

PAPER FOR GOVERNORS
PAPER LMC/C/51/08

MINUTES OF THE CORPORATION MEETING
HELD ON MONDAY 13 JULY 2009 AT 5.30 PM
VENUE: ROOM D282 (ROEBURN SUITE)

Present: Brian Jefferson (*Chair*)
Frank Woodhams (*Vice Chair*)
Roy Bayfield
Pam Beswick
Ainsley Cheetham
Athene Heynes
Paul Ineson
Phil McGrath
Rachel Marsdin
Alison Page
Patricia Thomas
Vivien White
David Wood (*Principal*)

In attendance: Sheila Campbell (*Director of Offender Learning*)
Peter France (*Director of Finance and Information Services*)
Anne Purvis (*Deputy Principal, Curriculum and Standards*)
Stuart Rimmer (*Director of Quality Improvement and Marketing*)
Julie Wilkinson (*Director of Corporate Services and Clerk*)
Oona Cushen (*Minuting Secretary*)

It was agreed that Item 4 (OLASS Quarterly Report) should be taken first.

4. OLASS QUARTERLY REPORT

The Director of Offender Learning referred Governors to paper LMC/C/48/08 and specifically drew attention to the Executive Summary and highlighted the key points:

- The disappointing news that LMC has been unsuccessful in the OLASS tender.
- This will be the last quarterly report produced in the LSC format. The updated position is that the contract is being wrapped up neatly and on target.
- The re-role has taken place successfully at HMP Lancaster Farms. This was to transfer all Juveniles to HMP Hindley and all Young Adults from HMP Hindley to HMP Lancaster Farms, which would then become a Young Adults only institution. This involved much negotiation with HMP Hindley, along with changes to the curriculum offer but the move was completed successfully.
- One of the major issues this year was the delivery of hours. In April, 100.71% of profile hours had been delivered and the team are confident they will be on target by the end of contract. This is based on a 'flat profile', which does not take account of bank holidays, etc.

- This quarter, 838 Skills for Life qualifications have been achieved across the 6 prisons, which is currently 95% of overall target.
- The Impact Report provides the raw data for the regime as a whole, along with just the College data. The OLASS team is on target and will mostly succeed this year.
- Successful LSC capital bids enabled the purchase of furniture for the new ICT equipment across the 6 prisons and this will be a nice achievement to hand over to The Manchester College.
- There was a very successful inspection at HMP Garth, the second prison to be inspected this year (HMP Wymott being the first). Grade 2's were awarded across the board but staff were disappointed that they had not achieved any grade 1's. This was, however, still an excellent result. HMP Preston is due to be inspected the week commencing 10th August (under The Manchester College) and both HMP Wymott and HMP Garth staff will be sharing best practices with HMP Preston to help them achieve a good result.
- A series of employer lunches have taken place to highlight the positives of employing offenders. Securing employment for offenders is more difficult in an economic downturn and the College has been working with The Probation Service to highlight the benefits to employers.
- The ESF Work Out! Project is progressing well. However, the evidence required by the LSC is difficult to obtain and the College is in negotiations to adjust the criteria of evidence required to include self-certification. 15 offenders have been helped into employment but only 4 have employer's evidence.
- Senior tutors have been appointed at HMPs Wymott, Preston and Lancaster Farms, on a similar scheme to the senior tutors in College. These will take on responsibility as advanced practitioners and will lead on a range of initiatives, e.g. curriculum and quality.
- The key challenge now is to ensure the smooth transition of the OLASS contract to The Manchester College (Learning and Standards) and to Working Links (Information, Advice and Guidance) and support staff as much as possible.

In answer to questions:

- The contract with Lancaster and Morecambe College will end on 31st July 2009, as planned.
- The figures quoted in the Impact Report (76.4%) were as at April 2009 and they are now on target for the year end.
- It is unlikely there will be an annual report this year but a final quarterly report to the end of the contract will be produced for the College.
- The Principal confirmed the College had now received all the requested information from the LSC regarding the tender process and this matter had been concluded.

- The Principal also noted that this had been an outstanding year for the OLASS team and the College's regional reputation had increased through their work.

