

## THE FURTHER EDUCATION CORPORATION OF MIDDLESBROUGH COLLEGE

### GOVERNING BODY

Minutes of the Governing Body held on Monday 25 January 2010  
at 6.00 pm in the Board Room which encompassed the  
Middlesbrough College Annual Report for 2008 / 2009 (*item 6.3*).

<b>Present</b>	Mrs H Pearson OBE	Chairman	College Governor
	Mr J Autherson		College Governor
	Mr J Bate		College Governor
	Mrs S Bates		College Governor
	Mr R Brady		College Governor
	Mrs A V Haskins		College Governor
	Mr J Hogg		Principal / Chief Executive
	Mr A Hume		Student Governor
	Mr R Johns		Staff (Academic)
	Mr M McClintock	( <i>Item 5 onwards</i> )	College Governor
	Miss R Murphy		Student Governor
	Mr G Rogers		Staff (Business Support)
	Ms S Shepherd		College Governor
	Mrs C A Wheatley		College Governor
Mr D Whitaker		College Governor	

<b>Officers</b>	Mr R Atkinson	Assistant Principal - Registry, Estates & Governor Services
	Mrs Z Lewis	Vice Principal - Resources
	Mrs S Wright	Vice Principal - Curriculum & Quality

The Chairman of Governors welcomed Mr Anthony Hume to his first meeting as Student Governor. It was noted that Mr Hume had been unable to attend the meeting on the 21 December 2009 due to his College Commitments.

#### **In attendance (items 1 – 5 only)**

Mrs K Joyce                      Assistant Principal - Student Services

#### **10/001    ITEM 1    APOLOGIES**

Mr A Hanif                      College Governor  
Dr M Mehta                      College Governor  
Mr B H Whitfield                College Governor

10/002 **ITEM 2 MINUTES - 21 DECEMBER 2009**

The minutes of the Governing Body meeting of the 21 December 2009 were **approved** as a true record and duly signed by the Chairman of Governors.

10/003 **ITEM 3 MATTERS ARISING**

None.

10/004 **ITEM 4 DECLARATION OF INTERESTS BY THE GOVERNING BODY AND THE SENIOR MANAGEMENT TEAM**

None.

10/005 **ITEM 5 SAFEGUARDING ARRANGEMENTS**

*(Informal Training Session by the Assistant Principal - Student Services)*

The Assistant Principal - Student Services attended for this short informal training session, reporting that Child Protection has been high on the agenda in education for decades, but over recent years it has become one aspect of a wider brief, that of safeguarding.

It was noted that the OfSTED Inspection Framework now includes strengthened arrangements for inspecting safeguarding and Every Child Matters (ECM), to the extent where the judgment relating to safeguarding arrangements has now become a limiting grade on the overall effectiveness of the College. This is the same for equality & diversity and hence the importance to have policies / procedures and training in place for both aspects.

Governors welcomed the brief up-date along with the attached documentation received from RSM Bentley Jennison. Further information was also tabled in relation to a document called "*Guidance for Safe Working Practice for the Protection of Children, Young People, Vulnerable Adults and Staff in Education*". This document has also been circulated to all staff by the Principal / Chief Executive.

It was further reported that all staff are presently undergoing Safeguarding Training, which will be beneficial to the College in the long term, as it raises awareness at the very least. A number of key staff will be undertaking a Distance Learning Qualification.

The Chairman of Governors thanked the Assistant Principal - Student Services for her attendance and reported that further in-depth training on this topic would take place at the Governing Body Training day on the 12 May 2010 at 10.00 am.

10/006 **ITEM 6 GOVERNANCE**

**6.1 Governance Up-date**

The Assistant Principal - Registry, Estates & Governor Services presented an up-date in relation to Governance issues affecting Middlesbrough College and the FE Sector along with a short presentation in relation to the revisions being proposed to the Governors' Website.

The Governing Body welcomed the up-date on issues such as:

1. National Clerks' Network.
2. Governance Conference 2010.
3. Governors' Website.
4. Policies / Procedures (*Agenda items 6.1.1 & 6.1.2*).
5. Governance Self Assessment 2008 / 2009 (*Agenda item 6.2*).
6. Instrument & Articles (*Appendix 1 of the report*).
7. Student Matters (*Appendix 2 of the report*).
8. Review of Governance (*Appendix 3 of the report*).
9. Autumn / Spring Up-dates
10. Governor Training Events.
11. Blackboard.
12. Recruitment of Principal / Chief Executive.

