

**MINUTES OF THE CORPORATION MEETING,
CORPORATION 104, HELD ON 15 DECEMBER 2011**

Present: John Wilson (Chair of Corporation), Andrew Carrick, George Coyle, Jim Darmody, Jackie Goodman, Mary-Rose Hardy, Richard Heseltine, Sam Lee, Martin Longbottom, Mike Noddings (Vice-Chair of Corporation), Grace Richardson, John Shipley, Sarah Smythe, Phil Taylor, Jay Trivedy, Philip Wright

In attendance: Fiona Bagchi (Clerk to the Corporation), Steve Rogers (Finance Manager), Mike Rogerson (Vice-Principal, Staff & Students), Ian Taylor (Vice-Principal, Performance Improvement), Alan Woodcock (Director of Resources),

104.1 Apologies for absence: Corporation members: Julian Stern
Management: Julie Peaks (Assistant Principal), Mark Rothery (Assistant Principal)

104.2 Declarations of interest

Standing interests: Employed by another educational institution: Jackie Goodman, Martin Longbottom (Hull College), Sarah Smythe (Kelvin Hall School), Richard Heseltine (University of Hull). Local authority membership: Mary-Rose Hardy (East Riding of Yorkshire Council), John Shipley (Hull City Council).

104.3 Governance issues & Committee reports

(a) Search Committee report on Corporation and Committee vacancies

John Wilson, as Chair of the Search Committee, reported that:

- There was a vacancy for an ordinary member of Corporation, following Sarah Kimemia's resignation, and the Committee had agreed to approach appropriate community groups.
- Gail Burrows' second term of office as an elected Support Staff member of Corporation had ended on 3.10.11. The first advertisement of the vacancy had resulted in no nominations. A second call for nominations had resulted in 2 nominations and an election would be held.
- The Search Committee noted that an individual with an accountancy background had expressed an interest in joining the Audit Committee as an external co-opted member and would be sent further information.
- There was a vacancy for a Corporation member on the Personnel Committee, noting that. Phil Taylor had been appointed, under Chair of Corporation's action, as a temporary member of the Personnel Committee for its November 2011 meeting to ensure quoracy and had expressed an interest in joining as a permanent member. The Search Committee were recommending his appointment to the Personnel Committee.
- Mary-Rose Hardy's third term of office as a member of Corporation would end on 20.2.12. She had served 2 terms in the Local Authority and 1 term in the Corporation member category. The December 2011 meeting of the Search Committee considered her skills and experience against Corporation's re-appointment criteria and, taking into account Corporation's policy of ensuring a balance of experienced and newer members, were recommending her re-appointment as a Corporation member for a further term of 4 years from 20.2.12.

Corporation approved, on the recommendation of the Search Committee, the appointment of Phil Taylor as a member of the Personnel Committee.

Action: Clerk

Corporation approved, on the recommendation of the Search Committee, the re-appointment of Mary-Rose Hardy as a Corporation member for a period of 4 years from 20.2.12.

Action: Clerk

(b) Appointment to the vacancy for a Parent member of Corporation

John Wilson reported that:

- The December 2011 meeting of the Search Committee had noted that Mr Andrew Carrick had been elected unopposed as a Parent member of Corporation, following the decision of the second candidate not to stand.
- Mr Carrick was eligible for appointment, subject to a satisfactory Criminal Records Bureau (CRB) check.

Corporation approved the appointment of Andrew Carrick as a Parent member of Corporation for a period of 4 years or until his child left the College, whichever was the sooner, noting that appointment was subject to receipt of a satisfactory Criminal Records Bureau (CRB) check.

Action: Clerk

John Wilson, as Chair of Corporation, welcomed Andrew Carrick to the meeting.

(c) Appointment to the vacancy for a Student member of Corporation

Members noted that the Student Executive's nominee to the vacancy for a second Student Member of Corporation had withdrawn, due to pressure of academic work, and that a new nomination would be sought.

Action: Clerk

(d) Recommendation on Search Committee name

Corporation agreed, on the recommendation of the Search Committee, that the Search Committee's name should be changed to the Search and Governance Committee, to reflect the fact that, under its terms of reference, it advised Corporation on governance matters in addition to searching for new members.

Action: Clerk

104.4. Minutes of Meeting 103 held on 29 September 2011

Corporation approved the minutes of the meeting held on 29 September 2011, with the minor typographical amendments notified by the Clerk.

Action: Clerk

104.5. Matters arising and actions

(Actions shown below are numbered according to their position in the action points table appended to the end of the previous minutes. The reference to the item where the action can be found in the previous minutes is given in brackets at the end of each item).

- 1 Councillor John Shipley had been appointed, subject to satisfactory eligibility and CRB checks

(103.2).

2 Martin Doolan had been appointed as a co-opted member of the C&Q Committee and Martin Longbottom had been appointed as a member of Audit Committee from 3.10.11 (103.2).

3 Mike Rogerson confirmed that consideration of provision to secondary schools of details of students who received free school meals progressing to higher education (HE) was an action applicable from the end of 2011/12 onwards (103.7).

Action: MWR

4 Corporation had agreed that the Chair of Corporation and the Principal should sign routine documents relating to the building project as required and that the Chair should be able to delegate signing, if necessary, to another Corporation member, with documents being sealed where this was a requirement or to the College's advantage. It was noted that, while the main documents relating to the project had been completed, there could still be legal documents to sign relating to the land transfer between the College and Kelvin Hall School (103.4).

Action: Clerk/Chair/JKT

5 A report on interest rates was on the agenda (103.8).

6 A report on Corporation performance indicators was on the agenda (103.9)

7 Corporation and Committee standing agenda item lists had been amended, as agreed (103.9).

8 The Audit Committee membership and terms of reference had been amended, as agreed (103.9).

9 Corporation's appointment policy and annexes had been amended, as agreed (103.9).

10 The Charter annex to the Corporation Code of Conduct had been amended, as agreed (103.9)

11 Corporation had delegated to the Finance & General Purposes Committee (F&GP) Committee the power to respond on Corporation's behalf to any consultation on the Office of National Statistics (ONS) re-classification of 6th form colleges, should there be a deadline before 15.12.11. It was noted, however, that no consultation had been issued (103.9).

12 A date for the Corporation strategy event during spring term 2012 remained to be agreed (103.10).

Action: Chair/Principal/Clerk

104.6. Committee reports, presentations & recommendations II

(a) Audit Committee

(i) Annual Audit Committee Report

Richard Heseltine, as Chair of the Audit Committee, presented the Committee's Annual Report 2010/11 to Corporation and to the Principal for consideration before the Annual Financial Statements and Members' Report for the year ended 31.7.11.

Members' attention was drawn to the following documents which were attached as appendices to the Report and, in particular, to the positive opinions included in the internal and financial statements/regularity auditors' reports which would be submitted to the Young People's Learning Agency (YPLA):

- Internal Audit Service Annual Report 2010/11
- Financial Statements: Final Audit Findings, year ended 31 July 2011
- Regularity Audit Report for the year ended 31 July 2011

- College's Annual Risk Management Report 2010/11

Action: SR/Clerk

Members noted that the Audit Committee's opinion as expressed in its Annual Report 2010/11 was that:

- *based on the reports of and discussions with both the internal, financial statements, regularity, funding and ILR controls review auditors, together with our own enquiries, the Audit Committee's opinion is:*
- *that reliance can be placed upon the adequacy and effectiveness of Wyke Sixth Form College's systems of internal control and its arrangements for risk management, control and governance and securing economy, efficiency and effectiveness; that the Corporation's responsibilities, included in the annual financial statements, have been satisfactorily discharged.*

Corporation members noted the opinion of the Audit Committee as expressed in its Annual Report 2010/11 before considering the Annual Financial Statements and Members' Report for the year ended 31.7.11. Corporation accepted the Audit Committee Annual Report.

(ii) Recommendation on Financial Statements and Regularity Audit Letters of Representation

Members noted that the financial statements and regularity auditors required the College and Corporation to confirm the representations given to them in connection with their financial statements and regularity audit for the year ended 31 July 2011 and that the Audit Committee had considered the relevant letters of representation at their November 2011 meeting and were recommending that they were signed.

Corporation approved for signing by the Chair of Corporation and the Principal, on the recommendation of the Audit Committee, letters of representation to the financial statements and regularity auditors.

Action: SR

(iii) Recommendation on ratification of the LSC's Financial Management & Control Evaluation return submitted to the YPLA

Richard Heseltine reported that

- Since autumn 2008, the funding body had required colleges to complete a Financial Management and Control Evaluation (FMCE) return annually.
- The College completed the full return in 2007/08 but completed summary returns for 2008/09 and 2009/10, as the College's financial management and control arrangements remain unchanged and the College was of the view that its self-assessment accordingly remained as agreed in 2007/08 i.e. as grade 2 (Good).
- The Audit Committee considered the summary FMCE return for 2010/11 at its meeting on November 2011 meeting and approved it for submission to the YPLA by the deadline of 30 November 2011, noting that, while a summary return was permitted, it would be prudent to complete a full return for 2010/11 as previous inspection cycles suggested that the College might be inspected in 2012. It was therefore agreed that the full return should also be submitted to the December 2011 meeting of Corporation for information and for submission to the YPLA.
- The Audit Committee were therefore presenting the approved FMCE grades for 2010/11 to Corporation for ratification, with the full FMCE return presented for consideration on approval and submission to the YPLA to replace the summary return submitted by the 30 November 2011 deadline.
- An improvement plan was included as part of the summary return.

Corporation ratified, on the recommendation of the Audit Committee, the College's Financial Management & Control Evaluation (FMCE), noting that the summary version was submitted to the YPLA by the deadline of 30 November 2011. Corporation approved the full FMCE return for submission to the YPLA to replace the summary return.

Action: SR/Clerk

(iv) Recommendation on the Internal Audit Plan for 2011/12

Richard Heseltine reported that:

- The Audit Committee had considered the performance of the internal auditors, the re-appointment of the internal auditors, the East Coast Audit Consortium, and their proposed internal audit plan for 2011/12 at its October 2011 meeting.
- With reference to the internal audit plan, as the new Joint Audit Code of Practice (ACOP) had yet to be issued by the YPLA/Skills Funding Agency (SFA), areas of the proposed plan which would normally be covered on a cyclical basis had been drawn from year two of the previously approved strategic plan adapted to the College's current circumstances e.g. the plan had been reduced from 25 to 20 days as it was proposed that a review of tuition fees should not be undertaken, as the College now had no English as a Second or Other Language (ESOL) or adult education provision and there were therefore few fee-paying students, and the proposed sales ledger and treasury management reviews had been reduced from 5 to 4 days.

Corporation approved, on the recommendation of the Audit Committee, the East Coast Audit Consortium (ECAC) internal audit plan 2011/12, appointing the ECAC as internal auditors for that year.

Action: SR/Clerk

(b) Finance & General Purposes ((F&GP) Committee

(i) Student numbers and funding report

John Wilson, as Chair of the F&GP Committee, reported that the F&GP Committee considered a student numbers and funding report at each of its meetings, including its December 2011 meeting.

Members noted that:

- The College had 1,292 16-18 year old students against a funded target of 1,223 i.e. an overachievement of 5.6%.
- Members reviewed the student retention table, noting that retention was 99% for students aged 16-18 studying at level 3, compared to 99.1% in December 2009 and 2010, but that it was too early in the year to draw any conclusions on likely year end retention.

John Wilson explained, for the benefit of newer members, that success rates were derived from retention multiplied by achievement. The importance of success rates for the College's funding body and Ofsted when grading the College's provision was noted.

Corporation received the Student Numbers and Funding Report for December 2011, noting that the College had exceeded its YPLA funding target for 16-18 students.

(ii) Monthly management accounts, including report on performance indicators (PIs) and cashflow

John Wilson reported that the F&GP Committee had considered the management accounts for October 2011 at its November 2011 meeting and invited the Finance Manager to speak to the November 2011 accounts.

Members considered the management accounts for November 2011, including the report on performance indicators (PIs) and cashflow, noting in discussion that.

- The operating surplus for the first 5 months was £ £383,600 against a budgeted surplus of £340,800.
- Income was slightly ahead of budget.
- Premises costs were showing an adverse variance to budget of about £20,000, much of which appeared to be due to profiling issues.
- Pay expenditure was currently showing a positive variance against budget.
- Key performance indicators and ratios were as expected at this stage in the year.

Corporation received the management accounts for October and November 2011, noting that the operating surplus for the first 5 months was £ £383,600 against a budgeted surplus of £340,800.

(iii) Recommendation on Accounting Policies

John Wilson reported that:

- The F&GP Committee reviewed the College's accounting policies annually, making a recommendation on their approval to Corporation before Corporation considered the annual Members' Report and Financial Statements.
- The Audit Committee also considered the accounting policies annually, at their second autumn term meeting, when reviewing the Members' Report and Financial Statements and the Final Audit Findings report from the financial statements auditors.
- Both Committees had noted that accounting policies remained unchanged from those used in previous years and were considered by the financial statements auditors to be appropriate for the College and consistent with the sector.

Corporation approved, on the recommendation of the Finance and General Purposes (F&GP) Committee, the accounting policies included in the Financial Statements for the y.e. 31.7.11.

(iv) Reconciliation report and recommendation on the Financial Statements and Members' Report for year ended 31.7.11

John Wilson reported that:

- The F&GP Committee had reviewed the draft Members' Report and Financial Statements for the y.e. 31.7.11 at its December 2011 meeting, together with a reconciliation report from the Finance Manager, and were recommending the approval of the Members' Report and Financial Statements by Corporation.
- In line with the LSC's Audit Code of Practice, the Audit Committee had also reviewed, at its November 2011 meeting, the Members' Report and Financial Statements with a view to informing its review of the financial statements auditors' final audit findings report and its consideration of the final regularity audit opinion, the statements on corporate governance, the responsibilities of members of the Corporation and the system of internal control.

Members considered the annual financial statements and the reconciliation statement, noting in discussion that:

- The operating surplus after Financial Reporting Standard (FRS) 17 adjustments as stated in the annual financial statements was £16,000, which was close to the original budgeted figure of £16,700.
- The positive variance of £51,000 in relation to Other Income included a reduction in the budgeted catering deficit from £17,000 to £2,000.

- The negative variance of £12,000 in staff costs included a number of restructuring costs which were noted in the accounts.
- The negative variance of £11,200 in relation to recurrent funding included provision for SFA clawback of funds for 2010/11 in relation to under-achievement of adult education provision in 2010/11.
- Interest payable showed a positive variance of £14,300, with low interest rates allowing interest rate/cash flow savings.
- As the College re-development project had been completed, the loan to support the project had increased from £1,891,000 in 2009/10 to £2,493,000 in 2010/11.
- The College's share of the Local Government Pension Scheme (LGPS) deficit had fallen from £1,112,000 to £592,000 based on actuarial assumptions.

Corporation noted that the operating and historical cost surplus after Financial Reporting Standard (FRS) 17 adjustments for the year ended 31.7.11 as stated in the annual Financial Statements was £16,000, which was close to budget.

Corporation approved, on the recommendation of the Finance and General Purposes (F&GP) and the Audit Committees, the Members' Report and Financial Statements for the y.e. 31.7.11.

Action: Chair/Principal

It was noted that a copy of the approved and signed Members' Report and Financial Statements for the y.e. 31.7.11 would be sent to the YPLA.

Action: Clerk/SR

(v) Letter from YPLA confirming College's Financial Health Category Review

Corporation noted that that the YPLA has confirmed the College's Financial Health category grade for 2010/11 of "Satisfactory".

