

# HARLOW COLLEGE FURTHER EDUCATION CORPORATION

## CORPORATION MEETING

### Minutes of the meeting held at Harlow College on Thursday 20 October 2022 - 9.30am

Membership:	* Liz Laycock (Chair)	* Alex Hanson	* Brian Spencer
	* Sotirios Adamopoulos	Eddie Johnson	* Karen Spencer
	Jon Bouffler	* Ray Levy	Paul Taylor
	* Rod Bristow	* Lily Lin	* Michael Travers
	* Hannah Cheesman	* Rachel Miller	* Dawn Turner
	Julia Fillary		

\* denotes present

In attendance: Will Allanson, Deputy Principal  
Paul Whitehead, Vice-Principal  
Becky Jones, Vice-Principal  
Ruth Lucas, Head of Governance

#### 1 Apologies for Absence

Apologies for absence were received and accepted from Jon Bouffler, Julia Fillary, Eddie Johnson and Paul Taylor, all due to work commitments.

Liz Laycock welcomed the newly elected Student Governors, Hannah Cheesman and Alex Hanson, to the meeting and they introduced themselves.

Liz Laycock welcomed Rachel Miller to her first meeting and she introduced herself.

#### 6 Effective Self-Assessment of Governance

Karen Spencer introduced the CPD session to Governors on effective self-assessment of governance. The aim of the session was to prepare governors for the self-assessment event at the end of November. Governors, staff and students are involved in self-assessment annually, which looks at where the College is in terms of its Strategic Plan, outcomes for learners and where the College wants to be. Different elements of these are reported to the Corporation and Committees. Governors were informed that there are changes in governance, with a requirement that an external review of governance is undertaken every three years therefore effective self-assessment is crucial.

Karen Spencer highlighted Section 1 of the self-assessment document which covers areas such as Governors looking at the College's mission, Strategic Plan and values, how the Corporation supports the strategy of the College and how it looks for opportunities to deliver the best possible experience and opportunities for its students. The aim of the document is for Governors to give examples of when they have developed or challenged something. This will be looked at in more detail at the self-assessment day and will form the basis of the self-assessment of governance.

Governors were then divided into four groups focusing on quality of education, use of funding, safeguarding and personal development, behaviour and attitudes, each led by a member of the Executive. Each group had 45 minutes to discuss their sections in the self-assessment document and gain a greater understanding of each area.

Karen Spencer thanked Governors for participating in the session and informed Governors that at the self-assessment session in November, Governors will be given the College's self-assessment report and will have the opportunity to test out assumptions, with increased scrutiny by the Standards and Curriculum Committee.

## **2 Declaration of Interests**

There were no new, additional declarations of interest.

## **3 Election of the Chair and Vice-Chairs of Harlow College Further Education Corporation**

The Corporation was reminded that Ruth Lucas had emailed asking for nominations for the positions of Chair and Vice-Chairs of Harlow College Further Education Corporation.

One nomination from Liz Laycock had been received for the position of Chair. The Corporation unanimously agreed to appoint Liz Laycock as Chair of Harlow College Further Education Corporation for a period of two years, up until the first Corporation meeting of the 2024 – 2025 academic year.

Two nominations from Ray Levy and Lily Lin had been received for the two positions of Vice-Chair. The Corporation unanimously agreed to appoint Ray Levy and Lily Lin as Vice-Chairs of Harlow College Further Education Corporation for a period of two years, up until the first Corporation meeting of the 2024 – 2025 academic year.

## **4 Minutes of the Previous Meeting**

The minutes and the confidential minutes of the meeting held on 7 July 2022 were approved by the Corporation as a true and accurate record of the meeting, subject to one typographical change, and were signed remotely by the Chair.

## **5 Matters Arising**

### **5.1 Strategic Development Fund (minute 5.1 refers)**

Karen Spencer confirmed that the Strategic Development Fund application was submitted and was successful, with Harlow College being the lead partner.

### **5.2 HMRC Guidance (minute 5.2 refers)**

Karen Spencer reported that the HMRC guidance has not yet been published.

### **5.3 Review of the Risk Register and the Risk Management Policy (minute 9.3 refers)**

Paul Whitehead reported that the risk register has been updated and was presented at the Audit Committee meeting on 10 October 2022.

#### **5.4 Equality and Diversity Committee (minute 10.3 refers)**

Will Allanson reported that he and Ruth Lucas are meeting with Sallyann Abdelmoula to discuss the remit of the Equality and Diversity Committee and the Safeguarding Committee and the format of the minutes.

