

HARLOW COLLEGE FURTHER EDUCATION CORPORATION

CORPORATION MEETING

Minutes of the virtual meeting held on Zoom – Tuesday 21 December 2021 - 9.30am

Membership:	* Liz Laycock (Chair)	* Julia Fillary	Maksymilian Peikert
	* Sotirios Adamopoulos	Ya'Eesh Ghodiwala	* Brian Spencer
	* Paul Bartlett	* Eddie Johnson	* Karen Spencer
	Julian Bedford	* Brian Keane	* Paul Taylor
	* Jon Bouffler	* Ray Levy	* Michael Travers
	* Rod Bristow	* Lily Lin	Gail Wootton

* denotes present

In attendance: Will Allanson, Deputy Principal
Paul Whitehead, Vice-Principal
Becky Jones, Vice-Principal
Deanne Morgan, Executive Director – Finance and Facilities
Shachi Blakemore, Buzzacott (agenda item 6.2 only)
Sallyann Abdelmoula, Assistant Principal (agenda items 7 and 8 only)
Ruth Lucas, Head of Governance

1 Apologies for Absence

Apologies for absence were received and accepted from Julian Bedford and Maksymilian Peikert, due to work commitments and Ya'Eesh Ghodiwala and Gail Wootton, due to personal reasons.

2 Declaration of Interests

Michael Travers declared an interest in agenda item 9 – Health and Safety Reports as he is the Health and Safety Manager and contributed to the Health and Safety Annual Report.

There were no other new, additional declarations of interest.

3 Minutes of the Previous Meeting

The minutes of the meeting held on 21 October 2021 were approved by the Corporation as a true and accurate record of the meeting and were signed remotely by the Chair.

4 Matters Arising

4.1 Feedback from the Coronavirus Governance and Leadership Group (minute 5 refers)

Liz Laycock provided the Corporation with feedback from the Coronavirus

Governance and Leadership Group. The Group continues to meet fortnightly and topics covered include case numbers, teaching and learning arrangements, testing arrangements and scenario planning.

Karen Spencer reported that she had met with Liz Laycock the previous week and discussed the start of term arrangements for January 2022. Two planning days will be held on the first two working days in January 2022 therefore if the Government announces any changes over the holidays, the College will have time to plan and adapt delivery if necessary in line with any new guidance.

Governors asked if the College had received any air monitoring devices. It was confirmed that 58 carbon dioxide monitors have been received and a plan has been formalised to use these and test on site. The plan will be implemented in January 2022 once the College reopens.

4.2 Sketch Management Accounts for 1 August 2021 – 30 September 2021 (minute 7.2 refers)

Deanne Morgan informed the Corporation that the overdraft that was agreed by the Corporation at its meeting on 21 October 2021 was not required by the College therefore was not applied for.

4.3 Recruitment of Learners - Enrolment Report 2021 – 2022 (minute 7.3 refers)

Liz Laycock asked if recruitment was on track. Karen Spencer reported that recruitment figures have been updated in the management accounts which will be presented in agenda item 6.3.3 at this meeting.

Governors were however informed that recruitment at Stansted Airport College has been impacted by COVID and the Aviation Industry. Also more young people are choosing to stay at their school sixth forms as they are feeling more vulnerable in the current circumstances, which has also impacted on numbers at Harlow. The Adult Education budget is still the most significant area of risk.

4.4 Property Update (minute 10 refers)

Will Allanson provided the Corporation with an update on property and campus works.

Work to Building K has been completed and has been handed over from the contractors back to the College. The first floor of Building A is expected to be handed over imminently. The first floor of Building N is expected to be handed over by mid-January 2022 and the workshop in Building N by the end of January 2022.

South Essex College has been successful in its Institute of Technology application, which Harlow College is a partner of. This will provide capital funding for the refurbishment of the ground floor of Building J. Work will commence in early 2022 once the contracts have been signed.

4.5 Code of Conduct (minute 11.1 refers)

Ruth Lucas reported that the majority of signed Code of Conducts have been received from Governors and reminders have been sent to those which are outstanding.

4.6 Policies (minute 14.1 refers)

Governors were informed that the Coronavirus Governance and Leadership Group had agreed a definition of students which has been inserted into relevant policies as agreed at the Corporation meeting on 21 October 2021.

