

**HARLOW COLLEGE FURTHER EDUCATION CORPORATION  
CORPORATION MEETING**

**Minutes of the meeting held on Thursday 15 March 2018**

Membership:	* P Taylor (Chair)	J Breen	* R Levy
	* S Adamopoulos	* C Chatt	* B Spencer
	* C Alexander	A Durcan	* K Spencer
	P Bartlett	E Johnson	J Turrell
	J Bedford	* L Laycock	* G Wootton
	* J Bouffler		

\* denotes present

In attendance: M Stokes, Deputy Principal  
L Turner, Deputy Principal  
W Allanson, Vice-Principal  
D Morgan, Executive Director – Financial Services  
P Whitehead – Executive Director – Information, Data and Support  
D Sheridan, Clerk to the Corporation  
R Lucas, Deputy Clerk to the Corporation

**2060 Apologies for absence**

Apologies for absence were received and accepted from P Bartlett, J Bedford, J Breen, E Johnson and J Turrell.

P Taylor suggested that attendance figures be reviewed by the Chair, Clerk and Deputy Clerk.

**2061 Declarations of Interest**

G Wootton declared an on-going interest as she works for Stansted Airport Ltd.

**2062 Minutes of the Previous Meeting**

The minutes of the meeting held on 07 December 2017 were approved by the Corporation as a true and accurate record and were signed by the Chair.

**2063 Matters Arising from the Minutes**

**2063.1 Institutes of Technology (minute 2046.2 refers)**

The Principal informed Governors that, after reviewing the Government's Institute of Technology prospectus, the College took the decision not to proceed with an application. She highlighted the key reasons behind the decision which included the need to have 80% of provision at a HE level, the need to have LEP-wide geographical coverage and the need for the Institute of Technology to have a separate legal structure. The Corporation endorsed the College's decision not to submit an application.

**2064 Governance Issues**

**2064.1 To approve the recommendations of the Search Committee in respect**

## **of membership of the Corporation**

The Corporation approved the recommendation of the Search Committee to appoint Gail Wootton as a Governor to the Corporation for a period of four years from 15 March 2018 to 14 March 2022.

Gail Wootton was welcomed to the meeting and introduced herself. Governors and staff also introduced themselves.

### **2064.2 Election of the two Vice-Chairs of the Corporation**

The Corporation noted that due to a technical issue, external Governors had not received the Survey Monkey link. The link will be resent by the Clerk and Deputy Clerk and the vote will close on Thursday 22 March 2018.

### **2064.3 The latest national communication from the FE Commissioner**

The Corporation received and considered the latest letter from the FE Commissioner and the FE Commissioner's Annual Report. D Sheridan reported that where points of good practice are raised by the FE Commissioner, the College and / or Corporation ensures that it is practising or adopting them.

### **2064.4 Governors to feedback on contact with the Executive, attendance at College events and on the work of the Student Ambassadors**

L Laycock attended safeguarding meetings, the AoC Governance Conference, the TES Awards Ceremony and the Standards and Curriculum Committee meeting. Feedback was provided from the safeguarding meetings and the Governance Conference, a key area of focus of which was whether Chairs should be remunerated. Papers from the Conference will be circulated.

C Chatt attended the ACER Induction Conference.

J Bouffler attended discussions with Public Health England.

P Taylor has had regular meetings and phone calls with the Principal and the Clerk.

## **2065 Principal's Report**

The Corporation received and considered the Principal's Report, presented by K Spencer, Principal.

K Spencer highlighted the main areas of the report which covered the following:

### **Stansted Airport College and HAMEC:**

A letter of comfort is being sought from the ESFA for in-year funding for learners at Stansted Airport College. The ESFA has advised that the College seeks a two year letter of comfort. K Spencer thanked the staff for putting together a robust letter. Governors were reminded that the outcome of the Area Review was for Harlow

College to remain as a standalone institution and develop a campus at Stansted Airport.

All targets are being met and to date there has been 190 applications for engineering at Stansted Airport College and there is a wide geographical coverage of applications. There has been no detrimental effect on the applications to study at the Harlow College campus – there has been significant growth in engineering applications to study to HAMEC. Commercial work in HAMEC is in the process of being developed.

