

Item 4. RGP 18/11/19

Minute: Resources and General Purposes Committee (RGP)

13.00 9 September 2019, 101 Park Street, NCL Coatbridge

Present: Keith Fulton (Chair), Annette Bruton, Stewart McKillop

In attendance: Ann Baxter, Iain Clark, Brian Gilchrist, Martin Loy, Diane McGill (Board Secretary), Penny Neish

1. Chair's welcome

1.1 Keith Fulton (KF) welcomed everyone to this meeting of the RGP Committee.

2. Apologies

There were no apologies.

3. Declarations of Interest

There were no declarations of interest.

4. Minute of the RGP meeting on 3 June 2019

4.1 Stewart McKillop said he had not been a member of the RGP in June and should be shown as 'in attendance'.

4.2 Spelling mistake on page 2 - corrected

4.3 Martin Loy is NCL Estates Manager not Health and Safety Manager as shown in the Minutes.

4.4 The Minute was approved.

5. Matters arising

5.1 Tribunal claim update: Brian Gilchrist (BG) said that across the country there were thousands of similar claims which had first been raised in 2015 but had been 'sisted' by the tribunal pending the outcome of several test cases. NCL would be meeting with the college solicitors in the next few days to try to move forward on the two cases involving a small number of NCL staff in the hope of achieving a settlement. He will be able to give an update to the Board in October and at the next meeting of the RGP.

5.2 Motherwell Campus Estate survey update (including agenda item 8)

Martin Loy (ML) introduced his paper and said that the **non-intrusive works**, such as the replacement of CCTV systems, have reached practical completion stage with a small degree of snagging to be agreed and completed. Works to replace the passenger and service lifts at Cumbernauld Campus have had to be re-scheduled to June/July 2020 as the lift manufacturer was unable to meet the original delivery and installation dates. The costs will be covered within the SFC funding terms as the funds have been secured and committed to the project.

Remedial work to ensure the stability and security of Coatbridge Campus regarding replacing the inadequate wall ties has been completed. It is expected that the unanticipated cost of £5k-£6k will be able to be found within the budget.

Atkins Global have been engaged to develop a number of identified projects to take forward in the SFC High Priority Maintenance category and written confirmation of the SFC's conditions has been received. This written confirmation is important since SFC has recently changed the wording of its conditions in relation to this spend: 'A legal commitment to making the payment' if the contract is in place by 31 March 2020.

A final design proposal for a **replacement nursery** on the current site at Coatbridge Campus has been completed as well as an outline design on the options for bringing the nursery into the main Coatbridge Campus. NCL has been in touch with the Registration Team in the Care Inspectorate and is awaiting their response on the appropriateness of the design proposals.

The Chair suggested that it could be useful to contact Elaine Smith MSP who as one of the local MSPs is very interested in this development at Coatbridge. Ms Smith may be able to expedite a response from the Care Inspectorate.

Capital/Minor Works Projects and maintenance ML referred to the work which had taken place in the Cumbernauld, Motherwell and Coatbridge campuses. KF asked if NCL had received any information on the new health and safety regulations on extraction (in relation to the re-purposing work in the Welding Workshop) but ML advised that so far no updated information or guidance on this has been forthcoming.

Lease on Hamilton Towers This has been agreed for one further year to July 2020. Discussions regarding extending this further will take place early in 2020

Lease on Broadwood Campus Negotiations are ongoing. A meeting with North Lanarkshire Leisure is set to take place later this month (September 2019).

Motherwell Campus rain screen cladding latent defects Problems were experienced at this campus in May 2018. The damaged cladding was replaced during which process additional problems were identified and further fixings were installed where deemed necessary. The college was assured that there were no other problems. Following further surveys in April and May 2019 further corrosion of cladding fixings was identified which raised concern regarding the condition of some areas of the timber sub-frame elements onto which the cladding is fixed. The survey stated that degradation of the system would continue and will result in rainwater ingress into the building. A refurbishment solution needs to be developed in conjunction with the system manufacturer. The solution must fully protect the timber sub-frame from exposure to weathering. ML to contact Gardiner & Theobald (Project Managers) in September 2019 for an update.

