

# HARLOW COLLEGE FURTHER EDUCATION CORPORATION

## CORPORATION MEETING

### Minutes of the virtual meeting held on Zoom – Thursday 24 March 2022 - 9.30am

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

\* denotes present

In attendance: Steve Frampton MBE, AoC (agenda item 3 only)  
Paul Whitehead, Vice-Principal  
Becky Jones, Vice-Principal  
Deanne Morgan, Executive Director – Finance  
Laura Wedgbury-Glew, Assistant Principal  
Ruth Lucas, Head of Governance

#### 1 Apologies for Absence

Apologies for absence were received and accepted from Paul Bartlett and Eddie Johnson due to personal reasons, Brian Keane due to work commitments and Will Allanson.

#### 2 Declaration of Interests

There were no new additional declarations of interest.

#### 3 Carbon Reduction Roadmap

The Corporation received a presentation from Steve Frampton MBE, FE/HE Climate Commissioner and Chair of AoC Services Board, on the Carbon Reduction Roadmap.

Steve Frampton set the scene, highlighted the carbon reduction roadmap and reported that everyone needs to be doing more than they are currently doing.

Key elements covered were as follows:

- The Carbon Literacy Project, which is a day's learning.
- How the FE and HE Climate Commissioner is working together with institutions to highlight this agenda.
- Sustainability is now included in the AoC's Code of Good Governance.
- The College has signed up to the Green Commitment.
- 3 million new jobs at Levels 3 to 5 will be created in powering the green economy.

- The DfE's Climate Change Strategy is being launched at the Natural History Museum on 21 April 2022.
- Ofsted has bought into the Strategy and the green agenda.
- The green agenda will be covered in the FE Commissioner's reviews of corporate governance.

Steve Frampton highlighted the colleges need to work in a co-constructive way, build on work that is already being done, drive this agenda and work collaboratively with partners and stakeholders.

Governors were given the opportunity to ask questions.

Karen Spencer reported that the College has signed up to the Carbon Literacy Project however is not at stage to roll it out yet.

Karen Spencer asked where best practice has been seen to date. Steve Frampton highlighted South West College in Northern Ireland who are using One Planet Learning in construction and engineering, South Devon College where this is embedded in every bit of practice and City of Brighton and Sussex College where the four colleges are working together on the roadmap with a view to achieving the highest level in three years.

Karen Spencer reported that Essex County Council is making a big commitment to this agenda. They are being encouraged to run the Carbon Literacy Project across all schools and encouraged to facilitate colleges working with secondary schools and secondary schools working with primary schools.

Rod Bristow asked to what extent the AoC has looked at the entire mission of the FE sector around careers and employability. There will be huge economic growth in green skills in the next decade, with a growth in demand and in provision. Steve Frampton reported that this is recognised by Government and is one of the six key aims in the DfE's strategy. There is predicted to be over 3 million green skills jobs created by 2030 and all jobs will become greener or green jobs by 2050. The College is well-placed to support this, work on this has started and it is a huge opportunity for the College. Work is being undertaken with Pearson to ensure the green agenda is incorporated in every qualification and all students have access to this area of study.

Karen Spencer reported that the green agenda is poorly addressed in the traditional curriculum and the housing industry currently does not match the green agenda. There needs to be Government direction in changing the curriculum as it does not meet industry need. Every industry will be different and for some, the skills will remain the same. For example gas engineers will be required in the future for decommissioning services and the skills for decommissioning and installing are broadly the same. It is a complex picture and leverage with industry is needed to make changes. Steve Frampton agreed with Karen Spencer and reported that it is working well at South West College in Northern Ireland however the Government regulations over there have changed.

Liz Laycock highlighted that this agenda will be an area that will need Governors' strategic focus and that there will be barriers to overcome. This will be a key focus of the Governor's strategic planning session to be held in the Summer Term.

The Corporation thanked Steve Frampton for attending and he left the meeting.

Karen Spencer presented the College's draft Carbon Reduction Roadmap which details the College's targets for achieving emerging, established and leading college status over the next three years, in addition to the Government targets for 2030, 2040 and 2050.

Scrutton Bland undertook an internal audit on carbon reduction and the recommendations have been incorporated into the College's roadmap action plan.

The roadmap action plan will fall under the remit of the Health and Safety Committee and then will be reported into the Resources Committee.

There is a need to build cross-cutting themes such as inclusion, equality, respect and sustainability more strongly into the College values.

A student, staff and Governor survey is being undertaken to provide some baseline data.

