

## **UNCONFIRMED MINUTES**

### **GOVERNING BODY**

#### **Minutes of the meeting held at 2.00pm on 11 December 2009**

**Present:**

R Carter	C Manning
J Finn	E Milburn (Chairman)
S Gerber	J Roberts
K Golding	J Simmonds (from item 7)
A Gordon-Stables	E A Williams
D Hills (from item 12)	
S Leggo	

**In attendance:** D Howells (Deputy Principal)  
M Wagner (Vice Principal, Student and Business Services)  
M D Fell (Corporation Secretary)

Members confirmed that they had no interests to declare in relation to any of the items on the agenda.

#### **Action**

#### **1 Apologies**

Apologies for absence were received from Ms J Bloomfield, Mr S Cook, Mr P Dickie, Mr R Millea, Mr B Smith and Mr R Windsor.

#### **2 Minutes**

The minutes of the meeting held on 10 July 2009 were confirmed and signed, subject to the amendment of item 9 to read 'should be encouraged to take up UCS provision'; of item 11 'noted that the provisional surplus....', item 12 to note 'seconded by J Simmonds', and item 20 to clarify that the title of the Trust was the WSC Education Opportunity Trust. (Minute book pages L778-L784).

### **3 Matters arising**

- i UCS – it was agreed that the College’s HE provision should continue under the title UCS Bury St Edmunds.

### **4 Governance Issues**

A report of a number of issues relating to Governance was received. (Minute book pages L785-L791). Arising from the report:

- i The draft agenda of the Governors’ conference on 11 and 12 January was noted, and no amendments were proposed.

### **5 Members’ reports**

Jo Finn reported on a meeting of ACER Chairs and Governors that she had attended, which had concentrated primarily on the process of governance, and the recently published LSIS/AoC report on the future of governance, and requirements under data protection and freedom of information regulations.

She also reported on a very successful student council meeting that she had attended.

### **6 Operational Plan Action Plans**

A summary of the progress made against the 2008-9 Operational Plan action plan, and progress to date against the 2009-10 plan, was received and noted. (Minute book page L792)

### **7 Self Assessment**

A report providing a draft assessment of governance, and the draft of Part A of the College Self Assessment Report for 2008-9, was received. (Minute book pages L793-L864). The assessment of governance, and the College Self Assessment Report, were approved as presented, and the grade to be assigned to governance was agreed as ‘Very Good’ (proposed by A Gordon-Stables, seconded by S Gerber).

## **8 ILR Data Management**

A report was received that outlined changes recently confirmed by LSC in the requirements for managing student data on the Individualised Learning Record. Although the implications for the College were understood to be less significant than in a number of other colleges in the sector, there was likely to be a slight adverse impact on success rates as the result of the changes. (Minute book pages L865-L872).

## **9 Principal's Report**

The Principal's Report was received and noted. (Minute book pages L873-L877).

## **10 Safeguarding Learners**

A report summarising changes made by Ofsted to the inspection framework was received. (Minute book pages L878-L891). The profile of safeguarding is clearly going to be given significantly greater priority within inspections, and a College action plan was being implemented to address the changed requirements. In order to ensure that Governors were aware of their responsibilities in this area, a seminar has been arranged at 6.00pm on 26 January 2010.

It was noted that a proposal that Governors should nominate a member to take lead responsibility for safeguarding was not mandatory, but it was agreed that this would be discussed and decided following the safeguarding seminar.

The Governors reviewed their own position in relation to the suggestion that they should be subject to CRB checks. It was noted again, that it was not a compulsory requirement to do so, and recognised that the College Governors did not have one to one contact with students; it was agreed that the issue should be subject to regular review, but at this stage it was considered that it was not necessary for CRB checks to be introduced for Governors.

**11 Quality Committee**

The minutes of the meetings of the Quality Committee held on 9 October 2009 (minute book pages L892-L895) and 4 December 2009 (minute book pages L896-L898) were received and noted.

**12 Curriculum and Quality Report**

A report of current issues relating to curriculum and quality issues was received and noted. (Minute book pages L899-L902).

**13 14-19 Developments**

A report providing an outline of developments in 14-19 provision and particularly in relation to the Stour Valley Trust, Newmarket, Thetford and Haverhill, and the West Suffolk Area Board, was received and noted. (Minute book pages L903-L906).

**14 HE Strategic Statement**

HEFCE had introduced a requirement that colleges delivering programmes of higher education had to submit a strategic statement by 10 January 2010. A draft statement stating the College's position in response to this requirement was reviewed and approved. (Proposed by R Carter, seconded by D Hills). (Minute book pages L907-L926).

**15 Disability Equality Scheme**

The College's Disability Scheme had been reviewed and updated, and the revised version was presented to Governors for approval. (Minute book pages L927-L933). It was suggested that consideration be given to the inclusion of any weaknesses or areas for development within the self-assessment report, and that a development plan also be added.

Subject to this, it was agreed that the Scheme should be approved. (Proposed A Gordon-Stables, seconded D Hills).

*PT*

**16 Student Governors' Report**

Sarah Leggo reported that there were no current issues that she wished to raise at this stage. It was noted that a range of issues raised via the Student Council were currently under consideration.

**17 Financial Management and Control Evaluation**

The draft submission to LSC under the Financial Management and Control Evaluation (FMCE) was received. (Minute book pages L934-L959). The submission had been reviewed by the Audit Committee and was recommended to the Governors for approval. The Governors agreed the assessed grades, and approved the FMCE for submission to LSC. (Proposed by J Simmonds, seconded by J Finn).

