



Corporation

Draft minutes of the meeting of the Corporation held on Thursday 27 May 2010 at 7.30 pm in A212

| | | | |
|---------------------------------|-----------|------------------------|-----------|
| Members: | | Noel Otley – Principal | ✓ |
| Bruce Gordon-Picking - Chairman | ✓ | Liz Pearson | Apologies |
| Barbara Bows | ✓ | Paul Rochford | ✓ |
| Gerry Byrne | Apologies | Stan Rose | ✓ |
| John Dryborough | ✓ | Geoff Starns | ✓ |
| Ruth Eisenberg | ✓ | Colin Vaughan | ✓ |
| Elizabeth Frappell | X | | |
| Jordan Hume | X | In Attendance: | |
| Kim Guest | ✓ | Maria Thompson | ✓ |
| Colin Harper | ✓ | Pat Brennan-Barrett | ✓ |
| Simon Harper | ✓ | David Holmes | ✓ |
| Keith Haywood | ✓ | | |
| Eric Hindson | ✓ | Wendy Philpot (Clerk) | ✓ |

Item 1 - Apologies for Absence/Declaration of Interest

Apologies were received from Gerry Byrne and Liz Pearson.

The Chairman advised Kabul Sandu's membership as teaching staff Governor has now expired and the election process is underway to find a replacement.

Colin Vaughan declared an interest in Item 13.3 – CEME Board Minutes.

Item 2 - Minutes of the previous meeting

Stan Rose referred to Item 6 and advised he had requested an organisational chart to be added to the main Health and Safety Policy to clarify the structure and has since spoken to Maria Thompson.

Minutes were agreed and signed as a correct record of the meeting held on 25 March 2010.

Item 3 - Matters arising from the minutes of the previous meeting

Page 4, Item 7.2 – The Chairman advised approval of the summer works programme has not been sought electronically although some preparatory work has begun. Approval will be requested at this meeting under item 7.1.

Item 4 – Items for Decision

[THERE IS NO ITEM 4]

Item 5 – Governance

5.1 Membership

The Chairman advised the Search Committee met this evening and Johan Zweistra, Assistant Head at Albany School, was interviewed. The Committee feels he would add value to the Governing Body and recommends to the Corporation that he be invited to join the Governing Body. It was also recommended that Johan be invited to join both the Curriculum Committee and the Community and Business Liaison Committee.

Kim Guest is now Chair of the Community and Business Liaison Committee

Simon Harper has agreed to join the Remuneration Committee

An election will be taking place for the teaching staff governor within the next couple of weeks.

GOVERNORS' ACTION:

The Corporation gave its approval for Johan Zweistra to be invited to join the Governing Body.

Item 6 – Employment Policies

6.1 Disciplinary Procedures for Senior Postholders / Grievance Policy and Procedures for Senior Postholders

The Chairman referred to Schedule 2 and the decision to remain with the current procedure for any appeal to be made to the Corporation.

It was agreed that the terms of reference for the Special Committee should be amended to reflect that it has the power to make the decision to dismiss rather than to make recommendations.

ACTION: The Clerk

Geoff Starns asked if there was any training given to the Special Committee. It was agreed that, in the event of the Special Committee being required to meet, a representative from Eversheds and the Director of HR would be present.

GOVERNORS' ACTION:

The Corporation approved both the Disciplinary Procedures for Senior Postholders and the Grievance Policy and Procedures for Senior Postholders.

6.2 Family Policy Amendments: Adoption Policy / Leave Policy / Maternity Policy

The Chairman referred to Schedule 3 and highlighted the amendments that had been made due to legislative changes. Eric Hindson asked that KIT (keep in touch) days be referenced in full throughout the Maternity Policy. The Principal agreed to ensure this was addressed.

ACTION: The Clerk

The Leave Policy was referred to and the question was raised as to whether the Principal had the power to stop a member of staff submitting their name for election (3.2 of the Policy); the Principal agreed to take further advice on this.

