



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

**MINUTES OF THE SPECIAL CORPORATION MEETING  
HELD AT 6.00PM ON THE 19TH MAY 2009**

**MEMBERS:**

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

Staff Governor: Vacancy

Student Governors: Ms Kayleigh Hart  
Ms Cecilia Henze

Chief Executive: Dr. Steven Dowbiggin OBE

Also present: Mrs Susan Adams, Clerk to the Governing Body  
Mr Nicholas Evans, Director of Estates and Buildings  
Mr Damien Fallon, Finance Director  
Ms Madeline Hall, Head of College  
Mr Simon O’Hear, Personnel Manager

**Before the meeting commenced the Chairman thanked governors for their attendance.**

**The Chairman also congratulated the Director of Estates and Buildings and staff on their excellent achievement at the Chelsea Flower Show. The college had been awarded the following medals:**

- **The Cottage Garden (for a mature couple) – Silver Gilt Flora.**
- **The Compost Garden – Silver Gilt Lindley.**
- **Bee Garden – Silver Gilt Lindley**
- **Entente Cordiale (A touch of France) – Silver Gilt Flora**
- **Centrepoint – Bronze Lindley**

**1. APOLOGIES FOR ABSENCE**

Apologies were received from Roger Abraham, John Bennett, Douglas Fussell, Kayleigh Hart, Tony Leach, Ron Melville and James Wisdom.

The Chairman advised that there was no staff governor available to attend the meeting as the term of office of the previous staff governor had concluded at the end of the last meeting. Nominations for the role had been called for by the Clerk, but as there had been more than one nomination for staff governor an election process would need to be undertaken

**2. DECLARATION OF INTERESTS**

There were no declarations of interest.

**3. MINUTES OF THE CORPORATION MEETING HELD ON THE 8TH APRIL 2009**

NOTED that the minutes of the Corporation meeting held on the 8th April 2009 would be considered at the Governing Body meeting scheduled for the 22nd July 2009.

**4. NOTES OF THE MEETING OF THE SUB GROUP OF THE GOVERNING BODY (TELEPHONE CONFERENCE) HELD ON 5TH MAY 2009**

RECEIVED paper 4, notes of the meeting of the sub group of the Governing Body (telephone Conference) held on the 5th May 2009 for information.

NOTED:

- i. this was an information paper presented to inform governors of the discussion on the proposed budget for 2009/10 (agenda item 5) and not a decision paper as stated on the agenda and paper;
- ii. the need for management to find £600,000 of efficiencies against the last approved budget for 2008/09 to enable a balanced budget to be agreed for 2009/10 resulted from a reduction in the value of the LSC contract with the college;
- iii. the CEO advised that there had been changes in Government policy for funding post 14 education and training and changes in the funding methodology used by the LSC to allocate funding to colleges;
- iv. there was currently no “blueprint” for achieving the savings and a range of options would be explored as detailed in the notes of the meeting of the sub group to the Governing Body (5<sup>th</sup> May 2009). This was subject to governors approving the budget for 2009/10;

- iv. in order to achieve some of the efficiency savings required on the staffing budget an investigation of the terms and conditions of service and salary scales for Assessors/Verifiers and teaching staff in other colleges had been undertaken;
- v. the HoC advised that, as a different kind of responsiveness to employers was required for Work Based Learning, consideration was being given to moving towards offering separate contracts for staff employed as Assessor/Trainers and staff employed as tutors which better reflect the different roles;
- vi. the HoC advised that at the present time it was envisaged that two small groups of National Diploma students (one at Enfield and one at Gunnersbury Park) would be combined. The combined class would undertake one day of study at Regents' Park and one day at Gunnersbury Park. This did not present any travel problems for students currently studying at Enfield;
- vii. SMT were considering some reorganisation by centralising some non-academic activities and making some strategic changes within some Schools;
- viii. governors sought reassurance that there was support amongst staff for the non-payment of an annual inflationary increase from the 1st August 2009 to avoid additional redundancies;
- ix. the CEO advised that staff at all centres had been spoken to and there had been a broad consensus for the non-payment of an annual inflationary increase from the 1st August 2009;
- x. members queried the effect this would have on any member of staff retiring during 2009/10. The Teachers Pension Scheme and Local Authority Pension Scheme pensions are "final salary" schemes. The Personnel Manager advised that the current inflationary offer from the Association of Colleges to the unions was 1% and therefore at the present time it was envisaged the effect on pensions would be minimal;
- x. the college would be honouring contractual incremental increases;
- xi. it was the governors' intention to re-align staff rates of pay to AoC recommended levels at the earliest opportunity subject to affordability.
- xii. the recommendations to the Governing Body would be considered under agenda item 5.

## **5. PROPOSED BUDGET FOR 2009/10**

RECEIVED paper 5, report of the Finance Director, for decision

The Chairman welcomed Damien Fallon to his first meeting of the Governing Body as Finance Director.

