



Item 5.1 LB 18/05/2018

Minute

The Lanarkshire Board 26th March 2018

5pm Boardroom South Lanarkshire College

Present from the Lanarkshire Board: Linda McTavish, Kenny Anderson, Jean Carratt, John Elliot, Keith Fulton, Rose Harkness, Moira Jarvie, Jacqueline McGarvey, Martin McGuire, Rosemary McKenna, Julie MacKenzie, Stewart McKillop, Daniel Moore, Professor Robert Pyper, Stuart Reid, Ann Stark, David Winning.

In Attendance: Angus Allan, Iain Clark (Vice Principal -NCL), Keith McAllister (Head of Finance SLC), Brian Gilchrist, Diane McGill (Board Secretary -The Lanarkshire Board), Penny Neish (Assistant to the Chair of the Lanarkshire Board),

1. Chair's Welcome

Linda McTavish welcomed Board members to this spring meeting of the Lanarkshire Board. She welcomed Rosemary McKenna back from a leave of absence from the Board.

2. Apologies

2.1 There were apologies from Board Members as follows: Jane McCartney, Paul O'Donnell, Matthew O'Hare and Ronnie Smith.

2.2 There were apologies from the following attendees; Sharon Drysdale (SFC), Derek Smeall (Vice Principal NCL), Heather Urquhart (Vice Principal NCL).

3. Declaration of Interest

3.1 There were no declarations of interest.

4. NCL Committee Minutes and Reports

Note: The Chairs of the Lanarkshire Board committees decided at the Chairs' meeting on the 8th February 2016 to report by exception in their report to the Board and where there was a recommendation to the Board the committee chair would ensure that there was sufficient information for the Board to make its decision.

4.1. CSAO Committee Minute 26th February 2018: Dave Winning asked if there were any questions on the draft minute from the Board. There were no questions and the Board noted the committee minute.

4.2 Audit Committee 26th February 2018

4.2.1 Ann Stark drew the Board's attention to Item 9.2 of the Audit Committee minute and informed the Board that following discussions with Audit Scotland, the Auditor General has asked for a Section 22 report to be prepared for New College Lanarkshire. It is expected that the report will take 5-6 weeks to be drafted by Audit Scotland, with the input of the College, the SFC and Mazars and that NCL will be given one week to respond to the formal draft report.

4.2.2 Martin McGuire informed the Board that there had subsequently been a positive meeting with the SFC and Audit Scotland with Lucy Nutley attending by phone. The report from Audit Scotland had not yet been sent to the college.

4.3 Iain Clark asked if this be a notifiable event to OSCR. Keith Fulton responded that Iain should wait and he would advise further.

Action: The Board noted its concern about the projected timetable to respond to the Section 22 report from Audit Scotland and the need to consider the process by which a Section 22 was being prepared. A further report on this will be brought to the Audit Committee and to the next meeting of the Board.

4.3 RGP Committee 12th March 2018

4.3.1 Keith Fulton drew the Board's attention to Item 5.2 of the RGP minute which sets out the offer from Burness Paul on behalf of Galliford Try to accept a payment of £158k plus VAT in final settlement of retention monies for the Motherwell Campus. This is considerably lower than the initial request of £351k plus VAT and the RGP committee had agreed to accept the offer subject to an additional no prejudice clause in the agreement for the college. The Chair of the Board congratulated Keith Fulton and the college staff involved in the discussions.

4.3.2 Keith Fulton also drew the Board's attention to Item 7.1 of the minute which sets out the figures from the Gardiner and Theobald survey of FE estate and puts the net total backlog maintenance and renewals costs at £163,308,518 with a gross figure of £363,321,028.

4.3.3 He also drew the Board's attention to Item 7.2 of the minute which records that the SFC has allocated £6,180,000 for estate in the Lanarkshire Region and that a programme of activity to maximise the funding would be brought to the next meeting of the committee.

