



**THE CORPORATION OF
NEWHAM COLLEGE OF FURTHER EDUCATION
BOARD OF GOVERNORS**

MINUTES OF THE MEETING HELD ON 23 SEPTEMBER 2003

MEMBERS PRESENT: Linda Jordan (Chair), John Garlick, Peter Pendle, Quintin Peppiatt, Ed Prosser, Jonathan Swan, Mike Thorne, Martin Tolhurst.

APOLOGIES: Parin Bahl.

IN ATTENDANCE: Denise Brown, Kath Sherit, Kelly Hewson and Lesley Taylor (Clerk to the Corporation).

Linda Jordan (Vice Chair) took the Chair. Linda welcomed Kelly Hewson, staff governor elect, as an observer to the meeting.

03/102 DECLARATIONS OF INTEREST
There were no declarations of interest.

03/103 PERFORMANCE AGAINST CONTRACTS 2002-2003

A report was considered. It was noted that:

- 2002-2003 had been the first year of the new funding formula and throughout the year reports based on modelling had taken a cautious approach. At the end of the year a better result had been generated by the LSC software than had been originally predicted by the modelling software;
- on this basis, the College now expected to achieve 99.5% of the main LSC funding contract, although full-time equivalent student numbers were forecast to be 15.9% below target overall;
- factors impacting on the improved financial position included a better return on guided learning hours, a big uplift on rates for Basic Skills and improvements in retention and achievement;
- consultants would be asked to validate the College's modelling software for 2003-04 in order to provide improved in-year monitoring;
- the College expected to achieve 94.6% of the Learndirect funding contract.

The report was received.

03/104 RESULTS FOR 2002-2003

A report was considered. It was noted that:

- the pass rate for A level Mathematics and Science subjects was 98%;
- there was a continuing decline (of 11%) in the number of entries at A2;
- there was a 7% improvement in the overall A2 pass rate compared to 2001-2002;

- seven students had secured places at medical schools, an increase over previous years;
- pass rates for both the 12 and 6 unit AVCE programmes exceeded national benchmarks;
- the College was on track to exceed 2001-2002 overall success rates;
- applications to the Young Peoples' Academy were buoyant. The provision was beginning to develop a regional reputation;
- the A level curriculum had been supported by grants through the Excellence in City initiative. This had had a positive impact upon achievement. This funding was due to come to an end this year, and the challenge for the College was to identify whether it was possible to maintain this level of funding from existing core funding;
- while a small number of students had been lost to other providers when the 'A' level provision was consolidated at the Stratford Campus, the move had achieved the aim of strengthening the provision overall with results for Humanities 'A' levels being better than for the Sciences for the first time ever.

The Board **AGREED** to:

- congratulate staff on 100% pass rates in A level Biology, Chemistry, Physics, Pure and Applied Mathematics, Pure Mathematics and Statistics and Statistics;
- congratulate staff on 100% pass rates in AS English Language and Literature and Pure Mathematics and Statistics.

The report was received.

03/105 FINANCIAL REPORT AND PROVISIONAL OUTTURN – 31 JULY 2003

A report was considered. It was noted that:

- the report showed a provisional outturn for the year of £1,450k against a budget surplus of £1,275k. This included an unfunded pension revaluation deficit of -£430k;
- the provisional operational surplus for the year before the transfer from revaluation reserves was £763k, £188k better than budget;
- reports during the year had accrued income at 90%;
- if the College achieved a minimum of 97% of contract then under the new arrangements 100% of income could be claimed. This was equivalent to about another £1m;
- the report was provisional pending the outcome of the student funding audit;
- the LSC had approved Category A financial health status.

The report was received.

03/106 EUROPEAN FUNDED PROJECT APPROVALS

A report was considered. It was noted that:

- two projects to the value of £861,172 with a grant of £585,032 had been approved;
- the projects would run over a 17 month period;
- both were local LSC projects.

The report was received.

03/107 COLLABORATIVE PARTNERSHIP PROVISION 2003-2004

A report was considered. It was noted that:

- this was a new report arising out of the work of the Ad Hoc Committee;
- the report set out the payments to providers and required the Board to approve those payments in excess of the signing authority (£500k) of the Principal and Chief Executive;
- the payment to John Laing Training was based on the current model of payment. This was, however, being renegotiated along with the business model.

It was **AGREED** that approval should be given to collaborative partnership contract payment values of over £500,000 for TBG, St Patrick's and John Laing Training (dependent upon the remuneration model to be adopted).

