

## THE CORPORATION OF WALTHAM FOREST COLLEGE

### MINUTES OF THE MEETING HELD ON 24 MARCH 2021

#### MEMBERS OF THE CORPORATION

Youness Abidou	<i>apologies</i>	Member
Nadia Ahmed	<i>apologies</i>	Member
Craig Buist	present	Staff Member
Paul Butler	present	Member, Chair of the Corporation, Safeguarding Champion
Gary Davies	<i>apologies</i>	Member
Michael Eichhorn	present	Member
Janet Gardner	present	Member, Principal & Chief Executive
Vanessa Georgieva	present	Student Member
Shamik Ghosh	present	Member
Alison Morris	present	Member, Careers Champion
Renatta Nzomono	present	Member, Chair of Audit Committee
Frank Royle	present	Staff Member
Tim Strong	<i>apologies</i>	Member, Chair of Search Committee & Remuneration Committee, Health & Safety Champion
Neil Taylor	present	Member
Graham Woolnough	present	Member, Corporation Vice Chair
Jacqueline Young	<i>apologies</i>	Member
Yvonne Yau	present	Student Member

#### CLERK TO THE CORPORATION

Naomi Shoffman	present	Director of Governance (DoG)
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#### IN ATTENDANCE

Hassan Rizzi	Deputy Principal Curriculum & Quality (DPCQ)
Abena Rodman -Tay	Interim Deputy Principal Corporate Resources (IDPCR)
Amir Ahmed	Director Services for Students (DSfS)
Nadeem Khalifa	Director of BIP (DoBIP)
Stella Hawkins	
John Newton	

**Due to the Coronavirus pandemic (Covid-19) the Corporation agreed that meetings may be held using Teams videoconferencing as per the Waltham Forest College Instrument & Articles, Instrument 1 (g) .**

#### **17.21 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Youness Abidou, Nadia Ahmed, Gary Davies, Tim Strong - work commitments; Jacqueline Young – illness; Susanne Datta – on leave; Shamik Ghosh gave apologies for lateness.

#### **18.21 WELCOME TO NAOMI SHOFFMAN – DIRECTOR OF GOVERNANCE**

The Chair welcomed Naomi Shoffman to her first Board meeting.

#### **19.21 APPOINTMENT OF A STAFF GOVERNOR**

The Corporation agreed to ratify the appointment of Craig Buist as Staff Governor. He was duly invited to join the meeting and welcomed by the Chair who will arrange to meet with him in due course.

## **20.21 DECLARATION OF INTERESTS**

Neil Taylor reminded the Corporation of his employment with Leyton Orient Trust; a sub-contractor of the College. As sub-contracting was an item on the agenda the Corporation agreed he would withdraw from this particular discussion.

The members of the Corporation confirmed that there were no other items on the agenda for the meeting in which they had a personal interest.

## **21.21 MINUTES OF THE CORPORATION MEETINGS HELD ON 21 DECEMBER 2020 AND 27 JANUARY 2021 AND 11 MARCH 2021**

The Minutes of the Corporation meetings held on 21 December 2020, 27 January 2021 and 11 March 2021 were agreed by the Corporation to be signed by the Chair as a true record, subject to noting that Naomi Shoffman was not in attendance at the 27 January 2021 meeting.

## **22.21 MATTERS ARISING**

There were no outstanding matters arising which were not already on the agenda.

## **23.21 PRINCIPAL'S COLLEGE REPORT**

The Principal provided an update on the College with the following being noted in particular:

