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Online

Minutes

Audit Committee Minutes

Meeting Time and Date	0830 on 15 November 2021		
Meeting Location	Zoom Online		
Members	Robert Howard (Chair) 🖃		
	Guy Jones-Owen (Vice Chair) □		
	Antony Young (Independent) □		
Auditors	Katherine Patel (Buzzacott) □		
	Paul Goddard (Scrutton Bland) 🗏		
Observers	Christine Bianchin (Academic)		
	James Bryan (HR) ⊒		
	Damien Fallon (Finance) 🗏		
	Malcolm Goodwin (Principal) □		
	David Scott (Estates) □		
Minute Taker Joanne Coffey (Clerk) □			
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		Action	
1.	Apolo		
	1.1.		
	1.2.	The Chair of Audit could not attend for the first 15 minutes of the meeting. The Vice Chair of Audit chaired the meeting during this time.	
2.	Decla	ration of Interests	
	2.1.		
3.	Minu	tes (Decision)	
	3.1. Minutes 6.21 and 6.22, relating to Buzzacott's performance to be corrected from 2019-20 to 2020-21.		
	3.2. Minute 6.35 corrected to refer to Revenue 'of', and not 'or' a capital.		
	Reso	lved to	
	3.3.		
4.	Matte		
	4.1.	The College's Internal Auditors, Scrutton Bland, had suggested that an investment in the iTrent self-service module, that enabled staff to change their own bank details, would increase security. Management had enquired about this additional feature but found	

that the cost was not justified by the benefit to such a small risk. Scrutton Bland were satisfied with this finding.

David Scott joined the meeting.

- 4.2. The updated Staff Code of Conduct would be completed by spring 2022.
- 4.3. The Fixed Assets audit would be carried out in either spring or summer 2022.
- 4.4. The IT Disaster Recovery Plan was still in process with an external company who were expected to completed in spring 2022.
- 4.5. The College attained the Cyber Essentials certification with JISC in 2020-21 and will seek to achieve Cyber Essentials Plus certification in January March 2022.

Robert Howard joined the meeting and took over as Chair.

4.6. In June 2020, it was accepted to carry out a post-COVID scenario testing exercise at the next appropriate time. The Committee felt that as the College had been faced with, and successfully dealt with, many Covid challenges since that time, that this would be better suited to include it when carrying out the internal audit of the Business Continuity Plan, due in 2022-23. The Chair of Audit agreed to affirm this decision with the Chair of Finance and Resources.

AU Chair and FR Chair (Completed)

5. Report of the Finance Director (Information)

External Audit Service

- 5.1. Buzzacott continued to provide good challenge regarding the College's accounting treatment of transactions whilst providing technical support in the interpretation of the regulations, accounting standards and accounts direction with which the College must comply.
- 5.2. Buzzacott have been the audit partner for three years. This is the time interval at which the Committee considers the need to go out to tender or seek Governing Body approval to extend the existing appointment for a further number of years. Recent ESFA guidance is for tenders to be undertaken every five years.
- 5.3. There were some exceptional reasons for considering an extension to the external auditor at this time. The current Chair of the Committee was approaching the end of his term in summer 2022 and the Finance Director would also be retiring in 2022.
- 5.4. The Committee felt that their recent review, in reaching the performance grading for the service that Buzzacott provided for 2020-21, had given them confidence in Buzzacott's service and that it would be prudent to continue for another two-year period, before going back to tender.

Resolved to

5.5. Agree an extension of the existing contract with Buzzacott for the external audit services for a further period of two years and recommend this to the Governing Body.

A: Governing Body

Internal Audit Service

- 5.6. The College had reduced the planned internal audit work for 2020-21 from 35 days to 22 days, due to the impact of the GLA audit of the 2020-21 learner records and Covid-19.
- 5.7. The College continued to receive a good quality service from Scrutton Bland. The Senior Leadership Team's (SLT) recommended their reappointment in this role for 2021-22.
- 5.8. SLT recognise the professional manner by which Scrutton Bland provide challenge and rigour through their programme of audits.
- 5.9. Governors felt that the Business Continuity audit, planned for 2022-23, should take a higher priority but accepted that the 2021-22 schedule was full. To hasten this important area, it was agreed that it should be carried out as Scrutton Bland's first audit for 2022-23.

