



**BURY COLLEGE
FURTHER EDUCATION CORPORATION
MINUTES OF THE MEETING HELD ON
TUESDAY, 6 JULY 2010**

Meeting Commenced: 6.10 p.m.
Meeting Closed: 8.36 p.m.

PRESENT:

Mr P Nicol	Business Member - Chair
Mr L Ali	Independent Member
Ms S K Arnall	Co-opted Member
Mr P Bury	Independent Member
Mrs L Chatburn	Principal
Mr L Davies	Staff Member (Academic)
Mr P Johnson	Independent Member
Mr G P Little	Business Member
Prof P Marsh	Co-opted Member
Mr D McCann	Independent Member
Mrs K Thomas-Wilson	Independent Member
Mr C Trees	BASH Nominee
Mrs L Wildeman	Staff Member (Business Support)

IN ATTENDANCE:

Mr J Fargher	Clerk to the Corporation
Mr A R Patience	Deputy Principal
Mr K Platts	Executive Director of Resources & Accommodation Projects
Mr P J Sharples	Executive Director of Financial Services
Mrs M A Baker	Minute Secretary

APOLOGIES for absence were received from:

Mrs A Coates	Independent Member
Miss F Fawad	Student Member
Cllr I Gartside	Independent Member
Miss B Kukadia	Student Member

Draft Minutes prepared: 11 July 2010

Draft Minutes approved by the Chair on:

Minutes approved by the Corporation:

Chair

Date

Pre-Meeting Briefing - Safeguarding

The Executive Director of HR & Organisational Development and the Executive Director of Learning & Quality presented a report, which set out the background to the latest position on Safeguarding and the College's approach to implementing current legislative and regulatory requirements.

Particular attention was drawn to the progress made against the 2009/10 Safeguarding Action Plan, which covered all aspects of College provision, and the priorities for development in 2010/11.

It was agreed that update reports on Safeguarding should be presented to the Corporation twice yearly.

Mr Little and Professor Marsh joined the meeting during the briefing session.

Clerk to include in annual cycle of business.

09/10.44. DECLARATIONS OF INTEREST

The Clerk advised Members who were being considered for re-appointment to the Corporation under ***Agenda Item 3, Appointment / Re-Appointment of Members*** (Ms Arnall, Mr Johnson, Mr McCann, Mr Nicol and Mrs Thomas-Wilson) that their declarations of interest in relation to their re-appointment would be recorded and that each should take no part in the Corporation's decision regarding their own re-appointment.

There were no other declarations of interest in relation to any item of business on the agenda for this meeting.

09/10.45. GOVERNANCE

a) Appointment / Re-appointment of Members

The Clerk reported that as the two Student Members, Miss Fawad and Miss Kukadia, had now completed their studies at the College they would cease to be Student Members of the Corporation on 31 August 2010 and, consequently, elections for the appointment of two new Student Members were to be arranged early in the Autumn Term.

The Clerk then circulated details of the recommendations from the Search Committee meeting held on 24 June 2010 regarding the appointment of new Members and the possible re-appointment of Members whose present terms of office were due to terminate on 31 August 2010, namely:

- | | |
|----------------------|------------------------------------|
| • Ms S K Arnall | Independent Member |
| • Cllr I Gartside | Independent Member |
| • Mr P Johnson | Independent Member |
| • Mr D McCann | Independent Member |
| • Mr P Nicol | Business Member |
| • Ms K Thomas-Wilson | Independent Member |
| • Mr F Bowen | Co-opted Member (Search Committee) |

The Corporation was informed that, having taken full account of:

- i) the balance of skills, experience and expertise currently represented on the Board;
- ii) the attributes of individual Members; and,
- iii) the challenges facing the College and the sector in the immediate and foreseeable future the Search Committee had recommended the following:
 1. Mr Johnson, Mr McCann, Mr Nicol and Ms Thomas-Wilson re-appointed as Independent Members of the Corporation for a term of office of four years from 1 September 2010 to 31 August 2014.

The Corporation was asked to note that the category of membership for Mr Nicol would change from Business Member to Independent Member in line with the revised categories of membership resulting from the earlier modification of the Instrument & Articles of Government.

2. Re-appointment of Ms Arnall from 1 September 2010 to 31 December 2010. The Chair reported that Ms Arnall had previously stated her intention to step down from the Corporation at the end of August 2010 but had subsequently agreed to continue until 31 December 2010 in the interests of continuity during a period of change.
3. Mr F Bowen appointed as an Independent Member of the Corporation for an initial term of office of one year from 1 September 2010 to 31 August 2011.