It was noted that the timetable for the College returning to Financial Health category grade "Good", originally agreed in the financial plan supporting the College re-development project, had been affected by funding cuts.

(vi) Review of year-end KPIs and Objectives

Corporation considered the outcome against the financial objectives and key performance indicators (KPIs) for 2010/11, noting that in most cases the outcome was better than target.

(vii) Recommendation on Student Association accounts for year ended 31.7.11

Corporation approved, on the recommendation of the Finance and General Purposes (F&GP) the Student Association accounts for the y.e. 31.7.11.

(viii) College re-development project: report on borrowing

Corporation agreed that, as interest rates remained low, a further portion of the loan to support the College re-development project should not be fixed at the present time but that interest rates should continue to be monitored by the F&GP Committee.

Action: Clerk/SR

(c) Curriculum & Quality (C&Q) Committee

(i) Every Child Matters (ECM) Report 2010/11

Mike Noddings, as Chair of the Curriculum & Quality (C&Q) Committee, reported that the Committee considered the attached Every Child Matters (ECM) Report 2010/11 at its November 2011 meeting and were presenting it to Corporation for information.

Members noted:

- The 5 ECM themes have been graded as follows for 2010/11:
 - Grade 1 (Outstanding) – Make a Positive Contribution, Stay Safe, Enjoy and Achieve (2009/10: Grade 2)
 - Grade 2 (Good) - Be Healthy, Achieve Economic Well-being,
- The many positive achievements that the ECM recorded e.g. good A2 results, significantly improved AS results, staff safeguarding training, significant assurance in the audit of safeguarding procedures, the high proportion of student gaining a university place compared to the national average, a good programme of student exchanges and visits, continued development of the tutorial programme including emphasis on health promotion, a varied programme of events and funding-raising arranged by the Student Executive, the popularity and high profile of sport in the College, a strong and robust system in place to ensure that all students received high level of assistance to ensure that they achieved economic well-being, annual subject questionnaires which continued to show a good level of student satisfaction with their chosen courses, students who spoke highly of their satisfaction with the College in focus group meetings.

It was noted in response to members' questions that:

- With reference to the recent general emphasis on pupils and students understanding personal finances, that some work on this was currently undertaken in tutorials but that this might be developed further.
- With reference to the loss of the College's 2 Hull Connexions advisers in 2011/12 that the ECM report still referred to Connexions as it dealt with 2010/11 but that a member of the East Riding of Yorkshire Council's careers service would be replacing the advisers from January 2012.

Corporation considered the 2010/11 Every Child Matters report, noting changes in grading since the previous year, and thanked Mike Rogerson for compiling the report.

(ii) Recommendation on approval of College Self-Assessment Report (SAR) overview 2010/11

Mike Noddings reported that:

- The Curriculum & Quality (C&Q) Committee considered the College's Self-Assessment Report (SAR) annually.
- Members of the C&Q Committee had attended the College's 2010/11 SAR moderation meeting on 28 November 2011, which immediately preceded the C&Q Committee's November 2011 meeting.
- Then Committee had agreed that the moderated SAR grades should be recommended to Corporation for ratification and presented with the SAR overview 2010/11.

Members noted that:

- The C&Q Committee considered the SAR to be comprehensive and the SAR process in general and the grade moderation meeting in particular to have been rigorous.
- The moderation meeting was attended by an external moderator from Scarborough Sixth Form College.

- The SAR went through a number of iterations before the final version was placed on the funding body's portal.

Corporation considered the SAR overview, improvement plans and grades summary, noting that grades remained as assessed in 2010/11, with the following exceptions which were graded as 1 (Outstanding) in the 2010/11 report:

- Capacity to Improve
- Under Outcomes for Learners, "How safe do learners feel?"
- Under Quality of Provision, "How effective are the care, guidance and support learners received in helping them? "
- Leadership and Management

In response to members' questions concerning Ofsted's new Common Inspection Framework (CIF), it was noted that the SAR fell under the previous version and had been constructed with reference to it.

Corporation received a presentation on the development of the College Self-Assessment Report (SAR) 2010/11 and ratified the Record of Main Findings Report Grades.

(d) Personnel Committee

(i) Annual Report on Safeguarding Children and Vulnerable Adults 2010/11

Mary-Rose Hardy, as Chair of the Personnel Committee, presented the College's annual safeguarding report for 2010/11 had been considered d at the November 2011 meeting of the Committee.

Corporation received the College's Annual Report on Safeguarding Children and Vulnerable Adults 2010/11, noting in particular the progress made on ensuring that all staff had received appropriate safeguarding training.

(ii) Annual review of the College's safeguarding policies and procedures

Mary-Rose Hardy reported that the Personnel Committee had undertaken the annual review of the College's safeguarding policies and procedures at its November 2011 meeting and were recommending the minor updating changes shown on the documents being presented to Corporation.

Corporation approved the revised safeguarding policies and procedures, on the recommendation of the Personnel Committee.

(iii) Staff & Student Equality & Diversity summaries 2010/11

Mary-Rose Hardy presented the College's updated Equality and Diversity summaries for 2010/11.

Members noted that Corporation had received reports on equality and diversity matters in relation to students and staff from the Student and Personnel Committees during 2010/11, receiving the updated summaries of the reports for information and reference.

(iv) Recommendation on revised Sickness Absence & Flexible Working policies

Mary-Rose Hardy presented the College's updated Sickness Absence Policy and the Flexible Working Policy, which replaced and simplified the College's Policy and Procedure for Changes to Contracts and the Job Share Policy It was noted that these revisions had been considered by the Personnel Committee at its November 2011 meeting.

Members noted that the College's professional associations and trade unions had been consulted on the proposed changes.

Corporation approved the College's updated Sickness Absence Policy and the Flexible Working Policy, on the recommendation of the Personnel Committee.

Members agreed that it was useful to show tracked changes to revised policies.

Action: Clerk

(v) Report on 2011 pay award

Mary-Rose Hardy reported that the November 2011 meeting of the Personnel Committee had noted that the Sixth Form Colleges' Forum (SFCF) had recommended a 0% pay increase for 2011.

(e) Student Committee

(i) Student Activities and Student Executive Reports, November 2011

Corporation members received, for information, the Student Activities and Student Executive Reports which had been presented to the November 2011 meeting of the Student Committee, noting in particular the range of activities undertaken and fund-raising organised by the Student Executive.

104.7 Management report including property strategy and partnership reports

The Principal, Jay Trivedy, presented his report giving an update on progress since the September 2011 meeting of the Corporation.

Members noted:

- School liaison activity undertaken, including reciprocal visits from partner and non-partner schools.
- School liaison which had taken place or was planned for the coming year in curriculum areas e.g. in Maths, English, Law, Art, Performing Arts, PE.
- The PE department had made sound links with Hull and Leeds Metropolitan Universities, and would forge links with local primary schools from next summer in the form of a 'mini Olympic Games' event, which would continue in successive years.
- There had been two Open Evenings and an Open Day (Saturday), all of which had been well attended.
- The Senior Management Team had spent a day off site planning for the future, which would contribute to the development of the strategic plan to be considered by Corporation during spring 2012.
- Mark Rothery (Assistant Principal, Teaching, Learning & Curriculum) had responsibility for the 'Flyers' programme for students achieving high results at GCSE, with a "Flyers" evening and a programme of activities established.
- The College had refined the progress reports that it provided for parents and was analysing the results of a survey undertaken at consultation evenings.
- Numerous educational activities and visits had taken place.
- A commendation system had recently been introduced for staff and half-termly awards had been introduced for students.
- A Leavers' Awards evening, for students who had won subject prizes for success in their subjects, was scheduled for 19 December 2011.

In response to members' questions concerning strategic planning and the development of a course costing model by the Finance Manager, it was noted that the College had decided to adopt a simple model which did not attribute central costs to departments. It was suggested that the completed model could be presented either to the F&GP Committee and/or the Audit Committee, for information

Action: Clerk/SR

Corporation received the Principal's report for December 2011.

104.8. Governance issues II

(a) Report on Corporation attendance year to date

Members noted that overall Corporation attendance was 94% year to date against an approved target of 75%.

(b) Report on Corporation briefing and training schedule 2011/12

Members noted that Corporation had approved its training/briefing schedule for 2011/12 at its September 2011 meeting, with the following briefings received or are scheduled for later in 2011/12:

- A presentation on the South Africa visit (*received September 2011*)
- A safeguarding update (*received September 2011*)
- A briefing on the College's marketing strategy (*to be given February 2012*)
- A briefing on the revised funding formula (*date to be confirmed*)
- A briefing on communication with parents (*date to be confirmed*)

Corporation received a progress report on its training and briefing schedule for 2011/12.

(c) Report on planned modification of Instrument & Articles of Government

The Clerk reported that:

- The Young Peoples' Learning Agency (YPLA) had decided to suspend their consultation on minor changes to the Instrument and Articles of Government (I&A) for sixth form colleges, which were mainly to reflect the dissolution of the Learning and Skills Agency on 1.4.10 and its replacement by the YPLA and the Skills Funding Agency (SFA).
- This was because further changes to the I&A would be required as a result of the Education Act 2011.

Corporation received a report on proposed modification to the of Instrument & Articles of Government (I&A) by the YPLA, noting the suspension of the YPLA's consultation on the I&A, pending further changes arising from the Education Act 2011.

(d) Sixth Form Colleges Forum (SFCF): Foundation Code consultation

The Clerk reported that:

- The Sixth Form Colleges' Forum (SFCF) was consulting on the Foundation Code of Governance produced by the Association of Colleges (AoC).
- The AoC had commended the voluntary adoption of the Code to further education (FE) and sixth form colleges.
- Colleges that adopted the Code would be required to report on any instances of non-compliance with the Code in the corporate governance statement in their annual Members' Report and Financial Statements.
- Arguments produced by the AoC in favour of adoption of the Code included the Code allowing for more customisation of the I&A and reduction in the burden of audit and inspection.

- The SFCF's view, reflecting its consultation with sixth form colleges, was that the Code falls short of current good practice in the sector, the I&A were not restrictive or in need of supplementation by a Code and that no assurances concerning changes to the audit or inspection regime for colleges had been made in respect of colleges which adopted the Code

Members noted that the SFCF were consulting on adoption of the Code with a closing date for responses of 31.3.11. The SFCF's 3 options were:

- Endorse the Code.
- Advise the AoC that the SFCF cannot endorse the Code at the present time.
- Advise the AoC that the Code is not applicable to all sixth form colleges due to individual provision in the I&A and that modifications would be required before endorsement of the Code for voluntary use by the sector – with particular reference to Catholic sixth form colleges.

Corporation considered the Foundation Code documentation and agreed that, taking into account the commentary of the SFCF Governance Committee document, to advise the SFCF that they should advise the AoC that the SFCF could not endorse the Code at the present time.

Action: Clerk

(e) Report on Education Act 2011

The Clerk presented an SFCF briefing on the Education Act 2011, reporting that:

- Following agreement by both Houses on the text of the Education Bill, it received Royal Assent on 15 November 2011 and was now an Act of Parliament.
- The Act sought to implement the legislative proposals in the Department for Education's schools White Paper, 'The Importance of Teaching' and measures from the Department for Business, Innovation and Skills relating to skills and the reform of higher education funding but also included measures intended to influence the Office for National Statistics (ONS) decision to reclassify Sixth Form Colleges as 'public sector' including:
 - Removal of powers for the YPLA (*Young Peoples' Learning Agency*) to alter the I&A.
 - Removal of the Secretary of State's control over the dissolution of colleges

Corporation received a briefing on the implications of the Education Act 2011 from the SFCF.

(f) Review of Corporation effectiveness: Pls & Corporation self-assessment 2010/11

Corporation undertook its annual review of Corporation effectiveness, noting that the C&Q Committee had considered Corporation performance indicators at its October and November 2011 meetings and would review the action plan arising from Corporation members' 2010/11 self-assessment at its 2012 meetings.

In was agreed, in response to members' questions about benchmarking, that the Clerk would investigate whether it would be possible to establish governance performance indicators across the NorVlc colleges, to enable the Corporation to benchmark itself against other colleges

Action: Clerk

(Richard Heseltine left the meeting).

(g) Skills audit and register of interests review

The Clerk reported that good progress had been made on the annual updating of the above documents and that she would contact members who had yet to return their forms.

Action: Clerk

(h) Health & Safety (H&S) Committee: minor change to terms of reference
Corporation ratified a minor updating change to the Health & Safety Committee's terms of reference, on the recommendation of the F&GP Committee.

104.9 Committee minutes, annual reports and forthcoming Committee meeting dates

(a) Annual Committee Reports

Corporation received annual reports from the following Committees, the Audit Committee annual report having been received at item 104.6(a)(i) above: Curriculum & Quality (C&Q) Committee, Personnel Committee, Student Committee.

(b) Committee minutes:

Corporation received the following Committee minutes: reports and recommendations arising from the June C&Q Committee meeting having been presented to previous Corporation meetings or as above at items 104.3 and 104.6:

- Audit Committee minutes of 3.10.11
- C&Q Committee minutes of 14.6.10, & 28.11.11
- F&GP Committee minutes of 20.9.11 & 15.11.11
- Search Committee minutes of 12.9.11 & 29.9.11

It was noted that the minutes of the October 2011 meeting of the C&Q Committee and of the November 2011 Personnel Committee would be presented to the February 2011 meeting of Corporation, reports and recommendations arising from the meetings having been presented above at items 104.6.

(c) Dates of forthcoming Committee meetings:

The dates of Committee meetings due to take place during autumn term 2011 were received and it was noted that Corporation members who were not members of a particular Committee were eligible to attend as observers and that new members were particularly encouraged to attend as part of their induction.

104.10 Any Other Business

It was noted that there was no other business.

104.11 Risk management

It was noted that no new items of risk had been identified at the meeting.

104.12 Date of next meetings

It was noted that Corporation was next due to meet on Thursday 16 February 2012 at 5.00pm.

Corporation members would be contacted concerning a date for the Corporation's 2012 strategy event.

Action: Chair/Clerk

104.13 Forthcoming events

The following events were noted:

- (i) College concerts: Monday 6.2.12 (*Harrogate*), Wednesday 18.4.12 (*Beverley*)
- (ii) External events: LSIS Governance Conference, 22-23 March 2012 (*Manchester*)

104.14 Reserved Business agenda

Under Instrument of Government 14, where required by the other members present, staff members of Corporation, including the Principal, are required to withdraw from that part of any Corporation meeting at which staff matters relating solely to that member of the staff are to be considered, staff matters relating to any member of staff holding a post senior to that member's are to be considered, and student members are required to withdraw from any part of a Corporation meeting at which staff matters relating to a current or prospective member of staff are to be discussed.

In line with Corporation's practice, it was agreed that, with the exception of the Principal and the Clerk, students and staff should leave the meeting. The following left the meeting: Sam Lee, Jim Darmody, Steve Rogers, Mike Rogerson, Ian Taylor, Alan Woodcock.

It was agreed that the minutes of the reserved business agenda should be kept in a confidential minute as they related to identifiable members of staff.