ESFA audit of the 2020-21 Individual Learner Records (ILR)

- 5.10. The College was randomly selected for an audit by the Education and Skills Funding Agency (ESFA) of its 2020-21 ILR to be conducted between 22 and 26 November 2021, with a deadline of 31 January 2022 for the final report to be with the ESFA.
- 5.11. Buzzacott had reduced the level of its audit work on the ILR on the basis of this audit and thus could not sign the audit reports until the outcome of this audit has been reported.
- 5.12. As the ESFA audit restricts the signing and submission to the ESFA by the 31 December 2021 deadline, Buzzacott advised that an extension was sought from the ESFA to allow documentation to be filed by 31 January 2022 or, ideally, 28 February 2022.
- 5.13. The College had not yet received a response but Buzzacott expected it to be granted, given that the mismatch of timing had been generated by the ESFA.
- 5.14. The ESFA audit will increase the scale of audit work that the student records team will need to support. 30 records will be required for each area, regardless of the size of the cohort.
- 5.15. The Committee agreed a process for handling any revision to the documents considered at this meeting through either an ad-hoc Audit Committee meeting in January or February 2022 or, if the extension is approved to the end of March, to be considered at the 3 March 2022 meeting.
- 5.16. Buzzacott confirmed that they would be able to make any necessary corrections to their audit reports, and any other affected documents, promptly.
- 5.17. It was agreed that the Audit Committee annual report for 2020-21 would not include the ESFA audit and that this would be reported in the 2022-23 report.

Resolved to

5.18. If the ESFA do not provide a filling extension beyond its scheduled meeting on 3 March 2022, an ad-hoc Audit Committee meeting will be held in January/February 2022 to

Clerk

		cons	rove any significant revised documentation required as a sequence of the findings of the RSM ILR audit that will be ducted on behalf of the ESFA.	
6.	Regu	larity		
	6.1.	1. The ESFA requires all colleges to appoint their Financial Statements Auditor to provide an opinion on the regularity of the College's expenditure, regardless of the source of the funds being spent.		
	6.2.	In support of this audit, the College is required to annually review and update its self-assessment of regularity and provide a documentary file of evidence for audit review.		
	6.3.		Principal and Chair had already reviewed and accepted the tionnaire.	
	6.4.	The	Committee were satisfied with the self-assessment.	
	Reso	lved t	0	
	6.5.	Que: Gove	rove the Regularity Audit Self-Assessment stionnaire for 2020-21 and recommend it to the erning Body for approval and its submission to the cation and Skills Funding Agency.	B: Governing Body (Appendix I)
7.	Revie	ew of A	Areas Susceptible to Fraud (Decision)	
	7.1.	The International Standard the Auditor's Responsibilities Relating to Fraud in an Audit of Financial Statements (ISA 240) states 'the primary responsibility for prevention and detection of fraud rests with those charged with governance and management.'		
	7.2.		scharging this responsibility, ISA 240 considers the following ects of governance:	
		a)	promotion of a culture of honesty and ethical behaviour;	
		b)	maintenance of internal controls to allow effective and efficient business operations and provide reasonable assurance of compliance with laws and regulations; and	
		c)	establishment of a control environment and maintenance of policies and procedures to enable preparation of financial statements which show a true and fair view.	
	7.3.	•	art of the financial statements audit, the auditor is required to in a representation from the Governing Body that:	
		a)	It acknowledges its responsibility for the design and implementation of internal control to prevent and detect fraud;	
		b)	It has disclosed the results of its assessment of the risk that the financial statements may be materially misstated as a result of fraud; and	
		c)	It has disclosed its knowledge of fraud or suspected fraud affecting the College in terms of misappropriation and financial reporting.	