The Chair informed the Corporation that the Search Committee considered that Mr Bowen's knowledge and experience as a former Member of the College Corporation would be invaluable in view of the sector-wide changes currently taking place and the consequent challenges that these would bring to the College. As a result, the Search Committee felt that Mr Bowen should be invited to rejoin the Board rather than to continue as an External Co-opted Member of the Search Committee only.

The Chair reported that he had discussed this with Mr Bowen who had expressed some concern that his business commitments could impinge on him being able to fulfil his obligations as a Corporation Member owing to possible clashes with the timing of Corporation Meetings. Nevertheless, Mr Bowen had indicated that he would be pleased to rejoin the Corporation Board and felt that he could work round the programme of meetings for 2010/11 such that he would be free to attend.

4. With regard to the possible re-appointment of Councillor Gartside, the Search Committee agreed that the Principal should speak to him to ascertain if he was able to commit to attending at least 75% of Corporation Board meetings in 2010/11.

ACTION

In the event of Councillor Gartside being unable to give such an assurance, the Search Committee recommended that the Corporation should consider not seeking an alternative nomination from Bury MBC until there was a clearer assessment of the potential conflict of interest for Local Authority nominees. The Search Committee felt that a conflict of interest might arise as a result of the Machinery of Government changes, which saw the routing of certain elements of College funding being made via the Local Authority and it was agreed that the Clerk would seek further advice on this from the Association of Colleges.

Clerk to follow up with AoC.

The Clerk drew attention to the list of Members whose terms of office were due to expire on 31 August 2011 and advised the Corporation that the variation in the length of terms of office of individual Members was designed to reduce the risk of an unwanted high turnover in membership in any one year.

The Members whose current terms of office would end on 31 August 2011 were:

- Mr G Little Business Member
- Professor P Marsh Independent Member
- Mrs L Wildeman Staff Member (Business Support)
- Mr D Weidenbaum Co-Opted Member (Audit Committee)

The Clerk added that this was for information only at this stage.

RESOLVED THAT:

- (i) **MR P NICOL BE RE-APPOINTED AS AN INDEPENDENT MEMBER OF THE BURY COLLEGE FURTHER EDUCATION CORPORATION FOR A TERM OF OFFICE OF FOUR YEARS FROM 1 SEPTEMBER 2010 TO 31 AUGUST 2014;**
- (ii) **MR P JOHNSON, MR D MCCANN AND MS K THOMAS-WILSON BE RE-APPOINTED AS INDEPENDENT MEMBERS OF THE BURY COLLEGE FURTHER EDUCATION CORPORATION EACH FOR A TERM OF OFFICE OF FOUR YEARS WITH EFFECT FROM 1 SEPTEMBER 2010 TO 31 AUGUST 2014;**
- (iii) **MS S K ARNALL BE RE-APPOINTED AS AN INDEPENDENT MEMBER OF THE BURY COLLEGE FURTHER EDUCATION CORPORATION FROM 1 SEPTEMBER TO 31 DECEMBER 2010;**
- (iv) **MR BOWEN BE APPOINTED AS AN INDEPENDENT MEMBER OF THE BURY COLLEGE FURTHER EDUCATION CORPORATION FOR AN INITIAL TERM OF OFFICE OF ONE YEAR FROM 1 SEPTEMBER 2010 TO 31 AUGUST 2011;**
- (v) **THE RE-APPOINTMENT OF COUNCILLOR I GARTSIDE BE DEFERRED PENDING THE OUTCOME OF THE FURTHER DISCUSSIONS WITH THE PRINCIPAL HAVING BEEN REPORTED BACK TO THE CORPORATION.**

Clerk to issue letters of appointment/re-appointment for i), ii), iii) & iv).

Ms Arnall, Mr Johnson, Mr McCann, Mr Nicol and Ms Thomas-Wilson took no part in the above decisions relating to their re-appointment as Members of the Corporation.

b) Changes to the Instrument & Articles of Government

The Clerk presented the 2010 Instrument & Articles Modification Order issued by the Department for Business, Innovation & Skills, which introduced changes to the Instrument & Articles that came into effect on 1 April 2010.

He advised the Corporation that the changes were of a technical nature and reflected the changes in national arrangements occasioned by the replacement of the Learning & Skills Council with the Skills Funding Agency (SFA) and the Young People's Learning Agency (YPLA) from 1 April 2010.

He reminded the Corporation that a wider review of governance in further education was on going and reported that information on the outcomes of the consultation on this review was expected over the summer.