4.7 Safeguarding Video (minute 14.2 refers)

Ruth Lucas reported that a reminder has been sent to Governors who are yet to confirm that they have watched the safeguarding video.

5 Quality and Curriculum Reports

5.1 Minutes of the Standards and Curriculum Committee Meeting – 2 December 2021

The Corporation received and noted the minutes of the Standards and Curriculum Committee meeting held on 2 December 2021.

5.2 Item 1 - Self-Assessment 2020-2021, including Key Performance Indicators 2020-2021

The Corporation received and considered the report on Self-Assessment 2020-2021, including Key Performance Indicators 2020-2021, presented by Becky Jones, Vice-Principal.

The Corporation was informed that the report had been considered and scrutinised in detail by the Standards and Curriculum Committee at its meeting held on 2 December 2021. Becky Jones highlighted that changes requested at this meeting have been incorporated into the version presented to the Corporation at this meeting and were indicated in red font. Sections on functional skills and apprenticeships have been strengthened.

The Corporation approved the Self-Assessment 2020-2021 and the Key Performance Indicators 2020-2021 and approved for Becky Jones to submit the Self-Assessment to Ofsted after this meeting.

5.3 Item 2 - Key Performance Indicators 2021-2022

The Corporation received and considered the Key Performance Indicators (KPIs) 2021-2022, presented by Becky Jones, Vice-Principal.

The Corporation was informed that the KPIs were considered in detail by the Standards and Curriculum Committee at its meeting held on 2 December 2021. Becky Jones reported that as requested at the Standards and Curriculum Committee meeting, the functional skills KPIs have been split into English and maths functional skills.

The Corporation approved the Key Performance Indicators 2021-2022.

6 Audit, Finance and Resources Reports

6.1 Audit Committee Reports

6.1.1 Minutes of the Audit Committee Meeting – 14 December 2021

The Corporation received and noted the minutes of the Audit Committee meeting held on 14 December 2021.

Paul Whitehead provided the Corporation with an update on the progress of the ESFA audit since the Audit Committee meeting took place. KPMG, who have undertaken the audit on behalf of the ESFA, have issued a draft Annex A with details the funding adjustments which will be sent to the ESFA for them to determine how to handle the adjustments. The College was below a 5% funding error for all funding streams therefore has successfully passed the audit. There was a 0% error rate for apprenticeship income and advanced learner loans income, a 3.41% error rate for 16 – 18 study programme income and a 3.85% error rate for adult education budget income. The adjustment detailed in KPMG's Annex A are errors identified outside of the sample.

6.1.2 Item 1 - To receive and approve the Annual Report of the Internal Audit Service for the year ended 31 July 2021

The Corporation received and considered the Annual Report of the Internal Audit Service for the year ended 31 July 2021. Governors were informed that the report had been considered at the Audit Committee meeting held on 14 December 2021 and that it forms part of the statutory documents which need to be submitted to the Education Skills Funding Agency.

The Corporation approved the Annual Report of the Internal Audit Service for the year ended 31 July 2021.

6.1.3 Item 2 - To receive and approve the Annual Report of the Audit Committee

The Corporation received and considered the Annual Report of the Audit Committee for the period 01 August 2020 to 31 July 2021, presented by Ruth Lucas, Head of Governance.

Governors were informed that this annual report needs to be agreed by the Corporation and forms part of the statutory documents which need to be submitted to the Education Skills Funding Agency.

Ruth Lucas highlighted that the report summarises the work of the Audit Committee, how the Audit Committee has fulfilled its terms of reference and provides details of the assurances gained through internal and external audit.

Governors were informed that the report had been reviewed in detail by the Audit Committee at its meeting on 14 December 2021.

The Corporation noted and agreed the following opinion of the Audit Committee

“It is the opinion of the Audit Committee, based on the reports it has received and considered, and drawing upon the knowledge and expertise of its members and its audit services, supported by the work and views of College management, that during 2020-21 Harlow College:

- *had adequate and effective assurance arrangements;*
- *had an adequate and effective framework of governance;*
- *had adequate and effective risk management and control processes for the effective and efficient use of resources, solvency of the College and the safeguarding of its assets;*
- *had adequate arrangements for securing economy, efficiency and effectiveness;*
- *had adequate and effective key internal controls;*
- *had adequate and effective arrangements for data quality;*
- *had, overall, systems and controls that are adequate and effective for carrying forward the objectives of the College.*

The Audit Committee met in private with the internal and external auditors on 14 December 2021 and no issues impacting upon matters of internal control were raised. Buzzacott did not identify any matters of material irregularity throughout their audit work to bring to the attention of the Audit Committee.