ACTION: The Principal

Eric Hindson referred to leave request for dentist and hospital appointments and suggested staff be asked to make up the time. The Principal agreed to discuss this with the Director of HR.

ACTION: The Principal

GOVERNORS' Action

The Corporation approved the changes for the Leave of Absence, Maternity and Adoption Policies.

6.3 Stress Policy and Procedure and Guidelines

The Principal advised it was important that the college takes the risks and signs of stress seriously and takes the necessary action to support the member of staff affected. 3.1 of the report list actions currently taken.

The Chairman asked if there was any member of staff who had been off work with stress. The Principal confirmed this to be the case and advised the figures had been presented to EP&F.

Colin Vaughan asked how stress was risk assessed. The Principal advised the opinion of managers is taken in these cases.

Eric Hindson felt the form did not allow for any causes within the job role that could be causing stress to be noted. Maria Thompson agreed to address this.

ACTION: Maria Thompson

Maria Thompson advised work has been undertaken to find on-line toolkits to look at the risk assessment.

GOVERNORS' ACTION

The Corporation approved the Stress Policy, Procedure and Guidelines.

Item 7 – Summer Works

7.1 Summer 2010 Works Programme

The Chairman referred to Schedule 5 and the request for approval of £3.569m on the summer 2010 remodelling works.

David Holmes advised the papers have been to both EP&F and Accommodation Committees.

The total proposed package is £3.6m, of which £2.4m relates to the relocation of the college's Engineering and Motor Vehicle programmes from CEME, £1m is for the terrapin building to replace the current temporary building, G Block, at the rear of Arleigh Green and £200k is for a range of minor works.

The current provision at CEME generates a good level of income for the college. The college is currently paying £400k per annum to remain at CEME and therefore the economic case is fairly strong with the payback on the £2.4m being 2 years.

David advised the first part of the two-part tender process for the CEME related project resulted in the selection of Borrás Construction Limited. The selected contractor is now negotiating with the college's Quantity Surveyor to agree the cost of the package; this process is due to be completed by 14 June 2010.

David advised the work timeline is very tight to enable facilities to be ready for the new academic year.

The Corporation was asked to approve the package at £3.569m which includes a contingency of £154k. David advised it will be funded from college reserves. The latest cash flow projection indicates that the college will not need a revolving credit (overdraft) facility until March 2011 and the latest cash flow projection will be included in reports to be presented to the next meetings of the EP&F Committee and Corporation.

It is expected that by July 2011 cash balances will be between £1.5 and £2m.

John Dryborough advised he has spoken to Fred White and endorsed the package of work and procurement arrangements and felt the next step was to confirm that the college can

afford to undertake the work, which (with the implementation of the revolving credit facility) had now been demonstrated.

Paul Rochford questioned the support from the Borough's Planning Department; David Holmes confirmed they had been very supportive.

The Principal confirmed the Community Association had welcomed the improvements.

Eric Hindson asked whether this would change the college's financial status of 'Good'. David confirmed the current 10 Year Financial Plan indicated this would not change. This would be tested again through the July 2010 3 Year Financial Plan, the model for which is due to be issued by the SFA shortly.

GOVERNORS' ACTION

The Corporation approved the summer 2010 re-modelling work up to £3.569m and agreed for the Principal to sign off the related contracts.

John Dryborough asked what would happen if the contracts exceed the amount. It was agreed the advice of the Chairman, Vice Chairman and John Dryborough would be sought should this arise.

Item 8 – Finance

8.1 Tuition Fee and Other Charges Policy 2010/11

The Chairman referred to Schedule 6 and advised the total direct fee income is 4% of the total turnover for the college.

David Holmes highlighted the key changes

The proposal is to charge employers for co-funded apprenticeships and Train to Gain programmes. This is due to the pressures on budgets and the requirement for a return to the SFA to indicate that employer-related tuition fees are collected. 16-18 year olds are exempt from paying fees and there are a number of adults who are also exempt from charges. The main change in policy may come in 2011/12 if the college increases HE fees; this will be looked at in the coming months following the Browne review.

