



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

MINUTES OF THE MEETING HELD ON 20 SEPTEMBER 2005

MEMBERS PRESENT: Parin Bahl (Chair), Linda Jordan, Quintin Peppiatt, Hugh Harris, Kelly Hewson, Peter Pendle, Ed Prosser, Jonathan Swan, Mike Thorne, Martin Tolhurst.

APOLOGIES: Linda Jordan and Michael Thorne for lateness, Harsh Ondhia for absence.

IN ATTENDANCE: Denise Brown, Kath Sherit and Naomi Shoffman (Clerk to the Corporation). Graham Drummond (observing; appointed Clerk to the Corporation with effect from 31st October 2005)

05/97 DECLARATIONS OF INTEREST

Peter Pendle declared a interested in items recorded at minutes 05/130 & 05/134
Quintin Peppiatt declared a interested in items recorded at minutes 05/106

05/98 THREE YEAR DEVELOPMENT PLAN

A report was considered. The Board noted that:

- The development plan has been agreed with the LSC
- There were several key changes from the position in early July as follows:
 - The work based learning contact was higher than anticipated at £911k
 - The proposed Princes Trust programme was agreed
 - Foyer programmes remain set at the budgeted £400k.
- The other outstanding issues pertaining to the national pilots for NEWCAD and delivery of NQF accredited courses have been resolved.
- The LSC determined that the College exhibits some risk with this plan

The report was received.

05/99 CURRICULUM & QUALITY REPORTS

A report was considered. The Board noted the:

- Continuing improvement in college success rates and their positive comparison with other colleges of this type
- The continuing improvement in A level performance
- Change in emphasis for the college self assessment process
- Issue with regard to the negative impact of any significant move away from NEWCAD will hav future success rates –
this is an identified risk in the development plan

The Board asked the Principal to pass on their congratulations to staff teams on improving performance

The report was received.

05/100 PERFORMANCE AGAINST CONTRACTS 2004-2005

A report was considered. The Board noted that:

- Performance to date for 2004/05 shows the College is close to activity targets overall and that 16-18 performance is 9.6% above target
- Learner numbers are likely to be somewhat overstated as another round of data cleansing is due imminently.
- The net projected funding outturn is 0.7% above target
- There may be some quality issues affecting payment for WBL in 2005-06

The report was received.

05/101 FINANCIAL REPORT AND PROVISIONAL OUTTURN - 31 JULY 2005

A report was considered. The Board noted that:

- This report was prepared for the Executive for their August meeting
- The position has changed since then and the College will be able to report a modest operational surplus of £100k once the accruals on franchise contracts have been realised.

The report was received.

05/102 FINANCIAL REPORT FOR THE PERIOD TO 31 AUGUST 2005

A report was considered. The Board noted that:

- This is the first report of the financial year
- There is a current operation surplus for the college of £12k against a budgeted figure of £10k
- The College anticipates a budgeted operating surplus of £120k for the full 2005/06 year.

The report was received.

05/103 REVENUE BUDGET 2005/2006 – Update

A report was considered. The Board noted that:

- This is a revised budget to the one set at the July 2005 meeting.
- The revised budget includes several items of increased costs and additional revenues
- The impact of the adjustments and amendments is a predicted adverse shift of £200k in the College's budget.

It was **AGREED** that:

- The revised Revenue Budget 2005-06 is approved.

The report was received.

05/104 BORROWING REQUIREMENTS

A report was considered. The Board noted that:

- The three year financial plan was predicated on taking out additional borrowing and the repayments will be made using revenue income from the LSC and other sources.
- The proposal to take a term loan restores the ability of the College to meet financial targets set by the Board
- This should enable the College to maintain the LSC Financial Health category A
- The proposal enables the College to continue to meet targets for capital projects
- The tender process needs to be initiated before the next Board meeting

It was **AGREED** that:

- The resolution for the College to borrow £2.5 million as an unsecured term loan over a period of 10 years to be provided by a Commercial Bank following the tender process be approved
- The continuing use of a £1 million secured overdraft facility with the College's bankers, Lloyds TSB be approved
- The delegation of authority to the Chair and the Principal to approve the supplier of the loan be approved

The report was received.

05/105 ADMISSIONS 2005/2006

An oral report was made. The Board noted that:

- It was too early in the year to give a formal report

- Information available so far indicated that overall enrolments are slightly up.

05/106 ACCOMMODATION PROJECTS' PROGRESS REPORT

A report was considered. The Board noted the:

- Progress on previously approved projects
- Revised completion date of Little Ilford
- Position of Boardman House
- The position of Thames House should be finalised this week.