The Audit Committee considers that it operated effectively in 2020-2021 and that it met its terms of reference and the requirements of the Audit Code of Practice.”

The Corporation approved the Annual Report of the Audit Committee for 2020 – 2021 and agreed for it to be signed electronically by Paul Bartlett, Chair of the Audit Committee.

6.2 Joint Audit and Resources Committee Reports

6.2.1 Minutes of the joint Audit and Resources Committee Meeting – 14 December 2021

The Corporation received and noted the minutes of the joint Audit and Resources Committee meeting held on 14 December 2021.

6.2.2 Item 1 - To receive and approve the Audit Findings Report for the period to 31 July 2021 and the Letter of Representation

The Corporation received and considered the Audit Findings Report, known as the Post-Audit Management Report, for the period to 31 July 2021 and the Letter of Representation, presented by Shachi Blakemore, Buzzacott.

The Corporation was informed that the Post-Audit Management Report has been considered in detail by the joint Audit and Resources Committee at its meeting held on 14 December 2021 and by management.

Shachi Blakemore confirmed that Buzzacott had issued a clean audit opinion for the year ending 31 July 2021. The going concern assessment was able to be made without any material uncertainty, unlike the previous financial year, and Buzzacott agreed with the College's own opinion on going concern.

Shachi Blakemore also confirmed that a clean opinion has been given for the regulatory audit.

Governors were informed that a small number of recommendations have been made, none of which are significant and Buzzacott are reassured by the management responses and the timeliness for implementing the recommendations.

Shachi Blakemore reported that the audit had run very smoothly and commended Deanne Morgan and her team. Paul Bartlett also thanked Paul Whitehead, Deanne Morgan and her team for a successful audit.

The Corporation thanked Shachi Blakemore and her colleagues for their work on the audit and bringing to a successful conclusion with the late information from the ESFA audit.

The Corporation reviewed the Letter of Representation and Governors noted that a standard template had been used.

The Corporation approved the Post-Audit Management Report for the period to 31 July 2021 and the Letter of Representation for the year ended 31 July 2021 and agreed for the Letter of Representation to be signed electronically by the Chair.

6.2.3 Item 2 - To receive and approve the Operating and Financial Review 2020-2021

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6.2.4 Item 3 - To receive and approve the Financial Statements 2020-2021

The Corporation received and considered jointly the Operating and Financial Review 2020-2021 and the Financial Statements 2020-2021, presented by Deanne Morgan, Executive Director – Finance.

The Corporation was informed that both documents were considered in detail at the Joint Audit and Resources Committee meeting held on 14 December 2021.

Deanne Morgan reported that since the joint Committee meeting, the ESFA audit has come to a conclusion and that a £100k adjustment has been made in the accounts. This is not considered to be material however as it has changed the surplus figure and there are ongoing uncertainties with the adult education budget income, it was decided that it would be prudent to put the £100k adjustment into the 2020-2021 accounts. Deanne Morgan confirmed that even with the adjustment, the financial health rating remains outstanding and the bank covenants are still being met.

Paul Bartlett highlighted that the Financial Statements have been scrutinised in detail by Ray Levy and Liz Laycock thanked Ray for his input.

The Corporation approved the Operating and Financial Review 2020-2021 and the Financial Statements for 2020-2021 and agreed that they should be signed electronically by the Chair and the Principal and sent to the Education Skills Funding Agency.

6.3 Resources Committee Reports

6.3.1 Minutes of the Resources Committee Meeting – 14 December 2021

The Corporation received and noted the minutes of the Resources Committee meeting held on 14 December 2021.

6.3.2 Item 1 – ESFA Financial Health Rating Letter and Dashboard

The Corporation received and considered the ESFA financial health rating letter and dashboard.

Governors noted that the letter is a standard letter which is issued by the ESFA annually and that they are familiar with the format of the letter and the dashboard.

