

Kirklees College Corporation

Minutes of the meeting of the Corporation Board held on Friday 18 May 2018 at 3pm at the Huddersfield centre

Present:	Mr P Berthaut	Student member
	Dr A Conn	Independent member
	Mr G Hetherington	Independent member (Chair)
	Mr D Keeton	Independent member
	Ms E Hainsworth	Independent member
	Mr H Linn	Independent member
	Ms J Nowacki	Independent member
	Ms L Precious	Staff member
	Mr J Royle	Independent member
	Mr N Taylor	Staff member
	Prof J Thompson	Independent member
	Mr M Varyani	Independent member
	Dr A Williams	Independent member
	Mr J Williams	Independent member (Vice Chair)
	Ms M Gilluley	Principal and Chief Executive
Apologies:	Mrs C George	Independent member
	Ms C Pinder	Independent member
	Ms I St Hilaire	Student member
	Mrs S Weston	Independent member
Attendance:	15/19 = 79%	[KPI 80%]
Quorum:	15/20 = 75%	[Minimum 40% required = 8]
In attendance:	Mr D Winward	Clerk to the Corporation
	Ms M Brooke	Deputy Principal
	Ms C Gonzalez-Eslava	Vice Principal
	Mrs R Meara	Director of Finance

The Chair welcomed new members Ms Hainsworth, Mr Linn and Mr Varyani to their first meeting of the Board.

74. Apologies for absence

Apologies for absence were received as listed above.

75. Declarations of Interest

Mr Hetherington repeated his declaration of interest regarding the sale of the Holmfirth centre.

Mr Keeton, as a Board member of the More in Common Foundation, declared his interest in an item within the estates report.

76. Minutes of the previous meeting

(a) The minutes of the meeting of the Corporation Board held on 16 March 2018 were agreed as a correct record.

(b) Matters arising not elsewhere on the agenda

None.

(c) Update on agreed actions

The Board received an update on previously agreed actions, all of which were cleared.

77. Principal's Report and Business Critical Performance Indicators

The Principal presented a comprehensive report of her recent activity including external developments, College priorities and her personal focus.

She highlighted:

- the progress on preparation for the bid to the Restructuring Fund
- the recent Quality Review Visit (QRV) for the College's HE provision
- the many positive stories reported in KC Chronicle on student and staff achievement

The Principal also presented an update of performance against each of the Business Critical Performance Indicators (BCPIs) identified by Governors for review by the Corporation, including the Red, Amber, Green (RAG) status of each. Some aspects were reported in detail elsewhere within the meeting and to Corporation committees.

She highlighted that:

- the BCPI for 16-18 recruitment was reported as RED, as the College's internal target had not been met, however, the College was currently delivering to considerably more learners than funded during 2017/18;
- the Adult Education Budget was currently below target but good progress had been made and it was possible that the full-year target could be met by the year-end.

In discussion, members:

- questioned the difference between contract value and student numbers. It was explained that the student numbers figure for adult learners was notional; the funding value was the primary cash target;
- sought information on themes arising from internal communications with staff. The Principal responded that these mainly centred on the restructuring programme. The presentations had met with a mixed reception, although most had been well-received and these would continue throughout the restructuring period.

RESOLVED: to receive the report.

78. FE Commissioner's (FEC) Recommendations

The Principal presented an update on the FEC's Recommendations and the outcome of the March 2018 visit by the FE Commissioner, which had resulted in a recommendation to pursue an application for support from the restructuring fund (RF) on a 'Fresh Start' basis.

The report included an update on the implementation of the recovery plan which was reported as proceeding on track.

Both UCU and Unison had balloted staff at the College for strike action. UCU had received a mandate for strike action from their members, but following agreement on a revised Collective Agreement, which was subject to the approval of the Corporation, UCU did not intend to proceed with action.

Unison had not received a mandate for industrial action. Following negotiations which had resulted in agreement on pay, salary protection and no compulsory redundancies, it was hoped to see an end to the dispute.

In discussion, members:

- questioned what changes had been made as a result of negotiations with UCU. It was reported that it had been agreed that, for teaching staff, there would be salary protection for those moving to lower paid jobs, no reduction in annual leave and no reduction in teaching hours;
- questioned whether the reference to determining workload in the Collective Agreement could be made clearer. The Vice Principal responded that this was deliberately broad to cover variations across College departments;
- questioned how many voluntary redundancy applications had been turned down. The Deputy Principal responded that this was fewer than 10;
- sought assurance on the plans for CPD and support for new managers. It was reported that this had been included in the plans and had already commenced;
- questioned the selection criteria used to consider voluntary redundancy applications. It was reported that a judgement had been made in each case using clear business criteria, taking into account affordability and the motivation of the individual;
- welcomed the progress made and looked forward to the final implementation report at the July meeting.

The Clerk presented a report on a proposal by the ESFA for the wording of the recommendation of the West Yorkshire Area Review Steering Group to be amended, in order to allow the College to apply for support from the Restructuring Fund.

The revised recommendation was: *“Kirklees College to remain as a stand-alone institution focusing on the education and skills needs of the communities it serves in Kirklees, subject to a “Fresh Start” arrangement and refreshed and refocused governance and leadership to deliver an agreed recovery plan, providing greater financial sustainability and resilience for the college long term.”*

Members questioned the definition of ‘Fresh Start’. The Principal responded that there was no specific definition, but the FEC had supported the progress and changes already made by the College and had recommended an application on the basis of a Fresh Start. The changes in the governing body and College restructuring plans, together with the outcome of the recent Ofsted inspection had given the FEC confidence that the College could be sustainable long term.

