

MINUTES OF THE MEETING HELD ON 10 NOVEMBER 2020

MEMBERS OF THE CORPORATION

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

CLERK TO THE CORPORATION

Val Bartlett	present	Clerk to the Corporation
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IN ATTENDANCE

Andy Cottrell (AC)	present	Deputy Principal Corporate Resources (DPCR)
Stella McManus (SM)	present	Deputy Principal Curriculum & Quality (DPCQ)
Nadeem Khalifa(NK)	present	Director of BIDU
Abena Rodman-Tay (AR-T)	present	Director of Finance & Estates (DF&E)

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).

82.20 APPOINTMENT OF STUDENT GOVERNORS

The Clerk reported that Shania-Latoya Ambrose and Yvonne Yau had been elected President and Vice President, respectively, of the Students' Union for 2020-21. Governors were reminded that it is custom and practice to appoint the President and Vice President of Waltham Forest College Students' Union to act as the two Student Members of the Corporation.

The Corporation ratified the appointments of Shania-Latoya Ambrose and Yvonne Yau as the two Student Members until 31 July 2021.

The Chair welcomed all new members to the meeting and introductions were made.

83.20 APOLOGIES FOR ABSENCE

There were no apologies for absence.

84.20 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 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.

85.20 MINUTES OF THE CORPORATION MEETINGS HELD ON 23 SEPTEMBER 2020 AND 29 SEPTEMBER 2020

The Minutes of the 23 September 2020 and 29 September 2020 were agreed by the Corporation and signed by the Vice Chair and Chair, respectively, as a true record.

86.20 MATTERS ARISING

70.20 Curriculum – The DPC&Q reported that the AoC has agreed to take forward the suggestion regarding pulling together regional data within the context of Covid-19 to help support all colleges' strategies going forwards.

80.20 UCU – A constructive meeting has been held with UCU, the Chair of the Corporation and the Principal.

The Principal reported that of the 12 areas of concern raised by UCU, only 4 remain. One of these issues relates to workload and the College is trying to support staff to work in different ways. Another issue relates to pay which is under regular review.

The Principal holds weekly Covid meetings which involve the unions, has agreed to meet UCU monthly and holds termly meetings with all Unions.

The Chair reminded all Governors to ensure that any questions regarding the meeting papers must be sent to the Senior Team at least 2 days in advance in order to allow sufficient time to prepare any necessary responses.

87.20 PRINCIPAL'S COLLEGE UPDATE

The Principal updated the Corporation on a number of matters, and the following was noted in particular.

Governors were assured by the Principal that the Covid arrangements are continuing to work well in College with regular reviews, including adhering to the latest Government guidance, ensuring appropriate risk assessments are in place and receiving feedback from staff, which has been very positive. The actual number of Covid cases in the College is very low with very few staff or students needing to self-isolate, mainly due to the arrangements in place.

The FEC diagnostic assessment visit on 7-8 October 2020 was as a result of the financial performance of the College in 2018/19. It was recognised that the College is now in a different place from when the FEC first made contact regarding this intervention, and that good progress being made following the decisive action taken by the Board during 2019/20. The formal FEC report will be shared with Governors when it is received in the next couple of weeks. Following the informal feedback, very few recommendations are anticipated. The Chair thanked all staff, students and Governors involved in the FEC visit.

The student achievement data for 2019/20 was included in a separate, specific agenda item, but the Principal provided Governors with a top-level overview.

It was acknowledged that great efforts had been made to support learners, particularly during lockdown, however, the final achievement outturn for 2019/20 is below that of last year and also below the national rate, thereby signifying a three-year declining trend overall, although it should be noted that vocational achievements have significantly improved year on year. This is now a key focus for 2020/21.

It was also recognised that the overall position does mask improved performance in some areas.

As part of the drive to further raise aspirations and promote a culture of innovation, the College has recently submitted two applications for National Beacon Awards; one for support for students and the other for Careers and Enterprise.

