



**WEST NOTTINGHAMSHIRE COLLEGE  
CORPORATION BOARD**

***Minutes of the Corporation Board meeting held at Create at the Derby Road site on Thursday 13 September 2012 at 5.00 pm***

**GOVERNORS** Tim Clarke  
**PRESENT:** Malcolm Hall  
 Jean Hardy, Chair  
 Adrian Harpharm  
 John Holford  
 Asha Khemka  
 Mike McNamara  
 David Overton  
 Marie Oakton

**ALSO IN ATTENDANCE:** Maxine Bagshaw, Clerk to the Corporation  
 Graham Howe, Vice Principal Business Development  
 Andrew Martin, Deputy Principal  
 Patricia Harman, Deputy Principal  
 Tom Stevens, Executive Director: Capital Projects & Estates

**12.97 DECLARATION OF INTEREST**

The Chair reminded those present to declare at the start of the meeting any interest in matters to be considered. Standing declarations of interest were noted, it was agreed that none of the declarations prohibited participation in discussion.

**12.98 WELCOME AND APOLOGIES FOR ABSENCE**

Apologies for absence were received from Kate Allsop, Chris Bodger, Nevil Croston, Terry Dean, Diana Gilhespy and John Robinson. Absent without apologies was Chris Winterton.

Marie Oakton was welcomed to her first meeting as a Student Governor. It was acknowledged that she had been able to meet Governors at the June Residential.

The Chair informed members that Howard Baggaley had resigned as a Governor at the end of July 2012, this is because his wife is unwell. All acknowledged Howard's significant contribution to the Board over a period of 19 years as a Governor, all wished to pass on their thanks and well wishes to him.

ACTION by whom	DATE by when

Signed : \_\_\_\_\_ Chair

Date:

**12.99 MINUTES OF THE MEETING HELD ON 12 JULY 2012**

The minutes were agreed as a true and correct record and were signed by the Chair.

AGREED: to approve the minutes of the meeting held on 12 July 2012.

**12.100 MATTERS ARISING AND ACTION PROGRESS REPORT**

In terms of a matter arising, it was noted that page 11 should show David Overton attending the Finance & Estates Committee in relation to Estates matters. Except for this minor update, it was agreed that there were no matters arising and the action progress report was noted.

**12.101 REPORTING TO THE BOARD – INTERNAL AND EXTERNAL VALIDATION FRAMEWORK PRESENTATION**

The Deputy Principal introduced this item and reminded Governors that the framework developed had progressed following discussions at the June residential and the OFSTED inspection. Members received a presentation from her and the following was brought to members' attention:

- Key areas for review are Teaching and Learning observations, Self Assessment, (which was criticised as having a lack of vigour), and curriculum review frameworks. The feeling is that the Executive Team needs to be closer to Teaching and Learning and that, as a consequence, the framework for validation has been reviewed.
- Teaching and Learning observations – the proposals are:
  - a) All observers trained by external OFSTED Inspectors.
  - b) Curriculum Managers and Heads of School to observe College Staff – this was a solution suggested by College staff.To facilitate this development, the College will reduce teaching hours for Curriculum Managers and Heads of School so that they have sufficient time to undertake observations.  
It was noted that the Union Representatives are now suggesting that Teaching Staff have not been sufficiently consulted regarding the proposals and that there are some concerns to be addressed, this is an ongoing management dialogue and will be addressed.
- The suggestion made by Curriculum Managers is that each member of staff have two observations,
  - a) A drop in observation which is not formally written up.
  - b) A second observation which comes with a grading.The plan is to undertake both observations between now and Christmas with external observations undertaken in January/February 2013. When completed, this will give the College much more confidence in relation to its grade profiles.
- No notice inspections to be introduced.

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- Learning Consultants to observe partner delivery staff (this is off campus delivery).
- Ofsted Inspectors undertake joint observations to validate grades.
- SAR – to develop this the following will be introduced,
  - a) External training for Executive Team on how to review SAR's.
  - b) Executive Team working in pairs to review Schools of Learning and Curriculum Managers SAR's.
  - c) External validation of the College SAR by the Standards Committee members (end of October/ beginning of November) and part time Ofsted Inspector from another College.
- Curriculum review framework – this will involve:
  - a) Executive undertake reviews within Schools of Learning.
  - b) Executive trained by an external expert.
  - c) Review under common inspection framework 2012/13 headings 1) outcome for learners, 2) quality of Teaching & Learning assessment, 3) effectiveness of leadership and management.
  - d) Aspects within reviews are data, learner feedback, review of documentation, meetings with students, Staff & School Management.
  - e) Examples a) outcome for learners, attendance and punctuality data and retention, b) effectiveness of leadership and management progress against QIP and SAR, c) quality of Teaching & Learning assessment and observation grade profile.
- Reporting – progress is to be reported as a standing agenda item to each meeting of the Standards Committee.