RESOLVED THAT THE CHANGES TO THE COLLEGE'S INSTRUMENT & ARTICLES OF GOVERNMENT AS SET OUT IN THE 2010 MODIFICATION ORDER BE NOTED.

09/10.46. MINUTES

The Minutes of the Corporation meeting held on 27 April 2010 were approved and signed as a true and correct record.

09/10.47. MATTERS ARISING FROM THE MINUTES

(a) Minute No: 09/10.40 d) Resources Committee Meeting – 19 April 2010

The minutes of the Resources Committee meeting held on 19 April 2010 were presented for information. The Clerk confirmed that the Corporation had considered and approved the recommendations contained in these minutes at the meeting on 27 April 2010.

(b) Minute No: 09/10.41 b) LSIS Leadership Skills for Governance Programme April – June 2010

The Clerk reported that following a conversation with Mrs Thomas-Wilson, an in-house governor development session would be developed to include financial management and governor responsibilities and accountability.

Clerk & Principal to develop.

(c) Minute No: 09/10.41 c) Safeguarding

The Principal reported that an update on the College's arrangements for the management of Health & Safety would be included in the cycle of governor briefings for 2010/11.

LMC to arrange governor briefing on Health & Safety.

An update on the College's Safeguarding arrangements for the protection of children and vulnerable adults had been presented prior to the meeting.

(d) Minute No: 09/10.41 d) Governors' Dinner

The Principal reported on the success of the Dinner held on 18 May. She informed the Corporation of the intention to return to an annual dinner held in December with the next one planned for Thursday, 9 December 2010.

There were no other matters arising from the minutes.

09/10.48. STRATEGIC ISSUES

a) Property Strategy & Capital Projects Update

The Executive Director of Resources & Accommodation Projects presented papers on the progress of the accommodation refurbishment and improvement programme planned to take place over the summer period.

He explained the content of each of the summer Work Packages from which the Corporation noted that:

- Work Package 1 (Prospect Centre Refectory) was proceeding as planned;
- Work Package 2 (New Café and Canopies) had been transferred from 2009/10 to 2010/11 with an increase in budget from £100k to £250k;
- Work Package 4 (Remodelling three floors of the Enterprise Centre (Bury Times Building)) was proceeding as planned;
- Work Package 5 had been divided into two phases to ensure minimum disruption to learners.
- WP5 (A/B) was a new project and related to work being carried out on the Market Street corridor of the Woodbury Centre to provide new facilities for Level 1 pre-entry SLDD learners and would be completed this year;
- WP5 (C) was for the North Wing at Woodbury (Angouleme Way) but as the construction work could not be completed within the summer period, this project had been deferred to 2010/11 with an increased budget of £900k (the original estimate was £800k).
- The projects proceeding in the 2009/10 financial year were WP 1, WP 4 and WP5 (A) / (B), at an overall cost of £1.25m to be funded from the revenue budget of £1.37m approved by the Corporation at the last meeting.

The Clerk reported that the Resources Committee had considered the proposed Work Packages in detail at their meeting on 22 June 2010. The Committee had recommended that; i) the amended programme for 2010 be approved; and, ii) the increase in project expenditure to £2.4m over the 2 years 2009/10 – 2010/11 to facilitate the programme of work over this period, also be approved. He confirmed that the revised project expenditure pattern had been included in the College's Three-Year Financial Forecast for 2010/11 to 2012/13.

The Executive Director of Resources & Accommodation Projects reminded the Corporation that, in terms of the three projects running this summer, the Corporation had already granted authority to affix the Corporation's Seal to the associated contracts subject to the value of contracts being within the overall development budget and subject to an evaluation of tenders by the Quantity Surveyor.

ACTION

He added that two contracts had been awarded to date and these related to WP 5 (A)/ (B), awarded to Thomas Winstanley & Sons on the recommendation of the Quantity Surveyor, and (ii) WP 4 awarded to Freemont Construction, which was a company new to the College.

In answer to a question from Mr Ali, the Executive Director of Resources & Accommodation Projects reported that the contracts had been awarded to the lowest cost tenders. However, as tender prices were initially above the pre-tender estimates, negotiations had been held with the contractors to reduce costs in line with the approved budget provision. The Executive Director of Resources & Accommodation Projects confirmed that all successful contractors were safe companies.

Reporting on WP1 – Refectory at the Prospects Centre, the Executive Director of Resources & Accommodation Projects informed the Corporation that, on the advice of the Quantity Surveyor, the contract would be awarded to Greenwood Construction and would be completed within the approved overall budget.