Action: Clerk

Fiona Bagchi
Clerk to the Corporation

**MINUTES OF THE CORPORATION MEETING,
CORPORATION 105, HELD ON 16 FEBRUARY 2012**

Present: John Wilson (Chair of Corporation), Andrew Carrick, George Coyle, Jim Darmody, Jackie Goodman, Mary-Rose Hardy, Richard Heseltine, Ray Hutty, Ben Lawson, Sam Lee, Martin Longbottom, Mike Noddings (Vice-Chair of Corporation), John Shipley, Sarah Smythe, Jay Trivedy, Philip Wright

In attendance: Fiona Bagchi (Clerk to the Corporation), John Hamlin (Liaison Manager), Julie Peaks (Assistant Principal), Steve Rogers (Finance Manager), Mike Rogerson (Vice-Principal, Staff & Students), Mark Rothery (Assistant Principal)

105.1 Apologies for absence: Corporation members: Grace Richardson, Phil Taylor
Management: Ian Taylor (Vice-Principal, Performance Improvement), Alan Woodcock (Director of Resources)

The meeting began with a briefing on marketing from Mike Rogerson (Vice-Principal, Staff & Students) and John Hamlin (Liaison Manager) – see *confidential appendix A*.

(John Hamlin left the meeting).

105.2 Declarations of interest

Standing interests: Employed by another educational institution: Jackie Goodman, Martin Longbottom (Hull College), Sarah Smythe (Kelvin Hall School), Richard Heseltine (University of Hull). Local authority membership: Mary-Rose Hardy (East Riding of Yorkshire Council), John Shipley (Kingston upon Hull City Council).

105.3. Governance issues I

(a) Appointment to the vacancy for a Student member of Corporation

The Clerk reported that Benjamin Lawson had been nominated by the elected Student Executive of the Student Association as a Student member of Corporation and was eligible for appointment, subject to a satisfactory Criminal Record Bureau (CRB) check.

Corporation agreed to appoint Benjamin Lawson as a Student member of Corporation for a period of 4 years or until he left the College, whichever was the sooner, with the appointment subject to a satisfactory Criminal Records Bureau (CRB) check.

Action: Clerk

(b) Appointment of Support Staff member

The Clerk reported that an election had been held for a Support Staff member of Corporation. There had been 2 candidates and a large turnout, with 74% of those support staff eligible to vote, voting. Ray Hutty, AV Technician/Instructor, had received 51% of the vote and had therefore been elected. He was eligible for appointment.

Corporation agreed to appoint Ray Hutton as a Support Staff member of Corporation for a period of 4 years, or until he left the College, whichever was the sooner.

Action: Clerk

The Chair welcomed Ben Lawson and Ray Hutton to the meeting on behalf of the Corporation.

(Ray Hutton left the meeting to record a drama examination).

105.4 Minutes of Meeting 104 held on 15 December 2011

Corporation approved the minutes of meeting 104 held on 15 December 2011 with the amendment to 104.8 (f)–(h) notified by the Clerk.

Action: Clerk

105.5 Matters arising and actions

(Actions shown below are numbered according to their position in the action points table appended to the end of the previous minutes. The reference to the item where the action can be found in the previous minutes is given in brackets at the end of each item).

- 1 Phil Taylor had been appointed to the Personnel Committee, as agreed (104.3).
- 2 Mary-Rose Hardy had been re-appointed as a Corporation member from 20.2.12, as agreed (104.3).
- 3 Andrew Carrick had been appointed as a Parent member, subject to satisfactory CRB checks, which had been satisfactorily completed (104.3).
- 4 Ben Lawson had been nominated to Corporation by the Student Executive, as noted above (104.3).
- 5 The Search Committee's name had been changed to the Search & Governance Committee, as agreed (104.3).
- 6 Minor typographical amendments had been made to minutes of the September 2011 of Corporation, as agreed (104.4).
- 7 Mike Rogerson confirmed that consideration of provision to secondary schools of details of students who received free school meals progressing to higher education (HE) was an action applicable from the end of 2011/12 onwards (104.5).

Action: MWR

- 8 Corporation had agreed that the Chair of Corporation and the Principal should sign routine documents relating to the building project as required and that the Chair should be able to delegate signing, if necessary, to another Corporation member, with documents being sealed where this was a requirement or to the College's advantage. It was noted that, while the main documents relating to the project had been completed, there could still be legal documents to sign relating to the land transfer between the College and Kelvin Hall School (104.5).

Action: Clerk/Chair/JKT

- 9 A date for the review of the College's new strategic plan by Corporation would be considered later on the agenda (104.5).
- 10 The internal and the financial statements/regularity auditors' annual reports for

2010/11 had been submitted to the Young Peoples' Learning Agency (YPLA) by the Finance Manger, as agreed (104.6).

- 11 The Chair of Corporation and the Principal had signed the letters of representation to financial statements/regularity auditors, as agreed (104.6).
- 12 The Finance Manager had submitted the full Financial Management Control Evaluation (FMCE) to the YPLA, as a replacement for the summary FMCE, as agreed (104.6).
- 13 The East Coast Audit Consortium (ECAC) had been re-appointed as internal auditors for 2011/12 and reviews arising from the internal audit plan 2011/12 approved at Corporation's December 2011 meeting had commenced. The first block of reviews from the 2011/12 internal audit plan had been completed and would be considered by the Audit Committee at its March 2012 meeting (104.6).
- 14 The Chair of Corporation and the Principal had signed the Members' Report and Financial Statements for the year ended. 31.7.1, as agreed (104.6).
- 15 The Members' Report and Financial Statements for the year ended 31.7.11 had been submitted to the YPLA, as agreed (104.6).
- 16 The F&GP Committee was continuing to monitor interest rates, as agreed. A report would be considered later on the agenda (104.6).
- 17 Revisions to policies would in future normally continue to be shown using tracked changes, as agreed (104.6).
- 18 A course costing model would be presented to the Finance & General Purposes (F&GP) Committee or the Audit Committee during spring term 2012, as agreed (104.7).

Action: Clerk/SR

- 19 As agreed, the Clerk had sent Corporation's response to the Sixth Form Colleges Forum (SFCF), informing them that they should advise the Association of Colleges (AoC) that they could not endorse the Foundation Code of Governance at the present time (104.8).

With reference to other actions arising from the review of governance issues arising from Corporation's December 2011 meeting, a progress report on updating of Corporations' audit of skills and register of interests was on the agenda. The Clerk had still to contact NorVlc clerks concerning the possibility of establishing governance performance indicators across the NorVlc colleges, to enable the Corporation to benchmark itself against other colleges.

Action: Clerk

- 20 As noted above, a date for the review of the College's new strategic plan by Corporation would be considered later on the agenda (104.12).
- 21 Reserved Business minutes arising from Corporation's December 2011 meeting had been kept in a confidential minute, as agreed (104.14).

105.6: Committee reports, presentations & recommendations

(a) Finance & General Purposes (F&GP) Committee

(i) Student numbers and funding report

John Wilson, as Chair of the F&GP Committee, reported that the F&GP Committee considered a student numbers and funding report at each of its meetings, including its January 2012 meeting.

Members noted that:

- The College was currently exceeding its funding allocation for 16-18 students by 5.6%, with 1,292 students against a target of 1,223. This increased value would be the baseline for funding in 2012/13 under the Young People's Learning Agency's (YPLA's) lagged funding system.
- The College had enrolled 26 adult students aged 19+, which was below the Skills Funding Agency (SFA) allocation target. Although there would be some further enrolments, the College was likely to remain below allocation at the end of the year which could result in clawback of around £5,000 by the SFA.
- Retention was noted to be good e.g. 98.9% for 16-18 year old students studying at level 3, which was the College's core business. Withdrawals could, however, take place after the January exam season, which was later than in the previous year. The next 3 months should therefore provide a better indication of whether there would be an improvement in retention in 2011/12 when compared with 2010/11.

The Chair explained for the benefit of newer members that Ofsted and the College's funding bodies judged the College's performance with reference to success rates i.e. to retention, multiplied by achievement.

Corporation considered the student numbers and funding report for January 2012, noting that retention at level 3 for students aged 16-18 was good and, at 98.9%, higher than in January 2011 although the two years were not strictly comparable due to a later exam season in 2012.

(ii) Monthly management accounts, including report on PIs and cashflow

John Wilson reported that the F&GP Committee had considered the management accounts for December 2011 at its January 2012 meeting. The Finance Manager was invited to speak to the accounts for January 2012.

Members considered the management accounts for January 2012, including the report on performance indicators (PIs) and cashflow, noting in discussion that.

- The operating surplus for the first 6 months of the financial year was £252,100 against a budgeted surplus of £60,800.
- The above variance was due in large part to the receipt of accelerated payments of £155,500 from the YPLA, noting that this would result in lower grant payments being received during the remainder of the College's financial year. Excluding accelerated YPLA payments, the College was nevertheless still performing better than budget.
- Pay expenditure was lower than budget due to a 0% pay award and savings arising from strike action.
- With reference to non-pay expenditure, premises and exam fees showed an adverse variance to budget. Marketing expenditure was front-loaded and would therefore reduce over the remainder of the year. Two years' copyright licence fees had been paid in 2011/12 at a cost of £10,000. There had been some savings on budgeted loan interest payments, as variable interest rates were lower than budgeted.

- Cashflow and key performance indicators (PIs) and ratios were satisfactory. Improving cash balances would enable the College to improve its financial health rating.

In response to members' questions, it was noted that:

- The YPLA had a financial year end of 31.2.12 and had made accelerated payments in previous years. Receipt of such payments in 2012 did not therefore appear to be related to the fact that the YPLA would be replaced by the Education Funding Agency (EFA) from 1.4.12.
- With reference to procurement, the College was part of an East Riding of Yorkshire Council purchasing consortium to ensure best value for money (VfM) in relation to utilities expenditure. Finance department staff ensured in general that purchases constituted best VfM. Where specialist equipment was required, individual budget-holders were expected to obtain VfM. The Finance Manager was discussing with the Principal the possibility of joint procurement through NorVlc, the federation of sixth form colleges in Yorkshire, the Humber and the North East.

Corporation received the management accounts for January 2011, noting that the operating surplus for the first 6 months was £261,300 against a budgeted surplus of £212,100.

(Jim Darmody left the meeting).

(iii) Amendment to the Health & Safety (H&S) terms of reference: minor amendment

John Wilson reported that the F&GP Committee were recommending the following minor amendment, which should have been shown on the revised Health & Safety terms of reference presented to the December 2011 meeting of Corporation for approval: as a result of the College's recent management restructure, "the Scrutiny Committee" rather than "CMT" now reviewed the H&S policy annually.

Corporation approved a minor updating amendment to the Health & Safety terms of reference, on the recommendation of the F&GP Committee.

(iv) Revision of the Financial Regulations: minor amendment

John Wilson reported that:

- The Finance Manager reviewed the Financial Regulations annually, presenting any revisions to the F&GP Committee for recommendation to Corporation.
- The F&GP Committee were recommending the following minor updating amendment arising from the 2012 review: section 24.1 should read 'Director of Network and Information Systems' rather than "College Information Manager".
- It was likely that a more comprehensive revision would need to be undertaken once the YPLA/Skills Funding Agency's (SFA's) new Audit Code of Practice (ACOP) had been issued.

Corporation approved a minor updating amendment to the College's Financial Regulations, on the recommendation of the F&GP Committee.

(v) Borrowing: report on interest rates

John Wilson reported that:

- £1.25 million of the £2.5million new loan facility taken out to support the College redevelopment project was fixed in December 2008 at a rate of 4.885% which commenced in January 2011.
- Interest on the balance of £1.25 million was on a variable interest rate, currently of 0.9% Interest was paid on a monthly basis and capital repayments on a quarterly basis, whereas interest and capital on the £1.25 million of the fixed rate was repaid quarterly.

- The Corporation had agreed that the advisability of fixing a further part of the loan should be monitored by the Finance Manager and the F&GP Committee.
- Under the variable rate method capital was being repaid at a faster rate, which would lead to lower interest rate payments in the future. Fixing a further part of the loan at this stage could see the College's quarterly interest charges rise by up to £10,000 in the short term, although it could offer protection over the longer term when rates started to rise.
- The F&GP Committee last reviewed interest rates at its January 2012 meeting, agreeing that as interest rates remained low it would not be appropriate to recommend to Corporation that a further portion of the loan should be fixed at the present time.

Corporation agreed that, as interest rates remained low, a further portion of the loan to support the College re-development project should not be fixed at the present time but that interest rates should continue to be monitored by the Finance Manager and the F&GP Committee.

Action: Clerk/SR

(b) Personnel Committee

Mary-Rose Hardy, Chair of the Personnel Committee, presented to Corporation a range of equality and diversity reports considered by the Personnel Committee at its January 2012 meeting.

(i) The Public Sector Equality Duty

Corporation received the Government's Equalities Office's Quick Start Guide to the Public Sector Equality Duty (section 149 of the Equality Act 2010), which noted that:

- The Duty came into force on 5 April 2011 and applied to public bodies and others carrying out public functions e.g. sixth form colleges.
- It supported good decision-making by ensuring public bodies considered how different people would be affected by their activities, helping them to deliver policies and services which were efficient and effective; accessible to all; and which met different people's needs.
- The Duty was supported by specific duties, set out in regulations which came into force on 10 September 2011. The specific duties required public bodies to publish relevant, proportionate information demonstrating their compliance with the Equality Duty; and to set themselves specific, measurable equality objectives.
- The specific duties did not require public bodies to prepare or publish equality schemes, equality action plans, equality impact assessments, or separate annual reports on equality but these remained options for public sector organisations.

Corporation received, for information, the Government's Equalities Office's Quick Start Guide to the Public Sector Equality Duty.

(ii) Equality & Diversity: report on staff recruitment

Corporation noted that the Personnel Committee reviewed equality data for staff recruitment annually at its spring term meeting and received, for information, the equal opportunities report on staff recruitment considered at the Committee's January 2012 meeting.

(iii) Revised Single Equality Scheme (SES)

Corporation members noted that:

- The College's Personnel Officer, Jenny Clough, had revised the College's SES, simplifying the document, removing repetition and reflecting legislative changes.

- The revised document had been considered by the Personnel Committee at its January 2012 meeting.

Corporation approved the College's revised Single Equality Scheme (SES), on the recommendation of the Personnel Committee.

(iv) Review of updated SES action plan

Corporation received the College's updated SES action plan, which had been reviewed by the Personnel Committee at its January 2012, noting that actions highlighted in green had been completed but remained on the plan as they are ongoing.

(v) Publication of equality & diversity information and agreement of objectives

Corporation noted that the January 2012 meeting of the Personnel Committee had noted that:

- Public bodies subject to the specific equality duties were required to publish information to show their compliance with the Equality Duty showing that they had had due regard to the 3 aims of the Equality Duty i.e. the need to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations between people who share a protected characteristic and others.
- Public bodies had to publish information by 1 January 2012 to show that they had consciously thought about the 3 aims of the Equality Duty as part of the process of decision-making, including providing information relating to staff and students.
- The Personnel Officer has already included equality and diversity information relating to staff and students on the College website.
- The specific duties required public bodies to prepare and publish by 1 April 2012 one or more specific and measurable equality objectives which would help them to further the 3 aims of the Equality Duty, with subsequent objectives published at least every 4 years.

Members noted in discussion of the process used to identify appropriate equality objectives would be identified that:

- Students would be asked in their tutorial groups how equality or diversity could be improved in the College.
- Julie Peaks (Assistant Principal) would review data on staff protected characteristics, including whether female staff members were appropriately represented in management positions.

Corporation received a report on the publication of equality and diversity information, including specific, measurable equality objectives to further the Equality Duty aims. It was noted that the latter had a deadline of 1 April 2012 and agreed that a progress report should be made to Corporation's May 2012 meeting.

