



“To promote lifelong learning through the understanding and enjoyment of flowers, trees, plants and animals for career, business, educational and leisure purposes”

MINUTES OF THE CORPORATION MEETING HELD AT 6.15PM ON 9TH APRIL 2008

MEMBERS:

Governors Mr. Roger Abraham, Mr. Sam Bell, Mr. John Bennett
Miss Irene Byard, Mrs Christine Cohen OBE ,
Mr. Ken Crowther, Mr. Graham Eustance OBE
Mr. Doug Fussell, Mr. Donald Gratton
Mr. Huw Jones Owen, Mr. Tony Leach, Mr. Ron Melville
Miss Phyllis Oborn MBE (Chairman)
Mr. Malcolm Parkinson (Chairman Designate)
Lady Lesley Stuttard, Mr. James Wisdom

Staff Governor: Ms Susan Gorman

Student Governor: Mr Louis Merhermitch

Chief Executive: Dr Steven Dowbiggin OBE

Also Present: Mrs Susan Adams, Clerk to the Governing Body
Ms. Madeline Hall, Head of College
Mr. Nicholas Evans, Director of Estates & Buildings
Ms Janet Hughes-Hallett, Finance Manager
Mr. Simon O’Hear, Personnel Manager

1. APOLOGIES FOR ABSENCE

Apologies were received from Mr. John Bennett

2. DECLARATION OF INTEREST

Steven Dowbiggin OBE, Madeline Hall and Nicholas Evans declared an interest in paper 15, Minutes of the meeting of Capel Manor Limited held on 4th December 2007 as Directors of Capel Manor Limited.

Steven Dowbiggin OBE and Christine Cohen OBE declared an interest in paper 10, item 6 (potential links with City of London Livery Companies) as senior members of the Worshipful Company of Gardeners

3. MEMBERSHIP

Papers 6 and 7 were taken to enable governors to consider this agenda item.

6. MINUTES OF THE MEETING OF THE SEARCH COMMITTEE HELD ON 12TH DECEMBER 2007

RECEIVED paper 6, minutes of the meeting of the Search Committee held on 12th December 2007

NOTED that governors had received a verbal report of the Search Committee meeting held on the 12th December 2007 at the governing body meeting of the same date.

RESOLVED to confirm the verbal recommendations made to the governing body meeting of the 12th December 2007 in compliance with the previous Instrument and Articles of Government that:

- i. **Huw Jones Owen and James Wisdom be appointed to the Co-opted Category for a term of office of one year to conclude at the end of the autumn term meeting 2008;**
- ii. **a meeting of the Search Committee is convened as soon as the revised Instrument and Articles of Government are issued by the DIUS. It was anticipated this would be in January 2008;**
- iii. **given the college was embarking on a significant period of change to undertake a wider review of the vacancies on the governing body with a view to making recommendations to fill the vacancies to the April 2008 meeting of the governing body.**

7. MINUTES OF THE SPECIAL MEETING OF THE SEARCH COMMITTEE HELD ON 6TH MARCH 2008

RECEIVED the minutes of the special meeting of the Search Committee held on 6th March 2008.

7.1 Terms of Reference of the Search Committee

NOTED that revised Instrument and Articles of Government came into force on the 1st January 2008 which require the Corporation to make rules specifying the way in which the Search Committee is conducted

RESOLVED that the revised terms of reference and rules of the Search Committee be adopted.

7.2. Composition of the Governing Body

NOTED that:

- i. the revised Instrument and Articles of Government change the composition of the governing body to include:

- a. at least two student governors (and not more than three student governors);
 - b. up to sixteen members who appear to the Corporation to have the necessary skills to ensure that the Corporation carries out its functions under Article 3 of the Articles of Government;
 - c. at least one staff governor who may be a member of the academic staff or the non-academic staff
- iii. the number of members of the Corporation, other than LSC members, shall not be less than twelve or more than twenty;

RESOLVED that the composition of the Corporation be amended to reflect the revised Instrument and Articles of Government and that the Corporation conforms to the revised Instrument and Articles of Government as soon as possible:

- i. sixteen members (who appear to the Corporation to have the necessary skills to ensure that the Corporation carries out its functions under Article 3 of the Articles of Government);**
- ii. two student governors (to be nominated and elected by their fellow students or if the Corporation so decides, by a recognised association representing such students).**
- iii. one staff governor (the staff member may be a member of the academic staff or the non-academic staff and shall be nominated and elected by the staff)**
- iv. the Chief Executive Officer**