### **Advanced Home Construction:**

The College is working in partnership with Pearson, MOBIE (Ministry of Building Innovation and Education and George Clarke. The College undertook a study visit to Norway to look at advanced home construction there and the Principal gave an overview of the system in Norway and how it differs to the English system. A fuller presentation on this will be made to the Standards and Curriculum Committee.

### **DfE Study Visit:**

The Principal was invited to take part in a DfE Study Visit to Denmark which focused on preparations for T-Levels.

### **Awards:**

The Principal congratulated the Digital and Engineering teams for being shortlisted for two national awards and for being highly commended in their categories.

### **Finance:**

The College remains in a good financial position in a climate where 50% of colleges are posting in-year deficits. A business case has been submitted to SELEP and the College is also going through due processes with Essex County Council regarding the VAT refund on HAMEC.

### **60<sup>th</sup> Anniversary Celebrations:**

The College is celebrating its 60<sup>th</sup> anniversary this year with a gala dinner planned for 22 June 2018. This will be a subsidised event and Governors will be invited.

### **Events:**

The College hosted a visit from the CEO of Apple who met with Level 2 students to look at how digital technology is being used.

Students attended a House of Commons event and also presented at the College Digifest. It was agreed that those who presented at the Digifest be invited to give a presentation to the Corporation.

The Corporation noted the Principal's Report.

## **2066 Management Accounts for the Period 1 August 2017 – 31 January 2018**

### **2066.1 To receive and approve the management accounts**

The Corporation received and considered the management accounts for the period 1 August 2017 – 31 January 2018, presented by D Morgan, Executive Director – Financial Services.

Governors were informed that the forecast end of year surplus is £171k which is lower than originally forecast. A spending freeze has been introduced; staff costs are within budget however operational costs are higher than originally anticipated. The balance sheet includes all the costs relating to Stansted Airport College. The College continues to monitor cash levels and ensure there is a good cash balance. Governors were informed that no overdraft has been required this year.

Issues concerning high needs funding income from Essex and Herts County Councils were raised. Governors noted this is a national issue with a reduction in the post-16 element and observed that the College cannot continually afford to run programmes and subsidise provision.

The Board noted ongoing issues with apprenticeships and the associated funding, particularly apprenticeship sign-on on the national system. The College's 16 – 18 non-levy allocation was reduced due to old data being used to realign contract values, however a growth case has been submitted and the College is in constantly dialogue with the ESFA. The biggest risk to the College is the process and the timing of payments. The College currently has eight separate reporting lines for apprenticeship income.

The College's financial health is forecast to remain good and the bank covenants are being met and forecast to be met at year-end. The bank has officially confirmed that the covenants were met for the financial year ending 31 July 2017. The College will now document the covenants on a quarterly basis as part of the published management accounts.

Governors asked for cash flow to be monitored carefully to ensure the good financial position remains.

The Corporation approved the management accounts for the period 1 August 2017 – 31 January 2018.

## **2066.2 To approve the loan option**

The Corporation received an update on the College's loan facilities, presented by D Morgan, Executive Director – Financial Services.

Governors noted that two loans are fixed rate - Phase 2 loan due to end in July 2018 and Phase 4.1 loan due to end in July 2027.

The College has three other loans, two of which are variable and one which came to the end of its fixed term and is now variable. These three loans are covered by the "swap" product ending in 2027, previously agreed by the Corporation in December 2017. The review date for one of the loans is currently November 2019, however the Corporation was asked to consider moving this review date to May 2021, in line with one of the other loans.

D Morgan informed the Corporation that the banking facility with Clydesdale Bank is due for renewal in April 2018 and asked the Corporation to consider approving Clydesdale Bank for a further twelve months.

A discussion was held around both these requests and the Corporation agreed the following:

- To extend the review date of the loan from November 2019 to May 2021.
- To renew the College's banking facilities with Clydesdale Bank for a further twelve months.

## **2067 Data Protection Policy**

The Corporation received and considered the draft Data Protection Policy, presented by P Whitehead, Executive Director – Information, Data and Support and R Lucas, Deputy Clerk.