**18 Finance Committee**

The minutes of the meeting held on 3 November 2009 were received, (minute book pages L960-L962) it was noted that consideration was being given to alternative arrangements for the investment of cash balances, which were at present, earning minimal interest. It was also noted that changes to LSC funding arrangements affecting students who became 19 during the period of their course would mean that they would move to the 19+ allocation, which was expected to mean that there was unlikely to be a shortfall against this allocation as previously expected.

**19 Finance and Accommodation Strategy Committees**

The minutes of the joint meeting of the Finance and Accommodation Strategy Committees held on 26 November 2009 were received and noted. (Minute book pages L963-L966).

**20 Finance Report**

The Finance report for October 2009 was received and noted. (Minute book pages L967-L986).

**21 Audit Committee**

The minutes of the meetings of the Audit Committee held on 21 October 2009 and 8 December 2009 were received and noted. (Minute book pages L987-L990 and L991-L994).

**22 Internal Auditor's Annual Report**

The annual report for 2008-9 from the internal auditors, Bentley Jennison was received. (Minute book pages L995-L1010). It was agreed that the report confirmed generally satisfactory performance, but did confirm that more needed to be done to develop risk management processes, and the Audit Committee were to monitor progress in this development.

The Governors agreed to approve the report for submission to LSC. (Proposed by J Simmonds, seconded by S Gerber).

**23 Annual Report of the Audit Committee**

The annual report of the Audit Committee for 2008-9 was received, and it was noted that the Committee had concluded that the College's internal control system was adequate and effective and could be relied upon by the Governors. (Minute book pages L1011-L1020).

The Governors formally approved the report (proposed by J Simmonds, seconded by D Hills) and recorded their thanks to members of the Committee for their work during the previous year.

**24 Financial Auditor's Finding report**

The report of the College's financial auditors, Baker Tilly, was received. (Minute book pages L1021-L1063). It was noted that the report, and the annual accounts, had not yet been finalised, because the auditors had raised queries on a number of post-balance sheet events very late in the process, and because the LSC had yet to issue a reconciliation of funding for the year.

A supplementary report was received that provided reconciliation between the surplus reported to the Finance

Committee, and the final surplus now declared.  
It was noted that a review of process and timing was to be undertaken to seek to ensure that similar difficulties were avoided next year.

The LSC had indicated that the reconciliation of funding confirmation would be issued next week and that it would not contain any further changes. The final surplus would therefore be expected to be the currently identified £1.020m.

The Governors agreed that subject to there being no further changes, the auditor's report be approved, and that the Letters of Representation for financial audit, and for the regularity audit, should be accepted and signed. (Proposed by J Simmonds, seconded by D Hills).

DJH

**25 Annual Report and Financial Accounts 2008-9**

The annual report and accounts for 2008-9 were received. (Minute book pages L1064-L1119).

As noted above, the accounts remained subject to receipt from the LSC of the reconciliation of funding, which was now expected next week.

Subject to there being no further changes, it was agreed that the accounts should be formally approved. (Proposed by D Hills, seconded by J Simmonds).

**26 Accommodation Strategy Committee**

The minutes of the meeting of the Accommodation Strategy Committee held on 22 October 2009 were received and noted. (Minute book pages L1124-L1125).

**27 Accommodation Strategy**

A report providing an update on the situation concerning the Accommodation Strategy was received and noted.

**28 Purchase of CML Building**

The present stage of negotiations over the proposed purchase by the College of the CML building was outlined in a report, from which it was noted that the change of use application was still awaited from the Borough Council, together with formal approval of the purchase from LSC. (Minute book pages L1126-L1127).

The Governors formally approved the following resolution:

(Proposed by J Finn, seconded by C Manning).

“That subject to the conditions of this resolution, the Chairman of the Corporation (“the Chairman”) is authorised to sign on behalf of the Corporation the contract for the purchase of freehold premises known as CML Lighting in Beetons Way, Bury St Edmunds for the sum of One million eight hundred thousand pounds (£1,800,000).

The conditions of this resolution are that:-

1. the Contract be subject to planning approval for change of use of the whole premises to “educational” either unconditionally or on conditions that the Chairman considers, in her absolute discretion, are acceptable to the College.
2. the Contract be subject to written approval having been received from the LSC.
3. the Chairman having been informed by the Accommodation Strategy Committee with regard to their satisfaction that all relevant surveys have been performed on behalf of the College and have satisfactory results or in the alternative advising upon what outstanding surveys the Contract should be made conditional upon.
4. the Chairman being satisfied with the arrangements for determining the date for completion of the Contract.”

### **29 Business Development and Student Services**

A report of current issues relating to Business Development and Student Services was received and noted. (Minute book pages L1128-L1132).

### **30 Human Resources Committee**

The minutes of the meeting of the HR Committee held on 20 October 2009 were received and noted. (Minute book pages L1133-L1135).

### **31 Performance Indicators**

The performance indicators of learner numbers and funding implications at the end of November 2009, were received and noted. (Minute book pages L1136-L1140).

### **32 Risk Management**

An update on risk management activities was received and noted. (Minute book pages L1141-L1143).

**33 Health & Safety Committee**

The minutes of the meeting held on 11 November 2009 were received and noted. (Minute book pages L1144-L1146).

**34 Members' report of development activity etc**

Alan Gordon-Stables and David Hills reported on a meeting within the Faculty of Technology that they had attended this week, which had been very positive and informative.

The meeting closed at 4.55pm