



**MINUTES OF THE REIGATE LEARNING ALLIANCE TRUST BOARD MEETING HELD
ON TUESDAY 29 JUNE 2021 @17.30**

Present: Ms Pat Frankland - Chair
Mr Stephen Hewes
Mr Richard Stephen
Mr Spencer Bowen
Mr Farouk Durrani
Ms Yvette Robbins
Mr Gerard Weide
Mr Chris Whelan - Chief Executive Officer
Mr Nick Clark – Executive Principal

In attendance: Mr Jon Allen (Clerk)
Ms Kim Saw (Director of Finance)

(The meeting was held via Zoom conference call due to the Covid-19 pandemic)

1. APOLOGIES & WELCOME

Apologies were received from Mr Michael Jones. The Vice Chair, Pat Frankland, chaired the meeting and welcomed everyone to the meeting.

2. DECLARATIONS OF INTEREST

Richard Stephen declared that he is Chair/Secretary of the Reigate Priory Youth Football Club who on a regular basis hire the College's sports hall and Wallfield pitches, but he confirmed he has no direct involvement in the negotiations for the hiring of these facilities or the College's sponsorship of the club. There were no other declared interests against any of the agenda items.

3. MINUTES

It was suggested, and **AGREED**, for committee and Trust Board minutes, once approved by the respective Chair, to be circulated to Trustees.

Subject to inserting the correct table to record the board assurance assessments for the Local Governing Body meeting, the minutes of the Trust Board meeting 23 March 2021 were agreed as an accurate record of the meeting (Paper 1).

The minutes of the special Trust Board meeting to consider the proposed extension to the refectory held 25 May 2021 were agreed as an accurate record of the meeting (Paper 2).

Following the meeting held on 25 May, confirmation had been received that the College was successful in the CIF application for capital grant support towards the costs of the proposed build.

The Trust Board meeting held on 7/1/21 approved the college contribution of £1.32m.

Following the tender exercise conducted to appoint a contractor, the Trust Board meeting held on 25 May 2021 approved the spend of £1.75m for the Phase 2 build based on the confirmed cost received from the appointed contractors that included £60k for steel costs and installation of steel for the 'new' refectory.

Made available to the meeting was a breakdown of the original costs that were submitted in the CIF bid and updated costs following the conclusion of the tendering exercise. The revised costs stand at £3,720,895 against the original costings of £3,333,278, an increase in costs of £387,617. The CIF grant funding is confirmed at £2,013,278. The proposal is for the additional costs to be met by an increase in the College's contribution, taking the final contribution figure to £1,707,617.

A question was raised on contingency, and it was noted previously the Trust had indicated funding of up to £2m could be made available from College reserves so this should provide a buffer if any contingency is required.

A question was asked as to why there has been an increase in costs from the CIF application to the final costings? It was reported the CIF application was completed last December and costs were based on material costs at that time. Since December there has been a significant increase in the cost of building materials due to increased inflationary pressures arising from a range of factors including Brexit and Covid.

Confirmation was received that the full project will proceed now that CIF funding has been confirmed.

It was reported that the DfE still requires further information on a few points before they will formally agree the funding and the cashflow forecasts on when the funding would be made available to the College. Assurances were given that the Executive do not foresee any potential issues arising from the DfE requesting further information and full approval is expected to be given shortly.

Following a thorough discussion, it was **RESOLVED** to approve a College contribution of £1,707,617 for the refectory extension capital project.

4. SUMMARY ACTION LIST

The 'Summary Action List' (Paper 3) was received and the following updates were noted:

Min	ACTION	UPDATE MADE AVAILABLE AT THE MEETING
7	(i) Trustees to be issued with a College email address (ii) College documents held by Trustees should be cleansed on a regular basis, and documents should not be retained unless necessary. The suggestion was to retain documents for no more than one year but guidance on this will be issued to Trustees.	Work in progress – action points to be carried forward

9	(i) For each Committee to conduct a review of their terms of reference at the summer term meeting of the Committee, (ii) For the terms of reference for the Local Governing Body (LGB) to be presented in the same format used by other committees to ensure the purpose and function of the LGB is confirmed in the terms of reference	Agenda item at this meeting
10	As part of the recruitment process for staff governor, for any member of staff who was interested in becoming the staff governor to have an initial discussion with the Chair of the LGB to enable the Chair to explain in more detail the role of the staff governor.	Action for January 2022
15	Ofsted Training for Trustees	Agenda item at this meeting
18(i)	To approve KPIs for the Chief Executive and Executive Principal.	Work in progress – action point to be carried forward

5. ANNUAL REVIEW OF COMMITTEE TERMS OF REFERENCE

The annual review of Committee terms of reference is a requirement confirmed in the Articles of Memorandum (Clause 101) and in the Trust's Standing Orders (Clause 11.2)

The Clerk undertook an initial review, and the outcomes of the review were made available to the Trust Board meeting held in March.

To complete the annual review, it was agreed at the last Trust Board meeting for each Committee to conduct a review of their terms of reference before the Board formally approves the terms of reference. It was confirmed each Committee had conducted a review and the outcomes of the review were received (Paper 4).

The changes proposed by the Reigate College Local Governing Body was to introduce a similar format and structure used for the other committees of the Trust Board. In addition to minor textual amendments, it was agreed to remove section 9 on the responsibilities of trustees in the current terms of reference as this is covered in the Trust's Scheme of Delegation.

No additional changes were proposed by the Audit & Risk Committee over and above those from the first review.

As the Trust Board receives an '*Annual Report on Health & Safety*' and, has ultimate responsibility for ensuring compliance with the Trusts Health & Safety policies, the Finance & Resources Committee proposed to remove reference to Health & Safety in the Committee's terms of reference, as the main focus of the work of the committee is on financial matters.

Following review, it was **RESOLVED** to **APPROVE** the revised terms of reference for the Reigate College Local Governing Body, the Audit & Risk Committee and the Finance & Resources Committee.

6. ANNUAL ELECTION OF CHAIR & VICE CHAIR FOR 2021/22

Clause 83 from the Articles state: The Trustees shall each school year elect a chairman and a vice-chairman from among their number. A Trustee who is employed by the Academy Trust shall not be eligible for election as chairman or vice-chairman.

It was **RESOLVED** to elect Michael Jones to be the Trust Chair and Pat Frankland to be the Trust Vice Chair for the academic year 2021/22.

Trustees thanked both Michael and Pat for agreeing to be elected to serve another term of office and thanked them for their services in these roles during what has been a very challenging year.

7. REIGATE LEARNING ALLIANCE MEMBERSHIP 2021/22

Following review of the report from the Clerk (Paper 5), it was **RESOLVED**:

- (i) Note current Trust Member membership.
- (ii) Note current Trust Board membership.
- (iii) Approve Committee Membership 2021/22.
- (iv) Approve Chairs of Committees for 2021/21.
- (v) To re-appoint to the Local Governing Body to serve a second term of office for 4 years Pat Frankland, Chris Whelan and Nick Clark.
- (vi) To approve the nominations from the Student Body for Christian Kelly and Emma Hourihan to serve as the Student Governors on the Reigate College Local Governing Body.
- (vii) To note that arrangements will be put in place at the start of the autumn term to elect two parent governors.
- (viii) To note that arrangements will be put in place in the autumn term to elect two staff governors.

8. CEO TERMLY UPDATE INCLUDING OFSTED TRAINING

Two papers were received:

- Strategy Summary – Paper 6
- Update & Ofsted Training– Paper 7

(i) Strategy Summary

Paper 6 was made available for information. The plan is to hold a strategy meeting in the next academic year for Trustees to consider further the strategic direction of the Trust.

Paper 7 provided Trustees with various updates and the following key points were noted:

(ii) Update: Education

- Students have been in college full time since the lockdown was lifted and have been in full time for all parts of 2020-2021 when there has not been a government required lockdown.
- Lessons have been taking place as near to normal as possible – this has been straightforward in most subjects but more difficult in subjects with a lot of practical activity/movement.

- Students and parents appear to be pleased with the efforts made by the College to return to full time teaching. There have been many comments to this effect.
- TAG grades have been used to generate student results this year. These have now been submitted to exam boards and the College is waiting for external moderation of grades. On the whole, grades are similar to last year, and slightly above the 2017-2019 sets of results, though not excessively.
- The College developed, at short notice, a comprehensive system for dealing with TAGs and logging students with Special Considerations. The system applies in the same way to all subjects – except where specifically direct by exam boards (e.g. art subjects)
- Students will have an appeal system available when results appear in August.
- There is no information about exams for 2022.

(iii) COVID situation

- In order to support the full time re- opening of the College a comprehensive system of testing, tracing and mitigation was put in place.
- There had been very few, if any, instances of COVID-19 transmission within the College. This is a testament to the robust procedures introduced for staff and students.
- There has though been an impact from cases outside the College. After half term some 200 students have had to isolate due to two social events that took place outside of the College
- The DfE continue to refuse reimbursement of cleaning costs etc but have made a contribution towards testing costs.
- Increase in Delta variant cases with the Reigate area being subject to surge testing.
- Mask wearing has been re-introduced for staff and students following guidance issued by local health bodies.

(iv) Student recruitment activities

- The College was unable to run a normal round of open evenings in the autumn.
- Due to the Delta variant, the planned introductory day will now have to be done on-line with the use of Zoom sessions and seminars.
- The number of applications is strong but, without the open evening / introductory day, it is difficult to say how this might translate into places taken up.

(v) Ofsted

- Ofsted are likely to return to normal inspections as soon as possible and the College is likely to be inspected next year.
- Focus likely to be: how well education was delivered during the lockdown / post lockdown return, how well the college is working with students who fell behind during the last year, supporting student well-being. The inspection will also deal with the normal range of Ofsted interests.
- Aim to restart Ofsted training for Trustees as soon as possible and will prepare a briefing about how the college has / is responding to the situation in terms of educational delivery.

It was **AGREED** to minute a vote of thanks to the Chief Executive Officer, Executive Principal and to all staff on the excellent work they have had to do to keep the College fully functioning during the past challenging year.

9. ANNUAL SAFEGUARDING & PREVENT REPORT 2020/21

The '*Annual Safeguarding & Prevent Report 2020/21*' was received (Paper 8). The report summarised the following emerging issues:

- The College has seen a rise in the number of serious eating disorders. Support for students has been put in place, working with Eating Disorder Clinics and hospitals. This appears to have been exacerbated by lockdown and is reflected in a national trend.
- There is a rise in the prevalence of serious mental health concerns, self-harm and suicide ideation which is, again, in line with national trends. The College has not however, seen a significant rise in students acting on suicidal ideation, which suggests the early interventions in place are effective.
- A rise in risk taking behaviours relating to alcohol and drugs also reflects a national trend relating to lockdown. Drug dealing has gone online due to lockdown and therefore, drugs are more accessible. The College is working in liaison with the police and Catch 22.
- The rise in crime outside college raises concerns around criminal exploitation. The College is working with the Council and the local police.
- There has also been an increase in the number of Young Carers. These students are supported by the Pastoral Team and work closely with Surrey Young Carers. The College hopes to work with a national charity to develop a kitemark for Young Carers support.

The report provided Trustees with assurances that the College fully complies with the requirements of 'Keeping Children Safe in Education' and the latest DfE guidance on sexual violence and sexual harassment between children in schools and colleges.

In response to the DfE and Ofsted review of sexual violence and sexual harassment in education, it was confirmed the College carried out a survey to gather the students voice on personal safety and has created an action plan based on the feedback from other institutions who have been visited by Ofsted. The survey confirmed 97.4% of students felt safe at College (933 students saying they felt safe at College while 22 students indicated they did not feel safe).

A query was raised on why would just under 50% of students be reluctant to share concerns with the College and is there any way they can share concerns less formally or anonymously or via a non-college third party? In response, it was confirmed the College is looking at several innovative ways for students to be able to share their concerns.

It was **RESOLVED** to note the report.

10. LOCAL GOVERNING BODY MEETING

The minutes of the RLA Local Governing Body meeting held 25 May 2021 were received and noted (Paper 9). The meeting covered the following;

- Annual Review of Terms of Reference
- Assessment Arrangements for 2021
- Self Assessment Report & Development Plan
- Safeguarding & Prevent Annual Report
- Well-Being Presentation
- Student Retention
- Student Voice
- Staff Voice
- Board Assurance Assessments

It was **RESOLVED** to note the minutes.

11. FINANCE

(i) Meeting held 14 June 2021

The minutes of the Finance Committee held 14 June 2021 were received and noted (Paper 10).

It was confirmed the appeal made by the College to the ESFA relating to a Condition of Funding adjustment of £29k for 2021/22 was not successful.

The Management Accounts up to 30 April 2021, previously circulated to Trustees and Members, were received and noted (Paper 11).

(iii) College Budget 2021/22

The College Budget 2021/22 was received for Board approval following the review and recommendation from the Finance Committee for the Trust Board to approve the budget (Paper 12).

The 2021/22 budget presented had been prepared for the 12 months to 31 August 2022. It has been prepared under the assumption that the College will be operating as normal during the 2021/22 academic year.

The draft income and expenditure account in the proposed budget 2021/22 was noted as follows:

12 months to Aug 20		6 months to Feb 21	Mar-21	Apr-21	YTD Total	Budget YTD	YTD Variance	Budget 12 months to Aug 21	Move from budget to forecast	Forecast 12 months to Aug 21	Proposed budget 12 months to Aug 22	Note
£'000		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
12,270	ESFA current year income	6,804	1,053	1,074	8,931	8,640	291	13,079	420	13,499	13,787	1
493	Other income	176	27	34	238	289	(52)	378	(64)	314	411	2
12,763	Total Income	6,980	1,080	1,108	9,169	8,929	240	13,457	356	13,813	14,198	
9,236	Pay	4,937	916	901	6,754	6,674	(80)	10,250	0	10,250	11,130	3
680	Teaching & Education Services	315	249	37	602	678	76	803	0	803	772	4
137	Support Services	63	1	14	78	113	35	154	0	154	139	5
525	Administration & Central Services	516	56	41	613	565	(48)	829	160	989	866	6
959	Premises Costs	568	56	74	698	686	(12)	1,169	0	1,169	1,265	7
11,537	Total costs before interest	6,399	1,278	1,068	8,745	8,716	(29)	13,205	160	13,365	14,172	
0	Year end capital expenditure adjustment	0	0	0	0	0	0	(150)	(65)	(215)	(150)	8
1,227	Surplus before non cash items	581	(198)	40	423	213	211	402	261	663	176	
(2,378)	Non cash items	416	0	0	416	385	(31)	770	79	849	883	9
(1,151)	RETAINED SURPLUS / (DEFICIT)	165	(198)	40	7	(172)	180	(368)	182	(186)	(707)	
2,454	Student Numbers (lagged)							2,521		2,521	2,596	

In summary, the budget presented showed an increase in income of circa £400k set against an increase in expenditure of circa £800k, with increased pay costs being a significant factor behind the increase in expenditure. It was noted the Finance Committee will continue to monitor pay costs throughout the year. The budget 2021/22 forecasts a surplus before non-cash items of £176k, below the budget 2020/21 of £402k and the forecast year-end surplus for 2020/21 of £663k.

It was **RESOLVED** to approve the College Budget 2021-22.

In addition to the requirement to submit a budget forecast for 2021/22 to the ESFA, there is also the requirement to include a summary budget for 2022/23 and 2023/24. The Finance Committee is required to agree and approve the scenario and associated assumptions to be used in the summary budget, and for these to be presented to the Board for approval, prior to submission to the ESFA.

Six scenarios, and the resulting summary budget for each scenario for 2022/23 and 2023/24, were presented to the Finance Committee for review and consideration.

The Committee agreed to recommend 'Scenario 1' to the Trust Board for approval based on the assumption there is little scope for recruiting additional numbers due to current full capacity and it is an unknown if the funding rate per student will be increased. The Committee also felt that it would be appropriate for the two-year projections to be conservative with regard to the projected financial outcome.

The Trust Board **RESOLVED** to approve 'Scenario 1' and the following assumptions that informed the basis of 'Scenario 1':

- Average funding rate per student unchanged at £4,971

- Student numbers constant at 2,596
- Teachers' Pay and Pension Grants remain at the same level
- £70k of additional Covid expenses are removed
- Pay award of 1.5% in each year, based on existing staff and their progression entitlements
- General inflation of 2.0%
- £50k funding from 16-19 Tuition Fund available in 2022/23 only
- 2021/22 £29k Condition of Funding adjustment removed in 2022/23 and 2023/24.

(iv) Discretionary Bursary Fund Policy for 2021/22

Following review and the recommendation from the Finance Committee for the Trust Board to approve, it was **RESOLVED** to approve the Discretionary Bursary Fund & Policy for 2021/22 (Paper 13).

12. AUDIT

The minutes of the Audit Committee held 22 June 2021 were received (Paper 14) for information purposes. The meeting covered the following:

- Annual Review of the Committee's Terms of Reference
- Audit Progress Update
- Scope of internal audit for 2021/22
- Audit plan for the Financial Statements 2020/21
- Annual Review of the Board Assurance Framework
- Board Assurance Framework, Risk Management Action Plan and Risk Register 2020/21
- Review of the performance of auditors

Also made available was the audit plan for the Financial Statements year ended 31 August 2021 that the Audit Committee recommends the Trust Board to approve (Paper 15).

Following review of the minutes, it was **RESOLVED**:

- (i) To approve the audit plan for the Financial Statements year ended 31 August 2021; and
- (ii) To note the minutes.

13. RISK REGISTER & BOARD ASSURANCE

Trustees received for information purposes the Risk Register and Risk Management Action Plan 2020/21 that was considered in detail by the Audit Committee at its meeting held on 22 June 2021 (Paper 16).

It was noted the Audit Committee agreed the following changes to the Risk Register and Risk Management Action Plan 2020/21:

- I. A version number added.
- II. Confirmation of the new Risk Champion and their operational duties in overseeing risk management.
- III. Confirmation that the Chief Executive Officer has overall responsibility for risk management.

- IV. Updated Board Assurance Framework with inclusion of a new column to record the RAG rating for each level of assurance.
- V. Added 'Cause' and 'Effect' to each risk in the Risk Register.
- VI. Risk 1 – add to Cause 'scope of curriculum offer', and to risk 5 - 'Poor design of controls'.
- VII. Changed the risk score to 'Risk 17' from '12' 'High' to '8' 'Medium' on the basis that the risk of financial loss be measured based on unbudgeted spend.

Suggested changes to the scoring of some of the risks were proposed and it was **AGREED** to circulate the proposed changes to the Audit Committee for further consideration.

The termly report on assurance assessments conducted by Committees since the last meeting of the Trust Board was received for information purposes (Paper 17).

The Board agreed the following board assurance assessments for agenda items/reports considered at this meeting:

Agenda item number	Subject	RAG Rating	Any Committee Recommendation(s)
5	Review of Committee Terms of Reference	GREEN	
6	Committee Membership 2021/22	GREEN	
8	Strategy Summary	AMBER	Need to hold a strategy meeting for Trustees – to be scheduled for the next academic year
8	Chief Executive Update & Ofsted Training	GREEN	
9	Safeguarding Report	GREEN	
10	Report from the Reigate Local Governing Body	GREEN	
11	Report from the Finance Committee	GREEN	
11	Trust Budget 2021/22	GREEN	
11	Management Accounts	GREEN	
11	Discretionary Bursary Policy	GREEN	
12	Report from the Audit & Risk Committee	GREEN	
12	Audit Plan for Financial Statements	GREEN	
13	Risk Management & Board Assurance Framework 2020-21	GREEN	
13	BAF Assessments conducted by Committees since the last Trust Board meeting	GREEN	
13	Trust Board's BAF assessments on papers/agenda items considered at this meeting	GREEN	

14. ACADEMIES FINANCIAL HANDBOOK SEPTEMBER 2021

Trustees received for information purposes the Academies Financial Handbook 2021-22 that comes into effect from 01 September 2021 (Paper 19). The Clerk confirmed the Handbook will be added to the 'Publication' section on the RLA website.

15. ANY OTHER BUSINESS

There was no other business.

16. DATE OF NEXT MEETING

- (i) Annual General Meeting, Thursday 08 July 2021 @16.00 to be conducted via Zoom. The AGM is primarily for Members but invitations to join the meeting have been extended to Trustees.
- (ii) Trust Board Meeting, Tuesday 21 September 2021 @17.30

17. CONFIDENTIAL AGENDA ITEM - MINUTES

(College staff withdrew from the meeting for this agenda item).

The confidential minutes of the Trust Board meeting held 23 March 2021 were agreed as an accurate record of the meeting (Paper 20).

The meeting closed at 19.00.

Signed: _____ Date: _____

SUMMARY ACTION LIST

MIN	ACTION	REVIEW DATE
23/3/21 - 18(i)	To approve KPIs for the Chief Executive and Executive Principal.	21/9/21
23/3/21 - 7	(i) Trustees to be issued with a College email address (ii) College documents held by Trustees should be cleansed on a regular basis, and documents should not be retained unless necessary. The suggestion was to retain documents for no more than one year but guidance on this will be issued to Trustees.	21/9/21
29/6/21 - 3	Committee and Trust Board minutes, once approved by the respective Chair, to be circulated to Trustees.	21/9/21
29/6/21 – 8(i)	To hold a strategy meeting in the next academic year for Trustees to consider further the strategic direction of the Trust.	21/9/21
29/6/21 – 8(v)	To restart Ofsted training for Trustees as soon as possible and will prepare a briefing about how the college has / is responding to the situation in terms of educational delivery.	21/9/21
29/6/21 - 13	Changes to the scoring of some of the risks were proposed and it was AGREED to circulate the proposed changes to the Audit Committee for further consideration.	21/9/21
Request by Chair of Audit	Gender Pay Report – to receive for review	21/9/21