

Item 4 RGP 1/06/20

Approved Minute: Resources and General Purposes Committee (RGP)

15.00 2 March 2020, Boardroom, NCL Cumbernauld

Present: Keith Fulton (Chair), Christopher Moore, Michael McGlynn

Apologies: Angus Allan, Diane McGill

In attendance: Ann Baxter, Iain Clark, Brian Gilchrist, Ronnie Smith, Penny Neish

1. Chair's welcome

1.1 Keith Fulton (KF) welcomed everyone to this meeting of the RGP Committee and extended a special welcome to Michael McGlynn who was attending his first meeting of the Committee.

2. Apologies

Apologies as noted above. The Committee offered its best wishes to Diane McGill and to her mother.

3. Declarations of Interest

There were no declarations of interest.

4. Minutes of the meeting of 18 November 2019

The minutes were agreed. Following further discussion of the follow up action noted against the item on the complaint report it was agreed that a different approach should be adopted (*see para 11 in the note of the meeting on 18 November 2019 and para 5.1 in these minutes*).

5. Matters arising

5.1 Update on Complaint Report

Brian Gilchrist (BG) gave an update on the action following the complaint report. At the time of the complaint there had not been a comprehensive whistle-blowing policy across all campuses, however a legacy policy had been in place. A new all-campus policy has now been published and evidence from visits to the new Whistleblowing page on The Clan shows that staff are accessing the new policy.

The Committee sought information on whether there had yet been any feedback from SFC on their follow up action in relation to closing off the complaint through contact with the complainant and with Alex Neill MSP. The issues raised in the complaint have been addressed by the college, but no further feedback has been received from SFC on how the matter has been concluded since the original complaint was made direct to SFC and not to the college. The Committee was concerned to ensure that that the situation was satisfactorily resolved and concluded appropriately in relation to the complainant and the MSP.

In light of the complaint made the Committee appreciates that SFC needs to understand if there are any sector wide issues which would require their intervention. The NCL Interim Principal had had an amicable conversation with the complainant following which the complainant had a better understanding of the issues around his/her complaint. The Interim Principal had also spoken with Martin Fairbairn (MF) at SFC, but it seems that no further contact has been made with the college. Christopher Moore (CM) to check with Ann Marie Shields if MF has contacted the college with an update on this situation or if there is any relevant correspondence.

The RGP Committee agreed it was important to find out if MF has responded to the complainant and MSP before the college takes any further action.

The follow up action agreed previously was discussed and reassessed by the Committee and that there was unanimous agreement that a different approach should be adopted. This would be informed by the information provided by Ann Marie Shields.

Action: CM to ask Ann Marie Shields to check for feedback from MF on this situation and to advise RPG.

5.2 Tribunal Claim update

BG advised that this claim from Unison and Unite unions dates back to 2015 and relates to holiday pay. There are thousands of cases across the UK of which NCL has two claims lodged, affecting 8 staff. There is now the added complication of national pay bargaining being applicable across the sector. BG said it remains challenging to progress these claims, and progress continues to be slow. In response to a query BG said that the NCL financial obligation was expected to be limited based on discussion with NCL's employment advisers. BG will continue to monitor the situation and make progress if and when it is possible to do so.

5.3 Other matters from the minute

The Board Secretary sent a copy of Keith Fulton's and Board members' meeting with EIS/FELA to the NCL Principal. The Principal and the Chair acknowledged that they both have copies of this material.

Regional business

6. Progress and Review of NCL Business Plan

Ann Baxter (AB) said that the NCL Chairman NCL Vice Chair and the senior team had had a very positive meeting with SFC on the NCL Business Plan. SFC is very pleased with the progress demonstrated and saw the advances being made as an opportunity for NCL to transform the curriculum. KF commented that although there was still some way to go regarding the KPIs, there was a marked improvement overall. To develop further the better practice and more effective data gathering the Business Plan had required, CM is adopting a new annual planning document on expectations and direction of travel together with measures of achievement. RS commented on the importance of ensuring the regional dimension is part of this and he will be having discussions with SLC on this issue. A summary of the planning cycle should ultimately be available to all stakeholders as part of 'what we do'.

AB said the new planning approach was very positive and that the document will be concise. There will be a fortnightly monitoring process and regular meetings with KPIs at the forefront. The Board Committees will be kept up to date.

