



MINUTES OF THE MEETING OF THE CORPORATION – LAKES COLLEGE, WEST CUMBRIA

Held on Thursday 11th December 2008 at 4:05pm at Higham Hall, Bassenthwaite.

PRESENT: Paul Pharaoh (Chair), Steve Bradley, Joe Holliday, John Lackie, Damian McSweeney, Cath Richardson (Principal), Eunice Simmons, Clare Walker (nee Hucknall) (from 116/08), Michael Doyle, Adrian Taylor, Susie Shepherd, Norma Boyes, Andrew Oldham and Jimi Adams (both from 116/08).

APOLOGIES: Bill Southward, Mike Davidson, Gerald Humes and Jo Lomax (Acting Assistant Principal, Curriculum and Quality)

IN ATTENDANCE: Karen Wilson (Director of Finance and Corporate Services), Cyril Wheat (Assistant Principal, External Relations) and Hilary Hemm (Clerk to the Governors).

114/08 DECLARATIONS OF INTEREST

The Chair reminded governors of the requirement to declare their interest in any agenda items. For any such declaration governors would not be eligible to speak or to vote on the matters under discussion or be counted in the quorum.

Steve Bradley declared an interest in that West Lakes Research Ltd was a contractor to Lakes College. Eunice Simmons declared an interest as an employee of the University of Cumbria. Joe Holliday and Susie Shepherd declared an interest in local schooling matters.

115/08 MINUTES OF SEARCH COMMITTEE held on 18th September 2008 and MEMBERSHIP AND COMMITTEE UPDATE

The minutes of the Search Committee held on 11th December 2008 were received.

Damian McSweeney, as Chair of the committee, reported to members that the committee had met immediately preceding this Corporation meeting and had then approved the proposal to appoint Mr Jimi Adams as the second student governor. It had also considered the application of Mr Andrew Oldham. The Committee had considered his background and skills and considered that he had great strengths which would enhance the Board's work. It was therefore recommended that he be appointed. Two members had resigned recently – Mr Graham Kennedy and Dr Neil Smart. Cllr Bill Southward's term of office was reaching an end on 31 December. Both the Search Committee and the group reviewing the Standing Orders recommended that in future there should not be an automatic recruitment of a local authority member from the three authorities concerned. Therefore it was recommended that Cllr Southward's term should not be renewed. The contribution of all three members was acknowledged and the Clerk was asked to write formally to all three to thank them.

RESOLVED that the Minutes and report be received and

FURTHER RESOLVED that Mr Jimi Adams be appointed to the Lakes College Corporation as a student member until 31st July 2009 and that Mr Andrew Oldham be appointed as an independent member until 31st December 2011.

Mr Adams and Mr Oldham joined the meeting at this point and were welcomed and introduced to all present. Clare Walker also joined the meeting.

RESOLVED that as items 116/08, 117/08 and 118/08 to be discussed were due for publication at a later date the Board move in to confidential session

119/08 SCHOOLS REORGANISATION

The Principal reported on a recent meeting regarding consultation on possible priority actions for Cumbria schools in the west of the county. The result of the consultation had been a decision by the authority to rebuild / invest in Millom School, to carry out extensive remodelling of Whitehaven School but not as an academy, to create a single secondary school in Workington (no detail was available on this) and to have a rebuild on the Netherhall site. There were no significant implications on this for the College. Members noted that a press release had been issued giving this information.

RESOLVED that the Principal's report be noted.

120/08 AOC CONFERENCE

The Principal presented her report. The Chair, who had also attended, noted the good representation from the College. Members asked whether there was a need for the Corporation to take any action with regard to relationships with local government. The Principal noted that it was the view of all four Cumbria Principals that there was limited experience within the Children's Service office of working at college level and they were now holding regular meetings in order to develop a good relationship. In other UK areas the LSC had staff shadowing local authority staff but that was not happening here. The Principal represents the four colleges on the 14-19 strategic planning committee.

