

Ruskin College

GOVERNING EXECUTIVE

**Minutes of the five hundred and fifty-eighth meeting of the
Governing Executive held on Friday 26 November 2010 at
11.00am at Ruskin College, Walton Street, Oxford (Elvin Room)**

Present:	Jane Dixon John Fray Pam Johnson Des McDermott Audrey Mullender Teresa Munby David Norman (Chair) (part) Carole Orgell-Rosen Pearl Ryall Ian Terry	In attendance:	Sally Courtney Rebecca Cox (minutes) Kit Johnson Chris Wilkes John Ashton (West Waddy ADP) (part)
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PART A

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| 1 | Chair's introduction
The Chair informed those present that Jack Eames, a former student and tutor at Ruskin College, had recently died. Members stood for a minute's silence and sang the first verse of 'The Red Flag'.
Congratulations were offered to the Vice Chair, Carole Orgell-Rosen, on her recent wedding; to Pam Johnson, because Unison, jointly with the Open University, had been awarded the Times Higher Education Award for Widening Participation, and to Jane Dixon, who had just been appointed Principal of Denman College.
Ian Terry, the newly elected Vice President of the RSU, and Des McDermott, newly elected UCU representative, were welcomed to their first meeting and introductions were made for their benefit. | Action |
| 2 | Apologies for absence and welcome new members
Apologies were received from Chris Baugh, Jan Etienne, Anne Hock, Ruth Hunt, Jo Morris, Mike Bradley, Liz Mathews, Kieron Winters and Doug Nicholls. | |
| 3 | Absent
Pamela Roberts was absent without apologies. | |
| 4 | Declaration of interests
Noted: that no member present declared any interest, financial or otherwise, relating to any item on the agenda. | |
| 5 | Minutes
Confirmed: as a correct record the minutes of Part A of the Governing Executive meeting held on 2 July 2010. | |
| 6 | Matters arising
Noted: that there were no matters arising. | |

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7 Election of staff and student members

Approved: the election of Ian Terry and Des McDermott to the Governing Executive, and the re-election of Teresa Munby.

8 Project Board

8.1 Received: minutes of the Project Board meeting held on 12 November 2010.

(John Ashton of West Waddy ADP joined the meeting at 11.15am.)

8.2 Received: a report on Ruskin Fields.

Noted: the Principal introduced the item, explaining that the College owned land – Ruskin Fields - running from behind the walled garden to the bypass. It had been retained in the hope that it might one day be developable but, given that it was in a conservation area and that neighbours were opposed to its development, this had not been considered a likely option. However, the City Council had recently drawn up the Barton Area Action Plan, which outlined plans for 800-1000 homes to be sited immediately across the bypass from Ruskin Fields. The consultation process for this, which was in its early stages, could also include a link across the bypass from Barton to Northway and a radical change to the bypass making it more of a boulevard. As Ruskin Fields sat in between Barton and Northway, it could become a key piece of land. RSM Tenon had undertaken an independent piece of work looking at options for, and gauging interest in, taking this forward. This report, presented at Project Board, outlined two options – for the College to use professional advisers and draw up a ‘master’ plan to submit to planners, or for Ruskin to work in partnership with a developer who would bear the financial risk but share the profit. A letter had subsequently arrived from the City Council advising that Ruskin could submit an application linked to these wider plans but that it would have to be completed within a tight timescale, which would rule out the second option. John Ashton added that there could be a hybrid option, which would entail the College moving forward alone, but bringing in a developer at an early stage who would take on the historic costs that Ruskin had expended. The Principal was asking those present for a steer as to whether to spend the amount required to put together a ‘master’ plan. She suggested a ceiling of £70,000 for this. The Chair opened the discussion to questions and comments, during which the following points were clarified:

- if the hybrid option were taken, all costs could be recouped retrospectively
- that appropriate professional advice would need to be taken in drawing up a ‘master’ plan, as the complicated factors relating to the requirements of the Conservation Area status and vehicle access would have to be carefully considered in order to have a chance of success
- that the potential gain if the application were successful would be great, with the land likely to be worth approximately £1m an acre instead of £5,000 an acre as agricultural land
- that any development on the land would consist of at least 50% social housing. Suggestions were made that it should all be social and key worker housing, as this would be consistent with Ruskin’s mission, though as a charity the College would have a duty to maximise the value of its assets and the development had to be financially worthwhile for all parties
- questions were raised as to whether this was really a unique opportunity or whether the College could keep the land in the hope that its value would continue to rise, or until the financial climate improved. Due to the current consideration of transport links, the Principal argued that it was vital to move forward at this time when the bigger picture was being considered, as Ruskin Fields was located in a key location. The area within the boundaries of the consultation process was being highlighted as an area that would change and be regenerated, and it would be essential to be included within this and to

