

CENTRAL SUSSEX CORPORATION

Minutes of a Corporation Meeting held at 5.00 p.m. on 11th December 2006

Membership: Patrick Berry*, Martin Delbridge (Vice-Chair)*, Mark Froud, Michael Coughlin, Paul Harding*, Binita Kataria*, Christie McMahon*, Gill Marshman, Sylvia Meli*, Andreia Moniz*, Alan Morris*, Caroline Nicholls, John Peel (Chair)*, Mark Read*, Rosa Sadler* and Russell Strutt*

* = present

Also in attendance: Suri Araniyasundaran, Sue Dare, Jenny Poore and Nick Whitley (Clerk)

APOLOGIES FOR ABSENCE

1. Apologies for absence were received from Michael Coughlin, Mark Froud, Gill Marshman and Caroline Nicholls, and for lateness from John Peel.

DECLARATION OF INTERESTS

2. There were no interests to declare.

APPOINTMENT OF NEW CORPORATION MEMBERS

3. The Clerk advised the meeting that Sue Samson had now confirmed her resignation from the Corporation in writing.
4. Two parents had offered themselves for election as Parent Member; the successful candidate was Sylvia Meli, who was in attendance at the meeting.
5. **It was agreed Ms Sylvia Meli be appointed as a Parent Member of the Corporation for a period of two years, commencing with immediate effect.**

MINUTES OF A MEETING OF THE 12TH OCTOBER 2006

6. **The minutes were signed as a correct record.**

MATTERS ARISING

7. **The previously circulated report was noted and accepted.**

CHAIRMAN'S ACTION

8. **The Chair's Actions as described in the summary report were noted.**

INTERIM HEALTH & SAFETY REPORT: AUGUST – NOVEMBER 2006

9. Martin Delbridge opened this item by reminding all Corporation Members of their individual responsibility for Health & Safety within the College. It was important that

they did not rely solely upon the Executive Summary that had been provided, and use it as a guide to the report, but scrutinise the report in its entirety.

10. Jenny Poore then introduced the report, drawing attention to the pleasing reduction in accidents during this Autumn term. This was the term when the College tended to experience larger numbers of accidents to learners, as they acquired skills in using unfamiliar tools and equipment.
11. An incident concerning contractors working during half-term was explored. The contractor had permitted his young son (eight years old) to play in the area that had been cordoned off to prevent College staff and visitors from endangering themselves.
12. It was confirmed that contractors were required to abide by the College Health & Safety policy as part of the procurement conditions, and to ensure they follow safe working practices and methods.
13. The meeting also raised questions about one of the security incidents, involving an Educational Development student being taken off-site by another student. The Principal reassured the meeting that, on closer inspection, the incident had proved much more innocent than it had appeared initially. It had arisen during a programmed set of outings for groups of two or three students to visit the town centre unaccompanied. These were an important stage in developing the learners' independence. A new protocol had been developed in the light of this incident, to ensure improved oversight of this aspect of the programme.
14. On another matter, the discovery of drugs in a workshop, it was confirmed that all such incidents were reported to the police. In that instance no further action could be taken, as it had proved impossible to identify who had brought in the drugs.
15. It was noted that Members of the Corporation had found the Executive Summary helpful.
16. **The report was received.**

REPORTS FROM LOCAL COMMUNITY BOARDS (LCB)

17. Martin Delbridge introduced the report from the Haywards Heath LCB and highlighted its extensive discussion of the scope and remit of the LCB. The LCB was supportive of the proposed revision and approved of the incorporation of the embryonic Burgess Hill LCB within an enlarged Haywards Heath and Burgess Hill body. Members were pleased at the prospect of focussing on local needs and monitoring the quality of the local provision. He confirmed that staffing updates would not feature on the agendas in future, but stressed that the LCB would continue to provide a forum for students' issues to be raised. He confirmed that he would be looking to alternate the venues for the meetings between Haywards Heath and Burgess Hill; there was every indication that this would be welcomed by the current members of the LCB.
18. It was confirmed that the putative initial members of the Burgess Hill LCB would be invited to join the enlarged LCB; as it settled down, the make up of the membership would be reviewed.
19. **The report was received.**
20. Paul Harding then introduced the report of the Crawley and Horsham LCB. He drew attention to the fact that a representative from Crawley Borough Council, Jarnail Singh, had joined the Board. The LCB was still looking for representation from the Horsham business community.

