

# BRADFORD COLLEGE

Corporation  
13 Dec 2007  
Agenda Item 5

## CORPORATION

### MINUTES OF THE MEETING HELD ON 11 OCTOBER 2007

**Meeting convened: 1600 hours**

**Meeting ended: 1840 hours**

**PRESENT:**

Mr Kevin McGuinness (Chair)	Mr Gordon Senior
Mr Andrew Chang	Dr Ramindar Singh
Mrs Eunice Durkin	Councillor Dale Smith
Councillor Ian Greenwood	Mr Bob Sowman
Mr Alan Jerome	Mrs Michele Sutton
Mr Karl Oxford	Mr Richard Wightman
Ms Jenny Pupius	

**TOGETHER WITH:** Mr Mike Harwood, Mrs Kath Oldale, Mr Andy Welsh,  
Mr John Buckley (Clerk), Ms Jillian Mercer (Minuting Clerk)

#### 1. **Election of Chair and Vice-Chair**

The Clerk informed members that he was producing a set of Standing Orders for the Corporation, containing a recommendation that the period of office for Chair and Vice-Chair be 2 years (instead of one) as this was the norm in the sector. During discussion, it was noted that succession planning had been a consideration in the proposal to appoint Richard Wightman as Vice-Chair.

**RESOLVED** that:

- Kevin McGuinness be elected Chair
- Richard Wightman be elected Vice-Chair

The Chair opened the meeting by welcoming new members: Alan Jerome and Jenny Pupius; and thanked Gordon Senior for his support as Vice-Chair. Members introduced themselves to the new members.

#### 2. **Disclosures of Interest**

Dale Smith declared an interest in terms of Burley Grange (Minute 10 refers).

#### 3. **Apologies**

Nazia Ahmed, Ray Cooper, Rawaz Khan, Sabiya Khan, Chris Martin, Jane Vincent, Doug Stott; for lateness from Ian Greenwood; for leaving early from Alan Jerome.

#### 4. **Membership**

The Clerk reported that:

- 4.1. the term of office of new members - Jenny Pupius, co-opted member, and Alan Jerome, business member, would be from 11 Oct 2007 to 10 Oct 2011;

- 4.2. an election for a second student member of Corporation would be held via the College intranet;
- 4.3. the resignation of Ian Critchley, specialist adviser to Audit Committee, was noted. In answer to a question, it was confirmed that there was no need to appoint a replacement, as there were now sufficiently experienced current members. The Chair **AGREED** to write to thank Mr Critchley for his service.

**ACTION: Chair**

## 5. **Review of Standing Orders**

The Clerk reported that the Corporation was required to have a set of Standing Orders. These were being constructed and would be presented to the Search Committee and to the next meeting of Corporation.

*(Minutes 4 and 5 were also referred to in Search Committee minutes, 27 September 2007)*

## 6. **Minutes**

**RESOLVED** that the minutes of the meeting held on 5 July 2007; and the separate confidential minute 14.7 of the meeting (minuted separately in accordance with Instrument 15.4 and circulated as a restricted mailing) be agreed and signed as a correct record.

## 7. **Matters Arising**

The Clerk presented the action report. Attention was drawn to:

Minute 4, **Capital Appeal Strategy**, the Principal confirmed that she had received advice from the LSC that sponsorship and donations would not lead to any reduction in funding. In terms of the appeal strategy, approval was given to take on a manager at a cost of approximately £45k. The Executive, however, had agreed to ask 3 members of College staff: Hashim Hashim, Shelagh Ward and Ronnie Todd, to work with the external organisation to deliver the strategy, which would be at a lower cost. In reply to a question, it was **AGREED** to give adequate notice to members as to when the strategy would be launched and to circulate a copy of the letter from the LSC to members, for information.

**ACTION: Principal**

Minute 11, **Carter & Carter**, the Principal reported that since the last Corporation meeting, Carter & Carter had experienced serious financial difficulties. Whilst the proposal had been a good opportunity, it was determined that now was not the time to progress the relationship and, therefore, representatives from North Hertfordshire College had not been invited to attend a meeting with members.

Minute 17.2 **Equality and Diversity Committee**, the Principal reported that a letter had been sent and response received regarding dual heritage numbers (in response to a matter raised at the Equality and Diversity Committee). It was **AGREED** to send a copy of the letter to Karl Oxford.

