



## **MINUTES OF CORPORATION MEETING, CORPORATION 86, HELD ON 18 DECEMBER 2008**

Present: John Wilson (Chair of Corporation), Pam Blackman, Gail Burrows, Rory Clarke, George Coyle, Jim Darmody, Mary-Rose Hardy, Richard Heseltine, Matthew Hunt, Mike Noddings (Vice-Chair of Corporation), Richard Smith (Principal), Sarah Smythe, Julian Stern, Neil Telfer, Philip Wright, Jenny Wong

In attendance: Fiona Bagchi (Clerk to the Corporation), Steve Rogers (Finance Manager), Mark Rothery (Assistant Principal), Ian Taylor (Vice-Principal, Performance Improvement) Alan Woodcock (Director of Resources)

### **86.1 Apologies for absence:**

Management: Mike Rogerson (Vice-Principal, Staff and Student Support), Alan Woodcock (Director of Resources)

Corporation members: Sarah Cheesmond, Jackie Goodman, Sarah Kimemia, Richard Welton

The Principal, Richard Smith, and Ian Taylor (Vice-Principal, Performance Improvement) spoke to the pre-Corporation briefing report from Emily Peach (Careers Co-ordinator) on the Universities and Colleges Admissions Service (UCAS) application process 2007-2008 and the student destinations data report from Mike Rogerson (Vice-Principal, Staff and Student Support).

Members considered the reports, noting in discussion that:

- the UCAS application process was closely co-ordinated by Emily Peach;
- student feedback on the application process was positive, with students appreciating the degree of guidance Emily Peach provided;
- there was a clear programme to encourage students to apply to enter higher education (HE), with 288 Wyke students applying through UCAS for the 2008 entry cycle compared to 239 applications in the 2007 entry cycle;
- an electronic system for generating references from tutors and teachers helped the system operate smoothly and the fact that students completed an electronic version of their personal statement meant that it was now easier for students to correct any errors before the application was sent off;
- the student destinations report showed a significant year on year rise in the number of students entering HE, with 74% of 2007/08 students, including gap year students, progressing to HE.

***Corporation considered a briefing on the 2008 UCAS applications process and student destinations, thanking Emily Peach, Careers Co-ordinator, and Mike Rogerson, Vice-Principal, Staff and Student Support, for the written reports provided to members before the meeting.***

### **86.2 Declarations of interest**

***There were no declarations of interests at the meeting but it was noted that Councillor Mary-Rose Hardy had asked for her membership of the East Riding of Yorkshire Council to be a standing declaration of interest for each meeting.***

### **86.3 Committee and Panel reports, presentations and recommendations I**

(a) Search Committee: appointment of Parent Corporation member

John Wilson, as Chair of the Search Committee, reported that the September 2008 meeting of the Search Committee had noted that an election would be held for a Parent member of Corporation during autumn term 2008 and invited the Clerk to the Corporation to report on the process.

The Clerk reported that:

- nominations had been sought from parents for the vacancy for a Parent member of Corporation and, as only one nomination was received before the deadline, Neil Telfer was considered to have been elected unopposed and was eligible to be appointed;
- he had attended a Corporation member induction session.

***Corporation approved the appointment of Neil Telfer as a Parent member of Corporation for a period of 4 years or until his child left the College, whichever was the sooner.***

**Action: Clerk**

### **86.4 Minutes of the meeting 85 held on 28 September 2008**

***Corporation approved the minutes of the meeting held on 28 September 2008.***

### **86.5 Matters arising and actions**

(Rory Clarke arrived during this item).

(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 The Governance Working Group had not met and a meeting during the spring term would be considered (85.4).  
**Action: Clerk/Chair/RTS**
- 2 It had been agreed by Corporation that the Chair of Corporation and the Principal would sign routine documents relating to the building project, as required, and that the Chair would delegate signing, if necessary, to another Corporation member, with documents being sealed where this was a requirement or to the College's advantage (85.4).  
**Action: AW/Clerk/Chair/RTS**
- 3-4 Corporation members now had access to the Corporation section on the College's Virtual Learning Environment (VLE), Moodle, and an update would be given later on the agenda (85.4).
- 5 It had been agreed that an annual review of the College's Statement of Aims would take place at the same time as the review of the Development Plan and would be added to Corporation's standing agenda item list (85.4).  
**Action: Clerk/RTS**

- 6 A reminder of forthcoming Committee meeting dates was now being included with Corporation agendas, as agreed (85.4).
- 7 The Student Committee agenda had been e-mailed to all Corporation members, together with an open invitation to attend the meeting, as agreed. They were now also routinely available on the Corporation section of Moodle (85.4).
- 8 Building contract for phase 2 of the College re-development project had been let to Hobson and Porter and would be executed as a deed, sealed and signed by the Chair of Corporation and the Principal, as agreed (85.4).

**Action: Clerk/Chair/Principal**

- 9 A progress report on Corporation's briefing/training schedule for 2008/09 was on the agenda (85.4).
- 10 It was noted, with reference to funding responsibilities changes the Machinery of Government changes and Corporation's decision to invite officers from Kingston upon Hull City Council and East Riding of Yorkshire Council to attend a Corporation meeting, that the intention was that the officers should attend the Corporation briefing session before the formal agenda (85.4).

**Action: Clerk/RTS**

- 11- The Reserved Business minutes of Corporation 79 and 80 would remain confidential, as  
13 agreed, as they related to named individuals (85.5).

The confidential minutes of Corporation 79, 81 and 84 had been released from confidentiality, as agreed (85.5).

A confidential paper presented to Corporation 84 would remain confidential until the next review of confidential minutes and papers in autumn 2009, as it related to a negotiating position (85.).

**Action: Clerk**

- 14- Corporation's register of interests and audit of skills forms had now been reviewed and  
17 updated, where necessary, by most Corporation members and the Clerk would contact those members who had still to return their forms (85.8).

**Action: Clerk**

Reports on Corporation's 2008 self-assessment were on the agenda (85.8).