7.3 Vacancies on the Governing Body

NOTED that:

- i. in order to provide governors with the flexibility to appoint governors with the necessary skills, the Search Committee had previously recommended to governors that vacancies were not filled until the revised Instrument and Articles of Government were introduced;
- ii. governors considered that Christine Cohen OBE and Irene Byard had brought skills and expertise to the governing body which should be retained;
- iii. members of the Search Committee had interviewed Lady Lesley Stuttard and Tony Leach (Director, London Parks and Green Spaces Forum). Members of the Search Committee felt that both Lady Lesley Stuttard and Tony Leach would be able to make a considerable contribution to the work of the governing body;
- iv. governors considered that the expertise and experience of Ken Crowther and Don Gratton (whose term of office would conclude at the end of the meeting) should be retained by the governing body, particularly in view of current developments and funding issues.

RESOLVED that:

- i. Irene Byard and Christine Cohen OBE be appointed to the Governing Body for a further term of office to conclude at the end of the autumn term meeting 2011;**
- ii. Lady Stuttard be appointed to the Governing Body for a term of office to conclude at the end of the summer term meeting 2011;**
- iii. Tony Leach be appointed to the Governing Body for a term of office to conclude at the end of the summer term meeting 2011;**
- iv. Ken Crowther and Don Gratton be reappointed to the Governing Body for a term of office to conclude at the end of the autumn term meeting 2011.**

Irene Byard, Christine Cohen OBE, Lady Lesley Stuttard and Tony Leach joined the meeting. Chairman advised that governors had accepted the recommendations of the Search Committee that they become members of the Governing Body. Chairman welcomed Lady Lesley Stuttard and Tony Leach to their first meeting of the Governing Body.

7.4 Election of a Chairman Designate (Chairman of Governors spoke to this item)

NOTED that:

- i. the Chairman advised that when her term of office as a Governor concluded in July, she would not wish to be considered for reappointment;
- ii. the Chairman was conscious that this would leave a vacancy for Chairman of Governors and that in this time of great change for the college she felt a strong responsibility to ensure a seamless transition to a new Chairman;
- iii. the Chairman had therefore asked the Search Committee to consider recommending to the Governing Body that a Chairman Designate be appointed at this meeting who would shadow the Chairman for the next cycle of meetings;

RESOLVED that a Chairman Designate be elected.

Proposed: Graham Eustance OBE Seconded: Irene Byard

Chairman of Governors proposed that Malcolm Parkinson be elected as Chairman Designate which was seconded by Graham Eustance OBE.

Chairman of Governors called for any further nominations for Chairman Designate. There were no further nomination and Malcolm Parkinson was unanimously elected as Chairman Designate for the next cycle of meetings.

Malcolm Parkinson was delighted to accept the role of Chairman Designate and felt that the role would be challenge given the excellent Chairmanship of Phyllis Oborn MEB over the last twenty years.

4. MINUTES OF THE CORPORATION MEETING HELD ON 12TH DECEMBER 2007

RECEIVED the minutes of the Corporation meeting held on 12th December 2007

The minutes were approved and signed by the Chairman as a true record of the meeting.

5. MATTERS ARISING FROM THE MINUTES OF THE CORPORATION MEETING HELD ON 12TH DECEMBER 2007

RECEIVED paper 5, report of the Clerk to Governors

NOTED that:

- i. the Chief Executive Officer advised governors that as part of the inspection process, inspectors had looked at Health and Safety procedure as this had been an area for improvement at the last inspection. Inspectors had considered the college's Disaster Recovery Plan to be good. The Disaster Recovery Plan would be presented to a future meeting of the Health and Safety Committee but based on the OfSTED inspectors' scrutiny governors may be reassured as to its adequacy in its current format;
- ii. the Healthcheck questionnaire had not formed part of a training session to date (in consultation with Chairman of Governors) due to training sessions being given over to other more pressing issues (funding methodology and changes in government targets for colleges and update on college centres). The main issue arising from the Healthcheck questionnaire focussed on awareness of curriculum issues. Given the focus on these issues in response to the OfSTED inspection it was felt that such issues had now been adequately addressed. The Head of College advised that if any governors had any questions relating to the curriculum she would be pleased to answer these;
- iii. final arrangements relating to Birkbeck College for 2007/08 and 2008/09 should be available by the end of April. The college has received confirmation that the curriculum has been approved by Birkbeck College and the University of London;
- iv. items 8.2 and 17.8 of the matters arising from the minutes of the 12th December 2007 referred to the college's Application in Principle for capital funding from the LSC. The Chief Executive Officer advised he had not re-written the Property Strategy or AiP and circulated it to governors to date as these continued to be evolving documents in view of changes to the college's funding allocations from the LSC . The Chief Executive Officer advised that officers are seeking to present the AiP to the LSC during May. Therefore the Chief Executive asked governors if he could circulate a copy of the revised Application in Principle and related property strategy once the documents were in the format to be presented to the LSC;

