

HARLOW COLLEGE FURTHER EDUCATION CORPORATION

SEARCH AND GOVERNANCE COMMITTEE

Minutes of the meeting held at Harlow College at 9.30am on Thursday 9 March 2023

Membership *Ray Levy
 *Lily Lin (Chair)
 *Brian Spencer
 *Karen Spencer

*denotes present

In attendance Julien Sample, E-Learning and Projects Manager
 Deanne Morgan, Executive Director – Finance
 Ruth Lucas, Head of Governance

1 Apologies for Absence

Apologies for absence were received from Paul Whitehead, Vice-Principal.

2 Declarations of Interest

There were no declarations of interest.

3 Minutes of the Previous Meeting

The minutes of the Search and Governance Committee meeting held on 15 December 2022 were agreed as an accurate record of the meeting.

4 Matters Arising from the Minutes (not mentioned elsewhere on the agenda)

There were no matters arising.

5 Membership of Harlow College Further Education Corporation

There were no new recommendations for appointment for the Search and Governance Committee to consider.

6 Register of Membership

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

Governors noted that Governors have been mapped against the 2 Cs (Civic and Community) and the 2 Es (Education and Employers).

The Committee noted that Brian Spencer's term of office expires on 18 May 2023 and he is not seeking reappointment. A discussion was held around looking for a community representative replacement for Brian Spencer. It was agreed that Julien Sample would approach Rainbow Services and Karen Spencer and Ruth Lucas would follow up another contact they have.

A discussion was held around increasing the number of Governors on the Corporation to 19 and the Search and Governance Committee agreed that if two suitable candidates were found, increasing the number of Governors should be considered.

Karen Spencer reported that the FE Commissioner's team has a focus on longevity of governors with a view that Governors should not serve more than two terms of office. At the Annual Strategic Conversation with the ESFA, the FE Commissioner's representative did not express any undue concern about this. After May 2023, the Corporation will only have one Governor that has served more than two teams and the Search and Governance Committee agreed that the Corporation has a good balance and turnover.

The Search and Governance Committee noted the Register of Membership.

7 External Review of Governance

The Search and Governance Committee received a verbal update on the External Review of Governance, presented by Ruth Lucas, Head of Governance.

Ruth Lucas provided the Committee with some background on the review and reminded Governors that there is a requirement to undertake the review by the end of the 2023/2024 academic year, with the Corporation having agreed that it should be undertaken in Spring 2024.

Karen Spencer reported that the internal audit cost and plan for 2023/2024 should be looked at and where possible reduce the plan accordingly to allow for the review.

It was agreed that Ruth Lucas would produce a scoping document for the External Review of Governance which will be presented at the next Search and Governance Committee meeting.

The Search and Governance Committee noted the update on the External Review of Governance.

8 ONS Reclassification

The Search and Governance Committee received a verbal update on the ONS reclassification, presented by Karen Spencer, Principal.

Governors were informed that there have been no major updates since the last Corporation meeting and that the Government is working its way through the processes.

There are new restrictions on borrowing and senior pay and systems for approving both are being set up by the Government.

Deanne Morgan reported that colleges who are requiring borrowing to help with cash flow are facing issues with seeking Government approval as the Government want the borrowing for specific expenditure, not just cash flow. It is therefore important that colleges have liquid cash. Overdrafts can no longer be agreed with colleges' banks. It was however noted that borrowing from the Government should be cheaper than borrowing from the bank.

Deanne Morgan reported that as part of the annual review of the Financial Regulations, she will ensure that they are within the framework for the public sector. There is a procurement framework which will also be part of this. Governors were informed that there could be some advantages with purchasing as a sector however the full details of this is not yet known.

The Search and Governance Committee noted the update on ONS reclassification.

9 Annual Accountability Statement

The Search and Governance Committee received and considered the report on the Annual Accountability Statement, presented by Julien Sample, E-Learning Manager and Projects Manager.