		b)	Increasing the details of assets in the fixed asset register.	
		,	The preparedness of the finance team for audit	
			ne College relating to:	
	8.2.		firmation of two resolved recommendations raised in 2019-20	
	<u>Cape</u>	el Manor College		
	8.1.	of the	external auditor (Buzzacott) issued a clean report in respect e post-audit reports for the College, Capel Manor Limited and Hall Community Vineyard Limited (FHCVL).	
8.	Post	Audit	Management Reports 2020-21 (Decision)	
		c)	Appendix III: College Review of Areas Susceptible to Fraud 2020-21.	
		b)	Appendix II: Buzzacott Fraud Assessment 2020-21	(Appendix II)
		a)	Appendix I: Current year and three-year history	Body
	7.10.	2020	ee the Review of Areas Susceptible to Fraud report for 0-21 and recommend it to the Governing Body for otion.	C: Governing
	Reso	lved t	0	
	7.9.	7.9. Governors advised on the use of 'smart water' at the College, which uses invisible markings that can be detected by the Police using a special light. Smart water stickers are then applied to the equipment to act as a deterrent. The College will adopt the use of smart water and include its usage in the following year's Fraud Review Schedule.		Estates / Finance
	7.8. Fraud had significantly reduced at the College. The Committee discussed if there were any risks around money laundering. This was highly unlikely given the lack of repetition of fee transactions and where any requests for multiple overpayments would be spotted quickly due to them requiring an approval process.			
	7.7.	7.7. Thefts at the College had increased. To provide assurance, it was agreed to include in the Portable Assets area of the Fraud Review Schedule that all equipment was locked away at the end of each day.		Finance
	7.6.	.6. The Finance Director had stated that management and Governors have 'a low appetite for fraud'. The Committee had a full discussion around the wording and it was agreed that this should be changed to a 'zero appetite to fraud', in order to clarify the College's commitment.		Finance
	7.5.	Buzz conti prese		
	7.4. To improve assimilation: the Anti-fraud checklist issued in the Post-16 Audit Code of Practice had now been embedded into the Buzzacott Fraud assessment questionnaire and the Gov.uk generic checklist for education providers was now consolidated in the College's Review of Areas Susceptible to Fraud report 2020-21.			

- 8.3. Buzzacott reported that the audit had progressed well, with full cooperation from the Finance Team and gave special thanks to Gladys Gafrey-Umeh and Damien Fallon.
- 8.4. There were additional, but anticipated, costs in respect of the additional work required to gain assurance over the ILR data due to the changes in the Post-16 Audit Code of Practice. They estimated that the additional fee would be £1,000.
- 8.5. Following recent changes to the International Standards on Auditing (UK), the auditor's report had been updated to include:
 - a) an explanation as to what extent the audit was considered capable of detecting irregularities, including fraud; and
 - b) revised wording relating to the Corporation's use of the going concern basis of accounting and the identification of any material uncertainties that may cast significant doubt on the College's ability to continue as a going concern.
 - 'We have provided a positive statement to conclude that we agree with the Corporation's use of the going concern basis and that we have not identified any material uncertainties'.
- 8.6. Regularity assurance was given that there had been no instances of material irregularity, no significant deficiencies in the accounting and internal control systems and no recommendations were made in respect of these systems or in respect of regularity or propriety.
- 8.7. The auditors made this conclusion based on discussions with management, substantive testing of expenditure and procurement processes, a review of the impact of the coronavirus pandemic on the College and a review of meeting minutes, correspondence with the ESFA, reports from internal auditors and policies and procedures reviewed in the year.
- 8.8. The College generated an operational surplus for the year of £542,000 (2020 £101,000) against a budgeted surplus of £487,000.
- 8.9. The College has produced detailed budgets for the financial years ending 31 July 2022 and 2023. The budgeted operating surpluses for these financial years are £325,000 and £347,000 respectively. As part of the budgeting process, key financial ratios have been calculated which indicate that the College will have adequate cash resources to meet its liabilities over this period.
- 8.10. In relation to income recognition, changes to the ACOP state that external auditors can no longer rely on the ESFA's statement and should make their own opinion. As the results from the ESFA'S funding audit was not due until January/February 2022, the final opinion will be made at that time, which will allow the Governors to approve the accounts.
- 8.11. The College's financial health rating was forecast to remain as outstanding, based on the financial statements.
- 8.12. Governors and members congratulated management on this accomplished report.