- 18- Corporation and Committee standing agenda item lists, Corporation Standing Orders and  
20 Committee terms of reference, and the Corporation's Code of Conduct had been amended as agreed, with the revised versions now available on the Corporation section of the College's VLE, Moodle (85.8).

- 21 The minutes of the F&GP Committee meeting held on 23 September 2008 and the Search Committee meeting of 25 September 2008 were on the agenda, as agreed (85.9).

## **86.6 Committee and Panel reports, presentations and recommendations II**

### **(a) Audit Committee**

#### **(i) Recommendation on the re-appointment of the internal audit service (IAS)**

Richard Heseltine, as Chair of the Audit Committee, reported that:

- the East Coast Audit Consortium (ECAC) were currently the College's internal auditors;

- Corporation, at its July 2007 meeting, had approved a 3-year contract with the ECAC, subject to annual renewal;
- the Audit Committee reviewed at its October 2008 meeting the ECAC's performance during 2007/08, which was considered very good, and reviewed the fees proposed by the ECAC for 2008/09, which were considered competitive;
- the Audit Committee were therefore recommending the re-appointment of the ECAC as auditors for the 2008/09 internal audit.

**Corporation considered and approved, on the recommendation of the Audit Committee, the re-appointment of the East Coast Audit Consortium (ECAC) as auditors for the 2008/09 internal audit.**

(ii) Recommendation on the Internal Audit Plan for 2008/09

Richard Heseltine reported that:

- the Audit Committee had considered the Internal Audit Plan 2008/09 at its October 2008 meeting;
- in addition to annual reviews of areas, such as risk management and governance processes, which were required under the LSC's *Audit Code of Practice*, the plan included areas which were agreed annually including areas drawn from the College's risk assessments (e.g. in 2008/09 the review of staff training/CPD) and reviews of operational areas (e.g. in 2008/09 reviews of exam fees and of the College's Criminal Records Policy (CRB) policy and procedures);
- the Committee were recommending the Internal Audit Plan 2008/09 to Corporation for approval.

**Corporation considered and approved, on the recommendation of the Audit Committee the Internal Audit Plan 2008/09.**

(iii) Annual Audit Committee Report including IAS Annual Report 2007/08, Financial Statements and Regularity Audit Findings Report, College's Annual Risk Management Report

Richard Heseltine reported that:

- the Audit Committee had approved its Annual Report 2007/08 to Corporation and the Principal at its December 2008 meeting and were presenting it to Corporation for consideration before the Annual Financial Statements and Members' Report for the year ended 31.7.08.

Members received the Audit Committee Annual Report 2007/08, together with the following appendices:

- Internal Audit Service Annual Report 2007/08,
- Financial Statements: Final Audit Findings, year ended 31 July 2008,
- Regularity Audit Report for the year ended 31 July 2008,
- College's Annual Risk Management Report 2007/08.

**Corporation considered and noted that the Audit Committee's opinion as expressed in its Annual Report 2007/08 was that:**

- ***based on the reports of and discussions with both the internal, financial statements, regularity, funding and ILR controls review auditors, together with the Audit Committee's own enquiries, the Audit Committee's opinion was that reliance could 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 and***

- ***that the Corporation's responsibilities, included in the annual financial statements, had been satisfactorily discharged.***

***Corporation received and accepted the Audit Committee's Annual Report 2007/08.***

***It was noted that the Internal Audit Service's Annual Report 2007/08 and Financial Statements auditors' Final Audit Findings year ended 31 July 2008, included as appendices to the Audit Committee's Annual Report 2007//08, would be sent to the Learning and Skills Council (LSC).***

**Action: Clerk/SR**

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

Richard Heseltine reported that:

- the financial statements and regularity auditors required the College and Corporation to confirm the representations given to them in connection with their financial statements and regularity audit for the year ended 31 July 2008;
- the Audit Committee considered the relevant letters of representation at their December 2008 meeting and were recommending that they were signed.

***Corporation considered and approved, on the recommendation of the Audit Committee, the Financial Statements and Regularity Audit Letters of Representation and agreed that they should be signed by the Chair of Corporation and the Principal.***

**Action: Chair/RTS/Clerk/SR**

(v) Recommendation on ratification of the LSC's Financial Management & Evaluation Questionnaire for submission to the LSC

Richard Heseltine reported that:

- from 2008/09, the LSC was replacing the Self-Assessment Report Questionnaire, (SARQ) completed by colleges annually, with the Financial Management & Control Evaluation (FMCE) questionnaire;
- the FMCE was part of the LSC's Framework for Excellence (FfE) and the movement towards self-regulation within the FE sector;
- unlike the SARQ, which colleges used annually to self-assess both governance and financial management, the FMCE was concerned with the self-regulation of financial management and control arrangements and only considered governance in that context;
- also unlike the SARQ which was only submitted to the LSC before inspection, the FMCE had to be submitted to the LSC annually;
- the College had self-assessed its financial management and control arrangements as grade 2 (Good);
- the grade had been fed into the leadership and management section of the College's Self-assessment Report (SAR) which would be considered for ratification later on the agenda;
- the College's regularity auditor had confirmed at the December 2008 meeting of the Audit Committee that the information in the FMCE, on which the College's self-assessed grade was based, was consistent with the information provided to them by the College in the Self-Assessment Questionnaire (SAQ) provided in support of the regularity audit for the y.e. 31.7.08;
- the draft FMCE considered by the Audit Committee at its December 2008 meeting had been uploaded to the LSC's portal by 12 December 2008, as required by the LSC;

- the Audit Committee were recommending the draft FMCE to Corporation for approval and signing by the Principal.

***Corporation considered and approved, on the recommendation of the Audit Committee, the College's Financial Management & Control Evaluation (FMCE) questionnaire for signing by the Principal and for submission to the Learning and Skills Council (LSC).***

**Action: RTS/Clerk/SR**

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

**(i) Recommendation on Accounting Policies**

John Wilson, as Chair of the Audit 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 for the previous financial year;
- the F&GP Committee had reviewed the accounting policies contained in the Members' Report and Financial Statements for the y.e. 31.7.08 at its December 2008 meetings;
- the Audit Committee also considered the accounting policies annually when reviewing the Members' Report and Financial Statements, noting at their December 2008 meeting when reviewing the Final Audit Findings report from the financial statements auditors, Baker Tilly, that Baker Tilly considered the accounting policies adopted by the College were appropriate for the circumstances of the College and consistent with the FE sector;
- the F&GP Committee were recommending the accounting policies to Corporation for approval.