- v. there was no further update in respect of the removal of the existing archway barrier over the entrance to Gunnersbury Park Walled Garden;
- vi. Chairman of Governors had written to Mike Fitt OBE and Vivian Robinson QC on behalf of governors thanking them for their commitment and contribution to the governing body. Chairman of Governors had received a reply from Mike Fitt OBE saying how he had enjoyed being a member of the governing body and that he hoped to continue his links with the college;

AGREED:

- i. **to delay the training session on the Healthcheck questionnaire until after it had been recirculated for governors' completion;**
- ii. **to ask the Chief Executive Officer to circulate copies of the revised AiP and related property strategy to governors in the format it would be presented to the LSC.**

8. INSTRUMENT AND ARTICLES OF GOVERNMENT

RECEIVED paper 8, report of the Clerk to Governors for decision.

NOTED:

- i. governors discussed the advantages and disadvantages of postponing the election of a second student governor until the start of the 2008/09 academic year. Governors were reassured that the current student governor's term of office did not conclude until after the summer term meeting of governors. Given the growth of the college and centres, governors felt some thought should be given as to how student election are undertaken to ensure the whole student body is represented;
- ii. two additional amendments to the Governing Body's Standing Orders:
 - a. Page 8, paragraph 9.4 (Chairman's Action) should read "the Vice Chairman and *a Chairman of one other Standing Committee* may collectively act in the absence of the Chairman.
 - b. Page 11, paragraph 18.2 (Governor Liability) should read "the college has also taken out *professional* liability insurance for governors and officers....."
- iii. governors felt, given the importance of the college's quality strategy, that they should clearly retain the responsibility for approving the strategy. Curriculum and Quality Committee would consider the college's quality strategy in detail and make recommendations to the governing body in respect of its contents and approval (advisory to the Governing Body).
- iv. two additional amendments to the Governing Body's policy regarding attendance at committee meetings by non-members:

- a. the Head of College attends Health and Safety Committee
- b. the Personnel Manager attends Audit Committee
- v. the updated policy on Access to College Information;
- vi. the revised job description for the Clerk which had been updated to reflect the changed mode of employment;

RESOLVED:

- i. to note the college's new Instrument and Articles of Government came into effect on 1st January 2008;**
- ii. to note that the Search Committee's recommendations relating to the composition and membership of the Governing Body were contained in the minutes of the Search Committee of the 6th March 2008;**
- iii. to adopt the following policies/procedures which have been updated to reflect the revised Instrument and Articles of Government (effective from 1.1.08) including the additions detailed above:**
 - **Standing Orders (Appendix 1 to the report)**
 - **Attendance at Committee meetings by non-members (Appendix II to the report)**
 - **Access to college information (Appendix III to the report)**
- iv. the revised Job Description for the Clerk to Governors be approved (Appendix IV to the report)**
- iv. to revise the terms of reference for the Curriculum and Quality Committee to include consideration of the college's quality strategy (annually) for recommendation to the governing body;**
- v. that elections for two student governors be held at the start of the new academic year to secure two student governors initially for a term of office for the 2008/08 academic year.**

9. REPORT OF THE CLERK

RECEIVED paper 9, report of the Clerk for decision.

NOTED:

- i. the action taken by Chairman of Governors to approve £33,000 of capital expenditure to fit out the new IT suites and that this had been reported to (and supported by) members of the Finance and General Purposes Committee at their meeting of the 12th March 2008;
- ii. Sam Bell had attended the 2008 National Governors' conference on the 6th-8th March 2008. In addition to information which Sam Bell had already provided to the Clerk, the CEL had produced information sheets relating to the workshops. The Clerk would make these available to governors on request.