Governors noted this was a very good report and had been impressed with the delivery of the overall OLASS contract. Governors personally conveyed their thanks to Sheila Campbell and the OLASS team and the Chair, on behalf of the Corporation, conveyed his thanks to the Director of Offender Learning and the OLASS team for their excellent achievement throughout the term of the contract.

The Director of Offender Learning thanked the Corporation and the Senior Management Team for their support.

The Corporation received, noted and accepted the OLASS Quarterly Report, paper LMC/C/48/08.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Angela Bathgate, David Murdoch and Harsha Shukla. There had been no response from Danelle Marriott.

2. MINUTES OF THE CORPORATION MEETING HELD ON MONDAY 1 JUNE 2009

The minutes of the previous meeting held on Monday 1 June 2009, paper LMC/C/47/08, subject to minor typing errors, were agreed as a true and accurate record and duly signed by the Chair.

3. MATTERS ARISING

Numbering of Papers

It was confirmed that all papers should end in 08, as they refer to the calendar year in which the academic year started. Also, the draft minutes of Committee meetings should be the number following the last paper/report.

5. STRATEGIC DEVELOPMENT PLAN 2009/10

The Principal referred Governors to paper LMC/C/49/08 and highlighted the main points:

- There has already been an extensive consultation with college staff and Governors, which informed the draft plan presented to the Corporation at their last meeting in June.
- The draft plan, with amendments, was then put through another consultation process with staff. However, the main text remains the same with the addition of facts and figures at the end of the report.
 - Common Purpose – reflects where we are today.
 - Our Vision – has been amended to reflect the College's holistic approach to developing learners. The strap line "LMC will be a beacon of vocational excellence leading to higher education and employment" reflects the College's position within the community.

- Our Standards – has been amended following the staff consultation to reflect that continuous improvement is becoming embedded within our culture.
- Our Future – staff felt this presented an overly pessimistic view and, therefore, the text has been amended to reassure staff that the College is not anticipating any further major changes in the foreseeable future. This was to take into account staff's concerns over job security.

Staff also commented that they were unsure about facing the future with confidence, particularly with so many external factors affecting the College, e.g. the M6 Link Road, Machinery of Government changes, etc. The main statement has, therefore, been amended to reflect this as the College is confident in its skills, experience and resources to face the challenges that lie ahead and develop into a centre of vocational excellence.

- The 4 main strategic drivers remain the same as in the draft plan but the order will be amended to match the order on pages 10-12.
- A 'snapshot' of the College has been added in a simpler, graphic format.

In response to questions:

- There are some typing errors throughout the document, which will be corrected in the final version.
- Governors asked that the two income pie charts have the same colour coding for ease of comparison and that expenditure pie charts also be included.
- It was noted that not all the photographs link with the text and also do not contain a mix of ethnicity and adults. This will be reviewed for the final version.
- Governors queried whether the Vision reflected what had previously been agreed as it no longer made reference to communities and felt the 'sense' of the vision had changed. The College still delivered some educational courses and should not be seen just as a means to HE. The Principal confirmed that it should be self evident that the College is here to serve its surrounding communities but increased community links have been included within the targets. However, this could be amended to include a reference to the community.

6.10pm Roy Bayfield entered the meeting.

- The Principal explained that staff wanted to know how the College would define 'beacon of vocational excellence' and so this had been quantified as all areas being self assessed as grade 2 and above with whole college success rates in the top quartile of all colleges nationally. This is included in the College targets to be achieved by 2011/12.
- It was agreed to amend point 2 on page 13 to read 'Deliver a range of affordable options to improve the College buildings'. The reference to a 5-year phased accommodation plan will also be amended to remove the timescale.

- It was also agreed to amend point 1, bullet point 2 on page 13 to include a reference to the Travel Plan, as it is still the College's objective to increase other modes of transport. There are currently no plans to introduce car parking fees.

Action: Director of Finance and Information Services to include expenditure pie charts in the Plan and amend the colour coding to be consistent.

Principal to liaise with Marketing to change some of the photographs and to amend the text following Governors' suggestions.

The Corporation received, accepted and approved the Strategic Development Plan 2009/10, paper LMC/C/49/08, subject to the above amendments.