#### **5.5 Office for National Statistics Review of the Classification of Colleges (minute 11.2 refers)**

Governors were informed that a decision was originally due by the end of October 2022 however this has been delayed and the expected date is now the end of November 2022.

### **7 Quality and Curriculum Update**

The Corporation received a verbal update on quality and curriculum, presented by Becky Jones, Vice-Principal.

Governors were informed that the predicted achievement rate is 82.6% and whilst this is showing a declining three-year trend, it is above the 2019-2020 figure. The pass rate is 91.9% which is above the 2018-2019 figure. There has been a four-year decline in retention which is mainly due to A-Levels, English and maths and IT. The move back to A2 and AS Levels will help with A-Level retention going forward. The data will be drilled down further in the Quality Improvement Plan (QIP).

Apprenticeships is a continued area of focus. The final achievement rate for 2020-2021 was 34% compared to 51% for 2021-2022 which is a significant improvement. Based on the data, the College predicts it will be back at the 2018-2019 mark this year.

Karen Spencer reported that there is no national data published therefore colleges are looking at their own four to five-year trend data and are aiming to get back to achievement levels pre-Covid. Other colleges are reporting a 4% - 8% drop in this year's figures compared to last year.

Karen Spencer reported that FE Week submitted a Freedom of Information request to Government which showed that 50% of apprentices nationally had withdrawn. If the apprentices withdrew in their first year, this will affect success rates over potentially three to four years.

A Governor highlighted that it is a challenge for colleges to have a good period of trend data over four to five years.

Karen Spencer reported that Ofsted appear to be lighter on data, with more of a focus on what is being seen in the classroom and how colleges support employers.

A Governor suggested putting together a briefing sheet or a short training session on success rates, the terminology and what they mean.

Becky Jones informed Governors that the first exam year for T-Levels has been successful. In Early Years all students passed, with 64% achieving a grade A or B.

Power of 3 continues to support teaching, learning and assessment with 37% having been completed. The deadline for completion is January 2023 therefore there is a focus on getting these completed this term. 99% of staff have had a walkthrough and these are showing that good improvements are being made in pace, challenge, differentiation and embedding English and maths. The target for these is 75% to be good or better however all are in the 80% or 90% bracket.

Deep dives in curriculum areas have been taking place where conversations are taking place with managers, students and teachers to triangulate the data and information provided. The students are selling the College and have been phenomenal.

The start of the academic year was changed this year with a 2.5 day induction taking place in which key tutorials were front loaded. This will free up tutorial time so that 1-2-1s can be focused on and meetings with personal development coaches are taking place termly with a view to setting more aspirational targets over a longer term. Students were surveyed to see how this change in approach has worked.

The i-pad rollout has been quick and worked well. There has been a change in how they are issued. If a deposit had not yet been paid, the student would still set up their i-pad but hand it back and it would be reissued when the deposit was received. A Governor asked if there was a system in place for students who cannot afford the deposit. Paul Whitehead confirmed that bursaries were available.

The College has recruited 60 student ambassadors for this year and there was a good field of student governor applications. An office has been set up for the ambassadors and they will hold open surgeries.

The Corporation noted the verbal update on quality and curriculum.

## **8 Finance and Resources Reports**

### **8.1 Predicted Financial Outturn 1 August 2021 – 31 July 2022**

The Corporation received and considered the predicted financial outturn for the period 1 August 2021 – 31 July 2022, presented by Paul Whitehead, Vice-Principal.

Governors were reminded that the forecast year-end deficit in June was £312k however this has moved to a predicted deficit of £997k in the provisional outturn, mainly due to the movement in the LGPS. £470k was predicted for the LGPS this year and Governors noted that this is a non-cash item and whilst there has been a swing, it has not impacted on the College's ability to spend cash.

Governors were informed that good financial health is forecast and the bank covenants are forecast to be met, with test 1 sitting at 1.18 and test 2 at 0.9. Overall the College remains in a good position financially, with good cash levels.

The external audit commences on Monday 24<sup>th</sup> October for two weeks which will confirm the College's final position.

A Governor asked why pay costs are in red and if that was a result of the pension costs. Paul Whitehead confirmed that staff costs were above the original budget by approximately £200k, however there has not been a substantial amount of movement in this budget line, given the total overall budget. The College needs to invest in its staff and the staffing costs will be carried forward into this academic year. At the end of last academic year, tighter controls on group sizes and allocation of staff resources were put in place.

A Governor asked if there will be an overspend on staffing this year. Paul Whitehead confirmed that we are not currently predicting an overspend and all predictions have been factored into the budget. Pay costs are currently tracking lower than the predicted costs due to a lag in staff recruitment. A Governor asked what the quantum of savings and lower staff costs were in relation to the recruitment delays and it was noted that this would be covered in the next agenda item.

