

Item 4. RGP 4/06/18

Minute: Resources and General Purposes Committee

12th March 2018 3.00 pm Boardroom Cumbernauld Campus

Present: Keith Fulton (Chair), Martin McGuire, Linda McTavish,

In Attendance: Iain Clark, Tom Dodds, Brian Gilchrist, Diane McGill, Stewart McKillop, Penny Neish

1. Chair's Welcome

Keith Fulton welcomed all present to this meeting of the committee.

2. Apologies

There were apologies from Rosemary McKenna who is currently on leave of absence from the Board.

3. Declaration of Interest

There were no declarations of interest.

4. Minute of the Meeting of the 20th November 2018

4.1 The minute of the meeting was approved.

5. Matters Arising

5.1 Training in Counter Terrorism Awareness

The Board Secretary reported that this was being considered as a presentation topic for the Board meeting in March 2018.

5.2 Update Motherwell College Build

The committee was informed that a draft settlement agreement had been received from Burness Paul who are Galliford Try's solicitors which is offering to accept a payment of £158K plus VAT in full and final settlement for retention monies due. This is a reduction on the sum sought previously of £351k plus appropriate VAT. In discussion, it was recognised by the committee that the college had fulfilled its fiduciary duty in safeguarding public funds by engaging in discussion with Galliford Try about the retention monies due for the Motherwell Campus build. The committee was informed that if this offer was not accepted both parties would have to go to adjudication which would involve significant further expense with potentially no better outcome.

Decision: The committee agreed to accept the offer from Burness Paul but on the basis that there should be an additional no prejudice clause in the agreement for the college so that both parties are on the same footing.

The Chair of the Board thanked the committee Chair and the college management for their roles in pursuing this matter to a positive conclusion.

5.3 Tribunal Claim Update

There has been no movement on this since the last meeting. There should be more to report for the next meeting of the committee.

5.4 Update on SLC Dementia Activity – signage and University of Stirling Expertise.

Stewart McKillop informed the committee that signage was now up in the college and there is a recognition that signage which shows how to get out as well as in to places is equally important. The University of Stirling is providing certification.

5.5 Health and Safety Training for the Board.

The Board Secretary updated the committee that training is being scheduled in the May/ June Board cycle. There will be discussion on dates with Tom Dodds and Willie Tait. The use of new on – line training materials will also be considered in the delivery of the training for Board Members and for updating for those who have already attended the course.

5.6 Update on new Data Protection Legislation

Brian Gilchrist informed the committee that as a result of the introduction of this legislation the date for the review of data protection policies had been extended to May. There has also been discussion in the sector of the need to have dedicated data protection posts and of sharing posts at a regional level. Advertisement for and appointment to these posts is ongoing. The Lanarkshire Colleges will share a post with APUC and Colleges Scotland. The committee noted this update.

6. Organisational Development Update

6.1 NCL Organisational Development Update

The NCL update reported on the following:

- **Safeguarding:** Following the recent disturbing reports in the media in relation to the abusive actions of some charity staff working for a number of international aid agencies, the Office of the Scottish Charity Regulator (OSCR) has asked that the issues of **Safeguarding** and **Notifiable Events** are agenda items on the next meeting of charities registered through OSCR. In relation to Safeguarding, OSCR has highlighted a number of steps that charity trustees should take and the main theme of these actions is to ensure that any statutory duties are met, ensure that safeguarding risks are assessed (and addressed), and to ensure that policies and procedures are in place that are suitable to the size and work of the charity and that these are effectively applied in practice and regularly reviewed. To provide reassurance to the Board, a summary of the College’s safeguarding arrangements are provided here. The College has designated two members of the senior management team as Safeguarding Lead (Brian Gilchrist) and Depute Safeguarding Lead (Ann Baxter) and we have a team of 17 Safeguarding Officers across the College to provide support and a point of contact for staff in dealing with safeguarding issues. The contact details for the Safeguarding Team are publicised across all campuses via posters and the list is downloadable from The Clan. Our Safeguarding Policies and Procedures were last updated in April 2017 and take account of good practice and the Scottish Government 2014 Safeguarding Guidance, which is the most recent national guidance available. All posts within the College are subject to a vetting check through the Protection of Vulnerable Groups Scheme operated by Disclosure Scotland and we have effective recruitment processes in place for all posts. The College conducts risk assessments for prospective/existing students who have been convicted of an offence or who are subject to any restrictions that may create a safeguarding issue. However, the most common types of safeguarding concerns addressed by the College are the disclosure of information by a student from their life outside College that indicates that they may be at risk, or where a

student discloses information relating to their mental health that indicates that they may be a risk to themselves. Safeguarding concerns relating to the conduct of a member of staff towards a student are rare and there have been no such incidents at New College Lanarkshire since merger. The report to the committee also outlined what type of incident is a notifiable event. The committee noted the measures in place and that safeguarding will also be reported to the Board.