ITEMS FOR DECISION/APPROVAL

6. DRAFT MINUTES OF THE FINANCE AND RESOURCES COMMITTEE MEETING HELD ON 7 JULY 2009

The Chair of the Finance and Resources Committee, Frank Woodhams, reported on the meeting held on 7 July 2009, fully detailed and explained in the draft minutes, paper LMC/FR/51/08 and highlighted the main issues:

- Item 4 on page 2 of the minutes required a figure to be inserted.

Action: Director of Finance and Information Services to check and insert the correct figure in the draft minutes.

- **Management Accounts – April and May 2009**

The Finance and Resources Committee had accepted the April Management Accounts and concentrated on the Management Accounts for May. There were no surprises within the accounts, the cash reserves remain stable and the College is still expected to achieve its targeted surplus.

- **Draft Budget 2009/10**

This is a confidential item, for Corporation members only, under Section 43 of the Freedom of Information Act and is, therefore, minuted separately.

- **LSC Funding KPIs**

There was no new information provided on the LSC Funding KPIs and these were on target for the year.

- **Briefing Paper – Budget Planning 2009-10**

This is a confidential item, for Corporation members only, under Section 40 of the Freedom of Information Act and is, therefore, minuted separately.

The Corporation received, noted and accepted the Finance and Resources Committee draft minutes and papers.

7. DRAFT MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 8 JUNE 2009

The Chair of the Audit Committee, Pat Thomas, reported on the meeting held on 8 June 2009, fully detailed and explained in the draft minutes, paper LMC/A/56/08 and highlighted the main issues:

- The Project Development Policy has been expanded to include the methodology used for projects under £500k and this was now accepted by the auditors.
- **Internal Audit Reports**

Prison Contract

The 3 remaining prisons had been audited this year and substantial assurance had been provided, with only 3 'merits attention' recommendations. However, 2 of these recommendations had not been accepted by the College:

- Recommendation 3.1 (page 5) states that the management should ensure all partnership agreements are signed in a timely manner. Although the agreements had been signed, an incorrect date had been entered by the prison and was an error on their part.
- Recommendation 3.2 (page 5) recommends that HMP Garth administrators revert back to using the electronic system for recording IAG hours. The College accepts the electronic system is better but will continue to use a paper based system, following a specific request from the prison.

Student Records

Substantial assurance had been provided for the Student Records Audit with only 1 recommendation being made. This was in relation to paperwork completed by tutors and was accepted by the College. Further training will be provided to tutors in August 2009.

The auditors had sampled 30 student enrolments and 20 registers with no identifiable errors. This was a very satisfactory outcome for the College.

Follow Up

This report is a summary of the previous recommendations made and it was noted that only one recommendation is still to be completed. The auditors had commented that this was an excellent outcome for the College.

There was one outstanding query regarding the wording of a recommendation and this is being reviewed by the auditor who will confirm the outcome at the next Audit Committee meeting on 12th October 2009.

- **Internal Audit Needs Assessment, Strategic Plan and Annual Plan**

- Options 1 and 2

Under their current contract, Bentley Jennison are obliged to produce an annual plan and needs assessment for the following year. However, the Committee were unable to make a decision on the Internal Audit Needs Assessment, Strategic Plan and Annual Plan until the outcome of the Internal Audit tender was known.

- **Financial Statements Audit Annual Plan/Strategy**

This is the annual plan for the end of year financial statements, provided by Baker Tilley under their annual contract.

The Committee had discussed the plan and were happy to recommend this to the Corporation for approval.

- **Regularity Audit Self Assessment**

The Committee had discussed the Self Assessment in detail and confirmed that the College is not proposing to sell the land for the M6 Link Road (question 7, page 7) as this is being purchased through a Compulsory Purchase Order.

The Committee were happy to recommend this to the Corporation for approval.

- **Review of Agreed Action on Previous Audit Recommendations**

This report is the College version of the Internal Auditor's Follow-Up Report and concurred that only 1 recommendation remained outstanding.

- **Report on Risk Management**

The Committee had discussed the main risks to the College, mainly due to the loss of the OLASS contract and the construction of the M6 Link Road.

It was agreed to amend point 6.6 on the risk register to remove the objection to the proposed road and to make reference to maximise benefits to the College in respect of negotiations on the Compulsory Purchase Order.

Action: Director of Finance and Information Services to update Risk Register and delete reference to objection and add 'maximise benefits'.