The report was received

05/107 SECURITY CONTRACT

A report was considered. The Board noted that:

- Several companies have tendered but the College has only proceeded with tenders received from two of the companies – Reed, the current incumbent, and MITIE
- The decision should not merely be price driven, as quality and reliability of service are also paramount
- If MITIE are awarded the contract a finders fee will be due to REED of £1000 per employee transferred from them

It was **AGREED** that:

- The board delegates to the Chair and Principal the selection of the provider for security services following completion of the tender evaluation.

The report was received.

05/108 SUBSIDIARY COMPANIES

05/108.1 Newham Foundation: Progress Report

A report was noted and received

05/108.2 EAST LONDON E-LEARNING (FORMERLY CROSS RIVER LEARNDIRECT LTD) Company Secretary Report

A report was noted and received

05/108.3 Nomination of alternative Director

It was **AGREED** that:

- Steve Cameron be nominated as an additional director

05/109 MINUTES OF THE MEETING HELD ON 5 JULY 2005

The Minutes of the meeting were agreed as a correct record.

The minutes were received.

05/110 MATTERS ARISING FROM THE MEETING HELD ON 5 JULY 2005

There were no matters arising

05/111 PLANNING & BUDGETING COMMITTEE

The unconfirmed minutes of the meeting of 5th July 2005 were considered.

The minutes were received.

05/112 SEARCH COMMITTEE

An oral report was made. The Board noted that:

- The Principal is still looking for suitable candidates for a co-opted member for the Academic Standards & Performance Committee to replace Neil Berry
- Michael Thorne and Jonathan Swan's current terms of Office end in November 2005; both are eligible and willing to serve for a further period of office;
- Michael Thorne is a community nominated member of the Board but the nominating body, Newham Training Network, no longer exists. The Principal will approach Community Links to ascertain whether they are willing to take on this role.
- Jonathan Swan is a Business member of the Board and has chaired the Audit committee since June 2005;
- Both members gave valuable support and advice outside their attendance at Board and Committee meetings and it would be very difficult to replace the range of knowledge and experience of these members.

- Kelly Hewson is leaving the College to take up a post at another College.
- The process for her replacement had been initiated with nominations to be returned by 28th September 2005.

It was **AGREED** that

- The Board approve the Search Committee's recommendation to re-appoint Michael Thorne and Jonathan Swan as members of the Board in their respective categories for the period November 2005-November 2008
- The Board ratify the appointment of the new staff governor at the December Board meeting
- The Principal approach Community Links to become the new nominating body for the community member.

05/113 TRAINING PROGRAMME FOR 2005-06

A report was considered. The Board noted that:

- No seminars had been held during the year 2004-05.

It was **AGREED** that:

- The recommendation from the Chair and the Principal that the routine seminars be ceased but to retain the facility to hold them as and when required be approved

The report was received.

05/114 RESIGNATION OF STAFF GOVERNOR

A report was noted and received (see minutes 05/112 & 05/140)

The Chair thanked Kelly Hewson for her invaluable contribution to the Board during her time as staff governor.

05/115 MEMBERSHIP AND TERMS OF REFERENCE OF THE BOARD'S COMMITTEES

A report was considered. The Board noted that:

- There was some discussion with respect to admitting members of the public to Board and Committee meetings but the majority of members agreed that admitting members of the public this would not be conducive to running effective meeting
- The draft Terms of Reference for the Planning & Budgeting Committee includes within its membership all members of the Board. This committee might be perceived by some parties to be a finance committee and this could potentially be an issue with respect to cross membership of the Audit Committee. Therefore legal advice will be taken on whether this committee composition conforms with the requirements of the Articles of Government.

It was **AGREED** that:

- Subject to legal advice the draft terms of reference for the Planning & Budgeting Committee be approved
- All proposed revisions to the other Committees terms of reference be approved

The report was received.

05/116 MEMBERSHIP OF THE BOARD'S COMMITTEES 2005 -06

A report was considered. The Board noted that:

- There are several vacancies on committees due to the outstanding vacancies for a student governor and co-opted members.

It was **AGREED** that:

- All proposed memberships be approved.
- The Chairs of all committees were approved

The report was received.