6.1 Workforce deployment and infrastructure

BG advised that Stewart McKillop had provided as agreed the insurance information on professional flexibility for staff. AB said that NCL is undertaking a timetable review and had engaged in extensive discussions with EIS/FELA on the implementation of professional standards and the observation of learning and teaching. Unfortunately, EIS/FELA had withdrawn from the second meeting of the working group formed to follow this through. Interpretation of what is in the national agreements, as in observation being mandatory or optional, differs. At NCL observation is mandatory for those undertaking PDA and TQFE qualifications but not for general teaching. Development of registration by GTCS is still at an early stage with many areas undecided. AB is concerned to take forward the implementation of observation of learning and teaching in a non-confrontational way and to find an acceptable and effective approach to enhance and improve teaching and learning. The Quality Team has put in place an updated programme for more established staff and AB is maintaining a dialogue with the Employers' Association regarding the introduction of national terms and conditions.

KF and BG will continue to represent NCL at the Employers' Association. CM will attend the next meeting as an observer.

6.2 Update on SFC discussions

SFC is pleased with the progress being made by NCL. Initially SFC had sought monthly feedback from the senior team as well as quarterly meetings with the Board. However, now SFC is content to reduce the monthly meetings with the senior team and to meet periodically with the Board. The RGP welcomed the work which has been done by staff, the SMT and learners to get to the current positive position.

The successful implementation of the Business Plan is dependent on the availability of SFC support for ongoing cash-flow and VS. However, SFC are not now willing to commit beyond one year support especially as more colleges are seeking funding support. Colleges are expected to revisit their figures (FFR) in the light of the national settlement and stressed that SFC will not guarantee VS funding at this stage. In the draft Scottish budget, there is an additional £4m earmarked for colleges but this may be allocated against the pension gap for AY 2019/20 in the teachers' scheme rather than VS. This could amount to around £250k for NCL. This financial uncertainty makes it difficult to manage staff expectations, but meetings with the college unions continue on a quarterly basis. The unions have been made aware that there can be no funding guarantees given SFC's stance on VS and this may have implications for any scheme offered.

Ronnie Smith (RS) said that at a recent meeting with Karen Watt (KW) and senior SFC staff on feedback from SFC on the Review of RSBs, he would be contacting Linda McLeod as recommended by KW. RS will provide feedback as soon as possible.

Action: RS/PN to contact Linda McLeod at SFC and to provide feedback to RGP.

Regional College Business

7. NCL Organisational Development Update

7.1 NCL Organisational Development Update

BG spoke to his paper.

- **Launch of Values Project:** BG advised that the project to define and articulate the mission, vision and values of the college has been launched with a consultation process for staff to provide feedback on the current mission vision and values statements and how these could be enhanced to support the development of NCL's organisational culture within the regional context. The first stage of the process has been an invitation for individual feedback. This will be followed up in the coming weeks with focus groups of staff, students and stakeholders. To accommodate this the IIP assessment scheduled for February has been deferred to later in the year.
- **Joint Negotiating Committee:** NCL is updating a range of policies. An NCL Whistleblowing Policy which replaces all legacy arrangements was implemented in consultation with all three recognised trade unions and a formal policy on off-site working arrangements has been produced jointly with EIS and is currently out for final consultation and approval. There was some discussion in relation to the provision within the Whistleblowing Policy on the proposal for concerns to be raised to the Chair of the Board, the Chair of Audit and Risk Committee, and/or via the Board Secretary. The point of debate was the role of the Senior Independent Board Member (SIM) and whether the SIM rather than the Chair of Audit and Risk should be part of the route for whistleblowing complaints. It was suggested that there was a distinction between the institution and the governance of the Board as regards whistleblowing. A possible solution would be to have separate, but similar,

whistleblowing policies for the institution and the Board. BG was asked to look into this and also the role of the SIM in this situation.

Action: BG to look into and report back to the RGP on the route for complaints, the involvement of the Board and the role of the SIM.

- **Other Policy Updating and Development:** These include Safeguarding Policy and Procedure, and Data Protection and Data Security.
- **Gender Based Violence:** This is a priority area for colleges and universities. NCL has made available to staff a range of support material. To extend this activity NCL has signed an agreement with Glasgow Caledonian University to gain access to their #erasethegrey campaign materials. NCL is also tailoring the GCU material for the college's own use.
- **National Bargaining:** There has been no significant developments since the last round of agreements on terms and conditions of employment. However, a working group has been set up to consider the bargaining arrangements for principals and senior staff. This is at a very early stage.
- **Job Evaluation:** NCL has now submitted the bulk of the required questionnaires and job descriptions. Where this has not yet happened the HR team is in discussion with relevant staff teams to ensure full completion.
- **Employers' Association:** The next meeting will take place on 13/14 May. The RGP Committee will be updated at its next meeting.

