



## MACCLESFIELD COLLEGE CORPORATION

### MINUTES OF THE MEETING OF THE CORPORATION OF MACCLESFIELD COLLEGE HELD ON TUESDAY 29 MARCH 2011

#### PART I

<b>PRESENT :</b>	Mr I Standen	Chairman – Items 1/11 to 5/11 and items 7/11 to 17/11
	Mr M Barden	
	Dr D Cole	
	Cllr H Davenport	
	Mr M Garrity	
	Mr J Green	
	Ms R Griffiths	
	Mr D Harrison	
	Miss V Herbert	
	Mr G Lesser	
	Ms P Martin	
	Ms A Mollart	
	Ms A Thomson	
	Ms S Warburton	Part item 5/11 to 17/11
	Dr G Wilson	Items 1/11 to 6/11 and items 8/11 to 17/11 Chair, item 6/11
	Mr M Wright	
	Ms W Wright	Principal

<b>IN ATTENDANCE :</b>	Mrs P Connell	Clerk to the Corporation
	Mr S Andrews	Deputy Principal
	Mr J Fitzpatrick	Director of Finance and Estates – items 10/11 and 11/11 only

#### 1/11 APOLOGIES FOR ABSENCE

There were none.

#### 2/11 DECLARATION OF MEMBERS' INTEREST

Mr M Barden and Cllr H Davenport recorded their interests, as previously declared.

#### 3/11 MINUTES

The Part I minutes of the meeting held on 14 December 2010 were confirmed as a correct record.

**ACTION**

**4/11 MATTERS ARISING**

**65/10 Principal's Report.** The Principal advised that she had considered the most suitable mechanism for delivering the annual report on marketing to the Corporation. Members approved her proposal that, following the annual review of marketing which was conducted by the Senior Management Team, the report should be made available at the Corporation meeting in December each year, but not formally distributed with the Corporation papers.

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**66/10 College's Report and Financial Statements / Regularity Audit (Year Ended 31 July 2010).** It was noted that all recorded actions under this item had been completed.

**67/10 Finance and Estates Committee.** The amendment to the Annual Report of the Finance and Estates Committee to the Corporation requested under this item had been made.

**69/10 Up-Date on the Academy.** The Chairman advised that he had approved arrangements for the delegation of some of the Principal's responsibilities to the Deputy Principal, as requested by Members, to allow the Principal more time to focus on the Academy.

**72/10 Personnel and Remuneration Committee.** It was noted that no further briefings had been received. This subject would be discussed in more detail under agenda item thirteen.

**5/11 APPOINTMENT OF NEW STUDENT MEMBER OF THE CORPORATION**

**Members approved the appointment of Ms S Warburton as a Student Member of the Corporation, with immediate effect, and for a period concurrent with her term of office as Vice-President of the Students' Union.**

Ms Warburton was invited to join the meeting at this point and was welcomed by the Chairman, on behalf of all Members of the Corporation.

Mr I Standen left the meeting at this point. The Vice-Chairman assumed the Chair.

**6/11 APPOINTMENT OF CHAIRMAN**

Members considered the appointment of the Chairman for the forthcoming year. It was noted that Mr Standen was prepared to serve as Chairman for the next twelve months.

**Mr Standen was elected, unopposed, as Chairman of the Corporation, in accordance with the requirements of the Instrument and Articles of Government, for a further one year period ie until the regular scheduled meeting of the Corporation in the spring term of 2012.**

Members recorded their thanks to Mr Standen for the work he had undertaken as Chairman of the Corporation over the previous year. His

service to the Corporation and to the College during this period had been much appreciated.

Mr Standen reassumed the Chair and Dr G Wilson left the meeting at this point.

#### **7/11 APPOINTMENT OF VICE-CHAIRMAN OF THE CORPORATION**

Members considered the appointment of the Vice-Chairman of the Corporation for the forthcoming year. It was noted that Dr Wilson was prepared to serve as Vice-Chairman of the Corporation for the next twelve months.

**Dr Wilson was elected, unopposed, as Vice-Chairman of the Corporation, in accordance with the requirements of the Instrument and Articles of Government, for a further one year period ie until the regular scheduled meeting of the Corporation in the spring term of 2012.**

Members recorded their thanks to Dr Wilson for his work as Vice-Chairman over the previous year. The Chairman also expressed his gratitude for the support he had personally received from the Vice-Chairman during this period.