The Corporation noted the presentation on the Carbon Reduction Roadmap and the College's draft action plan.

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

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

#### **5 Matters Arising**

##### **5.1 Code of Conduct (minute 4.5 refers)**

Ruth Lucas reported that all Governors have now signed the Code of Conduct.

##### **5.3 Safeguarding Video (minute 4.7 refers)**

Ruth Lucas reported that all Governors have watched the safeguarding video.

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

Ruth Lucas reported that Julian Bedford has resigned from the Corporation due to work commitments and Gail Wootton's term of office has expired.

The Search Committee will actively seek to fill these vacancies as soon as possible and bring any recommendations for appointment to the Corporation.

#### **7 Feedback from the Coronavirus Governance and Leadership Group**

Liz Laycock reported that the Group had continued meeting fortnightly and discussions included mask wearing, exams, assessments and covid numbers. The Group has now been disbanded in line with the Government's easing of restrictions however the Group will be reconvened if the situation changes dramatically in the College.

## 8 Principal's Report

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

Governors noted that the report provides an overview of current government consultations, policies and bills and details the implications of these for the College.

Governors were informed that the Skills and Post-16 Education Bill is going through the final stages in Parliament and there is a focus within the Bill on local and regional partnerships.

There are opportunities with the Strategic Development Fund (SDF) and Local Skills Improvement Plans (LSIP). The College is leading a small SDF project, the draft report of which will be available from next week, which focuses on how colleges across Essex can work collaboratively to meet labour market needs.

There is a focus on simplifying funding for adults however this funding is still complex.

The Augar Post-18 review has recommended changes to how student loans are paid back and the payback period has reduced. Minimum entry requirements into higher education are being consulted on and there is a proposed move to more higher, technical qualifications.

At the Association of College's annual conference, Amanda Spielman, HM Chief Inspector of Education, Children's Services and Skills, announced that Ofsted have been granted additional funding to undertake full inspections of all colleges within the next three years. The remit of these inspections will be to ensure that courses being offered are leading to meaningful outcomes and the sector is waiting to see what this will look like in a new framework which is due to take effect from September 2022. Governors will receive training on the framework once further information has been published.

Qualification reforms are taking place and at present, it is difficult to ascertain what Level 3 qualifications will be retained and what Level 3 qualifications will be removed. It is a complex landscape which is creating a lot of uncertainty.

Paul Taylor asked if there is a link between the qualification reforms and Ofsted's framework change. Karen Spencer reported that the Government is trying to data match from HMRC records however this data is out of date, it looks at training and what people can earn now. The College however reports on next steps. The approach being taken is broad-brush and longitudinal to get the system to work. In terms of Ofsted, there are external impacts outside of colleges' control that could affect Ofsted judgements.

Liz Laycock highlighted the word "meaningful" as being key however it is impossible to say what this really means. Karen Spencer reported that the College works on the basis of being a gateway to further study or employment, enabling students to take their next steps, however COVID has changed a lot of what is currently possible.

Liz Laycock asked about the lifelong learning entitlement consultation and whether it really meant that people can retrain at any time. Karen Spencer reported that the full detail on this is not yet known as it will not come in until the next Parliament however it is expected to come with conditions.

Liz Laycock asked if the College is expecting a full Ofsted inspection next academic year. Karen Spencer reported that it could be this academic year and if not, most likely next academic year. Liz Laycock asked if there is a risk associated with a full inspection in October 2022 under the new framework. Karen Spencer reported that the new framework has not yet been published however the College is not concerned with how it meets the needs of the local labour market. More critical areas are apprenticeships, English and maths and functional skills.

Rod Bristow asked where universities are concerned around the proposals on accountability targets, continuation rates and outcomes, does the same apply to the College? Karen Spencer reported that it depends on the size of the provision as to whether it falls into the accountability framework and the College does not. Retention on higher education courses delivered by further education providers is measured from the start of the programme to the end of the programme whereas universities measure it from one year to the next. Becky Jones reported that the College needs to report continuation figures however many students just undertake the HNC initially and there is good progression into a third year of study.

Rod Bristow asked about how the College is thinking about a fuller higher education offer and would this be through Anglia Ruskin University (ARU). Rod Bristow highlighted that people's aspirations drive demand for degrees, not just Government policy. Becky Jones reported that the Institute of Technology will provide the College and students with more Level 4 and Level 5 options, which will be aligned with T-Levels and access courses offered by the College. The College currently does not offer Level 6 however this can be done in conjunction with ARU. Karen Spencer reported that current Level 4 and Level 5 students access the top-up with ARU and this model works well for the College. The College is having discussions with ARU around going back into a partnership arrangement between the two institutions. Universities in general are waiting to see what comes out of the consultations and it will take some time for this to settle and work its way through.