The Assistant Principal - Registry, Estates & Governor Services also tabled a Nomination Form for a North East Representative of the AoC Governors' Council, as two Governors have been nominated. These were Mr Mark White of Stockton Riverside College and Mr John Watson of South Tyneside College. Some discussion then ensued with regards to the role they would play on the Governors' Council.

Following discussion on a number of points within the report and the presentation of the new and improved Governors' Website, it was **agreed** that:

- the revisions to the Governors' Website were approved and Governors requested that the Website should now be populated with information so that it was up-to-date and this included revisions to the Governors' Profiles.

- the proposed changes, by the Department of Business, Innovation & Skills (BIS), to the Instrument & Articles of Government were approved.
- the Assistant Principal - Registry, Estates & Governor Services would inform the Department of Business, Innovation & Skills (BIS) prior to the deadline dates of the 19 February 2010 and 12 March 2010 respectively that Middlesbrough College had no issues albeit some clarification would be ascertained with regards to the rationale of naming the Chief Executive of the Skills Funding Agency as opposed to naming the organisation in the amendments.
- Mr Mark White would be nominated as the North East Representative on the AoC Governors' Council and the Assistant Principal - Registry, Estates & Governor Services would complete the necessary paperwork prior to the deadline date of the 12 February 2010.

Information regarding the Review of Governance Consultation Events in the North East, planned for the 23 March 2010 (Gateshead) and 24 March 2010 (Middlesbrough), would be circulated in due course along with an agenda. Governors would be requested to attend, if at all possible.

It was then noted that nearly all of the costs have been received for the recruitment of Principal / Chief Executive. It was further reported that Mr Hopkins has signed and returned his contract of employment with other information being collated prior to his revised commencement date of the 1 July 2010. The Principal / Chief Executive and the Chairman of Governors then up-dated the Governing Body on progress being made with a Handover / Induction Programme, as Mr Hopkins is due to visit the College during the week of the 22 February 2010, meeting key staff, key stakeholders and meeting the Chairman of Governors.

All other approvals would be minuted under their separate agenda items.

The report was considered and received.

### **6.1.1 Background Information for Governors**

This policy was **approved** and would be posted onto the Governors' Website in due course subject to some minor changes to the text on page 2, which were grammatical.

### **6.1.2 Public Access to Governing Body Meetings & Publication of Minutes & Papers of the Governing Body and its Committees Policy**

This policy was **approved** and would be posted onto the Governors' Website in due course.

### **6.2 Governance Self Assessment 2008 / 2009**

The revised Governance Self Assessment for 2008 / 2009 was **approved** and would be circulated to all Governors in the next few weeks requesting completion prior to the Governing Body Training Day on the 12 May 2010.

The format of the Training Day would be discussed at the next Governing Body meeting on the 29 March 2010, once the Governance Self Assessment Forms have been completed and Governors were better informed on how to discuss the contents of the results.

### **6.3 Middlesbrough College Annual Report 2008 / 2009**

*(The Chairman of Governors opened the meeting to the General Public but it was noted that no members of the public had turned up.)*

The Principal / Chief Executive and the Chairman of Governors presented the 2008 / 2009 Middlesbrough College Annual Report and following discussion, it was **agreed** that:

- the 2008 / 2009 Annual Report is approved and would be posted on the main College Website as well as the Governors' Website in due course.

### **6.4 Employer Liaison Boards**

The Principal / Chief Executive presented the Employer Liaison Board report, which was received for information. Governors welcomed the update and requested that in future, minutes of the various meetings would be upon request, but a termly summary report would be collated and received, which highlighted the main action points from each of the Employer Liaison Board meetings.

The Assistant Principal - Employer Responsiveness would collate this information on behalf of the Principal / Chief Executive and Governing Body.

Current membership was noted as follows.

<b>Employer Liaison Board</b>	<b>Membership</b>	<b>Chairman of Committee</b>
Public Sector (including Health and Care)	Mani Mehta Sarah Shepherd David Whitaker Ann Wheatley	Sarah Shepherd
Construction	Morgan McClintock Brian Whitfield Aslam Hanif	Brian Whitfield
Engineering Manufacturing & I.C.T.	John Autherson Robert Brady	John Autherson
Catering, Hospitality, Travel and Tourism	Sheila Bates Zandra Haskins Hazel Pearson OBE	Hazel Pearson OBE
Retail, Hairdressing and Beauty	Hazel Pearson OBE Ann Wheatley	Ann Wheatley
Arts and Media	Zandra Haskins Ray Johns	Zandra Haskins
Sport	Robert Brady Brian Whitfield	Robert Brady

The Chairman of Governors and Vice Chairman of Governors are ex officio members of all of the Employer Liaison Boards.