- This has been a challenging year however the phased return is going well and feedback from learners is they are pleased to be back on site.
- The report contains a brief update on stakeholder engagement which is further supporting the college, in particular the start of a collaborative partnership with Bart's NHS at Whipps Cross Hospital, which will provide lots of opportunities for apprenticeships and work placements. The jobs summit with LBWF was part of the launch of their new strategy and WFC was invited along with a wide range of organisations, and has been named as a key strategic partner to help with economic recovery
- KPI's progress on achievement rates shows retention is 4% higher than the final outturn in the previous year and 2.1% higher than same time last year. Attendance is at 85% which is lower than it was at the start of lockdown but encouraging as its higher than it was compared to the same time last year. There is a lot going on around engagement to improve this figure. The work we are doing in partnership with the DWP will enable the college to expand its offer to meet the needs of the community, this being part of the solution for economic recovery.
- Following on from the Strategic away day in terms of the development of green technologies The Principal had a further meeting with key people from GLA re the Green academy to shape what that will look like and the College will be part of that accreditation; this is a huge growth market.
- Support for staff is ongoing as it has been very challenging for them due to lockdown; several initiatives have been taken to try and improve morale going forward and the proposed pay rise will help that.
- The KPI's will be reported on in more detail under finance. As at January progress has been strong and the outturn is better than last year and against the original forecast plan.
- The FEC letter re FEC financial benchmarks has been included in the appendices along with details as to how these are calculated. The revised benchmarks will be used in the February accounts; as yet the ESFA has not changed the financial gradings but they may change how they are calculated for the next academic year in light of the new FEC benchmarks.
- The Principal concluded her report saying that the current capital work is due to be completed on time by the end of March and thanked the whole of the senior team and Craig Buist for their support and the whole staff team in accommodating the inconvenience whilst the work is going on.

A Governor asked about attendance being 5% lower than before the pandemic and whether this figure reflects both online and on-site attendance and they thought there would be an increase in online attendance. Do we know what the decrease is due to? The Principal responded there are a couple of issues, one is that some learners are not able to engage digitally. Also, there is difficulty in English and maths as these are mandatory, and it is easier to motivate those students on site than online. In some areas there has been an increase in attendance but in other areas been more difficult to engage students over a prolonged period and hard to follow up. There is feeling of frustration for staff and students as they want face to face engagement. A lot of learners who sign

up for vocational courses don't want to do the theoretical parts. In particular attendance in ESOL has been impacted together with English and maths.

A Governor asked what the new FEC benchmarks will mean for the College and would they put us in a worse position. The Principal said that overall the changes benchmarks won't be an issue; the main impact would be if they changed the gearing on loans and weighting of each indicator. The IDPCR commented that the Current ratio increase is the biggest change and that the College will do better under most of the new benchmarks.

Governors said that it would be useful to have some context around stakeholder engagement and asked that future reports capture what's been discussed and key areas. The Principal agreed she would be happy to do this.

A Governor asked how the testing has gone. The Principal responded that Testing has gone incredibly well, and the College and management team have worked relentlessly to facilitate this. Several thousand tests were carried out over the last month. We have now moved on to home testing kits for staff and students. The plan is to scale back after Easter but to still keep a smaller centre on site as well as home testing to give maximum assurance to staff and students. The Board acknowledged the fantastic team effort.

A Governor asked about the College's relationship with LBWF and whether the redevelopment of the town hall campus is a threat or an opportunity. The Principal responded that it is both. The threat is the disruption, as we are already suffering from small development and the proposed development is very close to college land. The Benefits will be the opportunities for various cultural activities, apprenticeships and work placements. The Relationship with LBWF is different at different levels; at senior level it is going well, with the Principal having met several times with the leader. This is the first time the College has been named as a key partner in helping the economic recovery and is involved in many groups, so we will wait and see the impact.

A Governor asked whether any definitions have changed around Attendance and how are they recorded, and if this is a sector wide issue. The Principal confirmed this is the case and said that the College plans to work more closely with secondary schools as students are starting at a very low entry point, so we need to measure distance travelled. The situation has not been helped by the cancelling of exams.

#### **DIAGNOSTIC ASSESSMENT BY THE FEC**

The Principal reported on progress on the College action plan that was developed following the four recommendations to further improve the College made by the diagnostic assessment by the FEC, in October 2020. The Principal reported that all recommendations have been followed up in full and completed. The FEC is due to make a follow up visit in April or May which will probably be face to face.