Dr Wilson re-joined the meeting at this point.

#### **8/11 CHAIRMAN'S REPORT**

**Members received an oral report from the Chairman of the Corporation concerning the activities which he had undertaken, in his capacity as Chairman, since the last meeting of the Corporation in December.** The Chairman reported on the following events:

- i **EIP Governors' Forum, 26 January 2011.** The Chairman advised that schools would no longer receive monies specifically for funding the EIP. Discussion had, therefore, taken place at the EIP meeting concerning future funding arrangements. A progress report on developments in relation to the Academy had also been received. Representatives of the schools had expressed concern over the demographic decline which was leading to falling roll numbers and the problems this created in terms of the viability of relatively small sixth forms.
- ii **Association of Colleges meeting of Chairs and Clerks, Warrington, 3 February 2011.** The Chairman reported that, since he was unable to be present at this meeting, the Clerk had attended on his behalf. She had produced a written summary of the discussion which had taken place regarding the proposed new College Code of Governance. Major concerns had been expressed concerning the 'comply or explain' format of the draft Code. It was feared that this would lead to increased bureaucracy and less autonomy for colleges without producing any added value for students. No reduction in the current regulatory framework had been suggested. There had also been general opposition to the proposed requirement for colleges to produce Public Value Statements. It was noted that the final version of the Code was expected to be published in May. This would be distributed with papers for the Corporation meeting to be held on 12 July 2011.
- iii **EIP Strategy Meeting, 2 March 2011.** Representatives at the meeting

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had considered the feedback from the schools concerning changes in funding, concluding that it would be beneficial for secondary schools to combine with their feeder primary schools to form mini EIPs. The Principal spoke on the potential operational difficulties which were likely to be encountered in this context because of the differing admissions criteria adopted by the various secondary schools in the area. Members of the Corporation expressed their concern over any weakening of the current EIP arrangements. They recognised the value to the education community of services commissioned by the EIP, such as counselling. They concurred with the Chairman's view that the EIP Governors' Forum provided an excellent forum for discussion, on a collaborative basis, with the Chairs of governors and Headteachers from local schools in the Macclesfield and Bollington area.

## 9/11 PRINCIPAL'S REPORT

**The Corporation received a written report from the Principal, which was contained within appendix A.**

The Principal's report included three annexes, which were as follows:

- i Macclesfield College Strategic Aims (revised as at March 2011) – annex 1
- ii the Up-dated Schedule of Performance Indicators – annex 2
- iii the Operating Statement up-dated as at March 2011 – annex 3.

The Principal spoke on her report, drawing Members' attention to key developments since the meeting of the Corporation on 14 December 2010. She advised that the publication of the Higher Education White Paper had been delayed and, consequently, universities would have to publish their fee levels for 2012/13 before the White Paper was finalised. Discussions were taking place within the HE Consortium to agree the fee level to be charged for that period. Following the Governors' Strategic Planning Conference earlier in the month, when the College's Vision and Mission Statements had been confirmed, the Senior Management Team had reviewed the College's Strategic Aims, as requested. **Members considered the proposed revised Strategic Aims, contained within annex 1 and approved them, subject to two amendments being made viz** the numerical referencing should be replaced by bullet points and the first bullet point on the existing document should be amended to read 'having the highest expectations of governors, managers, staff and students'.

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The Principal reported that she would prepare **a new three year Strategic Plan 2011-14** to bring forward to the July meeting of the Corporation for approval. Members noted that there was no longer any guidance in relation to the format of colleges' strategic plans, nor was there any requirement to submit such plans to the funding bodies. The Principal proposed to produce a slimmer document, focusing more on planning matters and less on a review of achievement against previously agreed plans and priorities, as had been required in the format prescribed by the LSC. **Members supported the Principal's proposal.**

Progress in relation to the Academy had been considered in depth at the Strategic Planning Conference. The Principal advised that, since that date, the new Head Teacher of the Academy had been selected. It was hoped that he would be able to obtain at least a partial release from his existing

responsibilities in the summer term. It was noted that the Project Management Company had commenced work and the first meeting of the Project Steering Group had been held on 14 March. The Principal gave details of the immediate priorities to ensure that preparations for the opening of the Academy remained on schedule. She advised that a shortened period of consultation on the Academy had been agreed with the Department for Education. This would involve a public meeting to report on progress towards the establishment of the Academy, at which the Head Teacher Designate would be introduced.