***Corporation considered and approved, on the recommendation of the Finance and General Purposes (F&GP) Committee, the accounting policies at pages 26-28 of the Financial Statements for the y.e. 31.7.08 before considering the Members' Report and Financial Statements for the year ended 31.7.08.***

**(ii) Recommendation on the Financial Statements and Members' Report for year ended 31.7.08**

(Sarah Smythe joined the meeting during this item).

John Wilson reported that:

- the F&GP Committee reviewed the draft Annual Members' Report and Financial Statements annually, reviewing the Report for the y.e. 31.7.08 at its November and December 2008 meetings;
- 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. 31.7.08 at its December 2008 meeting;
- the F&GP Committee were recommending the Members' Report and Financial Statements for the y.e. 31.7.09 to Corporation for approval.

John Wilson asked the Finance Manager, Steve Rogers, to speak to the report on the main variances between the 2007/08 budget and the outturn for 2007/08.

Members noted in discussion that:

- the actual historical cost surplus for the year was £131,000, against a forecast deficit of £39,000, a variance of £170,000;
- the most significant variance related to the saving on bank interest charges of £108,000 as a result of close management of cash flow and the delay in the commencement of the drawdown facility for the new College loan of up to £2.5 million;
- with reference to the note to the accounts on pensions and similar obligations and the identification of the College's share of the underlying assets and liabilities of the East Riding Pension Scheme under Financial Reporting Standard 17 (FRS 17), the increase in pension liabilities shown was outside the College's control.

***Corporation considered and approved, on the recommendation of the Finance and General Purposes (F&GP) Committee, the Members' Report and Financial Statements for the y.e. 31.7.08.***

**Action: Chair/RTS**

***It was noted that a copy of the approved Members' Report and Financial Statements for the y.e. 31.7.08 would be sent to the LSC.***

**Action: Clerk/SR**

(iii) Recommendation on Student Association accounts for year ended 31.7.08

John Wilson reported that:

- the F&GP Committee reviewed the Student Association accounts annually;
- the Committee had reviewed the Student Association accounts for the y.e. 31.7.08 at its November 2008 meeting and were recommending them to Corporation for approval.

***Corporation considered and approved, on the recommendation of the Finance and General Purposes (F&GP) Committee, the Student Association accounts for the y.e. 31.7.08 .***

(iv) Review of Letter from LSC confirming College's Financial Health Category

John Wilson reported that:

- the F&GP Committee reviewed annually the LSC letter confirming the LSC's annual assessment of the College's financial health;
- as part of the LSC's Framework for Excellence (FfE), the LSC had replaced the A-C grade categories of financial health with a numerical system in which a grade of 1 was outstanding, 2 was good, 3 was satisfactory and 4 was inadequate;
- the F&GP Committee noted at its November 2008 meeting that the College had been awarded a grade 3, satisfactory, based on the College's forecast financial outturn for 2007/08 as shown in the College's financial plan;

Corporation members discussed whether a Financial Health category rating of 3 (satisfactory) should affect the FMCE grade of 2 (good) approved by Corporation above, noting, however, that:

- as the College's final outturn for 2007/08 was a historical cost surplus, rather than a historical cost deficit, it was possible that the LSC would review the College's financial health category once it had received the Members' Report and Financial Statements for the y.e. 31.7.08;
- the FMCE was concerned with financial control rather than financial health, which was a separate category under the LSC's FfE.

***Corporation received and discussed the LSC's letter confirming its assessment of the College's financial health category for 2007/8 as grade 3 (satisfactory).***

**(v) Student numbers and funding report**

John Wilson reported that the F&GP Committee considered a student numbers and funding report at each of its meeting and invited the Principal to speak to the November and December 2008 reports, which the Committee had considered at its November and December 2008 meetings.

Members considered the student numbers and funding report, noting that:

- the College had achieved 99.9% of its LSC's target funding allocation for 2007/08, which meant that the LSC would regard the College as having achieved its allocation;
- the fact that the College had achieved only £103, 956 of its Additional Learning Support (ALS) target against an LSC allocation of £185, 166, had contributed to the College being just under 100% of its funding allocation target in 2007/08;
- the College considered that the LSC's current criteria made it difficult for the College to claim for all the learning support it provided but it was hoped that changes to the ALS funding formula would make it easier for the College to do so in future;
- the College had currently achieved 106.2% of its 2008/09 LSC funding target, having 1,057 full-time equivalent (FTE) students aged 16-18 (equivalent to 1,624 Standards Learner Numbers or SLNs) against an LSC funding target of 1,003 FTEs, although the College had not achieved its 19+ target.

***The Committee received the November and December 2008 Student Numbers and Funding Reports, noting that the College had achieved 99.9% of its 2007/08 LSC funding allocation and had currently achieved 106.2% of its 2008/09 LSC funding allocation.***

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

John Wilson reported that the F&GP Committee considered the management accounts for October 2008 accounts at its November 2008 meeting and invited the Finance Manager, Steve Rogers, to speak to and give an update on the October 2008 accounts.

Members noted in discussion that:

- the historical cost surplus shown in the October 2008 accounts was £312,700 year to date compared to a budgeted surplus of £210,900;
- at the end of November 2008, the College was still performing ahead of budget, with the College saving money on interest on the loan for the College re-development project following falls in interest rates;
- the approved forecast outturn for the year shown at line 24 was a deficit of £177,100.

The Committee reviewed key performance indicators and ratios, noting that the latter were affected by the fact that the College would be running lower cash balances than usual during the period of the re-development project but that these were forecast to return to their normal state thereafter.

It was noted that a report on cash-flow would be given under the item on borrowing.

