

**MINUTES OF CORPORATION MEETING,
CORPORATION 97, HELD ON 9 DECEMBER 2010**

Present: John Wilson (Chair of Corporation), Karolina Biaigo, George Coyle, Jim Darmody, Mary-Rose Hardy, Mike Noddings (Vice-Chair of Corporation), William Minns, Grace Richardson, Richard Smith (Principal), Sarah Smythe, Julian Stern,

In attendance: Fiona Bagchi (Clerk to the Corporation), Jenny Clough (Personnel Officer), Steve Rogers (Finance Manager)

97.1 Apologies for absence:

Management: Mike Rogerson (Vice-Principal, Student and Staff Support), Mark Rothery (Assistant Principal), Ian Taylor (Vice-Principal, Performance Improvement), Alan Woodcock (Director of Resources)

Corporation members: Gail Burrows, Jackie Goodman, Glynis Hamlett, Richard Heseltine, Sarah Kimemia, Richard Welton, Philip Wright

97.2 Declarations of interest

There were no declarations of interests.

97.3 Governance issues I

(a) Appointment a Parent member of Corporation

It was noted that the closing date for return of ballot papers for the parent governor election had been 6 December 2010 but agreed that, as delivery of post locally had been severely delayed by the recent bad weather, the count should also be delayed.

Action: Clerk

97.4 Minutes of Meeting 96 held on 30 September 2010.

Corporation approved the minutes of the meeting held on 30 September 2010.

97.5 Matters arising and actions

(Actions shown below are numbered according to their position in the action points table appended to the end of the previous minutes. The reference to the item where the action can be found in the previous minutes is given in brackets at the end of each item).

- 1 Corporation minutes 95 had been amended, as agreed (96.3).
- 2 Karolina Biaigo and Billy Minns, had been appointed subject to satisfactory CRB checks, which remained to be completed (96.4).

Action: Clerk/JC

- 3 The election for a parent member of Corporation had been considered earlier on the agenda(96.4) .
- 4 Corporation had agreed that the Chair of Corporation and the Principal should sign routine documents relating to the building project as required and that the Chair should be able to delegate signing, if necessary, to another Corporation member, with documents being sealed where this was a requirement or to the College's advantage (96.4).
Action: Clerk/Chair/RTS
- 5 Corporation had agreed that the College should become a partner in West Hull Co-operative Learning Trust, providing one trustee to the Trust Board. The formal appointment of trustees had not yet made (96.4).
Action: Clerk/RTS
- 6 It was noted that the Principal, Richard Smith, had been named as Trustee for Wyke Sixth Form College in the northern Academy Trust structure and that Mike Noddings had been nominated to the governing body of the northern Academy by Corporation at its September 2010m meeting but a formal appointment had yet to take place(96.4) .
Action: Clerk/RTS
- 7 A report from the Audit Committee on re- tendering for auditors was on the agenda (96.4).
- 8 The F&GP Committee had continued to monitor interest rates and a recommendation to Corporation on the desirability of fixing a further portion of the loan was on the agenda (96.8).
- 9 Sarah Kimemia had been re-appointed to Corporation from 20.12.10 (96.8).
Action: Clerk
- 10 The YPLA consultation on the Instrument and Articles of Government modification order had been withdrawn (96.9).
- 11 A briefing on financial KPIs and ratios had been added to Corporation's briefing schedule (96.9).
- 12 A report on Corporation PIs for 2009/10 was on the agenda (96.9) .
- 13 A report on the updating of Corporation members' register of interests and skills audit forms was on the agenda (96.9) .
- 14 Corporation and Committee terms of reference had been updated, as agreed (96.9).
- 15 Corporation's Standing Orders and appendices had been updated as agreed. An additional amendment to the Search Committee terms of reference was on the agenda (96.9).
- 16 Corporation's Code of Conduct had been updated, as agreed (96.9).
- 17 The Chair of Corporation and the Principal had signed the northern Academy agreement on behalf of the College as co-sponsor, as agreed (96.9).
- 18 Search Committee minutes of 13.9.10 and F&GP Committee minutes of 21.9.10

were on the agenda, as agreed (98.10).

97.6 Committee reports, presentations and recommendations

It was agreed that, in the absence of Mike Rogerson, Vice-Principal (Student & Staff Support) that the report of the Personnel Committee should be given at this point on the agenda, to enable Jenny Clough, the Personnel Officer to contribute.

(d) Personnel Committee

Mary-Rose Hardy, Chair of the Personnel Committee presented the following reports and recommendations, with assistance from Jenny Clough, Personnel Officer.

(i) Annual Report on Safeguarding Children and Vulnerable Adults 2009/10

Members noted that:

- The Personnel Committee received the College's annual safeguarding report and reviewed the College's safeguarding policies and procedures annually at its autumn term meeting.
- The report for 2009/10 was received at the November 2010 meeting of the Committee and Mike Rogerson had also provided an update report for 2009/10 on the College's schedule of safeguarding training for 2010/11.
- The College had dealt with a small number of Child Protection issues during the year at the lower level of prevention of chaos. The Principal and Vice-Principal had also met with a representative from the East Riding Safeguarding Board following the death of a former student of the College.