Action: Clerk/MWR/JC

(vi) Safeguarding: approval of revised Vulnerable Adults Policy & Procedure

Corporation approved, on the recommendation of the Personnel Committee, the College's revised Vulnerable Adults Policy & Procedure, noting that changes in the revised document had been included for updating and clarificatory purposes.

(vii) 2011 pay award: NUT strike ballot

Corporation noted that that the National Union of Teachers (NUT) had voted for national strike action in relation to the Sixth Form College' Forum (SFCF) decision not to increase staff pay in 2011/12.

(c) **Curriculum & Quality (C&Q) Committee**

(i) **College Plan 2011-14**

It was noted that the C&Q Committee had reviewed the College Plan 2011-14 at its February 2012 meeting and that outcomes would be considered as a separate item later on the agenda.

105.7 Management report, including progress report on strategic planning process

The Principal, Jay Trivedy spoke to the management report, which was considered.

Members noted that since the December 2011 Corporation meeting, efforts had been directed towards the following areas:

- Focussing on action plans arising from the College's Self-Assessment Report and mid-term reviews in ICT, Geography, Health and Social Care, Business, Classical Civilisation, Film Studies, Psychology, English and Religious Studies.
- Two key posts within the middle management team had been reviewed and aligned into the main College structure.
- Historical departmental allowances and management remissions were being reviewed to ensure consistency.
- Two replacement posts and 3 new teaching posts would be advertised for 2012/13.
- Members of SMT had met with representatives of Hymers College, Cottingham High School and Hull College to discuss curriculum links and/or other matters of mutual interest.
- The Principal and Assistant Principal, Julie Peaks, had taken part in two-day interviews for the Vice-Principal's post at Thomas Ferens Academy.
- Mike Rogerson, Vice-Principal (Staff and Students) had attended, by invitation, a 14-19 East Riding conference at which emphasis had been placed on the importance of appropriate pupil guidance.
- The Principal had attended a NorVic Principals' meeting at which Academy status, appraisals and media training had been considered.
- Individual staff development arrangements for 10-12 staff were being discussed with Mike Rogerson and the Personnel Officer, Jenny Clough.
- Half-termly attendance awards for tutor groups had been developed.

Members noted that:

- Work was continuing on the development of a new strategic plan, which was being populated with data.
- The draft plan's 3 key objectives were: improve outcomes; recruit students; be financially sound
- During the summer term work would continue on developing the draft plan for review and approval by Corporation.

It was noted that the draft strategic plan was intended to be a refinement of Corporation's current strategy, designed to continue to improve standards, and agreed that review of the draft plan should therefore be a major item on Corporation's May 2012 agenda rather than considered at separate meeting.

Action: JKT/IDT/Clerk

Other actions planned for summer term 2012 were considered and it was noted that these included:

- SMT developing a curriculum and tutorial plan for 2012-2013.

- Ensuring the most efficient use of College accommodation by students, including use of the library, refectory and social space.
- Undertaking staff development in preparation for inspection.
- Setting a budget that would be effective and would enable the College to further improve standards.
- The practice of asking Year 1 students to decide which AS subjects they would drop before receiving exam results and proceeding to Year 2 would be discontinued and from 2012 students would make this decision after receiving exam results.
- Students who were able to would be encouraged to take 4 subjects at A2, in line with the current successful practice at some other NorVic sixth form colleges e.g. Greenhead and Notre Dame Colleges

Members considered the development of the 2012/13 draft budget in detail. It was noted that:

- The Finance Manager and the Director of Network & Information Systems had attended YPLA and Skills Funding Agency (SFA) briefings on the proposed new funding formula, which had enabled them to make some projections of how the new system would affect the College in 2012/13.
- The College had lost £256,000 in enrichment funding in 2011/12 following a decision to reduce funding in this area nationally. It appeared likely that transitional funding received by the College and designed to ease the effect of the reduction in enrichment funding could fall to £100,000 in 2012/13.
- While the increase in student numbers in 2011/12 would increase funding for 2012/13 under the YPLA's lagged funding system, continuing growth in 2012/13 would also see an increase in staff, student transport and other associated costs.
- Indicative information from the SFA suggested that the College would lose about £16,000 in funding for adult students in 2012/13. It was possible that details of the YPLA allocation for 16-18 year old students for 2012/13 would be received in mid-March 2012.
- The 2011/12 budget approved by Corporation projected an operating surplus of £6,947. Significant reductions in funding for 2012/13 could therefore result in a deficit budget being set for 2012/13 and the College would review areas where savings could be made without jeopardising provision when developing the budget.

In response to members' questions, it was noted that:

- The same funding formula would apply to sixth form colleges and school sixth forms.
- The YPLA was modelling different scenarios which would show the effect of the new formula on different institutions in practice.

Corporation considered the Principal's report for the period December 2011 to February 2012 and considered actions planned for the remainder of the spring and for summer term 2012, including development of the draft strategic plan and the 2012/13 budget. The need to appropriately evaluate risks when taking decisions on future actions was noted.

105.8 Target setting: to review outcomes against the College Plan 2011-14

Mike Noddings, the Chair of the Curriculum & Quality (C&Q) Committee, reported that the College Plan 2011/14 had been reviewed in detail at the Committee's February 2012 meeting, with reference to outcome against targets for 2010/11 and was being presented to Corporation for information.

Members noted that:

- The College Plan summarised the College aims over a three year period and presented the headline objectives of the range of plans used in the processes of managing the continuous improvement of what the College did.

- The Plan was divided into 5 headings (Learning, Well-being, Provision, Capacity, Organisation and Leadership), with detailed measurable targets against the sub-divisions.

(Mike Noddings left the meeting).

Members discussed the following areas in detail, noting that:

- The C&Q Committee had discussed the use of “stretch” targets in addition to “first” targets in some areas of the plan, agreeing that the use of a single realistic target was more appropriate.
- With reference to the targets for an increase in the proportion of courses achieving positive value added (VA) in relation to the ALPS A level subject outcomes grade trend: while the 2010 target had been slightly exceeded, the outcome for 2011 of 68% had been below the target of 76%.
- ALIS VA data had confirmed that the above outcome was a consequence of a small number of low volume courses distorting the very positive College outcome of statistically significant positive VA. This was also confirmed by a 3 year all-college T score in ALPS of 3 (Good) and A Level ALPS score of 4 (Very Good). Courses where VA scores were not as high as the College would wish had produced action plans.
- With reference to targets for ALPS VA scores at A level generally, the aim was for approximately three-quarters of College A level courses to be at ALPS grade 5 or above. A grade 6 would still be in the black on the ALPS 9 point scale and would not therefore prevent a course from achieving an overall self-assessment grade of 2, even though the College would seek an improvement in VA score through an action plan. A grade 7 score would, however be considered a weakness.
- With reference to the ALPS AS level subject outcomes grade trend: the outcome of 65% was slightly below the target for 2011 of 66% but was a positive move back towards target following a fall to 57% against a target of 65% in 2010.

With reference to members’ questions concerning the distribution in the Level 3 and Level 2 (long course performance 16-18)graphs on page 4 of the College Plan, it was noted that:

- There were a small number of Level 2 students at the College taking 5 GCSEs or 2 BTECs, having failed to obtain the grades they wished at school.
- Nationally, Level 2 students were generally less motivated and more likely to leave college for employment while Level 3 students were more motivated and more likely to be aiming to progress to higher education.
- While the College’s success rates as shown in the graphs were still slightly below benchmark, 2011 showed an improvement from a fall in 2010.

Corporation received and considered 2011 outcomes against the targets in the College Plan 2011-14.

105.9 Governance issues II

(a) Report on Corporation attendance year to date

Overall attendance remained high at 94% year to date, with Corporation’s approved attendance target being 75%.

(b) Report on Corporation briefing and training schedule 2011/12

Corporation members noted that Corporation’s briefing and training schedule for 2011/12 had been completed with the following exceptions:

- **A briefing on the new funding formula**
- **A briefing on communication with parents**

Action: Clerk/SR/IDT

The Clerk reported that the Learning and Skills Improvement Service (LSIS) Governance Conference would take place 22-23 March 2012 in Manchester. Members interested in attending should contact the Clerk.

(c) Update on skills audit and register of interests review

The Clerk reported that the annual review and updating of audit of skills and register of interests forms was substantially complete, with 2 final audit of skills/register of interests forms due to be received at the current meeting.

(d) Changes to governance practice: recommendations from Committees

Corporation approved the following changes in governance practice on the recommendation of its committees:

- Use of the College's equal opportunities form to enable the College to include Corporation members in its equality and diversity monitoring and to enable better benchmarking against equality and diversity statistics produced by the SFCF. (Recommendation from the Personnel Committee following an initial recommendation by the Search Committee).
- Provision of emergency contact details for Corporation members (Recommendation from the F&GP Committee).
- Delegation of the approval of personnel policies and procedures (other than policies/procedures relating to senior post-holders, safeguarding, equality and diversity) to the Personnel Committee. (Recommendation of the Personnel Committee).

Action: Clerk

Corporation members noted that:

- Following discussion of the increased emphasis on risk management in the YPLA's Financial Management Control Evaluation (FMCE), use of a standard risk management cover sheet to identify issues of significant risk had been recommended by the Audit Committee.

Members considered the model cover sheet for Corporation papers provided, which include a standard section on risk management, but agreed to retain its current cover sheet format and referred to the Audit Committee for further consideration the issue of appropriate risk management identification in papers presented to Corporation.

Action: Clerk

(e) Eversheds' briefing: Education Act 2011 – implications for colleges

The Clerk drew members' attention to a briefing issued by Eversheds on the Education Act 2011. Changes would come into force on the making of orders by the Secretary of State, with the main changes affecting sixth form colleges being:

- Removal of the need for the consent of the Secretary of State (via funding bodies) for colleges to borrow.
- Removal of the need for the consent of the local authority where a sixth form college wished to run a publicly funded college through a company.
- Removal of the YPLA's power to make changes to sixth form colleges' Instruments and Articles of Government, which would become a matter for corporations.
- Removal of the power of the local authority (formerly held by the Secretary of State to 1.4.10) to dissolve a sixth form college corporations, which would pass to corporations.

- The power of intervention if a sixth form college was in serious difficulties would pass from the local authority to the Secretary of State.
- The duty of colleges to promote the well-being of the inhabitants of their local area, brought in by the Apprenticeships, Skills, Children and Learning Act 2009, would be repealed.

Corporation received a briefing from Eversheds on the implications for sixth form colleges of the Education Act 2011.

(f) Replacement of YPLA by EFA: April 2012

Corporation noted that the Young People's Learning Agency (YPLA) would be dissolved and replaced by the Education Funding Agency (EFA) on 1.4.12, which would become the funding body for the College's 16-18 provision.

105.10 Committee minutes, annual reports & forthcoming Committee meeting dates

(a) Annual Committee Reports

It was noted that there were no annual reports to be received.

(b) Committee minutes:

Corporation received the following Committee minutes, reports and recommendations arising from the minutes having been given at the December 2011 meeting of Corporation, together with those of the Search Committee meeting held on 6.12.11 and the Student Committee meeting held on 11.11.11:

- .Audit Committee minutes of 28.11.11
- C&Q Committee minutes of 11.10.11 and 28.11.11
- F&GP Committee minutes of 6.12.11
- Personnel Committee minutes of 7.11.11

It was noted that the minutes of the January 2012 meetings of the F&GP and Personnel Committees and the February 2012 meeting of the C&Q Committee would be presented to the May 2012 meeting of Corporation, reports and recommendations arising from the meetings having been presented above at items 105.6 and 105.8.

Action: Clerk

(c) Dates of forthcoming Committee meetings:

The dates of following forthcoming Committee meetings were noted, together with the standing invitation that Corporation members were welcome to attend committee meetings of which they were not already members:

- Audit Committee, Monday 12 March 2012 at 4.30pm
- F&GP Committee, Tuesday 28 February, 2012, 27 March, 2012 at 4.30pm

Sam Lee, Chair of the Student Committee, requested that the next Student Committee meeting be moved from Friday 10 March 2012, as it clashed with the final day of the Student Executive Rag Week. The Clerk also reported that Health and Social Care students were undertaking work experience during the week ending 10 March 2012 and would therefore be unable to attend the Student Committee meeting scheduled for 10 March to contribute to the work experience item which was on the agenda.

It was agreed that the Clerk should consult with Student Committee members and staff and students due to attend the Student Committee meeting scheduled for 10 March 2012 to find a new date for the meeting.

Action: Clerk

105.11 Any Other Business

It was noted that there was no other business.

105.12 Risk management – to consider risks associated with items on the agenda

Corporation noted the financial risk inherent in the new funding formula, noting also that this was already included in the College's existing risk register. It was noted that no new risks had therefore been identified at the meeting.

105.13 Dates of summer term meetings

It was noted that the Corporation was next due to meet on:

- ***Thursday 10 May 2012 at 5.00pm and***
- ***Tuesday 10 July 2012 at 5.00pm***

105.14 Forthcoming events

The following forthcoming events were noted:

- (i) College concert: Wednesday 18 April 2012 (*Beverley*)
- (ii) External events: Learning & Skills Improvement Service (LSIS) Governance Conference, 22-23 March 2012 (*Manchester*)

105.15 Reserved Business agenda

Under Instrument of Government 14, where required by the other members present, staff members of Corporation, including the Principal, are required to withdraw from that part of any Corporation meeting at which staff matters relating solely to that member of the staff are to be considered, staff matters relating to any member of staff holding a post senior to that member's are to be considered, and student members are required to withdraw from any part of a Corporation meeting at which staff matters relating to a current or prospective member of staff are to be discussed.

In line with Corporation's practice, it was agreed that, with the exception of the Principal and the Clerk, students and staff should leave the meeting. The following left the meeting: Ben Lawson, Sam Lee, Julie Peaks, Steve Rogers, Mike Rogerson, Mark Rothery.

It was agreed that the minutes of the reserved business agenda should be kept in a confidential minute as they related to identifiable members of staff.

Action: Clerk

**MINUTES OF THE CORPORATION MEETING,
CORPORATION 106, HELD ON 10 MAY 2012**

Present: John Wilson (Chair of Corporation), Andrew Carrick, George Coyle, Jim Darmody, Mary-Rose Hardy, Richard Heseltine, Ray Huty, Ben Lawson, Sam Lee, Martin Longbottom, Mike Noddings (Vice-Chair of Corporation), Grace Richardson, Sarah Smythe, Phil Taylor, Jay Trivedy

In attendance: Fiona Bagchi (Clerk to the Corporation), Jenny Clough (Personnel Officer), Mike Rogerson (Vice-Principal, Staff & Students), Ian Taylor (Vice-Principal, Performance Improvement), Alan Woodcock (Director of Resources)

106.1 Apologies for absence:
Corporation members: Jackie Goodman, John Shipley, Philip Wright
Management: Julie Peaks (Assistant Principal), Steve Rogers (Finance Manager), Mark Rothery (Assistant Principal)

106.2 Declarations of interest

Standing interests: Employed by another educational institution: Martin Longbottom (Hull College), Sarah Smythe (Kelvin Hall School), Richard Heseltine (University of Hull). Local authority membership: Mary-Rose Hardy (East Riding of Yorkshire Council), John Shipley (Kingston upon Hull City Council).

106.3 Minutes of Meeting 105 held on 16 February 2012, incl. confidential Appendix A

The minutes, including confidential appendix A, were approved with the following amendment: the second bullet point at item 105.7 on page 8 should refer to the middle management team.