***Corporation received the commentary and income and expenditure account for October 2008, noting that there was nothing at this stage of the year to indicate that the College would not achieve the approved budget for 2008/09.***

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

John Wilson invited the Finance Manager, Steve Rogers, to give a report on borrowing and the College re-development project.

Members noted in discussion that:

- Corporation had agreed, at its December 2007 meeting, to accept the offer of a loan of up to £2.5 million from Lloyds TSB Bank plc to finance the College re-development project, with around half of the loan to be at a fixed interest rate and around half at a variable interest rate, allowing for the possibility of fixing the latter at a later date;
- Corporation members had also agreed at their meeting in December 2007 that the F&GP Committee should undertake regular reviews of interest rates, as appropriate, to consider the desirability of fixing a further part of the loan;
- due to careful monitoring of cash-flow, the College was able to delay drawing down the loan in 2007/08;
- the F&GP Committee had continued to receive regular reports on interest rates, which had fallen during autumn term 2008;
- while markets were still volatile, it had been decided at the December 2008 meeting of the F&GP Committee that it would be an advantageous time to fix the first 50% of the College's loan, as fixed rates were currently below the 5.8% interest rate assumed in the College's 10 year financial forecasts;
- the Finance Manager had therefore fixed £1.25 million of the loan at 4.885% from 17 January 2011;
- as interest rates were forecast to continue to fall over the next 2 years, the College could continue to benefit from falling interest rates on the loan during this period while having certainty in relation to the cost of the fixed part of the loan thereafter;
- the College, reporting to the F&GP Committee, would continue to monitor the desirability of fixing a further part of the loan .

Steve Rogers gave a report on the College's cash-flow position, which was discussed, with members noting that:

- the LSC's capital handbook required payment of capital grant to be split over a 3 year period;
- this could result in the College having a cash-flow shortfall of around £600,000 in February-March 2009, when the College would be up to the limit of its revolving bank loan facility of £2,500,000;
- as paying interest on a short-term bridging loan would not be a good use of public money, the College were currently in discussion with the LSC concerning the profiling of capital grant payments for the College re-development project but it was accepted that it might, nevertheless, be necessary to take out a short-term bridging loan.

***Corporation considered and received a report on borrowing and interest rates, noting that £1.25 million of the loan for the College re-development project had been fixed at an interest rate of 4.885% from January 2011 and that the College would continue to monitor the desirability of fixing a further portion of the loan, reporting to the F&GP Committee, as agreed.***

***Corporation agreed that if the College needed to take out a short-term bridging loan of around £600,000 to cover the cash-flow shortfall expected in February-March 2009, then the Principal and Finance Manager, in consultation with the Chair of Corporation, were authorised by Corporation to negotiate with the College's bank to take out such a loan.***

**Action: RTS/SR/Chair**

(viii) Bank letter and resolution for approval

John Wilson invited Steve Rogers to speak to the proposed amendment letter from the College's bankers, Lloyds TSB, and the accompanying model resolution.

Members noted that:

- the College had taken out separate loans with the College's bankers, Lloyds TSB, to part finance the Wilson Building and the Ash/Oak Buildings i.e. a loan of up to £950,000 for the Wilson Building and a loan up to £2,500,000 for the Ash/Oak Buildings;
- the College's bankers, Lloyds TSB, wished to vary the covenants for the Wilson Building so that they conformed to the covenants for the Ash/Oak Buildings and had issued an amendment letter, amending the original facility letter for the Wilson Building, to achieve this;
- having identical covenants for the two loans would make them easier to manage for the College and the Finance Manager was therefore recommending approval of the amendment letter by Corporation.

**Corporation agreed to approve the amendment letter from Lloyds TSB as noted below:**

- ***It was resolved that the loan facility in an original principal sum of up to £950,000 with Lloyds TSB Bank plc (the "Bank") pursuant to a letter dated 23rd August 2004 (the "Facility Letter") be amended in the manner proposed in a letter from the Bank dated 5<sup>th</sup> November 2008 (the "Amendment Letter").***
- ***It was further resolved that the Principal, Richard Smith, and the Finance Manager, Stephen Rogers, be authorised to make the necessary arrangements with the Bank and to sign, with the Chair of Corporation, on behalf of the Corporation the Amendment Letter which was produced to the meeting and its terms and conditions approved.***

**Action: RTS/SR/Chair**

***It was noted that the signed amendment letter would be sent to Lloyds TSB and the Clerk would provide the bank with a copy of the above resolutions.***

**Action: Clerk/SR**

(Mike Noddings left the meeting).

(ix) Recommendation on adoption of model FE Publication Scheme

The Clerk reported that:

- the Freedom of Information Act 2000 (FOIA) required public authorities to adopt and maintain a Publication Scheme which had been approved by the Information Commissioner, and to publish information in accordance with the Scheme;
- FE colleges were public authorities for the purpose of the FOIA;
- Corporation approved a Publication Scheme in December 2003 which was due to expire on 31 December 2008;
- the Information Commissioner's Office (ICO) had produced a model Publication Scheme for public authorities, together with a definition document for FE colleges in support of the scheme
- colleges were required to adopt the new model Publication Scheme by 1 January 2009;
- colleges had to decide how much of the information specified in the Scheme was held by the college (e.g. by comparing the information in their existing Publication Scheme with the new Scheme) and the Director of Network and Information Systems and the Clerk to the Corporation were currently undertaking such a review;
- colleges also had to decide how they would make the information available, and whether they would make any charges for information;

- as the new model Scheme could not be altered or amended, colleges were also required to provide details of the actual information that they hold e.g. by producing a guide to information which listed documents or categories of document held;
- the ICO were recommending that if a college had a website, the model scheme and guide to information (which could be the website itself) should be available on-line and easy to find.
- The F&GP Committee considered the ICO's model Publication Scheme and FE definition document at its November and December 2008 meetings and were recommending the adoption of the new model Publication Scheme by Corporation.

