

## Drft Minute

### The Lanarkshire Board 14<sup>th</sup> December 2015

10.30 am Drumcarron Suite Cumbernauld Campus

**Present from the Lanarkshire Board:** Linda McTavish (Chair), Kenny Anderson, Douglas Anderson, Michele Bingham, Margaret Cook, Megan Cord, Paul Devenny, John Elliot, Ashley Hickford, Keith Fulton, Moira Jarvie, Jane McCartney, Jacqueline McGarvey, Martin McGuire, Rosemary McKenna, Stewart McKillop, Paul O'Donnell, Ann Stark.

**In Attendance:** Angus Allan, Iain Clark, Tom Dodds (for Item 10.3) ,Sharon Drysdale (SFC), Alison Malcolm ( Policy Officer SFC), Keith McAllister (SLC) , Diane McGill (Board Secretary -The Lanarkshire Board), Penny Neish (Assistant to the Chair of the Lanarkshire Board), Derek Smeall (Vice Principal NCL), Heather Urquhart (Vice Principal NCL).

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<p><b>1. Chair's Welcome</b></p> <p>The Chair welcomed Board members to this meeting of the Lanarkshire Board and thanked staff for showing members round the Cumbernauld Campus as part of the Board Induction Process. This meeting would make the decision to approve the 2014-15 accounts. This has been a complex process for this year and the Chair paid tribute to the Audit and Finance committees for their work and to the Finance Team and the external auditors who worked under great pressure to produce the accounts for this year.</p>	
<p><b>2. Apologies</b></p> <p>Board Members: There were apologies from Board Members Craig Ferguson, Stuart Reid and Ronnie Smith.</p>	
<p><b>3. Declaration of Interest</b></p> <p>There were no declarations of interest.</p>	
<p><b>4. NCL 2014-15 accounts</b></p> <p><b>4.1</b> The Chair of the Finance Committee presented the 2014-15 accounts which were recommended by the Audit and Finance Committee to the Board at a special meeting of both committees held on the 10th December 2015. He commended the accounts as being a very good read and a succinct account of the college's position.</p>	<p><b>4.3 Decision:</b> The Board accepted the recommendation from the Audit and Finance Committees and approved the 2014-15 accounts.</p>

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<p><b>4.2</b> The following introductory points were made: the accounts are for a 16 month period, there are new areas to report e.g. remuneration and Coatbridge College is included for the first time. The accounts are not consolidated as yet with SLC but this will be the case in the future when the RSB gets fundable body status. There are no qualifications to the accounts in the opinion set out at p27 and the letters of representation would be signed by the Chair following the Board's decision. He noted that there had been challenging circumstances for the Finance Team over the past year and more and commended the Finance Team. Next year the accounts will move back to a normal 12 month accounting period but there will be a new accounting standard to deal with in this coming year.</p> <p><b>4.3</b> The Board was informed that the statement at p 28 that includes AMCOL shows a gross deficit of -£9.933 million. The following losses are set against this: -£6,102k for a revaluation of land and buildings at the Motherwell Campus, -£403k loss on disposal of the Horticultural Unit, -£313k for FRS 17 Adjustments, -£145 k movement in pension provision, -£77k realignment of Deferred Capital Grant. This leaves an operating deficit of -£2,893k of which -£2,426k is the net depreciation allowance (the bulk of which was used to cover a shortfall in student support funds following the Board's decision at its March 2015 meetings) and the rest a combination of student support, transfer of WSUMs to SLC and an AMCOL deficit. The Board was informed that only 0.6% of the deficit was actually under the control of the college. The narrative to explain the deficit is very important.</p>	
<p><b>5. NCL Committee Minutes and Reports</b></p> <p><b>1. Audit Minute 16th November 2015 &amp; Annual Audit Committee Report</b></p> <p><b>5.1.1</b> Keith Fulton noted that the Chair's report to the meeting would update on the Public Audit Committee (PAC). There is a projected underfunding for student support funds for this year of £500k and this is likely to result in the use of net depreciation again this year. The audit conclusion on the SUMs and EMA audit reports are that the college has reasonable procedures and controls over the collection of data and that EMA and support funds are being used in line with SFC guidance. There has been a refund of £81k from SLC for unused student support funding. There has been a review by Wylie Bisset of the Due Diligence carried out at the merger with Coatbridge College and a number of issues have arisen including potential clawback of ERDF following an article 62(b) visit which are detailed in the Audit Committee minute in the Board papers. This will be considered at the next meeting of the Audit Committee. The Audit Committee is receiving reports on risk at each meeting and additional risks have been added by the Audit Committee to the register. A Regional Risk Strategy will be developed as required by the SFC Action Plan. The Annual Audit Report sets out the work that has been undertaken by the Audit Committee over the year.</p>	