Geoff Starns asked if any of the college's courses clash with those offered by the Adult Education College. The Principal advised there are a small number of courses where this is the case. Geoff felt there was a need for both himself and Paul Rochford to declare an interest. Kim Guest declared an interest as an ITQ provider.

The Principal advised an application to the Office of Fair Access (OFA) must be made to raise HE fees and they must be advised of what proportion of the fees will be spent on supporting students.

GOVERNORS' ACTION:

The Corporation approved the Tuition Fees and Other Charges Policy 2010/11

Item 9 – Finance Matters

9.1 Update on Carpet Right

David Holmes gave a verbal update on the current situation with Carpet Right.

The Principal and David have recently met with Steve Oakes, the new Director of Development for London Thames Gateway Corporation, and Mark Bradbury. Both parties agreed for Bridgeman Clarke to undertake the valuation. The 5.4 acre site was valued at

£4.130m. The college offered £4.130m plus VAT plus a capped contribution of £350k for the access road. But, LTGDC is still insistent that the market value is close to their £4.65m figure. Graham Bridgeman-Clarke and Mark Bradbury will consult on the detail of the valuation basis in the next couple of weeks with a view to reaching agreement.

Tender packs have been submitted to four banks, Barclays, Lloyds TSB, HSBC and Santander, to fund the acquisition with a request for returns by 11 June 2010.

The Principal advised Steve Oakes had challenged the Chief Executive with regards to holding on to the land for education and not commercial or private housing use and as a result a review of the decision had taken place and the LTGC preferred option remains for the land to go to the college.

The Corporation remains in favour of the college purchasing the site to secure the future of construction training and preserve the scope for developing a full new campus in the longer term by taking out the long term loan. The Property Strategy Steering Group will meet once negotiations are complete.

9.2 KPMG Sector Benchmarking Exercise

David Holmes referred to Schedule 7 and advised this was for information. It was noted the analysis was based on 2007/08 financial statements and placed the college in a strong ranking; KPMG are in the process of updating this based on the financial statements for 2008-09.

GOVERNORS' ACTION

The Corporation noted the report for information.

Item 10 – Chairman's Report

The Chairman referred to the email sent out by the Clerk regarding the Government's Coalition Agreement and referred to the quote around further education.

The Chairman recently attended the Engineering Saturday Club Open Day and advised Governors of the next event due to take place on 3 July 2010.

Other events attended by the Chairman included the production of Strawberry Fields for Ever and the opening of the Lanes Salons at Sawyers Hall College.

The Chairman referred to his farewell dinner which will be taking place on 14 July 2010 and hoped Governors would be able to join him. .

Item 11 – Principal's Report

The Principal referred to Schedule 8 and referred in particular to the final draft of the IQER report attached to the report.

The college has recently enjoyed a number of successful HE validations.

The Chairman congratulated the Principal on becoming the National Vice Chair of the Principals Professional Council (PPC).

Eric Hindson referred to the IQER report and felt this was an excellent achievement for the college.

The Principal referred to the significant funding cuts being made across the college particularly in Adult Learner Responsive. In an effort to reduce the risk of redundancies a number of actions have been taken. With the approval of the Corporation the Pay Policy has been

suspended. A number of actions have been taken to reduce non-pay costs following suggestions made by UCU. The college has also withdrawn from a number of premises around the borough.

The college is currently looking at the risk of redundancies; this was indicated to the Unions in November 2009. Earlier this month formal notice was given re the risk of redundancies. The proposal is to make 37 posts redundant. Consultations with 59 affected staff commenced on 17 May 2010. This represents 5% of total staffing.

The first formal meeting with UCU took place this week to look at how the college can reduce the risk of redundancies. The first call is for voluntary redundancies and a number of staff have already indicated they wish to take up this offer. No decisions will be made until the formal consultation period comes to an end on 21 June 2010.

The college took the decision to freeze recruitment some time back and this has resulted in 70 vacancies which will be ring fenced for members of staff whose posts are under threat. It is hoped this will reduce the risk of compulsory redundancy. The Principal advised UCU were impressed with the college's decision to freeze recruitment.