The Corporation was informed that work had commenced on the ground floor of the Woodbury Centre (WP 5 (A)/(B)) and was due to be completed at the end of August 2010.

WP 4, the Enterprise Centre, was due to commence next Monday and, again, should be completed at the end of August. The Corporation was advised that timely completion of both WP5 (A/B) and WP4 was crucial for the start of the 2010/11 academic year.

WP2, which was not as critical to the delivery of the curriculum for 2010/11, was due to commence in July with completion expected in November 2010.

Commencement of work on WP5 (C) (North Wing Woodbury – Angouleme Way project) had been delayed pending the Corporation’s further consideration of the location of a possible new build. Commencement of this package was currently envisaged to be Easter 2011 with work continuing through the summer to enable facilities to be in place for September 2011.

In answer to a question from Mr Johnson, the Executive Director of Resources & Accommodation Projects reported that all new builds would meet building regulation requirements in terms of reducing the carbon footprint and achieving energy efficiency.

A copy of a letter dated 22 June 2010 from the SFA was then circulated from which the Corporation was asked to note details of the distribution of a Renewal Grant by the SFA of £225k for which Bury College was eligible. There has to be certain criteria fulfilled and a commitment by the College to fund “at least 2/3rds of the project cost from its own resources” i.e. the SFA would contribute £225k towards a total project cost of £775k.

In addition, the SFA had stated that the College was eligible to apply for a further Enhanced Renewal Grant, up to a maximum grant level of £1m with matched expenditure from the College of “at least twice the grant sum requested” (i.e. £1m the SFA and £2m the College).

The Corporation was informed that the application process for both the Renewal Grant and the Enhanced Renewal Grant was extremely onerous and subject to very tight timescales. The Principal confirmed that the College would be seeking to optimise any available funding from the SFA and, therefore, it was intended that bids would be made for both grants. In the event of the bids being unsuccessful, the College would revert back to the original accommodation refurbishment and improvement plans.

The Clerk then drew attention to the original recommendation on the summer 2010 works programme and requested that the Corporation endorsed the recommendation from the Resources Committee that the programme of Work Packages be amended and that budget provision be increased to £2.4m over two years. In addition, the Corporation was recommended to endorse the College's intention to bid for funds from the SFA Renewal Grant and Enhanced Renewal Grant and to approve that the bid be structured in such a way so as to seek optimum funding from the monies available.

RESOLVED THAT THE CORPORATION APPROVES:

- i) THE RECOMMENDATION OF THE RESOURCES COMMITTEE TO ENDORSE THE REALIGNMENT OF THE AGREED FUNDING TO DIFFERENT TIMESCALES FOR SOME ELEMENTS OF WORK PACKAGES 1-5 AS SET OUT IN THE PROPERTY STRATEGY/CAPITAL PROJECTS SUMMARY REPORT AND SUPPLEMENTARY PAPER;**
- ii) THE RECOMMENDATION OF THE RESOURCES COMMITTEE TO ENDORSE A BUDGET PROVISION OF £2.4m OVER TWO YEARS 2009/10 AND 2010/11 IN RESPECT OF THE REALIGNED WORK PACKAGES AS CONTAINED IN THE THREE-YEAR FINANCIAL FORECAST;**
- iii) A SUBMISSION BEING MADE TO THE SFA FOR BOTH THE RENEWAL GRANT AND THE ENHANCED RENEWAL GRANT UP TO THE MAXIMUM AMOUNT OF £1M AND AUTHORISES COLLEGE EXPENDITURE OF UP TO £2.02M OVER TWO YEARS (2009/10 – 2010/11) AS PART OF THE OVERALL PLANNED IMPROVEMENTS TO THE COLLEGE ESTATE**

The Executive Director of Resources & Accommodation Projects left the meeting at the conclusion of the above item at 7.15 p.m.

b) Fee Policy 2010/11

The Deputy Principal presented the College Fee Policy for 2010/11 together with a supplementary paper highlighting minor changes from the Policy document previously considered by the Resources Committee and recommended for approval by the Corporation.

Underlying changes from 2009/10 Fee Policy were highlighted and the Deputy Principal gave a brief explanation of the rationale and drivers behind these changes, which also took into account the fee levels charged by competitors and other providers in the sector.

He advised the Corporation that, in the interests of enhancing pre-course guidance and counselling, the College was moving away from online and postal enrolments for 201/11.

Particular attention was drawn to Sections 4.4a and 4.4b of the Fee Policy, which reflected the Government's shift of emphasis from Train to Gain to Apprenticeship programmes.