Action: Clerk

106.4 Matters arising and actions

(Actions shown below are numbered according to their position in the action points table appended to the end of the previous minutes. The reference to the item where the action can be found in the previous minutes is given in brackets at the end of each item).

- 1 Ben Lawson had been appointed as a Student member of Corporation, as agreed (105.3).
- 2 Ray Huty had been appointed as a Staff member of Corporation member, as agreed (105.3).
- 3 The December 2012 minutes had been amended, as agreed (105.4).
- 4 Mike Rogerson had confirmed that consideration of provision to secondary

schools of details of students who received free school meals progressing to higher education (HE) was an action applicable from the end of 2011/12 onwards (105.5).

Action: MWR

- 5 Corporation had agreed that the Chair of Corporation and the Principal should sign routine documents relating to the building project as required and that the Chair should be able to delegate signing, if necessary, to another Corporation member, with documents being sealed where this was a requirement or to the College's advantage. It was noted that, while the main documents relating to the project had been completed, there could still be legal documents to sign relating to the land transfer between the College and Kelvin Hall School (105.5).

Action: Clerk/Chair/JKT

It was agreed that the above provision should be removed from the action table and that a general delegation should be added to the College's Financial Regulations.

Action: Clerk/SR

- 6 A course costing model would be presented to the F&GP Committee and/or Audit Committee, in due course (105.5).

Action: SR

- 7 With reference to Committee reports: (i) The Finance Manager and the F&GP Committee continued to keep long-term interest rates under review, as agreed, with a report to be considered later on the agenda; (ii) A progress report on specific equality objectives was on the agenda (105.6).

- 8 The Clerk would contact the NorVlc Clerks' Group concerning the possibility of establishing governance performance indicators across the NorVlc colleges, to enable the Corporation to benchmark itself against other colleges (105.5).

Action: Clerk

- 9 The draft strategic plan was on the agenda (105.8).

- 10 The following 2011/12 briefings remained to be given to Corp: funding formula; communication with parents (105.9).

Action: Clerk/SR/IDT

- 11 The College's equal opportunities form would be included as part of the annual updating of Corporation forms in September 2012 (105.9).

Action: Clerk

- 12 The opportunity for Corporation members to provide emergency contact details would be included as part of the annual updating of Corporation forms in September 2012 (105.9).

Action: Clerk

- 13 As agreed at the February 2012, approval of personnel policies and procedures (other than policies/procedures relating to senior post-holders, safeguarding, equality and diversity) had been delegated to the Personnel Committee (105.9).

- 14 Audit Committee had referred further consideration to the issue of appropriate risk management identification in papers to the June 2012 meeting of the Search & Governance Committee (105.9).
Action: Clerk
- 15 F&GP, C&Q, Personnel, Search & Student Committee minutes were on the agenda (105.10).
- 16 The spring term Student Committee meeting had been moved from 10 to 23 Mar. 2012 (105.10).
- 17 The Reserved Business minutes of the February 2012 meeting had been kept in a confidential minute, as agreed (105.12).

106.5 Principal's Report

The Principal, Jay Trivedy spoke to the management report, which was considered.

Members noted that:

- Since the February 2012 meeting of Corporation meeting, the focus has been on planning for 2012/13 in relation to: staffing; students; curriculum; budget; outcomes

(i) Staffing:

- 8 staff members had/would be leaving the College, almost all as result of retirement.
- In response to staffing changes and growth in student numbers, 6 external and 2 internal appointments had been made, with further appointments planned.
- There had been restructuring in ICT which would lead to curriculum changes from 2012/13, with 2 voluntary redundancies.
- The College was considering introducing a Faculty system from September 2012.

(ii) Students:

- Student retention appeared close to 2008, the College's best year to date, and application rates for 2012/13 were good, with the College having grown by 5% in 2011/12.
- In anticipation of increased student numbers at AS and A2, planning was in hand to ensure that the working environment encouraged enhanced outcomes e.g. a review of the Library/resource area was planned.
- The following changes to social and catering facilities were also planned: additional recreational seating for students in the Ash and Wilson building, an additional serving area for students at break and lunchtimes in the Wilson building and monitored rooms at lunchtime giving students access to ICT facilities.

(iii) Curriculum

- The College continued to be a predominantly Level 3 (A level) provider (e.g. around 1,000 of just under 1300 students were A level students) with a small number of Level 2 and 3 Vocational, GCSE and Foundation level courses.
- A realignment of the curriculum was planned to reflect student choices and the College vision) e.g. the removal of ICT Level 2, Business Level 2, Applied ICT Level 3) and the introduction of new courses (e.g. Level 2 PE; Double Award Applied Science AS level, fast-track AS levels in Anthropology, Humanities,

Environmental Science, World Development, Fine Art and an Art Foundation course at Level 4).

- The most able students would be encouraged to study more subjects in their second year.
- The College continued to be committed to its tutorial programme, which worked alongside the curriculum to enhance outcomes and had contributed to improvements in retention.

(iv) Budget:

- Funding changes meant that budget-setting for 2012/13 would be challenging e.g. the College's transitional funding would fall from £253,000 to £93,000.
- Decisions had been made to ensure that the use of resources clearly reflected College priorities, student choices and the most cost-effective methods to maximise outcomes.
- A briefing on the above would be given to staff.

(v) Partnerships:

- As a co-sponsor of the Thomas Ferens Academy, partnerships at curriculum and managerial level continued to be forged e.g. with the College helping the Academy with staff interviews.
- Curriculum areas had worked with schools to provide support, mentoring for younger students and "taster" sessions.
- The College's involvement at 14-19 with East Riding of Yorkshire Council and Hull City Council continued to be valuable in terms of input and access to local knowledge/expertise.
- Regular meetings with Hull College had been initiated to discuss curriculum and access to shared services e.g. procurement.
- The College continued to develop links with the University of Hull and other HE providers for the benefit of students, staff development and knowledge of future strategy e.g. in relation to UCAS and HE input into curriculum development at A level.

In response to members' questions, it was noted that:

- The College's partner schools continued to be predominantly in West Hull with relationships with some East Hull schools having developed as a result of invitations from the schools themselves.
- Wyke and Wilberforce Sixth Form Colleges each had a distinctive curriculum offer which provided students with choice.

(vi) Outcomes:

- It was anticipated that outcomes would improve further in relation to retention, achievement and success rates, with action plans in ICT, Geography, Religious Studies, Psychology and Health and Social Care expected to improve results.

In response to members' questions, it was noted that:

- It was possible that Ofsted would inspect the College in 2012/13 although, as it now scheduled inspections on the basis of risk assessments, full inspection dates could be accelerated, deferred or replaced with a shorter monitoring visit dependent on college outcomes.
- Inspections now took place at short notice and the College would ensure that it was prepared for whenever an inspection took place.
- The College's July 2012 Staff Development Day would concentrate on teaching and learning.

The Principal's report for May 2012 was received, with members noting reports on staffing plans for 2012/13, planned enhancement of the student experience, the 2012/13 budget process, partnership developments and student outcomes.

106.6 Strategic Planning: consideration of draft strategic plan for approval, including annual review of the College's Statement of Aims

John Wilson, as Chair of Corporation, introduced the discussion, noting that, as the Corporation had previously decided that the College should concentrate on Level 3 work, the draft strategic plan concentrated on the key areas on which the College should concentrate. Ian Taylor (Vice-Principal, performance Improvement) presented the draft plan.

Members noted that:

- The draft plan's 3 key aims were:
 - Improving student outcomes;
 - Improving student recruitment;
 - Ensuring sound resource and financial management
- The above aims were underpinned by success criteria and strategies, with more detailed criteria relating to student outcomes e.g. success rates, points scores, value-added scores, performance against equality measures (e.g. success in relation to gender, ethnicity, additional learning support).
- Most of the criteria for measuring success were based on quantitative numerical based data, others were based on more qualitative measures.

Members discussed at length detailed criteria relating to student outcomes, including:

- The possible addition of other progression criteria e.g. the provision of information on students applying and gaining entry to Russell Group universities.
- The use of data on receipt of bursaries, deprivation factors and free school meals (in partnership with schools) when measuring success and student destinations

Members considered the format of the strategic plan with particular reference to their own requirements as the governing body of the College. It was noted in discussion that:

- While the draft plan was simpler than previously, the level of detail was generally more suited to an operational level of management and, in some areas, the more detailed monitoring undertaken by the C&Q Committee on behalf of Corporation e.g. in relation to the College's Self-assessment report.
- A simpler document which enabled readers to know at a glance where the College wished to be, how it intended to get there and how far it had progressed towards its aims could be useful not only to Corporation members but also to parents and others.
- Some of the strategic aims in the current draft plan would be better described as enabling strategies and consideration might be given to fewer more focussed aims and key performance indicators.
- Further consideration might be given to key aims relating to staff and the community.

It was agreed that the draft strategic plan's 3 key strategic aims could be distilled into a single page strategic map with 3-5 strategic aims and key performance indicators and that the Chair of Corporation, Chair of the Audit Committee and the Principal should discuss this further after the meeting.

Action: Chair/Chair of Audit/Principal

The Corporation discussed, with particular reference to the experience of the student members of Corporation, growth in student numbers in relation to quality of provision and facilities, noting in response to members' questions that:

- The College's campus had been designed for around 1250 students although plans to permit future expansion had been considered when it was initially planned and the College would seek relevant grants to improve facilities where these were available.
- As noted above, improvements to social, refectory and lunchtime study space for 2012/13 to take account of the increase in student numbers were planned for 2012/13 to improve the student experience.
- A space allocation survey had been undertaken in 2011/12 to provide benchmark data when timetabling for 2012/13 and the survey would be repeated annually.
- Maximum group sizes of 24 students for non-practical and 18-20 students for practical subjects aimed to ensure that growth in student numbers did not affect quality of provision.
- The College kept the curriculum under review to ensure that it was responsive to students' needs. While it might not always be possible to run subjects which only attracted very small groups of students, there were certain subjects which did not attract large cohorts which were nevertheless considered an important element of the College's overall provision and attracted able students e.g. physics, music, modern foreign languages.

It was agreed that item 106.9 should be considered as the next item on the agenda.

(Mary-Rose Hardy left the meeting).

106.9 Equality & diversity: update on measurable equality objectives

Jenny Clough, the College's Personnel Officer, gave a progress report on the publication of measurable equality objectives, which were discussed.

Members noted that:

- The Equality Act 2010 required public bodies to prepare and publish by 1 April 2012 one or more specific and measurable equality objectives which would help them to further the 3 aims of the Equality Duty, with subsequent objectives published at least every 4 years.
- The College had used three methods to gather data to establish equality objectives i.e.
 - Students had been asked in tutorial groups how equality or diversity could be improved within the College, with the most popular suggestion being for significant dates and events from a range of cultures to be promoted. This suggestion had accordingly been adopted as an equality objective and action was already being taken e.g. relevant information was appearing on the College's plasma screens.
 - A review of student performance by protected characteristics had been undertaken but had not shown any general areas where significant improvement was required.
 - Staff data on protected characteristics had been analysed and it had been agreed that the second overall equality objective should be to improve the gender balance in College management teams, with a particular focus on the senior management team.

In response to members' questions, it was noted that:

- Protected characteristics had been reviewed with reference to student academic performance rather than non-academic activities e.g. the Student Association, clubs etc.
- The College might liaise with the Student Association Equalities Officer to discuss non-academic activities.

Action: JC

Corporation, received a report on the process leading to the adoption and publication of two overarching equality objectives by the College.

(Jenny Clough left the meeting)

106.7 Compliance: audit

(i) Audit Committee: recommendations on appointment of financial statements/regularity auditors

Richard Heseltine, as Chair of the Audit Committee, reported that:

- The Audit Committee reviewed the cost of the financial statements and regularity audit for the previous financial year annually and had noted at its March meeting that the audit for the year ended 31.7.11 had been within budget.
- Para. 2.3 of the College's Financial Regulations required that any additional, non-audit work undertaken by the internal audit service or financial statements auditors, at the request of the Corporation, should not amount to a sum greater than the cost of the annual audit or the sum of £20,000 (excluding vat), whichever was the lower. The March 2012 meeting of the Audit Committee noted that no work of this type had been undertaken during the period under review other than the Teachers' Pension Scheme (TPS) audit, which had been approved by Corporation as part of the audit strategy for the year ended 31.7.11.
- The Audit Committee reviewed the performance of the financial statements and regularity auditors annually at its March meeting, with the review undertaken of Baker Tilly UK Audit LLP's performance at the Committee's March 2012 meeting being positive.

Corporation approved, on the recommendation of the Audit Committee's the re-appointment of Baker Tilly UK Audit LLP as financial statements and regularity auditors for the audit for the year ending 31.7.12, subject to satisfactory agreement of their fees in the annual audit strategy to be presented to Corporation at its July 2012 meeting

Action Clerk

With reference to other audit matters, Corporation ratified the replacement of the asset register review in the internal audit plan with a review of the IT replacement strategy.

(Richard Heseltine left the meeting).

106.8 Monitoring of targets: student numbers and finance

(i) Student application report

John Wilson, as Chair of the F&GP Committee, reported that:

- The F&GP Committee had received reports on student applications at appropriate points during the year, with a report on student applications for 2012/13 entry last considered at its March 2012 meeting.
- An updated report to Corporation from the Vice-Principal (Staff and Students) had been received.

The Corporation considered the student application report and agreed that details of the discussion should be kept in a confidential minute.

(Richard Heseltine returned to the meeting).

(ii) Student numbers & funding report

John Wilson presented the student numbers and funding report.

Members noted that:

- The F&GP Committee considered a student numbers and funding report at each of its meetings.
- The College had 1,293 aged students aged 16-18 against a Young People's Learning Agency (YPLA) funded target of 1,223.
- Adult students were below target and there could be a possibility of clawback of funding from the Skills Funding Agency (SFA)
- The Committee had last considered the student numbers and funding report at its April 2012 meeting, noting that retention at level 3 for students aged 16-18 was showing a significant improvement and was close to the figure for April 2009, which was the College's best year to date i.e. April 2012: 93.5%, April 2011: 91.9%, Apr. 2010: 90.4%, April 2009: 93.8%).
- Retention multiplied by achievement produced the success rate figure on which Ofsted and the funding bodies judged the College's performance.

In response to members' questions on the improvement in retention, the Vice-Principal (Performance Improvement), Ian Taylor, cited a number of factors including:

- Good initial advice and guidance
- Support for students through the College's tutorial system.

Corporation received the student numbers and funding report, noting that retention for level 3 student aged 16-18, which was the College's core business, was showing a significant improvement and was close to comparable monthly figures for the College's best year to date.

(Mike Rogerson joined the meeting).

(iii) Monthly management accounts, including report on PIs and cashflow

John Wilson presented management accounts for March 2012, which were considered.

Members noted in discussion that:

- The F&GP Committee considered the management accounts at each of its meetings.
- The Committee had last considered the management accounts to 31 March 2012 at its April 2012 meeting, noting that the operating surplus for the first 8 months of the financial year was £100,500 against a budgeted deficit of £261,700.
- A significant element in the above improvement was, however, due to accelerated payments from the YPLA.
- The level of the College's dependency on YPLA/SFA funding (98.55%) was high and that pay expenditure as a percentage of income was 65.95%.

Corporation considered the management accounts to 31 March 2012 at its April 2012 meeting, noting that the operating surplus for the first 8 months of the financial year was £100,500, with the improvement on the original budget being due to accelerated YPLA grant payments.

