

## **MINUTES OF CORPORATION MEETING, CORPORATION 95, HELD ON 5 JULY 2010**

Present: Karolina Biagio, Jim Darmody, Jackie Goodman, Glynis Hamlett, Mary-Rose Hardy, Sarah Kimemia, Billy Minns Grace Richardson, Richard Smith (Principal), Sarah Smythe, Julian Stern, Neil Telfer, Richard Welton, Philip Wright

In attendance: College staff: Fiona Bagchi (Clerk to the Corporation), Steve Rogers (Finance Manager), Mike Rogerson (Vice-Principal, Student and Staff Support), Mark Rothery (Assistant Principal), Ian Taylor (Vice-Principal, Performance Improvement), Alan Woodcock (Director of Resources)

### **95.1 Apologies for absence:**

Management:

Corporation members: Gail Burrows, George Coyle, Richard Heseltine, Mike Noddings (Vice-Chair of Corporation) John Wilson (Chair of Corporation),

(Julian Stern joined the meeting during the briefing).

The meeting began with an equality and diversity briefing from Mike Rogerson (Vice-Principal, Student and Staff Support), Margaret Cordeaux (Learning Support Manager), Mike Betts (Chair of Opportunities Group) and Edite Sustere (Student Association Equal Opportunities Officer and member of Opportunities Group).

Members noted that:

- The Opportunities Group met once every half-term and was a student-driven group which particularly considered issues and ideas arising from the student experience, including potential barriers to learning.
- The Group considered equality and diversity issues with reference to gender, race, disability, sexual orientation, age, religion or belief.
- The College provided learning support for students with a diverse range of disabilities (e.g. allergies, Asperger's syndrome, dyslexia) and also provided support for students who spoke English as a second language (e.g. support from teachers of English for Speakers of Other Languages (ESOL) to ensure that students had sufficient English for academic purposes).

In answer to members' questions, it was noted that:

- The learning support team provided support for about 10% of students, including exam support.
- The College screened for dyslexia and was planning to train a member of staff to enable screening to be carried out in-house in future.
- With reference to students with disabilities, arrangements were in place to ensure good and improving liaison between schools, Connexions and the College and between the College and universities

***Corporation thanked Margaret Cordeaux, Mike Betts and Edite Sustere for providing a briefing on equality and diversity issues.***

(Margaret Cordeaux, Mike Betts and Edite Sustere left the meeting).

## 95.2 Declarations of interest

***Mary-Rose Hardy asked for her standing declaration that she was a Councillor with East Riding of Yorkshire Council to be recorded. Rick Welton asked for his declaration that he was a Councillor with Hull City Council to be noted.***

## 95.3 Governance issues: I

### (i) Election of Chair for the meeting

***In the absence of the Chair of Corporation, John Wilson, and the Vice-Chair of Corporation, Mike Noddings, Mary Rose Hardy was elected Chair for the meeting: proposed Richard Smith, seconded Philip Wright.***

### (ii) Election of Chair and Vice-Chair for 2010/11

The Clerk reported that the following written nominations had been received for Chair and Vice-Chair of Corporation for the 2010/11 academic year:

- John Wilson had been nominated as Chair of Corporation.
- Mike Noddings had been nominated as Vice-Chair of Corporation.

***John Wilson was elected unopposed, and in his absence, as Chair of Corporation for the 2010/11 academic year.***

***Mike Noddings was elected unopposed, and in his absence, as Vice-Chair of Corporation for the 2010/11 academic year.***

## 95.4 Committee reports, presentations & recommendations I

### (i) Appointment of Student Corporation members

The Clerk reported that

- Karolina Biagio and Billy Minns, members of the Student Association Executive, had been nominated for appointment as Student members of Corporation.

***Corporation approved the appointment of Karolina Biagio and Billy Minns as Student members of Corporation from 5 July 2010 for a period of 4 years or until they left the College, whichever was the sooner. Appointment was subject to a satisfactory Criminal Records Bureau (CRB) check.***

**Action: Clerk**

Karolina Biagio and Billy Minns were welcomed to the meeting.

### (ii) Report on forthcoming election for Parent members of Corporation

The Clerk reported that:

- As his daughter would leave the College at the end of the current term, Neil Telfer's term of office as a parent member of Corporation would end on 31 August 2010.

Mary-Rose Hardy requested that Neil Telfer should supply the Search Committee with a CV for consideration by the Committee.

**Action: Clerk/NT**

**Members noted that an election to fill the vacancy for a parent member of Corporation which would arise on 1 September 2010 would be held during the autumn term 2010.**

**Action: Clerk**

(iii) Corporation member vacancy update

The Clerk reported that the Search Committee had discussed the vacancy for an independent Corporation member created by Pam Blackman's resignation from Corporation and had begun a search for a member with business expertise, taking into account the loss of skills in this area following the resignation of Rory Clark earlier in the year and the fact that expertise in education was currently well represented on Corporation.