21. The Board had reviewed progress on the development of the Crawley Master Plan and had made some constructive and helpful comments. It was planned to hold some of the meetings in Horsham in the future.
22. **The report was received.**

CURRICULUM, QUALITY AND STANDARDS COMMITTEE REPORT

23. It was noted that the Committee had spent a considerable time reviewing the detail of the Self Assessment Report. The finalised version of that Report was now before the Corporation for approval; however the formal resolution would not be put until the Principal had taken the meeting through it as part of his report.
24. **The report was received.**

PRINCIPAL'S UPDATE

25. The Principal took the meeting through his report. He drew attention to the enrolment position, which indicated that the College was likely to exceed the Learning & Skills Council (LSC) target funding. Since this core funding was capped, so that exceeding the target would not generate additional income, the Executive was taking action to avoid the financial problems experienced in 2005/2006. The effect of the capping of the LSC core funding was to constrain the College's role to serve its community; this would need to be kept under review by the Corporation.
26. The Principal then drew attention to the recent successful Annual Assessment Visit (AAV) and Re-inspection of the College. It was noted that there was a marked difference between the success rate for Foundation Modern Apprenticeships (FMA), at 57% (and above the national rate) and that for Advanced Modern Apprenticeships (AMA), at 40%; was there good practice elsewhere that the College could learn from? The Principal explained that the difficulty lay with the achievement of the full framework, including keyskills; this was not necessarily seen as a priority by learners or employers, who tended to focus on the NVQ qualification.
27. The College's experience with AMAs was in fact typical for the county as a whole; indeed much of the College's AMA provision was performing above the national averages. The low pass rate reflected a national problem.
28. The Risk Assessment of the College's performance carried out by the Lead Inspector stated that the College was making "very good progress".
29. The Principal then focussed on the Self Assessment Report (SAR), pointing out that, together with the Annual Report and Accounts, the SAR was the most important document before the Corporation, as taken together they represented a full account of the College; both finances and activity. He then took the meeting through the Executive Summary of the SAR that he had included in his report.
30. The lead inspector had tested and validated the College's judgement of itself through two Annual Assessment Visits and had confirmed the Headline Strengths and Areas for Development. Short courses (both those shorter than five weeks, and those between five and twenty-four weeks in length) presented the main area of concern; and Teaching and Learning at the Crawley and related campuses needed to improve by at least ten percentage points. There was too high a proportion of satisfactory teaching and not enough good or better.
31. The Curriculum, Quality and Standards Committee would be reviewing the detailed actions that the Executive would be taking. It was noted that it was not only the quality of the teaching (the input) that was being measured, but also the effectiveness

of the learning. Until the majority of the students were experiencing good or better provision, the College could not assess itself as better than “satisfactory”. In fact, 57% of students only experienced satisfactory provision.