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<p><b>5.1.2</b> The Board noted the Annual Report – 2015 from the Audit Committee and that the Audit committee is following up on the Due Diligence Report at its next meeting.</p> <p><b>5.2 Resources and General Purposes Committee Minute 23rd November 2015</b> Margaret Cook reported that there was little to add to the minute other than a major thank you to the staff involved in the harmonisation of support staff contracts, to note that UNISON were supporting the pay award but the EIS were balloting for industrial action and that there had been a lot of work undertaken on estates over the summer particularly with the reconfiguration of space at Coatbridge to facilitate the relocation of the dental students.</p> <p><b>5.3 Finance Committee Minute 23<sup>rd</sup> November 2015</b> <b>5.3.1</b> Kenny Anderson highlighted the meeting with the RGP on the joint item under consideration by the committees i.e. to clarify the model for nursery provision in NCL including the AMCOL nursery. Legal advice will be sought on the governance relationship between the Lanarkshire Board and the AMCOL Board. There are still issues with the integration of the Finance System with the Student Records System. The committee is monitoring the deficit in funding for student support. The committee asked for a context statement from the Finance Team to set out the impact of ONS and this will be circulated to the Board. The Quarterly Management Accounts and Resource Return show that the accounts are on track for the first quarter.</p>	
<p><b>5.4. Curriculum, Student Affairs and Outcomes Committee 16th November 2015</b> <b>5.4.1</b> The Board noted the work undertaken on equality and diversity and the equality initiatives at both colleges, the level of activity by the students at both colleges, the awards achieved by NCL and the work of the NCL sub committees and of SLC's equality enhancement group. The Board noted the minute from the CSAO committee.</p>	

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<p><b>6. Board Minutes</b>  <i>(Note: Board Members from SLC joined the meeting at this item)</i></p> <p><b>6.1 SLC Board Minute 4<sup>th</sup> November 2015</b>  Stewart McKillop highlighted the following from the SLC Board Minute:</p> <p><b>6.1.1</b> SLC's current credit activity level is almost at the allocation for the year. SLC is in talks with SFC about an additional 2,500 credits, preferably "core" rather than ESF, but assurances were needed from SFC about the additional funding for these. Unless the College was allocated additional activity, it was unlikely that any additional courses would run in January. The College's ESF target was particularly high, and this source of activity may not be sustainable in the long term. However, the College had tagged additional ESF students in case any activity allocated came from that source. He added that some colleges had under-delivered in 2014/15 and the College had made it known to SFC that they would welcome any additional activity.</p> <p><b>6.1.2</b> SLC had arranged for additional work to be done by their own internal auditors to audit the additional student support funding from NCL. The audit had proved to be very successful with 25 risk areas being examined and one very minor recommendation of a technical nature being highlighted. The report had been passed to NCL and their internal auditors.</p> <p><b>6.1.3</b> The construction of the new building continues to be under budget and although there is a little drift on completion date SLC plans to take occupancy in early January. Cabinet Secretary Angela Constance has agreed to open the building on 24<sup>th</sup> February 2016.</p> <p><b>6.1.4</b> There is positive feedback from students re the service being provided by Inspire Catering, particularly re the quality of food being served.</p> <p><b>6.1.5</b> South Lanarkshire is one of three colleges being included in the Action Learning Pilot. It is hoped that the pilot will reduce the amount of duplication and overlap re teaching in the sector. There is a meeting for the action plan scheduled in January 2016.</p> <p><b>6.2 The Lanarkshire Board Minute 26<sup>th</sup> October 2015</b></p> <p><b>6.2.1</b> The Chair highlighted the resolution to the Scottish Prisons Service Contract at Item 11 to the Board.</p>	<p><b>6.2.1 Action:</b> The minute was approved by the Board</p>