The Chair informed members that he had invited Mr Peter Tavernor, Principal of The Manchester College, to speak to members at their next meeting in March. The Management Team would work with him to plan the programme for his visit.

RESOLVED that the Principal's report be noted.

121/08 CONFIRMATION OF MINUTES

The Board received the minutes of its meeting held on 18th September 2008.

RESOLVED that the minutes be approved as an accurate record and signed by the Chair.

123/08 MINUTES OF AUDIT COMMITTEE held on 17TH November 2008

The minutes of this meeting were presented by the Committee Chair and received. Members were particularly asked to note the new requirement to carry out the FMCE (Financial Management Control Evaluation) which it was anticipated would supersede the SARQ in future years. It had been submitted to the LSC and a response was awaited.

124/08 MINUTES OF RESOURCES COMMITTEE held on 27th November 2008

The minutes of the Resources Committee held on 27th November 2008 were presented by the Committee Chair and received.

125/08 ANNUAL REPORT OF AUDIT COMMITTEE

Damian McSweeney as Committee Chair reported that the Committee had followed its remit, monitoring the performance of both internal and external auditors and that the report contained a summary of the year's work. He commended it to the Corporation.

RESOLVED that the Report be accepted.

126/08 APPOINTMENT OF CHAIR AND VICE CHAIR

Members were reminded that at their meeting in December 2007, they had agreed to the appointment of Paul Pharaoh as Chair until 31 December 2008 and of Damian McSweeney as Vice Chair for the same period, with the intention that at this meeting the roles would be reversed.

Members were unanimous that:

RESOLVED that Damian McSweeney be appointed Chair until 31 July 2010, that Paul Pharaoh be appointed Vice Chair for the same period and that Paul Pharaoh continue as Collaboration Board representative. He would also take on the role of CCL Audit committee member which Damian McSweeney had to vacate on taking the Chair.

127/08 NOMINATION OF JOINTLY APPOINTED DIRECTOR TO CUMBRIA COLLEGES LTD

The Principal presented this report and noted that Carlisle College had nominated one of their members, Sheila Donn, to the Board. It was unanimously agreed that the Lakes College Corporation would support that nomination.

RESOLVED that the nomination of Sheila Donn be approved.

128/08 EXTERNAL RELATIONS AND EMPLOYER ENGAGEMENT

The Assistant Principal, External Relations, presented his report. Members had a number of queries, which he dealt with. Vocationally Relevant Qualifications (VRQs) were to a full Level 2. He was following up with the LSC the possibility of recruiting locally for this level. There was some discussion regarding the development and offering of diploma courses. The College was working to support this but there was limited interest from schools locally at present.

He provided information on the methods of negotiation and the model of contract used with local employers. Practices were under review to ensure that all aspects of risk management had been covered.

He would report to both the Resources Committee and the full Board on future developments and proposals.

RESOLVED that the contents of the report be noted.

128/08 FREEDOM OF INFORMATION ACT - NEW SCHEME OF PUBLICATION

The Director of Finance and Corporate Services presented her report and reminded members that a new model scheme had been introduced for FE Colleges. Plans to implement the scheme were set out in her report and she would report further to the Board at their next meeting. In response to a query, she confirmed that confidential items were dealt with under existing College procedures.

RESOLVED that the contents of the report be noted.

129/08 COLLEGE SELF ASSESSMENT (SAR) PARTS A AND B

The Principal presented this item. She noted that in the curriculum summary grades, 6 had been marked as “outstanding”, 3 as “good” and 4 as “satisfactory”. This was a marked improvement on last year. The Health and Social Care score had slipped to a grade 3 due largely to a major restructuring in the department and staffing changes. Action had been taken to remedy the situation for the current year. Business Support also showed a marked improvement. After highlighting points in each aspect of the report she dealt with members’ queries on particular gradings and assessments. She explained the process for self-assessment and following up any issues which arose via action plans and the development plan. Internal staff training in IT was discussed, ensuring staff improve their own skills.