32. The meeting found this aspect of the report somewhat confusing, since elsewhere in the departmental analysis the report stated that 73.4% of learners experienced Grade 2 provision (“good”) or better across all departments.
33. Some time was spent exploring this issue. The Principal explained that this year was a transitional year, as the methodology was shifting from departmental analysis to Subject Sector Area (SSA) analysis, which would be used in future years. The departmental grades had taken the full range of measures into account, and, significantly, had been moderated by the inspectors’ judgement in the re-inspection. The OFSTED inspector had graded the Skills for Life department 2 (“good”), as against the original assessment by the College of 3 (“satisfactory”).
34. For the purposes of grading the Subject Sector Areas, the College had applied a more hard-edged judgement, using only Key Questions 1 and 2 (“How well do students achieve?” and “how effective are teaching and learning”).
35. Subject Sector Areas would be the basis for future inspections, so it was acknowledged that it would be right to focus on those grades when measuring progress.
36. It was noted that progress would initially be measured by improvements in the Lesson Observation grade profile as that would give an immediate insight into whether the College was moving in the right direction. The robustness of the scheme was measured by bringing in external observers to check and moderate the effectiveness and accuracy of the internal observers.
37. It was noted that the detailed Self Assessment Action Plans would be presented to the next Curriculum, Quality and Standards Committee.
38. The Principal then drew attention to the Staff Survey; he advised the meeting that steps were being taken to give Corporation Members access to the College Intranet. This would enable them to view the Survey results in their entirety.
39. It was suggested that the summary presented focussed on the positives, as a result of which members of staff may feel that their concerns had not been understood. In particular, the focus on resolving issues by improving communication may miss other issues.
40. It was stressed that all staff had access to the survey in its entirety; it was also pointed out that it was good to know what the positives were, so that they could be built upon.
41. It was noted that the Principal’s summary and Action Plan represented an initial approach. The Finance & Operations Committee had identified the importance engaging the hearts and minds of staff, which would not be easy, or achieved rapidly.
42. **It was agreed that actions to address the findings of the Staff Survey should be kept under review by the Finance & Operations Committee.**

John Peel joined the meeting at 6.00 pm.

43. The Principal then drew attention to the proposals for the Support Teams, circulated with his report. He advised the meeting that the consultation period had now ended; he and the College Leadership Team (CLT) would be reviewing and responding to all the comments by the end of the week.

44. A question was raised as to the ratio of support to teaching staff; was there a sector norm that the Executive was aiming for? The Principal advised that Bentley Jennison did provide some statistical information, based on their survey of some 100 colleges. The College's staffing costs (currently some 67% of total expenditure) were moving in the right direction, and were now in line with other Colleges. The percentage of support staff costs showing within total staff costs (37%) was higher than in many colleges; however this figure included a significant number of staff providing front-line services to learners, such as trainer/assessors and additional learning support staff, and personal advisors.
45. It was noted that this issue had been raised by the Finance & Operations Committee and was to be reviewed.
46. The organisational development of the West Sussex County Council Children's Service, and its importance for the College were recognised. It was noted that the College had been asked to lead with the development of the new Specialised Vocational Diplomas in three areas: Construction, Engineering and Care.
47. The Principal then drew attention to Section 8 of his report, which he had entitled "Hot Issues". One of the most significant strategic issues facing the College and the Corporation was the shift from relatively stable core funding for adults towards bidding for contestable funds. In respect of Train to Gain, the College had been asked to lead a consortium of 21 partners from Sussex, and had been successful in gaining a £3.2 million contract (as had been reported to the previous Corporation meeting). At the time of the last Finance & Operations Committee meeting, the situation had not been good; the consortium as a whole had been significantly below the profiled target and of the College's share, some £90K appeared at risk.
48. Since then the Principal had called the other Colleges' strategic leads together on two occasions, to address the problem, and the figures at the end of November were showing a significant improvement. It now appeared likely that the consortium should achieve its targets on the Train to Gain contract. There was, however, a continuing problem with respect to the European Social Fund (ESF) contracts, largely because of conflicting government policies. For the Train to Gain contracts, the employer was not required to pay any fees; however for the ESF contracts, which covered essentially the same qualifications, a substantial fee was mandatory. This has been raised with the LSC for resolution; however just over £60K remained at risk.
49. The final point to which the Principal drew attention was the Further Education and Training Bill 2006. This raised a number of issues that could have a significant impact on the College's governance and **it was agreed that this should be considered in more detail by the Governance & Search Committee.**
50. **The Principal's report was received.**

