

Item 4.4 CC 4/02/19

Minute

Chairs' Committee – 3rd September 2018

2.30 pm – 3.15 pm 101 Park Street Cumbernauld Campus

Present: Linda McTavish, Keith Fulton, Ann Stark, Dave Winning

In Attendance: Penny Neish, Diane McGill.

1. Chair's Welcome

The Chair welcomed the committee Chair's to the meeting and thanked them for their time in attending.

2. Apologies

There were apologies from Kenneth Anderson. The Chairs' Committee was informed that Jacqueline McGarvey had tendered her resignation from the Board. The Chair of the Board said that she had spoken to her on a number of occasions recently including the previous Thursday and would contact her again following this news.

3. Declaration of Interest

There were no declarations of interest

4. Minutes of the meeting of the 10th and 17th August 2018.

4.1 The draft minutes of these meeting will be presented to the Board Meeting on 1st October 2018.

5. Update on recent Board Developments

5.1 The Chair updated the committee about the email she had sent to the Board informing them about the EIS/FELA vote of no confidence in the senior management and the Board. She had copied this to John Kemp of the SFC to inform him of this development and he had responded. She had emailed him again after speaking to Board Members to feedback their support for the communication. The Chairs' Committee also expressed their full support for the communication and the inclusion of legal extracts from the relevant Further and Higher Education Acts. Ann Stark noted that it was appropriate that the Board gave this development the gravitas that it deserved and that the Board has serious responsibilities and duties. The email fully informed the Board about the no confidence motion, gave some background and also a context for such motions in the sector and addressed the legal framework for Board Members.

Action: The Board will consider the Draft Business Scenario Plan at its meeting on the 10th September 2018 and the plan is due to be submitted by the end of September to the SFC. This will provide the new financial framework going forward for NCL. An update on Board developments will be made in the Chair's Report to the Board at its meeting on the 1st October 2018.

5.2 The Chair raised the issue of the recommendation for NCL in the Auditor General's Colleges' Scotland 2018 report which states that the Lanarkshire Board should develop a clear plan for improving collaborative working across the region. The Chair informed the committee that there was a draft paper setting out the benefits from regionalisation and there are already a number of regional documents including the regional strategic plan, which was approved at the last meeting of

the Board, and consolidated accounts. There are no milestones set for the regional bodies – there are only their responsibilities as set out in the Further and Higher Education (Scotland Act) 2013.

Action: The Committee agreed that there will be a consultation with SLC, SFC the Scottish Government and key partners about the development of the plan.

6. Date of the Next Meeting: This is an ad hoc committee of the Board which meets when required.

Non – Executives – follow on meeting 3.15pm 101 Park Street, Coatbridge Campus

1. The Chairs Committee was then joined by two non – executive Board Members, John Elliott and Professor Robert Pyper, and the meeting became a meeting of non – executive members to discuss their response to the Chair of the PAPLS Committee’s request for further evidence.

2. Additionally, Keith Fulton briefed this meeting about an NCL student complaint, noting that the student and his father had asked their MSP, Mr Alex Neil, to become involved. Those present were reminded that this matter was related to the formal complaint raised by Mr Neil against a member of NCL College staff. Mr Neil’s complaint had not been upheld.

The resolution of the student complaint is ongoing, with the most recent meeting having taken place that morning. Present were the student’s father, Mr Neil and NCL representatives including the Principal and Keith Fulton in his role as Senior Independent Member of the Board.

Mr Neil is a Member of the PAPLS Committee currently reviewing the 2016/17 Audit of New College Lanarkshire and had referred to the student matter during that Committee’s taking of evidence on the 28th June 2018. The non-executive Members were asked to consider whether or not this could be seen as possible conflict of interest.

Action: It was agreed that NCL should make a Declaration of Interest to the PAPLS committee to inform them of Mr Neil’s interest in this matter.

3. Keith Fulton also briefed this meeting on the latest developments in the EIS/FELA National Bargaining trade dispute. The unions have not yet agreed the minute of the meeting with the RGP committee on the 18th July 2018 and this is holding up both the completion of the hearing process with the RGP committee and its recommendation to the Board.

Action: The unions will be contacted again about this matter.

4. There was a discussion about the non-executive response to the Chair of the PAPLS committee.

Action: It was agreed that Keith Futon would send out the two different draft responses by Tuesday to all the non-executives asking them to indicate which draft they preferred and to give any amendments by Friday noon. They would also be asked to confirm that they were happy to sign the document.

5. This meeting then concluded and the Audit Committee of the Board commenced at 4pm.