



Final Minute

The Lanarkshire Board 25th March 2019

5pm Boardroom South Lanarkshire College

Present from the Lanarkshire Board: Keith Fulton (Acting Chair), Kenny Anderson, Jean Carratt, Yvonne Finlayson, Rose Harkness, Moira Jarvie, Andy Kerr, Martin McGuire, Rosemary McKenna, Stewart McKillop, Ryan McRobert, Paul O'Donnell, Matthew O'Hare, Elizabeth Newlands (SLC Student Vice President), Marisa Rose (NCL Student Vice President), Dave Winning.

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

1. Chair's Welcome

Keith Fulton welcomed everyone to the meeting and also welcomed the new members of the Board Yvonne Finlayson and Ryan McRobert. Dianne Dixon has also been appointed as a Board Member but could not attend this meeting. Keith reported that Ann Stark had resigned as the Chair of the Audit Committee and had then resigned from the Board as had Professor Robert Pyper. Linda McTavish had also decided that she had to resign from the Board due to the circumstances that had led to her leave of absence. Keith Fulton reported that he would continue as the Interim Chair of the Board until the ministerial appointment of the new Chair is made and that the Scottish Government had advised that it could take 20 weeks to appoint the new Chair. The Board supported his continuation as the interim chair with thanks and noted the timetable for the appointment of the Chair.

2. Apologies

2.1 There were apologies from Board Members as follows: John Elliott, Dianne Dixon. There was also an apology from Linda McLeod (SFC).

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 25th February 2019: David Winning updated the Board on the CITB discussions and reported that the new contract is out for legal advice. Progress on the discussions will be reported to the next meeting of the CSAO.

4.2 Audit and Risk Committee 25th February 2019. Keith Fulton chaired this meeting under the Standing Orders at paragraph 2 – section 2.2 and 2.3 - as set out in the committee minute as the meeting was not quorate following the resignations noted at Item 1 above. He drew the Board's attention to the Cyber Fraud update. NCL had been the victim of a fraud and this was detailed to the committee by the internal auditors who had been asked to report on this. The college's procedures had been robust when the problem was identified and the Audit and Risk Committee will receive a special report from the internal auditors at its next meeting. The Board ratified the business of the committee.

4.3 RGP Committee 4th March 2019. Keith Fulton drew the Boards attention to the following Items on the minute:

Item 5.6 – The Local Dispute at NCL

Item 5.7 - The Business Plan – Voluntary Severance Scheme Update

Item 7.1 – NCL Organisational Development Update – the IIP has recommended accreditation at silver level and this demonstrates the commitment to the college by a significant number of staff.

Item 8 – NCL Estates Update. There had been a meeting with architects and quantity surveyors who had put forward a well- developed scheme and costings for a replacement nursery. This meeting had been attended by Paul O'Donnell.

Item 10.2 Board Strategy Day – After much discussion and deliberation, it had been decided to postpone the Board Strategy Day scheduled for the 18th March 2019 as there were a number of upcoming major issues for the college which would hopefully be better clarified in the near future.

4.4 Finance Committee Meeting 4th March 2019:

4.4 (a) Minute of the meeting – Kenneth Anderson highlighted Item 8 the NCL Finance Report. The forecast would be presented to the Board at Item 4.4.1 on the agenda for this meeting.

4.4 (b) Draft Remit Nursery Group: The Board approved the remit in principle with any comments to go to the Board Secretary by Friday 29th March 2019 – the approval to an amended document would be by written procedure. Any Board Member interested in being on the group should also email the Board Secretary by that date. Kenneth Anderson also drew the committee's attention to Item 5.2 in the minute and the fact that the nursery group will now report to the Chairs' Committee. Paul O'Donnell commented on the strategic nature of the big decisions that will be required by the group and the implications of the decisions will need to be clearly set out.

4.4.1 NCL Financial Forecast 2018-19. Iain Clark presented the Financial Forecast to the Board as follows:

- The impact of a recently announced 5.2% employer rate increase for teaching pensions from April 2019 (from 17.2% to 22.4%) which will add £280k to current year costs (£836k annually).Discussions are ongoing about potential funding for this.
- A sector wide adjustment of the grants to cover National Bargaining costs for 2108/19 is currently being considered by Colleges Scotland and the SFC with discussions ongoing. This may result in a reduction of £497k to the SFC funds received by the college. Discussions with the SFC about additional funding for Access and Inclusion which may mitigate this are also ongoing.