#### **THE CORPORATION:**

- **NOTED THE CURRENT PROGRESS AGAINST QUALITY KPIS FOR 2020/21**
- **NOTED THE CURRENT PROGRESS AGAINST FINANCIAL KPIS FOR 2020/21**
- **APPROVED THE ACTIONS AND COMPLETION OF THE FEC RECOMMENDATIONS ACTION PLAN**

#### **24.21 CURRICULUM UPDATE**

The DPC&Q updated the Corporation on the College's performance for 2019/20, a return to campus learning and the recruitment of learners 2020/21 with the following being noted in particular:

- The start of the year was challenging, but we have learned lessons from previous years.
- Actions are in place to ensure all students have best learning experience. All planning schemes of work have been adapted if we need to go back to virtual delivery virtually only which has worked very well.
- During lockdown we were still able to continue delivering practical lessons in many areas.
- With the Phased return all 16-18 are back on campus now, some adults are back but the majority will return after Easter.
- Retention is about the same across the board. We have done well now but it is more challenging with a critical need to make sure students complete their qualifications successfully.
- The tables showing attendance data were reviewed in detail.

- An explanation as to how enrolments are measured was provided. A large majority of starts are on GCSE course. In terms of English & maths the challenge is even more critical. Exams for Functional Skills are around the corner and GCSE will be graded by internal assessment.
- To address the Attendance issues on vocational and English and Maths programmes staff are engaging students through parents and carers to make sure more they move to the culture of ownership and that they understand why they are being enrolled on a study programme which is an integral part of the course. Hopefully this will help improve attendance. Incentives are also being used in different areas
- There has been an improvement in Esol and access courses achievement compared to the same point in the previous year. WFC offered November re-sits for the first time and the results were better than NRA outcomes with 35% graded 9-4 in English and 55% in maths. The functional skills English and maths tests for all are planned for the following week. Achievement is looking positive, but the biggest issue is that Functional Skills learners have to sit exams when their GCSE cohorts are not.
- WFC has received funding of c£300k for small group support and this has been used to deliver up to 3000 hours of small group tuition mainly in English and maths.
- Apprenticeships retention is good with a significant number continuing
- There has not been any compromise on quality during lockdown and QA process have been strengthened, using performance board meetings, deep dives and learning walks focusing on areas for improvement. In year there were some concerns, so deep dives were carried out mainly around attendance for areas causing concern. The process enables us to identify both department and college wide areas for improvements. Common themes of concern identified are differentiation, English and maths, digital skills, and attendance

## **QIP**

The DPC&Q spoke to the QIP which provides a summary of improvement in terms of Ofsted and how this is monitored and captures all the relevant information from the SAR

A Governor commended as impressive the progress made in the QIP in a short space of time. She queries the rationale for the two columns as was not sure what the difference between the two was; after a short discussion it was agreed the last column is not needed.

A Governor sought clarification in the curriculum report on the number of resits which the DPC&Q provided.

A Governor asked for an example of a College wide and department wide challenge. The DPC&Q responded that attendance a college wide issue for instance but that deep dives have seen that not all students are challenged in one area with the quality of feedback not as good as other so that is a department wide.

A Governor asked whether the figure for the Alps was correct as only a minority of students have achieved this, and the Principal confirmed it was as this is the first year WFC is using this measure.

A Governor said it would be useful to have contextual information to show students' direction of travel and it was agreed that the DPC&Q will work on this further with the C&Q working group.

The staff Governor said that there had been a recruitment event held earlier that day and staff had feedback that students were positive to hear how the maths and English would impact on their studies.

The Chair queried the apprenticeships leavers figures which seemed high and the DPC&Q explained it's a different use of terminology – the figures actually show starts and how many are retained and that 24 have completed their course. On a positive note the new flexibilities mean that apprentices no longer need evidence of FS to complete their course.

## **THE CORPORATION**

- **APPROVED THE UPDATED QIP SUBJECT TO THE IMPROVEMENTS AGREED, BEING REVIEWED BY THE CQWG AND RECEIVING AN UPDATE AT THE NEXT BOARD MEETING.**
- **NOTED THE PROGRESS ON THE KEY ASPECTS OF CURRICULUM AND QUALITY**

## **25.21 SUBCONTRACTING UPDATE**

The Corporation was provided with updates on subcontracted activity against R07, flexible partnership delivery and re-opening of offsite training venues.

The DoBIP reported that whatever WFC is doing on site is being rolled out with subcontractors and because of lockdown we made sure things been adapted to not disadvantage learners. The ESFA will apply a Cap of 25% for subcontracting in 2022/23 and WFC is already at that level so there are no plans to increase activity. At this point in time delivery is broadly in line with targets and is monitored on a monthly basis. The Apprenticeship income target has been reduced to £850k in light of the impact of Covid-19 from an original target of £950k and this has been mitigated in the plan.