Members noted that the recommendation was still subject to approval by the members of the WY Area Review Steering Group. It was hoped that this new recommendation would be seen by them as helpful clarification of the original position.

RESOLVED:

- i. to receive the report;*
- ii. to approve the Collective Agreement between the College and UCU on the allocation of workload and the proposed revised contract wording;*
- iii. to accept the proposed revision to the WY Area Review recommendation.*

79. Financial Recovery and Restructuring Fund Application

RESOLVED: to declare Minute 79 as confidential under Clause 17(2)(d) of the Instrument of Government.

It was agreed to take the following item out of agenda item order.

80. Fees Policy 2018/19

The Director of Finance presented the proposed Fees Policy for 2018/19. No changes were proposed from the 2017/18 rates.

RESOLVED: to approve the Fees Policy for 2018/19.

The Chair withdrew for the following item in view of his declared interest regarding the Holmfirth Centre. The Vice Chair took the chair.

81. Estates Report

RESOLVED: to declare Minute 81 as confidential under Clause 17(2)(d) of the Instrument of Government.

Ms Nowacki left the meeting at this point, 5.15pm.

Mr Hetherington re-joined the meeting and resumed as Chair.

82. Springfield Centre Update

The Deputy Principal presented an update on the Springfield Centre, which outlined the progress on completion of the works, key marketing and other activity and provided an update on current applications from year 11 students.

The report included a proposal to dedicate the Learning Resource Centre to the memory of the late Jo Cox, who was the MP for Batley and Spenningsdale until her untimely and tragic death in June 2016.

RESOLVED:

- i. to receive the report;*
- ii. to approve the dedication of the Learning Resource Centre at the Springfield Centre to the memory of Jo Cox.*

83. Pay Award 2017-18

The Deputy Principal presented a proposal for a 1% pay award to be applied to all salaries (or £250 if more beneficial) from 1 April 2018, pro-rated where appropriate. This was in line with the AoC's recommendation and had been included in the 2017/18 budget at an estimated cost of £92k.

RESOLVED: to approve the pay award to all staff from 1 April 2018, as proposed.

84. OFSTED Outcome

The Vice Principal presented a report on the outcome of the OFSTED short inspection held on 7 and 8 March 2018, which had found that the College continued to be assessed as GOOD.

The report highlighted the main findings and the identified next steps, which would be incorporated into the College's Quality Improvement Plans.

Members welcomed the report and congratulated the College on the outcome. The Chair wished to record thanks to the governors who had met with inspectors.

A member noted that there were few references to the quality of teaching and learning in the final report, despite these having been praised highly by inspectors at the time of the visit. By contrast, there was much comment on leadership and governance. Ms Gonzalez-Eslava attributed this to the fact that this was not a full inspection under the Common Inspection Framework and consequently the report was very much focussed on specific lines of enquiry.

RESOLVED: to receive the report.

85. Higher Education (HE) Update

The Vice Principal presented an update on the College's HE provision. This included the College's application for registration with the Office for Students (OfS), which replaced the Higher Education Funding Council (HEFCE) and the Office for Fair Access (OFFA) with effect from 1 April 2018.

The report also included information on the Quality Review Visit held on 1 and 2 May 2018 by the Quality Assurance Agency (QAA). The draft report had just been received and was very positive. A fuller report would be made at the July meeting of the Corporation.

RESOLVED: to receive the report.

86. Use of Corporation Seal

The Clerk presented a report on the use of the Corporation Seal in respect of 3 documents.

RESOLVED: to ratify the use of the Corporation Seal as reported.

87. Corporation Business Planner 2018/19

The Clerk presented the Corporation Business Planner for 2018/19 which had been reviewed by the Clerk and the Senior Leadership Team.

RESOLVED: to approve the Corporation Business Planner 2018/19.

88. Corporation and Committee Meeting Dates 2018/19

The Clerk presented the proposed meeting dates for 2018/19. Additional meetings of the Finance Committee had been included to facilitate monitoring of the Financial Recovery Plan.

RESOLVED: to approve the meeting dates for 2018/19.

89. Committee Minutes

The Board received the minutes of the following committee meetings:

- (i) Audit Committee, 5 March 2018
- (ii) Quality, Performance & Standards Committee, 12 March 2018
- (iii) Finance Committee, 16 March 2018
- (iv) Search & Governance Committee, 16 March 2018
- (v) Financial Recovery Task & Finish Group, 7 March 2018, 19 April 2018

In addition, Mr Hetherington reported verbally on the meetings of the Search & Governance Committee of 18 May 2018 and the Committee's recommendation to appoint Prof Stephen Donnelly to the Board.

RESOLVED:

- i. to accept the minutes and the recommendations therein;*
- ii. to appoint Prof Stephen Donnelly to the Corporation Board for a term to expire 31 March 2022.*

90. Chair and Vice Chair Reports

The Chair and Vice Chair reported on the meetings they had attended over the past few weeks, which primarily related to the College's financial recovery plans.

91. Publication of papers and Declaration of Confidentiality

RESOLVED: that the papers on Estates, FE Commissioner's Recommendations and Recovery Plan be treated as confidential under Clause 17(2)(d) of the Instrument of Government.

92. Date of next meeting: Friday 13 July 2018, 3pm, at the Huddersfield Centre.

Managers, Staff members and the Student member left the meeting at this point, 6.05pm, prior to a confidential session, minuted separately.