**ACTION: Principal**

## 8. **Report on Chair's Action**

The Chair reported that he had signed a building contract in connection with the new site and had signed loan facilities for financing it. The loan was at a fixed rate

of 5.52% for a period of 22 years from completion of the site. It was **AGREED** to ask the Executive Director of Finance to circulate details of the loan.

**ACTION: DS**

## 9. **Principal's Report**

The Principal presented her report, which had been circulated, drawing attention to the following items:

**HE Graduation Ceremony** – to take place on 7 November 2007.

**Festival of Achievement** – the date had been moved from 14 November to 4 December. It was **AGREED** to send out a note confirming the new arrangements.

**ACTION: Principal**

**City Academy** – Wyke Academy: the Local Authority had requested permission to rebuild the school on the playing fields and a response was awaited. The College remained a potential sponsor and had received information from Department for Children, Schools and Families (DCSF) that it would not be required to contribute £2m sponsorship. The College had also been asked to work as a partner with Dixon's Academy, at the proposed Rhodesway Academy.

**Annual Monitoring Visit** – since issuing the report, the Principal had received the written report of the visit (Minute 18 refers). Positive feedback and comments were read out and it was noted that the judgements had been amended to 4 (not 3) significant progress and 3 (not 4) reasonable progress. A full inspection was anticipated in Spring 2008.

**Changes at the Association of Colleges** – a letter had been received from the Chair of the Board stating that they were not appointing a Chief Executive of AoC at present, although an interim Chief Executive, Sue Dutton, was now in place. In reply to a question, the Principal stated that the AoC review had been completed and a report on how they would implement changes was awaited.

**Train to Gain** – in reply to a query on the reason for low success rates, the Principal explained that the figures were based on starts and achievements and most of the learners had started late and had not yet completed their programme.

**Hamid Patel** – members sent to Hamid their thanks and best wishes for the future.

**RESOLVED** to receive the report.

## 10. **Accommodation Strategy**

Andy Welsh, Executive Director – Corporate Services, presented the report which was also referred to at Minute 20.2 Estates Sub-Group and 20.3 P&R minutes. Attention was drawn to:

**Phase 1 - Sports, Construction and Engineering at McMillan Halls** - good progress was being made. The contract was one week behind schedule but extra time had not been requested. Most of the risks had been minimised. A potential risk existed with Yorkshire Electricity (YEDL) as there had been problems across Leeds and Bradford generally. Members would be updated if a problem emerged.

**City Centre Campus** – work was being undertaken on a potential decamp strategy to allow the College to move out of Randall Well and Westbrook at the same time, which would bring time and cost benefits. A risk profile was attached for information at approximately £60m. The College was trying to negotiate the best financial settlement on the Alexandra Car Park, with Donaldson's negotiating on behalf of the College. A report would be made to the next meeting. In terms of LSC funding, feedback indicated that they are time limited as a body, but have capital funding available for the next 3 years. It was important that the College secured funding from the LSC as soon as possible, in a single phase funding application. The deadline for application was February 2008, which would allow work to begin on site later in the academic year.

**Appointment of Design Team** – Andy informed members that the Estates Sub Group had undertaken a very thorough process and were happy to recommend the appointment of Bond Bryan. Andy informed members of the proposals put forward by the applicants, noting that a major reason for recommending Bond Bryan was their FE sector experience with over 50 major projects in FE colleges, two of which have been held up as the benchmark for the FE sector by the LSC. Bond Bryan had a good track record and members were happy with the concept design. In reply to questions, it was noted that Bond Bryan came up with several concepts; members had visited one of Bond Bryan's projects at York; and Bond Bryan have regular meetings with the LSC to discuss projects.

### **Confidential item - Disposal Strategy**

#### **RESOLVED** to:

- i. approve the appointment of Bond Bryan as Design Team for the city centre project;
- ii. that the report be received.

### **11. Recruitment against LSC, Train to Gain and HEFCE Targets**

Kath Oldale, Executive Director – Performance Management, presented the report on current student numbers and the outturn for 2006/07. Attention was drawn to:

**FE – Under 19s** - the difference between the contract and the actual figures in the report had now reduced as the College continued to recruit students. The target would be difficult to achieve and recruitment and drop out were being closely monitored. However, if the pattern continued, it was anticipated that the College would have difficulty in achieving the full contract.