The Chair asked the DoBIP what areas concerned him and he responded that external venues are always a risk, but as this provision is monitored very closely nothing stands out at the moment. The Principal said that apprenticeships are an area of concern, but WFC is doing better than others as we have changed focus of areas and have been quite proactive here. In terms of contribution WFC is moving towards more partnership and in-house delivery, as it is more cost-effective and quality assured.

### **THE CORPORATION**

#### **NOTED PERFORMANCE FOR SUBCONTRACTED PROVISION IS BROADLY IN LINE WITH EXPECTATIONS FOR THIS PERIOD OF R07**

## **26.21 SAFEGUARDING UPDATE**

The Corporation was provided with an update on Safeguarding including data and trends for the year and the operational actions in place and progress made to mitigate risk.

The College has received a total of 386 safeguarding referrals which is an overall decrease of 6.7% compared to the comparative position the previous year. The 386 safeguarding referrals are linked to 284 unique learners, as one learner can be referred multiple times for safeguarding throughout their time here at the College

Although safeguarding referrals have decreased by 6.7% the actual headcount of learners, supported by the safeguarding team has increased. One of the reasons for that is linked to how we developed based on risk level; staff are contacting learners earlier to identify issues before they are escalated. There are plans to arrange a workshop for staff with learning areas where areas of concern

The College has accelerated its plans to promote good mental health allowing learners to feel empowered and resilient to cope with life demands and has signed up to the Association of Colleges' Mental Health and Wellbeing Charter. Co design a list of activities with SU member to support the with day to day basis

The College is working with QSCS staff to implement an action plan that will drive improvements in the services on offer to young carers and a formal review against progress will be undertaken in May 2021. WFC is the only college in London doing this and should achieve the kite mark in May.

A discussion ensued about mandatory safeguarding training for staff and the DSfS explained that the process has been changed so all training should be completed in a timely manner going forward. The Board agreed it would like more reassurance that this is being addressed and agreed to continue this discussion outside of the meeting.

### **THE CORPORATION**

- **NOTE THE SAFEGUARDING DATA TRENDS AND OPERATIONAL ACTIONS TO MITIGATE RISKS.**
- **AGREE THE NEXT STEPS AND RECOMMENDATIONS**

## **27.21 BOARD REVIEW**

The DoG spoke to the report which summarised the discussions and decisions taken at the Strategy. She then went through the action plan which provided the details and timeline for implementing the new governance structure.

### **THE CORPORATION**

- **APPROVED THE PROPOSED NEW GOVERNANCE STRUCTURE**
- **ADOPTED THE BOARD REVIEW ACTION PLAN WHICH WILL BE MONITORED AT EVERY BOARD MEETING**

## **28.21 CORPORATION STRATEGY DAY 27 FEBRUARY 2021**

The Principal thanked the Corporation for looking at the strategy plan and as agreed the SLT will now continue with that work, working with external stakeholders and internally with students and staff to help shape that with a view to signing off on the plan early next academic year. The draft plan will come to board at iterative points. By way of feedback both the guest speakers felt the board were really engaged, had asked relevant questions and that they would be happy to work with us going forward.

### **THE CORPORATION NOTED THE VERBAL UPDATE**

## **29.21 FINANCE WORKING GROUP MEETING 24 FEBRUARY 2021**

### **THE CORPORATION NOTED THE MINUTES**

## **30.21 MONTHLY MANAGEMENT ACCOUNTS – 31 JANUARY 2021**

The IDPCR spoke to the Management Accounts to 31 January 2021. She reminded the Board that they had seen this set of accounts at last week's training session. She then highlighted the key points: This report provides a position statement on the financial performance of the College to January 2021