The report was received.

03/108 REVENUE BUDGET 2003-2004

A report was considered. It was noted that:

- as the College expected to claim full LSC income (subject to audit) there would be no requirement to rebase;
- in accordance with the decision at the July meeting of the Board a full-time fee for adult students had been introduced. This had been set at a maximum of £488 for a course in excess of 450-guided learning hours.

The report was received.

03/109 FINANCIAL REPORT FOR THE PERIOD TO 31 AUGUST 2003

A report was considered. It was noted that:

- this was the first report of the new financial year and showed an operational surplus of £23k against a budget surplus of £15k;
- the style of the report had been changed;
- information on the College's subsidiary companies was included in the background papers;
- further work on the style and format of the report would continue during the year.

The report was received.

03/110 ADMISSIONS 2003-2004

A report was tabled. It was noted that:

- 5,859 students had completed the registration and enrolment period;
- some programmes were still in the induction period, and registration would not be completed until students had been assigned to their main courses;
- the reports from Faculty Directors were encouraging;
- the recruitment pattern for ESOL accounted for the higher numbers of pre-enrolled students in this area.

The report was received.

03/111 CAPITAL PROGRAMME 2003-2008

A report was considered. It was noted that:

- the Board had approved the College's Property Strategy at its meeting in December 2002;
- the strategy contained a summary of the proposed major developments planned for the five year rolling period;
- the following major developments were identified:
 - Phase one development of the East Ham Campus – commencing September 2003 and completed April 2004;
 - Development of the Young People's Academy;
 - Redevelopment of B block at Stratford Campus – proposal to be presented to the Board for approval in early 2004;
 - Little Ilford Learning Zone;
 - Play Barn development – commenced in September 2003 and completed in January 2004;
 - Woodside Learning Zone – proposal to be presented;
 - UEL joint developments – discussions underway;
- the Capital Programme 2003-2008 had been revised as follows:
 - the Young People's Academy development would commence in April 2004 to be completed by September 2004;
 - the development at Little Ilford had been moved to a start date of early 2004 dependent upon LSC consent and approval;
 - the Woodside development had been moved back to mid-2007;
- the revised Capital Programme was in line with the development programme and the three-year financial plan, which had been updated, without the need for loan draw down at this point.

It was **AGREED** that the revised Capital Programme for 2003-2008 as set out in the paper be approved.

The report was received.

03/112 CAPITAL PROJECTS – PROGRESS REPORT

A report was considered. It was noted that:

- the report set out progress reports on the following projects:
 - The Young People's Academy (Stratford Campus)
 - Re-development at East Ham Campus
 - The Play Barn
 - The Hair Salon
 - Newham Foundation:
 - Forest Gate Learning Zone
 - Little Ilford Learning Zone;
- the **Young People's Academy** project was attracting 17.5% grant from the LSC rather than the 35% envisaged in the original appraisal. This was because of LSC concerns about the use of the facilities by 14-16 year olds;
- this matter had been discussed with the Chair who had given approval for the project to go ahead with the reduced grant. The Capital Programme had been adjusted to take account of this reduction in funding of about £400k;
- a new capital funding system had now been introduced by the LSC and the new rules state that the LSC can award any rate up to 35%;
- the College was now moving to a revenue funding system with the LEA that did reflect the true cost of the provision for 14-16 year olds. The College would this year be receiving £3k for each full-time pupil;
- in addition, there was some DfES money available to LEAs, which targeted 14-19 year olds. Discussions were being held with the Borough to see if it was possible to make a submission in respect of this project;
- **Little Ilford Learning Zone** had started life as part of the local Sure Start project but had now become broader in both scope and funding sources. The investment appraisal for this project had been submitted to the LSC;
- at its meeting in December 2002 the Board had approved Option 2b, which was a phased approach to the development of the Little Ilford Centre at a cost of £4.4m. The Board was now asked to formally approve Phase 1 of this project at a cost of £2.6m. Phase 2 would be subject to a separate approval.

It was **AGREED** that the Board should approve Phase 1 of the Little Ilford Learning Zone project at a cost of £2.6m.

The report was received

03/113 TRANSFER OF LAND

A report was considered. It was noted that:

- at its meeting in July 2003, the Board had approved the building of a Youth Parliament and Connexions shop as the first phase of the redevelopment of the East Ham Campus;
- the paper contained a proposal for the College to grant a lease over a parcel of land to the Newham Foundation. The lease to be for a determinate time and at a specified rental.

