

# Minutes of the meeting of the Corporation of Birmingham Metropolitan College of Further and Higher Education held in the Boardroom at James Watt campus on Thursday 16 December 2010 at 8.30 am

### Present:

Mr V Randeniya (Chair of Corporation

and Governance and Search

Committee) (Chair)

Ms J Williams (Deputy Chair of

Corporation and Chair of Strategy,

Finance and Business Development

Committee) (Deputy Chair)

Mr J Allen (JA)

Ms G Kaur Bains (GB)

Mr S Brittan (SB)

Mr A Burley (Chair of Riverside and

Estates Committee) (AB)

Ms K Canty (KC)

Ms S Davis (SD)

M/s V Docherty (VD)

Mr G Evans (GE)

Ms M Hunt (from item 3) (MH)

Mr R Mack (RM)

Mr A Madden (AM)

Ms C Mayne (CM)

Ms S Nixon (SN)

Mr L Nolan (LN)

Prof I Oakes (Chair of Academic

Standards and Quality

Development Committee) (IO)

Mr S Pearce (Chair of Audit

Committee) (SP)

Mr C Stone (CS)

Ms L Teboul (LT)

Dr C Braddock (Principal)

## In attendance:

Mr C Hill Executive Director IT & Estates) (CH)

Dr R Minett (Executive Director) (RM)

Mr B Pattni (Executive Director Finance & Resources) (BP)

Mr J Smith (Director – Systems & Policy Development) (JS)

Mrs C Bennett (Clerk to the Corporation)(Clerk)

Mr P Miner (Director of Human Resources) (Item 11 only) (PM)

### Apologies for Absence

No apologies for absence were received. SP and AB informed the Chair that they needed to leave at 9.15am and 10am respectively. The Chair agreed to cover those items that SP and AB were involved in earlier in the meeting to accommodate this.

## **Declarations of Interest**

The Chair informed the Corporation that, having had prior discussions with the Clerk, there was a potential conflict of interest in relation to item 11 in respect of all staff including the Principal. Therefore for item 11 all staff (except for the Clerk and PM) would leave the room.

# Item 1 - Minutes of the Corporation meeting held on 14th July 2010

The minutes of the meeting held on 14 July 2009 were accepted as a true and accurate record.

By way of an update, the Principal added that in relation to item 7 of the minutes of the meeting held on 14 July 2009, the work with other colleges in the West Midlands was ongoing.

## **Matters Arising**

The Chair informed the Corporation that for those who had not yet been on a tour of the James Watt campus, there would be an opportunity at the end of the meeting.

# Item 2 – Appointment of new Staff Governor

2.1 This was a verbal item presented by the Clerk. The Clerk informed the Corporation that a vacancy had arisen on the Corporation in relation to a Business Support Staff Member and Marina Hunt had been nominated. The Clerk recommended that the Corporation appoint MH to the Corporation.

### Resolved:

The Corporation appointed Marina Hunt to the Corporation.

2.2 MH joined the meeting as new staff member (Business Support).

## Item 3 – Self Assessment Report (SAR)

- 3.1 RM presented this item. He informed the Corporation that the College SAR had now been finalised and led the Corporation through its key strengths and areas for improvement.
- 3.2 RM led the Corporation through the self-assessment Executive Summary and more specifically grades by sector subject area. The Corporation noted that in three specific areas there was a downward trend in terms of grades. Members challenged management to explain why this had occurred and what was being done to address the issue.
- 3.3 RM stated that it was quite common upon a merger for there to be a dip in grades and on the whole, sector subject areas were bucking the trend except for these three specific areas. RM added that the College did not solely think

- this was down to the merger and were looking specifically at the three subject areas, understanding exactly what the issues were and monitoring improvement.
- 3.4 The Principal added that the issues with these three specific areas related more to structural issues (retention) rather than poor performance issues and these were being addressed.
- 3.5 GB asked whether there was any material out there whereby the Corporation could see how other colleges perform. RM stated that Ofsted reports are publicly available but not SARs.
- 3.6 Overall, the Corporation agreed that the SAR was a very comprehensive and impressive report.

The Corporation endorsed and approved the SAR and the judgments and grades therein.