The report was considered and received.

10/007 **ITEM 7 PRINCIPAL / CHIEF EXECUTIVE'S REPORT**

The Principal / Chief Executive verbally reported on the Adult Learner Responsiveness Funding Allocation for 2010 / 2011, which has been received in the last few days. Whilst this was still a discussion document, the impact, should it be imposed, would be substantial with a loss of 22% of funding, equating to approximately a £1 million cut from the current allocation of £4,489,737 in 2009 / 2010.

The analysis was tabled.

It was then reported that the Senior Management Team and Directors of Programme have all been briefed with work started to analyse the impact on the curriculum, courses, programmes as well as the impact this may have on direct costs and staffing etc.

Governors would be kept informed of the progress, at the next meeting on the 29 March 2010, when it was hoped that the 16 – 18 funding allocation would have been received. This would then hopefully allow the College to assess the full impact of the cuts being delivered in the Further Education Sector. It is not envisaged that the 16 – 18 funding allocation would indicate growth, as the structural growth funding has now stopped, as it is only in place for two Academic Years following a new build.

Other local colleges have suffered similar cuts and every college nationally has at least a 10% reduction. Higher Education was likely to receive between 15 and 20% less funding but again this would vary from institution to institution.

Governors welcomed the briefing and noted that no knee jerk reactions were needed at this stage but that some difficult decisions over the coming months and years may be needed to ensure that the College remains in a good position financially.

The Principal / Chief Executive would be briefing the Unions on Friday 29 January 2010 and would also be meeting key staff from the Learning & Skills Council (*soon to be transferred to the Skills Funding Agency*) on Tuesday 26 January 2010, albeit it is very unlikely that any major shifts in funding would or could be negotiated at this stage, due to the cap on public spending being imposed by the Government. Mr Mike Hopkins has also been briefed.

No other updates were reported at the meeting.

## 10/008 **ITEM 8 FINANCE**

### **8.1 Management Accounts** (*November 2009*)

The Vice Principal - Resources presented the November 2009 management accounts and it was noted that the College is forecasting to outturn an operating deficit of £75,927 against a budgeted deficit of £546,530 (excludes the on-going costs associated with retaining Acklam of £70,000, a one off credit of £34,000 that has been received in respect of the Middlehaven Project).

The forecasted historical cost position is a deficit of £93,181 against a budgeted deficit of £600,000 by the 31 July 2010.

To the end of November 2009, there was an operating surplus of £317,000 against a budgeted deficit of £183,000 (excluding the on-going costs associated with retaining Acklam of £70,000 and a one off credit of £34,000 that has been received in respect of the Middlehaven Project). Significant changes to the forecasted figures highlighted above relate mainly to the profiling of income and expenditure over the year.

The management accounts referred to a number of variances including income, payroll and non pay costs, which are summarised on pages 3 to 6 inclusive and were noted for information.

The Governing Body was then informed of the numerous issues affecting the accounts and was assured by the Vice Principal - Resources that the Senior Management Team are keeping a close eye on the income and expenditure to ensure that the College's financial position remains strong at the end of the year and into 2010 / 2011.

Cash balances are forecasted to be £5.5 million by the end of the year.

Some discussion then ensued with regards to whether the College has realised lower operating costs now that it is on one site. The Vice Principal - Resources stated that this was difficult to quantify through the management accounts due to the growth experienced by the College over the last few years, which has masked some of the proposed revenue savings identified on the Capital Business Case. Some costs i.e. utility costs were now showing a lower spend than on the four sites following some teething problems in 2008 / 2009, due to poor commissioning of the Building Management System.

The November 2009 management accounts were considered and received.

## **8.2 Recruitment & Progress against Target 2009 / 2010**

The Recruitment & Progress against Target 2009 / 2010 Report was considered and received for information with the College exceeding its target for its 16 - 18 learners and was broadly on target for its 19+ learners.

The report was considered and received.

10/009 **ITEM 9 ACHIEVEMENT, STANDARDS & EXAMINATIONS**

**9.1 Self Assessment Report 2008 / 2009** (*Executive Summary*)

The Principal / Chief Executive presented the 2008 / 2009 Self Assessment Report, which had been debated in depth by the College during the Autumn Term and at the two SAR Validation Days, attended by Mr Robert Brady, Ms Sarah Shepherd and the Chairman of Governors on the 8 & 9 December 2009 respectively.