KF said that he was pleased that a follow up survey had been sought by the college and that both the architects and the designers had been to the site. VELFAC, cladding designer/manufacturer, had alleged that lack of maintenance and incorrect installation had been the problem, but Gardiner & Theobald were unhappy with this. KF expressed concern about the damage to the cladding and the structure it was attached to and said that the safety of students and staff was paramount.

KF advised the RGP that there had been a long running dispute with Galliford Try over substandard work and that agreement had been reached last year. Galliford Try had wanted to wipe the slate clean on any further defects following that agreement but the college had rejected this and it had eventually been agreed that the liability would stay with Galliford Try until 12 years from the handover of the building. The RGP agreed that the college should gather together all the evidence it already has on past and current dealings with Miller Construction (which became Morrison Construction which is owned by Galliford Try), and the other companies involved, to prove that the college had acted responsibly and advised the constructors as soon as any defects were found.

<p>Action: ML to follow up and to discuss with Tom Dodds, former Head of Estates, if necessary.</p>
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Motherwell latent defects Gardiner & Theobald have been made aware of a number of possible latent defects with the Motherwell Campus. These are evident in workshops and in the residency.

Motherwell emergency lighting Some of the emergency lighting system is now failing and investigation is ongoing regarding complete renewal, funds for which would be sought from SFC for year 2 back-log maintenance.

Staff training continues as appropriate to relevant staff across NCL.

Sustainability ML advised RGP of several projects carried out over the summer which will improve sustainability through reducing energy usage across NCL campuses.

ML advised that at Coatbridge Campus during one of the heavy rainstorms over the summer there had been substantial water damage because of blocked drainage on the roof and that in a separate incident there had been water damage to the refectory floor at Cumbernauld Campus. In both instances the damage has now been repaired and costs borne by the contractor.

5.3 **Chairs meeting with SFC: Business Plan Monitoring**

Covered under item 6. KF asked for the date of the next meeting on this with SFC to be put into the diaries of the SMT once known.

5.4 **Board Strategy Day and Board training update**

KF advised that the annual Board Strategy day had been planned for March 2019 but that this had been postponed for several reasons including enabling the completion of the Memorandum of Understanding. It was planned to hold the strategy event in September 2019. However further changes over the summer period to senior management means that the new Principal and new Chair of the Board will not be available until November, following which new permanent VP and AP appointments will have to be made. The strategy day will be rearranged following discussion with the new Principal and new Chair once both take up their posts.

The event will focus on regional collaboration as NCL, as the Regional Strategic Body, has yet to respond to SFC and the Auditor General on this. Anne Baxter (AB) and Angus Allan (AA) are working on the Regional Strategic Plan which will be central to the theme of the strategy event. Annette Bruton advised that she, Stewart McKillop, AB and AA will be meeting fortnightly from now onwards re collaboration and closer working arrangements.

Board training: Health and Safety and cyber safety training for the Board were both scheduled to take place around the Board Strategy day. Because of the postponement of this event these topics are yet to be delivered. However, Jason Quinn (JQ) has been asked to give a presentation to the Board prior to their next meeting in October on IT and access to the NCL website. Progress on ensuring all Board members have access to these facilities is being made and this in turn will enable the Board to undertake online health and safety updates. The Who Cares? Scotland training on corporate parenting is also online and members will be able to take advantage of access to this training through the NCL website following JQ's presentation.

A further advantage to all members having online access to NCL is that Board papers and other important documents will be available on demand. It is hoped also to develop online discussion space for the Board.

Regional business

6. Progress and Review of NCL Business Plan including workforce deployment and infrastructure

AB spoke to the paper and highlighted the progress being made in retention rates in all categories but said that more work was required to achieve and eventually exceed the targets set across all provision. Classroom efficiency is good. There was no increase in risk and the actions in hand which may be subject to slippage were being tightly monitored. An updated list will be provided to the Board Secretary for circulation to the Board within the next few days.

A draft agenda and provisional papers have been sent to SFC in preparation for the next meeting on the Business Plan. No response has been received so far.