RESOLVED THAT THE BURY COLLEGE FEE POLICY FOR 2010/11 IS APPROVED AS AMENDED.

c) **Financial Forecast 2010/11 to 2012/13 including One Year Financial Plan for Income & Expenditure 2010/11**

The Executive Director of Financial Services presented the Three-Year College Financial Forecast 2010/11 to 2012/13, which included the estimates of Income & Expenditure for the Financial Year 2010/11. He reported that the Resources Committee had considered both the Financial Forecast and the Estimates for 2010/11 in detail before recommending them for approval by the Corporation.

The Executive Director of Financial Services informed the Corporation that the Key Financial Performance Indicators and Financial Objectives included in the Three-Year Forecast were designed to ensure that the College remained "outstanding" for finance for the Framework for Excellence and continued to meet the Covenants with Barclays Bank Plc. The operational position projected in the Forecast gave a clear indication that the College remained solvent and was designed to assist the Corporation in fulfilling their statutory responsibility in this regard.

In referring to the details of the underlying planning assumptions made in the preparation of the Financial Forecast, the Executive Director of Financial Services reported that the Forecast provided for a capital investment of £5m for buildings to be ready for September 2012. This reflected the increase in the threshold at which SFA consent was required.

In reply to a question from Mrs Wildeman, the Executive Director of Financial Services reported that the funding allocation for 2010/11 made no allowance for inflation which meant that the College was being funded at 2009/10 prices. He informed the Corporation that, in preparing the Financial Forecast, he had therefore assumed no increase in funding for inflation, which had the effect of increasing the pay to income ratio. He added that when the impact of the Budget and the public sector spending review on College funding and expenditure was known, a further report on College finances would be presented to the Resources Committee and the Corporation.

The Clerk commented that colleges that had found themselves in financial difficulties in the past had been in the position where their pay to income ratio had exceeded 70%. Whilst the projection for Bury College showed an increase in the pay to income ratio from 64% in 2010/11 to 69% in 2012/13, it continued to remain below 70%.

ACTION

The Clerk then advised that, owing to the present uncertainties surrounding measures that might be introduced by the new Government to reduce public sector expenditure, the Corporation should consider whether the College budget for 2010/11 and the Three-Year Financial Forecast to 2012/13 were based on sound planning assumptions that took account of all currently known factors.

RESOLVED THAT:

- (i) **THE BURY COLLEGE THREE-YEAR FINANCIAL FORECAST COVERING THE YEARS 2010-11 TO 2012-13 IS APPROVED FOR SUBMISSION TO THE SKILLS FUNDING AGENCY;**
- (ii) **THE ESTIMATES OF INCOME & EXPENDITURE FOR 2010/11 INCLUDED AS YEAR ONE OF THE THREE-YEAR FINANCIAL FORECAST ARE APPROVED.**

PJS to submit to SFA.

d) Succession Planning

The Principal presented the Succession Planning Management report that had been considered by the Resources Committee and recommended for endorsement by the Corporation.

The Principal then gave an overview of the College's approach to succession planning which focused on the continuing professional development of staff and the identification of individuals who would grow to fill key roles.

Turning to Succession Planning at Management Team level, the Principal commented on the strength of the College Management Structure, which she felt had facilitated the development of quality throughout the whole College. She added that in her view one of the main advantages of the Bury College structure with a single Deputy Principal post was that the Deputy was in a position to gain complete overall knowledge of the operation of the College which meant that he/she was able to deputise fully for the Principal should the need arise. This was not always the case with structures where there were two or more Deputy/Vice-Principals each with their own specific area of responsibility.

The Principal commented that although different management structures had different strengths, she felt that the division of responsibilities between members of the College Senior Management Team was such that it played to the strengths of individual members of the SMT to the benefit of the College and its learners. She added that she felt that the calibre of managers at Bury College was exceptional and the flat structure and team approach meant that risks to the College resulting from changes in personnel were minimised. In addition, the present SMT structure also meant that it was possible to maintain a separation of functions between MIS and finance, which provided a range of checks and balances.

The Corporation was informed that each member of the SMT was supported by one or more middle managers with significant investment having been made in ensuring that the College delivered a high quality curriculum in addition to excellent service across all areas. Senior and Middle Managers undertook joint development activities and shared targets.

There were currently 35 members of the Middle Management Team (rising to 36 in September 2010). Three vacancies at Middle Management had recently been filled by internal candidates who were of a much higher calibre than the external applicants for these vacancies.