(iv) Borrowing: interest rate report

John Wilson reported that:

- £1.25 million of the £2.5million new loan facility taken out to support the College redevelopment project was fixed in December 2008 at a rate of 4.885% which commenced in January 2011.
- Interest on the balance of £1.25 million was on a variable interest rate, currently of 0.9% Interest was paid on a monthly basis and capital repayments on a quarterly basis, whereas interest and capital on the £1.25 million of the fixed rate was repaid quarterly.
- The Corporation had agreed that the advisability of fixing a further part of the loan should be monitored by the Finance Manager and the F&GP Committee, with a view to a further portion of the loan being fixed should long-term interest rates be favourable.
- The College was currently paying a variable rate of 0.9% and fixing a further part of the loan at this stage could therefore see the College's interest charges rise in the short term.
- The April 2012 meeting of the F&GP Committee had noted that recent changes in interest rates had not been sufficient to warrant fixing a further portion of the loan at the present time.

Corporation agreed that interest rates should continue to be monitored by the Finance Manager and the F&GP Committee, with a view to a further portion of the loan being fixed should long-term interest rates be favourable.

Action: Clerk/SR

- (v) Fixed term investment – see item 10(i) below

106.10 Equality & diversity: update on measurable equality objectives

It was noted that this item had been considered earlier on the agenda.

106.10 Governance issues

- (i) Ratification of Chair's action: fixed term investment

John Wilson, as Chair of Corporation, spoke to the report on Chair's action taken in relation to a fixed term investment which had been offered by the College's bankers, Lloyds TSB, noting that:

- Under the College's Financial Procedures the College's Treasury Management Strategy was the responsibility of the Finance Manager, including the regular review of bank account balances to ensure security of funds and value for money investments. Under the procedures, the Corporation was, however, responsible for authorising investments.
- The College's bank, Lloyds TSB, had announced on Friday 20 April 2012 an opportunity to obtain an interest rate of 3% for funds invested for a fixed term of 12 months providing they were placed by Friday 27th April 2012. The Finance Manager had recommended that the College should take advantage of this opportunity by placing £200,000 on a long-term deposit of 12 months in order to generate investment income of £6,000, noting that, if not placed on long-term deposit, the funds would continue to be placed as currently on short-term deposits of up to a month with Lloyds TSB at a less advantageous interest rate of around 0.6-0.7%
- As Corporation had not been scheduled to meet in order to authorise the proposed investment until 10 May 2012, consultation had been undertaken via e-mail with Corporation members on the proposed investment. 16 of 18 Corporation members had read the e-mail and responded within the deadline. All had been in favour of the investment.
- Two comments had also been received from Corporation members: the first noting that cashflow as shown in the Finance's Manger's cashflow projection was tight in March

2013, although this could be monitored, and the second raising the question of the advisability of splitting the investment. The comments had been noted and discussed at the Finance & General Purposes (F&GP) Committee held on 23.4.12, at which John Wilson, Chair of Corporation and of the F&GP Committee had been present. The Committee had agreed that the investment should be placed as advised by the Finance Manager.

- Following consideration of the e-mail responses received from Corporation members and discussion at the April 2012 meeting of the F&GP Committee, John Wilson had authorised the placing of £200,000 on a long-term deposit of 12 months with Lloyds TSB under Chair of Corporation's action.

It was noted that:

- Under the Articles of Government, the Corporation could not delegate responsibility for ensuring the solvency of the College and the safeguarding of its assets and that Chair's action would not therefore normally be taken in relation to significant financial matters.
- In this case, however, as the relevant funds would have been placed with Lloyds TSB but on a short-term basis at a less advantageous rate of interest, Chair's action had been considered appropriate, taking into account that a majority of Corporation members consulted had been in agreement with the proposed action.

Corporation ratified Chair of Corporation's action taken in relation to the placing of £200,000 on a long-term deposit of 12 months with the College's bankers, Lloyds TSB.

(ii) Monitoring of Corporation targets: Corporation attendance

The Clerk reported that overall attendance was 92% year to date against an approved target of 75%.

(iii) Distribution of nomination forms for election of Chair and Vice-Chair

The Clerk reported that the Chair and Vice-Chair of Corporation were elected annually at the July meeting of Corporation to hold office during the following academic year. Nominations forms for the election of Chair and Vice-Chair of Corporation were distributed for completion and return by 25 June 2012.

(iv) Recommendation on appointment of Corporation & Committee members

(a) Corporation vacancies

Corporation members noted that the April 2012 meeting of the Search & Governance Committee had considered the following forthcoming vacancies in the Corporation member category:

- The current terms of office of John Wilson and Richard Heseltine would end on 30 June 2012.
- Sarah Smythe's current term of office would end on 1 September 2012
- Philip Wright's current term of office would end on 25 November 2012.

Re-appointment had been considered by the Committee with reference to:

- Corporation's re-appointment criteria and the requirements of Article of Government 3 i.e. with reference to those appointed in the "Corporation member" category having the skills necessary to fulfil Corporation members' defined responsibilities.
- The value of retaining a balance of experienced and newer members, as stated in Corporation's agreed policy on appointment and re-appointment.
- Corporation skills table, noting the following particular skills and expertise which remained useful to Corporation:

- John Wilson: health and safety, financial management, risk management, audit and quality assurance
- Richard Heseltine: IT management and education (HE)
- Sarah Smythe: education and safeguarding children (Head of a partner school)
- Philip Wright: accountancy, financial management and audit

(John Wilson, Richard Heseltine and Sarah Smythe each left the meeting while Corporation considered their re-appointment, with each returning when a decision had been made).

Corporation agreed, on the recommendation of its Search & Governance Committee, to re-appoint John Wilson, Richard Heseltine, Sarah Smythe and Philip Wright for a further term of 4 years from the date of expiry of their respective current terms of office,

Action: Clerk

John Wilson reported that he had stated at the Search & Governance Committee that he would not stand beyond the above 4 year appointment term and was making an early announcement of his intention in order to allow sufficient time for appropriate succession planning.

It was noted that:

- When making decision on appointment and re-appointments, the Search & Governance Committee, reviewed information provided by Corporation members on their audit of skills forms.
- To ensure that the Committee could operate effectively, it was important that Corporation members completed the forms as consistently and comprehensively as possible.

It was noted that Corporation members would be asked to update their audit of skills forms shortly and agreed that it would be helpful if further guidance on completing the form could be given and if members could have the option of completing the form electronically.

Action: Clerk

(b) Committee vacancies

Members also noted that:

- Martin Longbottom's current term of office as a Parent member of Corporation would end on 31.8.12. He was also a member of the Audit Committee
- Richard Heseltine would stand down as an Audit Committee member at the end of the current academic year.

Corporation agreed, on the recommendation of its Search & Governance Committee, to appoint Andrew Carrick to the Audit Committee from 1.9.12.

Action: Clerk

It was noted that, as agreed by the Search & Governance Committee, John Shipley had also been contacted concerning his willingness to join the Audit Committee.

Action: Clerk

(v) Establishment of the Education Funding Agency (EFA) and revised Financial Memorandum

Corporation received a report from the Clerk on the establishment of the Education Funding Agency, noting that:

- The EFA replaced the Young Peoples' Learning Agency (YPLA) on 1 April 2012 as the funding body for the College's 16-19 provision, with the Skills Funding Agency (SFA) continuing to fund the College's adult/19+ provision.

- A new financial memorandum between the SFA and FE colleges came into effect on 1 April 2012, which took account of the recent changes to the duties and powers of colleges as set out in the Education Act 2011 including:
 - Removal of the requirement to obtain consent for capital transactions
 - Removal of the requirement to seek consent for any borrowing
 - Removal of the prohibition on colleges giving guarantees or indemnities
 - Removal of the requirement to seek consent to participate in a company providing publicly-funded education
- The SFA's revised Financial Memorandum continued to require Corporation's to have an Audit Committee and included reference to the Joint Audit Code of Practice, which had yet to be published.
- It was understood that the EFA intended to issue a new financial memorandum for sixth form colleges to take effect from 1 August 2012.

The Corporation received a briefing on the issuing of a new Financial Memorandum for sixth form colleges by the EFA.

The Clerk reported that the EFA had issued a consultation on the following proposals:

- Removal of the requirement for colleges to have an Internal Audit Service (IAS), with any decision not to do so to be made by the Corporation on the advice of its Audit Committee;
- Removal of the prohibition on the internal and financial statements audits being provided by the same audit firm;
- Removal of the requirement for colleges to make an annual Financial Management and Control Evaluation (FMCE) return to the EFA from 1 August 2012;
- Consultation during 2012/13 by the EFA and Chief Executive of Skills Funding (SFA) on the need for, and content of, detailed provisions to be contained in Part II of the Joint Audit Code of Practice (JACOP).

Corporation noted that the EFA had recently issued a consultation on proposed changes to the audit regime applying to sixth form colleges and agreed that a response should be submitted by the deadline of 1.6.12 by the Chair of the Audit Committee, following e-mail consultation with Committee members.

Action: Clerk

(vi) Legislative changes and implications for the Instrument & Articles of Government

The Clerk reported that:

- Following e-mail consultation with members, the Chair of Corporation had responded on behalf of Corporation to the Department for Education's consultation on the Education (Publication of Proposals) (Sixth Form College Corporations) (England) Regulations 2012 and the Dissolution of Further Education Corporations and Sixth Form College Corporations (Prescribed Bodies) Regulations 2012 and the YPLA's consultation on the Sixth Form College Corporations (Modification of Instruments and Articles of Government) Order No.1 2012.
- The Education Act 2011 had revised Schedule 4 and section 33L of the Further & Higher Education Act 1992 (FHEA), thereby transferring the responsibility for modifying or replacing the Instrument and Articles of Government from the Young Peoples' Learning Agency (YPLA) to individual sixth form college corporations and setting out the requirements with which all sixth form college corporations' Instrument and Articles of Government should comply.

- Changes came into force on 1.4.12, other than those relating to the dissolution of corporations which were to come into force later.
- The Modification Order inserted into the Instrument & Articles of Government the following new provisions:
 - New Article 3(1)(aa): Provision requiring the publication of arrangements for obtaining the views of staff and students on the determination and periodic review of the educational character and mission of the institution and the oversight of its activities.
 - New Article 25(1): Provision to allow the Corporation by resolution to modify or replace its instrument and articles after consultation with persons who, in the Corporation's view were likely to be affected;
 - New Article 25(2): Prohibition on making changes to the Instrument or Articles that would have the effect of the Corporation ceasing to be a charity.
 - New Article 26: Provision to allow the Corporation to dissolve itself by resolution and provide for the transfer of its property, rights and liabilities, the draft resolution to dissolve being published at least one month before the proposed date of dissolution.
- Advice taken from Eversheds, under the Corporation's Governance Subscription Plus service, on new Article 3(1)(aa) indicated that the new Articles did not stipulate what form the arrangements for obtaining staff and student views should take and could consist, for example, of a summary of how Corporation currently consulted with staff and students on these matters.
- Members had received a briefing from Eversheds outlining the main changes to the Instrument & Articles of Government.

Corporation agreed that the implications of the legislative changes noted above, especially for Corporation's search and governance arrangements, should be considered by Corporation's Search & Governance Committee at a special meeting to be held on 25.6.12. Pending recommendations from its Search & Governance Committee, Corporation agreed to retain its current Instrument & Articles of Government, as modified by the Modification Order issued by the YPLA to ensure sixth form colleges were able to comply with the changes where required.

Action: Clerk

It was agreed that a statement should be included on the Corporation section of the College website of the processes by which the views of students and staff were obtained on the determination and periodic review of the educational character and mission of the institution and the oversight of its activities e.g. through the inclusion of staff and students as Corporation members.

Action: Clerk

(vii) Reclassification of sixth form colleges to the private sector

It was noted that the Department for Education (DfE) had informed sixth form colleges that the Office of National Statistics (ONS) had re-classified them as private sector entities for national accounts purposes from April 2012, following de-regulation of the sector by the DfE.

(viii) Charity regulation

The Clerk reported that:

- Until its dissolution on 31.3.12, the YPLA had assisted the Secretary of State as principal regulator for sixth form colleges as exempt charities, although it had not issued any guidance on how it intended to approach the role before its dissolution.

- It was understood that this role was now likely to be undertaken by the EFA as the YPLA's successor body.

A report from the Clerk on the principal regulator for sixth form colleges as exempt charities was received.

106.11 Committee annual reports, minutes, meeting dates

(a) Annual Committee Reports

It was noted that there were no annual reports to be received.

(ii) Committee minutes:

Corporation received the following Committee minutes, reports and recommendations arising from the minutes of the F&GP Committee meeting held on 24.4.12 having been given at item 106.8 above:

- (i) Audit Committee minutes of 12.3.12
- (ii) Curriculum & Quality (C&Q) Committee minutes of 7.2.12
- (iii) F&GP Committee minutes of 31.1.12, 27.3.12
- (iv) Personnel Committee minutes of 30.1.12
- (v) Search & Governance Committee minutes of 6.12.11, 23.4.12
- (vi) Student Committee minutes of 11.11.11, 23.3.12

(c) Dates of forthcoming Committee meetings: summer term 2011:

The dates of the following forthcoming Committee meetings were noted, together with the standing invitation that Corporation members were welcome to attend committee meetings of which they were not already members:

- Audit Committee, 11.6.12 at 4.30pm
- C&Q Committee, 12.6.12 at 4.30pm
- F&GP Committee, 26.6.12 at 4.30pm
- Personnel Committee, 28.5.12 at 4.15pm
- Remuneration Committee, 15.5.12 at 4.30pm
- Search & Governance Committee, 25.6.12 at 4.30pm

106.12 Any Other Business

It was noted that there was no other business.

106.13 Risk management: to consider risks associated with items on the agenda

It was noted that no new items of risk had been identified at the meeting.

106.14 Date of next meeting

It was noted that Corporation was next due to meet on Tuesday 10 July 2012 at 5.00pm.

106.15 Reserved Business agenda: Reserved Business minutes of 16. 2.12

Under Instrument of Government 14, where required by the other members present, staff members of Corporation, including the Principal, are required to withdraw from that part of any Corporation meeting at which staff matters relating solely to that member of the staff are to be considered, staff matters relating to any member of staff holding a post senior to that member's are to be considered, and student members are required to withdraw from any part of a Corporation meeting at which staff matters relating to a current or prospective member of staff are to be discussed.

In line with Corporation's practice, it was agreed that, with the exception of the Principal and the Clerk, students and staff should leave the meeting. The following left the meeting: Jim Darmody, Ray Hutton, Ben Lawson, Sam Lee, Ian Taylor, Alan Woodcock.

It was agreed that the minutes of the reserved business agenda should be kept in a confidential minute as they related to identifiable members of staff.