**19 and over** - the College had to turn away adult learners as there was not sufficient funding to meet the demand. A target had been set by the LSC for type A Train to Gain at 8% of the existing adult budget.

In reply to a question regarding the adult learners who had been turned away, Kath reported much lobbying had taken place as well as discussions with the LSC and letters had been sent to MPs. The Principal added that she had raised the issue with the local strategic partnership and employment and skills board and people in the city were aware of the problem, although it appeared that colleges in London boroughs had retained all of their ESOL budgets.

**HE** – the College was currently short of the HEFCE contract but recruitment was still taking place. Overseas learner numbers were down compared to last year. The Principal reported that the curriculum and markets would be reviewed, following changes which were being made to the staffing of the team. There had been a specific problem recruiting Chinese students, because the Chinese government does not recognise the college's degrees. A suggestion was made to write to former students to see if they could influence the government. TDA numbers were slightly above contract.

**Train to Gain** – this was slow to start as had been the case last year, but it was still early days.

**2006/07 outturn** – it was reported that the College fell short by £300k on the LSC contract, but it was not subject to clawback. The HEFCE file had been reconciled to within 0.5% of the original submission, which was good news. The Train to Gain contract was fully met.

**RESOLVED**: to receive the report.

## 12. **HE Development Plan Update**

Mike Harwood, Executive Director, Teaching, Learning & Curriculum, presented a report, drawing attention to:

Examination Boards – these had gone well and a more detailed report was given at minute 16.

HE examinations – these had gone very well.

External examiners' reports – these reported very high academic standards and improvements on levels of literacy, in addition to commenting on examples of exemplary practice and the rigour of lecturers.

TDAP (taught degree awarding powers) – the work plan was noted. Professor Simon Roodhouse had been invited to act as critical friend and a summary was given of his overall conclusions of the College over several years. Two QAA reviewers would be engaged to conduct two mock QAA events. It was **AGREED** to circulate their names and titles.

**ACTION: MH**

Strategy – work was underway to prepare a strategy for HE for 2008/2011.

Research – a database of research undertaken by staff was being compiled.

Norman Borrett – Mike reported that Norman Borrett had passed away in July and would be sadly missed as a key contributor to research at the college.

Scholarly activity – a policy had been written and was approved by Academic Board.

English competence for overseas students – the Academic Board had approved a policy for entry to HE courses based on the IELTS system (International English Language Testing System).

HE distinctiveness – a focus group involving Corporation members would be held on 16 November.

Committee structure – the internal committee structure was being realigned with the Corporation committee structure.

HE conventions – these were being planned and details would be sent to members.

Discussion took place on two critical reports by external examiners during 2005/06. It was hoped that discussions with the examiners would be concluded soon. In reply to a question on how the HE strategy would be influenced by non economic factors, Mike stated that the strategy would state where the College wished to be in 5 or 10 years and this would be discussed at the focus groups. The Principal added that the University of Bradford was commissioning work around the economic and social fabric of the city of Bradford to ensure it reflected the work of both institutions.

**RESOLVED** to receive the report.

### **13. Development of a City Academy**

This was dealt with in the Principal's report at Minute 9 above.

*At this point, Members **AGREED** to take Agenda Item 14, Code of Practice on Public Interest Disclosure, later in the agenda (Minute 19 refers).*

### **14. Internal Audit Strategy and Annual Plan 2007/08**

In the absence of Doug Stott, the report was presented by the Clerk. Attention was drawn to the document produced by Internal Auditors, KPMG, following discussions with members and management. The report coverage was derived from discussion on the College's 3 year strategic plan and identified key risks, together with the detail of the planned audit activity over the next 3 years, which was critically linked with the College's Strategic Plan.

Discussion took place. In reply to a query, Andrew Chang, Chair of the Audit Committee, reported that he had been into college to review the ordering and payments process and had reported his comments to the Committee.

**RESOLVED** to approve the Internal Audit Strategy and Annual Plan 2007/08

### **15. Pay Award**

Andy Welsh, Executive Director – Corporate Services, presented the report informing members of the Association of Colleges' national pay award recommendation for a 2% pay rise with effect from 1 August 2007 and a further 1% with effect from 1 February 2008. Management recommended that the first part of the pay award be implemented and that members return to the second part when the national situation has been resolved.