Liz Laycock asked why the Financial Statements are reporting the College's financial health rating as outstanding however the ESFA letter is reporting it as good. Governors were informed that the good rating refers to last year and based on the College's forecast plans submitted to the ESFA whereas the outstanding rating is based on year-end actuals.

Governors were informed that Deanne Morgan has given feedback to the ESFA around the financial health calculation and the anomalies with

the ratings and how they are calculated. This was also raised in the College's annual strategic conversation with the ESFA as the dashboard does not tell the full story.

The Corporation noted the ESFA financial health rating letter and the dashboard.

6.3.3 Item 2 - Management Accounts for the period 1 August 2021 – 31 October 2021

The Corporation received and considered the management accounts for the period 1 August 2021 – 31 October 2021, presented by Deanne Morgan, Executive Director – Finance.

The Corporation noted that the management accounts were considered and discussed in detail by the Resources Committee at its meeting on 14 December 2021 and no further changes had been made.

It should be noted that the biggest area of concern in the management accounts is the adult education budget, where recruitment is being impacted by Covid, changes to job centre approaches and the low unemployment rate.

The Corporation approved the management accounts for the period 1 August 2021 – 31 October 2021.

7 Safeguarding Reports

7.1 Minutes of the Safeguarding Committee Meeting – 10 November 2021

The Corporation received and noted the minutes of the Safeguarding Committee meeting held on 10 November 2021.

Liz Laycock reported that there was good cross-College attendance at the meeting and that the minutes should give Governors comfort that issues are being addressed by the College.

7.2 Keeping Children Safe in Education Report 2020-2021

The Corporation received and considered the Keeping Children Safe in Education Report 2020-2021, presented by Sallyann Abdelmoula, Assistant Principal.

The report was taken as read.

Sallyann Abdelmoula reported that the key change was the introduction of the need for awareness raising and training around harmful sexual behaviour. Staff training on this commenced in Summer 2021 and continues to be delivered.

Governors noted that there has been a reduction in the number of Children in Care (CIC) and Care Leavers (CL) at the College and a reduction in the number of stop and searches carried out due to the change in the delivery model

throughout the year. There has also been a reduction in the numbers referred to the Safeguarding Team, partly due to the change in the curriculum model as there had been stronger, more frequent contact with students during lockdown and regular welfare checks on all students were completed during this time.

The College continues to receive safeguarding files from schools and the College ensures that only the legal safeguarding information comes across.

The outcomes for safeguarded and free school meals learners have declined however retention remained strong. Karen Spencer asked if the drop in achievement was the issue with functional skills and Paul Whitehead confirmed that a lot of learners in these groups were impacted by functional skills. Liz Laycock reported that it would be good to include this rationale in the report and asked if it could be amended.

Training continues for all staff and Governors noted that the Safeguarding Team complies with all the required statutory duties.

Liz Laycock reported that there has been an increase in mental health issues referrals and incidents and this is increasingly a matter of concern due to the reduction in external services support and capacity. There is a national issue of very lengthy waiting lists for mental health support. It was agreed that the College needs to keep a careful watch on this and it should use as many resources that are out there as possible.

Liz Laycock reported that she had met with a group of students as part of the Self-Assessment Review panels and the focus of the meeting was a discussion with a focus on peer on peer sexual abuse. Liz Laycock reported that the students had an open forum, were articulate and were a joy to be with.

The Corporation noted the Keeping Children Safe in Education Report 2020-2021.

8 Equality and Diversity Reports

8.1 Minutes of the Equality and Diversity Committee Meeting – 25 November 2021

The Corporation received and noted the minutes of the Equality and Diversity Committee meeting held on 25 November 2021.

8.2 Equality and Diversity Annual Report 2020-2021 and Action Plan

The Corporation received and considered the Equality and Diversity Annual Report 2020-2021 and Action Plan, presented by Sallyann Abdelmoula, Assistant Principal.

The report was taken as read.

Sallyann Abdelmoula highlighted that the College continues to monitor the small ethnic pay gap that exists.

Governors noted that the staff profile is similar to previous years with a slight improvement in male managers and the age profile across the organisation.

Sallyann Abdelmoula reported that there is an achievement gap for high needs funded learners which is related to functional skills and there is a slight gender achievement gap for apprentices. There is also work to do on the higher education achievement gaps around age and disability.