- Sam Bell also advised that the Chief Executive of the CEL would be standing down in June 2008. Chairman of Governors thanked Sam Bell for his attendance at the conference;
- iii. a revised Code of Conduct had now been received from Eversheds LLP and would be presented to the next meeting of the governing body;
 - iv. training sessions prior to governing body meetings for 2008/08 would include the topics identified by governors to focus on;
 - v. the vacancies on governing body sub committees and the request from Doug Fussell who had indicated he would like the opportunity to contribute to the work of the Finance and General Purposes Committee (where there is a current vacancy).
 - vi. Lady Stuttard had advised that she would like to attend meetings of the various sub committees as an observer over the next year with a view to joining a sub committee at a later date;
 - vii. governors were also updated on the following for information:
 - a. Register of Interests and eligibility to serve
 - b. Application of the Seal
 - c. Attendance at meetings
 - d. Individual Governor training for the year 2007
 - e. Publication Scheme

RESOLVED:

- i. to approve the action taken by Chairman of Governors to approve £33,000 of capital expenditure to fit out the new IT suite;**
- ii. Doug Fussell would fill the vacancy on the Finance and General Purposes Committee;**
- iii. Irene Byard would fill the vacancies on the Curriculum and Quality Committee and Health and Safety Committee;**
- iv. Tony Leach and Ron Melville would fill the vacancies on the Audit Committee**

10. REPORT OF THE CHIEF EXECUTIVE

RECEIVED paper 10, report of the Chief Executive for decision

TABLED copy of leaflet of Skills London 2008 exhibition (formerly SkillCity) to take place at ExCeL London on 20th – 22nd November 2008

10.1 Machinery of Government Consultation

NOTED that:

- i. the Chief Executive had provided a summary relating to the machinery of government consultation which proposes that two new bodies of the DCSF (Department of Children, Schools and Families) and DIUS (Department of Innovation, Universities and Skills) are created. These would be the 14-19 Non Departmental Body (to be called the NDPB) and the Skills Funding Agency (to

be known as the SFA or NSFA). These bodies would effectively split 14-19 and 19+ funding. Appendix 1 to the report provided an overview of the consultation

- ii. the Chief Executive asked any governors that may be influential on other groups to raise awareness of the issue;
- iii. SMT were of the view that the college should, as a priority within its consultation, advocate regional planning linked to the LSEB and post-18 financial structures as the best way of administering Landbased and Related Green (LARG) skills education and training in the London Region. Governors supported the views of the SMT;

RESOLVED:

- i. **to instruct the Chief Executive and Head of College to respond on behalf of Governors to the consultation document;**
- ii. **the response to encourage Government to vest responsibility and funding for specialist provision such as Capel Manor in the regional LSEB Board and charge them to work closely with local authorities to ensure that the specialist learning needs of their 14-19 cohort are met by such an arrangement;**
- iii. **that governors having influence with other groups relevant to the Landbased and Related Green sector in London or elsewhere would respond along similar lines (as it was likely that responses from industry would be considered as particularly powerful in this context).**

10.2 Update on negotiations with the LSC re. funding fro 2008/09 and other related issues

NOTED that Appendix IV to the report was the schematic diagram showing the levels of activity the college has bid for in 2008/09 which seeks significant growth in 16-18 provision (in “old money” the equivalent of an increase in FTEs from 319 to 406), a slight increasing in adult learner FTE numbers (to accommodate the growth of centres) and a significant increase in the level of apprenticeship activity;

RESOLVED to endorse the levels of activity the college has bid for in 2008/09 as detailed in Appendix IV to the report.

10.3 40th Year Celebrations

NOTED:

- i. the college has given priority as part of the 40th year celebrations to preparing itself for the challenges facing the college for the next 40 years and had scaled down its plans for the celebratory events;
- ii. the opportunity for the college to attend the high profile skills exhibition “Skills London 2008”. The college has purchased space for cost of £20,000,

£4,000 of which was payable in the 2007/08 financial year (which could be met from within existing marketing budgets);

10.4 Potential links with City of London Livery Companies

NOTED:

- i. establishing links with the City of London Livery Companies had initially been raised with the Chief Executive by Corwainers and with the Search Committee by Lady Stuttard in her interview;
- ii. links could be developed by association with the Guild of Freeman or by working closely with the Worshipful Company of Gardeners.