A Governor asked if the Government would guarantee the LGPS if colleges were brought back in to the public sector. Karen Spencer reported that this is not yet known. It was noted that the pension position could get worse however there are factors showing that the LGPS is improving.

The Corporation noted the predicted outturn for the period 1 August 2021 – 31 July 2022 and that the overall financial situation of the College is stable.

## **8.2 Sketch Management Accounts for 1 August 2021 – 30 September 2022**

The Corporation received and considered the sketch management accounts for the period 1 August 2021 – 30 September 2022, Paul Whitehead, Vice-Principal.

Paul Whitehead reported that in terms of 16-19 learners, the financial plan set out to recover enrolment numbers to 2019-2020 levels which would allow for the College to apply to the ESFA for exceptional growth and the College could gain an additional £300k in year. The current learner numbers of 2,550 equate to growth however not to the level that would trigger in year growth – we would need over 100 learners to trigger growth based on the model for 21/22. The College has therefore adjusted its income accordingly.

Governors were informed that as part of this income reduction, staff levels are being controlled tightly. When the in-year allocation of staff has been reviewed, there is more teaching capacity in some areas than is required therefore resource has been adjusted and staff are being utilised elsewhere. The process of looking at staffing and learner recruitment numbers started in May 2022 where the number of groups was established and the required staff resource calculated. The College had to recruit some additional staff members and move some staff around. Resources are more tightly controlled and a

reduction in staff costs and a lag in recruitment will address the reduction in income.

A Governor asked if the College has ensured there are staff available for growth in student numbers. Paul Whitehead confirmed that it has and when the year end position is looked at, it will be achieved by the current tighter control over staffing and recruitment. Governors noted that the year end forecast staff costs are lower than what was originally in the budget therefore if an extra group is required or a course becomes viable there is some flexibility to allow for this. Group sizes were reduced during Covid to allow students to study back on campus. This costs the College more and the group sizes have been kept at these levels, therefore costs have been building up. The College is now reverting back to group sizes at pre-Covid levels.

A Governor noted that the College is 5% above the GFE benchmark on staff costs to income ratio. Paul Whitehead reported that this is a benchmark set by the ESFA and Karen Spencer reported that it is difficult to compare like for like. Governors were reminded that the College has all its catering, cleaning and minor works teams in house and does not have any sub-contractors however other colleges contract these services out and use sub-contractors. Karen Spencer reported the College's model is more akin to a sixth form college model and their ratio is higher.

The Corporation noted the sketch management accounts for the period 1 August 2021 – 30 September 2022.

### **8.3 Recruitment of Learners - Enrolment Report 2022 – 2023**

The Corporation received and considered the report on recruitment of learners – enrolment report 2022 – 2023, presented by Paul Whitehead, Vice-Principal.

Paul Whitehead reported that the report outlines the current student numbers and that the College was hoping for recovery of student numbers at Stansted Airport College however this has not come to fruition.

A Governor reported that it would be more helpful if the student number targets were clearer in the report and asked if the 302 Stansted Airport College learners were in addition to the 2,262 Harlow College learners. Paul Whitehead confirmed that this was the case and reported that student number targets could be clearer for 16 – 18 learners however it is not as easy in other funding lines.

A Governor asked if exceptional growth was only for 16 – 18 learners. Paul Whitehead confirmed that this is correct as the funding for 16 – 18 learners is lagged whereas other funding streams are paid in-year. A Governor asked if the threshold for exceptional growth is 2,605 by December and the College is currently forecasting 2,564 therefore will be short of the required figure. Karen Spencer confirmed that the ESFA has not yet published any information on the exceptional growth in-year process and there is the possibility that there will not be such a process this year. The College is still recruiting to its ESOL and NEET provision which are roll on, roll off programmes.

A Governor asked why it is not possible to state enrolment targets with the other funding lines. Paul Whitehead reported that each apprenticeship is funded differently, at differing rates over differing time periods, therefore it is difficult to quantify the enrolment numbers required to achieve the funding target allocation. The Adult Education Budget has a mix of delivery models and the different delivery areas have been broken down this year in the management accounts however enrolment numbers have not been included as the figures can be misleading. Karen Spencer reported that monthly targets for apprenticeships and adults can be provided however it is easier to understand if these were funding targets rather than enrolment targets. However Governors decided they did not need this granularity of data.

A Governor asked if the College was in danger of not recruiting to its targets. Paul Whitehead reported that £300k is at risk however the income figures in the management accounts have been reduced accordingly. The Adult Education Budget target has been adjusted and is easier for Governors to scrutinise. Early figures for the start of this academic year are significantly better compared to the same time last year and management feel that all targets are realistic.