FINANCE AND OPERATIONS COMMITTEE REPORT

51. Paul Harding introduced the report. He advised the meeting that the main focus of the Committee had been on the Annual Accounts, and the impact that accounting for the College's share of the Local Government Pension Scheme (LGPS) (in accordance with Financial Reporting Standard (FRS) 17) had had. A simplified guide to this was available from the Clerk.
52. It was apparent that managing the finance in the light of the shifting funding streams was becoming even more complex and difficult.
53. The Committee had recognised the need to maintain the arrangements with the College bankers for an overdraft facility.

54. **It was agreed that the bank be asked to extend the overdraft facility of up to £1.1m for a further year.**
55. A criticism of the Committee in the past had been that it did not pay sufficient attention to staffing and Human Resources (HR). The Committee was addressing this and HR matters now took a higher profile in the meetings; the Committee was grateful to Jenny Poore for the report she was providing. One of the HR areas that the Committee would like to focus on was bench-marking the College; however it was proving very difficult to obtain comparable data from other Colleges. The Committee had therefore resolved to make a start by comparing the College with national data from outside the Further Education (FE) sector.
56. The Chair of the Corporation advised the meeting that he had raised this at a recent meeting of Sussex Chairs; the Sussex Chairs were interested in a bench-marking exercise, but had concerns that differences in the way they categorised staff would lead to misrepresentation of their Colleges. There was a need to establish clear definitions. He suggested that the Clerk ask for the help of the Sussex Clerks' network to progress this.
57. It was noted that the Executive was in discussions with both sets of the College's bankers to revise the banking covenants.
58. **The report was received.**

AUDIT COMMITTEE REPORT

59. Patrick Berry introduced the report. He advised the meeting that there were no matters of significant concern to draw to the Corporation's attention. There was one failed attempt to defraud the College that had arisen in the last few days, when the bank had intercepted a fraudulent cheque. The College had suffered no loss, and the banking controls had proved effective.
60. **The report was received.**

ANNUAL REPORT AND ACCOUNTS

61. **The Annual Report and Accounts for the year ended 31st July 2006 were approved and the Chair of the Corporation was authorised to sign them on its behalf.**

LETTER OF REPRESENTATION TO THE AUDITORS

62. **The Chair of the Corporation was authorised to sign the Letter of Representation on behalf of the Corporation.**

CRAWLEY MASTERPLAN

63. Martin Delbridge introduced this item, reminding the meeting that an Open Meeting had been held on Friday 8th December to go through the plans. These were at the concept stage, developed from the underlying educational case.
64. Paul Harding then gave a progress report from the Task and Finish Group, which he chaired. The concept architect had developed a proposed layout, which had been displayed during several consultation meetings with residents, staff, employers and other stakeholders. Discussions had taken place with the planners who were preparing proposals for the development of the Town Centre (North), and also with

officers from the Crawley Borough Planning Department, to ensure that their requirements were being addressed appropriately.