***Corporation agreed to adopt from 1 January 2009, on the recommendation of the F&GP Committee, the Information Commissioner's model Publication Scheme.***

***It was noted that the model Publication Scheme would be placed on the College website, together with the College's guide to information, when developed, The guide would be reviewed annually and updated, as necessary, by the College Management Team (CMT).***

**Acton: Clerk**

### **(c) Curriculum and Quality (C&Q) Committee**

#### **(i) Recommendation on ratification of College Self-Assessment Report (SAR)**

In the absence of Mike Noddings, the Chair of the C&Q Committee, John Wilson, a C&Q Committee member, invited Ian Taylor, Vice-Principal (Performance Improvement) to speak to the College SAR.

Members noted that:

- the Curriculum & Quality (C&Q) Committee considered the College's Self-Assessment Report (SAR) annually at its November meeting;
- three members of the C&Q Committee, Mike Noddings, John Wilson and Jackie Goodman, had taken part in the College's SAR moderation meeting, which had also been attended by an external moderator from Scarborough Sixth Form College;
- the College moderation meeting had immediately preceded the C&Q Committee's November 2008 meeting;
- the C&Q Committee members present at the College's SAR moderation meeting considered the College's self-assessment process a rigorous one and that the College's SAR was a robust and self-critical document;
- the C&Q Committee were therefore recommending the ratification by Corporation of the College's SAR, amended as agreed at the College SAR moderation meeting held in November 2008.

Members noted in discussion that:

- the College should consider adding the *Every Child Matters* outcomes as a strength and whether an item on progress should be in Key Question 1 rather than under effectiveness of provision.

**Action: IDT**

***Corporation ratified on the recommendation of the Curriculum and Quality (C&Q) Committee, the College's Self-Assessment Report (SAR) 2007/08, subject to the items for consideration noted above.***

**(d) Personnel Committee**

**(i) Annual Report on Safeguarding Children and Vulnerable Adults**

Mary-Rose Hardy, as Chair of the Personnel Committee, reported that:

- the Personnel Committee considered a report from the College on safeguarding children and vulnerable adults and reviewed relevant policies and procedures annually;
- following its review of policies and procedures at its November 2008 meeting, the Committee agreed to recommend to Corporation that the College's safeguarding children policy should be updated to bring it into line with Corporation's approved policy that all Corporation members (including staff and student members) should be Criminal Records Bureau (CRB) checked and that the title of the College's policy for the protection of vulnerable adults should be changed from "protection" to "safeguarding" to bring it into line with other policies and procedures;
- the Committee received, at its November 2008 meeting, the College's safeguarding children and vulnerable adults report 2007/08 and were presenting it to Corporation.

***Corporation received the College's 2007/08 Annual Report on Safeguarding Children and Vulnerable Adults.***

***Corporation approved, on the recommendation of the Personnel's Committee, minor***

***updating revisions to the College's policies and procedures for safeguarding children and vulnerable adults.***

**Action: Clerk/CS**

**(ii) Recommendation from Personnel on 3.6% pay award for support staff on grades 8 and 9**

Mary Rose-Hardy reported that:

- the budget for 2008/09, approved by Corporation at its July 2008 meeting, provided for pay inflation of 2.5%, with it being noted that, although a national pay agreement had yet to be reached between the Sixth Form College Forum (SFCF) and the professional associations and unions, it was expected to be in the region of 2.45% i.e. at the same level as the school teachers' settlement;
- Corporation's established policy was that, if the agreed national annual pay award was within the sum approved by Corporation in the budget, the Chair of Corporation could authorise payment of the award without it being further returned to Corporation;
- the November 2008 meeting of the Personnel Committee had noted that a national sixth form colleges pay award of 2.45% had been agreed for teaching and support staff with the following exception:
  - a 3.6% pay award had been agreed for the lowest support staff grades of grade 8 and grade 9. and that
  - as the Finance Manager had reported that payment of the additional sum to staff on grades 8 and 9 would exceed the sum provided for in the budget, the Chair of Corporation had approved an increase of 2.45% for all staff, backdated to 1 September 2008, and referred the additional 1.15% for support staff on grades 8 and 9 to the Personnel Committee and Corporation for consideration.
- the November 2008 meeting of the Personnel Committee had agreed to recommend to Corporation that the additional 1.15% for support staff on grades 8 and 9 should be paid, with payment backdated to 1 September 2008;

- as in previous years, the nationally agreed settlement for support staff included a one-off, non-consolidated standards payment for support staff who had been employed for at least a year and who have had a satisfactory appraisal;
- the 2008 support staff standards payment was £320 (paid pro rata for part time staff).

**Corporation noted that, in line with Corporation's practice, the Chair of Corporation had authorised payment to teaching and support staff of the nationally agreed pay increase of 2.45%, from 1.9.08, as this was within the sum approved by Corporation in July 2008 in the 2008/09 budget for the annual staff pay award.**

**Corporation noted that an award of 3.6% had, however, been agreed nationally for support staff on the lowest grades of 8 and 9 and approved, on the recommendation of the Personnel Committee, payment of the additional 1.15% for support staff on these grades, with payment backdated to 1 September 2008.**

**Action: Clerk/Chair/SR**

#### **(e) Student Committee**

##### **(i) Student Activities Report, November 2008**

Matthew Hunt, the Chair of the Student Committee spoke to the Student Activities Report, which had been considered at the November 2008 meeting of the Committee.

Corporation considered the report, noting, in particular, that:

- the College's new style Awards Evening, which had focussed more on students in their final year, had been a success with awards presented to students for academic achievement and for community work;
- members of the Student Association Executive had attended the November 2008 meeting of the Student Committee and spoke of events successfully organised by the Executive during the autumn term and planned for the rest of the year;
- the Student Association had sponsored the rugby team's kit and the rugby team had, in their turn, helped the Student Association with charity fund-raising;
- the attractive format of the Student Activities Report which had been produced by the Principal's PA, Jeanette Webster.

**Corporation considered and received the Student Activities Report for November 2008.**

#### **86.7 Management report including property strategy**

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

##### **(i) Student Activity and Events**

Members noted student activities and events which had taken place since the Student Committee meeting held in November 2008, noting, in particular that:

- the College concert had taken place on 3 December 2008 and had included Vivaldi's *Gloria*;
- the First netball team had competed in the northern Regional finals of the British Colleges competition and had progressed to the next stage of the national schools competition.