Action: Clerk

Fiona Bagchi
Clerk to the Corporation

MINUTES OF THE CORPORATION MEETING, CORPORATION 107, HELD ON 10 JULY 2012

Present: Andrew Carrick, George Coyle, Jim Darmody, Mary-Rose Hardy, Ray Huddy, Ben Lawson, Mike Noddings (Vice-Chair of Corporation), Grace Richardson, Phil Taylor, Jay Trivedy, Jackie Goodman, John Shipley, Philip Wright

In attendance: Fiona Bagchi (Clerk to the Corporation), Mark Lucid (PE teacher), Julie Peaks (Assistant Principal), Steve Rogers (Finance Manager), Mark Rothery (Assistant Principal, Ian Taylor (Vice-Principal, Performance Improvement), Ben Wallis (Head of PE), Alan Woodcock (Director of Resources)

107.1 Apologies for absence:
Corporation members: Richard Heseltine, Sam Lee, Martin Longbottom, Sarah Smythe, John Wilson (Chair of Corporation),
Management: Mike Rogerson (Vice-Principal, Staff & Students)

The meeting began with a briefing on sporting achievement from Ben Wallis and Mark Lucid of the PE Department. It was noted that the College was celebrating success across the board in sport, having won everything they had competed in this season in the British Colleges League. In particular, Wyke Football 1st team finished the season top of the Premier League, Wyke Football 2nd team were top of Division 1, Wyke Football 3rd and 4th teams came first and second at the top of Division 2, Wyke Football Girls Team were top of the league and Wyke Basketball Team were top of the British Colleges League and top of the Humber League. Louis Mobbs, a Wyke student, had been picked for the English National College football team and captained it during a tour of Spain. The College was Yorkshire and the Humber Sports College of the Year and was also runner up in the national finals. Ben Wallis thanked the Principal for supporting the expansion of College sport during a time of financial constraint. It was noted that good results were anticipated in PE AS and A Level. Progression to HE, including opportunities to study PE with QTS, were discussed.

Corporation congratulated staff and students on an outstanding year for College sport.

(Ben Wallis and Mark Lucid left the meeting).

107.2 Declarations of interest

Standing interests: Local authority membership: Mary-Rose Hardy (East Riding of Yorkshire Council), John Shipley (Kingston upon Hull City Council).

107.3 Governance issues: I

(i) Election of Chair and Vice Chair for 2011/12

The Clerk reported that:

- The Chair and Vice-Chair of Corporation were elected annually at the June/July meeting of Corporation to hold office during the following academic year.

- Written nominations had been received for the election of John Wilson as Chair of Corporation and Mike Noddings as Vice-Chair of Corporation for 2012/13.

Corporation agreed to elect John Wilson, in his absence, as Chair of Corporation for 2012/13: proposed Mike Noddings, seconded Mary-Rose Hardy.

Corporation agreed to elect Mike Noddings as Vice-Chair of Corporation for 2012/13: proposed Jay Trivedy, seconded Mary-Rose Hardy.

(ii) Appointment of Student members of Corporation

The Vice-Chair, Mike Noddings, reported that:

- The April 2012 meeting of the Search and Governance Committee had noted that elections for the Student Association Executive for 2012/13 had been held in March 2012 and elected members were shadowing the current Executive.
- Student members of Corporation were nominated from the elected Student Association Executive and Adam Winter (President) and Lydia Edwards (Health Promotions Officer) had been nominated as Student members of Corporation to replace Sam Lee and Ben Lawson.

Corporation approved the appointment of Adam Winter and Lydia Edwards as Student members of Corporation, subject to satisfactory eligibility and CRB checks.

Action: Clerk

107.4 Minutes of Meeting 107 held on 10 May 2012

The minutes of the Corporation meeting held on 10 May 2012, including the confidential appendix, were approved subject to the following amendment: the reference to Philip Wright should be removed from the section in brackets at 107.10(iv)(a).

Action: Clerk

107.5 Matters arising and actions

(Actions shown below are numbered according to their position in the action points table appended to the end of the previous minutes. The reference to the item where the action can be found in the previous minutes is given in brackets at the end of each item).

- 1 The February 2012 Corporation minutes had been amended, as agreed (106.4).
- 2 Mike Rogerson had confirmed that consideration of provision to secondary schools of details of students who received free school meals progressing to higher education (HE) was an action applicable from the end of 2011/12 onwards (106.4).
Action: MWR
- 3 Corporation had agreed that the Chair of Corporation and the Principal should sign routine documents relating to the building project as required and that the Chair should be able to delegate signing, if necessary, to another Corporation member, with documents being sealed where this was a requirement or to the College's advantage. It was noted that, while the main documents relating to the project had been completed, there could still be legal documents to sign relating to the land transfer between the College and Kelvin Hall School (106.4).

It had been agreed at the May 212 meeting of Corporation that the above

provision should be removed from the action table and that a general delegation should be added to the College's Financial Regulations.

Action: Clerk/SR

- 4 The course costing model would be presented to the senior management team (SMT) and the Finance & General Purposes (F&GP) Committee during autumn term 2012(106.4). .
Action: SR
- 5 The Clerk would contact NorVlc clerks concerning the possibility of establishing governance performance indicators across the NorVlc colleges, to enable the Corporation to benchmark itself against other colleges (106.4)..
Action: Clerk
- 6 To allow the briefing on sporting achievement to be given at the current meeting, briefings on the new funding formula and communication with parents would take place during 2012/13(106.4).
Action: Clerk
- 7 The first full-year updating of the College equal opportunities form by Corporation members would take place at the annual updating of Corporation forms in September 2012 (106.4). .
Action: Clerk
- 8 The first full-year updating of Corporation members' emergency contact details would take place at the annual updating of Corporation forms in September 2012 (106.4).
Action: Clerk
- 9 It had been agreed at the May 2012 meeting of Corporation that the draft strategic plan's 3 key strategic aims should be distilled into a single page strategic map with 3-5 strategic aims and key performance indicators. The Chair of Corporation, Chair of the Audit Committee and the Principal had met after the meeting to discuss this further. The draft document had been shared with staff at the Staff Development day in July 2012 and the final version would be presented to Corporation in September 2012(106.4).
Action: Clerk/JKT
- 10 A report would be given to the November 2012 Personnel Committee meeting on equality and non-academic activities, following liaison with the Student Association Equalities Officer (106.4).
Action: MWR/JC/Clerk
- 11 Baker Tilly's fees as financial statements/regularity auditors for the audit for y.e. 31.7.12 were on the agenda for review and consideration on approval (106.7).
- 12 A further £0.5 million of the loan taken out to re-develop the College had been placed at a fixed interest rate. A detailed report would be given later on the agenda (106.8).
- 13 The re-appointment of John Wilson, Richard Heseltine, Sarah Smythe and Philip Wright for a further term for 4 years from the date that their current term expires had been completed , as agreed (106.10).
- 14 The annual updating of the audit of skills form would include guidance and the

option of completion electronically (106.10).

Action: Clerk

15 Andrew Carrick had been appointed to the Audit Committee from 2012/13, as agreed, and had attended the June 2012 meeting as an observer (106.10).

16 ***It was agreed that John Shipley should be appointed to the Audit Committee from 2012/13 (106.10).***

Action: Clerk

17 A report on proposed changes to the audit regime for sixth form colleges was on the agenda (106.10).

18 The additional Search and Governance Committee meeting to consider the implications of the legislative changes, especially for Corporation's Search and Governance arrangements had been deferred to September 2012, pending further guidance from Eversheds. Further consideration of the issue of appropriate risk management identification in papers, which was have taken place at the June 2012 meeting of the Search & Governance Committee, had therefore also been postponed (106.10).

Action: Clerk

19 ***A statement would be included on the Corporation section of the College website concerning the processes by which the views of students and staff were obtained on the determination and periodic review of the educational character and mission of the institution and the oversight of its activities (106.10).***

Action: Clerk

20 The minutes of the Reserved Business section of Corporation agenda had been kept in a confidential minute, as agreed (106.15).

107.6 Principal's Report

The Principal, Jay Trivedy spoke to a report on his first year in post, which was considered.

Members noted that changes initiated during the year included:

- Curriculum changes including the introduction of Fast-track AS Levels in World Development; Anthropology; Humanities; Environmental Science; Critical Thinking; Electronics
- The creation of a Faculty structure i.e. Maths and Computing; English and Modern Foreign Languages; Science; Business, Accounts and Law; Social Science; Arts; Physical Education, Psychology and Geography. Performing Arts, Music and Drama did not currently constitute a Faculty because of small student numbers and curriculum.
- New staff appointments and a number of internal Acting Head and Deputy Head appointments.
- A consistent approach to staff remissions for 2012-2013.
- The introduction of 4 Staff Briefing meetings per week for all staff and half-termly staff meetings.
- The extension of Senior Management Team (SMT) membership to include the Finance Manager during 2011/12 and to include the Personnel Officer from September 2012.
- The introduction of three planning days for the Senior Management Team from September 2011.

- Regular involvement with Hull and East Riding 14-19 strategic teams and events, which the College had found beneficial.
- Visits by the Principal to all of the 11-16 and 11-18 schools and colleges locally.
- The College was a co-sponsor of Thomas Ferens Academy, which would open in September 2012, and Mike Noddings was the Corporation's nominee on the Academy's Board of Governors.
- The addition of an Awards Evening for leavers in December.
- Five half- termly awards for students nominated by department and half termly awards for Tutor Groups for attendance.
- An induction day offsite for all new students in 2012-2013.
- The reorganisation of the Library so that it was geared towards the pursuit of academic study and raising standards.

Members noted that it was possible that the College would be inspected by Ofsted in 2012/13, noting that the College anticipated that student achievement in 2012 would be good and that, in most cases, subjects which had action plans had brought about improvement.

In response to members' questions, it was noted that:

- Based upon applications, interviews and attendance at Wyke Start, it was possible that there could be further growth of 50-100 new students in 2012/13.
- 100 additional students would be close to capacity but the College was increasing refectory and social space.
- If necessary, the College would consider holding split lunchtimes. This would have implications for PE and music but extending the day was not considered an option as some students travelled long distances.

In response to members' questions concerning Fast-track AS Levels, it was noted that

- The experience of high performing sixth form colleges (SFCs) (e.g. Greenhead SFC, Long Road SFC) was that students who were kept busiest performed best.
- Fast-track AS Levels would, for example, offer stretch and challenge to students achieving significant numbers of A/A*s in AS, which Ofsted considered important, and could also increase the College's points score.
- With reference to its effect on entry to HE, while some Russell Group universities advised concentration on fewer A Levels, progression to HE was generally good.

Concerning the opportunity for Corporation members to contribute to the College's Flyers' programme for high performing students, it was noted that members with relevant experience might be asked to help with mock interviews in 2012/13.

Noting that a whole College photograph had been introduced in 2011/12, it was agreed that Ray Hutton should organise a photo session for Corporation members in W2 before the September 2012 Corporation meeting, to allow Corporation members' photographs to be displayed in College and increase awareness of Corporation membership.

Action: RH/Clerk

The Principal thanked Corporation for their unstinting commitment and support during his first year in post and stated that he had enjoyed the opportunity to work with so many outstanding colleagues and students.

Corporation received the Principal's report on 2011/12, noting changes initiated during year with a view to ensuring the College's continuing success.

Item 107.7 Committee reports, presentations & recommendations

(a) Audit Committee

(i) Recommendation on financial and regularity auditors' audit strategy, agreement of fees and letter of engagement

Philip Wright, Vice-Chair of the Audit Committee, presented the Committee's recommendation on the financial and regularity auditors' audit strategy, agreement of fees and letter of engagement.

Members noted that:

- The May 2012 meeting of Corporation had approved, on the recommendation of the Audit Committee, the re-appointment of Baker Tilly as financial statements and regularity auditors for the audit for the financial year ending 31.7.12, subject to agreement of their fees.
- The Audit Committee considered Baker Tilly's audit strategy, including proposed fees, at its June 2012 meeting.
- Fees had increased to £11,500 from £11,250 for the audit for the financial year ended 31.7.11.
- As noted in the audit strategy, it was proposed that the tri-partite engagement letter between the College, the Young People's Learning Agency (YPLA) and Baker Tilly signed in June 2011 would remain in force until replaced by a letter including the YPLA's successor, the Education Funding Agency (EFA).

Corporation agreed, on the recommendation of the Audit Committee:

- ***Baker Tilly's audit strategy for the financial year ended 31.7.12 including the proposed fees of £11, 500 and that***
- ***When issued, the signing of the tri-partite letter of engagement between the College, the Education Funding Agency (EFA) and Baker Tilly, should be undertaken by the Chair of the Audit Committee on behalf of Corporation.***

Action: Clerk/ Chair of Audit Committee

(ii) Recommendation on College risk management plan and report on development of disaster & business continuity planning procedures

Philip Wright presented the Audit Committee's recommendation on the College's risk management plan and report on the development of the College's disaster and business continuity planning procedures.

Members noted in discussion that:

- The Audit Committee considered the College's risk management plan and disaster procedure annually at its June meeting.
- The College's risk priorities and controls documents had been updated in May 2012 and had been considered at the Audit Committee's June 2012 meeting.
- The following 4 risks were graded as "High" in the Risk Priorities document: new funding formula; student numbers; Ofsted inspection; increased service costs. Mitigating actions were shown in the Risk Controls document.
- The Audit Committee had noted at its June 2012 meeting that the report arising from the internal auditors' annual review of risk management had recorded a grade of substantial assurance. While no recommendations had been, the auditors had suggested that the

College might find it helpful to re-visit elements of its risk management framework periodically and the Finance Manager, who was the College's risk champion, was therefore planning to compare risk management processes with other NorVic colleges.

- The Committee had noted that the Director of Resources was continuing the development of the College's disaster recovery and business continuity plans (DRP and BCP) which had begun in autumn 2010, had been in contact with other colleges and had been due to attend a 'Disaster Recovery Scenario' session at Franklin Sixth Form College.
- While the Director of Resources had exchanged documents with Franklin College, the 'Disaster Recovery Scenario' session had been postponed. The College was planning to hold its own session to test its own DRP and BCP procedures once further developed.

Corporation approved, on the recommendation of the Audit Committee, the College's risk management plan (i.e. the risk priorities and controls documents) and noted progress in relation to the development of the College's disaster recovery and business continuity plans.

(b) F&GP Committee

(i) Student numbers and funding report

Mike Noddings, as Vice-Chair of the F&GP Committee, asked the Finance Manager to present the June 2012 student numbers and funding report which had been considered by the June 2012 F&GP Committee meeting.

Members noted that:

- The College had 1,293 16-18 year olds against a funded target of 1,223 and was likely to be close to its funded allocation for students aged 19+.
- Level 3 retention for students aged 16-18, the College's core business, was, 92.2%. This showed an improvement on June 2010 (90.8%) and was close to the figure for June 2008 (92.6%).

Corporation considered the student numbers and funding report for June 2012, noting that. Level 3 retention for students aged 16-18 and was close to the figure for June 2008, which was the College's best year for retention to date.

(ii) Student application report

Mike Noddings reported that the F&GP Committee had considered a student application report for 22.6.12 at its June 2012 meeting and it was agreed that Corporation's discussion of the report should be kept in a confidential minute.

Action: Clerk

(iii) Recommendation on tuition fees for 2012/13

Mike Noddings presented the proposed schedule of fees for 2012/13, which had been considered at the F&GP Committee's June 2012 meeting.

Members noted in discussion that:

- Fees only applied to learners who were not fully funded by the Education Funding Learning Agency (EFA) or the Skills Funding Agency (SFA).
- The Art Foundation course was being introduced for the first time in 2012/13, with fees set at the level which would be received from the SFA.
- The proposed full-time overseas fee rate for AS/A2/GCSE was £4,000.

Corporation approved tuition fees for 2012/13, on the recommendation of the F&GP Committee.

(iv) Borrowing update, including update on fixing of £0.5 million of loan at 2.975%
Mike Noddings asked the Finance Manager to speak to the borrowing update report.