P Whitehead informed Governors that the College's internal auditors had undertaken a one day GDPR-readiness audit with a further two audit days planned for March 2018. The internal auditors reviewed the draft Data Protection Policy and confirmed that the structure and approach was good and thorough. Feedback from the auditors has been incorporated into the Policy.

P Whitehead highlighted the sections within the Policy and Governors noted that readers of the Policy will be signposted to the relevant privacy notices and where to obtain further information.

R Levy highlighted that personal data includes video data. P Whitehead confirmed that the College will display notices highlighting that CCTV is in use and the purpose to which the College uses the images. The auditors are content with the College approach to this.

S Adamopoulos asked why automated processing and profiling is not applicable to the College. This is because the College does not undertake automated processing as all the College's processing requires human intervention.

The Corporation approved the draft Data Protection Policy.

## **2068 Harlow College Higher Education**

### **2068.1 To receive and approve the Higher Level Technical and Professional Strategy 2018-20**

The Corporation received and considered the Higher Level Technical and Professional Strategy 2018-20, presented by L Tuner, Deputy Principal.

The Deputy Principal informed Governors that the Strategy had been considered by the Standards and Curriculum Committee and gave an overview of the College's higher education provision and the strategic links between further and higher education.

Governors noted that:

- higher education courses offered by the College at Levels 4 and 5 building progression pathways for the College's Level 3 students.
- The Strategy covers all of the College's provision at Level 4 and above, including professional qualifications.
- The College is working with its university partners to offer degree top-ups at Level 6 and beyond.
- The College is focusing on its HNC and HND provision as it offers the greatest flexibility for students.
- Qualifications offered by the College are being closely aligned with careers.
- The College is looking to grow its higher education provision.

The Corporation approved the Higher Level Technical and Professional Strategy.

## **2068.2 To receive and note the report on Higher Education Regulations**

The Corporation received and considered the report on Higher Education Regulations, presented by L Turner, Deputy Principal.

The Deputy Principal informed Governors that a new regulatory body – the Office for Students (OfS) – is replacing HEFCE. There is now greater complexity in higher education and the OfS will ensure that students will be at the heart of the regulatory framework.

Registration opens on the 3 April and closes at the end of May and the College will be applying to be an “approved fee cap” provider which will allow students to access student loans, allow access to OfS grants and allow the College to charge up to the maximum in fees.

The Corporation endorsed the College's decision to apply to be an “approved fee cap” provider and noted the report on Higher Education Regulations.

## **2069 An Insolvency Regime for Colleges**

The Corporation received and considered the report an insolvency regime for colleges, presented by D Sheridan, Clerk to the Corporation. Governors were informed that this report follows on from the report made to the Corporation in October 2016 and is based on the information currently available, however secondary legislation is required to bring the Act into force.

The different sections of the report were highlighted, including why it is believed an insolvency regime is required. As at 31 August 2017, 35 further education colleges and 3 sixth form colleges are subject to ESFA financial intervention.

The Technical and Further Education Act, of which insolvency was a part, was introduced to Parliament and received royal assent however the insolvency provisions are not yet in force. It is believed that the insolvency regime will come into force for the start of the 2018/19 academic year and a consultation exercise has been undertaken. Governors noted the AoC's response to the consultation, circulated with the report, and also noted that if a college becomes insolvent, a winding up procedure could be put in place. The Act contains special arrangements to support learners, with the aim

of minimising adverse impact on students.

Governors noted that the Department for Education view the insolvency regime as a last resort rather than a normal route to secure change and the four lines of control were highlighted.

Governors were informed that the issue of personal liability has been of concern nationally and the Clerk highlighted the latest correspondence from the College's solicitors with regards to this. Any further advice produced by the solicitors will be circulated to Governors. The table documenting the practical steps produced by the solicitors was highlighted and the College's responses to what the College and Corporation is currently doing were noted. It was agreed that this would be kept under review, particularly by the Audit Committee.

Governors noted the Governor liability insurance which the College has in place,

The Corporation noted the report an insolvency regime for colleges and commented that the report was very useful and clear.