Members reviewed the information presented and indicated that at the June residential there had been talk about setting some key targets for Teaching Staff in relation to baseline standards, eg, marking timescales, lessons to start and finish on time etc. The Deputy Principal confirmed that these had been established and had been circulated to all staff.

Governors acknowledged that there is a need for more Executive Team monitoring, but that Management still needs to encourage a general culture of ownership of leadership and management at all levels. There needs to be a continuance of trust established and not a move by Management to micro-manage. Members felt that what was key was the establishment of a supportive environment to bring about improvements.

One concern raised by a Governor present was the suggestion that the focus of development seems to be entirely dependent upon Ofsted requirements. It was suggested that there was a need not to lose site of the role that the College plays in preparing students for employment. All acknowledged that there needs to be a balanced view as it is impossible to ignore Ofsted requirements, but that these needed to be taken in the context of student needs and community requirements.

It was agreed that there would be a brief presentation to the Board on the issue of internal and external validation framework on a termly basis.

Deputy  
Principal

Termly

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AGREED: to note the presentation provided.

**12.102 PRINCIPAL'S REPORT**

The Principal drew members' attention to her comprehensive report and the following was specifically noted.

- Government reshuffle – John Hayes will be relocated to the Department of Energy & Climate Change. Matthew Hancock MP, who has been appointed as joint parliamentary under secretary for both the Department of Education and the Department of BIS will assume his responsibilities, there has not been a direct replacement for the minister role as such.
- Result summary – A2 & AS level – the A2 pass rate showed a continuing improvement trend having increased to 99.2% in 2011/12, however the percentage of passes at higher grades A\* to B at A2 fell by 4%, the College Team are reviewing this to better understand why. The pass rate is the best ever that the College has seen and is in fact the best in Nottinghamshire. The AS pass rate fell by 2% from 79% in 2010/11 to 77% in 2011/12. The percentage of passes at A and B grades reduced from 22% to 19%, and for A, B & C grades from 53% to 48%.
- FE Guild – the introduction of this new organisation is revolved around raising standards and professionalism. BIS are looking for a bid regarding who will run the Guild, the College intends to apply, the 14 September 2012 is the deadline and Governors will be kept informed of the outcome.
- City Deal – Nottingham City and Nottinghamshire County Council have been the recipients of £60million of additional funding as part of the 'City Deal', this is one of eight cities. The funding will support business growth and development within the City of Nottingham, and its surrounding county districts. The College is meeting with the Council and NAS and intends to have a physical presence in the City.
- Job evaluation update – this has now been completed and was a very successful project, unions have confirmed that they are recommending the proposals made.
- Appointments of Heads of School – last academic year saw an increase in staff turnover, which included the departure of two Heads of School for Care & Education Studies and the Lifestyle Academy. AoC's recruitment service have been appointed to source permanent replacements. In the meantime, the College has been able to appoint two experienced interim Heads of School through a different agency who commenced work within the Schools during the summer, both are doing well.
- VIP visit to Construction and Logistics Skills Academy – this will take place on Tuesday 16 October, Governors were invited to inform the Principal's PA if they were able to attend.
- Vision Entrepreneur - on Friday 2 November, the College will launch Vision Entrepreneur, all Governors were invited to attend.
- Gala dinner in aid of Inspire & Achieve Foundation, this too will take place on Friday 2 November, Karren Brady has been secured as the

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- guest speaker, again all Governors were invited to attend.
- HE Graduation – this will take place on Saturday 24 November 2012 at Kelham Hall, this is the last year that the College intends to use the Kelham Hall facility, and in future years will use its own sports facility.

AGREED: to note the update provided.