Discussion took place and questions were raised. It was noted that most of the unions had accepted the pay award recommendation, apart from UCU, which had rejected the offer and was moving to ballot for industrial action. It was noted that most colleges had agreed to implement the first part of the recommendation.

## **RESOLVED**

- i. to implement the first part of the AoC national pay award recommendation for a 2% pay rise with effect from 1 August 2007;
- ii. to return to the second part of the pay award recommendation, once the national situation has been resolved.

**ACTION: AW**

### **16. Report on HE Examinations Boards**

Kath Oldale, Executive Director – Performance Management, presented the report, which had been considered in depth by the Standards Committee (Minute 20.5 refers).

Kath took members through the detail of the report, highlighting that there was no criticism of the standard of students' work, but that issues had arisen regarding the administrative support of HE examinations boards in summer 2006. Problems arose mainly due to the failure of the software provider to supply an HE system as promised and the challenge of working with two sets of complex university regulations for the first time.

As a result, a task group was formed, chaired by Barry Miller, which worked throughout the year to improve all the exam board systems. Improvements included the introduction of the Leeds Met (Leeds Metropolitan University) 15 credit point system, new examinations software, improved collaboration and good quality staff development sessions.

A report was undertaken on the operation of the exam boards during summer 2007, which reported significant improvement. Staff from Leeds Met were in attendance at all committees and boards. Management would continue to monitor and make practical improvements to its processes and systems.

Discussion took place on the report. Both Leeds Met and University of Bradford had reported improvements this year. Ramindar Singh, Chair of Standards Committee, added that the Committee, following a detailed review of the report at its October meeting, had requested the submission of a detailed action plan on outstanding issues to its next meeting and would monitor the progress on the action plan at the February meeting of Standards Committee and beyond.

**RESOLVED** to receive the report.

### **17. Machinery of Government**

The Principal presented the report, outlining changes which would have a major impact on the College. The College would now effectively report to 2 ministers of state in 2 departments:

- i. **Department of Children, Schools and Families (DCSF) - Secretary of State - Ed Balls**

DCSF will be responsible for education, children and youth issues and will take on pre-19 education policy responsibilities from the Department for Education and Skills. Funding for 16-19 education (except for modern

apprenticeships) will, in future, go to schools and colleges via the local education authority budget.

**ii. Department of Innovation, Universities and Skills (DIUS) - Secretary of State - John Denham (ministers include Bill Rammell)**

DIUS will be responsible for driving forward delivery of the government's long-term vision to make Britain one of the best places in the world for science, research and innovation and to deliver the ambition of a world-class skills base. The new department will assume responsibility for ensuring the UK has the skilled workforce it needs to compete in the global economy and the implementation of the Leitch review. It includes being responsible for 19+ learning in colleges and private providers (as well as apprenticeship training) and higher education.

The Principal took members through the detail of the report, which was complex.

Issues were outlined regarding new arrangements for 14-19 provision in the local area at same time that the LSC was bringing in new funding methodology with a common platform for funding, based on success factors. The LSC responsibility for funding will pass to local authorities in 2008/09, prior to implementation in 2010/11, which will require legislation to be passed. Members expressed their concern at the complexity of the changes and the potential effect on institutions such as the College and local secondary schools. It was recommended that a debate should take place involving the Confederation to discuss the strategy for education, regeneration and cohesion in Bradford. The debate should also include the University of Bradford.

Attention was drawn to a series of recommendations, including the continued reduction of the core budget for adults through the LSC funding mechanisms. Members were asked to help the College in influencing the way decisions are made through national bodies such as the AoC and NIACE and to lobby as and when appropriate.

**RESOLVED** to receive the report.

**18. Ofsted Annual Monitoring Visit 25/09/2007**

Kath Oldale, Executive Director – Performance Management, presented the feedback provided by HMI Fred Brown and HMI Sue Bain on the College monitoring visit on 25 September 2007, which would be published on Ofsted's website.

The College was judged in 7 areas. 4 areas received 'significant progress' judgements (which is the highest judgement) and 3 areas received 'reasonable progress' judgements (which was the second highest out of 4 categories). The Inspection had also noted the significant work carried out by the College in attracting and retaining higher numbers of the NEETs (Not in Education, Employment or Training) groups and in the well managed approach to the reduction in community programmes. The Chair asked that congratulations be passed on to all staff involved in the process.