## **2070 Projects Update**

### **2070.1 Harlow Advanced Manufacturing and Engineering Centre**

The Corporation received an update on the Harlow Advanced Manufacturing and Engineering Centre (HAMEC), presented by W Allanson, Vice-Principal.

The Vice-Principal updated Governors on commercial activity taking place and planned in HAMEC, including supporting a significant number of SMEs and hosting events for local and regional organisations. Some of the College's engineering function will be placed at Stansted Airport College and some of HAMEC's functions will be moved to there, facilitating some change of use within HAMEC.

The Corporation noted the update on Harlow Advanced Manufacturing and Engineering Centre.

### **2070.2 Stansted Technical and Professional Skills Centre**

The Corporation received an update on Stansted Technical and Professional Skills Centre – Stansted Airport College (STAC), presented by W Allanson, Vice-Principal.

Governors were informed that although the programme is tight, the contractors are still working for an early August 2018 handover and the College is in discussion around early access and delivery of equipment. There are still some budget pressures however it is anticipated that the project will not be significantly over budget. Prices are being sought for a hangar which was originally value-engineered out of the project, however due to the demand for places, it is critical that a hangar is built. The College is encouraged by the number of applications however student numbers at the College will however need to be capped in year one.

The College is in the advanced stages of curriculum development, which

has been undertaken in consultation with airport employers to ensure the curriculum meets their needs. Advisory panels are being developed focusing on engineering and business.

A Deputy Head of College has been recruited internally and interviews are currently taking place for aircraft maintenance engineers.

P Taylor asked about the bus routes and W Allanson confirmed that there are two bus companies which depart from the terminal and pass STAC and have offered free travel for learners to and from STAC and the terminal. Stansted Airport has also agreed to support STAC learners with their staff travel card. Harlow College's bus route from Dunmow will also be extended to Braintree and will stop at STAC.

The Corporation noted the update on Stansted Technical and Professional Skills Centre – Stansted Airport College.

## **2071 Reports from Committees**

### **2071.1 Standards and Curriculum Committee – 28 November 2017 & 13 March 2018**

The Corporation received and noted the minutes of the Standards and Curriculum Committee meetings held on 28 November 2017 and 13 March 2018. L Laycock highlighted that performance measures were discussed in detail and that English and maths remains the College's biggest challenge, however improvements are being seen.

The Power of 3 presentation was highlighted and Governors were informed that once the pilot had been completed a full presentation will be given to the Board.

#### **2071.1.1 To note that the College has submitted all the required QAA Higher Education Review paperwork**

Governors noted that the College had submitted a 43 page self-assessment document with in excess of 100 appendices for the QAA Higher Education Review.

The Review will take place on 21 and 22 March and L Laycock has volunteered to be the governor representative and C Alexander has been involved with the student self-assessment and will attend the meetings as a student and student governor representative.

Governors were reminded that authority had been delegated by the Corporation to the Standards and Curriculum Committee to sign off the College's higher education academic quality. The Review is a desktop exercise and will test the College's processes and procedures. Once the OfS system is in place, QAA will operate a risk-based approach.

### **2071.2 Joint Audit and Resources Committee – 30 November 2017**



The Corporation received and noted the minutes of the joint Audit and Resources Committee meeting held on 30 November 2017.

**2071.3 Audit Committee – 30 November 2017 & 28 February 2018**

The Corporation received and noted the minutes of the Audit Committee meetings held on 30 November 2017 and 28 February 2018.

The Corporation noted that Scrutton Bland had been reappointed as the College's internal auditors for the academic year 2018-2019.

**2071.4 Resources Committee – 30 November 2017 & 1 March 2018**

The Corporation received and noted the minutes of the Resources Committee meetings held on 30 November 2017 and 1 March 2018.

Governors were informed that the College's monthly managements accounts will be shared on OneDrive.

**2072 Any Other Business**

Governors reported that the E-governance trial is working well however requested that printed copies of the agenda are available at the meeting.

**2073 Dates of Future Meetings**

Summer Term	Thursday 17 May 2018	08.30am
	Thursday 19 July 2018	08.30am
	<i>(please note the change in date of this meeting)</i>	