RESOLVED that the Chief Executive Officer be empowered to form a small working group to include governors to explore the concept, operation and development of this idea further with a view to reporting back to the next meeting of the governing body on its feasibility, detailed advantages and potential costs to the Corporation.

10.4 Crystal Palace Farm

NOTED that:

- i. whilst the college continues to face significant challenges in providing all the planned facilities at Crystal Palace Farm progress has been significant;
- ii. it was hoped to invite Val Shawcross, GLA member, to formally open the farm in June/July (subject to the outcome of the current elections);

RESOLVED that Chairman of Governors would write congratulating staff and students at Crystal Palace Farm on their achievements and thanking them for their efforts.

10.5 Other updates provided by the Chief Executive

NOTED that the Chief Executive also updated governors on the following:

- i. the potential development of links with the Horticultural Trades Association (HTS)
- ii. development of links with the Institute of Horticulture

11. OFSTED AND LSC INSPECTION REPORT

RECEIVED paper 11, report of the Head of College for decision

TABLED confidential copy of e-mail from the Chief Executive to the London area lead Inspector (reference Ofsted report and the response from the inspector received 9th April 2008). The confidential e-mail from the Chief Executive to the London Area lead Inspector was moved to Part II as it related to discussion with inspectors prior to their report being published.

NOTED that:

- i. the college had been advised in early March of Ofsted's plans to inspect the college on the 25th and 26th March 2008. Subsequently inspectors notified the college of their intention to extend the inspection to a third day and to engage a third inspector;
- ii. staff, students and governors all contributed to the inspection process and there was open and constructive discussion on a range of issues relevant to the future of the college;
- iii. the grades awarded by the Inspectors had been the same as the college's in all but one area which was "capacity to improve";
- iv. Inspectors had been asked to reflect on this variation in judgement (by the Head of College) and postpone the publication of the report until the college's achievements at 16-18 for 2007.08 are known. It was felt this would prove whether the college's capacity to improve is grade 2 (as the college judged it) or grade 3 (as the inspectors judge it); The Ofsted lead inspector subsequently advised the Head of College that publication cannot be delayed and the report is likely to be published in mid May;
- v. The Chief Executive had also written to the Inspectors to raise issues relating to the text of report to ensure that it accurately reflects the process of the inspection, the college and its achievements;
- vi. Inspectors had advised the Head of College (the college's nominee for the inspection process) that, whilst college quality processes were sound, some of the detail and precision of evaluation was not as sharp as it could be and that this could affect the college's capacity to improve.
- vii. A number of governors had met the inspectors. Governors debated in some detail their input into the inspection process and their perception of the outcomes of their meeting with the inspectors. There was concern that their recollection of the outcome of the meeting did not align with the view given by the inspector to the grading meeting (as reported by the Head of College). Governors were of the view that the inspector had accepted their arguments that good improvement had been demonstrated and that there was good capacity to improve (and every likelihood improvement at current good rates would be maintained). Governors felt the input from James Wisdom and John Bennett had particularly demonstrated their grasp and knowledge of quality issues;
- viii. Governors were of the view that the college has demonstrated good management and staff motivation and that this was the major factor driving continued improvement.;

- ix. The Head of College advised that, whilst there was courteous disagreement with inspectors over the college's capacity to improve, there was enormous feeling within the college that staff would be able to evidence capacity to improve when achievement levels for 2007/08 were known;
- x. Whilst governors support the decision of the Senior Management Team not to appeal against the inspectors' decision of the grade relating to capacity to improve, they did want to register their disappointment at the outcome of discussion between inspectors, the Head of College and Chief Executive Officer;
- xi. The college was seeking clarification as to whether the inspection report would affect the college's Beacon status (awarded until June 2009) but the Head of College was of the view that the college's application under the new standard for excellence program would not be adversely effected
- xii. Chairman of Governors thanked governors for giving up their time to attend the meeting with inspectors and for the quality of the debate on the inspection report;

RESOLVED:

- i. to congratulate Madeline Hall not only for representing the college as its nominee in the Inspection process, but also on the outcome of the inspection, the engagement of staff and the way in which she has harnessed a difficult and challenging process to take the college forward in a positive manner;**
- ii. to support the action taken by the Head of College to delay the publication of the report;**
- iii. to support the action taken by the CEO to ensure that the text of the report accurately reflects the college and its achievements.**
- iv. to write to the Senior Inspector expressing their concern over:**
 - a. the process which has led to the college being graded as "satisfactory" in its capacity to improve;**
 - b. the apparent anomaly between the conclusions they felt the inspector had reached as a result of their meeting with him and the details reported to the grading meeting in the final report back session;**
- v. not to appeal against the inspection but to register concerns as they believe that the college's ability to improve will be clearly demonstrated as "good" once the 2007/08 data becomes available.**