Mrs Wildeman commented that she felt that the strength of internal applicants stemmed in part from the way in which the Principal and College Managers shared information with all staff. Mr Johnson added that he felt that an inclusive management structure with good staff communications resulted in staff loyalty to the organisation.

The Principal reported that the Executive Director of HR & Organisational Development continued to work with teams of managers to provide opportunities to further broaden their experience and knowledge. A recent example of this was the Management Development Work Shadowing Policy.

The Principal summarised the impact of the management of succession planning in the College by advising the Corporation that the investment in the development of staff could be seen to be paying dividends in terms of the overall performance of the College. There was also a marked difference in the quality and knowledge of Bury College staff whether at job interviews or when attending meetings on behalf of the College. Ms Arnall concurred with the latter point made by the Principal and commented on her recent observation of the energy and vitality shown by College staff at a recent retirement party for a middle manager.

The Chair asked the Principal to thank the Executive Director of HR & Organisational Development and her team for all the work in developing the College's approach to the management of succession planning.

RESOLVED THAT THE REPORT ON SUCCESSION PLANNING MANAGEMENT IS NOTED AND COLLEGE MANAGEMENT'S APPROACH TO SUCCESSION PLANNING IS ENDORSED.

09/10.49. MONITORING REPORTS:

a) Financial Update 2009/10

The Executive Director of Financial Services presented an overview of the College Management Accounts for the period ended 31 May 2010 and gave an update on the current financial position in which he informed the Corporation that the College had continued to perform well and it was expected that the financial targets for 2009/10 would be exceeded.

However, there was one note of caution relating to pension fund liabilities and compliance with accounting standard FRS17. The Executive Director of Financial Services reported that it was expected that the College's liabilities in terms of the employer's contribution to the Greater Manchester Local Government Pension Fund was likely to increase significantly following a recent valuation of the Fund.

ACTION
*PJS to amend wording
for future financial
reports.*

In response to a comment from Mr Little, the Executive Director of Financial Services confirmed that he would change the terminology used in financial reporting to “*Surplus/Deficit*” rather than “*Profit/Loss*”.

RESOLVED THAT THE OVERVIEW OF THE MANAGEMENT ACCOUNTS TO 31 MAY 2010 AND SUBSEQUENT FINANCIAL UPDATE IS NOTED.

The Executive Director of Financial Services left the meeting at the conclusion of the above item at 7.56 p.m.

b) Summary of College Targets against Student Number & Funding Targets 2009/10:

- (i) LSC 16-18*
- (ii) LSC 19+ ALR*
- (iii) Bury College Apprenticeships (WBL)*
- (iv) FE Employer Responsive Train to Gain and Business Solutions*

The Principal presented a summary of College performance to date against Student Number and Funding Targets for 2009/10 and reminded the Corporation that since 1 April 2010 College funding was drawn down from two Agencies i.e. 16-18 provision funded by the Young People’s Learning Agency (YPLA) and provision for adults funded by the Skills Funding Agency (SFA).

Attention was then drawn to the following:

- 16-18 targets and funding had been exceeded in 2009/10 and this had assisted in securing funding for growth in 16-18 learner numbers for 2010/11.
- It was expected that the 16-18 ALS funding target would be achieved.
- The Adult Learner Responsive (ALR) funding target was expected to be achieved. The College would be very close to the overall student number target and provision of Full Level 2 and Full Level 3 programmes had recently been increased in order to increase learner numbers in these priority areas.
- There would be further reduction in ALR funding in 2010/11 in line with Government spending priorities.
- Although the economic recession had an adverse impact on recruitment to Apprenticeships, the College expected to achieve contract activity totalling £2.563m against a total contract value of £2.771m.
- The Train to Gain contract value of £1.848m had been challenging but the College expected to achieve this target.
- Current funding for Train to Gain activity was to be transferred to support further Apprenticeship programmes in 2010/11.

The Corporation was informed that the overall picture of performance against 2009/10 targets was positive.

RESOLVED THAT THE SUMMARY OF CURRENT AND PROJECTED COLLEGE PERFORMANCE AGAINST THE 2009/10 STUDENT NUMBER AND FUNDING TARGETS IS NOTED.