Jon Bouffler confirmed that ARU is looking at progression and year zero courses, with progression assessments being the preferred option. ARU is keen to see Harlow College as its principal offer in Essex and is keen to align expertise, along with a better way of working with ARU's faculties. Karen Spencer reported that ARU are incredibly supportive of the College and that the College is ARU's largest feeder institution. There are lots of opportunities and benefits of the College and ARU working more closely together.

Karen Spencer reported that this discussion and further discussion will be built into the College's strategy moving forwards and highlighted the proposal to hold a strategic day for Governors and senior managers in the Summer Term. The Corporation agreed that this session should run from approximately 12.30pm – 6.30pm and potential dates will be circulated.

The Corporation noted the Principal's Report.

## **9 Quality and Curriculum Reports**

### **9.1 Minutes of the Standards and Curriculum Committee Meeting – 16 March 2022**

The Corporation received and noted the minutes of the Standards and Curriculum Committee meeting held on 16 March 2022 and noted that the main areas of focus of the meeting were English and maths, functional skills and apprenticeships.

### **9.2 Item 1 – Key Performance Indicators 2021-2022**

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

The Corporation was informed that they had been scrutinised in detail at the Standards and Curriculum Committee meeting held on 16 March 2022 and the key areas and discussion were detailed in the minutes of the meeting.

The Corporation noted the Key Performance Indicators 2021-2022.

### **9.3 Item 2 – Quality Improvement Plan 2021-2022**

The Corporation received and considered the Quality Improvement Plan (QIP) 2021-2022, presented by Becky Jones, Vice-Principal.

The Corporation was informed that the QIP was considered in detail at the Standards and Curriculum Committee meeting held on 16 March 2022. The Committee requested some changes to be made to the adult actions in the QIP to align them with the KPIs and Becky Jones confirmed that this will be done.

Governors' attention was brought to A-Level retention which is RAG rated red. A discussion has been held at team level as to whether it is best to continue with the full two year A-Level programme or to split it down into AS and A2 Levels again. The team would prefer to revert back to AS and A2 levels to give the students more flexibility however this discussion has not yet been had at Principalship level. As part of the action has now been completed, the RAG rating will be changed to amber from red.

Karen Spencer highlighted English and maths and informed Governors that the national GCSE resit pass rates are low and that a better Government measure would be progress rather than attainment. Progress will now be incorporated into the Standards and Curriculum Committee reports.

Paul Whitehead reported that the College is running mock GCSE English and maths exams next week. The results of these will look at progression and the grades they entered College with. The impact and results of the mocks will be fed into GCSE classes and tailored work will be undertaken with students before their exams in the summer.

Karen Spencer reported on the need to be really clear on the reasons for apprentices leaving. Some apprentices left four years ago and are still having

an impact on the College's data. Apprenticeships now take longer and the College needs to keep a close eye on this, along with what it is doing around in-year retention.

The Corporation noted the Quality Improvement Plan 2021-2022.

#### **9.4 Item 3 – Student Voice**

The Corporation received and considered the report on Student Voice, presented by Maksymilian Peikert and Ya'Eesh Ghodiwala, Student Governors.

The report was considered in detail at the Standards and Curriculum Committee meeting held on 16 March 2022.

Maksymilian Peikert highlighted the Student Voice Action Plan and the March review of each action. The completed actions will be removed from the Action Plan.

Ya'Eesh Ghodiwala reported that there has been an increase in student voice across the College and that there was a high completion rate in the recent internal student survey, with significant increases in satisfaction being seen in introduction / information for apprenticeships, overall enrolment / sign-up, understanding of how to record 20% off the job training and tutorial support.

Ya'Eesh Ghodiwala reported that student voice is having a positive impact on the College and students are happy to speak up.

Liz Laycock reported that it is positive to see improvements in tutorials being reported.

The Corporation noted the report on Student Voice.

### **10 Finance and Resources Reports**

#### **10.1 Resources Committee Reports**

##### **10.1.1 Minutes of the Resources Committee Meeting – 3 March 2022**

The Corporation received and noted the minutes of the Resources Committee meeting held on 3 March 2022.

##### **10.1.2 Item 1 – Management Accounts**

The Corporation received and considered the management accounts for the period 1 August 2021 – 31 January 2022, presented by Deanne Morgan, Executive Director – Finance.