	8.13.	The Committee discussed the reasons for more Government focus on fraud and regulation. This was likely due to more widespread instances of fraud in the corporate world, rather than in education, where all sectors share the same UK auditing standards requiring broader financial reporting.	
	Cape	Manor Limited	
	8.14. For Capel Manor Limited, no significant deficiencies in the accounting and internal control systems were found during the audit.		
	Forty	Hall Community Vineyard	
	8.15.	For Forty Hall Community Vineyard, no significant deficiencies in the accounting and internal control systems were found during the audit.	
	8.16.	As for the previous year, Buzzacott noted that the accounts include provision for a corporation tax liability. Should a donation be made under Gift Aid by the company to the College within nine months of the accounting year end, i.e. by 30 April 2022, then the donation could be set against the taxable profit for the 2020-21 financial year and the corporation tax liability significantly reduced (potentially to \mathfrak{L} nil). However, they understand that it was the intention of the Directors to retain working capital within the company and, as a result, to incur a tax charge.	
	Reso	ved to	
	8.17.	Approve Buzzacott's Post-Audit Management Reports issued in respect of Capel Manor College, Capel Manor Limited and FHCVL for the year ended 31 July 2021 and recommend them to the Governing Body for approval.	D: Governing Body (Appendix III)
9.	Exter (Deci:	nal Auditors' College Letter of Representations 31 July 2021	
	,	sion)	
	9.1.	The Governing Body has a responsibility to confirm to the financial statements auditor (Buzzacott), via a signed letter, the representations received from management in completing their audit of the accounting records on which they rely in forming their opinion on the financial statements.	
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10	9.1. 9.2. Reso l 9.3. 9.4.	The Governing Body has a responsibility to confirm to the financial statements auditor (Buzzacott), via a signed letter, the representations received from management in completing their audit of the accounting records on which they rely in forming their opinion on the financial statements. The Audit Committee has specific responsibility for Sections 4 (Fraud) and 16 (Regularity assurance) of the College letter of representation. Ved to Approve sections 4 and 16 of the attached letter of representations for the year ended 31 July 2021. Recommend to the Governing Body that the Chair of Governors and the Principal be authorised to sign the Letter of Representations in respect of sections 4 and 16 for the	Body

responsibility for satisfying itself that the following sections are accurate and recommend them to the Governing Body for adoption:

a) The Statement of Corporate Governance and Internal Control

This should confirm that the major risks to which the College is exposed, as identified by the Corporation, have been reviewed and that systems have been established to mitigate those risks.

b) The Governing Body's Statement on Regularity, Propriety and Compliance

This should confirm that the College has spent its funds with propriety and regularity.

c) The Statement of Responsibilities of the Members of the Corporation

This should confirm that governors understood and complied with their responsibilities with regard to financial management and reporting.

- 10.2. Buzzacott had reviewed the College's Report and Financial Statements and confirmed they were in good order.
- 10.3. The Committee congratulated all members of staff who had worked on producing such well-written accounts.

Resolved to

10.4. Recommend that the Governing Body approve the Statement of Corporate Governance and Internal Control, the Governing Body's Statement on Regularity, Propriety and Compliance and the Statement of Responsibilities of the Members of the Corporation included in the College Report and Financial Statements 31 July 2021.

F/G: Governing Body (Appendix V)

10.5. Recommend that the Governing Body approve the audit opinions as expressed by the auditor in respect of the financial statements for the year ended 31 July 2021 for Capel Manor College, Capel Manor Limited and Forty Hall Community Vineyard Limited.

11. Annual Review of Internal Audit (Decision)

Internal Audit Annual Report

- 11.1. Scrutton Bland, the Internal Auditors were satisfied that the College had adequate and effective risk management, governance and control processes during 2020-21, to enable the College to achieve its objectives.
- 11.2. The benchmarking of the assurance and recommendation levels awarded to the College were most satisfactory with green (Strong, Significant and Good Progress) assurances for all.
- 11.3. Whilst the number of audits were reduced for 2020-21, Scrutton Bland were confident that adequate work had been undertaken

- during the year and in prior years for them to provide opinions on Risk Management, Governance and Internal Controls.
- 11.4. Due to the limited number of audits, a specific opinion on value for money was not provided for 2020-21, although it was confirmed that no concerns were identified in this regard during completion of the plan.
- 11.5. During the year the auditors reviewed the progress made with implementing the recommendations made by them in their 2019-20 audit reports and in their opinion, management had taken or had planned appropriate and timely action to implement their recommendations.
- 11.6. Paul Goddard and his team at Scrutton Bland were thanked for their support in delivering the internal audits with such good recommendations and clarity on the performance of the College.