12. REPORT OF THE HEAD OF COLLEGE

RECEIVED paper 12, report of the Head of College for information

NOTED:

- i. the overall student success rate target of one percentage point for 2006/07 has been met for long courses as previously reported to governors. The college has just been inspected on this as reported in paper 11;
- ii. the term “confidence interval” (paragraph 3 of the report) was previously understood by the word “tolerance”;
- iii. Appendix 1 (3 Year notional level achievements) shows student success rates for 19+ students on Level 2 long courses as 100%. This was a fault within the software when reporting interim data and would be adjusted at the end of year;
- iv. Student retention for 2007-08 was strong across the board;
- v. level 1 16-18 year old students’ retention was currently just above benchmark (the same as last year). This was a small cohort of students where the withdrawal of one student would affect retention figures downwards by 2%;
- vi. the college’s Quality Policy and two major evaluation tools (Teaching Observation Report and Course Review) were attached to the report as appendices 2, 3 and 4. These form the college’s Quality Strategy to be approved annually by governors;
- vii. as previously reported Inspectors had advised that the college’s quality processes were “sound and complete”. However, there was room for improvement in the college’s evaluation processes. The Head of College advised that she would like to make one change as part of the college’s quality policy relating to the frequency of course reviews. The Head of College felt these would be more helpfully done on a termly basis;
- viii. Ofsted inspectors had visited the college on the 15th November 2006 as part of a five month research and review exercise exploring good practice in the Landbased sector subject area. Many examples of good practice contained within the report are drawn from Capel Manor, for example the retail shop as part of the physical resource base in floristry provision, the number of demonstration gardens designed by students and the “Greenheart” project;
- ix. Initiatives such as a college gardens’ diary, webcams to observe animal and a “learning fair” are all initiatives that the college can introduce;
- x. One governor asked for an update on student behaviour as the Edmonton community was experiencing problems with young people. The Head of College advised there had been an increase in 2007/08 in the level of student misbehaviour. The college was:
 - a. addressing disciplinary issues and was providing additional workshops to support students;
 - b. looking to develop strategies to promote further engagement of 16-18 year olds in the college from September 2008;

- c. aware that the level and seriousness of the problems experienced were nowhere near as severe as those being experienced in Edmonton or in other schools/colleges across the Borough.

13. MINUTES OF THE FINANCE AND GENERAL PURPOSES COMMITTEE HELD ON THE 12TH MARCH 2008

RECEIVED minutes of the Finance and General Purposes Committee held on the 12th March 2008

NOTED:

- i. papers 13a (Management Accounts for the six months to January 2008) and 13b (Revised Budget and Cash Flow for 2007/08) had been provided for governors' information;
- ii. the appointment of a Vice Chairman for the Finance and General Purposes Committee will be an agenda item for the next meeting;
- iii. the oldest of the eight HP procure networking core switches to be replaced was seven years old and that the cost of replacing the switches was an exceptional cost and was not covered within the annual IT/maintenance budget;
- iv. the Personnel Manager has been appointed as an additional bank signatory;
- v. the SMT had sought approval for an enabling contract which would be utilised when companies provide trainers for use by the college on full cost recovery/commercial courses;
- vi. the management accounts for the period up to the 1st January 2008 and the commentary circulated to governors as paper 13a;
- vii. the Finance Manager had adopted a prudent approach both in anticipating income and in allowing for expenditure during 2007/08;
- viii. the revised capital budget of £1,194,680 would affect the budget and lead to a predicted "break even" position at the end of the year;
- ix. the Chairman of Finance and General Purposes invited questions on developments at the college's sites across London as these were not included in the report of the Director of Estates and buildings (as this would be a repetition);
- x. Woodley Coles partnership had been appointed as quantity surveyors for services for Enfield, Forty Hall and Gunnersbury Park sites;
- xi. Finance and General Purposes Committee had approved an allocation of £3,000 to enable a report to be produced for their consideration on the establishment of a 5/7 acre vineyard at Forty Hall Farm (subsequently, the consultants advised that the report may cover the establishment of a 7-10 acre vineyard, but there will be no extra costs as a result of extending the report in

this way). If the college considers a commercial operation associated with plans to establish a vineyard it would be necessary to investigate the potential impact on the college's charitable status and identify any other legal implications for the college;

