

CORPORATE BOARD

NORTH WEST KENT COLLEGE

Minutes of a meeting of the CORPORATE BOARD

held at 5.30pm on Tuesday, 23 March 2010, at Oakfield Lane, Dartford

Present: Mr E Anderson (Chairman)
Dr R Finney
Ms E Birchenough
Mr J Parkes
Mrs S Adams
Mr B Newell
Mrs P Jones
Mr R M Bell
Mr G Moody
Mr N Butterfield
Ms D Wroblewski
Mr O Oguns

In attendance: Mr D Holland (Clerk to the Corporation)
Mr T Knight (Vice Principal)
Mr D Gleed (Principal, Bexley College)
Mrs C Hopkins (minuting secretary)

P-1 APOLOGIES

None was received.

Mr Gleed, the Principal designate, was welcomed as an observer at the Board meeting.

P-2 MINUTES

2.1 The minutes of the meeting held on 26 January 2010 were approved and signed as a correct record.

2.2 Matters Arising

(P-2.2) Matters Arising - Principal's Report

The Principal confirmed that Mrs Adams and Mr Newell had visited the SusCon Project with him on 3 March 2010.

Action

(D-1) Principal's Report

Machinery of Government Changes - The Principal advised that he had made contact with the Dartford Borough Council regarding relationships with the borough of Bexley. The Principal Designate would contact the Gravesham Borough Council upon his commencement in April.

Action

Principal Designate

(C-1) Any Other Business

The Vice Principal reported that the various KCC councillors and the LSC National Property Adviser, who had visited the College last month, had expressed their satisfaction with the sites.

R-1 SEARCH COMMITTEE

1.1 Appointment of Ms Daniela Wroblewski and Mentor

Members received and noted the extract from the Search Committee minutes, together with the Curriculum Vitae and Skills Audit of Ms Wroblewski (Paper No CB/23.03.10/R-1). As proposed by Mr Newell and seconded by Mrs Jones, it was

RESOLVED to accept Ms Daniela Wroblewski as a Member of the Corporate Board for a period of four years.

Mrs Adams expressed her willingness to act as mentor to Ms Wroblewski. As proposed by Mr Newell and seconded by Mr Moody, it was

RESOLVED to appoint Mrs Susan Adams as mentor to Ms Daniela Wroblewski.

Ms Wroblewski was welcomed to the Board by members.

1.2 Terms of Reference

Members received and noted the Terms of Reference of the Search Committee (Paper No CB/23.03.10/R-1.2). As proposed by Mr Moody and seconded by Ms Birchenough, it was

RESOLVED to adopt the Terms of Reference of the Search Committee, as set out in Paper No CB/23.03.10/R-1.2.

1.3 Performance Indicators

Members received and noted the Performance Indicators of the Search Committee (Paper No CB/23.03.10/R-1.3). As proposed by Mr Moody and seconded by Mr Butterworth, it was

RESOLVED to adopt the Search Committee's Performance Indicators as set out in Paper No CB/23.03.10/R-1.3.

Action

R-2 STANDARDS COMMITTEE

2.1 Higher Education Strategy

Members received and noted the Higher Education Strategy (Paper No CB/23.03.10/R-2.1). The Chairman of the Standards Committee reported that the Strategy had been revised slightly. He drew members' attention to clause 2.6 on page 4 which, he believed, adequately set out the ethos of higher education programmes within a further education environment. Members agreed. As proposed by Mr Newell and seconded by Mr Moody, it was

RESOLVED to adopt the Higher Education Strategy as set out in Paper No CB/23.03.10/R-2.1.

R-3 AUDIT COMMITTEE

3.1 Risk Register and Risk Reduction Plan

Members received and noted the Risk Register and Risk Reduction Plan (Paper No CB/23.03.10/R-3.1) which had been updated by the Senior Management Team on 2 February 2010. The Chairman of the Audit Committee referred to the inclusion of Safeguarding as a separate item and believed it to be a very important amendment.

Dr Finney believed that the first two risks (major change in Government policy and non-funding of growth/over-recruitment of full-time students) should increase the score under 'probability' from '3' to '5'. The Principal explained that the document had been considered before finalised funding figures for 2010/11 had been made clear, although would ensure that the Senior Management Team reconsider those risks at the next review, in May 2010.