Governors were informed that the College continues to work collaboratively with strategic partners to ensure it responds swiftly to the changing needs of the economy and local community. Examples of this include the swift progression of a new Sector Based Work Academy for the Civil Service in partnership with Job Centre Plus and the formal launch of a Youth Hub which is a joint project between the College and DWP in response to the economic impact of Covid. This has helped raise both the profile and reputation of the College including with the Department for Education and the GLA. In addition, an on-line programme has been developed called 'Create Your Future' which aims to improve the independence and confidence of all learners at all levels and help develop skills to prepare for progression, further study and employment.

The College also took part in a number of initiatives to promote the national AoC 'We Love Colleges Week' with the College also being promoted through an on-site visit and a video on social media by the leader of the Council, Clare Coghill, and the College was also mentioned in Stella Creasy MP's newsletter.

Student recruitment has remained positive and, overall, enrolments are still higher than both allocation and than the same time period in 2019/20. Analysis of those who have left before the 6-week census date will be undertaken to help inform curriculum planning for next year.

A Governor queried the risks attached to over-recruiting. It was noted that the key aim of growth is not funded for this year- due to the ESFA lagged funding model - and any additional resources required are not included in the budget, therefore, savings may be required elsewhere. Growth will ensure an increased allocation in future years. An application to the ESFA for in-year growth is being considered by the College. Governors noted that the key curriculum risks will also be monitored closely by the Corporation Curriculum & Standards Working Group.

The College is making good progress against its financial plan so far, for 2020/21, however, further savings will need to be made above that originally planned, to compensate for the fixed asset adjustment (which is a separate agenda item). Governors were informed that the Senior Team has made significant progress on the savings to date with additional staff costs to support growth this year being kept to a minimum, whilst increasing staff utilisation, leading to more efficient operations.

The Principal then highlighted provision around new and emerging markets including the College working closely with the Borough on a Green Energy Skills Training Alliance and taking part in a GLA round table discussion on the Green Strategy.

The College has been awarded c.£876k capital funding for 2020/21 and, following a procurement process, Fusion, an experienced project management company has now been appointed.

The Corporation:

- Noted the positive recruitment to date.
- Noted the progress against the financial plan for 2020/21.
- Noted the final outturn for student achievement rates for 2019/20.
- Noted the College update report.

88.20 SUBCONTRACTING

The Director of BDU provided the Corporation with an update on subcontracting.

The subcontracting fees and charges policy for 2020/21 was presented for approval. Governors were informed that the policy covers the rationale for subcontracting, how quality will be assured, monitored and reviewed subcontracting fees, and the management of risk. The policy has been drawn up in line with funding guidance and, once approved, will be available on the College website.

A Governor questioned if there were any concerns regarding the planned subcontracting for the year and was assured that there were none identified at this stage, and that there is a robust monitoring system in place.

Governors then discussed the basis on which management fees are set and, in order to provide further scrutiny, requested that the summary table of subcontractors also includes an additional column to indicate the contribution percentage as a monetary value per provider per contract.

The Corporation:

- Noted the performance of the subcontracted provision for 2020/21 is broadly in line with expectations at this early stage.
- **Approved the Subcontracting Fees and Charges Policy for 2020 to 2021.**

89.20 HEALTH AND SAFETY ANNUAL REPORT 2019/20

The Corporation received and considered a report on the health and safety performance for 2019/20.

The following was noted in particular:

- The number of reported accidents decreased from 43 in 2018/19 to 17 in 2019/20
- In-house health and safety training was received by many staff
- Personal workplace risk assessments were undertaken, where identified, by HR
- Health and safety procedures were reviewed and updated where necessary
- Covid-19 significantly impacted the College with significant resources required to enable students to attend College to complete their practical assessments
- Staff working from home received regular updates
- No accidents were reportable under RIDDOR

Governors were assured that a total of 13 formal health and safety inspections were undertaken in accordance with the Health and Safety Inspection Plan and that, in summary, good levels of compliance were recorded with relatively low risk corrective or improvement actions necessary.