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<p><b>7. Lanarkshire Board Strategic Planning Event</b></p> <p><b>7.1 Strategic Planning Event:</b> Linda McTavish updated the Board on the Strategic planning event which would take place in the conference suite at 101 Park Street at the Coatbridge Campus on the 14th and 15th January 2016. The event would look at the responsibilities of the Board as a Regional Strategic Body including a session on board governance. There would be two external speakers – Col Baird from the Scottish Government and Jan Polley who is an expert in Board Governance and a range of sessions with internal presentations.</p> <p><b>7.2 The SFC Action Plan</b> The SFC Action Plan is based on a letter from Brian Baverstock following the SFC evaluation of the Lanarkshire Board. The Action Plan sets out what is now required in order for the Lanarkshire Board – the RSB- to achieve fundable body status from March 2016.</p> <p><b>7.3 Regional Risk Plan</b> The Board was informed that the NCL and SLC risk management policies were aligned and compatible enough to allow for a Regional Risk Strategy to be layered on top. Both colleges have risk management groups and it is proposed to establish a Regional Risk Group and to develop a Regional Risk Strategy. The Chair welcomed the good work and the building of the strategy from both colleges existing approaches.</p>	<p><b>7.1 Action:</b> The Board will receive a programme and further details about the event in early January 2016.</p> <p><b>7.2 Action: 1.</b> The Financial Memorandum has been approved by both colleges and will now be signed by the SFC.</p> <p><b>7.2 Action 2:</b> The other regional requirements in the SFC Action Plan will be discussed and progressed at the Strategic Planning Event in January with a timetable to ensure the actions are in place to achieve fundable body status by the end of March 2016.</p> <p><b>7.3 Decision:</b> The Board was asked to approve the risk proposals and it gave its approval.</p> <p><b>7.3 Action:</b> A more detailed outline of the proposals would be brought to the Strategic Planning Event in January.</p>
<p><b>8. Student Associations' Report</b></p> <p><b>8.1 Ashley Hickford updated the Board as follows:</b></p> <ul style="list-style-type: none"> <li>• There is a new Student Association Co-ordinator based in Motherwell with experience of being a student president. He is five weeks into the job and it is good to have him on Board.</li> <li>• The Big Chill Event was to promote positive mental health to students and advise them of resources available. Student feedback was positive with most finding the event beneficial.</li> <li>• Motherwell had “Paws Against Stress” provided by Canine Trust Scotland. There had been very positive feedback from this and they are looking to broaden this out across other campuses due to its success.</li> <li>• There was a Volunteer Days Event to promote the idea of volunteering to students with up to 12 organisations coming along to each main campus to promote students to sign up for volunteer opportunities.</li> <li>• Christmas Parties: in partnership with Learner Engagement we are bringing Christmas parties to main campuses again on the 15<sup>th</sup>, 16<sup>th</sup> &amp; 17<sup>th</sup> December (Motherwell, Cumbernauld, Coatbridge)</li> </ul>	

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<p><b>8.2</b> Megan Cord informed the Board that the SLC Student President Suzanne Clark had resigned. Megan is now on the SLC Board. There are five elected student officers from each of the faculties. Actions and deadlines are being finalised from the NUS Framework and there will be an event in February 2016. There has been work on an LGBT charter and a PRIDE event. There is also ongoing work on developing the link between the NCL and SLC student associations.</p> <p><b>8.3</b> The Chair thanked the students for their reports and they were noted by the Board.</p>	
<p><b>9. SLC – Assigned College Reports</b></p> <p><b>9.1</b> The Lanarkshire Board noted that the SLC Board had adopted the Code of Good Governance and that this would be posted onto the Board section of the SLC college website which is being updated and a secure area for the SLC Board is being set up. The Lanarkshire Board also noted the SLC Governance Update paper which details amendments to current governance documentation and draws the SLC Board’s attention to the Code of Conduct in Public Life, responsibilities under charities legislation and the new governance statement in the accounts. In April 2015, SLC provided a certificate of assurance for governance purposes, to the Accountable Officer of SFC as part of the Scottish Government consolidated accounts preparation process for the year ended 31 March 2015. In October 2015, certificates of assurance on governance arrangements were again requested, this time in response to public concerns about the effectiveness of college governance. In both cases, unqualified certificates of assurance were provided by SLC.</p> <p><b>9.2</b> The Board noted the SLC Newsletter and the broad range of activities noted therein.</p>	