4.4 Finance Committee Meeting 12th March 2018

4.4.1 The Chair of the Finance Committee drew the Board's attention to Item 7.1.3 of the minute as follows:

"Linda McTavish asked about the continuing position of having a budget that is noted but not agreed by the committee and the Board. Kenneth Anderson responded that it is the committee's responsibility to take care of public finances and normally the budget would be approved. In this case, however, the committee had taken the view that it could not approve a deficit budget that is the result of underfunding of the college and this remains the strong view of members of the committee. From a governance perspective, the budget position is being scrutinised through the budget that has been noted with appropriate reports being made to this committee and to the Board through the committee. He will report to the Board that the scenario plan has not yet been fully agreed with the SFC and this in turn impacts on the budget which will continue to be noted. In addition KA will continue to inform the board of the position. Linda McTavish thanked the Chair and members of the committee for their clarification on this point."

Kenneth Anderson informed the Board that the Finance Committee continues to recommend that the budget is noted not approved because the college is still in negotiation with the SFC on the draft scenario plan and the outcome of these discussions impacts on the funding for the college.

Decision: The Board endorsed the approach from the Finance Committee and its recommendation to continue to note and not approve the budget. It also noted that the Finance Team are maintaining robust monitoring of the budget process and this is being reported to the Finance Committee.

5. Board Minutes

5.1 Minute of the Lanarkshire Board 11th December 2017.

The draft minutes of the last meeting of the Board on the 11th December 2017 were approved.

5.2 Matters Arising

Linda McTavish noted that the Board's strategy day had to be rescheduled for the 22nd March 2018 due to weather.

5.3 Minute of the SLC Board 6th February 2018

The minute of SLC Board meeting of the 6th February 2018 which is published on the SLC website was presented for information by Stewart McKillop. He highlighted the following:

- There had been a presentation from Andrew Brawley, the HMI for SLC, on the How Good is Your College Report and he had praised the high quality of the report which was in line with the high standards across the college.
- He had attended a meeting with Mike Russell on the impact of Brexit along with other Principals. A paper setting out the impact on SLC was being prepared and Keith McAllister was being seconded for a day a week for 8 weeks to the Scottish Government to input on the impact on the Scottish FE sector.
- Business Continuity and Disaster Recovery – there are ongoing meetings with Infosec who are part of APUC and are supporting the college in preparing a Business Continuity and Disaster Recovery Plan which is scheduled to be completed by June 2018.
- He is confident the annual target of 48,280 credits will be met by the end of the academic year.

The Board noted the SLC minute.

6. Student Associations' Joint Report: The Board heard from both Student Associations (SA) who presented their papers which are published on the NCL website.

6.1 NCL SA Report

The Board was informed by Daniel Moore about the broad range of activities and events that the NCL SA is undertaking including the promotion of the student elections, volunteer week, the NUS National Conference, the NCL LGBT week in April 2018, work experience offered by the NCL SA, the Worldskills Scottish Ceremony and the update on the take up on the SA social media sites.

6.2 SLC SA Report

Julie MacKenzie outlined the key recommendations from the Student Support Review as follows:

- An increased focus on student engagement with further class inductions and secondary visits
- Raising the profile through Yammer
- Developing the operational plan so that its themes align with the NUS Framework for Effective Students Association.
- Process to agree a partnership agreement with UWS underway
- Making the strategic plan visual by putting into a diagrammatic form
- A graduation ceremony for the Advanced Craft C& G course
- The three day volunteering event at the end of January 2018
- Embedding social responsibility and sustainability into the learner experience
- The annual NUS and UK conferences

The Chair thanked both presidents for their reports and congratulated them on the range of activity being undertaken in both colleges.

7. SLC Report to the Board

Stewart McKillop reported from the SLC meeting on the 13th March 2018 to the Board as follows:

- The report from Angus Allan on KPIs had been well received.
- The allocation to SLC of £300K for estates was also welcomed
- There had been an update to the meeting on the recruitment of the new SLC Chair
- SLC was still looking to having a balanced budget at the year end
- The decision to continue with the derogation allowing self- insurance for colleges was welcomed.
- There had been an update on national bargaining
- The annual report would be presented to the next meeting.

The Lanarkshire Board noted the report.