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

RESOLVED to accept the Risk Register and Risk Reduction Plan, as detailed in Paper No CB/23.03.10/R-3.1

Principal

R-4 FINANCE AND GENERAL PURPOSES COMMITTEE

4.1 Race Equality Monitoring and Review Annual Report

Members received and noted the Race Equality Monitoring and Review Annual Report (Paper No CB/23.03.10/R-4.1). As proposed by Mr Moody

and seconded by Mr Newell, it was

RESOLVED to adopt the Race Equality Monitoring and Review Annual Report, as detailed in Paper No CB/23.03.10/R-4.1.

4.2 College Fees

Members received and noted the extract regarding College Fees and the proposals put forward by the Director of Finance and Systems (Paper No CB/23.03.10/R-4.2).

Dr Finney expressed some concern with the reduction in the College offer and sought reassurance that the College ethos would remain intact. He was adamant that he did not wish to see the maritime offer 'disappear'. The Principal explained that the Director of Finance and System considers all courses and drills down into each offer within the schools. He assured members that if any decisions were required on the offer, the proposals would be placed before the Board for approval. However, following meetings with the Senior Management Team, he was confident that the maritime provision could continue at full-cost recovery and *The Maltings* would assist the College in this respect. He drew members' attention to the commitment to courses within the maritime industry and explained that if the courses were not self-financing in a year's time, then they would need to be reconsidered.

Mr Newell questioned the level of fees in place at other colleges. The Principal advised that research had been undertaken and the level being proposed was comparative.

The Clerk referred to a concern expressed recently by Internal Auditors, that the College appeared to lack a formal Fees Policy. He explained that he had written to the Internal Auditors suggesting that the paper which was prepared annually by the Director of Finance and Systems effectively fulfilled that requirement. Members agreed that the annual paper was sufficient, although the Chairman believed Internal Auditors probably wished to see a more long-term set of principles, which could be prepared once the sector settled down.

As proposed by Mr Newell and seconded by Mr Moody, it was

RESOLVED to adopt the Fee levels set out in Paper No CB/23.03.10/R-4.2.

4.3 Financial Regulations

Members received and noted the Financial Regulations (Paper No CB/23.03.10/R-4.3). As proposed by Mrs Adams and seconded by Mrs Jones, it was

Action

RESOLVED to adopt the revised Financial Regulations, as detailed in Paper No CB/23.03.10/R-4.3.

Action

R-5 POLICIES

5.1 Gifts and Hospitality Policy

Members received and noted the Gifts and Hospitality Policy (Paper No CB/23.03.10/R-5.1). The Clerk explained that no amendments were necessary. Mr Parkes questioned the frequency of review, every twelve months, and believed that to be excessive. He suggested that, in this case, every twenty-four or thirty-six was more appropriate. Members considered the level of gifts at £50 was appropriate. As proposed by Mrs Adams and seconded by Mr Moody, it was

RESOLVED to re-adopt the Gifts and Hospitality Policy, as detailed in Paper No CB/23.03.10/R-5.1, with the frequency of review being every thirty-six months rather than twelve.

5.2 Public Interest Disclosure Act 1998 Policy and Procedure

Members received and noted the Public Interest Disclosure Act 1998 Policy and Procedure (Paper No CB/23.03.10/R-5.2) which had been amended slightly following the resignation of the Corporate Secretary. As proposed by Dr Finney and seconded by Mr Newell, it was

RESOLVED to re-adopt the Public Interest Disclosure Act 1998 Policy and Procedure, as detailed in Paper No CB/23.03.10/R-5.2.

As far as the review of policies was concerned, Mr Parkes explained that the process of reviewing all policies had commenced. He referred members to Paper Nos CB/23.03.10/I-10.1 and I-10.2, which appeared later on the agenda.

R-6 ANNUAL HEALTH AND SAFETY REPORT TO GOVERNORS FOR THE ACADEMIC YEAR 2008/2009

Members received and noted the Annual Health and Safety Report to Governors for the Academic Year 2008/2009 (Paper No CB/23.03.10/R-6).

Ms Birchenough, as Chairman of the Estates Committee, sought to reassure members that there were no incidents or accidents during the last academic year which should give rise to governor intervention.

Mr Parkes raised two concerns with the report: firstly, it had taken nearly seven months since the end of the last academic year for the report to reach the Board and, secondly, there was no clear number of accidents mentioned

within the report. He acknowledged the presence of benchmarking but believed the College should focus on what occurred within this College rather than concern itself with benchmarking statistics.