Corporation received the College's annual report on safeguarding children and vulnerable adults for 2009/10 and an update on safeguarding training.

(ii) Annual review of the College's safeguarding policies and procedures

It was noted that the Personnel Committee reviewed the College's safeguarding policies and procedures at its November 2010 meeting and agreed that no amendments were required.

(iii) Recommendation on the revised Single Equality Scheme

(iv) Recommendation on revised Capability Procedure and Personal Harassment Policy

Members noted that:

- The Personnel Committee had considered the College's revised Single Equality Scheme (SES) at its November 2010 meeting, noting that it had been comprehensively revised taking into account the requirements of the Equality Act 2010. The College had consulted with staff on the revised SES.
- The Personnel Officer and the Personnel Committee were reviewing personnel policies and procedures according to a rolling schedule and had considered the revised Capability Procedure and Personal Harassment Policy at the Committee's June and November 2010 meetings. It was noted that the College had consulted with staff on the draft revised policies before the Committee's November 2010 meeting.

Corporation approved on the recommendation of the Personnel Committee the College's revised Single Equality Scheme, Capability Procedure and Personal Harassment Policy.

(v) Report on 2010 pay award

Members noted that:

- The nationally negotiated pay sixth form college increase was 0.75% for teaching and support staff, which was being considered by the unions/professional associations.
- It was noted that the award was lower than the 2.5% award being made to school teachers as the second year of a 2 year deal.
- It was noted that an annual non-consolidated support staff standards payment (SSSP) of £320 also formed part of the 2010/11 pay award to support staff.

Corporation noted that if accepted by the unions/professional associations, in line with Corporation's practice, the Chair of Corporation would authorise payment to teaching and support staff of the nationally negotiated pay increase of 0.75% from 1.910, as it was within the sum approved by Corporation in the 2010/11 budget for the annual staff pay award.

Corporation thanked Jenny Clough for attending the meeting for the above items.

(Jenny Clough left the meeting).

(a) Audit Committee

In the absence of the Chair and Vice-Chair of the Audit Committee, the Chair of Corporation asked the Finance Manager to speak to the following reports. It was noted that Grace Richardson, an Audit Committee member, was present at the current meeting but had not been in attendance at the Committee's November 2010 meeting.

(i) Annual Audit Committee Report

Corporation considered the Audit Committee's Annual Report for 2009/10, including the following documents attached as appendices to Report:

- The Internal Audit Service Annual Report 2009/10
- The Financial Statements Final Audit Findings, year ended 31 July 2010
- The Regularity Audit Report for the year ended 31 July 2010
- The College's Annual Risk Management Report 2009/10

It was noted in response to members' queries that:

- With reference to the annual internal audit report, that 10 reports had been issued during 2009/2010, with a grade of significant assurance given in each case except in the case of the IT Infrastructure (New Build review) which had received a grade of Limited Assurance. It was noted that the implementation of recommendations arising from the review was being monitored by the Audit Committee at each of its meetings.
- With reference to the College's risk management report, it was noted that many of the risk relating to the College re-development project had been removed from the College's risk priorities and controls documents and that funding remained the College's most significant risk.

It was noted that financial statements/regularity auditors would issue an unqualified audit opinion in the standard format on the financial statements and that an unqualified regularity audit opinion in the standard format had been issued.

Corporation noted the Audit Committee's overall opinion as expressed in its Annual Report 2009/10 was that:

- based on the reports of and discussions with both the internal, financial statements, regularity, funding and ILR controls review auditors, together with our own enquiries, the Audit Committee's opinion is:
- that reliance can be placed upon the adequacy and effectiveness of Wyke College's systems of internal control and its arrangements for risk management, control and governance and securing economy, efficiency and effectiveness; that the

Corporation's responsibilities, included in the annual financial statements, have been satisfactorily discharged.

Corporation received and accepted the Audit Committee's Annual Report 2009/10, noting the Committee's positive overall opinion.

(ii) Recommendation on Financial Statements and Regularity Audit Letters of Representation

Corporation approved, on the recommendation of the Audit Committee, for signing by the Chair of Corporation and the Principal, the letters of representation to the financial statements/regularity auditors.

