy, in light of the Chairman’s comment.

DoC, G

As proposed by Mrs Adams and seconded by Mr Newell, it was

RESOLVED *to adopt the E-Safety Policy, as detailed in Paper No CB/26.01.11/R-3.1, subject to confirmation by the Director of Curriculum, Gravesend, that alternative policies relating to ‘misuse’ were in place and considered to be sufficient.*

Clerk

R-4 STANDING ORDERS

Members received and noted the Standing Orders (Paper No CB/26.01.11/R-4), which had been amended by the Clerk following the recommendations made by the Provider Financial Assurance audit team.

As proposed by Dr Finney and seconded by Ms Birchenough, it was

RESOLVED *to re-endorse the Standing Orders as set out in Paper No CB/26.01.11/R-4.*

R-5 CODE OF CONDUCT

Members received and noted the Code of Conduct (Paper No CB/26.01.11/R-5). The Clerk advised that the annual review of the document was due. Eversheds, solicitors, had suggested various amendments to the Code of Conduct, which were included within the revisions before members.

As members were satisfied with the amendments, they were asked to sign the copy of the Code of Conduct, which would be forwarded to them by email, and return it to the Clerk. As proposed by Mr Parkinson and seconded by Dr Finney, it was

Clerk

RESOLVED *to adopt the Code of Conduct as set out in Paper No CB/26.01.11/R-5.*

R-6 KNOWLEDGE WAREHOUSE LTD: DIRECTORS' REPORT AND FINANCIAL STATEMENTS 31 JULY 2010

Action

Members received and noted the Directors' Report and Financial Statements of Knowledge Warehouse Limited as at 31 July 2010 (Paper No CB/26.01.11/R-6).

The Principal reported that the directors of the company had approved the Financial Statements at a meeting prior to this Board meeting. He advised that the main activity of Knowledge Warehouse was undertaken through Halls training and Gateway Knowledge Alliance.

As proposed by Dr Finney and seconded by Ms Birchenough, it was

RESOLVED *to endorse the Directors' Report and Financial Statements of Knowledge Warehouse Limited as at 31 July 2010, as detailed in Paper No CB/26.01.11/R-6.*

R-7 NORTH WEST KENT BUSINESS SERVICES LIMITED: DIRECTORS' REPORT AND FINANCIAL STATEMENTS 31 JULY 2010

Members received and noted the Directors' Report and Financial Statements of North West Kent Business Services Limited as at 31 July 2010 (Paper No CB/26.01.11/R-7).

Members were advised that the directors of the company had approved the Financial Statements at a meeting prior to this Board meeting.

As proposed by Mr Parkes and seconded by Mrs Adams, it was

RESOLVED *to endorse the Directors' Report and Financial Statements of North West Kent Business Services Limited as at 31 July 2010, as detailed in Paper No CB/26.01.11/R-7.*

R-8 NORTH WEST KENT COLLEGE TRAINING TRUST: TRUSTEES' REPORT AND CONSOLIDATED FINANCIAL STATEMENTS 31 JULY 2010

Members received and noted the Trustees' Report and Consolidated Financial Statements of North West Kent College Training Trust as at 31 July 2010 (Paper No CB/26.01.11/R-8).

Members were advised that the trustees of the North West Kent College Training Trust had approved the Trustees' Report and Consolidated Financial Statements at a meeting prior to this Board meeting.

As proposed by Mrs Adams and seconded by Dr Finney, it was

Action

RESOLVED *to endorse the Trustees' Report and Consolidated Financial Statements of North West Kent College Training Trust as at 31 July 2010, as detailed in Paper No CB/26.01.11/R-8.*

D-1 CAPITAL PROJECT STATUS REPORT, JANUARY 2011

Members received and noted the Monthly Status Report for January 2011 in relation to the capital project (Paper No CB/26.01.11/D-1).

Gravesend campus – The Vice Principal, Estates, advised that some final remedial works were ongoing as he was not satisfied that all defects had been rectified. Two-thirds of the retention monies had been released, with £100,000 being retained until a satisfactory conclusion was achieved.

Dartford campus – Members were advised that further planning applications would be issued for the retention of the temporary road and crossover and certain temporary accommodation. The Vice Principal, Estates, was pleased to report that the first planned date for handover of the theatre was 14 February 2011, with a further handover to enable the first performance on 3 March 2011.

Members noted that the other accommodation and external works continued to progress well and remained on schedule for their May and June deadlines.

D-2 OFSTED REPORT, NOVEMBER 2010

Members received and noted the Ofsted Report, November 2010 (Paper No CB/26.01.11/D-2). Members were advised that an action plan was nearing completion.

D-3 PROVIDER FINANCIAL ASSURANCE FINAL REPORT, DECEMBER 2010

Members received and noted the Provider Financial Assurance Final Report, December 2010 (Paper No CB/26.01.11/D-3). Members noted that the Audit Committee and the Policy and Finance Committee would consider respective areas during meetings this term.

I-1 GOVERNORS' REVIEW COMMITTEE

- 1.1 The minutes of the meeting of the Governors' Review Committee held on 12 January 2011 (Paper No CB/26.01.11/I-1.1) were received and noted.

1.2 **Matters Arising**

There were no matters arising.

I-2 STANDARDS COMMITTEE

2.1 The minutes of the meeting of the Standards Committee held on 18 January 2011 (Paper No CB/26.01.11/I-2.1) were received and noted.

2.2 **Matters Arising**

There were no matters arising.

I-3 MANAGEMENT ACCOUNTS, NOVEMBER 2010

Members received and noted the Management Accounts as at November 2010 (Paper No CB/26.01.11/I-3).

I-4 USE OF CORPORATION SEAL 2010/2011

Members noted that the Corporation Seal had been used on five occasions between 8 December 2010 and 18 January 2011, affixed to four Deeds of Appointment and one Warranty, all in relation to the capital project.

C-1 ANY OTHER BUSINESS

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C-2 DATE AND TIME OF NEXT MEETING

Corporate Conference: 8.45am, Saturday, 5 March 2011 at The Learning Shop, Bluewater

Ordinary Meeting: 5.30pm Tuesday, 22 March 2011 in the Boardroom, Dartford

Action