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link into the associated infrastructure planning

- the point was made that this was a potential opportunity to secure Ruskin's future and to help increase the amount of social housing in Oxford, which was desperately needed, though concerns were raised in response that given the current climate this might not be a good time to speculate
- the £70,000 that might be required would be capital spend and therefore not taking away from staffing. If backing were given by the Governing Executive to take this forward, decisions on specific options for development on the Ruskin Fields site and all associated expenditure would be taken within the College's Financial Regulations and through its committee structure.

The Chair put the following recommendation to the vote:

'that the Principal be authorised to spend up to £70K on professional fees to explore options for the possible development of the Ruskin Fields site and to pursue a 'master'plan'

Approved: the recommendation.

The Chair thanked John Ashton for his report.

(John Ashton left the meeting at 12.05pm.)

8.3 **Received:** risk register for phase 2

Noted: that this was put together following a risk management workshop and had been brought to the meeting today to demonstrate what would be coming to both Project Board and Governing Executive in the future. Once the contractors for phase 2 had been appointed, a further workshop would be held and an updated risk register drawn up. This would take into account the problematic issues that were highlighted during phase 1. A revised risk register for phase 2 would be brought to the next meeting.

General
Secretary

9 **Phase 2 contract**

9.1 **Received:** verbal report on tender interviews.

Noted: that the interviews took place yesterday, with a panel of eleven – including three members of the Ruskin Management Team. The tender process as a whole was governed by European rules, and the decision would be based 70% on cost and 30% on quality. Cost consultants would be scrutinising the assumptions behind each tender to ensure that the required quality was met and that the process would be comparing like with like. The five companies interviewed could not be named, but all tenders were within budget and within the approved programme.

9.2 **A decision on how to proceed**

Noted: that the contract for phase 2 would have to be signed in January in order to keep to the timetable. Operationally, the officers of the College were permitted to sign but, given the size of the contract between £5m and £6m, they wished to secure Governing Executive approval today for them to accept the tender deemed to be the best. The Chair reminded those present that the Governing Executive had already approved the budget for phase 2 and that, given the Principal's assurances that all tenders were under budget, even if all the information had been available today there would be no new decision to be made. The following recommendation was therefore proposed:

'that the Management Team be given authorisation to accept the best possible and most advantageous of tenders according to the European rules governing the tender process'.

Agreed: the recommendation.

10 **Annual report and accounts**

10.1 **Received:** the financial statements auditors' management letter for the year ended

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31 July 2010, including the regularity audit.

Noted: that this had already been through the Audit Committee. RSM Tenon were planning to give an unqualified regularity opinion and were happy that the College was a going concern for the next twelve months.

- 10.2 Received:** the annual report and accounts for the year ended 31 July 2010 and the audit representations letter.

Noted: that these too had been through Audit Committee. Concern was expressed about the operating deficit, which at the year-end was £348,615, significantly higher than last year. The Finance Director explained that operating costs had been as forecast, but the income received from tuition fees had been much lower than budgeted (as discussed at previous meetings) and additional relocation costs had also had to be factored in.

Recommended: to the AGM the annual report and accounts for the year ended 31 July 2010 and the audit representations letter.

Council

11 Risk Management

Both papers under this item were taken together.

- 11.1 Received:** the risk management annual report 2009/10.

- 11.2 Received:** the risk management policy and plan.

Noted: that both of these had been through Audit Committee. The risk management annual report outlined how ten key risks had been monitored and managed over the past academic year. The risk management policy and plan was more forward looking, planning for potential key operational risks, and included a detailed risk register.

Approved: the risk management annual report 2009/10.

Approved: the risk management policy and plan.

12 Audit Committee

- 12.1 Received:** minutes of the Audit Committee meeting held on 5 November 2010.