### **12.103 PROPERTY STRATEGY UPDATE**

The Executive Director: Capital Projects & Estates circulated an updated paper and drew the following to members` attention:

- Renewal grant – application for £120k was submitted on 31 July as requested by SFA to support the cost of cladding the six-storey tower.
- Enhanced renewal grant – detailed submission was made to the SFA by the deadline date of 11 September 2012, this is a competitive bid against other colleges with no guarantee of success. Colleges were invited to apply for up to £3million each, which must be match funded on a 2:1 ratio. A capital grant bid has been submitted to support the cost of relocating the Visual Arts from Chesterfield Road to the Trades Building on Derby Road Campus. The project must be complete and operational by September 2014. Similar to the renewal grant, colleges will normally be expected to provide a minimum funding contribution. The total scheme put forward is at a cost of £2.3million with SFA contribution sought for £780k. It was felt that the College has a strong case to put forward, but there is a risk in relation to the bid meeting the regeneration criteria in relation to Creative Arts. It is anticipated that a decision will be made by the middle of October.
- New build and Courtyard – the exceptional wet weather in April, June and July has potentially added 4.5 weeks to the programme. Mansells remain confident that they can reduce this to two weeks. On this basis, construction work should be complete by 21 December 2012. It is intended that contractors will pave the front entrance to the building at the beginning of November.
- Six-storey tower block and other buildings – cladding is to be tendered in mid September for consideration and recommendation by the Corporation Board in December 2012. Members` attention was drawn to the tabled paper giving further detail regarding the procurement approach and building contractor selection to date. Members noted the companies who have submitted a PQQ return and companies who were invited but did not submit a return. Members were advised that the next step is for a short list to be agreed and that these companies, once short listed, will move to formal tender process. It was agreed that delegated authority would be provided to the Finance & Estates Committee to agree a short list in relation to the tender process for phase 2C cladding in relation to the six-storey tower, Enviroblock, LRC, three storey block, Trades Building, Sherwood Care and Number 19.

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- Sports Hall – this facility was handed back to the College on 31 August for opening on 3 September 2012 on return for students. Costs and reasons for delay remain under discussion. The College will have to have more meetings with the contractor regarding this and a more detailed report will be provided to the Board.

EDCP&E

Nov 2012

AGREED to:

- Note the update provided.
- Provide delegated authority to the Finance & Estates Committee to agree a shortlist for the tender process in relation to cladding and external refurbishment of the six-storey tower, Enviroblock, LRC, three-storey block, Trades Building, Sherwood Care & Number 19.

#### **12.104 FINANCE REPORT 2011/12 DRAFT END OF YEAR POSITION**

The Director of Finance introduced this report and confirmed that it was very much a draft position prior to audit work, which will be completed by the end of October 2012. The following was specifically drawn to members' attention:

- The result for the College is once again likely to be stronger than had been anticipated with an operating surplus of £2.50million on total income of £47.7million. This is around £878k ahead of forecast of operating surplus, although it is £756k lower than the forecast level of turnover.
- There are a number of reasons for the better than expected result for the College and these include:
  - Income in the final month of the year £233k better than expected, mainly due to the recognition of over £90k ALS claims (+£89k) and improved performances on the adult skills budget (+£135k).
  - Pay costs actually overspent in the month of July by £95k, but only due to the provision made to reflect the settlements from the JE process.
  - As the partner delivered 16-18 apprenticeship programme continued to under deliver across the year, costs associated with the programme have also been under spent in the month by £248k.
  - A favourable variance in the operating surplus in the final months of the year of £350k has contributed to the improved result.
  - Across the full year staffing costs under-spent by £459k compared to forecast, providing about half of the improvement between the draft out turn and the forecast.
  - Whilst full year income was some £756k below forecast, non pay expenditure was £1.17million below forecast, providing the other half of the favourable improvement in performance.
  - Within non pay for the full year, £870k of the favourable variance relates to lower than expected partner costs, linked to delivery volumes, around £104k through an under spend in teaching and learning non pay allocations will remain spread across a large range of non pay categories.