The Corporation was informed that the management accounts had been discussed in detail at the Resources Committee meeting held on 3 March 2022.

Governors noted that whilst the year-end forecast is a deficit, the College is generating cash, the financial health rating is good and both bank covenants are being met.

Deanne Morgan informed Governors that in the February management accounts, the Adult Education Budget has been reviewed and it is still predicting a year-end deficit. The February management accounts show a financial health rating of good and that the bank covenants are being met.

The Corporation reviewed the annual banking facility with Clydesdale, as follows:

Facility	Limit	Frequency
Overdraft	£0	-
BACS (salaries)	£850,000	Per month
BACS (non-salaries)	£1,100,000	Per week
Business Card (credit card)	£40,000	Per month
Open Credit (cash facility with Natwest)	£10,000	Per week

The Corporation noted the management accounts for the period 1 August 2021 – 31 January 2022 and approved the annual banking facility with Clydesdale as detailed above.

### **10.1.3 Item 2 – Future Funding**

The Corporation received and considered the management accounts for the report on future funding, presented by Paul Whitehead, Vice-Principal.

The Corporation was informed that the report had been discussed in detail at the Resources Committee meeting held on 3 March 2022.

Governors were informed that the College had not received any of its funding allocations when the Resources Committee met however it has since received the 16 – 18 funding allocation statement.

Governors noted that the funding allocation is based on student recruitment this year. This year's student numbers have reduced by approximately 250 learners therefore the allocation has been reduced accordingly. There is a requirement that an additional 40 hours per student is delivered from next academic year and additional funding has been given to cover this. With the reduction in student numbers and the additional funding for additional delivery hours, the College is expecting to be slightly ahead of this year's allocation next year.

The TPS funding allocated to the College had been miscalculated and this has now been rectified by the ESFA.



The condition of funding allocation has been queried by the College and the College is submitting additional data to the ESFA.

Due to the reduced number of students this year, in-year growth next year will be classed as exceptional growth. The College will need to recruit more than 100 additional students to request any in-year growth funding however no funding will be received for the first 100 students.

Governors were informed that the high needs funding allocation from the ESFA has been confirmed.

The Corporation noted the report on future funding.

#### **10.1.4 Bank Covenants**

The Corporation received and considered the report on bank covenants, presented by Deanne Morgan, Executive Director – Finance.

The Corporation was informed that the report had been discussed in detail at the Resources Committee meeting held on 3 March 2022.

Deanne Morgan informed Governors that the College has been in discussions with the bank as the College is unable to use any cash generated post-year without breaking one of the bank covenants. Following on from these discussions, the bank has agreed that the College can spend up to £800k this year of the net cash generated last year. The proposed amended wording of the bank covenant was highlighted which will ensure the covenant will not be broken if this cash is spent. The College has liaised with its external auditors to ensure that this will not create any problems with their going concern assessment.

Paul Taylor asked if there is a charge from the bank to change the covenant. Deanne Morgan confirmed that there is no charge, that there had been a good, open discussion with the bank and there continues to be a good, local relationship with the bank.

The Corporation approved the temporary rewording of the bank covenant.

## **11 Audit Committee Reports**

### **11.1 Minutes of the Audit Committee Meeting – 8 March 2022**

The Corporation received and noted the minutes and the confidential minutes of the Audit Committee meeting held on 8 March 2022.

Paul Whitehead confirmed that good progress is being made on audit actions and recommendations and the ESFA audit recommendations will be added to the audit tracker which is monitored by the Audit Committee.

## **11.2 Item 1 – Appointment of Internal Auditors**

The Corporation received and considered the report on the appointment of internal auditors, presented by Paul Whitehead, Vice-Principal.

Paul Whitehead informed Governors that the College and the Audit Committee is happy with the service provided by Scrutton Bland. Following on from the Audit Committee, a discussion was held with Scrutton Bland around appointment terms and the Audit Committee is recommending a 3-year plan, with an annual review, with fixed increases in daily rates per year to the Corporation for approval.

The Corporation approved the appointment of Scrutton Bland as the College's internal auditors for 2022-23, 2023-24 and 2024-25, subject to an annual review each year.

## **12 Stansted Airport Advisory Group Meeting – 8 February 2022**

The Corporation received and noted the minutes of the Stansted Airport Advisory Group meeting held on 8 February 2022.

Karen Spencer reported that applications to Stansted Airport College are recovering, post pandemic.