**Members considered the Principal's proposals concerning the future of the LZ6 Governance and Management Committees. They thanked Members of the Committees for the work they had undertaken since the opening of the Learning Zone and agreed that, subject to the successful conclusion of the public consultation period in terms of the establishment of the Academy, the LZ6 Governance Committee should be dissolved at the end of the current academic year.** Members noted that the LZ6 Management Committee would be dissolved at the same time. It was intended that the Principal and Deputy Principal should meet on a termly basis with the Head Teacher of Park Lane Special School to formally review any matters in relation to the School's students. All other matters in relation to LZ6 would be reported through the other relevant Corporation Committees, and, in particular, through the Teaching and Learning Standards Committee. **Members approved the Principal's suggestion that the Search Committee should consider providing the Chair of Governors at Park Lane Special School with a seat on the College's Corporation, to fill the current vacancy. It was agreed that the Search Committee should bring forward a formal recommendation to the meeting of the governing body on 12 July 2011.**

**Members considered at length the up-dated Schedule of Performance Indicators, which was contained within annex 2.** The Principal advised that the indicators had needed to be revised for the current academic year, to reflect the new funding contracts with the YPLA and the SFA. This made comparisons with previous years' performance very difficult. The indicators naturally represented the position at one point in time, but the monthly funding reports, which were also sent to governors, projected the profiles to the end of the academic year, enabling effective monitoring of performance by Corporation Members. Members noted that the College was likely to fall short of the 16-18 learner number target agreed with the YPLA. However, there would be no financial claw-back within year. The position appeared to reflect a similar picture across the sector and every effort continued to be made to maximise enrolments, particularly by focusing on students who were NEET (ie not in education, employment or training). Recruitment of 16-18 year old apprentices was excellent and a business case for further funding was currently being prepared for submission to the SFA. This was expected to be successful because apprenticeships remained a high priority for the government. The Senior Management Team remained confident that the SFA Single Adult Contract would be met by the year end. The performance indicator reflected the position at the end of January but the position had improved even further by the end of February. Since colleges were now allowed to vire between different lines of the Single Adult Contract, some less successful recruitment of apprentices aged 19-24 would be more than adequately compensated by good recruitment of those in the 25+ category.

The position with regard to 16-18 applicants for the following year looked buoyant although, as ever, applications needed to be successfully converted into enrolments.

Student attendance remained just slightly below target at 89%. Retention was more variable, with some excellent performance at upper decile levels, but with some areas of poorer performance as well. Concern was expressed over the retention figure for level three, 16-18 year old students. The Principal reminded Members of the mechanism for reporting this indicator, which had been changed during the current academic year so that it now comprised data for the full two years of students' courses. There was a lengthy discussion of the strategies which had been put in place to effect improvements in this area. Members sought the view of the Student Members on this subject. Their contribution was very much appreciated. The apprenticeship success rate, which was a new indicator, was expected to exceed or reach target by the year end.

Members noted that the College was performing well against all of the financial indicators. Working time lost through sickness was slightly above target. This was mainly a result of long term sickness absence. Short term absence had improved.

**The Corporation considered the up-dated copy of the Operating Statement for 2010-11, which was attached at annex 3.** The Principal advised that most of the items in the Schedule were yet to reach their target dates. Three targets had already been achieved, two had been partially achieved by their target date and one had been superseded. The Principal gave a detailed explanation of the reasons for any delays in achieving targets and drew Members' attention to those items where the targets were not likely to be met. Members considered the likely impact, in future, of government policy upon HE tuition fee income. They noted that College staff undertaking teaching training enjoyed fee waivers. Grants which had been enjoyed previously were no longer available and this had had a detrimental impact upon income. However, some compensatory monies had recently been received from the Institute of Learning. **Overall, it was felt that good progress was being made in implementing the Operating Statement for the current academic year and achieving the majority of objectives within their agreed target dates.**

Members noted the significant efforts being made to develop new curriculum provision for 2011-12, to refresh the existing curriculum offer and to promote creative and efficient curriculum design. With regard to staffing matters, the restructuring of the IT Support Service had been completed and a new Technology and E-Learning Manager had been appointed. Restructuring of the MIS Unit had now commenced, with the objective of ensuring that high quality management information was available, as needed, for the College to respond most effectively in an increasingly challenging funding environment.