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- Members agreed that the variance in relation to staffing costs and partner non pay costs have been key items, a request was made to review partner costs and better understand the patterns seen. Members discussed the staff under-spend and acknowledged that it was as a result of not recruiting the number of targeted students, and that the College would have spent to profile if it had had the students in place.
- Across the subsidiary companies Skilldrive has achieved an operating surplus of £806k, once again beating the forecast result although slightly lower than the previous year where a return of £874k was achieved. This slight softening of return relates to the investment in developing new markets in order to achieve the growth planned in future years.
- Safety Plus Training & Consultancy delivered an operating loss as had been expected. The full year loss of £41k compares to £230k profit in the previous year.
- Vision Apprentices has returned a better than forecast operating surplus of £48.2k, compared to a forecast of £36k.
- Safety Plus Construction has operated for the full year and in future will be managed alongside Vision Apprentices, as a construction industry ATA. The Company returned a loss of £15.3k. Members discussed the risks associated with Vision Apprentices absorbing Safety Plus Construction, it was explained that the Company has drastically reduced its operations, and is now a very small company and that in future there will not be the scale of losses, given that a different model now operates. Members were reminded of the new model in place, both for Safety Plus Construction and Safety Plus Training & Consultancy. It was noted that the vast majority of excessive costs have now been stripped out, and that Graham Howe's Team are now carefully managing the provision.
- The combined group operating surplus of £3.3million before FRS17 is an improvement over the 2010/11 year result, when £3.0million was achieved.
- The College and group balance sheet are in the process of final reconciliation, but will begin to show the inherent solvency weakening associated with the increase associated with the borrowing for investment of buildings. A total of £3.8million has been borrowed up until the end of July 2012 and will increase rapidly into the 2012/13 financial year.

Members discussed the data and raised a question regarding the impact of recruiting a Commercial Manager. They were advised that there has been relatively slow progress given challenging economic circumstances, and it is something that the Executive Team are closely monitoring. It was noted that the individual was appointed on a one year fixed contract, and that there will be a review of impact in relation to the post on a regular basis. Members agreed that they would find it useful to have a report at the next meeting detailing commercial income.

Finance  
Director

October  
2012

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One additional point raised was in relation to the losses sustained by the subsidiary companies, it was explained that letters of support will be required from the College to enable Directors to satisfy going concern requirements. Members of the Board all agreed that in line with previous years, they will be happy to provide these letters. It was noted that a formal request would be made to the Board at its December meeting following audit. At this point in time members all acknowledged that there was no reason to differ from previous practice, and that letters of support would be provided.

Members took the opportunity to discuss the Government's infrastructure programmes in place and being developed. It was acknowledged that the College is aware of these opportunities and is placed to respond when the funding tap is turned on. It was felt that at this time construction would be an opportunity

AGREED: to note the Finance Report 2011/12 draft end of year position.

#### **12.105 INTERIM COLLEGE ENROLMENT REPORT 2012/13**

The Deputy Principal circulated an updated report providing accurate statistics as at 10.30am Thursday 13 September 2012, the following was noted:

- Total percentage of full time planned enrolments is currently at 93% (full time EFA 16-18 learners).
- Full time SFA 19+ learners is currently at 109% of target.
- HEFCE funded learners – the College has enrolled 168 new full time entrants contributing to the target of 211. The College is confident of 180 enrolments. The target has a tolerance figure, which is 186. At this stage, the College is unsure whether it will hit this target, but is doing all that it can to maximise enrolments.

AGREED: to note the content of the report.

#### **12.106 EMPLOYER RESPONSIVE UPDATE**

The Vice Principal introduced his paper and the following was brought to members' attention:

- Overall the College has had another successful year in terms of employer related activity, but is seeing a decline in apprenticeship success rates.
- The finalised funding position is:
  - a) 16-18 apprenticeship budget outturn £5,887,823.66, this can be broken down as College £955,778.99, Safety Plus £92,159.63 and other partners £4,839,855.04. The provision is behind target and it is proving to be a real challenge to place 16-18 year olds.
  - b) Adult apprenticeship budget outturn is £5,955,809.55, this can be

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broken down as College £753,060.70, Safety Plus £6,038.73 and other partners £5,149,847.78.

c) NVQ budget outturn is £4,547,912.83 which can be broken down as College £550,819.79, Safety Plus £1,979,275.64 and other partners £2,017,817.40.