It was **AGREED** that the parcel of land totalling 571 square metres and comprising 357 square metres currently used for storage and 214 square metres of car parking should be transferred from the College to Newham Foundation.

The paper also set out a proposal for the sale at market value of a piece of land, comprising drive and garden area, adjacent to a house previously sold to a resident employee. It was noted that:

- the land had no strategic value to the College and was not capable of being developed by the College for its use;
- the sale would be conditional upon the land remaining as garden land;
- in the event that the land was developed for building purposes and granted planning permission, then the College would be entitled to its true market value at the time.

It was **AGREED** that the sale, to an employee, of the small area of the land to the rear of the East Ham Campus be approved.

The report was received.

03/114 THREE YEAR DEVELOPMENT PLAN 2003-2006

A report was considered. It was noted that:

- following consideration of the Plan at the July 2003 meeting of the Board it had been submitted to the LSC for approval;
- the plan had been granted officer approval at the first stage (one of the first four to be so approved in London East
- the plan was now being integrated with the work undertaken to review the mission and strategy of the College and would, when completed, form a new strategic plan for the next three years;
- the LSC was happy with the fact that the reference in Paragraph 1.6 on Page 9 of the plan referred to engagement with SMEs;
- the Principal reported that he had informed the LSC of the need to now change the basis of the student number FTEs in the plan, as a result of the developments in relation to the outturn for 2002-03. It was noted that from both the LSC and College sides, the document was 'live' and further clarification on this would be made throughout in the year.

It was **AGREED** that the 3 Year Development Plan 2003-2006 be approved.

The report was received.

03/115 CORPORATE STRATEGY 2003-2006

A report was considered. It was noted that:

- the document reflected discussions held at the Board Conference earlier in the year;
- development was underway for those parts of the plan that were not yet covered and detailed implementation plans and targets would be presented to the Board when available;
- strategic plan targets were in the process and being completed. These targets would be disaggregated as appropriate and would be monitored routinely through line management, as well as by the College's Executive Board and Principalship.

It was **AGREED** that:

- the revised Corporate Strategy summary as set out in the paper be approved;
- the proposed 'dashboard' of performance indicators to be reported to members on a monthly basis be approved;
- the finalisation of the Strategic Plan be delegated to the Chair and the Principal once the work to merge the documents and finally agree targets with the LSC had been completed;
- monitoring of the plan by use of the targets as set out in the paper be approved.

The report was received.

03/116 INSPECTION PREPARATION

A briefing report was considered. It was noted that the College had not yet been notified of the date of inspection. It was believed that the inspection, when notified, would be of two weeks duration, and would be most likely to occur in 2004. A small number of Governors would be required to meet with inspectors.

The report was received.

03/117 NEWHAM FOUNDATION: PROGRESS REPORT

A report was received and noted.

03/118 EAST LONDON COLLEGE SERVICES LTD

A report was received and noted.

03/119 CROSS RIVER LEARNDIRECT LTD

A report was considered. Two 'NCFE nominated' director positions on the Board were considered. It was **AGREED** that John Brown and Diane Gowland be appointed as Directors of Cross River Learndirect Ltd.

The report was received.

03/120 MINUTES OF THE MEETING HELD ON 1 JULY 2003

The Minutes of the Meeting held on 1 July 2003 were agreed with the following amendment:

- **Minute 03/66 - Search Committee** - final bullet point to read:
'John Garlick and Peter Pendle should be re-appointed to the Board for the period December 2003-November 2006.'

03/121 MATTERS ARISING

- **Re Minute 03/62 – Minutes of the Audit Committee**
It was **AGREED** that further guidance should be provided to members on conflict and declaration of interest.
- **Re Minute 03/66 – Search Committee**
It was reported that Jonathan Swan was happy to serve on the Audit Committee.

03/122 STUDENT UNION PRESIDENT

A report was considered. It was noted that following the Induction process the President-elect had decided that the role was too onerous for him to be able to maintain his studies, and had resigned. A further election would be held during the term.

The report was received.

03/123 RESIGNATION FROM THE BOARD

It was noted that Parkash Spall had resigned as Staff Governor following her appointment to a post at Tower Hamlets College. The Board thanked Parkash for her work and wished her well in the future.

03/124 SKILLS AUDIT

A report was considered. It was noted that:

- the Search Committee would use the outcomes of the audit to inform its deliberations on prospective governors and it would also be used to identify any training needs.