## Item 10 - Reports from Sub-Committees - 10.3 - Audit Committee

10.3.1 The Chair agreed to take item 10 next given that SP (who is Chair of the Audit Committee) needed to leave the meeting early.

# (i) Draft Minutes of the Meeting held on Tuesday 30 November 2010

- 10.3.2 SP led the Corporation through the draft minutes in detail, highlighting the main areas to note for the Corporation in particular the proposal that risk and fraud be standing items on the agenda of the Audit Committee, the Audit Committee's terms of reference are under review both by the Committee and the Governance Task and Finish Group.
- 10.3.3 SP also led the Corporation through the main points to note in relation to the internal and external audit reports. SP added that there was a little more detail to be added to the draft minutes and he would liaise with the Clerk in relation to this.
- 10.3.4 SP informed the Corporation that the Audit Committee met with the internal and external auditors prior to the meeting on 30 November and confirmed to the Corporation that there were no major issues for concern.
- SP asked the Corporation if anyone had any questions. GE added that, as a member of the Audit Committee, he agreed that risk needed to be a standing item at Audit Committee meetings which the Chair of the Corporation agreed with.
- 10.3.6 SP suggested that the Risk Register be looked at as one of the breakfast briefing sessions in the New Year. This was agreed.

The Audit Committee recommended that the Corporation and approve and the Chair of the Corporation to sign the Letters of Representation and the Management Letter.

## Action:

- Clerk to add Risk as a topic for the breakfast briefings in the New Year.
- SP and Clerk to discuss and amend where necessary the draft minutes of Audit Committee for 30 November 2010.

## (ii) Audit Committee Annual Report to the Corporation

- 10.3.9 SP referred the Corporation to the Chair of the Audit Committee's Annual Report enclosed in the pack. He stated that he assumed the Corporation had read the report but gave a brief overview of what was set out in the report including membership, number of meetings terms of reference (including their review by the Audit Committee and task and finish group), risk management and the fact that the risk register is under development, the internal audit report, which was challenged fairly robustly and still had an excellent outcome, the proposal that fraud be a standing item on the agenda.
- 10.3.10 GB asked for how long are the internal and external auditors appointed? SP confirmed it was for a three year period. SP added that the auditors also review and assess their own performance and stated that the Audit Committee reviewed this report and were satisfied with the outcome.
- 10.3.11 SP added that the annual report made reference to the fact that there was still some outstanding work to complete in relation to the internal and external audit report however BP had this in hand. On this basis, SP confirmed he would be happy to recommend and sign the Audit Committee Annual Report.
- 10.3.12 The Chair thanked SP for a very detailed and helpful explanation. The Principal added that she was delighted with the outcome of the internal and external audit report.
- 10.3.13 The Chair added that the reports are excellent, but it is important to keep reviewing the auditors' KPI's to ensure that the benchmark is set high enough so that the College can continue to exceed them.

### Resolved:

The Corporation approved the Audit Committee Annual Report 2009/10.

# (iii) Letters of Representation and (iv) Financial Management and Control Evaluation Report (FMCE) 2009/10

- SP stated that the Letters of Representation had been scrutinised by the Audit Committee. He confirmed that there were no adjusted areas in the financial accounts and as Chair of the Audit Committee, he was comfortable with recommending that the Management Letter and the Letters of Representation be signed by the Corporation.
- 10.3.15 SP referred to the FMCE for 2009/10 that was covered at the meeting on 30 November and stated that the Audit Committee recommended it to the Corporation for approval.
- 10.3.16 The Chair requested that it be specifically noted in the minutes to pass on his thanks on behalf of the Corporation to all staff involved in the Audit process.

SP left the meeting at this point.

# Item 10 - Reports from Sub-Committees - 10.2 - Riverside and Estates Committee

- AB led the Corporation through the Riverside and Estates Committee minutes from the meeting that took place on 25 November 2010.
- AB reported to the Corporation that the Committee had been provided with an update of works at all campuses but especially James Watt campus. The Committee was presented with a number of options in relation to works going forward. AB informed the Corporation that management had provided a very comprehensive report on financial spend, avoidance of disruption to learners etc that the Committee had reviewed in detail and had sought clarification from management when required. Further, the Committee had looked closely at the options for works going forward which ranged from doing nothing to completing various phases of work.
- AB also reported that the Committee had been informed of some additional costs to those approved that had occurred over the summer and the reason for this was that it was more cost effective to carry out the work at that stage rather than at a later date. From the reports presented to the Committee, it was satisfied that this was the case. Management had reported to the Committee that whilst it was within the Principal's limit, it was right and proper to report to the Committee.
- 10.2.3 AB informed the Corporation that the Committee went on a tour of the James Watt campus to see the progress that had been made and the work going on was extremely impressive.
- 10.2.4 AB reported to the Corporation that the Committee would recommend to the Corporation the approval works undertaken over the summer

within the reported costs and additional costs and the approval of option 2 of the report in terms of work going forward.