Governors were informed that higher education is a very small area of delivery for the College, with only Engineering being delivered this academic year. Karen Spencer reported that recruited to colleges' own higher education is a national issue for colleges.

Advanced Learner Loans are dependent on eligibility and status of learners and it is difficult for the College to predict the numbers until full details are received for the students.

Governors noted that high needs funding is stable and the College has a good allocation of funding.

The Corporation noted the report recruitment of learners – enrolment report 2022 – 2023.

## **9 Audit Committee Reports**

### **9.1 Minutes of the Audit Committee Meeting – 10 October 2022**

The Corporation received and noted the minutes of the Audit Committee meeting held on 10 October 2022.

### **9.2 Item 1 – English Colleges' Code of Good Governance**

The Corporation received and considered the report on the English Colleges' Code of Good Governance, presented by Ruth Lucas, Head of Governance.

Governors were reminded that there is a requirement in the Accounts Direction that colleges report against a code of governance and that the College adopted the English Colleges Code of Good Governance in 2015. As part of the Statement of Corporation Governance which is included in the Financial Statements, there is a declaration of compliance with the Code.

Governors were informed that the College's response to the Code had been discussed in detail at the Audit Committee meeting held on 10 October 2022 and that the Audit Committee's recommendation is for the Corporation to approve the response.

Governors noted the area of part compliance around Governors serving for more than two terms. Governors agreed that the College's strategy is to work with Governors who bring the required skills and organisation representation to the Corporation rather than enforcing only two terms of office.

The Corporation approved the College's reporting of compliance with the Code of Good Governance for English Colleges in the annual accounts.

The Corporation noted the report on the English Colleges' Code of Good Governance and approved the College's reporting of compliance with the Code of Good Governance for English Colleges in the annual accounts.

### **9.3 Item 2 – Regularity Audit Self-Assessment Questionnaire**

The Corporation received and considered the Regulatory Audit Self-Assessment Questionnaire, presented by Ruth Lucas, Head of Governance.

Ruth Lucas informed Governors that this is an ESFA document which the College has to complete and submit to the external auditors.

The Corporation was informed that the Regulatory Audit Self-Assessment Questionnaire had been discussed in detail by the Audit Committee at its meeting held on 10 October 2022 and that the Committee recommends that the document is signed by the Chair and Accounting Officer.

The Corporation approved the Regulatory Audit Self-Assessment Questionnaire and agreed for it to be signed by the Chair and the Accounting Officer.

## **10 Strategic Plan and How the College Meets Labour Market Skills' Needs**

The Corporation received and considered the Strategic Plan including how the College meets labour market skills' needs, presented by Karen Spencer, Principal.

Karen Spencer reminded Governors that the Strategy Plan runs up until 2024 however it was reviewed at the Governors' Strategic Planning event held in June 2022, along with discussions on how the College meets labour market skills' needs. Governors were informed that all the proposed updates are in blue font throughout the document and that the Corporation has a statutory obligation to publish a skills statement on its website. Karen Spencer thanked Julien Sample and Ruth Lucas for their work on the skills statement. Karen Spencer highlighted that the statement includes a top-level overview, partners and case studies. The Strategic Plan has been updated with the carbon roadmap, the Institute of Technology and the Teaching, Learning and Assessment Strategy.

Governors were informed that the Strategic Plan along with the College's self-assessment will be used to set the Key Performance Indicators (KPIs) for this academic year. Karen Spencer reported that the format of the KPIs is being revised, to provide the Corporation with a top-level set of KPIs with more indicators being presented for scrutiny in the Committees.

A Governor asked if students are going into careers in industries related to their studies. Karen Spencer reported that destinations are critical and that the KPIs will look at relevant destinations, if learners are retained in their destinations and if they secure promotion. Karen Spencer reported that at Stansted Airport College a group of learners only studied for one year as 85% of them secured paid employment at the airport.

Karen Spencer reported that the FE Commissioner's expectation is for colleges to publish an annual statement on meeting skills' needs and full guidance on this is due this autumn.

The Corporation agreed that the updated Strategic Plan reflected the discussions held at the Strategic Planning event held in June 2022 and approved the updated Strategic Plan and how the College meets labour market skills' needs.

## **11 Governance Issues**

### **11.1 Minutes of the Search Committee Meeting – 20 October 2022**

The Corporation noted that the minutes of the Search Committee meeting held on 20 October 2022 will be presented at the next Corporation meeting.

### **11.2 Membership of Harlow College Further Education Corporation**

The Corporation received and considered the recommendations of the Search Committee following its meeting prior to the Corporation meeting.