The Principal advised the posts at threat are a mixture of academic and support staff and confirmed the offer is statutory redundancy pay plus £1,000. The Principal advised UCU are advising other colleges are giving a week's pay but various straw polls undertaken by the Finance Director and Principal have shown that the majority of college's are only offering statutory redundancy.

The Principal advised it is inevitable that there will be compulsory redundancies.

Geoff Starns asked whether there was any potential for early retirement; the Principal advised this would not be the case as it was too costly for the college.

Geoff Starns questioned whether the redundancies would impact on the delivery for students. The Principal felt this was inevitable but the college was managing the process.

John Dryborough questioned whether there were any potential savings taking into account there are 70 posts which have been frozen. David Holmes advised in many cases the vacancies are being covered by agency staff which is very costly.

Kim Guest asked whether there was a reputational risk for the college following the comments in the Romford Recorder and asked whether the college was managing this.

The Principal stated he had advised the Romford Recorder that he would not be making any statements whilst negotiations were taking place with the Unions. He felt the local community was fully aware of the pressures currently on all business.

A full report will be presented to the next meeting of the EP&F Committee.

The Principal advised the question around expenditure for the Carpet Right site has not been raised during the consultation meetings. He felt staff recognised the need for the college to continue to plan for the future.

GOVERNORS' ACTION:

The Corporation noted the Principal's report and verbal update.

Item 12 – Summary of Minutes

Community and Business Liaison Committee – 24.02.10

CEME Board Minutes – 25.02.10 / 26.03.10

EP&F Committee – 02.03.10

GOVERNORS' ACTION

The Corporation noted the minutes for information.

Item 13 – Any Other Business

- 1. Stan Rose congratulated Paul Rochford on his recent appointment as the lead member for Children’s Services and Post 14 Education.
- 2. Colin Vaughan referred to the College’s Email and Internet Policy which Governors had been asked to sign and highlighted that Governors were not mentioned in the Policy. The Clerk agreed to address this.

ACTION: The Clerk

- 3. The Clerk referred to a number of Governors’ CRB checks which have expired and advised application forms will be sent out over the next few weeks. Kim Guest advised CRB applications are being frozen whilst the ISA is introduced. A discussion took place around the implications of this for the college and the Clerk agreed to check this.

ACTION: The Clerk

Post meeting note: The CRB has confirmed it is processing all applications submitted by 16 July. After this date the new ISA form will need to be completed.

- 4. Colin Harper referred to the CEME minutes and asked if these would continue to be presented. The Chairman raised the question as to whether the college needed to be on the Board. The Principal felt it would be beneficial to remain on the CEME Board.

Item 14 – Date and time of next meeting – 22 July 2010

CONFIDENTIAL BUSINESS

There were no items of confidential business.

The meeting ended at 9.10 pm

Signed: Date:
 Bruce Gordon-Picking (Chairman)

| Meeting Date | Page | Action to be addressed | By whom | By when | Status |
|--------------|------|---|----------------|---------------------------|-----------|
| 27.05.10 | 2 | Terms of Reference for the Special Committee to be updated and presented to the Governance Committee | The Clerk | Next Governance Committee | |
| | 2 | KIT days to be referenced in full throughout the Maternity Policy | The Clerk | ASAP | Completed |
| | 2 | Further advice to be sought on the Principal's power to stop a member of staff submitting their name for election (3.2 of the Leave Policy) | The Principal | ASAP | |
| | 2 | Discussions to take place between the Principal and the Director of HR on staff being asked to make the time up for dentist/hospital appointments | The Principal | | |
| | 3 | Stress Policy Risk Assessment form to be looked at with regard to including pressures around job role | Maria Thompson | | |
| | 6 | Email and Internet Policy to make reference to Governors | The Clerk | ASAP | |
| | 6 | The Clerk to check out the current situation with CRB applications | The Clerk | ASAP | Completed |