Paul Taylor asked about membership of the Group as there were a number of apologies at the last meeting. Karen Spencer reported that this was a particular issue and circumstances for this meeting and whilst there was a discussion around postponing the meeting, it was agreed that it would be best for the meeting to go ahead as planned.

Karen Spencer thanked all Governors who attended the HRH Princess Royal visit to Stansted Airport College and the Corporation thanked all students and staff involved in the visit.

## **13 Health and Safety Committee Meeting – 22 February 2022**

The Corporation received and noted the minutes of the Health and Safety Committee meeting held on 22 February 2022.

Governors noted that the College and Corporation are meeting statutory requirements and noted that the Carbon Reduction Policy was approved by the Health and Safety Committee at the meeting held on 22 February 2022.

## **14 Safeguarding Committee Meeting – 24 February 2022**

The Corporation received and noted the minutes of the Safeguarding Committee meeting held on 24 February 2022.

Liz Laycock reported that the meeting was very detailed and no new concerns were raised however mental health remains an issue for a high number of students.

## **15 Equality and Diversity Committee Meeting – 8 March 2022**

The Corporation received and noted the minutes of the Equality and Diversity Committee meeting held on 8 March 2022.

Governors were reminded that the Resources Committee approves the gender pay gap report annually and were informed that the ethnicity pay gap report will be presented to the Resources Committee for approval next term. This is not a statutory requirement however it is seen as a measure of good practice.

## **16 Policies for Approval**

The Corporation received and considered the Admissions Policy, Disability Statement 2021-2022, Equality and Diversity Policy and Student Disciplinary Policy.

Governors were informed that minor amendments to the Admissions Policy and Disability Statement 2021-2022 were proposed. The Equality and Diversity Policy has been tightened up based on legal advice received from the College's HR lawyers. The Student Disciplinary Policy now includes references to other policies, changes in language and aligning processes and procedures throughout the policy. All proposed changes to the three policies and one statement were highlighted in yellow throughout them.

A discussion was held around the Admissions Policy. Governors noted that if a student fails to fully disclose their support needs, it could invalidate their enrolment as the College needs to ensure that it can fully meet all the needs of the student and ensure that it does not fail any student because their needs cannot be met.

Ya'Eesh Ghodiwala reported that there can be stigma with authority and this could be a barrier to fully disclosing needs. Karen Spencer reported that an enrolment would only be invalidated for very specific reasons. The College is working on extremes with this as mild to moderate support needs can be addressed by the College.

Paul Whitehead suggested that the language of the policy be looked at and suggested changing the word "invalidate" to "review". Paul Whitehead highlighted that this is a supportive process and the College will always look at how best it can support a student rather than looking to invalidate their enrolment.

Sotirios Adamopoulos reported that there is an element of trust with this. Paul Whitehead confirmed that this is the case and that the cases where enrolments are invalidated are extreme cases where the College gets to a point where they cannot support the student or meet their needs fully. Karen Spencer reported that these are very specific cases. Sotirios Adamopoulos reported that there is a need to support the students and protect the organisation as the College has a duty of care of both its students and staff.

The Corporation agreed that the language used in the Admissions Policy be reviewed by management.

Ray Levy has provided feedback on all the policies and the statement. As these are minor alterations, the Corporation agreed that management could make the changes without the need for the policies to come back to the Corporation for approval.

The Corporation approved the Admissions Policy, Disability Statement 2021-2022, Equality and Diversity Policy and Student Disciplinary Policy, subject to the amendments outlined above.

## **17 Governor Training and Development**

Julia Fillary attended AoC's governor induction training.

Maksymilian Peikert attended student governor induction training.

Michael Travers attended a staff governor conference.

Sotirios Adamopolous attended a staff governor conference and Essex Police training.

Ya'Eesh Ghodiwala attended student governor induction training and a sustainability event for student governors and is due to attend the BETT conference on 25 March 2022.

## **18 Any Other Business**

There was one item of confidential any other business which was minuted separately.

## **19 Dates of Future Meetings**

Summer Term 2022	Thursday 19 May 2022	9.30am
	Thursday 07 July 2022	9.30am

The Corporation was informed that whilst there is a desire to return to face-to-face meetings, the public health guidance is still to avoid indoor meetings with people you do not normally meet with. New public health guidance is to be issued on 1 April 2022 and management will review this and its implications for the College.

A discussion was held around the start times of meetings and the Corporation agreed to maintain the 9.30am start to meetings as this allows management to address any unexpected issues which may arise at the start of each day.