##### **(ii) College re-development**

Members noted that:

- work was progressing well on the Oak building, with piling completed on schedule and the time lost to the removal of additional asbestos during demolition having been substantially made up;
- a consultation on the student and staff experience of the Ash building was taking place and would be used to inform the detailed planning of the Oak building.

### (iii) Planning: LSC Local, Regional and National

#### (a) Report on planning

Members received the written report from the Principal, noting that:

- the College had held the first of the executive meetings with the College's LSC partnership team and a strong case was made for continued investment in quality, curriculum and places;
- the College expected to have an initial indication of its 2009-10 allocation by January 2009 and notification of its final LSC allocation by February 2009;
- the College's contribution to planning through the West Hull Learner Zone and the Common Prospectus group, both chaired by Mike Rogerson, Vice-Principal (Students and Staff), had continued and a common electronic application process was expected to be available shortly;
- the Principal had attended the 14-19 Strategy Group and the 14-19 Partnership for Hull which were working on the implementation of the diploma curriculum and the implications of the Machinery of Government changes;
- the Principal and Chair of Governors had attended a briefing on the legal issues related to Academy sponsorship at the University of Hull;
- the Sixth Form Colleges' Forum (SFCF) was building up its resources and structures to represent the newly defined sector of sixth form colleges to be created under the Machinery of Government changes;
- the College had withdrawn from the Association of Colleges (AoC), in line with the predominant view in the sixth form college sector that divided representation through both the AoC and SFCF was no longer an effective way to support the sixth form college sector;
- the Principal had been elected to the SFCF Council and continued to represent the region on the Quality Committee which was progressing plans for a Peer Review and Development system for all colleges in the SFCF;
- the above system was to be developed from local work led by Ian Taylor, Vice-Principal (Performance Improvement) for a group of six colleges within NorVlc, the network of sixth form colleges for Yorkshire, the Humber and the North East;
- the Principal had been invited to meet HM Cabinet in Leeds on 28 November 2008, with the issue of the need to support the creation of more sixth form colleges being raised in discussion.

Members noted in the discussion of plans for local Academies that:

- government policy on the establishment of Academies and on the school sixth form presumption did not require a review of the effect on local provision;
- Building Schools for the Future (BSF) provided additional capital funding for proposals including sixth forms;
- two Academies approved locally each included plans for 200 sixth form places;
- the DCSF was, however, currently reviewing BSF proposals with local authorities, including the approval of 11-16 schools where post-16 provision was good;
- there would be a local review of post-16 provision and Academy provision early in 2009.

#### (b) LSC Commissioning Statement

The Principal summarised the key issues arising from the LSC Yorkshire and the Humber Regional Commissioning Statement 2009/10 which had been issued on 12 December 2008.

Members noted that:

- the section in the Commissioning Statement on achievements listed participation in Further Education (FE) colleges as having increased by 3.5% to 77,200 and school sixth form student numbers as having increased by 0.6% to almost 35,800;
- among the key challenges listed for Yorkshire and the Humber were
  - a participation rate for 16-17 year olds which remained 3% below the national average,
  - high levels of NEET overall (7.7% or 13,000 young people),
  - while level 2 and level 3 attainment at age 19 were both improving, the gap between regional and national performance had widened to 4% for level 2 and 5% for level 3, despite stronger than average performance for Level 2 between the ages of 16 and 19,
  - success rates for young people in the region remained below national averages in school sixth forms and FE colleges, and there were wide variations in performance between providers,
  - the full range of provision was not always available to young people in small schools;
  - the proportion of workless people in the region currently stood at 9.5%, 304,500 of the working age population.
- the LSC's stated commissioning decisions on funding for the region included :
  - the direction of mainstream 16-18 funding to those organisations which had successfully attracted increased numbers of learners in priority areas in 2007/08 and 2008/09, and had supported them to achieve success;
  - numbers in school sixth forms were planned to increase to 36,000 in 2008/09 from 35,750, with no further growth expected in 2009/10,
  - numbers in FE colleges were planned increase to 78,200 from 77,200 young people, with learner numbers expected to remain static in 2009/10;
- with reference to overall participation, the demographic decline in the region in 2009 was 1,900, or -0.9% and the LSC therefore anticipated that static volumes would fund a 0.9% increase in participation;
- in order to continue the reduction in NEETs, the LSC expected to see further engagement by young people at risk of becoming or already not engaged in education, employment or training, with a modest increase in places planned for 2009/10 in the Foundation Learning Tier which was expected to play a pivotal role in the process.

Members discussed the implications of the Commissioning Statement for future LSC funding for Wyke College, noting that:

- the College had already shown success in areas defined by the LSC as being a priority;
- there was a historic low participation rate post-16 locally but demand for places at Wyke remained high, with enrolments currently exceeding LSC funding targets;
- success rates at Wyke showed a continuing improving trend, with performance at level 2 exceeding national averages and at level 3 approaching national averages;
- the College had asked for LSC support to further develop the Foundation Learning Tier course developed by Mark Rothery, Assistant Principal;
- the College had not seen any increased demand for adult education but would review any potential demand from unemployed adults seeking to improve their qualifications.

#### (c) Framework for Excellence (FfE)

The Principal provided a brief update on the LSC's Framework for Excellence (FfE), which had been considered in relation to the FMCE and the College's Financial Health category later on the agenda.

Members noted that:

- the FfE was an attempt to provide standardised quality measures for a range of FE providers (e.g. General FE Colleges, sixth form colleges, land-based and specialist colleges, work-based providers, school sixth forms), with the individual measures being aggregated to produce an Overall Performance Rating (OPR) for each provider;
- the FfE applied to FE Colleges and sixth form colleges from 2008/09;
- while the need for comparable quality measures was accepted, the suitability of the FfE in its current format had been questioned and was subject to continuing representations e.g. from the SFCF.