The Clerk explained that the report would usually be seen by the Board at the January meeting. However, he had been informed that, owing to glitches in the access database involved, it had been delayed. He reminded members that it had been agreed previously that the main reporting of statistics would be to the Estates Committee and that the Board would receive a general overview. He expressed some surprise at the raising of issues at this level again and drew members' attention to the minutes of the Estates Committee meeting held on 2 March 2010 (Paper No CB/23.03.10/I-3.1) where it stated:

“Subject to resolve the technical glitch in relation to dates on the graphs, members were satisfied that the report would provide appropriate information for the Board.”

The Vice Principal, now responsible for Health and Safety, advised that the college encouraged all staff, students and visitors to report any incident or accident. He noted that this College's reportings were probably above the AoC average, but he believed this was due to the positive reporting culture within the College.

Mrs Adams, a member of the Estates Committee, explained that the method of reporting continued to change and data was presented differently each time. However, she assured members that the Committee had been satisfied that the statistics were improving.

Mr Parkes considered that 'near misses' should be distinguished separately from 'accidents'. He referred members to page 3, specifically 'Staff Incidents/Accidents' where it stated:

“The average number of staff accidents across the AoC has increased this academic year. The same is true at North West Kent College.”

The general increase was simply noted in the report, whereas Mr Parkes preferred that the College's actions in attempting to reduce the number should be commented upon in the report.

Dr Finney referred members to the table on page 5 and pointed out that the figures were incorrect. He sought amendment to the figures within the table and to the conclusions, should the inferences drawn from the statistics prove to have been misleading. Referring to the checking of data, Ms Birchenough explained that the Estates Committee did not check statistical data. She questioned whether any robust, in-house system of data checking was in existence. The Vice Principal confirmed that the report had been considered by the Estates Committee but, in future, he would check all such data prior to submission.

The Chairman questioned whether the checking of data was an issue across the whole of the College. The Principal acknowledged that the health and safety data required re-checking and confirmed that the Vice Principal would carry out that function in future. As far as the main data within the College was concerned, student numbers, success rates etc, he advised that many staff were involved in that data, as were the external auditors. He confirmed that such data was checked and re-checked.

To summarise, the Chairman believed that, as the report had been through the current scrutiny process including consideration by the Estates Committee, any such obvious errors should have been highlighted. As a result, he believed the [internal control] process had failed. As far as the report to the Board was concerned, he determined that the Board could not accept the report as it stood and it should be reworked and submitted, informally, to members of the Estates Committee and Dr Finney, prior to re-submission to the Board in May 2010.

Action

Clerk

R-7 PRINCIPAL'S REPORT

Members received and noted the Principal's Report (Paper No CB/23.03.10/R-7). Members were advised that a resolution was required which stated the members' position regarding a revised curriculum offer. The Principal outlined the details behind the funding for 2010/2011:

- (a) 19+ - Priority to be given to learners continuing their full-time education and those undertaking Access courses.
- (b) Non-priority provision would not be offered unless it was self-financing. [Members noted that any non-priority work that was offered would result in funding being reduced in the following year.]
- (c) A further reduction in funding was also required, which took into account the decrease in funding from £3m this year to £2.6m next year. The Senior Management Team had discussed the College's offer and full-cost provision had been considered appropriate in:
 - All Level 4 part-time courses
 - All AAT and SAFE Accounting part-time courses
 - Secretarial skills evening workshops.

SMT had also deemed it appropriate to withdraw the following:

- ESOL Basic Level 1 [few numbers, poor success rates]
- Foundation Studies provision in Ashford
- Foundation Studies summer schools
- Office Technology Level 1 full-time [few students, declining success rates]
- Reduce Access course places from 100 to 60 [increased from 50 this year to 100; some marginal learners, intermittent success rates, therefore must be more selective for 2010/2011].

As a result, part-time and evening provision will be reduced significantly and, in effect, evening classes will no longer take place.

The Principal believed that the funding for 19+ students would continue to be reduced. He explained the use of full-time staff (approximately 80%) and sessional staff (approximately 20%). He explained that although there would be fewer teaching hours in some areas, it must be noted that some 19+ students in-filled in with 16-18 and there was no benefit to the College in reducing those numbers. Staff planning for next year would be considered shortly, as some recruitment had been deferred pending the outcome of funding discussions.