Members noted that:

- The Corporation has delegated to the F&GP Committee the regular monitoring of interest rates, with a view to a further portion of the loan taken out to fund the College re-development project being fixed when long-term interest rates were considered to be sufficiently low.
- £1.25 million of the loan had been fixed at a rate of 4.885% from January 2011, with the remaining £1.25 million on a variable interest rate.
- The June 2012 meeting of the F&GP Committee had noted that the rate of 2.760% recorded in the report from Lloyds TSB was a historically low rate, although higher than the current variable rate of 0.9%.
- The Finance Manager's verbal recommendation to the June 2012 meeting of the Committee was that, contrary to his written report, consideration should be given to fixing a further portion of the loan. It was agreed that a further £0.5 million of the loan should be fixed if the long-term interest rate available from Lloyds TSB remained below 3%.
- £0.5million was fixed on 29.6.12 at a long-term interest rate of 2.975%, which although higher than the rate in the Lloyds report considered at the June 2012 F&GP Committee meeting was within the parameters set.
- £750,000 of the loan remained at a variable rate of 0.9%.

Corporation received a report on the fixing of £0.5 million of the College's loan at 2.975% and agreed the F&GP Committee should continue to monitor interest rates, with a view to a further portion of the loan taken out to fund the College re-development project being fixed when long-term interest rates were considered to be sufficiently low.

Corporation agreed to delegate to the Chair of Corporation, the Vice-Chair of Corporation and the Finance Manager collectively the power to fix a further £250,000 of the loan before the September 2012 meeting of the F&GP Committee should interest rates fall significantly during this period.

Action: Chair/Vice-Chair/Finance Manager/Clerk

(v) Monthly Accounts, including review of financial performance indicators (PIs)

Mike Noddings asked the Finance Manager to speak to the management accounts, which had been considered at the F&GP Committee's June 2012 meeting.

Members noted that:

- The operating surplus for the first 10 months of the financial year was £229,000 against a budgeted surplus of £149,200
- A significant element in the above improvement was due to accelerated payments from the Young Peoples' Learning Agency (YPLA), which would be corrected by the year end.
- Pay expenditure for the year would include redundancy costs.
- The budgeted surplus for the year was £7,000 and it was anticipated that the final outturn would still be a small surplus.

In response to members' questions it was noted that:

- With reference to the cashflow from May 2012 to April 2013, the decline from October 2012 was due to the EFA payment profile.
- The Finance Manager was confident that the College had sufficient liquidity.

Corporation considered the management accounts for the 10 months to 31 May 2012, noting that it was anticipated that the final outturn for the year would be a small surplus.

(c) C&Q Committee

(i) Revised College Policy for the Improvement of Performance in Learning

Mike Noddings, as Chair of the C&Q Committee meeting, presented the College's revised *Policy for the Improvement of Performance in Learning*, which had been considered at the Committee's June 2012 meeting.

Members noted that:

- Under Article 3 of the Corporation's Articles of Government, the Corporation was responsible for approving the College's quality strategy.
- The C&Q Committee considered the College's quality strategy (i.e. the *Policy for the Improvement of Performance in Learning*) annually.
- The revised policy had been updated and amended to reflect management restructuring (e.g. removal of references to Division Heads) and an equality impact assessment had been carried out. The revision had been approved by the College scrutiny team.

Corporation approved, on the recommendation of the C&Q Committee, the revised Policy for the Improvement of Performance in Learning.

(ii) Ofsted: responses to the consultation A good education for all on proposals for inspection arrangements from September 2012

Mike Noddings reported that the above document had been considered at the C&Q Committee's June 2012 meeting, noting that Ofsted's new inspection regime would be implemented from September 2012.

Members noted that, under its revised inspection regime, Ofsted would:

- Reduce the notice period for inspections to 2 days.
- Undertake inspections based on a risk assessment of the institution.
- Only consider a provider to be outstanding for overall effectiveness, if they had outstanding teaching, learning and assessment.
- Introduce a new judgement of 'requires improvement', introducing earlier re-inspection of those institutions judged as 'requires improvement' and limiting the number of times a provider could be judged as 'requires improvement' for overall effectiveness.

Members noted in discussion that:

- It was possible that the College would be inspected in 2012/13.
- Staff had received some training on the new inspection regime.
- The College was considering giving departments "a notice to improve", where improvement was required, in line with Ofsted's new terminology.

Corporation considered changes to Ofsted's inspection regime which would be in force from September 2012 and agreed that a briefing session should be given at Corporation's September 2012 meeting.

Action: Clerk/IDT

(d) **Personnel Committee**

(i) **Single Equality Scheme action plan update**

Mary-Rose Hardy, as Chair of the Personnel Committee, presented the College's Single Equality Scheme (SES) action plan update, which had been considered at the Personnel Committee's May 2012 meeting.

Corporation received for information the updated Single Equality Scheme (SES) action plan, noting progress made, and that the plan now included the two overarching Equality Duty objectives/aims which had been formulated following consultation with staff and students and had been considered by Corporation at its May 2012 meeting.

(ii) **Staff equality and diversity reports: report on staff profile**

Corporation noted that presentation of the College's equality and diversity report on the staff profile, which was normally received at the Personnel Committee's summer term meeting, had been deferred to the Committee's November 2012 meeting to allow the inclusion of data collected from the College's new on-line equality form and would therefore be presented to Corporation in December 2012.

Action: Clerk

With reference to Personnel Committee matters generally, Mary-Rose Hardy reported that the May 2012 meeting had been the first meeting of the Committee since Corporation had agreed to delegate to it approval of personnel policies and procedures (other than policies/procedures relating to senior post-holders, safeguarding, equality and diversity).

107.8 Finance matters

(i) **Budget for 2012/13 & 3-year financial plan, financial health assessment, performance indicators (PIs) & objectives**

The Finance Manager presented the draft 2012/13 budget, 3-year year plan and financial performance indicators and objectives.

Members considered the assumptions underlying the budget in detail, noting that:

- After thorough discussion at SMT, an outline draft budget for 2012/13 financial year had been produced and considered by the F&GP Committee, together with draft financial objectives, which were being recommended to Corporation for approval.
- The 3-year plan had not been considered by the F&GP Committee and was being presented directly to Corporation by the Finance Manager for consideration on approval.

Members noted that:

- The 2012/13 budget had been challenging to prepare, with a forecast year-end deficit in the region of £14,000, although this compared favourably to the forecast deficit for 2012/13 of £90,000 in the 3-year plan approved by Corporation in July 2011.
- There had been significant cuts in programme funding which, despite a further increase in 16-18 year old student numbers, had led to an overall reduction in total income e.g. while growth in 16-18 student numbers in 2011/12 would result in increased funding from the EFA under the lagged funding system, this was offset by a reduction of £163,000 in the level of transitional protection.
- The College had limited opportunities to generate income from other sources.
- In the current funding context, it was therefore important that the College continued to grow.

Members noted in discussion of the assumptions underlying the budget that:

- In line with SFCF guidance and SFC voting patterns, no pay award had been included in the budget for 2012/13, with the exception of contractual incremental increases.
- A small pay award of 1% had been included in the forecast for 2013/14.
- Close control was being kept on staffing costs.
- There would be two redundancies at the end of 2011/12 although staff retiring at the end of 2011/12 would be replaced and some new teaching posts had been included in the 2012/13 budget to reflect areas in which there was increased student demand.
- With reference to non-pay expenditure, no inflationary increases had been included in the budget with the following exceptions: exams, marketing, careers, student support (including new bus routes), curriculum, general resources, long-term maintenance.
- The budget assumed that interest rate payments to fund the loan taken out to re-develop the College would increase during 2012/13.
- Student funding had been kept at the same level over the 3 years of the plan, reflecting the current uncertainty concerning future funding under the new funding formula.

In response to members' questions it was noted, with reference to the College deposit, that this could be waived in the case of financial disadvantage or for children in care and that, more generally, financial help was available in such cases through learner support funds.

Members discussed in detail the acceptability of the proposal to set a deficit budget of £14,000 in 2012/13, noting that:

- Recovery was shown within the period of the College's 3-year plan with small operating surpluses of £8,000 and £24,000 forecast for 2014 and 2015, respectively, on the basis of continuing growth in student numbers.
- In the context of the recovery shown, the proposed deficit was acceptable.

The need for further discussion of the 3-year plan at an additional meeting before 31.7.12 was considered and it was agreed that should members consider this desirable they should contact the Clerk by the end of the current week. Subject to this proposal, Corporation approved the budget for 2012/13, the 3-year plan and financial performance indicators and objectives for submission to the EFA.

Action: Clerk/SR

107.9 Governance issues II

(i) Eversheds: briefing on changes to the FE/SFC governance framework

The Clerk reported that:

- The May 2012 meeting of Corporation had noted that the Education Act 2011 had revised Schedule 4 and section 33L of the Further & Higher Education Act 1992 (FHEA), thereby transferring the responsibility for modifying or replacing the Instrument and Articles of Government from the Young Peoples' Learning Agency (YPLA) to individual sixth form college corporations and setting out the requirements with which all sixth form college corporation Instrument and Articles of Government must comply.
- Pending recommendations from its Search & Governance Committee, Corporation had agreed to retain its current Instrument & Articles of Government, as modified by a Modification Order issued by the YPLA to ensure sixth form colleges were able to comply with the above changes.
- The special meeting of the Search & Governance Committee scheduled for 25.6.12, had, however, been deferred to September 2012, as further guidance to the Sixth Form Colleges' Forum (SFCF) from Eversheds had not been received by the date of the proposed meeting.

Corporation noted that the Search & Governance Committee had deferred its meeting to consider the implications of legislative changes until September 2012, pending further advice to the SFCF from Eversheds.

A briefing from Eversheds on changes to the governance framework applying to FE and sixth form colleges, which had been received under the College's Governance Plus Subscription was received for information.

(ii) Eversheds: briefing on charity law

Corporation receives a briefing from Eversheds on sixth form colleges and charity law, noting that the Secretary of State for Education was the principal regulator for sixth form colleges.

(iii) DfE/EFA: changes to the audit regime for sixth form colleges

The Clerk reported that:

- As agreed at the May 2012 meeting of Corporation, following e-mail consultation with Audit Committee members, the Chair of the Audit Committee had responded to the Education Funding Agency's (EFA's) consultation on changes to the audit regime applying to sixth form colleges (SFCs).
- At the June 2012 Sixth Form College Forum (SFCF) conference, Lord Hill, the Parliamentary Under-Secretary of State for Schools at the Department for Education (DfE), had announced the removal of the requirements for SFCs to appoint a separate internal auditor and to submit an annual internal audit report and a completed annual Financial Management Contort Evaluation (FMCE) to the EFA from 1.8.12.
- The SFCF intended to work with the EFA to produce guidance on how SFCs could review their assurance arrangements to ensure that current high standards of probity and internal control were maintained in the sector.

Corporation received a report on changes to the sixth form college audit regime from 1.8.12

(iv) SFCF briefing on Governance Code & decision on its use by Corporation

The Clerk reported that:

- In response to a SFCF consultation, Corporation had agreed at its December 2011 meeting that it could not endorse the voluntary English Colleges' Foundation Code of Governance.
- The Clerk had informed the SFCF of Corporation's response.

Corporation noted that a majority of sixth form colleges responding to the Sixth Form Colleges' Forum (SFCF) consultation stated that they could not endorse the voluntary English Colleges' Foundation Code of Governance at the present time

(v) Monitoring of Corporation targets: Corporation attendance

It was noted that overall Corporation attendance was 90% year to date against an approved target of 75%.

(vi) Review of Corporation training & briefing schedule 2011/12

Clerk reported that the following briefings have been received during 2011/12:

- A safeguarding update (Sept. 2011)
- A briefing on the student visit to South Africa (Sept. 2011)
- A briefing on the College's marketing strategy (Feb. 2011)

- A tour of Kelvin Hall School new BSF-funded new building and briefing from the Head (May 2012).
- A briefing on sporting achievement (July 2012)

Corporation approved the following training/briefing schedule for 2012/13:

- **A briefing on communication with parents**
- **A briefing on the new funding formula**
- **A briefing on Ofsted's new inspection regime**
- **An event to be held before the September 2012 Corporation meeting to allow Corporation members to meet new staff.**

Action: Clerk

It was noted with reference to external events that:

- Phil Taylor, a member of Corporation, had attended the Learning and Skills Improvement Service (LSIS) Governance Conference in Manchester in March 2012.
- A training/networking event for Corporation members scheduled for June 2012 under the auspices of NorVlc, the sixth form college federation for the NE, Yorkshire and the Humber, would now take place on 6.10.12, 10.00-12.00 noon at York St John University. Members interested in attending should contact the Clerk.

107.10 Committee annual reports, minutes, meeting dates

(a) Annual Committee Reports

The Remuneration Committee report 2010-21012 was received.

(ii) Committee minutes:

Corporation received the following Committee minutes, reports and recommendations arising from the June 2012 C&Q and F&GP Committee meetings having been given at item 107.7 above:

- (i) Audit Committee minutes of 11 June 2012
- (ii) F&GP Committee minutes of 24.4.12
- (iii) Personnel Committee minutes of 28.5.12
- (iv) Search & Governance Committee minutes of 23.4.12

107.11 Any Other Business

(i) Tendering and framework agreements

Mike Noddings reported that:

- Following a recent unsuccessful tendering process for IT equipment, the Director of Network and Information Systems had suggested using a framework agreement to procure the equipment required.
- As there was no reference to using a framework agreement in the Financial Regulations, Mike Noddings, as Vice-Chair of Corporation, had agreed that the proposal should be presented to the July 2012 meeting of Corporation for consideration under Any Other Business.

Members discussed the proposal, noting:

- Use of a framework agreement might not always be the most economic solution.

- The Finance Manager had expressed a preference for the normal procedure to be used wherever possible.
- Use of framework agreement might, however, be the best solution where use of the normal tendering procedure had been unsuccessful and the College had a particular deadline to meet, as in the present case.

Corporation agreed that the section on tendering in the Financial Regulations should be amended to read: “The College will follow the tendering procedure outlined in these Regulations but, where the process is unsuccessful, consideration should be given to using a framework agreement”.

Action: SR/Clerk

(ii) Staff and students

Mike Noddings, as Vice-Chair of Corporation, thanked staff for their work during the year.

Corporation noted that the current meeting was Ben Lawson’s last meeting as a Student member of Corporation and thanked him, and in his absence Sam Lee, for their contribution to the work of the Corporation

107.12 Meeting dates for 2012/13

Corporation approved Committee meeting dates for 2012/13 and the following Corporation meeting dates:

- Thursday 27 September 2012
- Monday 10 December 2012
- Tuesday 19 February 2013
- Thursday 9 May 2013
- Tuesday 16 July 2013

107.13 Risk management: to consider risks associated with items on the agenda

It was noted that no new items of risk had been identified at the meeting.

107.15 Reserved Business agenda including Reserved Business minutes of 10.5.12 & Remuneration Committee minutes & recommendations arising from the meeting held on 15.5.12

Under Instrument of Government 14, where required by the other members present, staff members of Corporation, including the Principal, are required to withdraw from that part of any Corporation meeting at which staff matters relating solely to that member of the staff are to be considered, staff matters relating to any member of staff holding a post senior to that member’s are to be considered, and student members are required to withdraw from any part of a Corporation meeting at which staff matters relating to a current or prospective member of staff are to be discussed.

In line with Corporation’s practice, it was agreed that, with the exception of the Principal and the Clerk, students and staff should leave the meeting. The following left the meeting: Jim Darmody, Ray Hutty, Ben Lawson, Ian Taylor, Steve Rogers, Alan Woodcock.

Fiona Bagchi
Clerk to the Corporation