Resolved to

11.7. Approve the Internal Audit Annual Report for the year ended 31 July 2021.

Evaluation of the Internal Audit Service

- 11.8. The quality of the internal audit service received by the College is reviewed by SLT each year to assess its adequacy so a decision can be taken on whether to renew the current provider for another year.
- 11.9. In the period under review, the original plan of internal audit work was reduced by a combination of the GLA audit of the learner records and Covid-19. The assessment was thus based on the completion of fewer audits than normal; though no concerns had arisen in the year.
- 11.10. The total score moved to 10 (from 11 last year). There is a good working relationship between auditors, management and Committee, that is characterised by a robust and challenging approach. Overall, Scrutton Bland continues to provide a high standard of service and their reappointment for the 2021-22 year is recommended.
- 11.11. Governors and members agreed that the internal audit service provided by Scrutton Bland gave value for money, was professional and gave reassurance that the College was moving in the right direction.

Resolved to

- 11.12. Confirm the evaluation of the performance of the internal audit service for 2020-21 to be good (the highest grade).
- 11.13. Recommend to the Governing Body the appointment of Scrutton Bland to provide an internal audit service to the College for the 2021-22 year at static daily costs of £535.00, exclusive of VAT; 2021-22 cost £20,865 ex VAT (39 days), 2020-21 £18,725 ex VAT (35 days).

H: Governing Body (Appendix VI)

12. Annual Checklist on Compliance and Regulation 2020-21 (Decision)

12.1. The Annual Report on Data Protection had now been expanded to include Whistleblowing, Fraud, Theft and Irregularity.

Personal Data Breach

- 12.2. Since the previous report, there had been no reported breaches of personal data.
- 12.3. The average of 0.3 Personal Data Breaches was 90% lower compared to the previous year and reflected a high standard of vigilance from staff.

<u>Freedom of Information (FOI) and Data Subject Access Requests</u> (DSAR)

- 12.4. Since the previous report, there have been 5 requests made under the Freedom of Information Act 2000. These requests were mainly from service provider companies using the College's data for market research purposes.
- 12.5. Since the previous report, the College received and complied with 1 Data Subject Access Request.
- 12.6. As at 31 July 2021, the Clerk confirmed that the College was 100% compliant in all areas of Data Protection.

Role of the Data Protection Officer

- 12.7. The role of the DPO officer had been successfully met by the Director of Management Information Systems (Richard Davies), with support from the Clerk during 2020-21. The role of the Clerk provided independence and oversight of the DPO, and assistance with the management of GDPR requests.
- 12.8. The Committee agreed that the role of DPO, with the additional support from the Clerk, remained best practice for 2021-22.

Resolved to

12.9. Confirm that the Data Protection Officer role remained with the Director of MIS (Richard Davies), with support from the Clerk, for 2021-22.

Whistleblowing Policy

12.10. The Whistleblowing Policy is overseen by the Search, Governance and Remuneration Committee. To ensure that the Audit Committee had in sight of this policy, it was agreed to present the latest approved report at all autumn Audit Committee meetings.