The Principal added that for the benefit of the new members, if anyone wished to have any of the background information, or to review the decisions made up to this stage to contact CH or the Clerk to will be happy to provide it. Further, the College's Estate was to be one of the subjects of the breakfast briefing programme in the New Year.

### Resolved:

The Corporation approved the works undertaken across all campuses over the summer period within the reported costs and additional costs;

The Corporation approved Option 2 in relation to James Watt campus.

- AB informed the Corporation that the Committee were provided with a presentation on the College's property strategy and Riverside. AB stated that a lot of the discussion centred around the Riverside site. AB added that the Auditors had advised that the site be valued. However, the Committee had discussed the advantages and disadvantaged of valuing the site in the current climate and as part of the property strategy had agreed that it would get a market appraisal of the site but not a detailed valuation at this stage.
- 10.2.7 In addition, AB informed the Corporation that the Committee also looked at the College's development of the Samsung and Baxi academies.
- The Deputy Chair asked management to explain to the Corporation the timetable for considering the College's property strategy. The Principal confirmed that for the present works, the College is working towards the current property strategy but it will need to be looked at again following the outcome of the task and finish group work. More information will be available at the March Corporation Meeting.
- AB confirmed that the Committee agreed to recommend the current property strategy to Corporation for approval.

#### Resolved:

The Corporation approved the current property strategy.

10.2.10 Finally AB reported to the Corporation that the Governance task and finish group had been reviewing the Riverside and Estates Committee going forward and the Committee had had a detailed discussion about this and had agreed to report its own views to the task and finish group via AM. AB stated that the Committee had understood that this did not affect anything in the current academic year.

SD joined the meeting at 9.15am

## Item 4 - Preparation for Inspection

- 4.1 RM gave a presentation to the Corporation on the key areas of preparation for an Ofsted inspection looking specifically at what is required for the College to achieve outstanding or good, the Corporation's role and responsibilities in terms of leadership and management; next steps that the College is taking and training and preparation for governors.
- 4.2 RM made specific reference to the six week breakfast briefing programme being rolled out in the New Year, the first two sessions being on "Preparation for Inspection".
- 4.3 The Chair stated that it would be useful for the Corporation to be informed of any notifications as soon as possible. The Principal added that work for inspection is ongoing and does not only take place once notification has been received. She added that Ofsted will only want to see a selection of members and members will be fully trained beforehand. The Principal added that if anyone felt they had any specific training needs to let the Clerk know.
- 4.4 The Corporation were asked to approve the recommendations set out below.

### Resolved:

Corporation members will undertake briefings and information & training sessions as required;

Corporation have already been notified of their link governor areas but will be assigned to Directorates or Sector Subject Areas (SSAs) and cross college themes i.e. Safeguarding, Equality and Diversity;

Corporation members endorsed the Self Assessment Report (SAR).

## Item 5 - Verbal update on Safeguarding

- 5.1 RM and the Deputy Chair presented this item. The Deputy Chair confirmed that she was the nominated Safeguarding governor.
- 5.2 RM stated that he was delighted to report to the Corporation that 100% of full time staff are trained to Level 1 and the majority to Level 2. RM added that as the Audit Committee members will be aware, the College's internal auditors had carried out a Safeguarding audit as reported by SP.
- 5.3 JS added that the College has an eSafeguarding Policy which the Audit Committee reviewed at the meeting on 30 November 2010 which is part of the College's development on its model of digital citizenship.

- 5.4 The Deputy Chair added that the Safeguarding group meets regularly to tackle some of the College's issues in this area and she will be reporting to Corporation at each meeting with a more detailed report on an annual basis.
- 5.5 The Chair asked in terms of training, what is the norm? RM responded that every college is expected to train its staff but to get 100% is exceptional.
- 5.6 The Corporation agreed that this was an excellent outcome.