8. Chairs' Report

8.1 Events and Awards: The Chair congratulated the NCL marketing team on two gold awards and a bronze at the CDN marketing awards.

8.2 Update on the Evaluation of the Lanarkshire Board: There had been a presentation from Professor Pyper at the strategic event and a good discussion on the findings from his analysis. His analysis would be included in the self- evaluation report to the SFC as would the follow up discussion with Jan Polley at the event. The analysis will also inform the Board's Development Plan. The Chair informed the Board that a letter had been received from the SFC about issues with the evaluation report from SLC and asking for an external evaluation of NCL. NCL had been externally evaluated as required in its first evaluation report which was submitted in March last year. There would be a co-ordinated response from NCL and SLC to the SFC on the issues raised in their letter.

8.3 Lanarkshire Board Recruitment: The Chair informed the Board that there would be a fresh round of recruitment to bring the Board up to its full number of 22 following the resignation of Douglas Anderson. The nominations committee would meet to undertake the recruitment process. She also informed the Board that she had been re-appointed to the Lanarkshire Board for a further 2 years from October 2018.

8.5 Lanarkshire Board Strategy Day: The Chair reported that she thought the strategy event held on the 22nd March had gone well and she thanked all Board Members for their contribution to the day. Copies of presentations and summaries of the sessions on the day would be sent to Board Members.

8.6 National Committees: The Chair reported that Colleges Scotland would have its AGM and a meeting attended by ministers at the end of March 2018.

8.7 SFC Funding Update: The Chair informed the Board that there was ongoing discussion with the SFC about the business scenario plan and funding for NCL. This has been noted in the minutes from the Audit and Finance Committee.

8.8. Audit Scotland Interviews: The Chair informed the Board that Audit Scotland were undertaking a review of the effectiveness of the Regional Strategic Bodies and that she had been interviewed along with Martin McGuire, Stewart McKillop, Ann Stark and John Gallacher from the SLC Board.

Action: The Board will be informed of the outcome of the review.

9. Regional Outcome Agreement

9.1 Regional Strategy Overview: The Board noted this overview document which shows what strategies are in place and how they relate to each other.

9.2 Approval for the submission of the ROA

Angus Allan presented the second draft of the new slimmed down version of the ROA which now focusses on tabulated information with links to key documents and took the Board through the document.

Decision: The Board approved the submission in principle with authority for the Chair and Principal to sign the finalised document.

9.3 Approval of Supporting NCL Strategies

9.3.1 Draft NCL Estates Strategy

Decision: After discussion the Board approved the strategy.

9.3.2 Draft NCL Access and Inclusion Strategy

Decision: After discussion the Board approved the strategy.

9.3.3 Draft NCL STEM Strategy

Decision: After discussion the Board approved the strategy.

10. NCL Voluntary Severance Scheme

The Board noted that the current position is that 34 staff (29.59 FTE) have been accepted for voluntary severance. This includes 19 teaching staff (15.97 FTE) and 15 management and support staff (13.61). There is one application still to be resolved.

11. Safeguarding

This report was on the agenda at the request of OSCR. The college's procedures were last updated in April 2017 and there is a team of 17 safeguarding officers across NCL to provide support and a point of contact. All posts in the college are subject to a vetting check through Disclosures Scotland. The paper sets out the list of notifiable events. 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 Board noted the arrangements that are in place and noted the report.

12. Approved Publication of Papers from the Board

The Board agreed to the publication of the following papers from this meeting:

- Item 5.1 - The Minute of the Lanarkshire Board of the 11th December 2017
- Item 5.3 - The Minute of the SLC Board of 6th February 2018 is published on the SLC website
- Item 6.1 - The NCL Student Association Report
- Item 6.2 –The SLC Student Association Report
- Item 10 - NCL Voluntary Severance Scheme
- Item 11 - NCL Safeguarding Report

13. AOB: There was no other business.

14. Date of the Next Meeting

The next meeting of the Lanarkshire Board will be on Monday 18th June 2018 at 5pm in the Boardroom at the Motherwell Campus.