Noted: The Chair stated that the College was very pleased that that Gordon Beesley, a former member of the Governing Executive (who remained on Council) and former CEO of Unity Bank, was now sitting on Audit Committee in a consultative capacity.

- 12.2 Received:** the internal audit annual report for 2009/10.

- 12.3 Received:** the Audit Committee annual report for 2009/10.

Noted: that concern was expressed regarding attendance by some members of the Audit Committee. The Chair confirmed that the Search Committee was already looking at this.

A review of the external auditors' performance had been undertaken and it was recommended that they be reappointed.

Recommended: to the AGM that RSM Tenon be reappointed as external auditors for 2010/11.

Council

(The meeting adjourned for lunch at 12.30pm and reconvened at 1.15pm.)

13 Finance Committee

- 13.1 Received:** the minutes of the Finance Committee meeting held on 12 November 2010.

- 13.2 Received:** a report on the financial position to the end of October 2010.

Noted: that an increasing number of reports were to be included in the financial report in the future, with that monitoring residence and catering separately included today. This would be important for planning for 2012 onwards. The financial position this year to date was in line with the budget, helped by the more cautious approach taken with regard to forecasting tuition fee income. The enrolment figures given in

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the report for long courses were based on actual student numbers, but those given for short courses were estimated. The position would become clearer as the year progressed. The lower residence income had now been rectified and the forecast had been exceeded. The principal risks were related to grant funding, particularly if any cuts were made in this financial year. The College had engaged in full discussions with and concerning HEFCE and the SFA, but the position remained unclear.

13.3 Received: the financial management and control evaluation return for 2010/11.

Noted: that this had been to both Audit and Finance Committees. This self-assessment exercise was undertaken for the first time last year when the College graded itself as 'good' for all areas, except internal control which it graded as 'satisfactory'. The SFA agreed with these assessments last year and the College intended to submit the same self-assessment grades this year.

14 Health and Safety Policy reviews

Noted: that a detailed discussion took place as to whether the policies in question had been through the correct internal channels. The Principal stated that the College's committee structure provided the vehicle for consultation, with specific matters or particular policies affecting staff terms and conditions being taken through the JNC. The policies brought to the meeting today had therefore been through the relevant committees and not through the JNC. It was agreed that the College needed to have such policies in place in order to fulfil its duty of care and meet the requirements of inspection. The Chair ruled that the Governing Executive should not be involved in discussions about such operational matters and that the policies should be viewed as a snapshot illustrating the College's position today and could, if appropriate, be the subject of ongoing discussion internally.

14.1 Approved: student drug policy.

14.2 Approved: safeguarding vulnerable adults policy.

14.3 Approved: policy on safeguarding children.

14.4 Approved: critical incident policy.

Noted: that the College was required to have a designated member of the Governing Executive with special responsibility for safeguarding.

Agreed: that Carole Orgell-Rosen should take on this role given her extensive experience in this area.

Agreed: that, in the light of the changing situation nationally, a small group consisting of Carole Orgell-Rosen, the Principal, Des McDermott and a representative from the RSU should meet to work on the safeguarding policies.

15 Strategic Plan

All reports under this item were taken together.

15.1 Received: strategic aims 2010/11 – 2015/16 and monitoring.

15.2 Received: strategic action plan.

15.3 Received: performance indicators for strategic aims.

Noted: that these reports built on that brought to the last meeting of the Governing Executive and were intended to give stakeholders and those outside a positive picture of where the College was going. The revised strategic aims had been separated into learning and teaching; finance and risk; residence and catering; and estates. The committee structure sitting behind each, where the aims would be monitored, was outlined. The strategic action plan detailed what work the College was carrying out for each of the strategic aims. The relevant aims had been through Academic Quality and Standards Committee, Finance Committee and Project Board. The performance indicators were in the process of going through the committee structure. They showed what quantitative information could demonstrate progress with the strategic aims, and reports would increasingly be structured around the

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performance indicators. It was suggested that it would be useful to see targets included for some key areas, such as success rates, and the General Secretary confirmed that these had been set but not included here as the Management Team did not wish to set targets for all of the indicators. This would be given further consideration.

General
Secretary

Approved: strategic aims 2010/11 – 2015/16 and monitoring.

Approved: strategic action plan.