Resolved to

12.11. Confirm satisfaction with the content of the Whistleblowing Policy.

Fraud, Theft and Irregularity

12.12. As this is a new compliance area, only the data from the summer term of 2021 can be included.

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	14.3.	The Annual Report demonstrated that the Committee had fulfilled its responsibilities.	
		The ACOP states that "the audit committee must assess and provide the corporation with an opinion on the adequacy and effectiveness of the corporation's assurance arrangements, framework of governance, risk management and control processes for the effective and efficient use of resources, solvency of the institution and the safeguarding of assets."	
		The Post-16 Audit Code of Practice (ACOP) requires the Audit Committee to produce an annual report, which must be submitted to the Corporation before the Statement of Corporate Governance and Internal Control sections contained in the annual accounts are signed.	
14.	Annua	al Report of the Audit Committee 31 July 2021 (Decision)	
	13.7.	Report the outcomes to the Governing Body by attaching the Annual Report to the minutes of this meeting (Appendix VII, Page 19).	
	13.6.	Confirm that Value for Money is being sought.	
	13.5.	Note that all criteria have been achieved.	
	Resol	ved to	
	13.4.	As the College had moved its utility management to Bulb, this had driven down electricity and gas costs and had been a success in achieving value for money. However, as Bulb had now been negatively impacted by the current energy crisis, Governor, Guy Jones-Owen, offered to provide alternative recommendations which he had recently researched. This situation will be reported at the next Finance and Resources Committee on 24 November 2021 and updated at the next Audit Committee meeting.	Finance
	13.3.	To mitigate for ongoing Covid impact, the College deferred optional expenditure from 2020-21 to 2021-22. There was also a reduction in spending on internal audit. Budget holders have been trained well and are continuing to monitor expenditure.	
	13.2.	The review of value for money is a complex process which involves both operational judgement and appropriate systems. The Audit Committee's remit focuses on ensuring that College systems are appropriate to encourage value for money being achieved and that these systems are correctly utilised.	
		All performance criteria had been met.	
13.	Annua	al Checklist of the Audit Committee 2020-21 (Decision)	
	12.14.	A security review of Enfield has been undertaken and measures are being taken to make improvements.	
	12.13.	For the summer 2021 term, there was one incident of theft, a break-in at the Enfield campus on Sunday 27 June, 2021. Some arboriculture and gardening equipment was taken. The incident was reported to the police, a full inventory of missing items was compiled and an insurance claim is in progress.	

Capel Manor College

111	14.4. The Committee thanked the Clerk for documenting the work of						
14.4.	the Audit Committee for 2020-21.						
Reso	Resolved to						
14.5.	Approve the Audit Committee Annual Report 31 July 2021 and recommend it to the Governing Body for adoption.	I - Governing Body					
Katha	rine Patel left the meeting.	(Appendix VII)					
15. Revie							
15.1.	15.1. As requested by Governors, the principal risks were now being embedded into SLT papers for other Committees to provide a richer discussion. As this was in its early stages, its success could not yet be reported on.						
15.2.	The Committee agreed that this was a practical next stage in how high level risk discussion had evolved from the earlier presentation of the main Risk Register. Governors and members agreed that the principal risks (still being presented for the Audit Committee and the Full Governing Body) were more user friendly.						
15.3.	The internal auditor felt that the College had recognised the risk of staff's mental health early on, which other colleges were now including following the impact of the pandemic.						
Reso	lved to						
15.4.	Confirm that that the principal risks represent the main internal and external risks and the current approach to risk management remains fit for purpose.						
16. Acad							
16.1.	Progress on actions for the academic quality cycle in 2020-21 were on track and the full academic quality cycle will complete in December 2021.						
16.2.	The Committee thanked the Vice Principal for the thoroughness of the academic quality cycle.						
17. AOB							
17.1.	None.						
18. Date	of next meeting						
18.1.	The next Audit Committee meeting will take place on Thursday 3 March, 2022.						
19. FE Sector Update							
19.1.	Scrutton Bland gave an update to the Committee on the FE sector.						
19.2.	The ESFA are updating their Good Practice Guide for Audit Committees which will include carbon reporting, Covid, ILR, how to best use internal auditors and re-clarifying and ideal audit cycle.						
19.3.	Consultation around adult funding by the ESFA ended on 6 October 2021, which is expected to impact on Capel.						

Capel Manor College

- 19.4. The ESFA and other institutions are starting to request audit work on carbon emissions, streamlined energy and carbon processes.
- 19.5. Capel's sustainability charter is to be carbon neutral by 2030. The College has commissioned an external company to recommend how to get there sooner and to expand our carbon literacy.
- 19.6. Fraud has reduced across the FE sector, although this may be affected by data not yet being known due to delays from remote working.

APPROVED MINUTES							
CHAIR: Robert Howard DATE: 3 March 2022							
APPROVAL:	APPROVAL: Remote confirmation: CONFIRMED						
	Or signed:						