Action: Chair/RTS/SR

(iii) Recommendation on tendering for internal and financial statements/regularity auditors

Corporation noted the following report from the Audit Committee:

- It had been agreed at the July 2010 meeting of Corporation that the Audit Committee should review the issue of re-tendering for auditors and report to Corporation, Rick Welton having expressed a preference for regular retendering for auditors as an example of best practice and having abstained from voting on the strategy, including fees, for the financial statements/regularity audit for the year ended 31.7.10.
- The need for re-tendering had therefore been considered by the Audit Committee at its November 2010 meeting, with the following points noted.
 - An Interim Audit Code of Practice had been introduced by the Learning and Skills Council (LSC) in 2002 and was replaced by the current Audit Code of Practice (ACOP) in 2004. Unlike the previous code, there was no requirement in the IACOP or the ACOP for colleges to re-tender for internal or financial statement/regularity auditors after a set number of years, although there was a requirement for the head of the internal audit service (IAS) and the partner responsible for the financial statements audit to be rotated every 7 years to ensure auditor independence. The Audit Committee monitored this annually to ensure compliance by the firms concerned. The regularity auditors reviewed annually the regularity and propriety of College's expenditure and were appointed under a tri-partite letter of engagement between the college, funding body and audit firm, to allow funders to rely on the regularity audit findings.
 - Under the ACOP, financial statements/regularity auditors were subject to annual appointment. Longer contracts could be offered under the ACOP to the IAS but continuation of the contract was subject to annual performance review. Appointment should be in line with colleges' own financial regulations and value for money should also be considered when making appointments.
 - The LSC had been dissolved with effect from 1.4.10 and local authorities had taken on responsibility for funding 16-18 year olds from 1.4.10 but this responsibility had passed to the Young People's Learning Agency (YPLA) on 1.8.10. The YPLA and the Skills Funding Agency (SFA), which were now responsible for audit arrangements in sixth form and FE colleges respectively, had issued a revised ACOP Part I, which set out how the funding bodies would work together to avoid duplication in relation to audit, but had yet to issue a revised ACOP Part II setting out the new audit arrangements applying to colleges, which meant that the LSC's ACOP was still in force.
 - The College's 3-year contract with the East Coast Audit Consortium (ECAC) as IAS ended in July 2010. As the new ACOP Part II had not been issued and details of any changes to the audit regime (e.g. in terms of audit coverage or in relation to re-tendering) were not known, the ECAC were re-appointed by Corporation in July 2010 as IAS for one year. Baker Tilly UK Audit LLP were

re-appointed by Corporation in May 2010 (subject to agreement of fees at the July 2010 Corporation meeting) to conduct the financial statements/regularity audit for the year ended 31.7.10 and this had now been completed. Both the ECAC and Baker Tilly had been recommended for re-appointment by the Audit Committee following satisfactory annual performance review including review of fees, which were considered competitive.

- Having considered the above, the Audit Committee concluded at its November 2010 meeting that it would not be appropriate to consider the need to undertake re-tendering until the revised ACOP Part II was issued and the requirements of the new audit regime were known.
- The November 2010 meeting of the Audit Committee had also noted that the College had previously tendered as part of a consortium of sixth form colleges to ensure that fees were competitive and noted that should it be decided to re-tender in the future, it might be appropriate to re-investigate this possibility.

Corporation received a report from the Audit Committee on re-tendering for auditors and agreed that the Committee should review the need to tender for internal and financial statements/regularity auditors once the YPLA/SFA had issued their new Audit Code of Practice Part II and audit requirements were known.

Action: Clerk

(iv) Recommendation on ratification of the LSC's Financial Management and Evaluation return submitted to the YPLA

Corporation noted the following report from the Audit Committee:

- From autumn 2008, the LSC required colleges to complete a Financial Management and Control Evaluation (FMCE) return annually. Following the abolition of the LSC with effect from 1.4.10, the annual return was now made to the Young People's Learning Agency (YPLA).
- The FMCE grade contributed to the College's Framework for Excellence (FfE) grades.
- The College had completed the full return in 2007/08 but completed summary returns for 2008/09 and 2009/10, as the College's financial management and control arrangements remain unchanged and its self-assessment accordingly remained as agreed in 2007/08 i.e. as grade 2 (Good).
- An improvement plan was included as part of the summary return.
- The Audit Committee had considered the College's FMCE for 2009/10 at its meeting on 29 November 2010 and approved it for submission to the YPLA by the deadline of 30 November 2010.
- The Audit Committee agreed at its November 2010 meeting to recommend the approved FMCE for 2009/10 to Corporation for ratification.

Corporation ratified the College's Financial Management & Control Evaluation (FMCE) for 2009/10, on the recommendation of the Audit Committee, noting that the self-assessed grade remained 2 (Good).

(v) Recommendation on the Internal Audit Plan for 2010/11

Corporation noted the following report from the Audit Committee:

- The Audit Committee had considered the Internal Audit Plan for 2010/11 at its October 2010 meeting and were recommending it to Corporation for approval.
- As the new Joint Audit Code of Practice (ACOP) had yet to be issued by the YPLA/SFA, areas of the plan which would normally be covered on a cyclical basis had been drawn from year one of the previously approved strategic plan.