The IT department had this year been graded as grade 3 and should be a grade 2 by next year as a result of remedial action taken.

Student views were taken into account in the assessment.

RESOLVED that the report be approved, with members adding that they wished staff to be thanked for the work undertaken.

130/08 STUDENT ACHIEVEMENTS

In the absence of the Acting Assistant Principal, Curriculum & Quality, the Principal presented this report. The Governors’ self assessment had identified their lack of awareness of comparing College figures against national benchmark figures. The tables produced did this. In most areas the College achievement figure was higher than the benchmark figure. In isolated areas where this was not the case she explained to members why the differences had occurred. Members raised a number of specific queries which were dealt with and asked that a digest of this information be produced in future, which it was hoped would assist in interpretation of the data presented.

RESOLVED that the contents of the report be noted.

131/08 STUDENT TARGETS

In the absence of the Acting Assistant Principal, Curriculum & Quality, the Principal presented this report. Her report set out the suggested changes to the targets for 2008/09 and sought members’ approval for them. It also set out information on final figures for targets for the past two years. In response to a member’s query on the method of setting targets when there is limited information on prior student attainment, she explained that the action plan has to take account of this and to ensure that there is adequate support in place to enable the targets to be met.

RESOLVED that the changes to targets set be approved and that the contents of the report be noted.

132/08 EQUALITY AND DIVERSITY COMMITTEE – ANNUAL REPORT

Norma Boyes, as the governor representative on this committee, presented an annual report on the committee's activities for the past year. It was working to ensure that equality and diversity were embedded in the culture for both students and staff so that they felt able to challenge inappropriate behaviour. Work was underway to run a staff training session on this.

In response to a query she confirmed that records of incidents were kept. Therefore assessment of the situation was evidence based. Clare Walker confirmed that Student Services were working both within the College and with the Police to deal with any incidences of cyber-bullying.

RESOLVED that the contents of the report be noted.

133/08 FINAL ACCOUNTS, 2007/08

The Director of Finance and Corporate Services presented members with these accounts, which had been submitted to the Audit Committee immediately preceding this meeting and which had also been reviewed in draft form by the Resources Committee. The Management Letter was also available. It required several audit adjustments largely relating to late income at the year end, all of which had been actioned. She reported a higher than expected surplus of £657,000. More funds had been allocated to the capital programme because of the good outturn and she expected to be able to do this again. Some £60,000 was invested in curriculum development.

The healthy balance sheet meant that College had self-assessed at Grade A for LSC financial health status. It had been necessary to review investment of funds in the light of the current financial climate. £300,000 had been placed in a designated reserves fund for planned maintenance or new work and was thus protected from review by the LSC. In response to a member's query she confirmed that the pension fund liability accounting adjustment (FRS 17) had been adversely affected by the "credit crunch" effect deficit within the pension fund and that she anticipated it would be worse in next year's final accounts.

Members noted that the College was in a very satisfactory financial position, and was financially the strongest of the four Cumbria colleges.

RESOLVED that the report be noted, that the Audit and Resources Committee recommendations be accepted and that the accounts be approved and submitted to the LSC. They and the Letter of Representation were signed by both Chair and Principal.

134/08 MANAGEMENT ACCOUNTS AND FINANCE UPDATE

The Director of Finance and Corporate Services presented her report on the management accounts to the end of October 2008 and an update on financial performance to date together with the forecast position for the end of the year. She reported that the forecast budget was achievable but that there were still major problems with management of information with the LSC. There had been an error in the LSC allocation figure (which had in any event increased) and as a result she was still waiting for the amended contract to be returned for signature and submission

by 15 December. The LSC software for analysis and monitoring of figures was no fully functioning so it was not yet possible to carry out a full and robust analysis of the present situation. This was a national problem.

The increased allocation would require increased student numbers, increased staffing levels and therefore also increased pay allocation.