RESOLVED:

- i. **that the 2007/08 sub capital allocation for IT equipment is increased by £25,000 to allow for replacement of networking switches;**

Proposed: Malcolm Parkinson Seconded: Ken Crowther

- ii. **to agree the strategy to use a standard template to engage private training organisations to deliver non-LSC funded provision;**

- iii. **to delegate to SMT authority to enter into such arrangements when the annual value of such a contract is below £20,000;**

- iv. **that the financial regulations are amended to reflect this and the financial delegation limit proposed;**

Proposed: Malcolm Parkinson Seconded: Roger Abraham

- v. **to approve the revised revenue budget for 2007/08 as detailed in column B of Appendix 1 attached to paper 13b;**

- vi. **to approve the revised capital budget of £1,194,680 for 2007/08;**

- vii. **to approved the revised rolling cash flow forecast;**

- viii. **to note that the revised revenue budget results in a reduction in the planned surplus of the college at the end of the year of £64,000.**

Proposed: Malcolm Parkinson Seconded: Irene Byard

14. MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 9TH APRIL 2008

RECEIVED a verbal update from the Chairman of Audit Committee of the Audit Committee meeting held on 9th April 2008.

NOTED:

- i. the meeting of the Audit Committee scheduled as part of the spring cycle of meetings had not been convened due to there being insufficient business. However subsequently two small items had arisen which would require the attention of the audit committee and this had made it necessary to convene a meeting prior to the governing body meeting;

- ii. Members of Audit considered the following:

- i. Minutes of the Audit Committee meeting held on the 21st November 2007 which were approved;
 - ii. Matters arising from the minutes of the meeting held on the 21st November 2007;
 - iii. Report of the Finance Manager for information which updated members on the Provider Financial Management (PFM) Review undertaken by the LSC as part of the inspection process. No issues had been identified with the effectiveness of the college's financial management and governance frameworks. The college's self assessment grade of its financial effectiveness was confirmed as "good". This contributes to the college's overall grade relating to leadership and management;
 - iv. Options for ILR Assurance Work for 2007/08 which provides assurance of the adequacy and effectiveness of the learner number systems;
 - v. Appointment of auditors to audit the Step Up project funded by the LDA.
- iii. Governors were cautious in delegating authority to the Chief Executive Officer to agree audit fees without defining a limit for such expenditure;
 - iv. within the bid for the LDA Step Up project a sum of £1000 had been included for auditing the project. Should the cost of audit be higher than £1,000 it was likely the additional cost would be met by the LDA.
 - v. the Chairman of Audit Committee read out recommendations from the Audit Committee to the Governing Body;

RESOLVED that:

- i. **Baker Tilly (Chelmsford) be reappointed to provide the ILR controls audit for 2007/08;**
- ii. **authority be delegated to the Chief Executive to sign the letter of engagement and to agree the audit fee for this work based upon Baker Tilly's standard terms, on condition that this is reported to the next Audit Committee meeting;**
- iii. **Baker Tilly be appointed as auditors for the college's Step Up project from 1st April 2007 to the 31st March 2008;**
- iv. **a tripartite letter of agreement between Baker Tilly, Capel Manor College and the LDA be signed on behalf of the college by the Chief Executive;**
- v. **authority be delegated to the Chief Executive to agree the fee for the above work based on Baker Tilly's standard terms once the level of audit is established to be reported to the next meeting of the Audit Committee.**

15. MINUTES OF THE MEETING OF CAPEL MANOR LIMITED HELD ON 4TH DECEMBER 2007

RECEIVED paper 15, minutes of the meeting of Capel Manor Limited held on 4th December 2007.

NOTED that:

- i. the minutes were confirmation of the verbal report presented to governors at their meeting of the 12th December 2008;
- ii. the company remained dormant. This was in case the college needs to put any commercial aspect of a project through Capel Manor Limited and the complexity of setting up a company.

16. MINUTES OF THE CURRICULUM AND QUALITY COMMITTEE MEETING HELD ON 5TH MARCH 2008

RECEIVED the minutes of the Curriculum and Quality Committee meeting held on 5th March 2008

NOTED:

- i. Simon O'Hear, Personnel Manager had sent apologies for absence and his name should not appear on the list of attendees;
- ii. items discussed at the Curriculum and Quality Committee had been covered by inspection.