65. The outline proposals embodied the requirements of the educational case, which was itself built on the original full proposals for the merger, and the subsequent five year strategic plan. It incorporated flexibility of use in layout, space and floor-design and had been designed so that the College could continue to operate normally during its construction.
66. He stressed that the design, while it appeared sound at this stage, was still at an outline, in principle stage. There would need to be much more work to develop the detailed design. It was hoped to submit a bid to the LSC in April or May for approval in principle (first locally, then at national level). It would be necessary to obtain outline planning consent before any bid could be submitted; this would take in excess of thirteen weeks.
67. There had been a generally favourable response so far to the proposals; however, as expected, car parking was proving the most contentious issues. Work would be needed to develop an effective Green Transport Policy, for which professional help would be needed.
68. The Task and Finish Group would continue to oversee the development of the project on behalf of the Corporation. To do that, it would need to have the delegated authority to take urgent decisions on behalf of the Corporation. A further Open Meeting would be held on Monday, 5th February, in T11 at 5.00 pm to review progress, to which it was hoped all Corporation Members would come, and a further meeting would be arranged in the second week of March. If any major decisions were required at those times, a Special Corporation meeting could be convened on those evenings.
69. There was a capital budget of £200K for this stage of the development of the Masterplan; it was recognised that the whole of this amount was at risk, since there could be no guarantee that planning consent, or LSC approval, would be obtained. The scheme could not be submitted to the LSC without considerable further expense being incurred, and it was possible that it would be rejected in principle even though the indications from officers were positive up to now.
70. The educational case was confirmed, being in accordance with the Five Year Strategic Plan.
71. The outline plans prepared by the concept architects were approved as the basis for preparing an application for outline planning consent, to be submitted to Crawley Borough Council.
72. **It was agreed that the Task and Finish Group should be given the authority to approve minor changes to the plans on behalf of the Corporation.**
73. **It was agreed that the Task and Finish Group should oversee and approve the tendering and appointment of specialist advisers, consultants and contractors (including but not limited to legal advisers, Quantity Surveyors, and Employer's agents) subject to the total expenditure committed and incurred not exceeding the capital budget for the Masterplan of £200K (without further approval from the Corporation).**
74. It was noted that it was envisaged that the bid to the LSC for capital support would be for 100% funding.
75. **The report was received.**

REPORT OF THE GOVERNANCE & SEARCH COMMITTEE

76. The Chair of the Corporation introduced the report and drew particular attention to the establishment of a small group, consisting of himself, Mark Froud and Martin Delbridge, that would be reviewing the methodology for the self assessment of governance.
77. The Committee had concluded that the training for new Corporation Members should be developed in a more formal and extensive way than at present, and the Clerk had been asked to address this.
78. The Committee were concerned to see the development of an appraisal scheme for Senior Postholders as a matter of urgency, while recognising that it needed to be consistent with a whole College system.
79. The Governance & Search Committee had met briefly on Friday 8th December; the Clerk had reported progress on the election of a Parent Member. The Chair expressed his pleasure that Sylvia Meli had been able to be present this evening.
80. **The report was received.**
81. **The recommendations contained within the Staff Suspension Appeals Procedure were approved as follows:**

The status quo shall apply in respect of any suspension or dismissal occurring before the new policy and procedures are finalised, subject to detailed individual discussion with the relevant union representative(s) to ensure that the policy is correctly applied.

A quorate corporation meeting shall hear any appeal against a suspension, but student and staff members shall be excluded from the meeting.

The only question that the Corporation shall consider in relation to an appeal against suspension will be “Was the College right to suspend”? No detailed evidence from either side shall be presented other than a brief background summary of the reason to suspend, to be supplied by the Principal; the appellant shall also have a right of reply to this statement. The Principal’s statement shall be provided to the Corporation and to the appellant in advance of the appeal hearing.

The Principal shall continue to deal personally with conduct-related dismissals but he may delegate other dismissals (in probation, expiry of fixed term contracts, redundancy, etc) to another senior postholder.

It was agreed that the Corporation delegate the right to hear appeals to the Principal in all cases except those, which are:

- **conduct related;**
- **where the individual involved is of a sufficiently senior level (ie Principal is second line manager) and the appeal decision needs to be separated from line management;**
- **where the Principal has personally dealt with the dismissal;**
- **where the Principal is unable or unwilling to hear an appeal;**
- **where the Articles prohibit such delegation.**

In the event of any conflict between policy under the Instruments and Articles and current employment law, a robust employment law procedure shall take precedence.