Corporation approved, on the recommendation of the Audit Committee the

Internal Audit Plan 2010/11, noting that it would be revised during the year, if necessary, to take account of any new guidance included in the YPLA/SFA revised Audit Code of Practice (ACOP) Part II.

(b) Finance and General Purposes (F&GP) Committee

(i) Recommendation on Accounting Policies

John Wilson, as Chair of the F&GP Committee, reported that:

- The F&GP Committee reviewed the College's accounting policies annually, making a recommendation on their approval to Corporation before Corporation considered the annual Members' Report and Financial Statements.
- The F&GP received the Members' Report and Financial Statements for the year ended (y.e.) 31.7.10 at its meeting on 23 November 2010.
- The Audit Committee also considered the accounting policies annually, at their second autumn term meeting, when reviewing the Members' Report and Financial Statements and the Final Audit Findings report from the financial statements auditors.
- Both Committees noted that the accounting policies remained unchanged from those used in previous years and were considered by the financial statements auditors to be appropriate for the College and consistent with the sector.

Corporation approved, on the recommendation of the Finance and General Purposes (F&GP) Committee, the accounting policies at pages 20-22 of the Financial Statements for the year ended (y.e.) 31.7.10 before considering the Members' Report and Financial Statements for the year ended 31.7.10.

(ii) Reconciliation report and recommendation on the Financial Statements and Members' Report for year ended 31.7.10

John Wilson reported that:

- The F&GP Committee reviewed the draft Members' Report and Financial Statements annually, receiving the Report for the y.e. 31.7.10 at its November 2010 meeting.
- In line with the LSC's Audit Code of Practice, the Audit Committee also reviewed the Members' Report and Financial Statements annually with a view to informing its review of the financial statements auditors' final audit findings report and its consideration of the final regularity audit opinion, the statements on corporate governance, the responsibilities of members of the Corporation and the system of internal control.
- The Audit Committee reviewed the Report for the y.e. 31.7.10 at its November 2010 meeting, together with a reconciliation of operating surplus to budget 2009-10 report from the Finance Manager.

Members considered the reconciliation on the operating surplus to budget for 2009/10, noting that the operating surplus as represented in the statutory accounts was £1,000.

Members considered the operating surplus including and excluding Financial Reporting Standards (FRS) 17 adjustments, noting key variances from budget excluding FRS17 adjustments e.g. LSC recurrent funding and trading and non-LSC grants were higher than budget, and LSC other funding, transport costs, pay costs, depreciation and interest on loans were lower than budget.

Corporation approved, on the recommendation of the Finance and General Purposes (F&GP) and the Audit Committees, the Members' Report and Financial Statements for the y.e. 31.7.10.

Action: Chair/RTS

It was noted that a copy of the approved and signed Members' Report and Financial Statements for the y.e. 31.7.10 would be sent to the YPLA.

Action: Clerk/SR

(iii) Review of letter from YPLA confirming College's Financial Health Assessment

John Wilson reported that:

- The F&GP Committee reviewed the LSC/YPLA's assessment of the College's Financial Health category annually.
- The Committee reviewed the assessment for 2009/10 at its meeting on 23 November 2010, noting that the YPLA had confirmed the College's self-assessed grade of "Satisfactory".

Members noted that:

- The College's self-assessed financial category had, as planned, fallen to "Satisfactory" during the period of the College's re-development project and was shown as improving to "Good" from 2011/12, based on the College's 3-year financial plan.

Corporation noted that the YPLA has confirmed the College's self-assessed Financial Health category grade for 2009/10 as "Satisfactory".

(iv) Recommendation on Student Association accounts for year ended 31.7.10 and budget for 2010/11

John Wilson reported that:

- The F&GP Committee reviewed the Student Association accounts annually.
- The Committee reviewed the Student Association accounts for the y.e. 31.7.10 and the Student Association budget for 2010/11 at its meeting on 23 November 2010.

Corporation members commended the Student Association for the range of activities offered to students and for its substantial donations to charity.

Corporation approved, on the recommendation of the Finance and General Purposes (F&GP) the Student Association accounts for the y.e. 31.7.10 and the Student Association budget for 2010/11.

(v) Student numbers and funding report

John Wilson invited the Principal to speak to the student numbers and funding report for November 2010, which had been considered at the F&GP Committee's November 2010 meeting.

Members noted that:

- The College was currently exceeding its funding allocation for students aged 16-18, its core business, but was currently under-achieving on its allocation on the Standard Learner Number (SLN) allocation for students aged 19+ by around 3 SLNs/£13,000 on programme funding.
- The report recorded retention for November 2010, which was too early in the year to discern an overall trend.

Corporation considered the student numbers and funding report, noting that the College was exceeding its funding allocation for 16-18 year old students.

(vi) Monthly management accounts, including report on PIs and cashflow

John Wilson invited the Finance Manager to speak to the management accounts for October 2010, including the key performance indicators (KPIs), ratios and cashflow forecast, which had been considered at the F&GP Committee's November 2010 meeting.