## Item 6 - Performance Management

- 6.1 RM presented this item. He informed the Corporation that the College had been working with external consultants to develop a single robust and consistent performance management framework unique to the College that aligns the actions of managers to the strategic aims of the College.
- 6.2 RM led the Corporation through the detail of the system, the two main themes being that it looks at both targets and management behaviour.
- 6.3 RM informed the Corporation that the new framework was going to be rolled out to managers in January 2011. A detailed discussion took place whereby members of the Corporation challenged RM on time cycle of the new framework and its alignment to the strategic plan, learner outcomes and financial targets as well as why it does not follow an academic year. RM explained the rationale behind the timing which the Corporation were satisfied with.
- 6.4 SN stated that it would be interesting to understand cultural change and not just hardnosed performance. VD also added that it is important to ensure consistency to which RM responded that a model process will be set up to ensure consistency.
- 6.5 The Principal added that there has always been an appraisal system in place but will bring together a joint process. The intention is that it will develop going forward and will also be rolled out to academic staff.
- 6.6 The Chair added that it is very important to ensure that the system is applied correctly as to understand culture, you may have the best system but if it is not applied correctly, you will not get the outcome you want. He also asked whether the system had been trialled to which the Principal responded that it has been written specifically for the College but could be rolled out to other colleges.

# Item 7 – Presentation on the development of the College's Strategic Plan 2011 - 13

7.1 JS presented this item. JS gave a presentation to the Corporation focussing on what came out of the Corporation residential in October 2010 and Pete Ashby's paper which emphasised the recurrent themes of being flexible and

having the freedom to change but also identifying the three key strategic areas that form the task and finish groups that the Corporation are now familiar with. JS also identified to the Corporation a number of key strategic areas of opportunity that the College may wish to consider going forward.

- 7.2 JS stated that the College already has an approved strategic plan in place for 2010-13 and this is what the inspectors would want to see. The Principal added that we are still following the existing plan but it does need updating as it did not include Harborne Academy.
- 7.3 The Deputy Chair stated that it would be really useful to have a breakfast briefing on the main aspects of the College's current strategic plan. The Clerk noted this for the programme. GE added that it is very helpful from an inspection point of view to have a clear record of the development and setting of direction of the College that the Corporation is behind.

#### Resolved:

The Corporation approved the ongoing work in relation to the College's strategic plan.

## Item 8 - Update on Task and Finish Groups

- 8.1 JS presented this item and provided the Corporation with an update on the work of the three task and finish groups and how it fits with the work being carried out on the College's strategic plan as discussed in item 7. JS confirmed that a report will be brought to the Corporation in March 2011 setting out the conclusions of the task and finish groups.
- 8.2 CS stated that this is very significant and may warrant an additional special meeting. The Principal added that this could be arranged although it is worth noting that March committee work tends to be lighter and therefore the focus of the March meeting could be on this.

## Item 9 - Management Accounts ending 30 November 2010

9.1 BP presented this item. He confirmed that they now incorporate Harborne Academy. The Deputy Chair confirmed that these projections had been scrutinised at the last Strategy, Finance and Business Development Committee meeting and today they were for note and approval.

### Resolved:

The Corporation approved the Management Accounts ending 30 November 2010.

# Item 10 – Reports from Sub-Committees – 10.1 – Governance and Search Committee

10.1.1 The Chair of the Corporation (as Chair of the Governance and Search Committee) presented this item.

The Chair led the Corporation through the minutes of the meeting of the Governance and Search Committee that took place on 11 November 2011 stating that the Committee received reports on staff and student governors, governor's CPD and the importance of capturing all governor activity with the college beyond Corporation and Committee meetings. In addition, the Committee received information on the application to BIS for an increase in number of independent members to the Corporation which had been agreed. The current link governor scheme was under review and the Corporation would be updated in the New Year. It was also noted by the Committee that the Chair and the Principal had been asked to give a joint presentation at the LSIS Annual Governance Conference in March 2011.