It was **AGREED** that the Skills Audit should be carried out.

The report was received.

03/125 TRAINING PROGRAMME FOR 2003-2004

A report was considered. It was noted that:

- it was intended to add an additional topic 'Inclusive Education' to the proposed list;
- there was some concern that the topics suggested did not fit the decision of the Board to institute seminars covering strategic and policy matters in which Governors had an interest;
- there was a need to set topics in a broader more strategic context;
- these meetings would not be formal meetings under the terms of the Instrument and Articles. There was not expectation that every member should attend every seminar.

It was **AGREED** that the following programme be approved:

Date	Time	Location	Subject	Seminar Leader
9 December 2003	6.00 pm	Board Room, East Ham	Newham area-wide 14-19 Strategy	Martin Tolhurst
2 March 2004	6.00 pm	Board Room, East Ham	The College's Work with SMEs	Diane Gowland
25 May 2004	6.00 pm	Board Room, East Ham	Inclusive Education	Bernadette McAnespie

It was also **AGREED** that further topics should be forwarded to the Principal.

The report was received.

03/126 REPORT ON THE WORK OF THE BOARD'S COMMITTEES DURING THE ACADEMIC YEAR 2002-2003

A report was received and noted. Concern was expressed that this report duplicated information available elsewhere.

03/127 MEMBERSHIP AND TERMS OF REFERENCE OF THE BOARD'S COMMITTEES

A report was considered. It was **AGREED** that the Board should approve the Membership and Terms of Reference for its Committees.

The report was received.

03/128 MEMBERSHIP OF THE BOARD'S COMMITTEES

A report was considered. It was **AGREED** that:

- the maximum number of members of the Audit Committee should be confirmed at five. There was therefore no vacancy on this committee.

The Board **AGREED** the membership, chairs and officers in attendance of the Committees as follows:

Committee	Chair	Membership	In attendance
Academic Standards and Performance	Linda Jordan	Martin Tolhurst Peter Pendle Quintin Peppiatt Jonathan Swan Student Governor Neil Berry	Deputy Principal (Standards and Customer Service) Deputy Principal (Business Planning) Six Faculty Directors Clerk
Audit	John Garlick	Peter Pendle Ed Prosser Jonathan Swan Gary Peile	Principal Deputy Principal (Business Planning) Deputy Principal (Standards and Customer Service) Director of BID Head of Finance Financial Statements Auditor Internal Auditor Clerk
Search	Parin Bahl	Martin Tolhurst Linda Jordan Jonathan Swan Nanette Johnson-Reid	Clerk
Staff Consultative	Linda Jordan	Staff Governor Quintin Peppiatt Edward Prosser Aaron Hendricks Mary Knight Tony Mahony Jo Sadler Nanette Johnson-Reid	Principal Deputy Principal (Standards and Customer Service) Director of Human Resources and Legal Services Clerk
Student Consultative Forum	Linda Jordan	Edward Prosser Student Governor Members of the Students' Union Executive and Student	Principal Deputy Principal (Standards and Customer Service) Director Human

		Council	Resources and Legal Services Clerk
Remuneration	Parin Bahl	Quintin Peppiatt Jonathan Swan	Principal Director of Human Resources and Legal Services Clerk

The report was received.

03/129 CODE OF CONDUCT FOR BOARD MEMBERS

A report was considered. It was **AGREED** that the Code of Conduct should be approved.

The report was received.

03/130 REGISTER OF INTEREST

A report was considered. It was noted that an additional section of the document was proposed which asked members to confirm that they were eligible to serve. It was **AGREED** that the Register of Interest (Appendix A), collect of personal information (Appendix B), and declaration of eligibility (Appendix C) be approved.

The report was received.

03/131 STANDING ORDERS

A report was considered. It was noted that all references to Deputy Clerk had been removed because it was no longer considered necessary or feasible to maintain this post. It was **AGREED** that the Standing Orders be approved.

The report was received.

03/132 RESIGNATION OF EXECUTIVE DIRECTOR

It was reported that Richard Thorold, Director of Estates and Facilities, had resigned from his post at the College. Richard would be taking up employment in a similar post at City of Bristol College. The Board congratulated Richard on his appointment.

03/133 CLERK TO THE CORPORATION

A report was considered. It was noted that:

- following the appointment of Timothy Firmston at the Board meeting in July 2003, the appointee had notified the College of his intention to take up a post elsewhere;
- the post had been re-advertised;
- the appointments panel would be reconvened;
- it might be conceivable that, at some future stage, the Board would like the Clerk's role to be wider than at present.