Members noted in discussion that:

- The operating surplus for the 3 months to 31 October 2010 was £427,300 compared to a budgeted surplus of £423,900.
- Trading income was £36,600 below budget, mainly due to lower than budgeted enrolments on English for Speakers of Other Languages (ESOL) courses, which was being monitored.
- Pay expenditure showed a positive variance of £19,000 but pay awards for 2010/11 had yet to be finalised.

The Committee received and considered the management accounts for October 2010, noting that the operating surplus was higher than budget.

(vii) College re-development project: report on borrowing

John Wilson invited the Finance Manager to speak to the borrowing report with reference to the desirability of fixing a further portion of the £2.5 million loan used to support the College re-development project, noting that interest currently being paid on the unfixed part of the loan was less than 1.0%. It was noted that the F&GP Committee continued to monitor long-term interest rates at each meeting.

Corporation received a report on long-term interest rates and agreed, on the recommendation of the F&GP Committee, that a further portion of the loan should not be fixed at the present time but that the Committee should continue to monitor interest rate movements.

Action: Clerk/SR

(viii) Recommendation on revisions to the Financial Regulations and Procedures

John Wilson invited the Finance Manager to speak to the revised Financial Regulations which had been considered at the F&GP Committee's November 2010 meeting.

Corporation approved, on the recommendation of the F&GP Committee, minor updating amendments to the College's Financial Regulations.

(c) Curriculum & Quality (C&Q) Committee

(i) Every Child Matters Report 2009/10

Mike Noddings, as Chair of the C&Q Committee, presented the College's Every Child Matters (ECM) Report for 2009/10, which had been considered by the Committee at its November 2010 meeting.

Members discussed the report in detail, noting that:

- The 5 ECM themes grades for 2009/10 remained as in 2008/09 i.e.:
 - Grade 1 (Outstanding) – Make a Positive Contribution
 - Grade 2 (Good) - Be Healthy, Stay Safe, Achieve Economic Well-being, Enjoy and Achieve.
- Significant changes in 2009/10 included:
 - Safeguarding training had been provided for all staff and was 94% complete within the academic year
 - A2 Results were excellent although changes to HE funding had had resulted in 78.5% of students placed in 2010 compared to 86.5% in 2009
 - The tutorial programme had continued to develop, with much emphasis on health promotion.
 - The re-development of the College had been completed for Easter 2010 and officially opened in October 2010.

- There had been many student visits during the year, with visits to South Africa and New York particularly worthy of note
- The Student Association Executive had organised a significant, and varied, number of events for all students, including raising funds for their chosen charity
- Sport continued to be popular and to have a high profile in the college
- New strategies were required to reduce the number of students involved in smoking.

Members discussed whether ECM would continue to form part of the inspection regime under changes proposed by the Coalition Government, noting that the schools White Paper indicated that there would be a focus on core educational issues by Ofsted.

Corporation received the College's Every Child Matters (ECM) Report for 2009/10, commending the College for its comprehensive nature. It was noted that the grades in the ECM contributed to the Record of Main Findings (RMF) grades which would be considered under the next item.

(ii) Recommendation on approval of College Self-Assessment Report 2009/10

Mike Noddings reported that:

- The Curriculum & Quality (C&Q) Committee considered the College's Self-Assessment Report (SAR) annually.
- Three members of the C&Q Committee, Mike Noddings, John Wilson and Jackie Goodman, had taken part in the College's SAR curriculum grades moderation meeting which immediately preceded the C&Q Committee's November 2010 meeting.

Corporation considered the Record of Main Findings Report (RMF), and agreed that, under the Leadership and Management heading, the grade for "How effectively do governors and supervisory bodies provide leadership, direction and challenge?" should be grade 2, taking into account the FMCE grades considered earlier on the agenda, whether the College offered Value for Money (VfM) in terms of student numbers, how well the College was performing in relation to student achievement, retention and value-added, safeguarding, equality and diversity, and taking into account Corporation's own individual Corporation member self-assessment analysis to be considered later on the agenda.

Members considered other RMF grades, noting that Overall Effectiveness and Capacity to Improve had been self-assessed as Grade 2, and that all contributory sections had also been self-assessed as grade 2 with the following exceptions, which had been self-assessed as grade1:

- Under Outcomes for Learners, "How well do learners make a positive contribution to the community?" (as noted under the ECM report above).
- Under Quality of Provision, "How effectively does the provision meet the needs and interests of users?"
- Under Leadership and Management, "How effectively does the provider promote the safeguarding of learners?", "How effectively does the provider engage with users to support and promote improvement?" and "How efficiently and effectively does the provider use its available resources to secure value for money?"

Members noted that the schools' equivalent to the RMF, the Self-Evaluation Form (SEF), had been abolished and considered whether the RMF would continue in future.