The College had also agreed to liaise with Lancaster University regarding their use of UPS systems and a report will be provided at the next meeting of the Audit Committee on 12th October 2009.

Governors had also requested that the Director of Finance and Information Services provide a summary page of significant risks, which would be included at the start of all future risk registers.

- **Performance Review of Financial Statements and Regularity Auditors**

This is a confidential item, for Corporation members only, under Sections 40 and 43 of the Freedom of Information Act and is, therefore, minuted separately.

- **Appointment of Internal Auditors**

This is a confidential item, for Corporation members only, under Sections 40 and 43 of the Freedom of Information Act and is, therefore, minuted separately.

The Corporation received, noted and accepted the Audit Committee draft minutes and papers and approved the Financial Statements Audit Annual Plan/Strategy, paper LMC/A/50/08, and the Regularity Audit Self Assessment, paper LMC/A/51/08.

8. DRAFT MINUTES OF THE CURRICULUM AND STANDARDS COMMITTEE MEETING HELD ON 22 JUNE 2009

The Chair of the Curriculum and Standards Committee, Ainsley Cheetham, reported on the meeting held on 22 June 2009, fully detailed and explained in the draft minutes, paper LMC/CS/59/08 and highlighted the main issues:

- **Nursery Inspection Report**

Mary Tinsley, College Nursery Manager, had presented the Ofsted report to the Committee in which the College Nursery had been graded outstanding. This had been an uplifting report and the Committee heard how Mary had successfully managed the nursery and taken it forward.

Although the Nursery is not financially viable at the moment, it is moving in the right direction and the revised session arrangements and the increase in fees will improve the situation.

Governors requested that the College ensures that the nursery security/risk plans include contingency plans and satisfy any insurance requirements in respect of unauthorised access or escaped children. There are specific policies on who can collect children from the nursery and all visitors have to be let in by a member of staff. Social Services have already vetted the Nursery for compliance with regulations and Ofsted had found no weaknesses in the Nursery policies and procedures.

The Corporation suggested this could be reviewed at the next meeting of the College's Health and Safety Committee, the risk should be added to one of the main risk registers and a further report should be provided to the Corporation at a later date.

Action: Director of Corporate Services to liaise with the Health and Safety Committee to ensure an item in Nursery Security is on the agenda for the next meeting of the Health and Safety Committee and report back to the Corporation.

- **New Inspection Arrangements**

The Director of Quality Improvement and Marketing had provided a very good presentation to the Committee on the key aspects of the changes to the inspection arrangements. This would enhance Governors' knowledge and awareness of the new procedures and what is expected of Governors during an inspection.

It was noted that further training will be provided to Governors at their Self Assessment Training Session on 5th October 2009.

- **Monitoring College Performance including College KPIs**

These reports are regularly presented to both the Committee and Corporation and had been updated for the last meeting of the Committee. The Deputy Principal had provided an Executive Summary for Governors and the College had also applied colour coding to the Quality Improvement Plan for ease of reading.

Governors' attention was drawn to the following areas of concern:

- Recruitment of Work Based Learning
- Teaching is satisfactory but learning poor in some areas.
- Still work to do on Individual Learning Plans (ILPs).
- Still work to do on entry criteria.

● **Current Position on Staff Qualifications**

The College has focused on ensuring all teaching staff hold the relevant qualifications and are now confident there are processes in place, including staff interviews with the Director of Quality Improvement and Marketing and the Deputy Principal, Curriculum and Standards in the areas where there are difficulties.

Currently, there are only 8 staff who are not qualified or have enrolled for September courses to obtain their qualification.

● **Parents' Survey**

The results were reviewed by the Committee and these will be used to inform a 'Parents' Journey'/communication strategy.

● **Framework for Excellence**

This report provides an update on the College's position against national benchmarking. The College received the following grades:

- Outstanding in 2 area
- Good in 5 areas and
- Satisfactory in 2 areas

It is worth noting and reflecting that the Framework for Excellence grades for success rates was graded 'Good' using the same 2007/08 data that drove the Ofsted achievement and standards grade judged as satisfactory.

● **Briefing Paper – Curriculum Planning 2009/10**

This is a confidential item, for Corporation members only, under Section 22 of the Freedom of Information Act and is, therefore, minuted separately.