- NCL has been working with the Lanarkshire Links Team to improve services, information and support in the area of Mental Wellbeing for staff and students. Sessions on aspects of mental health have been delivered at CPD week and NCL has now formally signed up to the stigma free initiative supported by Lanarkshire Links. Initial work as a result of the pledge has centred on a social media campaign.

The committee noted the report.

6.2 NCL Sickness and Absence Reporting:

6.2.1. At the last meeting, there was some discussion around absence levels and absence reporting. This was followed up by a discussion at the most recent Regional Strategic Risk Management Group on 6 February 2018. Using the figures provided in the College's annual financial statements, absence levels have risen from 2.67% in 2015/2016 to 3.51% in 2016/2017. Using a 260 day working year, this equates to 7 days per staff member and 9 days per staff member, respectively. While we have seen a rise, our overall absence level remains relatively low. It is also important to note that the figures used in our annual financial statements are calendar days, not working days which may also slightly inflate the figures. The Chartered Institute of Personnel and Development publish an annual absence survey and the two most recent reports available (for 2015 and 2016) indicate that average public sector absence was equivalent to 8.7 days per employee in 2015 and 8.5 days per employee in 2016. A CIPD report indicates that the three most common reasons for absence in the public sector are Stress; Muscular-Skeletal, and Mental Ill-Health. This is mirrored within the College, although in terms of long-term absence, a small group of people account for a large proportion of absences. This year, we have also seen a number of staff with long term absences due to operations and post-operative recovery. The HR team, in partnership with line managers and our occupational health continue to support staff to sustain a return to work.

6.2.2 Brian Gilchrist also updated the committee on the voluntary severance scheme. There were applications from 104 staff though 5 subsequently withdrew their applications. The 31 staff who have been accepted for voluntary severance have received letters confirming this. Martin McGuire met with the SFC last week to agree additional funding to allow some more staff who had applied to be accepted and an additional c. £200k of funding in addition to the £866k had been agreed. There are 61 members of staff who applied who have not been accepted under the scheme because there would have been unaffordable replacement costs and 7 decisions have been deferred. There will be a managed departure for staff.

6.3 NCL Marketing Dashboard

Brian Gilchrist informed the committee that, as there are months with varying activity levels, this will now be produced on a quarterly basis to coincide with the meetings of the RGP committee. It was agreed that members of the committee would be advised separately of significant events occurring out with this timetable. The committee noted the Marketing Dashboard.

6.4 SLC HR Committee 23rd November 2017

Stewart McKillop highlighted the following from the minute which is published on the SLC website:

- Teaching Qualification in Further Education (TQFE) – the College is committed to supporting lecturing staff to achieve their TQFE. During 2017/18, ten members of staff will attend and all will be funded by the College.
- Staff Absence – the absence report detailing the levels of absence over the third quarter period 1st July to 30th September 2017 had been distributed with the papers. The overall percentage for the third quarter in 2017 is 4.20%; Lecturing staff absence at 4.16% and Support staff at 4.24%.
- Health and Wellbeing – the Health and Wellbeing Event took place from the 24th to 26th October 2017. The event was well attended by staff and students alike and the 35 exhibitors had been delighted with the levels of interest.
- The My HR system which has been developed in – house is proving to be very useful with the capacity for staff to get their own record including CPD and absence records and for managers to be able to access records of their staff. Stewart McKillop said that if the system is of interest to NCL the college is welcome come to have a look at it.
- SLC rents space for a nursery and this had recently gone out to tender with an increase in the rent for the space. The college had also ensured that the Glasgow Living Wage is paid by the nursery to its staff. Keith Fulton asked if this would result in a rise in costs of the nursery provision and it was confirmed that this will be the case. Stewart McKillop also confirmed that the Glasgow Living Wage will be paid by Inspire Catering who have the catering contract in the college.

7. NCL Estates Update

7.1 Tom Dodds firstly thanked staff for the work that they had done during the recent adverse weather conditions and this was endorsed by the Chair of the committee and by the Principal. The committee noted the summary findings of the Gardiner and Theobald survey on college estates condition. The estimated net total backlog maintenance and renewals cost across the FE sector of £163,308,518. When fees, client contingencies, allowances for associated costs, inflation and VAT are added the gross figure is £363,321,028.

7.2 Iain Clark informed the committee that the SFC had allocated £6,180,000 for estates to the Lanarkshire Region and that £4,805,000 would be for NCL and £1,375,000 for SLC. Early guidance was being sought from the SFC on when this has to be spent because of the time taken to procure contracts. It was hoped that the SFC would allow committed as opposed to actual spend as it would be good to be able to phase activity.

Action: Tom Dodds would draw up programme of activity to maximise the funding and this will be brought to the next meeting of the committee. Tom Dodds will also refresh the figures in the report and this will then be forwarded for information to the Finance Committee for information.

7.3 Tom Dodds tabled the draft NCL estates strategy which will go the meeting of the Board on the 26th March 2018. This had just been recommended for approval by the SMT. The strategy is in a standard template for NCL strategies and is set in the context of the Regional Outcome Agreement with 4 key priorities - Business Continuity, Infrastructure, Sustainability and Health and Wellbeing.