The Principal gave a demonstration of the College's SAR database on screen, highlighting how strengths and weaknesses were recorded with associated actions. Members noted action being taken to ensure improvement where there had been a fall in achievement at AS in 2009 and 2010 in a small number of high volume subjects in which assessment criteria had changed. Members commended the College on positive changes in a number of subjects which had previously been a focus for improvement in achievement.

(Jim Darmody left the meeting).

Corporation received a presentation on the development of the College Self-Assessment Report (SAR) 2009/10 and ratified the Record of Main Findings Report Grades.

It was agreed that the final version of the SAR overview would be presented to the February 2011 meeting of Corporation, following submission to the YPLA.

(d) **Personnel Committee**

It was noted that Personnel Committee reports had been given earlier on the agenda.

(e) **Student Committee**

(i) **Student Activities and Student Executive Reports, November 2010**

It was noted that the above reports had been presented to the November 2010 Student Committee meeting, which had been chaired by Karolina Biaigo.

Members noted in particular:

- Student visits, including the visit to South Africa and Spain.
- Awards made to the College's students by the Helena Kennedy Foundation
- Photographs included in the reports had been variously taken by students, staff or at official College events.

Corporation considered and received the Student Activities and Student Executive Reports for November 2009.

97.7 Management report including property strategy and partnership reports

The Principal spoke to the Management report, which was discussed.

(i) **Student Activity and Events**

Members noted that activities which had taken place since the November 2010 Student Activities Report included:

- A College team had won the Hull and East Yorkshire round of the Mathematics Challenge competition and would be going to London for the national final.
- Student Association fund-raising was continuing and a student team would take on a staff team later in the week in a "University Challenge" event to raise money for Papyrus/Hopeline.
- The College closed on 1 – 3 December 2010 due to heavy snowfalls, with staff volunteering to clear paths to enable the Open Morning on Saturday 4 December and normal lessons on Monday 6 December 2010 to take place. Thanks were also due to Balfour Beatty, which had helped to clear the initial snowfall, and to Kelvin Hall School's estates manager, who had helped in finding tractors to clear the car-parks of the subsequent fall of snow.

Corporation received the update on student activities and congratulated the Mathematics Challenge team, noting that 3 of the students taking part had previously studied at Kelvin Hall School.

(ii) **Partners**

Members noted that:

- The sponsorship of the academy to replace Sir Henry Cooper School by the University of Hull, both sixth from colleges and the Local Authority had now received ministerial approval but all Building Schools for the Future (BSF) projects were being reviewed to find significant cost savings.
- Re-building at Kelvin Hall school under BSF was progressing well.
- The Principal had shown the Director and Assistant Director of Children and Family Services for the East Riding of Yorkshire Council around the College and had recent meetings with the Principal of Sirius Academy and the Head of Cottingham High School to discuss local patterns of provision.

Corporation received the report on partnership issues.

(iii) Funding and Planning

The Principal gave a briefing on the emerging position concerning funding and planning, following the publication of the Comprehensive Spending Review (CSR) and the Schools White Paper.

Members noted that the following key points:

- The number of 16-19 students, nationally, was assumed to be the same for 2011/12 as for 2010/11, as a fall in demographics was expected to be compensated for by an increase in participation in education at age 16.
- The CSR has assumed a similar match in funding, which meant there would be no increase for rising costs, and that where an increase in the number of students was identified through the lagged funding process, the money would have to be shared out more thinly. This would be done through:
 - reducing entitlement funding (for tutorial and enrichment of curriculum and experience)
 - not continuing the funding protection that some Colleges enjoyed
 - removing the entitlement to funding for 19+ students
 - reducing the capping level on the SLN from 1.75 to 1.6.

(Mary-Rose Hardy left the meeting).

Members noted in discussion that:

- The Educational Maintenance Allowance (EMA) would be abolished from the beginning of the new academic year, at a saving of £500 million to public funds with a small compensatory increase in learner support funds to Colleges to £65 million.
- Around 60% of the College's students currently received an EMA at some level.
- Students had indicated that they wanted learner support funds to be spent on transport, materials for courses and food but there were currently restrictions on spending such funds on student transport.
- A member of the Student Association had recently approached the Principal concerning holding a peaceful protest in support of the EMA at the College.
- The possibility of students replacing income no longer available from EMAs with part-time earnings was limited, given level 3 students' significant workload and fewer part-time jobs being available because of the current adverse economic climate.
- The effect on student recruitment of the abolition of the EMA was currently unknown.

It was noted that at the SFCF AGM in Birmingham, Lord Hill, minister with responsibility for sixth form colleges, had announced, in conjunction with the Schools White Paper, the following:

- Fair funding regardless of type of institution, "at the levels of the most efficient", which should mean equalising school funding with college funding.
- Support for the creation of sixth form colleges where they were the best solution.