The Corporation received, noted and accepted the Curriculum and Standards Committee minutes and papers.

9. **DRAFT MINUTES OF THE SEARCH AND GOVERNANCE COMMITTEE MEETING HELD ON 9 JUNE 2009**

This is a confidential item, for Corporation members only, under Section 40 of the Freedom of Information Act and is, therefore, minuted separately

10. **DRAFT MINUTES OF THE CAPITAL PROJECT COMMITTEE MEETING HELD ON 6 JULY 2009**

This is a confidential item for Corporation members only, until the Capital Project is approved or otherwise by the Corporation and is, therefore, minuted separately.

11. ANNUAL REPORT ON SAFEGUARDING

The Director of Corporate Services referred Governors to paper LMC/C/50.08 and highlighted the key areas:

- This report is presented annually to the Corporation to demonstrate how the College complies with guidance from the DCSF and LCSB (Lancashire Children's Safeguarding Board), which enables the Corporation to monitor the College's compliance and to ensure the Corporation's responsibilities are carried out.
- A Governors Self Evaluation Tool has been completed to give Governors assurance that the College is complying.
- The regulations relate to students who are children, that is people under 18 years old, and vulnerable adults. Lancashire County Council (LCC) recently updated their policies, which meant the College has also updated all its relevant policies. However, LCC have still not made specific reference for Colleges that have school age children; the College currently has some students as young as 14 years old.
- There was only 1 allegation (in respect of child protection) made this year as opposed to 8 last year.
- The Director of Development (Learners and Curriculum) will take over as the nominated lead person when the Director of Corporate Services retires from post.

In response to questions:

- Governors questioned what effect the new vetting and barring system will have on the College. This states that with effect from October 2009, all appropriate people have to be registered with the ISA (Independent Safeguarding Authority). This will be phased in over 5 years. It will be illegal for the College to employ (and accept as volunteers) anyone who is not registered with the ISA.

The Director of Corporate Services confirmed there will be 2 levels of activities: regulated activity for teaching (and similar posts) staff and controlled activity mainly for support/administration/caretaking staff. The onus will be on the member of staff to ensure they are registered with ISA.

- Vivien White is the nominated Governor for Child Protection and has received updates from the Director of Corporate Services and will attend appropriate training, as and when necessary.
- Under Appendix 4, any reference to the Deputy Student Services Manager will be amended to read the Student Services Manager.
- On a number of occasions, College policies are referred to and Governors requested access to various relevant policies as they are currently unable to access the College intranet site. These will be placed in the College Governors area, where Governors can access these through a password operated system from home. New passwords will be sent out in September to all Governors by email.

- With effect from September 2009, Helen Deacon, Director of Development (Learners and Curriculum) will be the Senior Designated Person for Safeguarding and Child Protection and will present the annual report next year.

Action: Clerk to the Corporation to email instructions and new passwords to Governors in September.

The Corporation received, noted and accepted the Annual Report on Safeguarding, paper LMC/C/50/08.

12. DRAFT MINUTES OF THE REMUNERATION COMMITTEE MEETING HELD ON 22 JUNE 2009

This is a confidential item for Corporation members only, under Section 40 of the Freedom of Information Act and is, therefore, minuted separately.

13. ANY OTHER BUSINESS

College Events

The College Self Assessment Dates and the College Calendar will be circulated to Governors.

Action: Clerk to the Corporation to email the College Events Calendar and the Self Assessment Dates to Governors.

End of Year Round Up

The Principal provided a brief round up of the achievements of the College in what has been a 'pivotal' year:

- A 'satisfactory' Ofsted inspection.
- Disappointing news regarding the loss of the OLASS contract but the College can be proud of the excellent provision it has provided.
- Financial health remains 'outstanding'.

Overall, the College has had a good year and this can be used a platform to improve upon for next year.

Director of Corporate Services

The Corporation thanked Julie Wilkinson for her services as Director of Corporate Services and wished her well in her new ventures. Governors were extremely pleased Julie would remain as part time Clerk to the Corporation.

14. DATE OF NEXT MEETING

Monday 28th September 2009 at 5.30pm

The Committee agrees that these minutes are an accurate record of the meeting.

SIGNED

NAME Brian Jefferson MBE (Chair)

DATE