A Governor commented that as the number of Covid cases in the College is very low, this is, in part, a testament to the set-up measures taken to enable a return to College which is being well managed. The point was also made that a new cleaning contractor had been appointed and that the Corporation had requested that performance continue to be monitored very closely by the Senior Team.

A Governor queried how the mental health and well-being of staff and students is being managed. The Principal acknowledged that this is a key issue and that the HR and Safeguarding reports to Corporation continue to include relevant information and assurances as to how this is being managed, including regular well being surveys.

Governors then discussed health and safety failings in general and the duty as an employer, and were assured that staff do receive regular, on-going, mandatory training. Where particular areas of concern are identified, additional training is put in place. Compliance across the College is being improved upon, including a review of processes, and the newly appointed Head of Estates will lead on this.

Governors were also informed that the Internal Auditors had confirmed in their Risk and Assurance report of 30 June 2020, that there were no outstanding recommendations for health and safety which required implementation.

The Corporation noted the Annual Health and Safety Report for 2019/20.

90.20 COMPLAINTS – ANNUAL REPORT 2019/20

The Corporation received and considered the Annual Report on Complaints for 2019/20.

It was noted that the number of complaints had increased from 25 last year to 37 this year, and, from analysing the breakdown of each complaint and category, relevant areas for improvement have been identified.

A Governor queried the College's engagement with neighbours and was informed that the College engages with local resident groups and the security team does undertake regular walkarounds outside of the College premises.

Given the changes on site as a result of Covid, the actual number of complaints is in line with usual expectations, and staff are continuing to be proactive and working well to support all learners.

The Corporation noted the annual report on Complaints for 2019/20.

91.20 SELF-ASSESSMENT REPORT- SAR - 2019/20

The Corporation was informed that the Curriculum and Standards Working Group had reviewed the first draft of the College Self-Assessment Report - SAR - at its meeting on 22 October 2020 and had concurred with the draft grades and comments. The Working Group had also reviewed the Quality Improvement Plan – QIP – requesting the actions be made 'smarter'.

The DPC&Q then provided Governors with a summary of the SAR including the following points in particular.

The Ofsted Education Inspection Framework – EIF – has been used as a guide for the self-assessment judgements.

The College was graded 'Good' at its last Ofsted inspection in 2018 and is currently still self-assessing as 'Good' for 2019/20, subject to an external validation panel meeting on 27 November 2020.

All key judgements and provision types are graded as 'Good' apart from Behaviour and Attitudes (mainly due to attendance not being consistent across College) and Education Programmes for Young People (despite having improved significantly, overall outcomes are below national rates) which are both assessed as 'Requires Improvement'.

It was noted that key strengths include:

- Due to actions taken in vocational areas in 2019-20, a positive impact in achievement has been made, particularly in Construction, Electrical, Beauty and Public Services.
- Significant improvements across all Level 2 and level 3 provision
- The large majority of adults achieve their qualifications
- Apprenticeships achieve significantly above national rates

A Governor questioned how best practice is shared, and it was noted that this is undertaken in many different forms including peer reviews, sector body support and internal and external reviews.

The Areas for Improvement were then highlighted including attendance, target setting, review of learner progress and timely intervention in some areas, learners on Level 1 programmes and Adult learners on Entry and Level 1 programmes, (particularly ESOL).

The summary of the key performance data by overall level and age, Functional Skills, GCSE achievement rates and Apprenticeship achievement were then noted.

A Governor made the point that whilst there have been significant increases in 16-18 and Apprenticeship achievement rates, issues still remain, and as 16-18 rates are below the national average, this is not a good position for the College and must be a priority going forwards.

Governors agreed to further review the Quality Improvement Plan and feedback their comments to the DPC&Q.

The Corporation noted the College Self-Assessment report for 2019/20 including key judgements, areas of strength and areas for improvement, SAR grades per area for 2019/20 and the targets and QIP for 2020/21.

The Chair then thanked the DPC&Q for all her hard work, support and commitment to the College over the past 2 years and Governors wished Stella well in her new position at a College in Glasgow.