- The report and appendices provide summary details of the College's actual income and expenditure, balance sheet and cash flow, compared with budget.
- The result shows a forecast surplus of £454k
- AEB income is down because it is based on a profile of all income being paid equally and due to lower enrolments from January due to lockdown, particularly impacted ESOL
- January enrolments are down, and this is being monitored on a monthly basis.
- The ESFA have just published the tolerance percentage for clawback which is 10%
- Student numbers have received over £500k in year not sure what this means?
- The College has received an in-year growth allocation of £591k for recruitment over allocation for 16-19 year olds. The amount will be taken off our overall allocation in 2021/22. The rest of the additional recruitment will be realised in 2021/22 as increase in funding over and above the 2020/21 allocation.
- The Financial Health Score is 'Good'.
- The Cash balance at 31st January was £4,091k and 73 cash days, against the College target of >25 cash days. However, this includes the capital funding of £876k. Pay as percentage of income is 68.92%, this has reduced from 70% last year due to £1m staffing efficiencies made but still above the 65% FEC benchmark
- The College finances remains securely within the terms of the bank covenant.

A Governor asked about the timeline for the new FEC benchmarks and the Principal confirmed this will apply from with immediate effect and will be reflected in the February accounts. The Rationale for the changes is that because of covid a lot of colleges went into financial difficulty. By making it more aligned to what the risks are, cash flows, should be viable on a monthly basis. Going back to March last year WFC was at 2 cash days so the college has moved forward at a pace.

A Governor asked for clarification in terms of the growth and when did the College receive the additional income. This was clarified by the IDPCR.

A Governor asked what's the likelihood of not achieving 90% recruitment. The principal responded that this is being monitored monthly and based on current performance we should be ok but need to continue to monitor closely, there are elements in there that will be used for other things. In response to a question the IDPCR said no provision has been made for this in the accounts. It was agreed that it would be prudent to put that provision in the accounts for the 10% and that this would be a discussion for the finance Working group.

A Governor commented that he liked the risk table presented in the report as it was a good trigger for discussion to prevent unforeseen events. The IDPCR said that she plans to link this to the Risk Register as SLT want to be more pro-active.

#### **THE CORPORATION:**

- **RECEIVED AND NOTED THE MANAGEMENT ACCOUNTS TO 31 JANUARY 2021 RELATING TO THE FINANCIAL POSITION OF WALTHAM FOREST COLLEGE.**
- **NOTED THE KEY FINANCIAL RISKS BEING MANAGED AND THE MITIGATING ACTIONS BEING TAKEN BY THE COLLEGE.**

#### **31.21 BANK LOAN COVENANT REPORT**

The IDPCR reported the Corporation that the Facility Agreement the College has contains Financial Covenants in the Key Terms (tested annually) in addition to several Bank standard covenants which apply at all times, including General Undertakings and Events of Default at clause 17.1.e. Due to the College Negative Reserves position created by LGPS pensions liability, the College has been in historical breach of this clause in 2017/18, 2018/19 and 2019/2020.

The bank has proposed to waive the breach as it is as a result of pensions liability in the FE sector and has issued a waiver letter and new T & Cs to that effect.

The IDPCR said that this matter had been reported to and discussed by the Audit Committee at their recent meeting.

The Chair thanked the IDPCR for bringing this matter to the Board's attention and confirmed that he has seen the letter.

#### **THE CORPORATION**

- **NOTED FINANCIAL COVENANT IS NOT BREACHED.**
- **NOTED CURRENT ACTIONS TAKEN BY BOTH THE COLLEGE AND THE BANK ABOUT THE BREACH IN DEFAULT CLAUSE 17.1.E.**
- **NOTED FUTURE ACTION TO SCRUTINISE THE NEW LOAN TERMS & CONDITIONS UPON RECEIPT**

#### **32.21 CARBON FOOTPRINT REPORT**

The Corporation received the report on streamlined energy and carbon footprint.

The IDPCR explained that the College is required to publish its carbon footprint calculations, how this is calculated, and the minimum disclosure expected by the ESFA. This report details what WFC has done so far in terms of energy initiatives and the Table in the report will go on the website. The senior team will explore other options as The college is keen to ensure the estate becomes more sustainable going forward.

A Governor queried the electricity consumption figure and the IDPCR agreed it was a typo and she would provide the correct figure outside the meeting.