# Item 10 - Reports from Sub-Committees - 10.3 - Audit Committee

## (iii) Letters of Representation

- 10.3.17 BP presented this item. He referred back to SP's comments earlier in the meeting that the letters of representation had been scrutinised by the Audit Committee. BP added this is was the first for Birmingham Metropolitan College. He then led the Corporation through the main points of the letter.
- 10.3.18 BP made specific reference to the Auditor's recommendation that the Riverside site be valued and the outcome of the Riverside and Estates meeting being that there be an appraisal of the site at this stage rather than a formal valuation.

#### Resolved:

The Corporation approved the Letters of Representation and (iv) the FMCE 2009/10.

## Item 10 – Reports from Sub-Committees – 10.3 – Audit Committee

## (iv) Financial Management and Control Evaluation Report 2009/10

- 10.3.18 BP presented this to the Committee. Again he referred back to SP's comments earlier in the meeting that this had been covered at the Audit Committee meeting on 30 November 2010. BP informed the Committee that, as stated in the papers, the full FMCE return for 2009/10 was available on the governance section of Sharepoint for the members to view.
- 10.3.19 BP stated that the evaluation related to how the College grades itself. For 2008/09, it graded itself as outstanding. This is then reviewed by the internal and external auditors and ultimately by the SFA.

The Corporation approved the FMCE Report for 2009/10.

Item 10 - Reports from Sub-Committees - 10.4 - Strategy, Finance and Business Development

- (i) Minutes of the Strategy, Finance and Business Development Committee Meeting 2 December 2010
- The Deputy Chair in her capacity as Chair of the Strategy, Finance and Business Development Committee presented this item. She led the Corporation through the items discussed at the Strategy, Finance and Business Development Committee meeting on 2 December 2010.
- The Deputy Chair stated that a report was presented to the Committee on Key Performance Indicators and Outcomes for 2009/10, which the Committee reviewed in detail. It was reported that the Committee had a detailed discussion about attendance and that after management answered the Committee's questions, it was satisfied that management were addressing this area. The Deputy Chair stated that it was reported to the Committee that in the main, all KPIs had been met for 2009/10.
- 10.4.3 The Committee had been provided with an extremely comprehensive update on the College's recent meeting with the SFA in relation to the Comprehensive Spending Review (CSR) and how this impacts on the College.
- The Committee reviewed the Management Accounts up to 31 October 2010. The Committee were satisfied with the accounts although in terms of format, the Committee had commented that more narrative would be useful in terms of understanding the accounts. The Deputy Chair commented that the Management Accounts up to 30 November 2010 had already been covered at this Corporation meeting.
- 10.4.5 The Committee was presented with revised financial forecasts for the period 2010/11 2012/13 which although had been reviewed by the Committee in June 2010 and Corporation in July 2010, they had now been revised to include Harborne Academy, further developments following meetings with funding bodies and the College adopting a more prudent approach following the CSR.
- 10.4.6 The Deputy Chair reported to the Corporation on the Confidential Item covered in the Committee Meeting.
- 10.4.7 The Deputy Chair reported to the Corporation that this Confidential Item will be dealt with as a separate item in the Corporation meeting.

- The Committee was presented with a strategic and financial update on Harborne Academy, the main points being that the launch was a real success, the Academy has not received funding for a new build (although a visit from the PFS had taken place to see whether any funding would be received) and the outcome was expected by the end of the calendar year.
- 10.4.9 The Deputy Chair informed the Corporation that the Financial Statements had been provided to the Committee without the Members' Report although was available at today's Corporation meeting and BP would cover this separately.
- 10.4.10 The Committee was presented with a report on Partnership Arrangements with the College by BP. The Committee had a number of questions for BP which he answered and as a result the Committee were satisfied with the report and agreed to recommend the proposed partners for 2010/11 and the budget proposed for them.

The Corporation approved the proposed partners for 2010/11 and the budget proposed for them.

10.4.11 BP presented the amended Treasury Management Policy and Financial Regulations to the Committee and identified to the Committee the organisational, economic and legal changes that had been made. The Deputy Chair said that that the Committee agreed to recommend these two policies to the Corporation for approval but this will be dealt with as a separate item.