09/10.50. AUDIT MATTERS

The Clerk drew attention to the recommendations contained in the Audit Committee minutes of the meeting held on the 8 June 2010 with particular reference to the following:

a) Re-appointment of RSM Tenon as Internal Auditor Service Providers

The Clerk reported that, following an assessment of the performance of RSM Tenon in 2009/10, the Audit Committee had recommended that RSM Tenon be re-appointed as the College's Internal Audit Service Providers for 2010/11

RESOLVED THAT THE AUDIT COMMITTEE RECOMMENDATION TO RE-APPOINT RSM TENON AS THE COLLEGE'S INTERNAL AUDIT SERVICE PROVIDERS FOR 2010/11 BE APPROVED.

b) Internal Audit Needs Assessment and Audit Plan 2010/11

The Deputy Principal reported the Audit Committee had received the draft 2010/11 Update of the Strategy for Internal Audit and proposed Internal Audit Plan for 2010/11 at their meeting in June.

However, owing to some confusion with RSM Tenon at that time, parts of the report were missing and, hence, the Audit Committee had not been able to consider the draft Strategy and Internal Audit Plan in sufficient detail at their meeting. Consequently, the full draft document was now being presented directly to the Corporation for approval.

The Deputy Principal advised the Corporation that he had contacted RSM Tenon to express concern at the proposed level of fee increase of 5.3% for 2010/11. He added that he felt that any increase in fees for RSM Tenon should be limited to 2.37% in line with the increase proposed and agreed with the External Auditors.

RESOLVED THAT UPDATE TO THE STRATEGY FOR INTERNAL AUDIT AND THE PROPOSED INTERNAL AUDIT PLAN FOR 2010/11 ARE APPROVED SUBJECT TO FURTHER NEGOTIATION WITH RSM TENON ON THE LEVEL OF FEE INCREASE.

c) Re-appointment of Financial Statements and Regularity Auditors

The Deputy Principal reported that, following an assessment of the performance of Grant Thornton in 2009/10, the Audit Committee had recommended that Grant Thornton be re-appointed as the College's Financial Statements and Regularity Auditors for 2010/11. It was noted that Grant Thornton had proposed a 2.37% increase in fees for the audit of the College Financial Statements and Regularity Audit for the year ending 31 July 2010, which the Audit Committee recommended be accepted.

RESOLVED THAT THE RECOMMENDATION TO RE-APPOINT GRANT THORNTON AS THE COLLEGE'S EXTERNAL AUDITORS FOR THE AUDIT OF THE 2009/10 FINANCIAL STATEMENTS AT A FEE INCREASE OF 2.37% IS APPROVED.

09/10.51. COMMITTEE MEETINGS

The Clerk presented the Minutes of the following Committee meetings:

a) Search Committee – 10 May 2010

Attention was drawn to the following Minutes:

- **SC.09/10.11.a)** - The Principal and the Clerk were to follow up contact with the Chief Executive of Six Town Housing.
- **SC.09/10.11.b)** - The Principal was to follow up the matter of a nominee from Bury MBC.
- **SC.09/10.11.c)** - Dates, times and venues for Student Action Group meetings would be circulated to Governors in September 2010.
- **SC.09/10.12. ii)** – The Corporation was asked to note that owing to increasing work commitments, the Chair had agreed that Mrs Coates could suspend her membership of the Resources Committee for the time being, whilst continuing to serve as a Member of the Corporation Board.
- **SC.09/10.14. - Review of Governance Update**
The Clerk reported on the national consultation events that had taken place regarding a series of proposals to change governance arrangements in FE colleges. He informed the Corporation that he had attended consultation events for Clerks and that Mr McCann and Mr Johnson had attended a consultation event for Governors.

Clerk/Principal to follow up.

Commenting on the proposed changes, the Clerk advised the Corporation that it was the opinion of the Search Committee that the recommendation to enable college corporations to remunerate independent members should be opposed.

Mr McCann reported that at the seminar he and Mr Johnson had attended there was a clear steer as to the possibility of governors taking the role of non-executive directors with a more hands on approach than had been the case hitherto. He added that there appeared to be a move to make colleges more akin to businesses and there was a belief that governors becoming non-executive directors would be one means of achieving this. Although he was not in favour of independent members being paid the move towards non-executive directors would be more akin to people taking on a part-time job.

There was further discussion on the undesirability of the remuneration of Members of College Corporations and, following a recommendation from Mr Little, it was agreed that the Bury College Further Education Corporation would strongly oppose any move to remunerate Corporation Members. The Clerk was asked to convey this position to the appropriate body.

Clerk to follow up.

b) Remuneration Committee – 10 May 2010

The minutes of the Remuneration Committee meeting held on 10 May 2010 were circulated at the meeting for information only.

ACTION

c) **Audit Committee – 8 June 2010**

The recommendations made at this meeting of the Audit Committee had been considered under earlier items on the Corporation's Agenda.

d) **Resources Committee – 22 June 2010**

A summary of recommendations from the Resources Committee had been considered earlier in the meeting.