Members received a presentation from the Principal showing YPLA data relating to funding and success rates for providers locally, noting in particular:

- Current differences between school and college funding which favoured the former e.g. schools received funding for the increase in Teachers Pension Scheme (TPS) contributions while colleges did not.
- With reference to success rates, that not all schools shown were able to account for all student outcomes, which meant that the data between institutions was not comparable.

The following key areas in the Schools White Paper were noted:

- The YPLA would become an Education Funding Agency as an executive arm of the Department for Education (DfE) and would fund all schools which had opted out of local authority (LA) arrangements and 16-19 work in sixth form college and general FE colleges, passing money to LAs for those schools not yet opted out.
- A commitment to the raising of the participation age to 18.
- A focus on core educational issues by Ofsted and exemption from inspection for outstanding schools and colleges.
- The encouragement of Science and Mathematics
- The involvement of HE in A level reform, restrictions on re-sits of modules in GCSE and A level and a review of modularity of GCSEs, with more end of course examination and a review of the vocational curriculum
- Continued Local Authority responsibility for transport arrangements to promote access to education.

Members also noted that there would be a cessation of funding for:

- AimHigher (which had contributed greatly to the enrichment of student achievement at the College)
- Further Education Sports Co-ordination
- The Common Prospectus and Application Processes

It was noted in discussion with reference to HE that:

- Applications from the College's students for entry to HE in 2011 were high, as tuition fees would rise in the following year.
- A continuing cap on student enrolments would, however, mean that entry to university would continue to be highly competitive.

Corporation received a report from the Principal on the emerging position concerning funding and planning and noted key challenges for students and the College.

(iv) Progress against Development Plan

Members received the Principal's report against the College Development Plan, noting that:

- The first key funding number return of the year showed 1,226 16-19 year old students, which was 37 above the funded number of 1,189 and 124 above last year's total.
- As noted above, the College was slightly under the small adult allocation received for the year.

Corporation received a progress report on the College Development and noted that a further report and an updated Plan would be considered at Corporation's February 2011 meeting.

Action: Clerk/IDT

97.8 Governance issues II

- (a) Report on Corporation attendance year to date

Members noted that attendance year to date was 78% against a target of 75% set.

- (b) Report on Chair's action taken since the last meeting

Members noted that, to ensure the quoracy of the Audit Committee, the Chair of Corporation had taken Chair's action on 29 November 2010 to reduce the membership of the Audit Committee, during the vacancy for an external co-opted member, from 5 members with a quorum of 3 to 4 members with a quorum of 2.

- (c) Search Committee revised terms of reference

Corporation agreed that, to reflect the Search Committee's practice, the following sentence should be added to its terms of reference: To review and advise Corporation on governance arrangements.

Action: Clerk

- (d) Report on Corporation briefing and training schedule 2010/11

Briefings given to date were noted and it was agreed that the proposed briefing on Ofsted's new inspection framework should be removed from Corporation's training and briefing schedule and that the Finance Manager should give a briefing on financial performance indicators to the February 2011 meeting of Corporation.

Action: Clerk/SR

- (e) Progress report on YPLA consultation on modification order to amend Instrument and Articles of Government

Members noted that the YPLA had yet to re-issue the above consultation.

- (f) ONS re-classification of sixth form colleges as local authority entities

The Clerk reported that:

- The Office of National Statistics (ONS) which was an independent body, had decided to reclassify sixth form colleges as local government, public sector entities, and further education (FE) colleges as central government public sector entities.
- ONS had stated that the key factors in each of these decisions were the existence of public sector powers over the various institutions e.g. FE corporations and sixth form college corporations required public sector approval for borrowing.

Corporation noted that the ONS had classified all publicly funded education institutions in the UK responsible for educating students to the age of 18 as in the public sector. While this re-classification of independent sixth form and FE colleges meant that they would be treated differently for National Accounts purposes, the ONS decision did not affect the legal status of colleges as autonomous bodies, with college corporations continuing to be responsible for the financial viability of their institutions.

- (g) Review of Corporation effectiveness: Pls & Corporation self-assessment 2009/10

Corporation members considered its performance indicator (PI) report for 2009/10, noting in particular that, at 71%, overall Corporation attendance was below the agreed target of 75% and that one Corporation vacancy had remained unfilled for almost a year (against an agreed target of 6 months).

Corporation members considered the 2010 individual Corporation member self-assessment analysis report, noting that actions arising would be reviewed by the C&Q Committee.

- (h) Skills audit and register of interests review

The Clerk distributed interests forms for review and it was noted that updated audit of skills forms would be sent to members for completion.

Action: Clerk

97.9 Committee minutes, annual reports and forthcoming Committee meeting dates

- (a) Annual Committee Report

Corporation received the annual reports for 2009/10 of the following committees: the Personnel & Student Committees.