Members supported the recent initiatives to promote a healthy workforce. They also noted that the Senior Management Team was currently considering applications made by several members of staff for voluntary severance. Staff development continued to be a high priority and the Deputy Principal had been leading a number of sessions on a range of appropriate topics for the College Management Team.

The Principal's Report included a summary of the key elements contained within **Professor Wolf's Report on Vocational Education**. The Principal spoke on the most significant recommendations contained within the report, which had been published on 3 March 2011. She advised that the Secretary of State had not made a commitment to implement all twenty seven recommendations, but had accepted four immediately and had spoken warmly in praise of Professor Wolf's report. The Principal gave details of the report's findings in relation to:

- i the nature and content of the KS4 curriculum. It was noteworthy that Professor Wolf had concluded that FE colleges (or specialised institutions such as University Technical Colleges) were best placed to deliver vocational options since they had the qualified staff together with the necessary and expensive resources to deliver the high quality provision required.
- ii the nature and content of the post-16 curriculum
- iii Foundation Learning
- iv 16-18 Apprenticeships
- v collaboration
- vi funding and regulation.

A lengthy discussion ensued concerning the likely implications for the College and the sector, should the government decide to adopt the majority of Professor Wolf's recommendations. The Principal expressed her belief that there was much in the Wolf Report which colleges would welcome. However, some of the recommendations would be difficult to implement, in practice, in the current harsh economic climate.

**In conclusion, Members thanked the Principal for her report and, in particular, for the very informative summary which she had provided of the lengthy Wolf Report.**

## **10/11 FINANCE AND ESTATES COMMITTEE**

The Director of Finance and Estates joined the meeting at this point.

**The minutes of the meeting of the Finance and Estates Committee held on 16 March 2011 were received and approved.** Members considered the formal recommendations contained within those minutes. **They received the College Accounts for the Period Ended 28 February 2011, which were contained within appendix Bi**, noting that any significant matters raised in the accounts would be discussed under the following item.

**Members received and considered at length the Mid-Year Financial Forecast, together with the Mid-Year Up-Date 2010/11, which had been submitted to the SFA and was attached to the back of the Forecast. Both documents were contained within appendix Bii.**

The Chairman spoke on the key developments since the Report and Financial Statements had been approved by the Corporation on 14 December 2010 (Corporation minute 66/10 referred). He drew Members' attention to the positive outcome of the HEFCE appeal and the settlement of the Interserve claim, which had resulted in welcome exceptional credits. The

Director of Finance and Estates was pleased to report that performance against budget was strong and the forecasted out-turn for the year remained robust. Members noted that, although the position for the current year was very positive, the College faced an extremely challenging funding environment in 2011/12 and beyond. The Director of Finance and Estates gave a detailed account of the measures which had been adopted by the Senior Management Team to secure further efficiency savings and ensure that the effective deployment of resources in the current financial year placed the College in the strongest possible position to face the swingeing funding cuts which lay ahead. Members supported these strategies.

**In conclusion, Members approved the documents contained within appendix Bii, also agreeing that the Chairman, or in his absence the Vice-Chairman, be authorised to approve further restructuring costs, as appropriate, should the provision of £80k need to be exceeded.**

**The Corporation received and considered the proposed Tuition Fees Policy for 2011/12, which was contained within appendix Biii.**

The Director of Finance and Estates spoke on the Senior Management Team's proposals. It was suggested that the current tuition fee structure be maintained for 2011/12 with a rise of 4% in the hourly rate for SFA funded programmes, in line with the current rate of inflation (CPI). The policy had been framed to take into account market sensitivity and the changes to fee entitlement and criteria introduced by the new Government. Discussion ensued concerning the variable fees which the HE Consortium had decided to levy for the first time. **It was agreed that** the Principal should add a further statement to the policy to clarify the position in relation to the tuition fees to be charged on HE courses. **Subject to this proviso, Members approved the Tuition Fees Policy for 2011/12, as contained within appendix Biii.**

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**The Corporation received the written report from the Director of Finance and Estates concerning the Learning Zone. The report was contained within appendix Biv.** Members noted the progress which had been made since their last meeting in December. In particular, the Interserve claim had been settled to the College's satisfaction. All submitted Part I claims had been finalised by Bute Surveyors. There remained some residual risk, but significant further costs seemed unlikely.