- Total income is £15,585,632, this is slightly behind that delivered in 2010/11 (approximately 96%), however the challenging funding environment suggests this is a positive result. In 2010/11 funding rates per qualification were 3% higher and not all apprentices needed to be employer led, meaning more flexibility in the previous year.
- Success rates – overall success rates for NVQ in the workplace are 94% for 2011/12 (ILR not yet finalised), compared with 90% in 2010/11. It was noted that the College currently has no real concerns about partner or College delivery in this area.
- Overall success rates for Apprentices are 76% for 2011/12, compared with 79% in 2010/11. This is a priority area to review and address, given the 3% decline.
- Members` attention was drawn to the list of partners with concerns at page 29. Members particularly discussed Right-Track, which is a company that has ceased trading. Members questioned whether the demise of the company has cost the College. The Director of Finance indicated that it was hard to tell at the minute, but that administrators have taken a very aggressive approach. The view at the moment is that it is likely to lead to a positive position for the College, rather than it sustaining costs. It was noted that the College uses credit-scoring agencies to monitor companies and partners, and that because of this the College actually stopped activity and payments to the company in January 2012, which was much earlier than the date the company went into administration.

Members reviewed the information regarding partner contracts and noted that the Skills Funding Agency has launched a comprehensive due diligence process for providers accessing public funds. This is termed the register of trading providers (RTO). Currently providers with aggregate contracts in excess of £500k must register with RTO and, by the end of this year, all providers with contracts in excess of £100k of SFA funding will also be required to register. There are two parts of the process, which includes a review of company management and financial stability. It was noted that in the first round the College has had five sub-contractors fail for financial reasons. The College will actively look to replace them and in fact, it was noted that there are 14 new contractors currently going through the due diligence process.

Members were advised that in addition to those who have failed RTO, the College has four subcontractors invited to tender for direct contracts with the SFA. If they are successful, there may be potential financial implications for the College and that this needs to be monitored.

Members` attention was drawn to appendix 3 which detailed the proposed new activity for 2012/13. Members were happy to support the

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proposals made. It was noted that Vision Apprentices had been successful in appointment to the national ATA register, and that this is one of only eight companies.

AGREED to:

- a) Note the update provided.
- b) Approve partner contracts for partner activity in 2012/13 (appendix 3).

#### **12.107 EXCEPTION REPORT – SAFEGUARDING, EQUALITY & DIVERSITY**

The Deputy Principal introduced this item and drew members` attention to the data presented, she confirmed:

- There were no reported incidents in relation to safeguarding in June, July or August 2012 in relation to College provision.
- In relation to partner provision there were no reported incidents in June 2012. In July 2012 there were three reported incidents, the first incident related to a learner who was suspended from a Nursing Home pending a police investigation, the learner was subsequently dismissed from her employment. The second incident related to a student who is part of the Police Witness Protection Scheme, and due to this, details of the related incident are confidential. The third incident relates to a learner who was experiencing problems at home and said that he felt suicidal, contacts for counselling and The Samaritans were provided for the student who is being monitored by the partner staff.
- Equality and Diversity College provision - there were no reported incidents in June, July or August 2012.
- Equality & Diversity Partner provision - there were no reported incidents in June 2012. There was one incident reported in July 2012, this related to a learner who claimed that she had received racist comments and threats via text message. The students accused of this incident have been dealt with through the disciplinary procedure and have received formal written warnings.

Members all agreed that the data was self -explanatory.

AGREED: to note the update provided.

#### **12.108 AOB**

One item of additional business was raised by the Principal and this related to a Studio School proposal, a written report was circulated. The Principal confirmed that the College has commissioned a feasibility study regarding the development of a Studio School which will target individuals with low aspirations, high disengagement and will seek to reduce the persistently high level of NEETs.

It was acknowledged that there will be a cost associated with the feasibility study, but that the College is unable to undertake an accurate

Signed : \_\_\_\_\_Chair

Date:

assessment regarding viability and need without this. It was noted that the deadline application date for submission for a request to establish/sponsor a Studio School is 4 January 2013.

It was agreed that at the next meeting a presentation would be provided by a Studio School expert.

Principal

October  
2012

**12.109**    **DATE OF NEXT MEETING**

The Clerk to the Corporation reminded members that the next meeting was scheduled for 11 October 2012.

**12.110**    **CONFIDENTIAL ITEMS**

Confidential minutes of the Board meeting held on 12 July 2012 – the minutes were agreed as a true and correct record and were signed by the Chair.

There were no matters arising.

Meeting concluded at 6.15 pm.

Signed : \_\_\_\_\_ Chair

Date: