

## THE CORPORATION OF WALTHAM FOREST COLLEGE

### MINUTES OF THE MEETING HELD ON 29 SEPTEMBER 2020

#### MEMBERS OF THE CORPORATION

Youness Abidou	present	Member
Nadia Ahmed	present	Member
Paul Butler	present	Member, Chair of the Corporation and Safeguarding Champion
Gary Davies	present	Member
Janet Gardner	present	Member, Principal & Chief Executive
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, Vice Chair of the Corporation, Chair of Audit Committee

#### 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)
Amr Ahmed	present	Director Services for Students
Nadeem Khalifa	present	Director of BIDU
Anna Openshaw-Lawrence	present	Interim H. R. Manager
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) .**

#### **65.20 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **66.20 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 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.

#### **67.20 MINUTES OF THE CORPORATION MEETINGS HELD ON 15 JULY 2020**

**The Minutes of the Corporation meetings held on 15 July 2020 were agreed by the Corporation and signed by the Chair as a true record.**

## **68.20 MATTERS ARISING**

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

## **69.20 PRINCIPAL'S COLLEGE REPORT**

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

The new Principal has organised meetings with numerous stakeholders and key collaboration partners including the Chief Executive of Waltham Forest Council, Stella Creasy MP and Iain Duncan-Smith MP, thereby helping to further establish the College's reputation in the Borough.

The College continues to drive achievements for 2019/20. This has been a very challenging year due to the timeliness of some awarding bodies and changes made to assessments as a result of Covid-19. This has had some impact on achievement particularly for Adults on Access courses and Lower Level ESOL courses. Despite these challenges, Governors were assured that the curriculum teams have coped incredibly well ensuring the stability of the College. Nevertheless, there is much work to do in 2020/21 to ensure there is growth in achievement.

The College has just launched a Sector Based Work Academy (SBWA) in collaboration with Job Centre plus (JCP) for routes into the Civil Service attracting c£87k funding, with two more SBWA's planned in Construction and Health Care. The College has also developed a strategic partnership with the Department of Work & Pensions which is the first in the country. This will launch a Youth Hub based at the College to support direct referrals from the Job Centre and other agencies for 18-24-year-old young people, with training to support progression to further study or employment including Apprenticeships. In response to a Governors question regarding staffing costs, it was noted that there will be no additional costs as existing staff will be utilised from areas which have under-recruited. This innovative approach is to be formally launched at the College by Gillian Keegan MP and Under Secretary of State for Apprenticeships and Skills. Thanks were given to Nadeem Khalifa and Stella McManus for their key roles in these initiatives.

Governors were assured that the plans to reduce reliance on sub-contracting are making good progress and the College has just been awarded £375k Adult Education Budget – AEB - funding, which was not included in the curriculum plan, and will be used in-house.

The Principal then informed Governors that there is improved staff morale and motivation, as a result, in part, from now having addressed the long-standing pay anomalies and the freeze on increments. Communication has improved with a weekly communication to staff from the Principal, regular meetings with the Unions, a Covid email hotline, and continuing positive feedback and engagement. A recent staff emotional well-being survey has also provided very positive results.

The initial 2019/20 year-end financial position is indicating an improvement on the previous year which is consistent with the forecast. The Financial KPI's were included in the return to the ESFA in July 2020, noting that 2020/21 is seen as a transitional year by the College. The cash position was positive with 27 cash days in July compared to a full year forecast of 23 days. Recruitment of learners has been extremely positive and has exceeded on all types of provision compared to the same point last year.

Extra funding has been awarded for 2020/21 in addition to that previously planned for 2020/21 including £375k increase in the AEB allocation, £326k tuition fund and a £70k successful bid for funding towards additional costs relating to Covid.

In response to a Governor's question, it was noted that the previous Finance Key Performance Indicators (KPI's) were not aligned to the Further Education Commissioners (FEC) KPI's so direct correlation may not be made. Comparisons will be highlighted where possible to gain insight into current versus previous performance. It was acknowledged that the FEC KPI's are a long-term target with 2020/21 being an intermediate year for the College and the aim being to achieve the targets, sustainability and a robust financial health rating.

A Governor queried if the Quality KPI's were realistic or over ambitious given the external context of Covid and potential staff and student sickness. The Principal concurred that whilst some of the targets may be ambitious, expectations must not be lowered nor be set under national averages. Lessons have been learned from the Covid lockdown, including now front-loading assessments and being able to adapt to ever changing circumstances and mitigating risk where possible.

A Governor recommended to the Principal 'Objectivity and Key Results' (OKR) as a powerful tool to use as it is a concept which ensures everyone in the organisation knows all the objectives from top to bottom, which are then regularly reviewed and assessed for key results.

It was noted that whilst the currently very strong recruitment figures are still subject to change, application for in-year ESFA funding for additional growth may well be considered in due course.

As part of the Government's building condition surveys completed for all colleges, the College has been awarded £876k to undertake immediate remedial work and a plan for procurement and timeframe is being developed. Discussion is ongoing regarding the potential use of this funding. Detailed plans will be brought to the Finance Working Group for scrutiny and monitoring.

A Governor queried when the last Estates Strategy was reviewed. The Principal reported that this was in 2019 but now needs to be updated in line with the curriculum strategy and a different landscape e.g. offering high level technical skills and the Auger review recommendations, in order to future proof the estate for the curriculum needs and the College going forwards. Initial plans will be drafted this term and be further developed in early 2021, once the new DPC&Q is in place.

A Governor queried what the ESFA response may be to an application for additional in-year funding as, historically, any additional funding has been awarded late in the year. The Principal indicated that more positive investment in FE appears to be coming through, however, no reliance is being placed on receiving additional funds and savings are continuing to be made as per the financial plan with c £440k already having been saved this term. There is confidence that further savings will continue to be made. It is anticipated that any request for additional funding may possibly be made in December.

The Principal reported that the GLA may also have some forthcoming potential funding in January 2021 regarding delivering programmes for the 'green economy' which the College may bid for.

Discussion then returned to the Quality KPI's and the SLT accepted that whilst these are challenging, in order to maintain a grade 2, achievement rates must be above national rates. A Governor questioned if the large number of students who are back in College and the need to adapt to social distancing etc had been a challenge. The Principal reported that there is a balancing act in order to mitigate risk to students and staff whilst ensuring recruitment is strong and the College is viable going forwards. A hybrid timetabling approach – some lessons on site and others virtual - is in place depending on the curriculum area alongside the 2m distance rule and classroom seating plans whilst also ensuring the more vulnerable and 'at risk' students are appropriately supported. The approach is in line with the Government guidance and business needs wherever possible with the arrangements under constant review, including regular meetings with the Unions and a continuation of the regular weekly Cobra/SLT meetings.

The Principal then made the point that it is really only a matter of time before the College will, in all probability, have a 'spike' of a Covid case(s) in College. To date the College has been relatively uninterrupted, however, a lot of other colleges are now reporting outbreaks amongst staff and students.

A Governor asked the new Principal of her impressions of the College to date. The Principal highlighted the incredible pace of work achieved within the first 6 weeks by the SLT, some lengthy and time-consuming staffing issues, how motivated and committed the majority of staff are and the evident drive to make the College great.

The Corporation acknowledged that the Finance Working Group and the Curriculum & Standards Working Group will monitor and scrutinise the respective KPI's.

The Corporation:

- 1. Approved the Quality Key Performance Indicators for 2020/21**
- 2. Approved the Financial Key Performance Indicators for 2020/21**
- 3. Approved that a detailed plan for the Capital fund be developed and closely monitored by the Finance Working Group**
4. Requested that an updated Estates Strategy be developed and approved by the end of 2020/21

## **70.20 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.

It was noted that achievement is not yet finalised, which is usual at this time of year. However, it has been more challenging due to awarding body delays in releasing results.

Covid-19 has had an impact on achievement rates in 2019/20 and as some learner outcomes are still pending, a full breakdown of achievement will be presented to the Corporation at the 10 November 2020 Board meeting.

Governors were informed that, overall, all ages achievement has been undermined by disappointing outcomes in ESOL and 19+ learners largely due to Covid-19, as well as Automotive, IT, Maths and STEM areas for 16-18-year-old learners.

Vocational achievement in the vast majority of curriculum areas has been positive with achievement indicating a 2.3% increase compared to last year. However, this has been undermined by Functional Skills maths, predominantly at Entry level 3 and level 1 due, in part, to Covid-19 and also a new reformed national syllabus being delivered for the first time. A Governor made the point that this new syllabus has had an impact nationwide and, therefore, it is of no great surprise that achievement has been affected. It was also noted that there will be no national statistics produced for 2019/20 but that local intelligence is indicating that some other colleges have also seen a decline. A Governor suggested that AoC London be contacted to see if they can pull together some objective, relevant, regional data within the context of the impact of Covid-19 which may support colleges' strategies going forwards.

Functional skills English and GCSE maths and English achievement has increased compared to 2018/19.

The likely outcome for adult achievement has been significantly affected by ESOL achievement as this cohort have struggled to engage during lockdown due to family, employment challenges, digital skills limitations as well as low levels of literacy.

Apprenticeship achievement has significantly improved since 2017/18, due, in part, to one provider now no longer working with the College. As part of the self-assessment review in November, a full paper on apprenticeships will be brought to the November Board meeting.

The DPC&Q then highlighted the return to campus learning.

As from September 2020 all staff have returned to the College which is following DfE guidance regarding a return to campus learning. A curriculum led approach is being followed which is a combination of on campus and online learning. The College is having to be very responsive to recruitment as well as learner and staff needs, especially as there has been over recruitment in some areas such as Construction, Automotive, Access and ESOL with plans in place to support capacity in these areas. A Governor queried the over recruitment in the areas which had concerns last year and what actions have been put in place to mitigate these issues. It was noted that quality improvement processes are in place and that Construction achievement has increased by 26% and Automotive is also showing signs of improvement. The College estate is also under review to ensure it is utilised effectively. The importance of face-to-face learning for certain groups is a main consideration whilst ensuring the safety of all learners. The Senior Team are engaging regularly with the Unions as part of the process to ensure safe on-site teaching and learning.

The Corporation was informed that the College has surpassed its funding allocation targets with a significant growth in 16-19 recruitment compared to last year. This is due to curriculum having an improved focus on progressing internal learners as well as the Learner Services team supporting learners through robust information, advice and guidance through to very effective recruitment campaigns.

The Corporation noted the achievement to date, the return to campus learning and the overview of recruitment.

## **71.20 SAFEGUARDING UPDATE**

The Corporation was provided with an update on Safeguarding including data and trends for 2019/20 and the operational actions in place and progress made to mitigate risk.

It was noted that whilst there has been an 8% increase in safeguarding referrals the actual headcount of learners has reduced by 14%. Of these referrals, 19% were received through external agencies and the Safer Schools Officer.

Governors were then referred to the top three categories of referrals for each term which included Gangs and youth violence, threatening behaviour, domestic and relationship abuse and mental health.

The Corporation was informed that no learners required onward referral under the Prevent Channel process, all learners who were reported missing were found and no weapons were found on the College estate.

During lockdown, appropriate support was offered to vulnerable learners with relevant interventions put in place.

Governors then discussed the expansion of the safeguarding categories which is as a result of the statutory Keeping Children Safe in Education (KCSiE) guidance procedure. It was also noted that this will help in channelling resources appropriately going forwards with the aim also being to capture the effectiveness and impact of support on student attendance, retention and outcomes.

The Ofsted monitoring visit regarding Safeguarding found that the Safeguarding procedures in the College to be effective and are being followed. An internal audit of Safeguarding and Prevent in December 2019 had a positive outcome and the Board noted the recommendations and actions taken to mitigate concerns.

The Staff Governor also provided assurance that the College BeSafe Team provide a very effective service on a daily basis.

The Board was informed that Safeguarding training undertaken by staff is to be incorporated into the new H.R. system and that the 2-way communication between BeSafe and Curriculum areas is being further enhanced through use of ProMonitor.

**The Corporation approved the Safeguarding Policy and procedures 2020/21.**

## **72.20 SUBCONTRACTING UPDATE**

The Corporation was informed of the subcontracting plans for 2020/21 which includes plans to continue the reduction in the level of subcontracting and to only subcontract where there is a clear curriculum intent.

Governors were informed that there is a continuing move towards more direct delivery with close liaison between the curriculum teams and the Business Innovation and Partnership Team.

For 2020/21, a further reduction in subcontracting provision of £400k within the AEB has been planned for delivery in-house within the curriculum areas. This, therefore, aligns with the GLA and ESFA's priorities to reduce the levels of subcontracting.

The projected positive performance and achievement rates by subcontractors were highlighted and that these are likely to change, noting that historically they have always been very high.

Governors then discussed the financial and quality monitoring of subcontracting and acknowledged that these will be further and more closely scrutinised at the respective Finance and Quality Working Groups.

**The Corporation approved the updated subcontractors and plans for 2020/21.**

## **73.20 MONTHLY MANAGEMENT ACCOUNTS – 31 JULY 2020**

The Corporation was informed of the draft position statement on the financial performance of the College to 31 July 2020.

The year-end operating outturn for July 2020 is £187k surplus mainly due to lower reorganisation costs, and significant savings in agency costs, curriculum costs and utility costs as a result of the College going into lockdown.

The College held 27 cash days as at 31 July 2020 compared to a forecast of 23 cash days in hand.

It was reported that regular meetings are taking place with the Bank who are pleased with the progress being made to date and if this progress continues then the Bank may revert back to its usual levels of scrutiny. Discussions are also taking place regarding the possibility of re-profiling the current bank loan.

A Governor then queried the outstanding VAT issue and was informed that this is still on-going but is in its final stages with provision having been made for this in the budget.

Good progress is being made regarding savings with c.£442k already being saved to date and there is on-going careful tracking and monitoring of all areas including staffing.

The Financial Statements auditors are on-site in October with their report due to be presented to the Audit Committee on 17 November and to Corporation on 8 December 2020.

The DPCR then informed the Corporation of an issue which has arisen regarding the accounting treatment of fixed assets. This had been identified by the Finance Team and the Chair, Chair of Audit and Chair of the FWG had been informed immediately along with the auditors, Bank and ESFA.

The issue is with regard to a number of fixed assets in previous years which had not been depreciated or written off over their lifespan.

The best and worst-case scenarios were outlined; however, it was also noted that the Bank are content as this will have no impact on cash flow and the ESFA are also comfortable regarding this issue.

The impact on the Income and Expenditure account for 2019/20 is dependent on the accounting treatment and confirmation is awaited from the auditors.

It was acknowledged by the Board that this issue had occurred during the time of staff who have now left the College and that the current SLT had handled the issue as best as it could, including escalating this to the relevant Chairs immediately. The point was then made that a similar issue had also arisen a number of years ago and that assurances must be provided that appropriate and rigorous checks, balances and controls are in place to prevent this occurring again.

An update was then provided on the Catering position in that since the start of term there has been an apparent need for a basic catering service on site until December 2020. Therefore, Café on 2 now has an interim Manager in place to provide this service. Panache are to produce an options report regarding a tender to outsource the commercial catering in the longer term. The FWG will continue to be updated on this area.

A Governor then queried the voluntary severance scheme and was informed that the costs had been included within the 2019/20 accounts and will generate c.£128k of full year savings for 2020/21.

The Principal then outlined a number of other initiatives currently in progress including a review of estates, a catering review, a consultation exercise with some staff and ongoing scrutiny and challenge regarding filling staff vacancies reinforcing the good progress and c. £442 of savings which have already been made against the staffing plan.

The Corporation:

1. Received and noted the Management Accounts to 31 July 2020 relating to the financial position of Waltham Forest College.
2. Noted the fixed asset issue and proposed course of action;
3. Noted the impact of Covid-19 on the College's Income and Expenditure Account 2019/20.
4. Noted the key financial risks being managed and the mitigating actions being taken by the College.

## **74.20 COLLEGE FINANCIAL REGULATIONS**

The Corporation was informed that the College Financial Regulations had been updated with the main changes being the updating of roles and a substantive rewrite of the Anti-Fraud policy.

All budget holders will be requested to read and sign the Financial Regulations.

The Corporation requested that the FWG continue to review these regulations and be alerted to any issues which may arise.

**The Corporation approved the College Financial Regulations.**

## **75.20 POST 16 AUDIT CODE OF PRACTICE**

The DPCR reported on the Post-16 Audit Code of Practice (ACOP) for 2019/20.

This code sets out a common standard for the provision of assurance in relation to funding of post-16 providers.

Attention was drawn in particular to the information on the Corporation's Audit Committee and Annex D the anti-fraud checklist for post-16 providers.

The ACOP will also be presented to the next Audit Committee meeting.

The Corporation noted the Post-16 Audit Code of Practice 2019/20.

## **76.20 COLLEGE RISK REGISTER**

The Corporation was informed that the College Risk Register was updated in September 2020.

Risks now include appointments to key posts, compliance, ICT infrastructure, and Health and Safety incidents.

A Governor commented that it is positive to see this register being used regularly with any movement being recorded. A query was raised regarding the impact rating of ICT as this infrastructure is now being used more than ever. It was agreed that the SLT will review the assurances and ratings.

The point was also made that the Financial Regulations policy may be used as a control for the Risk Register.

The Corporation noted the updated Risk Register and the College's approach to mitigating risk.

## **77.20 HUMAN RESOURCES ANNUAL REPORT**

The Corporation received and considered a report on H.R. including an outline of some of the key activities undertaken by the H.R. function during 2019/20 and an analysis of the College's workforce data.

Work is ongoing and building on the progress made to date regarding developing the College culture and embedding values and behaviours.

Pay anomalies have now been addressed and annual increments have been reintroduced.

As a result of Covid-19, surveys on emotional health and well-being were carried out during lockdown which was followed by a return to work survey.

It was highlighted that staff sickness is relatively high with the current sickness reporting being manually reported in-house. The use of an external absence reporting and management system which may provide greater robustness of data collection and support closer performance management of staff absence is to be considered.

The work force data provided to Governors included information regarding working hours, ethnicity, gender profile, disability, age profile and staff turnover.

The mandatory gender pay gap report indicates that the College pay gap is significantly lower than the ONS figures for 2019.

Governors then discussed BAME data and noted that a further breakdown of this data, including salaries, will be brought back to the Corporation later in the year with the BAME action plan.

A staff survey is to be undertaken in Spring 2021.

The Corporation noted the workforce profile for 2019/20

## **78.20 F.E. COMMISSIONER VISIT 7-8 OCTOBER 2020**

The Corporation noted the dates of the FEC visit and the meetings and plans for this visit.

## **79.20 GOVERNANCE ISSUES**

The Clerk updated the Corporation on a number of Governance issues.

The Corporation:

- Noted the dates of meetings for 2020/21
- Noted the training and attendance at events undertaken by Governors
- 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
- Noted the F.E. Commissioner's termly letter to colleges.

## **80.20 SEARCH COMMITTEE MEETING**

The Corporation was informed that, following a recruitment advert run by the AoC, the Committee had met and interviewed 5 potential applicants on 22 September 2020.

The Search Committee recommended to the Corporation the appointment of 3 applicants whose CV's had been circulated to Governors.

The Clerk informed Governors that the current determination of Corporation numbers is 16 but that as per the Instrument and Articles of Government, this may be increased to a maximum of 20. There is also the opportunity, where appropriate, to co-opt external members onto a Committee or Working Group.



The Corporation approved the increase in the determination of Corporation numbers to seventeen (17) with immediate effect.

The Corporation approved the appointments of Michael Eichhorn, Shamik Ghosh and Jacqueline Young as Corporation members for an initial term of one (1) year effective from 30 September 2020.

**81.20 ANY OTHER ITEMS OF URGENT BUSINESS**

The Chair reminded Governors that Stella McManus is to leave the College in early December to take up the post of Deputy Principal at South Lanarkshire College in Glasgow and the Clerk is to retire on 31 December 2020.

*20:29 AC/SM/AR-T/AA/NK/AO-L left the meeting*

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

*The meeting closed at 20:50*



<b>ACTION POINTS ARISING FROM MEETINGS OF THE CORPORATION</b>				
<b>Minute No.</b>	<b>Issue and Action</b>	<b>Who is responsible</b>	<b>Target Date</b>	<b>Achievement Date</b>
<b>50.20</b>	<p><b>CURRICULUM AND QUALITY</b></p> <p>Governors were invited to watch an on-line teaching session.</p>	<b>VB/SM</b>	<b>12/12</b>	
<b>70.20</b>	<p><b>CURRICULUM</b></p> <p>A Governor suggested that AoC London be contacted to see if they can pull together some objective, relevant, regional data within the context of the impact of Covid-19 which may support colleges' strategies going forwards</p>	<b>SM</b>	<b>Oct 2020</b>	
<b>70.20</b>	<p><b>APPRENTICESHIPS</b></p> <p>Apprenticeship achievement has significantly improved since 2017/18, due in part to one provider now no longer working with the College. As part of the self-assessment review in November, a full paper on apprenticeships will be brought to the November Board meeting.</p>	<b>SM</b>	<b>10/11</b>	
<b>75.20</b>	<p><b>AUDIT</b></p> <p>The ACOP will also be presented to the next Audit Committee meeting.</p>	<b>VB</b>	<b>17/9</b>	
<b>79.20</b>	<p><b>GOVERNOR TRAINING</b></p> <p>Noted the requirement for all Governors to confirm having read the guidance 'Keeping Children Safe in Education' – Part1</p> <p>Noted the requirement for all Governors to complete the ETF Safeguarding training</p>	<b>VB</b>  <b>VB</b>	<b>Nov 2020</b>	
<b>80.20</b>	<p><b>UCU</b></p> <p>The Chair informed the Corporation that he and the Principal had held a positive meeting with UCU where their letter of 'no confidence' formed part of the discussions. The Chair is to write to UCU – a copy will be forwarded to all Governors - and this will then be shared with their members for consideration.</p>	<b>VB</b>	<b>Oct 20</b>	