17. MINUTES OF THE ACADEMIC BOARD MEETING HELD ON 13TH FEBRUARY 2008

RECEIVED the minutes of the Academic Board meeting held on 13th February 2008

NOTED that:

- i. the college was exploring initiatives to further engage its younger students;
- ii. the suggestion that a group of volunteers called Team Capel spend up to five working days alongside members of staff to build student ownership of the college;
- iii. the college was tendering for a Train to Gain contract for Horticulture, Arboriculture, the Environment and response to any employers in Floristry wanting full level 2 and 3. The tender needs to be submitted by the 9th May;
- iv. funding for the GreenHEART for Women initiative ceases this year. Women progressing to Levels 2 and 3 have the opportunity of applying for mainstream courses funded by the LSC. However they will no longer receive benefits such

as Personal Protective Equipment (PPE) and some travel expenses. The college is intending to offer some women-only courses at Level 1 to explore whether these will be viable.

18. MINUTES OF THE HEALTH AND SAFETY COMMITTEE MEETING HELD ON 26TH FEBRUARY 2008

RECEIVED the minutes of the Health and Safety Committee meeting held on 26th February 2008

NOTED:

- i. the committee was considering its role in the light of changes within the college. Since the committee had been convened it has gradually taken an interest in monitoring day-to-day Health and Safety operation as well as strategic issues. Members felt the Health and Safety Committee should be more strategic with the operational role being overseen by a Health and Safety Working Group;
- ii. Members of the Health and Safety Committee felt that the first meeting of the operational working group should be convened before proposals for the change in the Health and Safety Committee are made to governors. This would provide an opportunity to evaluate how effectively the working group inter-relates with the Senior Management Team and Governors;
- iii. Members were trialing a revised accident investigation report format;
- iv. the issue of the introduction of the new Corporate Manslaughter Act and its potential impact on governors' responsibilities was raised. A separate report would be submitted to the governing body at the July 2008 meeting detailing changes in the law and the implication for governors.
- v. the Chief Executive reported that (subsequent to the H&S meeting) the LSC has inspected Capel Manor's Health and Safety records and procedures. No action points were identified and the college's Health and Safety has been graded between "good" and "excellent" on a four point grading system (excellent, good, adequate, inadequate);
- vi. governors congratulated the Director of Estates and Buildings who is the college's Safety Officer on the result of the LSC's inspection of Health and Safety.

19. REPORT OF THE DIRECTOR OF ESTATES AND BUILDINGS

RECEIVED paper 19, report of the Director of Estates and Buildings for information

20. MINUTES OF THE PERSONNEL COMMITTEE MEETING HELD ON 6TH MARCH 2008

RECEIVED the minutes of the Personnel Committee meeting held on 6th March 2008

NOTED:

- i. Finance and General Purposes Committee had approved the proposed revised subsistence rates at their meeting of the 12th March 2008. The appendix in the Business Expenses Protocols which sets out the maximum subsistence rates would be revised to reflect the new rates;
- ii. the introduction of Childcare vouchers for staff which has been very well received by staff.

21. MILEAGE RATES

RECEIVED paper 21, report of the Personnel Manager for decision.

NOTED that:

- i. the Personnel Committee meeting of the 6th March 2008 had considered a proposal to revise mileage rates for vehicles, motorcycles and bicycles based on the Inland Revenue scheme;
- ii. the proposed new rates aligned to the Inland Revenue scheme and would make it easier to administer (no tax or NI would be payable);
- iii. the Personnel Committee considered approving the proposal but requested that SMT undertake further consultation with staff before the proposal was agreed;
- iv. as the next Personnel Committee meeting is not until the 16th of June 2008 it was agreed that the results of the consultation should be reported to the Governing Body who were requested to make the final decision on this matter to avoid further delay;
- v. In total 13 responses to the consultation were received from staff (one of which was received after the closing date for responses and also after the report to governors had been circulated to governors). The Personnel Manager assured governors that the majority of respondents were in favour of the proposal;

RESOLVED to endorse the proposed mileage rates, effective from 1st April 2008.

22. DATE OF NEXT MEETING – Governors training at 4.00pm followed by a full governing body meeting at 6.15pm on the 24th July 2008.