(iv) Progress against Development Plan 2008-11 and draft Development Plan 2009-12

The Principal spoke to the report on progress against the College's Development Plan 2008-11 and the initial draft of the College Development Plan 2009-11 with the following points being noted in discussion:

- the continuing, improving trend in success rates, with the 2008 target for level 2 being exceeded (81.9% against a target of 80%) and the success rate for level 3 being just below the 2008 target (80.4% against a target of 82%) ;
- the continuing improvement in retention was particularly pleasing, as this had historically proved a particularly difficult area in which to make progress;
- continuing improvements in value-added e.g. the 2008 target of 60% of courses showing a positive ALIS value-added having been exceeded, with the actual figures being 67% for AS and 61% for A2 courses;
- continuing increase in student enrolments e.g. actual enrolments of 1,079 in 2008 against a target of 1,030.

Members received a presentation from the Vice-Principal (Performance Improvement) on value-added systems used by the College and noted, in discussion, the following points with reference to the draft Development Plan for 2009-12:

- the proposal that the enrolment target for 2009-10 be increased to 1,122 from 1,061 and the target for 2010-11 to 1,163 from 1,093;
- the College was reviewing target setting in relation to value-added against the use by the College of a variety of value-added measures (ALIS, ALPS, LAT).

***Corporation received and considered the management report including reports on recent student activities and events, funding and other planning at local, regional and national level, the LSC regional commissioning statement for 2009-10 and its implications for the College, and the implementation of the LSC's Framework for Excellence (FfE).***

***Corporation reviewed progress against 2008-11 Development Plan and considered the first draft of the 2009-12 Development Plan, noting that final version of the Plan would be presented to Corporation for approval.***

**Action: Clerk/RTS**

## **86.8. Governance issues**

(a) Report on Corporation attendance 2008/09 and performance indicators 2007/08

The Clerk reported that:

- Corporation reviewed attendance at each meeting and received a report on Corporation performance indicators annually;
- overall Corporation attendance year to date was 79% against a target of 75% set.

Members noted that with reference to Corporation performance indicators for 2007/08 that:

- overall Corporation attendance during 2007/08 was 73% against a target of 75% set;
- overall Committee attendance during 2007/08 was 79% against a target of 75% set;
- with reference to the timely dispatch of agendas, minutes and papers that these were now being placed on the Corporation section of Moodle as they became available.

***Corporation considered and received a report on Corporation attendance 2008/09 year to date and on Corporation performance indicators 2007/08.***

**(b) Report on Committee vacancies**

The Clerk reported that there was a vacancy on each of the following Corporation Committees: the Audit Committee (vacancy for co-opted member with accountancy background), the Student Committee (Corporation member vacancy).

Members noted that:

- Mike Noddings was appointed, under Chair of Corporation's action, as a temporary member of the Student Committee for the November 2008 meeting;
- the Search Committee was seeking an external co-opted Audit Committee member.

***Corporation received a report on Corporation Committee vacancies.***

**(c) Review of Corporation effectiveness: Corporation self-assessment 2007/08**

The Clerk reported that:

- Corporation assessed its effectiveness annually using the individual Corporation member self-assessment questionnaire and that the outcome of the 2007/08 self-assessment was being presented to Corporation for information;
- the C&Q Committee would review the year on year comparative analysis of Corporation self-assessment at its February 2009 meeting and would formulate and monitor an action plan; **Action: Clerk**
- during 2007/08 and autumn 2008, the Audit Committee had also reviewed the framework for and effectiveness of Corporation's governance and financial management arrangements using the LSC's Self-assessment Report Questionnaires (SARQ) for 2006/07 and 2007/08;
- the SARQ was reviewed as part of the LSC's inspection in February 2008, with a grade of 2 (Good) being awarded for the effectiveness of the College's governance and financial management arrangements;
- as noted above, the Committee had also reviewed, at its December 2008 meeting, the College's completed FMCE, although specific governance questions formed only a limited part of the FMCE questionnaire.

***Corporation considered and received a report on governance self-assessment for 2007/08 and noted the outcome of the 2007/08 individual Corporation member self-assessment questionnaire returns.***

**(d) Report on Corporation briefing and training schedule 2008/09**

The Clerk reported that:

- Corporation agreed a training/briefing schedule at its July 2008 meeting;
- delivery of the schedule was monitored by the Search Committee at each of its meetings and progress reports were also made to Corporation;
- briefings on retention and student destinations had been given at the September and December 2008 meetings of Corporation;
- the following briefings remained to be given in 2008/09
  - Machinery of Government updates,
  - 14-19 diploma updates,

- Academies updates,
- Building Schools for Future (BSF) updates, with particular reference to the re-development of Kelvin Hall School,
- changes in sector representation,
- the Good Governance Practice Guide (GGPG) website and other governance websites.

***Corporation considered and received a progress report on Corporation's briefing and training schedule 2008/09.***

(e) Corporation documents on Moodle

The Clerk reported that:

- as noted above, Corporation and Committee agendas, minutes and papers were now being placed on the Corporation section of Moodle and could be accessed by Corporation members using the individual usernames and passwords sent to them by the Clerk;
- key Corporation documents were also on the Corporation section of Moodle e.g. the Instrument and Articles of Government, the LSC's Financial Memorandum with the College, Corporation's Code of Conduct, Corporation's Standing Orders, Standing Agenda Item lists for Corporation and its Committees, the College's Development Plan and Self-Assessment Report;
- Corporation induction and training materials were also available on the Corporation section of Moodle.