Julien Sample provided the Committee with an overview from the Skills for Jobs White Paper which outlined the Government's vision for the transformation of further education. Employers are being put at the centre of this and the Local Skills Improvement Plans (LSIPs) will identify local skills' needs, with colleges providing provision in line with identified needs,

Governors were informed that in addition to this, there is a new Accountability Framework, which comes in two parts. Part One is the new funding agreement and there is nothing the College needs to do in response to this, Part Two is the Annual Accountability Statement, a document which needs to be produced every year, signed off by the Corporation, published on the College's website and submitted to the ESFA by 31 May.

The Annual Accountability Statement must include reference to the LSIP and their identified priorities. The timescales for submission of the first Annual Accountability Statement are not ideal as the LSIP is not due to be published until the end of May 2023 and the deadline for submission of the Annual Accountability Statement is also the end of May 2023, however the draft LSIP priorities should be published by the end of March 2023. The Employer Representative Body (ERB) are saying that there will no surprises with the priorities and it is expected that they will be around construction, health care, sustainability, digital, workforce and health and well-being.

Julien Sample outlined the information that is required in the Annual Accountability Statement and Governors noted that the Strategic Plan and KPIs contain a lot of the required detail. It was noted however that there is a need to focus on the top five to ten objectives the College will be working on in the upcoming year.

The Search and Governance Committee considered the working draft of the Annual Accountability Statement in the report.

It was suggested that the table should list the national priority, then the big action being taken to address this and then the outcome measure.

The College's KPIs could be an appendix to the Statement and be cross-referred to or could be hyper-linked to, along with the College's Strategic Plan, Quality Improvement Plan and Skills Briefing.

A Governor suggested that the Statement should be kept as short as possible to ensure the reader remains engaged with it and it was suggested that info-graphics would make

it more appealing to the reader.

Ruth Lucas agreed to share the published guidance on Annual Accountability Statements with the Search and Governance Committee.

A Governor asked what the next steps are for the Annual Accountability Statement. Karen Spencer reported that a draft Statement would be presented to the Corporation meeting on 20 March 2023. Following this, the Committee will help to draft the final version of the Annual Accountability Statement which will be presented to the Corporation for approval at its meeting on 18 May 2023. Given the timescales involved, it was agreed to bring forward the date of the next Search and Governance Committee meeting.

The Search and Governance Committee noted the report on the Annual Accountability Statement and approved the proposed way forward for approving the Annual Accountability Statement as set out in the report.

10 Governor Recruitment Policy and Procedure

The Search and Governance Committee received and considered the Governor Recruitment Policy and Procedure, presented by Ruth Lucas, Head of Governance.

A Governor asked if there was a tie in a staff or student election, would it just be the candidates who were tied at the top that would stand in the re-vote. Ruth Lucas confirmed this was the case and that the wording would be amended accordingly.

A Governor asked for the recourse for appeal to be added in. It was agreed to add in that if someone is unhappy with an appointment to the Corporation, the ESFA Complaints Policy should be followed.

It was agreed that tracking of non-attendance at meetings as detailed in the Instrument and Articles of Government and the Standing Orders be cross-referred to.

It was also agreed that it should be stated in the Policy that Governors should have a commitment to Harlow, West Essex or the UK Innovation Corridor or a meaningful connection to Harlow.

The Search and Governance Committee approved the Governor Recruitment Policy and Procedure, subject to the amendments outlined above.

11 Annual Report of the FE Commissioner 2021-2022

The Search and Governance Committee received and considered the Annual Report of the FE Commissioner 2021-2022, presented by Ruth Lucas, Head of Governance.

Governors were informed that the report provided an overview of the FE Commissioner's Team's work and the sections in the report were highlighted.

Karen Spencer reported that the FE Commissioner is coming to visit Harlow College, as part of looking at ways in which the Team can support the sector and Governors noted that the visit is not part of any form of intervention or monitoring of the College by the FE Commissioner's Team.

The Search and Governance Committee noted the Annual Report of the FE Commissioner 2021-2022

12 Any Other Business

There were no items of any other business.

13 Dates of Future Meetings

Summer Term	Tuesday 2 May 2023	9.30am
	<i>Onsite at Harlow College</i>	

Key Points From The Meeting For Corporation:

1. Item 1 – Annual Report of the FE Commissioner 2021-2022

To receive and note the Annual Report of the FE Commissioner 2021-2022.