**Members noted an update on actions being taken to fill the vacancy for an independent member of Corporation.**

**95.5 Minutes of Meeting 94 held on 12 May 2010**

***The minutes of meeting 94 held on 12 May 2010 were approved with the following typographical amendment: on page 5 the heading at section (f) should read Co-operative Schools Trust.***

**Action: Clerk**

**95.6 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 Jim Darmody and Julian Stern had been re-appointed to Corporation (94.3).

2 Glynis Hamlett had been appointed to the Student Committee (94.3).

3 Corporation had agreed that the Chair of Corporation and the Principal should sign routine documents relating to 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 (94.5).

**Action: Clerk/Chair/RTS**

4 It was agreed that, subject to Eversheds' advice concerning the number of people attending a meeting to be specified at section 3.2 of their Code of Practice on Freedom of Speech, the draft Code could be approved (94.5).

**Action: Clerk**

5 The Young Peoples learning Agency (YPLA) consultation on revisions to the Instrument and Articles of Government had not yet been received but would be brought to Corporation when available (94.5).

**Action: Clerk**

6 A paper relating to the College becoming a partner of the proposed West of Hull Co-operative Learning Trust was on the agenda (94.7).

7 Register of interests forms and revised skills audit forms would be distributed to members, subject in the former case to any revisions

agreed following consideration of item 95.10(v) later on the agenda (94.11).

## **95.7 Management report**

The Principal presented the management report.

### (i) Student matters

#### (a) Wyke Start

Members noted that:

- The first day of Wyke Start had gone well, with over 900 students taking part.
- Thanks were due to the Student Executive, including Karolina Biagio and Billy Minns, who had guided students around the College and to Debbie Crowe, who organised much of the programme, and the College Information Service team led by Bill Jackson, which processed applications and made the special timetable work.

#### (b) Matthew Graham

Members noted that:

- A memorial event had been held in the College theatre on 1 July 2010 for Matthew Graham, a former student who took his life earlier in the year. Many students prepared performances, film and activities for the event and the College was grateful to Roni Dunleavy, Matthew's tutor until he left college in January 2010, for organising it. Matthew's family attended the event.

#### (c) Events in the Oak Building

Members noted that:

- A successful summer concert had been held in the theatre.
- The art exhibition was under construction in the main concourse in readiness for the opening view on 14 July 2010, to which Corporation members were invited.

### (ii) College re-development

Members noted that:

- Demolition work had been completed. Groundworks and landscaping were proceeding and programme adjustments should ensure everything was completed by the time students started their new term on 8 September 2010.
- Work on the re-development of Kelvin Hall School was also proceeding and negotiation of agreements designed to complete the drive-way and entrance during summer 2010, transfer land and arrange for shared use of sports facilities would be considered later on the agenda.

### (iii) Planning

#### (a) YPLA & Local Authority

Members noted that:

- It was expected that the transfer of funding for students in the future would be directed from the YPLA to colleges, with the Local Authority partnerships and officers playing a role in negotiation of local plans.
- Discussions regarding the northern academy were continuing, with either the Principal or Director of Resources attending meetings.

#### (b) Capital

Members noted that:

- Taking into account increased student applications and should capital funding should be available in the future, the College had ensured that scope to extend Oak at the south western end had been designed into the landscaping and ground-works plan.

(c) Regional and National

Members noted that:

- Nick Gibb, the new minister whose portfolio included post-16 education, had addressed the annual Sixth Form Colleges Forum (SFCF) conference in June 2010 and had announced that there would be no in-year reconciliation of funding, which would be problematic for colleges which like Wyke were growing and might have unfunded students.

(d) Progress against the College Development Plan

Members noted that:

- Student applications for 2010/11 were high.
- Retention for 2009-10 would be slightly down on 2008/09.
- Achievement would be known following Level 3 Results Day (19 August 2010) and Level 2 Results Day (24 August 2010).

## **95.8 Report on partnership arrangements, including approvals**

(i) Property strategy update, including report on approval of legal arrangements with Kelvin Hall School

Members noted that the property strategy update had been considered as part of the management report above. Alan Woodcock, the Director of Resources, spoke to the report on the approval of legal arrangements with Hull City Council concerning Kelvin Hall School, which was being presented to Corporation for decision.