92.20 MANAGEMENT ACCOUNTS – 30 SEPTEMBER 2020

The Corporation received and considered the Management Accounts to 30 September 2020.

The following was noted.

- The year to date surplus is indicating a favourable movement of £90k compared to the budget and the year-end surplus is forecasting a favourable movement of £136k. This is an early forecast and these figures will be firmed up as student numbers and staff utilisation settle.
- Since August 2020, the College has been awarded total extra funding of £819k from the ESFA and GLA.
- Enrolment numbers are up by 10% compared to last year, and this could potentially generate lagged funding in 2021/22 of c£1m.
- The savings tracker indicates actual savings of £619k to date against a budget in-year target of £945k with additional pipeline savings of £176k having been identified to date

Attention was then drawn to the Financial KPI's, and Governors were informed that using the full year forecast, the College scores 200 points which equates to 'Good' financial health.

The cash days forecast is 59 days against a target of 25 days and borrowing is well within the KPI at 0.81%.

However, the Operating surplus forecast is 0.99% which is lower than the FEC target of 3-5% and the forecast staff costs as a % of income is 68.3% which is 3.3% above the FEC target.

The Chair of the Finance Working Group (FWG) informed the Corporation that it continues to scrutinise the monthly management accounts and that the College is starting the year in a comfortable position from a cash perspective, which is a testament to the work of the Senior Team continuing to closely monitor the finances.

Discussion then moved to pensions and the growing pension deficit for the College, whilst also acknowledging that this is an issue facing the whole FE sector and most public sector organisations.

The Corporation requested that the Senior Team consider the impact of the pension deficit and report back to the Board, and that pensions also be escalated on the College Risk Register.

93.20 INCOME AND EXPENDITURE BUDGET 2019/20- FIXED ASSET POSITION

The Corporation was reminded that at the last Board meeting on 29 September 2020, Governors had been made aware of an issue which had been identified by the Finance Department as part of the year-end process, regarding the accounting treatment of fixed assets in previous years from 2014/15 and 2015/16, which had not been depreciated or written off over their lifespan.

This issue has been discussed with the ESFA, Barclays Bank and the FEC. The ESFA have indicated that they are relaxed about the issue as it does not have an impact on the financial health score and, as this is a non-cash issue and will not impact on the operating of cash performance, the Bank are comfortable with this position too.

This issue has been further discussed with the auditors Grant Thornton, and the FWG.

The DPCR then explained to Governors the two possible options regarding the treatment of fixed asset adjustments,

Due account was taken of the relevant FRS102 guidance on the corrections of prior period errors.

Option 1 was to make a prior year adjustment which will result in an additional charge to the 2019/20 Income and Expenditure account of £178k.

Option 2 was to fully adjust in 2019/20 which will have a greater impact on the result for the year with an adjustment of £576k being made.

The advantages and risks of both options – including the reputation of the College – were then discussed in further detail.

The Corporation approved the correction to the fixed asset adjustment error be made as a prior-year adjustment which aligns with the accounting treatment suggested in FRS102 and will allow user of the Accounts to have a better understanding of the College's financial performance for 2019/20.

The next step is for the auditors, Grant Thornton, to take the proposed treatment to their Technical Committee for agreement. The Financial Statements will then be adjusted to include the proposed treatment.

Given the above, it was acknowledged that this may cause a delay in arriving at the final set of Financial Statements, however, the deadline submission date of 31 January 2021 will be met.

The Corporation agreed that the dates of the Audit Committee meeting 17 November 2020, and the Corporation on 8 December 2020 be re-arranged for later in December 2020.

94.20 FURTHER EDUCATION CAPITAL ALLOCATION – UPDATE

The DPCR informed Governors that the College has been awarded £876,039 to undertake remedial work and upgrade the condition of the Estate.

Following a tender process, Fusion was appointed to undertake the project management work, develop a project plan and support the College in appointing contractors.

As per the Financial Regulations, contracts for capital expenditure above the value of £150,000, require Corporation approval.