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<p><b>10. Chair's Report</b></p> <p><b>10.1 Legacy Update:</b> The Chair informed the Board that the Linkston report which reviewed the Lanarkshire colleges' merger process is now on the Scottish Parliament's Public Audit Committee (PAC) website. The Chair noted that the PAC had queried why this was not available earlier. This information fills in some of the background to the legacy issues.</p> <p><b>10.2 Awards and Award Ceremonies:</b> The use of the Royal Concert hall for the award ceremonies has gone down well with students and families and this venue will be used again next year. It is actually a cheaper option which brings additional benefits. The first awards had been made from the GOLF fund – Go Out Looking Forward -which has been established in memory of Francis McGeachie to give students something extra to enhance their learning experience whilst in the college. The suggestions box had resulted in some Christmas fun with 42 doors being decorated across the campuses.</p> <p><b>10.3 Health and Safety Policy:</b> The Lanarkshire Board was copied with the presentation made to the transition Lanarkshire Board on the 30th March 2015 on Health and Safety. This sets out the policy, objectives, the Board's responsibilities and the Health and Safety management structures. At the last meeting of the Board it was agreed that Moira Jarvie, Douglas Anderson and Jacqueline McGarvey would be members of the Corporate Health and Safety Group.</p> <p><b>10.4 Regional Developments and National Committees:</b> The Chair reported that national statistics showing the output performance of students will be available soon and that Lanarkshire was looking better than some other areas. It is also likely that this will be the last year of presenting separate accounts as reported at 4.2 above.</p>	<p><b>10.3 Action:</b> The Board agreed that there is a need for further training for the Board and a training programme outline will come to the next meeting of the Board.</p>

## 11. Prevent Strategy – Counter Terrorism and Security Act 2015

### The Board noted the following:

**11.1** The Counter-Terrorism and Security Act 2015 includes a duty for specified Scottish Authorities (including Further Education Institutions) to have 'due regard' to the need to prevent people from being drawn into terrorism. It is referred to as the Prevent duty. The office for Security and Counter-Terrorism in the Home Office, works to counter the threat from terrorism. Their work is covered in the UK Governments Counter-Terrorism strategy, CONTEST. The strategy is based on four areas of work:-

- **Pursue:** to stop terrorist attacks.
- **Prevent:** to stop people becoming terrorists or supporting terrorism.
- **Protect:** to strengthen our protection against terrorism.
- **Prepare:** to investigate the impact of a terrorist attack.

**11.2 Prevent Strategy:** The aim of the Prevent strategy is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. In the 'Act' this is simply expressed as "preventing people from being drawn into terrorism". The Prevent Strategy has three specific strategic objectives:-

- Respond to the ideological challenge of terrorism and the threat we face from those who promote it;
- Prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support; and
- Work with Sectors and Institutions where there are risks of radicalisation that we need to address.

**11.3** The team briefing note copied to the Board considers that college responsibilities should be considered in the broad context of safeguarding and creating an inclusive and supportive environment. At this stage, discussion should focus on actions in preparation for the new duty and the impact of leadership on this. The starting point should be a review of existing arrangements for protecting vulnerable adults and children and consideration of adapting them to effectively deliver objectives to mainstream and embed across college functions. Compliance should reflect existing best practice and not add significant burdens. FE institutions are expected to be delivering in the following areas: leadership and governance, Staff and Student Associations officers, training and development, safety on-line, welfare and pastoral care and managing visiting speakers and events. The Education Scotland college inspection team will have a monitoring role.

**11.4** There has been Prevent training delivered by Gary Cameron of Colleges' Scotland at SLC which was well received and training will be undertaken at NCL for staff and the student officers.

**11.4 Action:** Discussion at the Board raised a number of issues about the Boards' and SMT responsibilities and it was agreed that this is a sector wide issue which should be taken up at national level through Colleges Scotland's Principals' Forum and the Chairs' Network. The Board view was that Colleges' Scotland need to have a legal view on this. A further update report will be brought to the Board.

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<b>12. AOB</b> There was no other business	
<b>13. Date of the Next Meeting</b> The next meeting of the Board will be on the 21st March at 5pm in the Boardroom at South Lanarkshire College.	