Approved draft Minutes to be on next agenda.

e) **Curriculum & Quality Committee – 24 June 2010**

It was noted there were no matters that required approval by the Corporation

Approved draft Minutes to be on next agenda.

f) **Search Committee – 24 June 2010**

The Clerk reported that all Search Committee recommendations regarding membership of the Corporation had been considered and approved by the Corporation under earlier item of business.

Approved draft Minutes to be on next agenda.

RESOLVED THAT THE MINUTES OF THE COMMITTEE MEETINGS PRESENTED AT THIS MEETING ARE RECEIVED AND THE RECOMMENDATIONS THEREIN ARE APPROVED.

09/10.52. ANY OTHER BUSINESS

Governor Website

Members were informed the Governor Website, which would allow access to all previous papers from Corporation and Committee meetings for the academic year 2009/10, was now live. Passwords, user names and instructions were then distributed and Members were asked to give feedback on their experience of the site in order that it could be developed further to meet their needs.

MAB to arrange.

It was reported that, with effect from September 2010, it was intended that Agendas and associated papers would be posted on the site prior to meetings, with hard copies sent out in the post.

In response to a question from Mr Little as to whether individuals could change their password, the Clerk stated that he was unsure about this but undertook to check.

Clerk to check with IT Services.

In answer to a further question from Mr Little, the Clerk advised the Corporation that if Corporation Members were to have unrestricted external access to the College intranet there was a danger of Data Protection issues arising. The Chair stated that he concurred with the concerns expressed by the Clerk and added that the Information Commissioners Office was being extremely active in this field.

RESOLVED THAT MEMBERS WOULD FEEDBACK ON THEIR EXPERIENCE OF USING THE COLLEGE GOVERNOR WEBSITE.

Members to feedback to Clerk/MAB.

09/10.53. POST MEETING EVALUATION

The Clerk reported there were no outstanding matters from the summary of responses from the 27 April 2010 Corporation meeting

09/10.54. DRAFT SCHEDULE OF MEETINGS FOR 2010/11

The Corporation considered the draft schedule of meetings and cycle of business for 2010/11.

The Principal advised the Corporation that the draft schedule included a Strategic Planning session on 12 October 2010 but that it may be necessary to have an additional session early in September in light of the national Budget, public sector cuts and the College Property Strategy as discussed earlier in the meeting. Proposed dates for this additional session would be emailed to Members.

MAB to email dates.

The Principal asked Members to make a diary note of the date of the Governors' Dinner to take place on Thursday, 9 December 2010.

The Clerk asked Members to notify Mrs Baker if they foresaw any difficulties with the proposed cycle of meetings for 2010/11.

Members to notify MAB of any difficulties with 2010/11 schedule.

09/10.54. DATE AND TIME OF NEXT MEETING:

The Clerk informed Members that the first meeting of the Corporation for the 2010/11 academic year would take place at **6.00 p.m. on Tuesday, 28 September 2010 preceded by a Briefing Session commencing at 5.30 p.m.**, venue to be confirmed

The Chair asked the Staff Members to withdraw from the meeting prior to the commencement of the next item which was deemed to be Confidential under the provisions contained in Clause 17(2) of the Instrument of Government of the College.

Mrs Wildeman and Mr Davies then left the meeting at 8.27 p.m.

09/10.55. CONFIDENTIAL ITEM

A full record of the Confidential Item is held on the Corporation's Confidential Minute File, which is maintained by the Clerk to the Corporation.

Mr Trees and Mr Ali left shortly before the conclusion of the meeting at 8.35 p.m.

There being no other business, the meeting closed at 8.36 p.m.

<u>SCHEDULE OF FUTURE MEETINGS:</u>			
Day:	Date:	Time:	Venue:
Tuesday	30 November 2010	5.30 p.m. Briefing Session 6.00 p.m. Corporation Meeting	To Be Confirmed
Thursday	9 December 2010	6.30 for 7.00 p.m. Governor Dinner	3cZons Restaurant Woodbury Centre
Tuesday	1 February 2011	5.30 p.m. Briefing Session 6.00 p.m. Corporation Meeting	To Be Confirmed
Tuesday	12 April 2011	6.30 p.m. Corporation Meeting <i>(Following The Annual Meeting At 5 p.m.)</i>	To Be Confirmed
Tuesday	5 July 2011	5.30 p.m. Briefing Session 6.00 p.m. Corporation Meeting	To Be Confirmed