Members noted the following existing arrangements:

- On incorporation in 1993 Humberside County Council had divided the site between Wyke College and Kelvin Hall School and a deed was agreed. This resulted in Wyke having land totalling 4.86ha (48,600m<sup>2</sup>), with the College and School granted access rights to each others playing fields.
- The development of Kelvin Hall Sports Hall in 2007 resulted in the creation of three legal agreements that superseded the 1993 deeds in part i.e.
  - A Shared Use Agreement – which allowed the College to use Kelvin Hall Sports Hall, Multi Gym, Dance Studio and Multi Use Games Area (MUGA) for 6 periods each week, with the School having access rights to the College's library.
  - A Lease of land – The College granted a 50 year lease for two packages of land to enable the construction of the Kelvin Hall Sports Hall and MUGA.
  - A Grant of Right of Way – The City Council granted the College a 99-year lease giving a right of way over the newly created access road from Bricknell Avenue, with the College having responsibility for 70% of the access road's maintenance costs.

Members considered the proposed new agreements between the College and Hull City Council on behalf of Kelvin Hall School, noting that:

- As Hull Building Schools for the Future (BSF) were rebuilding Kelvin Hall School, discussions had taken place between the College, School and Hull City Council to develop new legal arrangements which would supersede the 1993 deeds and the 2007 agreements.
- It was proposed that the College should enter into the following agreements with Hull City Council:
  - A Shared Use Agreement – Wyke would gain access for 12 periods per week of an agreed combination of Kelvin Hall's Sports Hall, Multi Gym, Astro turf pitch, MUGA, and William Gee Sports Pitches and the School would have access for 12 periods use per week of an agreed combination of the College's Sports Hall and pitches. The school no longer required access to the College library.

- Grant of Freehold to Land – The College would grant the freehold of the land currently leased to the City Council for the footprint of the existing Sports Hall and a further area would be granted freehold for the construction of a portion of the new school. The total estimated area of land that it was proposed should be granted freehold equated to about 2.2% of the College site. The City Council had surveyed and valued the land at £35,000.
- Grant of Right of Way (Access Road) – The former agreement would be varied so that the College would only contribute 50% to the cost of maintenance of the access road. The access road was already the College's main entrance and would be the only vehicular access to the site from September 2010. Following queries raised at the June 2010 meeting of the F&GP Committee, Hull City Council had confirmed that the right of way was in perpetuity and without restrictions.
- Grant of Right of Way (Kelvin pupil path) – The College would grant a right of way across its land to allow Kelvin Hall pupils to pass over the newly constructed path from the Grammar School Road pedestrian entrance to Kelvin Hall.
- As part of the BSF project a area of land previously leased by the College for the building of the School's MUGA would be returned to the College as a car park at the expense of the City Council. The Director of Resources anticipated that the value of the land would be in the region of £30-£35k.

Members noted in discussion that the Director of Resources was satisfied that some outstanding minor queries relating to the position of the legal boundaries between the College and School had been satisfactorily agreed at a meeting held shortly before the current Corporation meeting. It was noted in response to members' queries that the College and School were satisfied that fences under the new agreement would be secure.

Members noted that:

- The College believed that the package of agreements detailed above not only provided the College with additional resources at no monetary expense but forged stronger links with a key partner school to provide an exceptional educational campus for future generation of students.
- The F&GP Committee had considered at its June 2010 meeting the requirements of the Learning and Skills Council (LSC) Financial Memorandum and Corporation's responsibilities as charity trustees in relation to the disposal of assets and were satisfied that the proposal as stated in the report appeared compliant and that funding body approval was not required.
- The F&GP Committee were recommending the proposed arrangements to Corporation for approval.

***Corporation approved the proposal that the College should proceed with the development of new legal arrangements between the College and Hull City Council in relation to the College and School site as outlined above, and agreed that the agreements should be sealed and then signed by the Chair and the Principal or other Corporation member, as appropriate.***

**Action: AW/Clerk/ Chair/RTS**

(ii) Recommendation on West Hull Co-operative Trust arrangements

In the absence of the Chair and Vice-Chair of the F&GP Committee, Mary-Rose Hardy, a member of the Committee reported that the proposal on the West Hull Co-operative Learning Trust arrangements had been considered at the F&GP Committee's June 2010 meeting and that the Committee were recommending to Corporation that it should resolve that the College should become a partner in the proposed Trust.

Members noted that:

- Kelvin Hall and Sydney Smith School had been in discussions with a number of potential partners about becoming a trust since June 2009.
- It was proposed that, from 1 November 2010, the schools would move from being community schools to foundation schools and would also acquire a charitable trust, the West of Hull Co-operative Learning Trust which would be a Co-operative Membership Trust.
- The two schools, supported by the Trust, would use new and innovative ways of engaging with the wider community in order to improve attainment for the students and services for their families.
- The two schools would continue to be part of the Hull Local Authority family of schools, but would have the opportunity to be supported by a Charitable Trust set up to improve standards both in the schools and across the wider community.
- The schools proposed partners in the Trust were: the Co-operative Group, Wyke Sixth Form College, Hull College and the University of Hull.
- As part of the proposed Trust, Wyke Sixth Form College would provide expert curriculum advice that would ensure the development of a continuously appropriate curriculum match between pre-16 and post-16 and would also provide support in order to accelerate the progression rate of all students by an explicit focus on ensuring a shared understanding and use of assessment data and by providing successful students as role models that would raise the aspirations within the schools and help to reduce those not in employment, education or training (NEETS) post-16. The College would also provide opportunities for students from the two schools to work with post-16 students in different projects and would continue to work closely with Kelvin Hall School to develop the benefits of the shared campus.
- It was proposed that the College would provide one Trustee for the Trust Board.