***Corporation members received a verbal report from the Clerk on Corporation documents available to members on Moodle.***

## **86.9 Committee minutes and annual reports**

(a) Annual Committee Reports: C&Q, F&GP, Search, Student Committees

***Corporation received annual reports for 2007/08 from its Curriculum and Quality, Finance and General Purposes, Search and Student Committees.***

(b) Committee minutes September – December 2008

***Corporation received the following Committee minutes, with Committee reports and recommendations having been received as noted at items 86.3 and 86.6 above:***

- Audit Committee of 15 October 2008
- C&Q Committee of 14 October and 25 November 2008
- F&GP Committee minutes of 23 September, 21 October and 24 November 2008
- Personnel Committee of 10 November 2008
- Search Committee of 25 September 2008
- Student Committee of 14 November 2008

(c) Dates of forthcoming Committee meetings

***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, Monday 9 March 2009 at 4.30pm
- C&Q Committee, Tuesday 10 February 2009 at 4.30pm

- F&GP Committee, Tuesday 27 January 2009 at 4.30pmm, Tuesday 24 February 2009 at 4.30pm, Tuesday 31 March 2009 at 4.30pm
- Personnel Committee, Monday 19 January 2009 at 4.15pm
- Student Committee, Friday 6 March 2009 at 1pm

#### **86.10 Any Other Business**

***It was noted that there was no other business.***

#### **86.11 Risk management – to consider risks associated with items on the agenda**

***It was noted that no new items of risk had been identified at the meeting.***

#### **86.12 Dates of next meeting: Wednesday 25 February 2009.**

#### **86.13 Reserved Business agenda: senior post-holder remuneration**

Under Instrument of Government 14, where required by the other members present, staff members of Corporation, including the Principal, are required to withdraw from that part of any Corporation meeting at which staff matters relating solely to that member of the staff are to be considered, staff matters relating to any member of staff holding a post senior to that member's are to be considered, and student members are required to withdraw from any part of a Corporation meeting at which staff matters relating to a current or prospective member of staff are to be discussed.

In line with Corporation's practice, it was agreed that the following Corporation members should leave the meeting before the above item was discussed: Gail Burrows (Support Staff member of Corporation), Jim Darmody (Teaching Staff member of Corporation), Matthew Hunt (Student member of Corporation), Jenny Wong (Student member of Corporation).

In line with Corporation's practice, it was also agreed that the following staff members/senior post-holders should leave the meeting before the above item was discussed: Steve Rogers (Finance Manager), Ian Taylor (Vice-Principal, Performance Improvement).

***It was agreed that the discussion of the items on the reserved business agenda should be kept in a confidential minute as they related to named individual members of staff.***

**Action: Clerk**

Fiona Bagchi  
Clerk to the Corporation  
18 February 2009

**ACTIONS ARISING FROM CORPORATION 86 HELD ON 18.12.08**

NO	ACTION FOR	ACTION	STATUS OF ACTIONS
1	Clerk	Appointment letter for NT – <u>Dec. 2008</u>	Done
2	Clerk/Chair	Clerk to consult with Chair concerning a Governance Working Group meeting – <u>autumn 2008 deferred to spring term 2009.</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 2007/08 &amp; ongoing.</u>	
4	Clerk	Annual review of Statement of Aims to take place at same time as review of Development Plan and to be added to Corp.'s standing agenda item list to be considered in Oct. 2007 – <u>Feb.- May 2009 – a long-term action.</u>	
5	AW/Clerk/Chair/RTS	Building contract for phase 2 of the College re-development project to be let to Hobson and Porter, noting that, as previously agreed, it would be executed as a deed, sealed and signed by the Chair of Corporation and the Principal – <u>summer/autumn 2008.</u>	
6	RTS	Invite officers from KHCC and ERYC to speak to a Corp. meeting – <u>2008/09.</u>	
7	Clerk	Confidential paper presented to Corporation 84 to remain confidential until the next review as it related to a negotiating position - <u>autumn 2009 – a long-term action.</u>	
8	Clerk	Completion by Corp. members of (i) annual review of register of interests and (ii) audit of skills forms – <u>autumn 2008.</u>	(i) Register of interests review substantially complete (awaiting return of 1 form). (ii) Audit of Skills update substant-ally complete. Clerk to remind those who have yet to return forms.

NO	ACTION FOR	ACTION	STATUS OF ACTIONS
9	Clerk/SR	Send IAS Annual Report 2007/08 and Financial Statements' auditors report 2007/08 to LSC – <u>Dec. 2008.</u>	Done.
10	Chair/RTS/Clerk/SR	Chair/RTS: sign letter of representation to the Financial Statements' and Regularity auditors, Baker Tilly – <u>Dec. 2008.</u>  Clerk/SR: send above to Baker Tilly – <u>Dec. 2008.</u>	Done.  Done.
11	RTS/Clerk/SR	RTS: sign FMCE – <u>Dec. 2008.</u>  Clerk/SR: send above to LSC – <u>Dec. 2008.</u>	Done.  Done.
12-13	Chair/RTS/Clerk/SR	Chair/RTS: sign approved Members' Report & Financial Statements for y.e. 31.7.08 – <u>Dec. 2008.</u>  Clerk/SR: send approved Members' Report & Financial Statements for y.e. 31.7.08 to LSC – <u>Dec. 2008.</u>	Done.  Done.
14	Chair/RTS/SR	RTS & SR in consultation with the Chair to take out a bridging loan for £600, 000, if necessary – <u>Feb. 2009</u>	
15	RTS/SR/Chair	Sign Lloyds TSB amendment letter varying covenants on the loan for the Wilson Building - <u>Dec. 2008.</u>	Done.
16	SR/Clerk	Send signed amendment letter and Corp. resolutions approving the signing of the amendment letter to Lloyds TSB - <u>Dec. 2008.</u>	Done.
17	Clerk	(i) Model Publication Scheme to be placed on the College's website <u>Dec. 2008.</u>  (ii) Guide to information to be placed on website when developed – <u>spring term 2009.</u>  (ii) Guide to be reviewed by CMT annually – <u>2009/10 and ongoing.</u>	
18	IDT	Consider adding the <i>Every Child Matters</i> outcomes as a strength to College SAR and whether an item on progress should be in Key Question 1 rather than under effectiveness of provision – <u>Dec. 2008.</u>	Done.

NO	ACTION FOR	ACTION	STATUS OF ACTIONS
19	Clerk/CS	Minor updating amendments to College's policies and procedures for safeguarding children and vulnerable adults - <u>Dec. 2008</u> .	Done.
20	Clerk/Chair/SR	Chair: sign letters approving additional 1.15% pay increase for support staff on grades 8 and 9 - <u>Dec. 2008</u> .  SR – implement the above – <u>Jan 2009</u> .	Done.  Done.
21	RTS/Clerk	Draft Development Plan 2010-12 to Corp. – <u>Feb. 2009</u> .	Done