Action: AB to send updated 'Actions subject to slippage' list to the Board Secretary for circulation to the Board.

IC advised that on funding issues relating to the Business Plan there had been a shift in SFC's approach to Voluntary Severance (VS). Receipt of this funding is central to the delivery of the Business Plan throughout its duration. BG is looking further into this and the possible implications for NCL.

KF advised the RGP that at a meeting with EIS/FELA the representatives had stated that 4 MSPs are in discussion with SFC on VS as it relates to the NCL Business Plan. A note of this meeting has been prepared and forward to all members of the Lanarkshire Board.

Action: Board Secretary to forward a copy to Annette Bruton who would not have been on the original circulation list.

KF said that following the meeting with the teaching unions a paper had been expected from them but that nothing had been received so far.

Regional College business

7. NCL Organisational Development update

7.1 NCL Organisational Development update

BG reported that the **Equality and Diversity** Adviser will be leaving NCL in mid-September. Her post is currently being advertised with 30 applications received so far.

Mental Health First Aid (MHFA) This CPD is a key part of the activity underpinning the Student Mental Health Strategy and getting training for staff is a priority. It is intended to cascade this training internally following Trainer of Trainers sessions. However, this is proving difficult to source. RGP will be kept updated on developments.

Equality and Diversity The Equality and Diversity Calendar has now been published; it will be a useful tool for staff to support mainstreaming equality throughout the college.

The college is working with **AdvanceHE** on a project aimed at reviewing the experiences of disabled staff at the college and any barriers they may face. This will provide NCL with opportunities to review practices across the college in relation to people with disabilities in general.

Business Plan update Meetings with SFC continue and include discussion on workforce planning and the management of the proposed reduction in staff in 19/20 and 20/21. A key element of this is ensuring that the right staff are in place to deliver the curriculum and support students; 35 temporary teaching staff have been offered and accepted permanency in August 2019.

KF asked what the financial impact of the 35 staff being made permanent would be, to which BG said none of the teaching posts were new with only a couple not being made permanent and there were particular circumstances around these. There are still some temporary staff, ie those who have under 1 year of service.

Job evaluation continues across the sector. Completion and sign off of the questionnaires has been slow. NCL is now submitting completed questionnaires and is working with managers to deliver those which remain outstanding. It is anticipated this phase will be completed by the end of September 2019. One of the UNISON stewards was seconded to Stage 1 of the JE project and discussions are ongoing regarding her release for Stage 2. If agreed, this will be for a period of up to one year.

National Terms and Conditions for teaching staff agreed prior to the summer break were implemented on 1 August 2019. The new terms replace previous arrangements for professional flexibility and introduce observation of learning as part of a wider move towards professional registration. EIS/FELA at NCL hold a different perspective on some of these issues and have been requested to outline to management where they believe NCL's approach deviates from national agreements.

Stewart McKillop (SMcK) commented said that prior to the national agreement SLC did not have a **professional flexibility** policy but that one is now in place. He was particularly concerned regarding work outwith the college and had taken advice from insurers on this. He will share this information with NCL.

Action: SMcK to share information from SLC insurers on implications of professional flexibility with NCL.

Award Ceremony This event will take place on 15 November 2019 at the Royal Concert Hall in Glasgow. Board members are welcome; invitations will be sent out later this month. KF added that a Fellowship is being awarded to Linda McTavish at this year's ceremonies. He urged BG to ensure that invitations are sent to Board members as soon as possible to ensure the date is in their diaries.

7.2 NCL Marketing Dashboard

BG commented that the level of NCL's marketing spend now requires a formal tender process through the APUC framework. Spirit Media were awarded the contract. This company works with a number of colleges and universities.

The RGP noted this paper with thanks.

8. NCL Estates update – see para 5.2 above

9. NCL Health and Safety Report

Health and Safety audits have been carried out across the college. The Health and Safety team are analysing the information in preparation for Stage 2 which will involve discussion at faculty/service level to support teams in addressing any issues or CPD needs arising. One of the early priorities identified will be to review COSHH assessments to ensure consistency across the faculties where these are required.