- A potential under- delivery of credits for the year may result in an SFC clawback of Grant-in Aid income of £170k and a transfer to SLC of £144k. It is hoped that this may be mitigated by unbudgeted additional Flexible Workforce Development Fund income reallocated to NCL from SLC.
- There is also a projected SAAS fees deficit of £172K

The Business Plan remains on track despite NCL having to absorb these in year costs.

4.5 Chairs Committee Minute 4th February 2019. Keith Fulton informed the Board that the MOU was on the agenda for the discussion at Item 15 on the Board agenda. The minute of the Chairs' meeting was noted.

5. Board Minutes

5.1 Minute of the Lanarkshire Board 13th December 2018.

The draft minutes of the meeting of the Board on the 13th December 2018 were approved.

5.2 Matters Arising

Keith Fulton referred to the following items:

Item 4.2.5 – As noted above the MOU will be discussed at Item 15.3 on the agenda for this meeting.

Item 4.6.5 – The SFC signing the Business Plan. It was reported to the Finance Committee (Item 7.2 of the minute) that the SFC had now sent a letter confirming their agreement of the NCL Business Plan. The letter is dated the 21st December and is from John Kemp.

Item 4.7.4 -The nursery group was being reconvened as agreed in the recommendation at the last meeting of the Board.

Item 12- It has been reported above at 4.3 that the Board Strategy Day has been postponed.

Item 13.2 - The paper on a proposed framework for the Regional Collaboration Plan is on the agenda for this meeting of the Board at Item 9.6.

5.3 SLC Board Minute of 27th November 2018.

The Board minute is published on the SLC website. Stewart McKillop presented the minute to the Board and it was noted.

6. Student Associations' Reports

The Students' Association Reports are published with the CSAO papers on the NCL website.

6.1 NCL Student Association Report

Marisa Rose highlighted the following activities from the report:

- World Skills Team Selection
- Care Day 19
- New Opportunities: Work placement for the mechanic students at NCL Cumbernauld: a project to get some of year 3 students on work placement. 5 Placements have been found in local garages.



- Art project: the students' work is displayed in the Den at NCL Cumbernauld. Photography students have shown an interest in having their work displayed there also.
- Food for thought: the SA is working with catering staff on healthier food. The SA hope to introduce information boards on calories and vitamins and involve the Dental faculty to demonstrate the adverse effects of fizzy drinks.
- Swap or Buy? On Coatbridge campus this project is seeking to encourage students to bring in unwanted items of clothing which can be swapped for something another student has offered.
- Fitness Club NCL Coatbridge: to set up a fitness club at NCL Coatbridge.
- LGBTI awareness: events held across all 3 campuses
- Class Representatives - First Aid Training: the SA is planning to bring together students from nursing and make-up artistry to put on a demo. They hope to follow this up with scenarios to enable the nursing students to practice their skills.
- International Womens' Day
- External Activities – Marisa Rose had spoken at the Scottish Labour Party Conference in Dundee on the 10th March 2019.
- Hoodies for elected officers and volunteers

6.2 SLC Student Association Report

Elizabeth Newlands is the new Student President following Claire Patterson going on maternity leave. She highlighted the following from the SLC SA report:

- January new starts
- SLCSA Beanie hats
- Refreshers 15 and 16 January 2019 (reflect, refocus and refresh event)
- Healthy Body Healthy Mind Award
- Go with Flo (stop smoking classes)
- Big Bang STEM event: 8 students are now STEM Ambassadors
- Volunteering event 25-27 January 2019
- Scottish Parliament visit
- Stand Alone Pledge (in support of students estranged from their family networks)
- Think Positive event (in support of ending mental health stigma and discrimination)
- Learning Development Student show
- Gardeners' Question Time (the college hosted the BBC Radio 4 programme)
- Student Question Time (where students put questions directly to the College Management Team)
- LGBTI History Month
- Upcoming events in March:
 - World Book Day
 - No Smoking Day
 - Comic Relief

The Chair thanked the Student Presidents for their reports and congratulated them on the breadth of the activity being undertaken. The Board noted the reports.



7. Staff Members Update

7.1 NCL Update: Moira Jarvie informed the Board that job evaluation which was now coming over the horizon was going to be a major exercise and would involve a huge amount of work. The Employers' Association website was going live and would be a source of information for the sector. The Chair thanked her for raising this issue and there would be future reports on this to the RGP committee and to the Board.