After some discussion, it was **agreed** that

- the Self-Assessment Report for 2008 / 2009 is approved.

There remains some concerns on the progress with Science & Maths and Business but Governors have been made aware of these issues with various development plans being drawn up by the Senior Management Team to address these curriculum weaknesses. These will again be discussed by the Standards' Committee on the 10 March 2010 during the Assistant Principal and Director of Programme up-dates.

**9.2 Quality Improvement Plan 2009 / 2010**

The Principal / Chief Executive presented the Quality Improvement Plan for 2009 / 2010 and after detailed discussion, it was **agreed** that:

- the Quality Improvement Plan for 2009 / 2010 is approved.

10/010 **ITEM 10 CAPITAL BUILD UP-DATE**

The Vice Principal - Resources verbally presented an up-date on the progress being made with Tees Valley Regeneration for phase 2 of the College's development at Middlehaven.

Two documents were then tabled including an architect's sketch of the revised master plan and some priorities the College has identified during discussions over the last few months. These priorities were noted as follows:

1. Permanent car parking for 500 – 600 cars to cater for 4000+ learners and staff on site each day.
2. Full size astro turf pitches and associated pavilion / teaching areas.

3. Expansion spaces for Construction, Engineering, Dance and Theatre Set Design & Production.
4. Further possible expansion of Academic Studies, Higher Education courses and employer and commercial courses.
5. Circuit training, high ropes and climbing wall.

The Governing Body was briefed on the strategy being used by the Principal / Chief Executive and his team in relation to pushing for priorities 1, 2 and 3 in the first instance, These priorities equated to a £10 to £12 million investment and whilst affordability from reserves was not an issue, revenue consequences would need to be assessed and costed before any scheme was given the go ahead by the Governing Body and Learning & Skills Council.

At this stage discussions are still on-going with Tees Valley Regeneration who are considering all of the issues and especially in relation to car parking requirements (*priority 1*), which at the moment is a major stumbling block to the scheme's progress. Governors backed this strategy and welcomed the up-date, with a further briefing requested at its next Governing Body meeting on the 29 March 2010.

10/011 **ITEM 11 INFORMATION ITEMS**

The following items relating to 2009 / 2010 were for information only.

**11.1 Equality & Diversity Up-date**

Noted for information.

**11.2 College Risk Register (31 October 2009)**

It was noted this is the annual review of the Risk Register which is shared with the Governing Body although the Audit Committee receives regular up-dates on the Risk Management Process and the Strategic Risk Register (*red and new risks only*).

10/012 **ITEM 12 DATE OF NEXT MEETING**

The Governing Body will meet as follows in 2009 / 2010.

- Monday 29 March 2010 at 6.00 pm.
- Wednesday 12 May 2010 at 10.00 am (\*\*).
- Monday 12 July 2010 at 6.00 pm.

(\*\*) Governing Body Training Morning.

10/013 **ITEM 13 ANY OTHER URGENT BUSINESS**

None.

10/014 **ITEM 14 MATTERS FOR PUBLICATION**

All agenda papers will be made available in the normal way and circulated to the Learning & Resources Centre with the exception of agenda item:

- **10.1 Capital Build Up-date.**

Unconfirmed minutes of the meeting, along with the agenda and any appendices, will be posted on the Governors' Website once approved by the Chairman of Governors unless any comments are received by the Assistant Principal - Registry, Estates & Governor Services from Governors within five working days of them receiving the unconfirmed minutes.

10/015 **ITEM 15 RESERVED MATTERS**

None.

The meeting closed at 7.30 pm

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### **Committee Circulation**

Mrs H Pearson OBE	College Governor
Mr J Autherson	College Governor
Mr J Bate	College Governor
Mrs S Bates	College Governor
Mr R Brady	College Governor
Mr A Hanif	College Governor
Mrs A V Haskins	College Governor
Mr J Hogg	Principal & Chief Executive
Mr A Hume	Student Governor
Mr R Johns	Staff (Academic)
Mr M McClintock	College Governor
Dr M Mehta	College Governor
Ms R Murphy	Student Governor
Mr G Rogers	Staff (Business Support)
Ms S Shepherd	College Governor
Mrs C A Wheatley	College Governor
Mr D Whitaker	College Governor
Mr B H Whitfield	College Governor
Mrs Z Lewis	Vice Principal - Resources
Mrs S Wright	Vice Principal - Curriculum & Quality