A Governor commented that this is a specific requirement and that the organisation she works for has appointed a specialist to oversee this. Also, a body will be formed to check organisations' websites to see if the information is being published. The Principal said that going forward there may be financial penalties for non-compliance. However, the SLT as a team is passionate about developing a sustainability strategy. The Principal thanked Shameek for his support and input on this. Shameek reported that he had introduced the college to an organisation that develops green smart technologies

The Chair asked whether WFC has sufficient internal expertise and the Principal responded that the new head of estates has some knowledge in this area, but we will need some external specialists and capacity going forward.

#### **THE CORPORATION**

- **NOTED THE CONTENT OF THE REPORT SETTING OUT OUR ESTIMATED CARBON EMISSIONS PER ANNUM.**
- **GAVE APPROVAL FOR ESTATES EXPLORE THE PROPOSED OPTIONS AND INITIATIVES TO SAVE ENERGY AND DEVELOP A GREEN AND SUSTAINABILITY STRATEGY TO REDUCE CARBON EMISSIONS ON A YEAR BY YEAR BASIS BY SEPTEMBER 2021**

#### **33.21 FEDC CAPITAL WORKS**

The Principal provided an update on the Capital Works programme .The College was awarded £876k in funding for capital works under the FEDC capital programme. The College match funded an additional £131K, giving a total value to the project of £1,007K.

The Lowery building is largely finished. The majority of the Lighting has been done the issue with the lampposts identified was due to them not being connected to the electricity supply, on the whole complete by the end of next week with some minor works to complete and snagging. WFC will report back to ESFA with an update on capital works . Works have gone well and have really helped to improve the college estate

Governors discussed the Swimming pool and whether there were any costs savings made since it's been mothballed. The principal said it would be difficult to account for that as it is not a separate heating system. There has been a lot of analysis around this with an external person coming in to look at the space. There are no plans to re-open the pool as there are several new pools within the vicinity and so demand is low. Moreover, the cost of refurbishing and bringing up to current standards would be significant and the college does not have the funds for this, nor could a business case be supported. . It is not a priority to repurpose because of the cost of it and the priority is other areas which will give a swifter return .So it's on back burner at the moment ,. The Chair suggested and it was agreed that the pool is included in the estate strategy even if the answer is not to do anything with it.

#### **THE CORPORATION NOTED THE PROGRESS ON CAPITAL PROJECT**

#### **34.21 AUDIT COMMITTEE MEETING 15 MARCH 2021**

The Chair of the Audit committee updated the Board on the items discuss at the recent meeting which were two IAS reports – one on Safeguarding and one on Fixed assets. Both areas were given strong assurance. The Committee had also reviewed the risk register and have agreed to meet with members of the FWG to look at developing the format of the register into a live working document.

The Chair of the Audit Committee advised that following a tender exercise for the Financial Statements auditors and subsequent presentations the Committee would like the Corporation to consider their recommendation to appoint McIntyre Hudson as Financial Statements auditors for Waltham Forest College. The contract will take effect from 1 August 2021 for 3 years and will be reviewed annually.

#### **THE CORPORATION**

- **APPROVED THE APPOINTMENT OF MCINTYRE HUDSON AS FINANCIAL STATEMENTS AUDITORS FOR WALTHAM FOREST COLLEGE WITH EFFECT FROM 1 AUGUST 2021**
- **NOTED THE VERBAL REPORT**

#### **36.21 ANY OTHER ITEMS OF URGENT BUSINESS**

None.



**37.21 REFLECTIONS ON THE MEETING**

- Papers were spot on thanks to the senior team giving more space and time in the meeting to have the discussion.
- The meeting had gone very well very pleased with the papers. It was good to know that some of the stuff has been to committees already so don't feel the need to look at every bit.
- A good level of discussion was had in terms of rigour ,questions and challenge
- Intelligent conversation which is a welcome move forward.
- clarity of discussion very positive all involved together and good to have an open discussion.
- Papers need to be organised so easier to navigate
- Governors liked the sensitivity analysis and would want to see more of that

*20:29 All staff in attendance, other than the DoG, left the meeting*

<b>These minutes have been approved by the Corporation as a correct record.</b>	
<b>CHAIR:</b>	<b>DATE:</b>
	<b>REMOTE CONFIRMATION:</b>
	<b>OR SIGNED:</b>

*The meeting closed at 20:50*