Members queried the payment of supplies. She explained that the target is to make payments within 30 days with government requesting payment within 10 days. The aim was to pay on a timely basis and with the introduction of payment of most invoices by BACS as well as generally improved internal systems, that should improve.

RESOLVED that the contents of the report be noted.

135/08 COLLEGE PERFORMANCE INDICATORS 2008/09 – UPDATE REPORT

The Director of Finance and Corporate Services presented these indicators. She highlighted and took members through the areas where further action was required. A college target is to reduce the dependence on LSC funding although this was difficult in the current economic climate and with the increased flexibility in government funding. The College Strategy was to have a mixed funding stream where possible and targets will be reviewed in the new strategic plan.

RESOLVED that the contents of the report be noted.

136/08 FINANCIAL REGULATIONS

The Director of Finance and Corporate Services set out the history of the current set of Regulations and the reasons why they had been reviewed. The revised version had been considered by both the Audit and Resources committees. The amended regulations were more consistent and should improve management of information.

RESOLVED that the revised Financial Regulations be approved and adopted.

137/08 RISK REGISTER REVIEW

The Director of Finance and Corporate Services provided members with an updated risk register. The main challenge, which she highlighted, related to the difficulties this year with LSC allocations and software, both of which had already been discussed. The new Framework for Excellence would change the SAR radically. There were ongoing issues with the building re windows and the roof and these had been referred to the College's solicitors. Risks re competitors were included in the Strategic Plan.

RESOLVED that the contents of the report be noted.

138/08 REVIEW AND UPDATING OF STANDING ORDERS

The Clerk presented her report on the review which had been carried out this term and on the outcome of the review group's discussions. Members all had a copy of the proposed new Standing Orders. The review had not included a review of the Code of Conduct and associated

papers which were to be reported on at the Spring meeting. Much of the work had involved tidying up and ensuring consistency within the orders, with the model for the Orders having been provided by Ian James. She went through the major changes including the establishment of a Learner Experience Committee, the reduction in the total composition of the Corporation to 18 (from 20), the changed committee memberships and changed report formats. The Clerk's role had also been changed slightly so as to delete acting as a company secretary of any college company.

It was recommended that the new Standing Orders be adopted from 1 January 2009 with the understanding that they be reviewed again in September 2009.

Members discussed the merits of several of the changes. On the reporting mechanism of the recommended salaries from the Remuneration committee to the Chair or whole Board, members were concerned as to whether it was appropriate for this matter to be discussed in the full Corporation meeting. They were reminded that the Instrument and Articles did provide for the exclusion of staff and student members in certain circumstances.

Members requested that committee papers be taken as read at Board meetings and that committee chairs be ready to raise at Corporation meetings any items from those minutes that it was felt should be specifically drawn to the full Corporation's attention.

RESOLVED that:

- (1) the proposed new Standing Orders be adopted with effect from 1st January 2009 with two provisos: Firstly that they be reviewed in September 2009 and secondly that the reporting mechanism of the Remuneration committee be reconsidered and reported on by the Clerk at the next meeting.
- (2) the Clerk work with the Chair to ensure allocation of committee membership posts to members and that, on this occasion, clause 14 of Reservations to the Corporation contained in the current Standing Orders be suspended.
- (3) members be re-circulated with the meeting schedule for the rest of the year and that the Clerk work with members of the Learner Experience committee to fix meeting dates for the Spring and Summer terms.
- (4) due to the Principal attending her qualification training in the week of 25th June, the date of the summer term Corporation half day away day self-assessment and meeting be moved to 2nd July 2009.

Joe Holliday left the meeting during discussion of this item.

139/08 UPDATE ON GOVERNORS' ACTION PLAN

The Clerk presented this report. There had been a general improvement from last time. She explained where action was still required during the year.

RESOLVED that the contents of the report be noted.

140/08 ANNUAL REPORT ON USE OF CORPORATION SEAL

The Clerk presented this report. The Seal had not been used during the year.

The meeting closed at 6:20pm