***Corporation agreed that Wyke Sixth Form College should become a partner in the proposed West Hull Co-operative Learning Trust, providing one trustee for the Trust Board.***

(iii) Northern Academy, including report on approval of legal arrangements

The Principal reported that:

- Draft Memorandum and Articles of Association for the Northern Academy to replace Sir Henry Cooper School had been received and commented upon, including the number of governors that the College could nominate as a co-sponsor of the Academy.
- The Department for Education (DfE) had agreed that the milestone for the signing and submission of the Academy funding agreement would be the end of September 2010, to enable a full and proper sponsors' consultation process to be undertaken.

***Corporation agreed that the College should, as a co-sponsor, continue to work with the Northern Academy sponsor and co-sponsors during summer 2010 on finalising the relevant legal agreements for ratification by Corporation in September 2010. It was further agreed that if the College was required to make a nomination to the Academy governing body before September 2010, the Chair of Corporation should act as Corporation's nominee or nominate another member of Corporation to take on the role.***

**Action: RTS/Clerk/Chair**

## **95.9 Committee reports, presentations & recommendations II**

(a) Audit Committee

(i) Recommendation on College risk management plan and disaster planning procedures, review of top 10 key risks

In the absence of the Chair of the Audit Committee, Philip Wright, Vice-Chair of the Committee, reported that:

- Colleges were required to update and approve risk management plans and disaster procedures annually to comply with the guidance on risk management contained in the Turnbull Report on Corporate Governance.
- The Audit Committee had accordingly considered the College's risk management plan and disaster procedure at its June 2010 meeting.

***Corporation noted the College's top ten risks report and approved, on the recommendation of the Audit Committee, the College's risk management plan i.e. its risk management register and risks controls document.***

***Corporation noted it had been agreed at the Audit Committee's June 2010 meeting that the College's disaster and business continuity planning procedures should be developed further before presentation to Corporation.***

(ii) Re-appointment of financial and regularity auditors, including audit strategy, agreement of fees and letter of engagement

Philip Wright reported that:

- The May 2010 meeting of the Corporation had approved, on the recommendation of the Audit Committee, the re-appointment of Baker Tilly as financial statements and regularity auditors for the audit for the financial year ending 31.7.10, subject to agreement of their fees.
- The Audit Committee had considered Baker Tilly's proposed fees at its June 2010 meeting and considered they offered good value for money.

Rick Welton, who had not been present when Corporation had approved the re-appointment of Baker Tilly at its May 2010 meeting, queried when a re-tendering exercise had last been undertaken for financial statements/regularity auditors. Members noted in discussion that:

- A re-tendering exercise had not been undertaken since the introduction of the LSC's Audit Code of Practice, which did not specify a set period in relation to re-tendering, but re-appointment of financial statements and regularity auditors was, however, considered by the Audit Committee and Corporation annually.
- The LSC made available annual benchmarking data for all colleges in the sector detailing audit costs, which showed that Baker Tilly's fees were competitive.
- Discussions amongst NorVlc finance directors had indicated that most colleges employed Baker Tilly as financial statements and regularity auditors.

***Corporation approved, on the recommendation of the Audit Committee, Baker Tilly's audit strategy for the financial year ended 31.7.10, including fees. Rick Welton abstained from voting on the proposal, expressing a preference for regular re-tendering for auditors as an example of best practice.***

***It was agreed that, in line with Corporation's practice, a letter, signed by the Chair of the Audit Committee, should be issued to Baker Tilly confirming that their re-appointment for the audit for the year ending 31 July 2010 should be on the same terms and conditions as the audits for the years ended 31 July 2007, 2008 and 2009.***

Action: Clerk/RH

***It was agreed that the Audit Committee should review the issue of re-tendering***

**for auditors and report to Corporation.**

**Action: Clerk/RH**

(iii) Report on re-appointment of internal auditors

Philip Wright reported that:

- The May 2010 meeting of the Corporation agreed that consideration of the re-appointment of the East Coast Audit Consortium (ECAC) as internal auditors should be deferred until its July 2010 meeting to allow it to take account of any new requirements issued following the dissolution of the LSC on 1.4.10.
- The Audit Committee agreed at its June 2010 meeting that, as no new guidance had been issued to date, it would be appropriate for the ECAC to be re-appointed for one year.

**Corporation approved on the recommendation of the Audit Committee, the re-appointment of the East Coast Audit Consortium (ECAC) as internal auditors for 2010/11.**

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

(i) Student numbers and funding report

In the absence of the Chair and Vice-Chair of the F&GP Committee, Mary-Rose Hardy, a Committee member, asked the Principal to speak to the student numbers and funding report for June 2010, which had been considered at the F&GP Committee's June 2010 meeting.

**Corporation noted that the College's projected outturn against its LSC funding allocation for 2009/10 was 104.8% but that retention was down at levels 2 and 3, which would affect the College's success rates.**

(ii) Monthly Accounts, including review of financial performance indicators (PIs)

Mary-Rose Hardy invited the Finance Manager, Steve Rogers to speak to the management accounts for May 2010, which had been considered at the F&GP Committee's June 2010 meeting.

Members noted that:

- The historical cost surplus for the 10 months to May 2010 were £113,100 against a budgeted deficit of £15,700 due to lower than anticipated staffing costs and interest rates on the loan for the re-development project.
- The outturn for the year was expected to be an improvement on the budgeted deficit of £96,700 and, subject to the FRS17 adjustment following the year end actuarial report on the East Yorkshire Pension Fund, could be a break even position.

It was noted in response to a query on the effect of depreciation on the improvement on budget, that depreciation and capital grants from the LSC offset each other to some extent.

**The May 2010 management accounts were received by Corporation. It was, however, noted that paper copies of Corporation papers posted to Julian Stern had not arrived before the meeting and the management accounts had been excluded through error from the electronic copies of papers sent to Julian Stern.**

(iii) Recommendation on draft budget for 2010/11

Mary-Rose Hardy invited the Finance Manager to speak to the draft budget for 2010/11, which was considered by the F&GP Committee at its May 2010 meeting

Members noted that:

- The draft budget projected a surplus of just £17,000 for 2010/11 against a budget deficit in the 10-year financial plan previously approved by Governors in support of the College re-development project.
- The increased income arising from increased student numbers had contributed to the above improvement, but an increase in unfunded students would also be a pressure on resources given that there would be no in-year funding reconciliation.
- Assumptions used in the plan included 1.5% pay inflation, non-pay inflation of 2.5%, increased LSC other income as a result of the additional release from capital grants on completion of the re-development project, increased income from the Student Financial Support Organisation (SFSO) project, ESOL fees and exam re-sits (offset by a reduction in income from link programmes with Kelvin Hall School), an increase in interest rates.

**Corporation approved the budget for 2010/11, on the recommendation of the F&GP Committee. Julian Stern abstained from voting on the proposal as a copy of the budget had been excluded through error from the electronic copies of papers sent to him.**

- (iv) Report on draft 3-Year Financial Plan, financial PIs and financial health assessment, financial performance indicators (PIs) & objectives

**The Finance Manager reported that, as he had received no information from the YPLA or Skills Funding Agency (SFA) on the format of the 3-year plan, it had yet to be produced. It was currently intended that the plan would be submitted by the College by 31 July 2010, using the previous year's spreadsheet if necessary, but it would be made clear on submission that it would not be brought to Corporation for approval until September 2010.**

**Action: Clerk/SR**

- (v) Borrowing update

Mary-Rose Hardy invited the Finance Manager to speak to the borrowing update.

Members noted that:

- The F&GP Committee regularly reviewed interest rates to determine whether a further portion of the loan to support the re-development project should be fixed.
- Long-term interest rates had shown a downward trend over the previous 4 months.
- Given the above trend, it was considered unlikely that the College would wish to forward fix a further part of the loan to support the College re-development project before Corporation met in September 2010 but it would be prudent to agree delegated arrangements should movements in long-term interest rates indicate that this was desirable.

**Corporation agreed to delegate to the Finance Manager the power to fix a further portion of the bank loan to support the College re-development project before the September 2010 Corporation meeting, subject to discussion with the Chair of Corporation and the Principal and their agreement that long-term interest rates indicated that it would be in the interests of the College to do so.**

**Action: SR/Chair/RTS**

- (vi) Report on development of Freedom of Information (FOI) section of website and development of Publication Scheme information guide and recommendation on Data Protection, FOI, Publication Scheme and Environmental Information Regulations charging policy

Mary-Rose Hardy reported that the F&GP Committee had considered, at its May 2010 meeting, a draft Data Protection, FOI, Publication Scheme and Environmental Regulations charging policy produced by the Clerk, noting that the text was based on extracts from relevant guidance issued by the Information Commissioner's Office (ICO). The Committee had agreed to recommend the policy to Corporation for approval.

Members noted that:

- Corporation had approved the ICO's model Publication Scheme for public authorities at its December 2008 meeting and this was currently on the Corporation section of the College website
- The charging policy, if approved, would also be made available on the College website together with a specific College freedom of information e-mail address and a section on FOI with links to the College's Publication Scheme and the ICO website.

**Action: Clerk**

***Corporation approved, on the recommendation of the F&GP Committee, a Data Protection, Freedom of Information (FOI), Publication Scheme and Environmental Regulations charging policy.***

**Action: Clerk**

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

(i) Corporation self-assessment analysis

***In the absence of the Chair of the C&Q Committee, it was agreed that the Corporation self-assessment analysis would be presented to the September 2010 meeting of Corporation.***

**Action: Clerk**

(d) Personnel Committee

(i) Update on staff pay awards

The Chair of the Personnel Committee, Mary-Rose Hardy, invited the Principal to update the Committee on pay negotiations between the Sixth Form Colleges Forum (SFCF) and the professional associations and trade unions.

***Corporation received an update on pay awards for 2010, noting that negotiations were likely to continue into autumn term 2010***

(ii) Staff equality and diversity profile

***Corporation received for information the annual staff equality and diversity profile, which had been considered at the Personnel Committee's June 2010 meeting.***

(iii) Whistleblowing policy

Mary-Rose Hardy reported that:

- Policies requiring Corporation approval were reviewed by the Personnel Committee on a regular basis.
- The Whistleblowing policy and procedure had last been approved by Corporation in 1999. The Committee were therefore recommending an updated version and were proposing that it should be reviewed in future at least every 5 years.
- Consultation with the College's professional associations and trade unions on the revised policy had raised no issues.

**Corporation approved the revised Whistleblowing policy and procedure, on the recommendation of the Personnel Committee, noting that it would be reviewed at least every 5 years.**

**Action: Clerk/CS**

## **95.10 Governance issues II**

### **(i) Monitoring of Corporation targets: Corporation attendance**

The Clerk reported that:

- Corporation attendance year to date was 68%.

Members noted in discussion that:

- The LSC's provider Financial Assurance team, which until April 2010 had been responsible for the audit of college's governance and financial management during inspection, had considered 70% attendance satisfactory.

**Corporation noted that overall attendance year to date was 68%, which was below the target of 75% approved by Corporation.**

### **(ii) Corporation self-assessment analysis**

**As noted at item 95.9(c)(i) above, the Corporation member self-assessment analysis would be presented to the September 2010 meeting of the Corporation.**

### **(iii) Corporation training & briefing schedule for 2010/11 & review of 2009/10**

Corporation considered its training and briefing schedule for 2009/10, noting that the following briefings had been given to date:

- Briefing on the College's new tutorial system
- Safeguarding children and vulnerable adults
- College trip to South Africa.
- Equality and diversity

It was noted that regular updates on the following items were provided during 2009/10 in the Management Report to Corporation:

- Changes in sector representation
- Building Schools for Future (BSF) updates, with particular reference to the re-development of Kelvin Hall school
- Academies updates
- 14-19 diploma
- Machinery of Government updates

A briefing on the LSC's Framework for Excellence (FfE) had been given to the C&Q Committee, rather than to full Corporation,

**Corporation noted briefings given to Corporation during 2009/10 and agreed the following items should be included in Corporation's training and briefing schedule for 2010/11:**

- **The emerging policy landscape (autumn term 2010)**
- **Ofsted new inspection framework**

**Action: Clerk/RTS**

### **(iv) Ratification of Chair's action: credit card procedures**

The Clerk reported that:

- The Finance Manager had revised the College's credit card procedures following review by the internal auditors as part of the 2009/10 internal audit and the revised draft procedures had been recommended by the March 2010 meeting for approval by Corporation.
- The revised procedures had subsequently been approved under Chair of Corporation's action and were being presented to Corporation for ratification.

***Corporation ratified the Chair of Corporation's action in approving revised credit card procedures.***

(v) Appointment policy: CRB checks and update on ISA registration

Members received an update on Independent Safeguarding Authority (ISA) registration from Eversheds, noting that:

- Although the Secretary of State was currently reviewing the criminal records and vetting and barring scheme, current arrangements would be maintained e.g. the need to make CRB checks was unchanged and the right to ask for an enhanced CRB disclosure remained in respect of all of those working or volunteering in regulated activity (e.g. sixth form college corporation members), the need to check the children and vulnerable adults barred lists in appropriate circumstances remained unchanged, penalties remained unchanged for barred individuals seeking to work or volunteer with vulnerable groups and for institutions who knowingly took them on.
- No further elements of the scheme would, however, be introduced until it had been remodelled e.g. the legal requirements for any individuals engaging in regulated activity to be registered by 1 November 2010 and for employers to check the status of individuals before they commenced work in relevant roles by carrying out an ISA check were likely to be affected by the government's announcement.

***Corporation agreed, on the recommendation of the Clerk, that Corporation's Procedures for the Appointment, Re-appointment and Replacement of Corporation Members should be amended to refer to "Enhanced" CRB disclosure checks being undertaken for Corporation members and that the reference in the procedures to Corporation members registering with the Independent Safeguarding Authority (ISA) on and after the 1 November 2010 should be cross-referenced to a footnote stating "or as directed by the Secretary of State".***

**Action: Clerk**

***Corporation agreed on the recommendation of the Clerk that the Corporation member eligibility declaration, signed at appointment and when members reviewed their register of interests form annually, should be updated to include reference to the role of sixth form governor being a regulated activity under the Vulnerable Groups Act, as recommended in the model declaration issued by Eversheds in February 2010.***

**Action: Clerk**

## **95.11 Committee minutes and annual reports**

(a) Annual Committee Reports: Personnel, C&Q

***Corporation received the Personnel Committee annual report and it was agreed***

***that the C&Q Committee annual report should be presented to the September 2010 meeting of Corporation.***

**Action: Clerk**

(b) Committee minutes April – June 2009

***The following Committee minutes were received: F&GP Committee minutes of 27.04.10 and 25.5.10.***

***It was agreed that the following minutes arising from Committee meetings held in June 2010 should be presented to the September 2010 meeting of Corporation, reports and recommendations arising from meetings having been presented as noted at item 95.9 above:***

- ***Audit Committee minutes of 14.6.10***
- ***C&Q Committee minutes of 15.6.10***
- ***F&GP Committee minutes of 23.06.10***
- ***Personnel Committee minutes of 7.6.10***

**Action: Clerk**

#### **95.12 Any Other Business**

***Neil Telfer was thanked for his contribution to the work of Corporation.***

#### **95.13 Dates of next year's meetings**

***The Clerk distributed the schedule of Corporation and Committee meeting dates for 2010/11. It was noted that these would also be e-mailed to members, who were asked to contact the Clerk if they were unable to attend any of meetings shown.***

***It was noted that Corporation was next scheduled to meet on Thursday 30 September 2010 at 5.00pm.***

#### **95.14 Risk management – items identified at the meeting**

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

#### **95. 15 Reserved Business agenda: Remuneration Committee minutes of 17.5.10 & 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 students and staff, with the exception of the Principal and the Clerk, should leave the meeting.

***It was agreed that the minutes of the reserved business agenda should be kept in a confidential minute as they related to identifiable members of staff.***

**Action: Clerk**

Fiona Bagchi  
Clerk to the Corporation  
25.08.10

**ACTIONS ARISING FROM CORPORATION 93 HELD ON 5.7.10**

<b>NO</b>	<b>ACTION FOR</b>	<b>ACTION</b>	<b>STATUS OF ACTIONS</b>
1	Clerk	Appointment of Karolina Biagio and Billy Minns, subject to satisfactory CRB checks	<i>Report to be given at meeting.</i>

		– <u>July 2010.</u>	
2	Clerk/NT	Neil Telfer requested to supply CV to Search Committee – <u>Sept. 2010.</u>	Not received to date.
3	Clerk	Election for Parent member of Corporation – <u>autumn 2010.</u>	Letter sent to parents of First & Single students. Letter to be sent to parents of Second Year students shortly.
4	Clerk	Amend minutes of May 2010 Corporation meeting, as agreed – <u>July 2010.</u>	Done.
5	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 &amp; ongoing.</u>	<i>See also action 8 below.</i>
6	Clerk	It was agreed that, subject to Eversheds' advice concerning the number of people attending a meeting to be specified at section 3.2 of their Code of Practice on Freedom of Speech, the draft Code could be approved - <u>Sept 2010.</u>	<i>Report to be given at meeting.</i>
7	Clerk	YPLA consultation on revisions to Instrument & Articles of Government to Corp. <u>when received.</u>	On agenda.
8	RTS/Clerk	Corp. approved the proposal that the College should proceed with the development of new legal arrangements between the College and Hull City Council in relation to the College and Kelvin Hall School site as outlined and agreed that the agreements should be sealed and then signed by the Chair and the Principal or other Corporation member, as appropriate – <u>July 2010.</u>	Done.
9	RTS	Corp. agreed College should become partner in W. Hull Co-op Learning Trust, providing 1 trustee to the Trust Board – <u>July 2010.</u>	RTS: formal appointment of trustee not yet made.
<b>NO</b>	<b>ACTION FOR</b>	<b>ACTION</b>	<b>STATUS OF ACTIONS</b>
10	RTS/Clerk/Chair	Corp. agreed that the College should, as a co-sponsor, continue to work with the Northern Academy sponsor and co-	RTS: Dick Smith has been named as Trustee for Wyke

		sponsors during summer 2010 on finalising the relevant legal agreements for ratification by Corp. in Sept. 2010. It was further agreed that if the College was required to make a nomination to the Academy governing body before Sept. 2010, the Chair of Corp. should act as Corp.'s nominee or nominate another member of Corp. to take on the role _ <u>Sept. 2010</u> .	College in the Academy Trust structure. Agreement of Memorandum & Articles of Government and funding agreement expected following Corp. meeting on 30.9.10. <u>Formal nomination to Academy governing body not yet made – see item 97.9(ix) on agenda concerning formal nomination to Academy governing body and delegation re signing of agreements.</u> See also management report on the agenda.
11	Clerk/RH	Letter to Baker Tilly confirming that appointment as financial statements/regularity auditors for y.e. 31.7.10 was on the same terms and conditions as in previous years – <u>July 2010</u> .	<i>Report to be given at meeting.</i>
12	Clerk/RH	Audit Committee review tendering for auditors ( <u>Nov. 2010</u> ) and report to Corporation – <u>Dec. 2010</u> .	
13	Clerk/SR	The Finance Manager reported that, as he had received no information from the YPLA or Skills Funding Agency (SFA) on the format of the 3-year plan, it had yet to be produced. The plan would be submitted by the College by 31.7.10, using the previous year's spreadsheet if necessary, but it would be made clear on submission that it would not be brought to Corporation for approval until <u>Sept. 2010</u> .	The draft 3-year financial plan was sent to the local authority & then to YPLA, to whom this responsibility has now been transferred. It was considered by the F&GP Committee on 21.9.10 & a recommendation on approval is on the agenda.
<b>NO</b>	<b>ACTION FOR</b>	<b>ACTION</b>	<b>STATUS OF ACTIONS</b>
14	SR/Chair/RTS	Corp. agreed to delegate to the Finance Manager the power to fix a further portion of the bank loan to support the College re-	It was not necessary to fix a further portion of

		development project before the Sept. 2010 Corporation meeting, subject to discussion with the Chair of Corp. and the Principal and their agreement that long-term interest rates indicated that it would be in the interests of the College to do so – <u>Sept. 2010.</u>	the loan before Sept. 2010. A borrowing update is on the agenda.
15	Clerk	The Data Protection, Freedom of Information (FOI), Publication Scheme and Environmental Regulations charging policy to be made available on College website with a specific College FOI e-mail address and a section on FOI with links to the College's Publication Scheme and the ICO website – <u>Sept. 2010.</u>	Done.
16	Clerk	Corp.'s self-assessment analysis to be presented to Corp. - <u>Sept. 2010.</u>	On agenda.
17	Clerk/CS (HR Officer)	Whistleblowing policy to be reviewed at least every 5 years (i.e. add to Personnel Committee policy list) – <u>Sept. 2010</u>	To note that a 5-yearly review is already included in the College's HR policies review schedule.
18	Clerk/RTS	Corporation's training and briefing schedule for 2010/11 should include: <ul style="list-style-type: none"> <li>• The emerging policy landscape - <u>autumn term 2010</u></li> <li>• Ofsted new inspection framework – <u>2010/11</u></li> </ul>	On agenda.
19	Clerk	Corp. agreed, on the recommendation of the Clerk, that Corp.'s Procedures for the Appointment, Re-appointment and Replacement of Corp. Members should be amended to refer to "Enhanced" CRB disclosure checks being undertaken for Corp. members and that the reference in the procedures to Corp. members registering with the Independent Safeguarding Authority (ISA) on and after the 1 November 2010 should be cross-referenced to a footnote stating "or as directed by the Secretary of State" – <u>Sept. 2010.</u>	Done.
<b>NO</b>	<b>ACTION FOR</b>	<b>ACTION</b>	<b>STATUS OF ACTIONS</b>
20	Clerk	Corp. agreed that the Corp. member eligibility declaration, signed at	On agenda.

		appointment and when members reviewed their register of interests form annually, should be updated to include reference to the role of sixth form governor being a regulated activity under the Vulnerable Groups Act, as recommended in the model declaration issued by Eversheds in February 2010 – <u>Sept. 2010.</u>	
21	Clerk	C&Q Committee annual report to be presented to Corp. – <u>Sept. 2010.</u>	On agenda.
22	Clerk	Audit, C&Q, F&GP and Personnel Committee minutes for June 2010 to be presented to Corp. – <u>Sept. 2010.</u>	On agenda.
23	Clerk	Minutes of Corp. Reserved Business agenda to be kept confidential – <u>July 2010.</u>	Done.