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

| Committee | Current Membership | Chair of Committee | In Attendance |
|--|---|---------------------------|---|
| Academic Standards and Performance Committee | Linda Jordan Martin Tolhurst Peter Pendle Quintin Peppiatt Hugh Harris | Linda Jordan | Deputy Principal (Standards and Customer Service) Deputy Principal (Business Planning) Six Faculty Directors Clerk |
| Audit | Jonathan Swan Peter Pendle Ed Prosser Jonathan Swan Harsh Ondhia Gary Peile | Jonathan Swan | 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 | Parin Bahl | Clerk |
| Staff Consultative | Linda Jordan Quintin Peppiatt Edward Prosser Angelica De Paiva Stewart Mclurg Janet Jordan Wij Premkumar Colin Seymour | Linda Jordan | Principal Deputy Principal (Standards and Customer Service) Deputy Principal (Business Planning) Director of Human Resources and Legal Services Director of Estates & Facilities Clerk |
| Student Consultative Forum | Edward Prosser Linda Jordan | Edward Prosser | Principal Deputy Principal (Standards and Customer Service) Deputy Principal (Business Planning) Director of Human Resources and Legal Services Clerk |
| Remuneration | Parin Bahl Quintin Peppiatt Jonathan Swan | Parin Bahl | Principal Director of Human Resources and Legal Services Clerk |

- 05/117 CODE OF CONDUCT FOR BOARD MEMBERS**
A report was considered. The Board noted that:
- No material changes had been recommended
- It was **AGREED** that:
- The code of conduct 2005-06 be approved and each member will be asked to sign a copy.
- The report was received.
- 05/118 REGISTER OF INTEREST**
A report was considered.
It was **AGREED** that:
- The revised register of interest revision is approved.
- The report was received
- 05/119 STANDING ORDERS**
A report was considered.
It was **AGREED** that:
- The revision to the Standing Orders is approved.
- The report was received
- 05/120 COLLEGE SEAL**
A report was noted and received
- 05/121 TRAINING AND DEVELOPMENT OF CORPORATION MEMBERS ANNUAL REPORT**
A report was noted and received
- 05/122 HEALTH AND SAFETY ANNUAL REPORT**
A report was noted and received
- 05/123 CAMPUS MANAGEMENT ANNUAL REPORT**
A report was noted and received
- 05/124 CUSTOMER COMPLAINTS 2004-2005**
A report was considered. The Board noted that:
- The report is part of the quality improvement strategy
 - Performance standards for response timescales are being reviewed.
- The report was received.
- 05/125 DDA REPORT**
A report was considered. The Board noted that:
- DDA legislation is changing all the time and the College must ensure it is fully compliant and up date with all statutory requirements
- The report was received.
- 05/126 CHAIR'S ACTION**
No report to this meeting.
- 05/127 OVERSEAS TRAVEL**
A report was considered. The Board noted that:
- It was good practice that this report is brought to the Board for information and asked that it remain as an Annual standing item.
- The report was received
- 05/128 SIR JOHN GARLICK BURSARY SCHEME**
A report was considered. The Board noted that:
- This scheme will award a bursary of up to £600 bursary to each of five deserving students annually
- It was **AGREED** that:
- The Sir John Garlick Bursary Scheme be established

- £3,000 per annum be ring fenced from the student hardship fund for this purpose
- The Board will delegate to the Chair and the Principal the consultation with Sir John's family on the details of the scheme.

The report was received

05/129 APPOINTMENT OF CLERK TO THE CORPORATION

A report was considered. The Board noted that:

- Graham Drummond will take up his appointment on 31st October 2005.

The Chair welcomed Graham to the College on behalf of the Board.

The report was received.

05/130 STRATEGIC DEVELOPMENT

Confidential Minute

The report was received

05/131 CONFIDENTIAL MINUTES OF THE MEETING HELD ON 5 JULY 2005

Confidential Minute

The Minutes were received.

**05/132 MATTERS ARISING FROM THE MEETING HELD ON 5 JULY 2005
CONFIDENTIAL MINUTE**

Confidential Minute

**05/133 CONFIDENTIAL MINUTES OF THE PLANNING & BUDGETING COMMITTEE MEETING
HELD ON 5 JULY 2005**

Confidential Minute

The Minutes were received.

05/134 STRUCTURAL REVIEW

Confidential Minute

The report was received

05/135 IT CONFIDENTIAL PAPER

Confidential Minute

The report was received

05/136 HUMAN RESOURCES ANNUAL REPORT

Confidential Minute

The report was received

05/137 STUDENT DISCIPLINARY ACTIONS 2004-2005

Confidential Minute

The report was received

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05/138 YOUNG PEOPLE ACADEMY POST PROJECT EVALUATION

A report was note and received.

05/139 SECURING STRATEGIC LEADERSHIP FOR THE LEARNING AND SKILLS SECTOR IN ENGLAND

A report was note and received.

05/140 ANY OTHER BUSINESS

The Board will be holding an event in the Autumn to mark the departure of the Staff Governor and several other senior members of staff.

The Chair thanked Naomi Shoffman for her work as interim clerk and presented her with a gift on behalf of the Board.

Signed as a correct record

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Parin Bahl Chair of the Board

The meeting ended at 19.40