Action: The committee agreed that members would look at the strategy and send any comments to Tom Dodds and to the Board Secretary by the end of the week.

8. Reports on Health and Safety

The committee was updated by Tom Dodds as follows:

- Tom Dodds informed the Committee of the significant heating and water issues at Coatbridge campus and assured the group that the Estates Team would work with contractors to find solutions to improve the systems to minimise future disruption.
- It was confirmed that all issues raised following the Scottish Fire and Rescue Service audit of the Motherwell Residency had been actioned. There was nothing significant.
- It was recognised that most of the issues regarding the new system of maintaining the Health Surveillance programme had been resolved. Information on the procedures for health surveillance had been uploaded to the Clan as well as being emailed to each CQL and Head of Faculty. It was noted that there is a legal requirement for employers to provide health surveillance and employees also have duties under health and safety law to co-operate with employers and should understand, that if health surveillance has been identified for a given profession as a statutory requirement that they must attend their appointments. Procedures are in place to inform B Gilchrist if any member of staff is unwilling to participate in the surveillance programme.
- Tom Dodds informed the Committee that parents from the nursery at Motherwell Campus had complained to the local MSP Clare Adamson about the traffic issues/congestion at the end of the day on Enterprise Way. She had listened to their concerns and was in dialogue with the Roads Department and the Ravenscraig developers. Tom Dodds indicated he hoped that Clare Adamson would talk to the Committee at a future meeting in her role as Convenor of a cross party group on Accident Prevention and Safety Awareness.
- Tom Dodds emphasised the need for Faculties to liaise with H&S/Estates at the earliest possible time on allocation of student places to ensure that a safe capacity is considered where there are accessibility, mobility or personal requirements. He referred to Motherwell campus as having limited access to disabled toilets with full changing facilities, or, where portable hoists were required. Given the number of students with complex needs, it had been agreed that another toilet would be identified at Motherwell where a floor-mounted, track style hoist could be installed.
- Tom Dodds informed the Committee that the College was looking at its current provision of gender-neutral toilets and changing rooms.
- It was noted that the Clan would be the main means of posting information to staff. Staff should access all H&S documentation and keep up-to-date with any new Health and Safety documentation that has been uploaded to the H&S Section. All faculties and support teams should also use the CLAN as the main portal for uploading H&S related documents to their designated areas. This is aimed at ensuring the document currency and ease of access for audit purposes.
- NCL is currently working towards a Healthy Working Lives (HWL) Silver award. Activities for this award are formulated via feedback from our Employee Wellbeing survey (available on the Clan). The EWS survey had a 42% response rate from staff and can be considered a credible representation of staff experience (in relation to health and wellbeing) in the workplace. Key issues raised by staff included - poor knowledge of existing policies and procedures, a desire for more exercise opportunities, a desire for more information and support for healthy eating whilst in work, a desire for more information and support in the area of mental health/wellbeing and a reported experience of stress. To date a number of actions to achieve Silver award have taken place including; interactive health promotion events on Diabetes and Know your Pulse, CPD events on “Mindfulness”, stigma and discrimination in relation to mental health, and, suicide awareness training. The staff HWL group now has a secure interactive forum to discuss plans and activities.

The committee noted the minute from this group.

8.2 SLC Health and Safety Report 23rd January 2018

Stewart McKillop highlighted the following from the minute of this meeting which is published on the web.

- There have been some difficulties in getting a first aider quickly and first aiders will now check in at reception to advise when they are free.
- The Health and Safety policy is now available on the Portal. The policy is searchable for certain duties.
- Project Griffin – a business continuity plan is currently being worked on in the event of an evacuation.

The committee noted the report.

9. The Cole Report

Tom Dodds tabled NCL's response to the Education and Skills Committees survey on the Cole Report. This gives the responses to the recommendations on procurement, independent certifier, the clients relationship with the design team, information sharing, construction, training and recruitment and, sharing of information. The committee noted the paper.

10. Approval of publication of the papers from this committee

The committee approved publication of the following:

- The Agenda
- The minute of the Meeting of the 20th November 2017.
- Item 6.1 The NCL Organisational Update
- Item 6.2 included in the paper at Item 6.1
- Item 6.3 NCL Marketing Dashboard
- 6.4 SLC HR Committee 23rd November – link to SLC website
- Item 8.2 SLC Health and Safety Report 23rd Jan 2018.
- Item 9 the NCL response to the Cole Report

The committee agreed that the other papers are non –disclosable.

11. AOB

Iain Clark confirmed that it had just been announced that the continuation of the derogation for business insurance until July 2021 had been agreed. This was welcomed by the NCL committee members and the Chair of the committee thanked Iain Clark for all his work pursuing this issue.

12. Date of the next meeting

The date for the next meeting is the 4th June 2018 at 3pm in the Boardroom at the Motherwell Campus.