The Chairman summarised that the reductions were necessary and the College had to be flexible to cope with the changes.

As proposed by Mr Parkes and seconded by Mr Moody, it was unanimously

RESOLVED *to reduce the provision within the College from 2010/2011 as outlined above and in the Principal's Report (Paper No CB/23.03.10/R-7).*

16-18

The Principal acknowledged that an additional £350,000 had been offered above the £16.983m originally offered. The College had lodged an appeal last week and a conclusion to this matter was expected before the end of the month and the demise of the LSC. The Principal had met with Howard Stoate and his political researcher last week and, in the event of a negative response to the appeal being received, representations would be made by the local MP.

On a more positive note, the Principal advised that he had received communications from the Young Persons' Scheme, offering the College £460,000 for training in relation to *return to work* and *work focus training*, such referral coming through Job Centre Plus.

The Principal advised that such ad hoc contracts were achievable, but the challenge for the College was to ensure that the appropriate mechanisms were in place in order to deliver them.

Accommodation Issues

The Principal referred to the capital funding for the SusCon Project and expected notification from the LSC before the end of the month.

Members noted that discussions continue regarding the relocation of *The Learning Shop* at Bluewater to larger premises adjacent to the Management Centre. The Principal had visited the new unit which was double the size of the existing premises. External funding of approximately £350,000 would be required in order to refurbish the unit and it was hoped that this issue would be resolved in the Autumn.

The Chairman drew members' attention to the fact that this was the last formal attendance of the Principal at a Board meeting. The Principal Designate would take up his post from 12 April 2010. He referred to discussions at the Annual Corporate Conference regarding a dinner with the Principal and his wife and advised that Friday, 9 July 2010 had been agreed. Further details would follow shortly.

Action

Clerk

The Chairman briefly outlined the Principal's achievements during his fifteen years as Principal of this College. He referred not only to the much improved physical environment, achieving funding of over £80m for the projects, ten years at The Learning Shop, Bluewater, and the developing SusCon Project, but also to the Principal being a champion for all learners regardless of their background. His political astuteness had been used for the benefit of the College and not for himself. As a result of the Principal's achievements, the College had become part of the communities which it served. The Chairman warmly thanked the Principal, on behalf of the Board, for his contribution to the College and wished him well in his retirement.

Briefly outlining his entry into further education some thirty-eight years ago, and the fact that FE was about opportunity, the Principal thanked the Chairman and the Board for their kind words. He believed that the College had progressed because it had never lost sight of the students, something which he believed to be its strength.

D-1 GOVERNORS' REVIEW GROUP

The Chairman referred to the creation of the Governors' Review Group, which had met in early March and considered various items including the structure of the committees. The creation of an "Human Resources Committee", which had been discussed by the Board last year but not implemented, was discussed further by the Group. Group members had been satisfied that an Human Resources Committee, to include staff and student matters within its purview, was appropriate. Mr Newell had agreed to act as Chairman of the new committee. Members were advised that the Terms of Reference would be discussed at the next meeting of the Group. Following discussion and as proposed by Mr Anderson and seconded by Dr Finney, it was

RESOLVED *to create an Human Resources Committee, to include staff and student matters within its remit, having Mr Newell acting as its Chairman.*

Clerk

RESERVED

[The Staff Governors and the Vice Principal withdrew at this point]

The Chairman advised of the Vice Principal's wish to retire from his current role but to continue, on a part-time basis, with the capital project until its completion in 2012. The Chairman explained that the Vice Principal

believed that the role could be undertaken three days per week, particularly with the Estates Development Manager being employed full-time. He suggested that the Vice Principal's title should remain as "Vice Principal", perhaps with the qualifier "Estates".

The Chairman advised that if members were in agreement with the proposal, an advertisement for a Vice Principal (to undertake Terry's non-project responsibilities) could be placed very soon, the Chairman having discussed the role previously with the Principal Designate, with a view to the post being filled and handover completed by the end of 2010.

Following discussion, members were satisfied with the proposals being put forward. As proposed by Mr Anderson and seconded by Dr Finney, it was

RESOLVED to approve the revised contract terms of the Vice Principal, retaining Senior Postholder status as Vice Principal, Estates [title to be agreed] with a reduction in hours to 0.6, and to give the Chairman delegated authority to discuss the role with the Principal Designate, in order to prepare the job description and negotiate with the Vice Principal insofar as contract, terms in relation to end of period in office and handover are concerned.