- (b) Committee minutes Sept. – Nov. 2010

Corporation received the following Committee minutes, with Committee reports and recommendations having been received as noted at items 97.6 above:

- Audit Committee minutes of 4.10.10
- C&Q Committee minutes of 30.11.10
- F&GP Committee minutes of 21.9.10 & 19.10.11
- Search Committee minutes of 13.9.10
- Student Committee minutes of 12.11.10

It was noted that the following minutes would be presented to Corporation 98, with Committee reports and recommendations having been received as noted at items 97.6 above:

- Audit Committee minutes of 29.11.10
- C&Q Committee minutes of 12.10.10
- F&GP Committee minutes of 23.11.10
- Personnel Committee minutes of 22.11.10

Corporation noted that the following Committee meetings would take place during the spring term and that Corporation members were welcome to attend as observers if they were not members of the Committee specified:

- Audit Committee, Mon. 14 Mar. 2011 at 4.30pm
- C&Q Committee, Tues. 15 Feb. 2011 at 4.30pm
- F&GP Committee, Tues. 1 Feb. 2011, 1 Mar. 2011, 29 Mar. 2011, 12 Apr. 2011 at 4.30pm
- Personnel Committee, Mon. 7 Feb. 2011 at 4.30pm
- Student Committee, Fri. 18 Mar. 2011 at 12.45pm

97.10 Any Other Business

The dates of the forthcoming College concert and the dance and theatre showcase were noted.

97.11 Risk management

It was noted that issues of concern raised by the Principal in the Management Report would be considered when the College's risk priorities document was reviewed in April 2011 but that the main risk would remain to funding, which was already included.

Action: SR

97.12 Date of next meeting: Thursday 17 February 2011 at 5.00pm.

97.13 Reserved Business agenda: Corporation Reserved Business minutes of 30 September 2010.

It was noted that the above minutes had not been classed as confidential and had therefore been incorporated into the public minutes at item 97.4 above.

Fiona Bagchi
Clerk to the Corporation

ACTIONS ARISING FROM CORPORATION 97 HELD ON 9.12.10

| NO | ACTION FOR | ACTION | STATUS OF ACTIONS |
|-----------|---------------------------|---|---|
| 1 | Clerk | Delay count for parent election – <u>Dec. 2010.</u> | Done. Result of parent election was a tie. A report is on the agenda. |
| 2 | Clerk/JC | Appointment of Karolina Biagio and Billy Minns, subject to satisfactory CRB checks – <u>July 2010.</u> | |
| 3 | Clerk/Chair/RTS | Chair and Principal to sign routine documents relating to building project as required and Chair to delegate signing, if necessary, to another Corp. member, with documents being sealed where this a requirement or to the College's advantage – <u>during 2009/10 & ongoing.</u> | |
| 4 | Clerk/RTS | Corp. agreed College should become partner in W. Hull Co-op Learning Trust, providing 1 trustee to the Trust Board. Trust expected to be created in Dec. 2010. Formal appointment of trustee not yet made – <u>Dec. 2010.</u> | |
| 5 | Clerk/RTS | M Noddings appointed to governing body of northern Academy – <u>Sept. 2010.</u> | |
| 6 | Chair/RTS/SR | Sign letters of representation to auditors, Baker Tilly – <u>Dec. 2010.</u> | Done. Sent to auditors. |
| 7 | Clerk | Audit Committee to review re-tendering for auditors once YPLA/SFA had issued their new Audit Code of Practice II – <u>2011.</u> | |
| 8 | Chair/RTS Clerk/SR | Corporation approved, on the recommendation of the Finance and General Purposes (F&GP) and the Audit Committees, the Members' Report and Financial Statements for the y.e. 31.7.10 – <u>Dec. 2011.</u> It was noted that a copy of the approved and signed Members' Report and Financial Statements for the y.e. 31.7.10 would be sent to the YPLA – <u>Dec. 2011.</u> | Done – signed by Chair and Principal. Done. |
| 9 | Clerk/SR | F&GP Committee to continue to monitor interest rates & report to Corp. on desirability of fixing a further portion of the loan – <u>2011.</u> | Report on agenda. |

| NO | ACTION FOR | ACTION | STATUS OF ACTIONS |
|----|------------|--|--|
| 10 | Clerk/IDT | Updated College Plan to Corp. – <u>Feb. 2011.</u> | On agenda. |
| 11 | Clerk | Search Committee terms of reference updated, as agreed – <u>Dec. 2010.</u> | Done. |
| 12 | Clerk/SR | Remove Ofsted briefing from briefing/training schedule & arrange briefing on financial KPIs and for <u>Feb. 2011</u> Corp. meeting. | On agenda. |
| 13 | Clerk | Members to update. Corp. register of interests and skills audit forms to Corp. members – <u>Dec. 2010.</u> | Annual updating of register of interests 100% complete. Audit of skills forms for updating to be presented to the meeting. |
| 14 | SR | Issues of concern arising from the Principal's report on emerging issues in funding & planning would be considered when the risk priorities & controls documents were reviewed in <u>Apr. 2011</u> but the key risk remained to funding, which was already represented in the documents. | |