8. SLC Report to the Board.

8.1 Stewart McKillop updated the Board on the main items discussed at the SLC Board meeting on the 13th March 2019 as follows: a training session on equality and diversity, Brexit, PI's, the value of a credit, the How Good is Our College Report, the MOU, reports from the Board's Committees and the balanced budget.

8.2 The Lanarkshire Board received the published report How Good is Your College from SLC. The overall grades are very good for outcomes and impact, very good for delivery of learning and services to support learning and excellent for leadership and quality culture. The Lanarkshire Board noted the very positive report.

9. The Chairs Report

9.1 Events and Awards – The Chair highlighted the range of achievements from students and staff including students being named as the best in the UK at the World Skills competition, the award of a C.A.R Star award from the Scottish Motor Trade Association for automotive and art and design students who created a bespoke design for a Mercedes Benz A class, the award of Dental Nurse Tutor of the year for Kate Wilson from the British Society of Dental Nurses and the launch of the national STEM strategy by Richard Lochhead at the Coatbridge Campus.. The report is published with the papers on the NCL website along with the Board papers. The Board noted the report.

9.2 Lanarkshire Board Recruitment - The Chair had updated the Board in his welcome to the meeting. He also informed the Board that the recruitment process for the NCL teaching staff member by election was underway. There had been no applicants on the first recruitment exercise but there were two candidates and the election would now take place. There would also be an additional round of recruitment for Board members to replace those who had just resigned as there were currently applicants from the process to create a pipeline to replace Board members who were coming to the end of their term. The application process would also remain open to attract further applications to replace those who would not renew their term and there would be a third round of recruitment to fill those places.

9.3 National Committees - The Chair updated the Board from the Colleges Scotland Board meeting that the minister had decided that there would be TU nominees appointed to Boards in addition to the staff members already on college Boards. This would have an implication for the Lanarkshire Board which could increase in size to 30 – 32 Board members as additional non-executives would also have to be recruited to balance the Board. It had also been agreed that there would be remuneration for the Chairs of assigned colleges.

9.4 Update from the Employers Association – the Chair informed the Board that there would be a meeting with the executive group of the employers association with the EIS/FELA on the 14th May 2019 and there would be an update to the next meeting of the RGP committee and to the Board.

9.5 Update from the PAPLs Committee – The Board received a copy of a letter from the Chair of the PAPL’s committee who confirmed that the letter, regional benefits paper and Regional Strategy had been considered by the committee who had agreed to forward the correspondence to the Auditor General and to publish the correspondence on the committee’s webpage. She also confirmed that the committee had no plans to take further evidence on the Scotland’s College 2018 report or on the 2016/17 audit of New College Lanarkshire. However, the committee noted that it may take the opportunity to pursue these points if relevant when it considers the Auditor General’s next annual college overview report. There was no report from the PAPL’s committee.

9.6 Update on Board Evaluation – The Chair introduced the proposed framework for the Regional Collaboration Plan. There was discussion about the proposed framework and there was agreement that it was a start. Paul O’Donnell was of the view that it did not, however, go far enough in delivering benefits from regionalisation and, in particular, financial benefits. Other Board Members highlighted the considerable financial benefits that had already been delivered through merger and through the Business Plan. There was also the benefit to the region of maximising the uptake of credits by the reallocation of credits from NCL to SLC, the reallocation of FWDF activity in the opposite direction and the benefits of shared services in procurement and data protection. Yvonne Finlayson reflected that there was a curve in terms of benefits that were delivered from reconfiguration and collaboration. Once the apex was reached there was usually a tapering down and the overall benefit may not have been fully captured and presented to key organisations. It may well be that the apex has already been reached through the benefits of the merger to form NCL.

Decision: The Board agreed that this was a framework for the Regional Collaboration Plan. It was also agreed to look at the costs of merger and to capture the financial benefits already delivered by regionalisation and to evidence this. Documentation would be provided on the benefits of merger and this along with the framework would be used as the basis for a joint plan to be prepared.

9.7 Update on the Regional Chair - The Chair update the meeting on the progress of the recruitment to the Chair in his welcome at Item 1.