Chairman

Members agreed that the respective job descriptions of both Vice Principal designate and Terry as Vice Principal, Estates (title to be confirmed) should be circulated to all members.

Clerk

I-1 SEARCH COMMITTEE

1.1 The minutes of the meeting of the Search Committee held on 9 February 2010 (Paper No CB/23.03.10/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 23 February 2010 (Paper No CB/23.03.10/I-2.1) were received and noted.

2.2 Matters Arising

(D-3) Every Child Matters

The Chairman of the Standards Committee referred to the action item from the last Corporate Board meeting, ie that Standards Committee

should discuss the *Every Child Matters* report and make recommendations to the Board. He advised that he would discuss the matter with the Clerk in order to prepare a document for the next Board meeting.

Action
Dr Finney/
Clerk

I-3 ESTATES COMMITTEE

3.1 The minutes of the meeting of the Estates Committee held on 2 March 2010 (Paper No CB/23.03.10/I-3.1) were received and noted.

3.2 Matters Arising

There were no matters arising.

I-4 AUDIT COMMITTEE

4.1 The minutes of the meeting of the Audit Committee held on 3 March 2010 (Paper No CB/23.03.10/I-4.1) were received and noted.

4.2 Matters Arising

There were no matters arising.

I-5 ANNUAL CORPORATE CONFERENCE

5.1 The minutes of the Annual Corporate Conference held on 6 March 2010 (Paper No CB/23.03.10/I-5.1) were received and noted.

5.2 Matters Arising

There were no matters arising.

I-6 FINANCE AND GENERAL PURPOSES COMMITTEE

6.1 The minutes of the meeting of the Finance and General Purposes Committee held on 9 March 2010 (Paper No CB/23.03.10/I-6.1) were received and noted.

6.2 Matters Arising

There were no matters arising.

I-7 MANAGEMENT ACCOUNTS TO JANUARY 2010

Members received and noted the Management Accounts to January 2010 (Paper No CB/23.03.10/I-7).

I-8 CAPITAL PROJECT STATUS REPORT, FEBRUARY 2010

Members received and noted the Capital Project Status Report as at February 2010 (Paper No CB/23.03.10/I-8).

I-9 USE OF CORPORATION SEAL 2009/2010

Members received and noted advice that the Corporation Seal had been used on five occasions during the period 19 January 2010 and 15 March 2010 (Paper No CB/23.03.10/I-9).

I-10 POLICIES

10.1 Policy List (Board Approvals)

10.2 Policy List (SMT Approvals)

Members received and noted the Policy List (Board Approvals) (Paper No CB/23.03.10/I-10.1) and Policy List (SMT Approvals) (Paper No CB/23.03.10/I-10.2). On the basis of the earlier discussions under Papers CB/23.03.10/R-5.1 and R-5.2, the Chairman stated that the Governors' Review Group would consider policies at their next meeting on 26 April 2010. Separately, Dr Finney would provide the Clerk with the names of policies he wished to receive.

I-11 COLLEGE PROSPECTUS 2010/2011

Members received and noted the College Prospectus for 2010/2011 (Paper No CB/23.03.10/I-11). While the Staff Governor (Academic) advised that some of the courses within the Prospectus were no longer available due to QCF, the Staff Governor (Support) advised that the Prospectus was well received by its target audience, ie 16-18 year old students.

C-1 ANY OTHER BUSINESS

The Chairman drew members' attention to the recently-circulated invitation to the Grand Opening of the Training Restaurant at Gravesend next week. He urged members to support the event.

Clarification on the recruitment of two student governors was sought. The Clerk advised that two students had shown interest in the role. As there was no Student Union at the College, a 'forum' would be held, comprising all class representatives, together with the two interested parties and a decision would be made. The Staff Governor (Support) would be arranging the meeting in the near future.

Action

Clerk

Dr Finney

Staff
Governor
(Support)

The Clerk advised members that two other prospective governors would be interviewed in early May: the General Manager of Bluewater and a solicitor.

Action

C-2 DATE AND TIME OF NEXT MEETING

Training Event, *Audit and Risk*: 3.30pm, Wednesday, 19 May 2010 in GR105 at Dering Way, Gravesend.

Ordinary Meeting: 5.30pm, Wednesday, 19 May 2010 in the Training Restaurant, Dering Way, Gravesend.