Due to the tight timescales that are now being worked to, and to ensure that work is completed by the 31 March 2021 deadline, the Corporation approved, where necessary, Chairs action regarding any contracts above the threshold.

The Corporation is to be kept updated on progress.

95.20 FURTHER EDUCATION COMMISSIONER DIAGNOSTIC ASSESSMENT VISIT – 7-8 OCTOBER 2020 – UPDATE

The Principal informed Governors that a draft report had been received for an accuracy check and that the formal report was expected in the next couple of weeks.

Currently there are 4 recommendations, and these will form an Action Plan of which the Corporation will monitor progress at each meeting. In addition, the ESFA will also be regularly monitoring progress and the FEC will return in May 2021 to check on progress too.

The Chair thanked all staff and Governors involved in the process and noted the encouraging outcome.

96.20 GOVERNANCE ISSUES

The Clerk updated the Corporation on a number of matters.

The Corporation approved the Standing Orders and Corporation Code of Conduct for 2020/21.

Governors noted the attendance at meetings during 2019/20 and that these details will be included in the Annual Accounts.

As a result of a recommendation arising from the FEC visit, and the recent appointment of 3 new Governors with financial expertise, the Corporation approved the revised membership of Committees and Working Groups for 2020/21.

The Corporation noted that a Strategy Day is to be held in February 2021 and that a date is to be circulated in due course.

97.20 ANY OTHER BUSINESS

There was none.

20:20 YY, GD, FR, SM, AC, AR-T, NK left the meeting.

98.20 APPOINTMENT OF DEPUTY PRINCIPAL CURRICULUM AND QUALITY

The Chair reported that, following an extensive recruitment and selection process, facilitated by AoC, and involving some staff, students and Governors, the Selection Panel recommended the appointment of Hassan Rizvi as the new Deputy Principal Curriculum & Quality. Members of the Selection Panel then outlined their reasoning for this recommendation.

The Corporation approved the appointment of Hassan Rizvi as Deputy Principal Curriculum and Quality, subject to satisfactory reference checks and required documentation.

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

The meeting closed at 20:50



ACTION POINTS ARISING FROM MEETINGS OF THE CORPORATION				
Minute No.	Issue and Action	Who is responsible	Target Date	Achievement Date
50.20	CURRICULUM AND QUALITY Governors were invited to watch an on-line teaching session.	VB/SM	12/12	
75.20	AUDIT The ACOP will also be presented to the next Audit Committee meeting.	VB	Dec 2020	
79.20	GOVERNOR TRAINING Noted the requirement for all Governors to confirm having read the guidance 'Keeping Children Safe in Education' – Part1 Noted the requirement for all Governors to complete the ETF Safeguarding training	VB VB	Nov 2020 Nov 2020	
80.20	UCU The Principal continues to meet with the Unions and is to keep Governors updated.	JG	Dec 2020	
95.20	FEC VISIT <ul style="list-style-type: none"> Formal report to be shared with Governors To check the progress of the Action Plan at every Corporation meeting To review governance structure going forwards 	JG VB PB/VB	Dec 2020 On-going Jan /Feb2021	
88.20	SUBCONTRACTING To add a column to the summary table to indicate the % as a monetary value per provider per contractor	NK	Dec 2020	
89.20	HEALTH & SAFETY Cleaning contractor – performance to be monitored very closely	AR-T	Dec 2020	
91.20	QIP Governors to review and feedback any comments	SM	Dec 2020	
92.20	FINANCE Pensions To be considered in depth by the Exec To be considered at the next FWG meeting. Corporation to be kept updated. Issue to be escalated in the College Risk Register	AC	Dec 2020	



92.20	CORPORATION MEETING AND AUDIT COMMITTEE MEETINGS IN DECEMBER 2020 Agreed to put back the dates of these meetings and PB/JG/YA/GW/VB/AC to liaise regarding proposed new dates.	VB	Nov 2020	
96.20	STRATEGY DAY To agree a date in February 2021 for this meeting	PB/JG/VB	Dec 2020	