16 Search Committee

16.1 Received: minutes of the Search Committee meeting held on 22 September 2010.

16.2 Received: a report outlining a proposed amendment to the Memorandum and Articles.

Noted: that, following recommendations made in an internal audit of governance, the Audit Committee had recommended the removal of the Co-operative Union and the Club and Institute Union from the Articles of Government. These bodies had not been involved with the College for many years and other trade unions who were represented on Council were not referred to specifically in the Articles.

Recommended: to Council the amendment to the Memorandum and Articles.

Council

17 Annual Governing Executive self-assessment exercise

Received: feedback from the annual self-assessment exercise.

Noted: the comments contained in the report.

Agreed: that introductions round the table would be made at the beginning of each meeting and name plates provided for each person. The more problematic area of using less paper was discussed and the Clerk was asked to consider whether any reports could be sent by email and presented on the white board, and also to look at ways in which other organisations worked.

Clerk

18 Annual update of Governing Executive members' register of interest

Received: Governors register of interest form and guidance notes.

Noted: that it was important that *all* members complete and return the form to the Clerk as soon as possible. In the event of an inspection it would be important to have an up-to-date register of interests.

19 Learning and teaching policy reviews

Noted: that the Dean had drawn up the policies brought to the meeting today. She was unable to attend as she had broken her ankle and the Chair asked that thanks and best wishes be sent on the Governing Executive's behalf. Again, the policies were to be considered as a snapshot and could be subject to further discussion and amendment through the appropriate internal channels.

19.1 Approved: the learning and teaching strategy.

19.2 Approved: the curriculum strategy.

19.3 Approved: the admissions policy.

20 Academic and Quality Standards Committee

20.1 Received: minutes of Part A of the meeting held on 29 September 2010.

20.2 Received: the self assessment report grades.

Noted: that the College proposed to submit the same grades as last year, but was keen to improve them in the future.

Approved: that the College should grade itself as '2' across the board again this year in the self assessment report.

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21 Principal's report

Received: a report from the Principal.

Noted: that phase 1 of the Capital Project had been completed on time and under budget. A large number of snagging issues had been identified and the last of these would be addressed over Christmas. The College had only bid for the smaller of the amount available for the Walled Garden Project, as discussed at the last meeting, and had been awarded £225K to part-finance the project. With regard to future financing of the College, on the HE side the Government had taken the cap off tuition fees and learners in the future would have to pay, except for those studying STEM subjects and medicine. At Ruskin, only Social Work could possibly qualify as funding for its students now comes under the NHS, and Ruskin students would otherwise face large loans. The Principal's main concern was the possible introduction of eligibility criteria based on a national standard. This had not yet been accepted but, if introduced, could close Ruskin as its students would not have appropriate prior qualifications. One way round this might be, if the Adult Bursary Scheme were to survive, that students could be recruited onto the CertHE courses which in turn would satisfy the eligibility criteria. The Principal congratulated the student body for its constructive and peaceful contribution to recent demonstrations against these measures. On the FE side, cuts of 25%, fairly evenly spread over the next four years, were anticipated. The possible introduction of minimum contract value (MCV) could possibly mean that Ruskin would need to join with other educational providers in the future in order to survive.

22 Student representative's report

Received: a verbal update on the work of the Ruskin Students Union.

Noted: that large numbers of students attended the demonstration against funding cuts in London, along with some members of staff. A walkout and local demonstration had also taken place. These had the approval of the Management Team, communicated via the tutors, but it was requested that this be made clearer in the future as some students were unsure. The RSU would be sending two delegates to the Coalition of Resistance Conference. There had been a number of difficulties at Headington following the completion of phase 1, in particular problems with wi-fi access which were beginning to impact on study. The Principal explained why this problem had come about and offered to move students to alternative rooms not affected if required. She also stated that she would be happy to come and meet students at any time to discuss any problems and offered congratulations to those who had recently been elected. The Chair thanked the students for their forbearance during the building works and subsequent difficulties, assuring them that everything possible would be done to alleviate them.

23 Meeting dates for 2010/11

Noted: meeting dates for the remainder of this academic year, all at 11.00am at Walton Street:

- 11 March 2011
- 20 May 2011
- 8 July 2011

Agreed: that the Clerk should circulate the committee schedule to all members.

Clerk

There being no further business, the meeting closed at 2.35pm.