NOTED:

- i. that the first line of paragraph 5 on page 3 should read “Salary costs will also be reduced through a process of natural wastage and ....”
- ii. the 2009/10 budget presented to governors for their consideration was a revenue budget. The capital budget will need to be considered separately;
- iii. the proposed 2009/10 budget was derived from a review of the base costs for 2008/09 and makes provision for normal repeating costs arising from running the operations of the college;
- iv. the reduction in LSC non-recurrent income because the LSC have reduced the proportion of their funds which they allocate for projects. Therefore a modest target had been proposed. It was envisaged that some project income would be secured, for example an additional course to support training related to food sustainability training in Enfield (in liaison with the London Borough of Enfield). It was also hoped that as the year progresses there may be the opportunity to bid for further projects;
- v. the budget would need to be “flexed” through year to allow for any such changes;
- vi. there was little in the way of contingency other than the projected surplus of £71,230;
- vii. colleges are not allowed to set a negative budget;
- viii. the proposed 2009/10 budget would be used as the basis for the preparation of a three year financial plan to be considered by the Finance and General Purposes Committee and the full Governing Body prior to its submission to the LSC by the 31st July 2009;
- ix. the conscious decision taken by governors to sustain the volume of activity and student numbers and support a strategy which seeks to reinstate in 2009/10 the 2008/09 16-18 learner targets. The additional funding associated with achieving the reinstated learner numbers in 2009/10 would normally not be recognised until the 2010/11 academic year, although the college will petition the LSC to pay for this additional learning “in year”;
- x. the importance of continuing this strategy and maintaining the framework at all college centres to achieve the longer term strategic aim to be the major quality and cost effective provider of LARG education and training across the London region;
- xi. the CEO advised there were risks associated both with following the proposed strategy and with not following it;

- x. that, whilst the budget does not include funding for an inflationary pay award in 2009/10, the financial position of the college would be reviewed six months into the year and consideration given to reinstating any inflationary increase as soon as possible subject to affordability (exclusive of backpay);
- xi. it was the Governing Body's intention to realign with AoC recommended pay rates at the earliest opportunity;
- xii. governors supported the rationale behind the proposed 2009/10 budget and were of the opinion that it is an achievable budget.

**RESOLVED:**

- i. that the budget detailed in Appendix A to the paper:**
  - a. be adopted for 2009-10**
  - b. is used as the basis for the preparation of a three year financial plan for submission to the LSC by the 31st July 2009;**
  - c. SMT be empowered to take the actions necessary to meet the college's targets within the budgets and expenditure agreed.**

**Proposed: Don Gratton                      Seconded: Irene Byard**
- ii. to request the SMT to conduct a full financial review after six months and evaluate the possibility of making the AoC recommended pay award from January 2010.**

**6. ANY OTHER BUSINESS**

**Audit of Individual Learner Records (ILR)**

RECEIVED tabled background notes on the ILR Assurance Audit which included a recommendation to the Governing Body.

NOTED that:

- i. there had been insufficient items of business to convene the March 2009 meeting of the Audit Committee;
- ii. the ILR auditor is normally appointed at the March meeting annually;

- iii. for the 2007/08 academic year the college was notified by the LSC that it had been selected to be part of a pilot of an assurance approach to ensure that funding is claimed accurately and the underlying data is credible. Therefore an additional external ILR audit had not been undertaken as this would have duplicated the LSC audit;
- iv. Baker Tilly (Chelmsford) had undertaken the ILR assurance audit in previous years;
- v. whilst the LSC does not demand an external ILR audit, governors had taken the view that it would continue to have the ILR externally audit to provide confirmation that ILR records support an accurate and auditable claim;
- vi. the CEO advised that, based on costs in previous years, the audit fee was likely to be in the region of £3,500 (exclusive of VAT). Provision had been made in the budget to accommodate this.

**RESOLVED:**

- i. to re-appoint Baker Tilly (Chelmsford) to undertake the ILR audit for 2008/09;**
- ii. the cost of the ILR audit to be reported to the Audit Committee;**
- iii. if the cost of the Audit was in excess of £4,000 (exclusive of VAT), the Chairman of Audit and either the Chairman of Finance and General Purposes or Chairman of Governors be delegated authority to approve the expenditure (to be reported to the Audit Committee).**

*Before the Chairman declared the meeting closed, he advised governors that he had received Ken Crowther's resignation from the Governing Body due to increasing pressure of work. The Chairman said he was sorry to lose such a long serving and committed governor and thanked Ken on behalf of the governors for all his support. Ken had made a major contribution to the work of the governing body and served on the F&GP committee, Personnel Committee, Search Committee and Remuneration Committee. The Chairman hoped that when the pressure of work eased Ken may be able to return to the governing body. Governors asked the Search Committee to add Ken Crowther's name to the list of potential governors in a year's time so as he could be considered when vacancies arise on the governing body in the future.*