Liz Laycock asked about the actions required in the report. Karen Spencer reported that some sit at a local level, some overlap with the College's self-assessment report and some will go into the Human Resources quality improvement plan. The Equality and Diversity Steering Group will monitor the actions being taken.

Liz Laycock reported that the Equality and Diversity Steering Group minutes were very informative and an interesting read. Karen Spencer thanked Will Allanson and Sallyann Abdelmoula for their work on the Equality and Diversity Steering Group.

The Corporation approved the Equality and Diversity Annual Report 2020-2021.

9 Health and Safety Reports

9.1 Minutes of the Health and Safety Committee Meeting – 18 November 2021

The Corporation received and noted the minutes of the Health and Safety Committee meeting held on 18 November 2021.

9.2 Health and Safety Annual Report 2020-2021

The Corporation received and considered the Health and Safety Annual Report 2020-2021, presented by Will Allanson, Deputy Principal.

The report was taken as read.

Will Allanson drew Governors' attention to the performance targets set out in the report which confirm what the College is doing under its legal obligations. Governors' attention was also brought to Appendix 1 which lists the number of accidents which have occurred throughout the year.

Karen Spencer asked for a date for a fire drill at the Harlow campus be put in the diary, as the Health & Safety Committee minutes show this is not yet planned. Will Allanson reported that two have taken place at Harlow. There appeared to be an anomaly with the minutes of the Health and Safety Committee and the Health and Safety Annual Report, with drills taking place at Stansted Airport College and Eastwalk but not on the main Harlow campus. This will be corrected. The new hair and beauty salon will need to be included in fire drills. Will Allanson confirmed that the College's target is one drill per site per term. The auditors only recommended two per site per year however the College is aiming for one per term. Karen Spencer reported that it would be good for Governors to see a schedule for all the fire drills so they can be monitored.

Rod Bristow asked how the College monitors mental health and the challenges it brings across the sector. Karen Spencer reported that staff mental health is covered in the Human Resources Annual Report which is presented to the Resources Committee annually in December and Ruth Lucas agreed to circulate the latest Annual Report to Governors after the meeting. Liz Laycock confirmed that student mental health is covered by the Safeguarding Committee and details can be found in the Safeguarding Committee minutes. Will Allanson confirmed that this report solely covers injuries which are linked to mental health.

The Corporation noted the Health and Safety Annual Report 2020-2021.

10 FE Commissioner's Correspondence

10.1 FE Commissioner's Termly Letter

The Corporation received and considered the FE Commissioner's termly letter, presented by Ruth Lucas, Head of Governance.

Governors noted that Shelagh Legrave CBE DL has been appointed as the new FE Commissioner and the letter sets out key priorities and new proposals.

The Corporation noted the FE Commissioner's termly letter.

10.2 Annual Report of the FE Commissioner

The Corporation received and considered the Annual Report of the FE Commissioner, presented by Ruth Lucas, Head of Governance.

Governors noted that the report provides an overview of the FE Commissioner's team's work, including diagnostic assessments, structural reviews and interventions.

Liz Laycock asked about the number of diagnostic assessments which were asked to be strengthened by the FE Commissioner's team and asked if it was dependent on who had called for the diagnostic assessment. Karen Spencer reported that it is difficult to answer the question. Organisations can volunteer for them or can be selected for them.

The Corporation noted the Annual Report of the FE Commissioner.

11 Any Other Business

11.1 Changes to Funding

The Corporation was informed that changes to FE funding were announced last week. Paul Whitehead informed Governors that there has been an increase in the 16 – 18 funding rate however there is an additional requirement to deliver 40 more guided learning hours per learner per year. Previously 540 hours of learning had to be delivered and now this has increased to 580 hours. The increase in funding is 0.97% and reported to be due to inflationary rises. The

increase in hours will not have a big impact on the College as it currently delivers approximately 600 hours to the majority of learners and is only funded for 540 hours therefore many learners are already doing the new required hours. The College plans to deliver the extra hours where required and any increase in funding is welcomed by the College. However it is likely that any increases in funding will be offset by changes in student recruitment.

12 Dates of Future Meetings

Spring Term 2022	Thursday 24 March 2022	8.30am / 9.30am
Summer Term 2022	Thursday 19 May 2022	8.30am / 9.30am
	Thursday 07 July 2022	8.30am / 9.30am