10. NCL Business Plan

10.1 Monitoring Arrangements and Reporting – Business Plan. The Board noted the paper presented by Derek Smeall which sets out the detailed monitoring arrangements for the Business Plan showing who is responsible for each strand and what will be reported to which committee of the Board. There has been an item on each committee of the Board and this is a standing item on each committee. There had been a redistribution of 1000 credits to SLC to maximise the credits to the region, there is a managed transition to new funding streams including SFC funded FWFD and SDS funded Foundation Apprenticeships which will bridge the credit gap, the VS scheme is not fully on target but is close and the retention targets will not be fully achieved but this will be offset by better class size figures. The Board was informed that the Business Plan overall is on track.

Action: Paul O’Donnell was of the view that the fact that the Business Plan was on target should be communicated to the wider college and staff. Derek Smeall agreed that now was a good time to do this and he would discuss this with the SMT and look at how to do this. Moira Jarvie asked about the sign off letter going to the Trade Unions and now that this has gone to the Board the Chair confirmed that this can now go out to staff.

10.2 Update on discussions with the SFC - a meeting will be set up with John Kemp and the Chairs’ Group and that will determine how often the Board level review of the plan through the Chairs’ Group with senior management at the SFC will take place. The Chair reported that the SFC are making

available the option of external review to those colleges that have Business Plans. Annette Bruton former Principal at Edinburgh College will look at the Business Plan process and David Newall the Chair of Glasgow Clyde College will look at aspects of regionalisation.

11. Board Documents

There had been no comments from committee members on the Terms of Reference for the committees. The Board Secretary commented that there was a case for review of the membership of as opposed to attendance at the committees of the SLC Board Members and this will be considered further with SLC. The SIM review will result in some amendments to the Standing Orders and Scheme of Delegation and these will be brought back to the next meeting of the Board.

12. Approval of Publication of Papers from the Board

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

The agenda

- Item 5.1 The Minute of the Lanarkshire Board of the 13th December 2018
- Item 5.3 The Minute of the SLC Board of 27th November 2018 is published on the SLC website
- Item 6.1 The NCL Student Association Report
- Item 6.2 The SLC Student Association Report and Newsletter
- Item 8.1 The SLC How Good Is Our College Report is published on the SLC website
- Item 9.1 NCL Awards and Achievements
- Item 9.5 The letter from the Chair of the PAPLS Committee, the Regional Benefits Paper and the Regional Strategy
- Item 11 The Committee Terms of Reference and Standing Orders and Scheme of Delegation

Senior Members of NCL Staff left the room at this stage

13. Lanarkshire Board Remuneration Committee – Recommendation

The Board discussed the recommendation on remuneration for NCL senior staff members and the NCL Principal. The Board noted the papers from the Remuneration Committee re its key principles and the papers and evidence it had reviewed which were included in the Board papers.

Decision: The Board accepted the Remuneration committee recommendation to the Board that an award of 2% be made to senior staff and to the NCL Principal and Chief Officer of the Lanarkshire Board from 1st April 2018 and that the maximum pay increase (cap) set out in the Scottish Government pay policy applies to the NCL Principal and Chief Officer and senior staff who earn over £80,000. There is budget provision for these payments.

14. AOB

The Board was informed that the lease on the Broadwood Campus is up as is the Hamilton Campus and this will be reported to the next meeting of the RGP committee. There was also comment from one Board Member about the volume of papers for this meeting and about making it clearer what was for information and what was for decision. Whilst acknowledging that this meeting of the Board was effectively two meetings of the Board, the Chair and the Board Secretary will consider this point.



15. Board Discussion

15.1 The Chair introduced the background to the SIM review and this is set out in the review.

15.2 The SIM summary review was presented by Rosemary McKenna to the Board.

Action: After discussion the Board noted the contents of the report and agreed the recommendations.

15.3 The Memorandum of Understanding

The Board discussed the MOU. There were still two opposing views. One view was that an MOU could be more of a barrier than a help and if there is mistrust a divisive document won't resolve this. An MOU is a contract and would need to be drafted by lawyers to notate the relationship between SFC and the LB and this should be more like the Glasgow MOU and it should be clear which documents have primacy. The other view was that an MOU is not a contract and the MOU should be drafted more as a value set which would set out an understanding of the relationship with SLC and give the assurance and confidence it needs.

Decision: It was agreed that there should be an MOU. The Board Secretary would go back to the NCL lawyers for further legal clarification of any further questions about the status of the MOU. The MOU would be re-drafted and would be sent out to the Board. There would be a strategy day or special meeting of the Board to consider and agree this and the Collaboration Plan.

16. 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.