It was **AGREED** that the proposed Job Description for the post of Clerk to the Corporation be approved.

The report was received.

03/134 TRAINING AND DEVELOPMENT OF CORPORATION MEMBERS ANNUAL REPORT

A report was received and noted.

03/135 HEALTH AND SAFETY ANNUAL REPORT

A report was received and noted.

03/136 HUMAN RESOURCES ANNUAL REPORT

A report was considered. It was noted that the national benchmark for staff turnover in the public sector was 18%. The College's rate was at 11%.

The report was received.

03/137 CAMPUS MANAGEMENT ANNUAL REPORT

A report was received and noted.

Kelly Hewson left the meeting pending consideration of the confidential items.

03/138 CONFIDENTIAL MINUTES OF THE MEETING HELD ON 1 JULY 2003

The confidential Minutes of the meeting held on 1 July 2003 were agreed as a correct record.

03/139 CONFIDENTIAL MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes.

Kelly Hewson returned to the meeting.

03/140 CENTRES OF VOCATIONAL EXCELLENCE – EAST LONDON RAIL INDUSTRY

A report was considered. It was noted that CoVE status had been confirmed at the launch held on the previous day.

The report was received.

03/141 CENTRES OF VOCATIONAL EXCELLENCE – TEXTILES MANUFACTURING

A report was considered. It was noted that the development plan had received approval and there was now a period of twelve months in which to implement the plan.

The report was received.

03/142 PROGRESS REPORT: DEVELOPMENT AND IMPLEMENTATION OF THE COLLEGE MANAGEMENT INFORMATION SYSTEM

A report was considered. It was noted that:

- The supplier (CCM) had been given until 30 September 2003 to present the College with their plans for completion of the full specification;
- in the event that the supplier does not provide the College with plans for full implementation then the next stage of negotiation would entail the College walking away from the current contract;
- the College lawyers had advised that it would probably not be worthwhile the College taking legal action against the supplier;
- the College could seek agreement from the supplier for the College or another supplier to further develop the software. The College lawyers believe that the College would be in a reasonably strong position to press for this;
- while the software was not as originally envisaged, it was working but it continued to fail to meet the College's aspirations for its MIS.
- the software had replaced a very outdated product which was being removed from the market;
- the College had taken professional advice on its specification, its tender process and the contract itself;
- discussions were continuing with Ealing, Hammersmith and West London College with regard to the terms of a possible joint initiative based on their in-house system;
- some off-the-shelf products were also being evaluated. These, however, were considered unlikely that any of these would provide the College with a product, which was sophisticated enough, to cope with the forward demands of the College's strategy.

The report was received.

03/143 PROGRESS REPORT: IT STRATEGY

A report was considered. It was noted that:

- the upgrade of Internet links and new firewalls and of links between sites was underway;
- evaluation of new Human Resources and Payroll software and an upgrade to the Financial System was also underway.

The report was received.

03/144 STRATEGIC COLLABORATIONS UPDATE

A report was received and noted.

03/145 INVESTORS IN PEOPLE

A report was considered. It was noted that:

- the College had achieved its tri-annual re-accreditation for the Investors in People standard, and had significantly exceeded the standard by means of the new IiP Profile;
- benchmarking information would be provided as and when it was available.

The report was received.

03/146 STUDENT DISCIPLINARY ACTIONS 2002-2003

There was no report for consideration at the meeting.

03/147 CUSTOMER COMPLAINTS 2002-2003

A report was received and noted.

03/148 SKILLS STRATEGY WHITE PAPER

A report was considered. It was noted that:

- there was mounting concern about the fact that there would be no additional money for the implementation of the strategy;
- funding was likely to come from Adult and Community learning, adults in colleges who did not meet the criteria and from the Student Support Fund, all of which would have a major impact on provision for adults in Newham and, in respect of the last two items, on the College as well;
- there was a need for the qualifications framework to be reformed, as envisaged in the White Paper, prior to implementation of the guarantee and maintenance allowances. If this were to be the case then the College could absorb at least part of the impact of a transfer of funding.

The report was received.

03/149 LSC / HEFCE / DfES MATTERS

A report was received and noted.

03/150 DATE OF NEXT MEETING

It was noted that the next meeting would be held on Tuesday 20 January 2004.

Signed as a correct record

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Parin Bahl Chair of the Board