**RESOLVED** to receive the report.

***Confidential - restricted circulation***

**19. Report on item raised under Code of Practice on Public Interest Disclosure (Whistleblowing Policy)**

**RESOLVED**

- i. to ask the Clerk to draft a response to the former member of staff, in consultation with the Chair and Vice-Chair of Corporation and Chair of Audit Committee;
- ii. to receive the report.

**ACTION: JB, KM, GS, AC**

**20. Committee Reports**

20.1. **Academies Sub Group**, 3 July 2007

20.2. **Estates Sub-Group**, 14 June and 20 September 2007

**RESOLVED:**

- i. to approve the Terms of Reference, Constitution and Membership (as appended to the minutes);
- ii. to approve the Annual Calendar of Business 2007/08 (as appended to the minutes).

20.3. **Policy and Resources Committee**, 27 September 2007

**RESOLVED** to approve the election of Gordon Senior as Chair and Richard Wightman as Vice-Chair.

20.4. **Search Committee**, 3 July and 27 September 2007

Kevin McGuinness, Chair, presented the minutes of the meeting held on 3 July and a synopsis of the meeting held on 27 September. The minutes of 27 September were deferred to the next meeting.

**ACTION: Agenda**

**RESOLVED:**

- i. to approve the election of Kevin McGuinness as Chair and Gordon Senior as Vice-Chair.
- ii. to approve the Terms of Reference, Constitution and Membership (as appended to the minutes);
- iii. to approve the Annual Calendar of Business 2007/08 (as appended to the minutes);
- iv. that the constitution of the Corporation should remain at 3 Local Authority members and, at an appropriate date in the future, one representative be requested from each party;

- v. that Rawaz Khan be reappointed to a second term of office as a community member of Corporation from 5 November 2007 to 4 November 2011;
- vi. that Jenny Pupius and Kevin McGuinness be nominated as non-Executive members; and Doug Stott and Kath Oldale be nominated as Executive members of the Board for the UK Resource Centre for Women in Science, Engineering and Technology.

20.5. **Standards Committee**, 28 September 2007

**RESOLVED:**

- i. to note that an action plan regarding HE examinations boards should be prepared and in place for the current year and brought to the next Standards Committee meeting in November, with a further progress report on the Action Plan to the meeting in February 2008;
- ii. to note that the Self Assessment Report 2005/06 was received.

**RESOLVED** that the reports be received.

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*\*Asterisked items were presented as matters of report. Members wishing to debate an item were asked to contact the Clerk prior to the meeting.*

**21. \*Finance Report and Management Accounts**

Members received the management accounts for period 12 to 31 July 2007. Members noted a healthy profit of approximately £666k prior to a loss on the disposal of McMillan Halls of Residence and an impairment charge on the Randall Well building.

**RESOLVED** that the report be received.

**22. \*Risk Management**

There was no report.

**23. \*Joint Committees and Management Committees**

23.1. **Academic Board**, 21 September 2007

23.2. **Health and Safety Committee**, 26 June 2007

The minutes of the meeting of 26 June were presented.

The Fire Report, which had been circulated to Corporation members, was noted as confusing. The Chair had since met with Brian Kendrick and Andy Welsh and had requested a more helpful and meaningful report.

The Principal was reviewing the constitution of the Health & Safety Committee, in consultation with Andy Welsh and Brian Kendrick.

Criminal Records Bureau (CRB) checks for Corporation members were being considered. The Chair and Gordon Senior had agreed to undertake the process and would then report back.

**ACTION: KM/GS**

**RESOLVED** that the reports be received.

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#### **24. Date of Next Meeting**

Thursday 13 December 2007 at 1600 hrs in the Board Room

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#### Abbreviations:

AoC Association of Colleges

C&C Carter & Carter Plc

CRB Criminal Records Bureau

DfES Department for Education and Skills

DCSF Department for Children, Schools and Families

DIUS Department for Innovation, Universities and Skills

EPC Employment Policy Committee

ESG Estates Sub Group

FE Further Education

HE Higher Education

HEFCE Higher Education Funding Council for England

IELTS International English Language Testing System

Leeds Met Leeds Metropolitan University

LSC Learning and Skills Council

NEETs Not in Education, Employment or Training

P&R Policy and Resources Committee

QAA Quality Assurance Agency for Higher Education

TDA Training and Development Agency

UoB University of Bradford

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