Health and Safety Corporate Committee The next meeting of this Committee will take place in October. BG asked if the Board wished to continue to have a presence on that Committee and if so, who this may be.

Action: Board to nominate a representative for the Corporate Health and Safety Committee

Inspections: UNISON conducted a Health and Safety Inspection at Motherwell Campus at the end of June following a similar inspection at Coatbridge earlier in the year. One issue was highlighted – the ambient temperature in a particular room and concerns were raised on behalf of a group of staff who are split between 2 locations. Discussions on both issues are ongoing.

Update of Health and Safety Policy NCL's Health and Safety Policy is subject to annual review and sign off by the Chair and Principal. The sign off for 2019 is due at the end of October. It is proposed that as there are only minor changes to reflect changes in personnel to ask the new Chair and the Interim Principal to sign off the policy at the next Board meeting (7 October 2019).

10. **Chair's update including recruitment**

KF reported that he had held update sessions for staff at Cumbernauld, Coatbridge and Motherwell (x 2) on the senior level changes at NCL. In his presentation he covered the appointment of the new Chair, new Principal, interim arrangements and Board recruitment. Since then interviews for an interim Assistant Principal have been held with the successful candidate taking up her post at the beginning of September.

Board recruitment is on track to provide several excellent new members. It is anticipated that interviews will be held on 23 September with the possibility that a second interview date may also be required. This round of recruitment should bring the Board to full strength and populate the Board Committees to their full complement.

A further development which will affect the Board is the decision of the Scottish Government on trades union representatives becoming full Board members in addition to the current staff representatives. To maintain the balance of non-executives their number may need to be increased also. This could mean that the Lanarkshire Board numbers 30 or 32. There is no clarity on this yet from the Scottish Government.

SLC Assigned College business

11. **SLC HR Committee 15 May 2019**

Stewart McKillop (SMCK) spoke to the Minutes of the SLC HR Committee on 15 May and highlighted the following areas:

Workforce Profile: There has been a slight increase in full time staff due to the recent permanisation process but retaining 12.5 fte of teachers with no permanency allows some flexibility.

TQFE: An additional 9 members of staff are being supported to complete their TQFE during 2019/20; 15 middle managers and curriculum managers have achieved ILM level 6. Eleven teaching staff are being supported through the PDA qualification which is a requirement prior to moving to their TQFE; 12 members of staff are undertaking the Assessor and Verifier units.

Investors in People: SLC was successful in being reaccredited at Platinum level.

Absence Management: There are no areas of concern, but processes remain in place to ensure the monitoring and support of staff to return to work.

Planned Health and Wellbeing initiatives: There are several initiatives in place across the college working with external agencies such as NHS Lanarkshire, which provide a number of benefits to staff. SLC believe this development is especially important now that terms and conditions of employment are established sector wide through national bargaining.

12. SLC Estates update April 2019

SMcK commented on the Estates update paper:

Operations and Maintenance: SMcK said that SLC has a maintenance team which includes 5 apprentices to give them real work experience.

Capital projects and backlog maintenance: All the specific backlog maintenance issues have been addressed and completed although some continued over the summer period. SLC is changing its smart boards to touch screen; this work should be completed by the end of October.

Sustainability: That the energy savings made by SLC through the use of solar PV panels has been reported to SFC.

13. Approval of publication of the papers from this Committee:

Papers for publication:

- Agenda for the meeting
- Minute of the RGP Meeting 3 June 2019
- **Item 7.1** NCL Organisational Development Update
- **Item 7.2** NCL Marketing Dashboard
- **Item 9** NCL Health and Safety Report
- **Item 10** Chair's Update
- **Items 11 and 12** *via the SLC website*

14. AOCB

KF advised members of the RGP that David Newall was reviewing operational arrangements from a regional perspective and that a meeting schedule had been drawn up which included the Chairs and Principals of both colleges, the Senior Independent Board member, Chairs of the Regional Committees, and the Board Secretary. DN is expecting to conclude his review within one month and will provide feedback to the Board.

There being no further business, the Chair closed the meeting.

15. Date of the next meeting: 18 November 2019 at 15.00 at NCL Cumbernauld

18 September 2019