## (ii) Financial Statements for the Year Ending 31 July 2010

- BP presented this item and reported to the Corporation that the Strategy, Finance and Business Development Committee had scrutinised the Financial Statements at the meeting on 2 December 2010. However, at that time the College was still awaiting some information from its auditors and therefore the Member's Report was not available although it is now.
- BP reported to the Corporation that the College was in a very healthy financial position and then led the Committee in detail through the Financial Statements, highlighting the key areas and clarifying any queries that arose. BP specifically highlighted the work of the independent internal and external auditors in relation to this.
- 10.4.14 The Chair commented on the excellent work that had been carried out.

The Corporation approved the Financial Statements for the Year Ending 31 July 2010.

# Item 10 - Reports from Sub-Committees - 10.5 - Minutes of the Academic Standards and Quality Development Committee Meeting - 6 December 2011

- 10.5.1 IO (as Chair of the Academic Standards and Quality Development Committee Meeting, led this item and reported to Corporation that given the tight timescale of the date of the Committee meeting to the date for sending out Corporation packs, the draft minutes had not yet been finalised.
- 10.5.2 IO reported to the Committee the items discussed on the agenda. IO informed the Corporation that the final version of the SAR was discussed in detail (as referred to in item 3 of today's meeting) and the Committee challenged management on key areas of the SAR. IO also confirmed to the Corporation that in terms of the QIP (Quality Improvement Plan), the Committee challenged management in relation to ensuring targets are set successfully in order to ensure a continuation of improvement and that the Committee was satisfied with management's response to this.
- 10.5.3

  IO also reported to the Corporation that the Committee had been provided with an excellent update of awards and achievements for the College including winning a Beacon Award for Lifelong Learning and being highly commended in three other categories. The Principal added that the College was the only institution to be nominated more than once and that some of the staff and students involved in the Beacon Award for Lifelong Learning would be coming along at the end of the Corporation meeting to be formally congratulated by the Corporation.
- 10.5.4 IO reported to the Corporation that the Committee was provided with an update on quality improvements, confirming that the majority of targets set were successfully met and improvements have not yet been fully realised until data is fully merged. An overview was also given to the Committee on the QIP for 2010/1 including specific targets and lead people.
- 10.5.5. IO informed the Corporation that the Committee were provided with a detailed report for its information on the Framework for Excellence.
- 10.5.6 Finally IO reported to the Corporation that the Committee had been presented with the College's Annual Monitoring Report for Higher Education and that the Committee had reviewed this in great detail as a result of which the Committee agreed to recommendations set out below to Corporation for approval.

The Corporation endorsed the HE Annual Monitoring Process and the submission of this report to the quality assurance regulators where appropriate;

The Corporation to receive the HE Annual Monitoring Report and support the associated actions identified within each category.

### Item 11- Confidential Item

All staff returned to the meeting at this point.

#### Item 12 - Policies and Procedures

- (a) Governance Policies and Procedures
- (i) Freedom of Speech Policy
- (ii) Freedom of Information Act Policy
- (iii) Code of Conduct for Corporation Members
- 12.1.1 The Clerk presented this item and confirmed that it was for note only and that the above policies and procedures had been reviewed by the policies and procedures panel as well as by the Governance and Search Committee.

### Resolved:

The Corporation approved (i) the Freedom of Speech Policy; (ii) Freedom of Information Policy and (iii) the Code of Conduct for Corporation Members.

- (b) Finance Policies and Procedures
- (i) Treasury Management Policy
- (ii) Financial Regulations
- 12.1.2 BP presented this item again confirming it was for note only and that the policies had been reviewed by the policies and procedures panel as well as the Strategy, Finance and Business Development Committee.

### Resolved:

The Corporation approved (i) the Treasury Management Policy and (ii) the Financial Regulations.

## **Any Other Business**

IO mentioned that we may want to have a look at the Academic Standards and Quality Development Committee meeting date again in April 2011 to align with what will need to be reviewed. The Clerk confirmed she would look at this.

The Principal stated that there has been a massive development on an exciting project and hopes to be in a position to be able to provide more detail before the end of the calendar year.

The Principal went on to say that on Friday 17 December 2010, end of year celebrations were taking place at all campuses and all members were very welcome.

The Chair added that it has been a very exciting and invigorating time – the best time to be a leader. The Chair also congratulated the Principal on being appointed High Sheriff of West Midlands in 2014.

Finally the Chair wished all those present a Happy Christmas.

Signed (Chair) ...

Date 24th March 2011