



Final Minute

The Lanarkshire Board 3rd June 2019

5.30 pm Boardroom Motherwell Campus

Present from the Lanarkshire Board: Keith Fulton (Acting Chair), Kenny Anderson, Jean Carratt, Lorraine Cowan, John Elliott, Yvonne Finlayson, Rose Harkness, Moira Jarvie, Andy Kerr (by phone), Martin McGuire, Rosemary McKenna, Stewart McKillop, Matthew O'Hare, Elizabeth Newlands (SLC Student Vice President), Dave Winning.

In Attendance: Angus Allan (Depute Principal SLC), Diane McGill (Board Secretary -The Lanarkshire Board), Keith McAllister (Head of Finance SLC), Penny Neish (Assistant to the Chair of the Lanarkshire Board).

1. Chair's Welcome

Keith Fulton welcomed everyone to the meeting and also welcomed Lorraine Cowan to the Board.

2. Apologies

2.1 There were apologies from Board Members as follows: Dianne Dixon, Ryan McRobert and Melisa Rose. There were apologies from Iain Clark Vice Principal NCL from those in attendance.

3. Declaration of Interest

3.1 There were no declarations of interest.

4. The Memorandum of Understanding (MOU)

4.1 Keith Fulton informed the Board that there had been further dialogue since the last meeting and the MOU had now been amended as follows:

- The wording at the Introduction stating "Both colleges acknowledge that South Lanarkshire College is and will remain an independent organisation and this will not change" has been amended to "Both colleges have a common understanding that South Lanarkshire College is and will remain an independent organisation".
- The Charities and Trustee Investment (Scotland) Act 2005 had been added into the introduction as one of the key reference points for the MOU.
- At Section 3 (c) the word entirely has been removed so that this now reads "South Lanarkshire College's Board of Management is responsible for the sound governance of South Lanarkshire College."

4.2 Keith Fulton re-iterated the legal advice given by the NCL lawyers Clyde and Co. in the SIM review as follows:

- The MOU is not a contract
- Memorandum of Understanding is chosen as a title when seeking to distinguish the document from a formal contract
- The MOU does no more than record the mutual understanding (of important regulatory and governance issues) of the signing parties

The MOU does not and cannot have any primacy over the key reference documents including the 2013 Act, the Lanarkshire Order or the Financial Memorandum.

4.3 Andy Kerr re-stated the purpose of the MOU as being to bring a clear understanding, to inspire confidence and to provide an enhanced platform and gateway for collaborative working.

4.4 Keith Fulton asked the Board for a decision on the amended MOU.

Decision: The Board approved the amended MOU.

5. The Regional Collaboration Plan

5.1 Keith Fulton drew the Board's attention to the framework document that had been agreed at the last meeting of the Board. The requirement for a Collaboration Plan had come from the Auditor General's Colleges Scotland 2018 report. The point was made that the driving force for this should be the benefit to learners in Lanarkshire and this was noted by the Board.

5.2 The Board discussed the draft paper it had received with planned outcomes set out. The Board agreed that this was a good start and that the format was a good simple version that was easy to read and understand. The issue of shared services was raised and the Board was advised that this can lead to complications and detriment because of VAT charges. The fact that there is already a shared approach to additional services, where there is no current expertise such as the appointment of data protection and APUC officers, was highlighted to the Board. There is already good collaboration between the colleges and it was noted that it is important not to overcomplicate this but to build on what is there.

Action: It was agreed that benefit realisation was key to this and that benefits should be captured under themes. It was also agreed that the work streams from the federation model which was pre the Lanarkshire Board being established would be revisited. A further draft of the Collaboration Plan would be brought to the meeting of the Board on the 17th June 2019 for approval and would be issued on Friday 14th June 2019.

6. The Lanarkshire Board SFC Self - Evaluation

6.1 This was the third iteration of the questionnaire. During the Board discussion it was noted that

- The Regional Skills Assessments data is 18 months out of date. However, that the data is reconciled with the colleges own locally generated data which is sourced through a wide range of employer engagement initiatives including direct contact with employers (often through work placement and other learner activities), a regional employers hub, joint initiatives with the Federation of Small Businesses (FSB) and local Chambers of Commerce. Similarly, a wide range of learner feedback and survey data is used to provide local learner intelligence.
- It was felt that using headings and bullet points could enliven and colour the information that provided in the form.
- There is an opportunity to reframe some of the questions to make them positive – they are not honed to the Lanarkshire Board - and to use the document as an opportunity to influence.

6.2 It was agreed that this was a good start and the Chair of SLC and of the Lanarkshire Board gave thanks for the work that had been undertaken to date on this by Angus Allan , Stewart McKillop and Derek Smeall and on the Collaboration Plan.



Action: A further draft will be brought to the Board on the 17th June 2019 for approval in principle for submission to the deadline at the end of June 2019.

7. Audit and Risk Committee 20th May 2019 (FA)

The Board Secretary explained that the meeting of the Audit and Risk Committee on the 20th May 2019 had not been quorate and that under the Standing Orders the meeting had taken place but decisions had to be approved by the Board. The decision and notifications below had been brought to this meeting of the Board because of the timing for decision and for notification.

Decision: The Board agreed the recommendation from the Audit and Risk Committee and approved the external auditors Audit Strategy Memorandum. The Board noted the tender awards that had been notified to the Audit and Risk Committee for the appointment of the internal auditors and for transport and which had been awarded through the NCL procurement processes.

8. AOB

The Chair updated the Board on recruitment as follows:

- The Chair of the Board proposed timetable from the Scottish Government is set out below but this is subject to slippage

What happens	When
Date appointment publicised	10 May 2019
Closing date for completed applications	7 June 2019
Date of shortlisting meeting to select applicants for next stage	17 June 2019
Date by which outcome of shortlisting meeting will be relayed to applicants	19 June 2019
Dates for interviews	26 June 2019
Minister's decision	1 August 2019
Start date	29 August 2019

- The recruitment of the Principal – the advert had been widely disseminated with a closing date of the 3rd June 2019. The intention was to hold interviews as soon as possible through the Nominations and Search Committee and staff and students would have an opportunity to contribute in accordance with the Code of Good Governance. Keith Fulton had spoken to the Chairs of other regions about this and a number of approaches have been taken and there would be discussion about this with the Chairs and Committee to determine the approach to be taken by NCL.

- The Vice Principal: Curriculum Planning and Performance – an internal advert had gone out for an interim appointment and Ann Baxter had been appointed on the previous Friday. A permanent position for this post would be advertised when the new Principal was in place.

9. Date of the Next Meeting: The date of the next meeting

The next meeting of the Lanarkshire Board will be at 5pm on the 17th June 2019 in the Boardroom at the Motherwell Campus.