**It was agreed that** further reports on this subject would no longer need to be made to the Corporation, unless there were any significant unforeseen developments. Members recorded their thanks to the Director of Finance and Estates for bringing the negotiations to a satisfactory conclusion.

## 11/11 AUDIT COMMITTEE

**The minutes of the meeting of the Audit Committee held on 4 March 2011 were received and approved.** The Chair of the Audit Committee spoke on the most significant points contained within those minutes. Members noted the results of the internal audits of Governance and Risk Management (January 2011) and Fixed Assets and General Ledger (January 2011). The assurance level given at the conclusion of both audits was 'sound' ie the highest category in the framework adopted by the internal auditors. It had been agreed that future papers prepared for the Corporation and its

Committees would be linked to the risk register, where appropriate, by highlighting any significant related strategic risks at the end of the documents.

The Chair of the Audit Committee drew Members' attention to the formal recommendations contained within the Audit Committee minutes. **Members approved the reduction of three allocated days within the Annual Internal Audit Plan for 2010/11, with a corresponding reduction in cost,** received the paper from the Director of Finance and Estates, which was contained within appendix Ci and noted the decision by the Senior Management Team for the internal auditors to conduct a review of timetabling, on a consultancy rather than an audit basis, at the current time.

The Director of Finance and Estates left the meeting at this point.

#### **12/11 TEACHING AND LEARNING STANDARDS COMMITTEE**

**The minutes of the meeting of the Teaching and Learning Standards Committee held on 11 March 2011 were received and approved.**

#### **13/11 PERSONNEL AND REMUNERATION COMMITTEE**

**The Part I minutes of the meeting of the Personnel and Remuneration Committee held on 9 February 2011, together with the minutes of the Health and Safety Committee meeting held on 19 January 2011, were received and approved.** Members noted the formal recommendations contained within those minutes. **They received a report from the HR Advisor concerning the Default Retirement Legislation** which was contained within appendix Ei, **and approved the recommendation therein that a compulsory retirement age should not be maintained for staff employed by the College ie an employer justified retirement age should not be adopted.**

**The Corporation received a written report from the HR Advisor, concerning the employment implications of the extra Bank Holidays on 29 April 2011 and 5 June 2012. Members approved the proposal contained within the report, which was attached as appendix Eii.**

#### **14/11 LZ6 GOVERNANCE COMMITTEE**

**The minutes of the meeting of the LZ6 Governance Committee held on 7 March 2011 were received and approved. Members noted the formal recommendation contained within those minutes and received and approved the Draft Business Plan for LZ6 for 2011/12, which was attached as appendix Fi.**

#### **15/11 CODE OF CONDUCT FOR CORPORATION MEMBERS**

**Members received a written report form the Clerk to the Corporation, together with a revised Code of Conduct for Corporation Members, based on the ninth edition of the Eversheds model.** The documents were contained within appendices G and Gi respectively. Members noted that the Code had been customised for use by the College to ensure that it was

correctly aligned with strategic documents already approved by the Corporation and, also, to reflect, as appropriate, revisions requested by Members when the previous Code was considered in 2008/09. **Members approved the revised Code, also agreeing that the Clerk should amend the document to incorporate the revised Strategic Aims approved under agenda item nine. Members resolved that the Clerk should also be authorised to amend the document, in future, as appropriate,** to reflect any revisions to the College's 'Aims and Values' (section three of the Code) which were periodically approved by the governing body. **It was further resolved that** the revised Code of Conduct plus its attached appendices should be included in the induction packs distributed to new Members of the Corporation.

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**16/11 STANDING ORDERS**

**Members received a written report from the Clerk to the Corporation, which was attached as appendix H. They approved the recommendations contained therein,** authorising the Clerk to make the proposed amendments to the Standing Orders of the Corporation and its Committees.

**17/11 DATE OF NEXT MEETING**

This would be held on Tuesday 12 July 2011, at 9.30 am.

Pamela J Connell  
Clerk to the Corporation  
March 2011

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