The Search Committee recommended the following:

- The appointment of Edward Whittle, Head of Finance, Mindful Education, as a Governor of Harlow College Further Education for a period of four years, commencing on 01 November 2022. It is recommended that he sits on the Resources Committee.
- The appointment of Stephen Isherwood, Chief Executive, Institute of Student Employers, as a Governor of Harlow College Further Education for a period of four years, commencing on 01 December 2022. It is recommended that he sits on the Standards and Curriculum Committee.
- The reappointment of Rod Bristow as a Governor of Harlow College Further Education for a period of four years, commencing on 02 January 2023.
- To extend Edward Johnson's term of office for one day to 15 December 2022 in order for him to attend his last Corporation meeting.

The Corporation noted that John Godley has been elected as the teaching staff governor and his term of office will commence on 22 October 2022 for a period of four years. It is recommended that he sits on the Standards and

Curriculum Committee. Sotirios Adamopoulos was thanked for his commitment and contribution to the Corporation and role of teaching staff governor over the last eight years.

The Corporation approved the recommendations of the Search Committee as detailed above.

### **11.3 Committee Membership of Harlow College Further Education Corporation**

The Corporation noted and approved Lily Lin's move from the Standards and Curriculum Committee to the Search Committee, that Edward Whittle will join the Resources Committee and that Stephen Isherwood and John Godley will join the Standards and Curriculum Committee.

### **11.4 Search Committee Proposal**

The Corporation received and considered the Search Committee proposal, presented by Ruth Lucas, Head of Governance.

Governors were informed that the Search Committee up until 2017 was a Search and Governance Committee however a decision was taken to delegate the governance function of the Committee to other Committees.

After careful consideration and with the greater external focus on governance, it is proposed to revert the Search Committee back to a Search and Governance Committee. Proposed terms of reference for a Search and Governance Committee were presented.

The Corporation unanimously agreed to change the Search Committee to a Search and Governance Committee, approved the terms of reference for the Committee and agreed for Ruth Lucas to update the Standing Orders for 2022-2023 with the new terms of reference.

### **11.5 External Reviews of Governance**

The Corporation received and considered the Search Committee proposal, presented by Ruth Lucas, Head of Governance.

Governors were informed that all colleges are required to undertake an external review of governance every three years, with the first one taking place by the end of the 2023-2024 academic year at the latest.

The report was taken as read and outlined the process of undertaking the review, who can conduct the review and the cost.

The Corporation noted the paper, agreed that the Search and Governance Committee will lead on the review, initially defining the scope of the review, and agreed that the review should be scheduled for Spring 2024.

### **11.6 DfE Annual Strategic Conversation Letter**

The Corporation received, considered and noted the DfE Annual Strategic Conversation Letter, presented by Ruth Lucas, Head of Governance.

#### **11.7 FE Commissioner’s Letter**

The Corporation received, considered and noted the FE Commissioner’s Letter, presented by Ruth Lucas, Head of Governance.

#### **11.8 FE and Sixth Form College Corporations: Governance Guide**

The Corporation received, considered and noted the FE and Sixth Form College Corporations: Governance Guide, presented by Ruth Lucas, Head of Governance.

### **12 Reports from Committees**

#### **12.1 Remuneration Committee – 7 July 2022**

The Corporation received and noted the minutes of the Remuneration Committee meeting held on 7 July 2022.

#### **12.2 Stansted Airport College Advisory Group – 13 October 2022**

The Corporation noted the minutes of the Stansted Airport College Advisory Group meeting held on 13 October 2022 will be presented at the next Corporation meeting.

### **13 Complaints Policy**

The Corporation received and considered the Complaints Policy.

Governors were informed that there were no proposed changes to the Complaints Policy.

The Corporation approved the Complaints Policy.

### **14 Any Other Business**

It was agreed that a list of acronyms would be useful for all Governors. Ruth Lucas agreed to produce and circulate a list.

### **15 Dates of Future Meetings**

Autumn Term 2022	Wednesday 23 November 2022	9.30am
	Self-Assessment Day *	
	Thursday 15 December 2022	9.30am
Spring Term 2023	Thursday 23 March 2023	9.30am
Summer Term 2023	Thursday 18 May 2023	9.30am
	Thursday 06 July 2023	

\*Governors were informed that on the self-assessment day, they will be given the College Self-Assessment Report and the session will focus on self-assessment of governance and leadership and management. Questions arising from the session will be used by the Standards and Curriculum Committee at its meeting in the afternoon and the Committee will scrutinise elements of the Self-Assessment Report in more detail.