82. It was agreed that Haywards Heath and Burgess Hill LCBs be merged; Martin Delbridge was appointed Chair of the merged LCB with Mark Froud the Vice-Chair.
83. It was agreed no LCB should be established for the East Grinstead campus but that a Management Board be established instead.
84. It was agreed that the revised Purpose and Terms of Reference for the LCBs be approved as follows:

LOCAL COMMUNITY BOARDS

Purpose

The purpose of the Local Community Boards is to:-

1. act as advisory bodies to Central Sussex Corporation, the Principal and the College Leadership Team
2. ensure that the local learning centre or campus is aware of the education and training needs of the community it seeks to serve
3. to contribute to the development of Central Sussex College strategies, through local stakeholder input
4. monitor and review the effectiveness of the local implementation of Central Sussex College strategies and plans
5. “add value” for the CSC Corporation by thoroughly testing and monitoring the local Self-Assessment Review which will also include link arrangements with local curriculum areas to aid the understanding of this process.
6. to support the Corporation, Principal and College Leadership Team in ensuring the local learning centre (or campus) responds appropriately to the education and training needs of the communities it serves and contributes directly to the development and maintenance of vibrant and successful provision that is well regarded throughout the locality and beyond.

Terms of Reference for the Local Community Boards

85. To advise, monitor, evaluate and contribute to local:
 - (a) market analysis and stakeholder input
 - (b) curriculum planning and skills training to meet demand
 - (c) recruitment against targets
 - (d) partnership arrangements with local schools and local employers and organisations
 - (e) implementation of CSC 14-19 and Skills Strategies
 - (f) Learner success and learner experience
 - (g) improvements in teaching/learning and skills training
 - (h) preparation of the local Self-Assessment report
 - (i) Link arrangements with local curriculum areas and reports of these visits to be tabled at LCB and Corporation Curriculum, Quality and Standards Committee.
86. It was agreed that LCB Members be permitted to contribute to Link arrangements agreed at Corporation on 15th May 2006 (i.e. one or two volunteers to visit a local campus curriculum area to enhance understanding and testing out of the self-assessment review process). It was noted that it was particularly helpful if the individual concerned shows a particular interest in the area that they link with.

87. It was agreed that LCBs should continue to report routinely to Corporation so that Corporation Members can take note of key issues effecting local campuses and that LCBs should report once a year to the Corporation's Curriculum, Quality and Standards Committee, on their consideration of the local campus Self-Assessment Review.
88. It was agreed that, following the disestablishment of the Policy & Planning Committee, the proposed changes to the Terms of Reference of the following Committees be approved:
Audit, Curriculum, Quality and Standards, Governance & Search and Finance & Operations
89. The circulated Protocol for CRB checks on Corporation Members was approved.

THE CHAIRMAN'S UPDATE

90. The Chair of the Corporation went through his diary engagements since the last meeting. Copies of the South East England Development Agency (SEEDA) Regional Economic Strategy were laid round at his request.
91. He drew particular attention to the recent Association of Colleges (AOC) annual conference, which he and the Principal had attended. It had been the best such conference he had ever attended.
92. He had attended a meeting of Sussex Chairs, which had discussed common issues of concern, including in particular the sharing of data for bench-marking purposes, and the impact of a committee for Pension Schemes. Those present had shared information about proposed capital development; the aggregate cost for the Colleges represented that day was about £280m and he estimated that for Sussex as a whole this would rise to £350m plus.
93. He had been delayed this evening because of a Gatwick Diamond Steering Group meeting; they were discussing, amongst other topics, how best to advance Further and Higher Education within the area.
94. He drew attention to a particular gap in educational expertise on the Corporation; while this might be partially addressed by the appointment of a Local Authority nominee to replace Sue Samson, he stated that the Governance & Search Committee was looking for candidates with educational expertise to co-opt.

ANY OTHER BUSINESS

95. Martin Delbridge asked the meeting whether placing the Principal's Report early in the meeting, ahead of the Committee reports, was helpful. There was general agreement that it was and that it gave a useful context to the discussions and decisions of the evening.

There being no other business, the meeting closed at 19.18.