7.2 Marketing Dashboard

- BG's paper identifies key themes including the interim college logo developed by the Brand Team as part of an overhaul of the college's image and script font. The image refresh includes the website and has received positive feedback so far.
- In line with some of the style changes the 2020 prospectus has been updated and simplified. To further differentiate NCL from other colleges, emphasis is being placed on the college's and region's heritage.
- Breakfast Club: BG highlighted the Breakfast Club as an example of how the refreshed style changes were being used. CM commented on the effectiveness of the banners advertising the Breakfast Club as the response has been very positive with the number of customers increasing over the trial period in Cumbernauld. A full review will be undertaken at the end of the month.
- After some discussion around the breakfast initiative and marketing activity more generally, RS reflected on the importance of the college playing a bigger role in the community and suggested there could be merit in taking an external affairs/corporate services approach which would sit alongside marketing. CM agreed and confirmed that arrangements had already been made for a public engagement strategy to be discussed at the next meeting of the Executive Board.

8. NCL Estates Update

Iain Clark (IC) spoke to Martin Loy's paper and highlighted the following:

- **High Priority Maintenance:** There is a shortfall of nearly £4m funding for years 1 and 2 of a 5 year cycle. There is no indication so far for funding for years 3-5.
- **Motherwell emergency lighting:** IC said that a significant number of the emergency light fittings throughout the Motherwell campus, with the exception of the residences, are faulty. The issue is with the signal cable on the software side of the system feeding each light and faulty fittings which are now obsolete. In essence the kit is redundant, and it will be expensive to replace, approximately £500k (inc VAT).

- **Cladding at Motherwell Campus:** This is a high priority concern and the contractor is being pressed for feedback from the inspection carried out by themselves (Morrison Construction) and Q9, the specialist cladding contractor, on 3 January 2020. Morrison's are seeking to arrange a further meeting with all of the sub-contractors to establish the underlying issues of the problem and actions required together with a programme for the remedial work. The strategic risk to NCL staff and students is unacceptable to NCL management although through their best efforts the affected areas have been secured and is inspected weekly by college staff in addition to the quarterly inspections by Morrison Construction. The Principal will consider taking action through the college's lawyers if nothing further is heard from the contractors by mid-March. The situation is being closely monitored.
- There is also concern regarding liability for this and any future failings of the cladding which the contractors are implying is down to poor installation and maintenance. However, maintenance has been carried out in line with industry standards. NCL calls for on-going regular inspections of the cladding by the contractor to ensure the safety of the students and staff. This is particularly pertinent with the high winds experienced recently. The next inspection has been arranged for the week beginning 6 April. The RGP will be kept updated on developments.
- **Cumbernauld Campus Roof Structural Survey:** The survey was due to have taken place in January, but due to on-going bad weather and high winds three further survey dates also had to be cancelled. Cumbernauld Campus Estates Manager will work with contractors and structural surveyors to determine the next appropriate date for the survey to take place. The RGP will be updated in due course.

9. NCL Health and Safety Report

- **Air Quality testing:** Following a request from Occupational Health and HR, air quality tests were carried out to classrooms and workrooms within the Motherwell Campus workshop block. Following elevated readings in several rooms, some additional cleaning and review of the proper use of existing ventilation systems was undertaken. Results from retesting indicated that the environment posed no adverse health risks to occupants and these results were independently verified for full peace of mind. The local press carried a short factual piece on the temporary closure of the building necessary to allow remedial actions, but there has been no further press interest.
- RS suggested that a very effective fogging system for testing air quality was now available which does not require areas to be cleared or closed. He would be happy to provide further details.
- RS commented on the importance of building a positive relationship with the local press to minimise the negative articles published about NCL such as those about the air quality issue.
- **Temporary respirators:** Following the changes previously discussed by the RGP Committee regarding HSE guidance on welding fume, in light of further recent HSE advice, NCL has now purchased battery powered, air fed masks for staff and students. This provides a permanent solution and closes this action by preventing the need for temporary respirators.
- **Coronavirus:** The college is promoting the information and guidance provided by national agencies through posters and electronically including The Clan and social media feeds. The senior team is keeping a daily watching brief on advice relating to overseas travel particularly for Erasmus overseas trips and reviews the situation monthly. To minimise wasted expenditure trips are not being booked very far in advance. Regular hand washing is being promoted across the college and additional hand sanitiser stations are being installed at all campus entrances.

10. Chair's update

Board mentoring development programme: KF introduced the paper which outlined the proposed programme for candidates for Board membership who demonstrated they had good potential but who

needed additional skills. The programme could also be of some benefit to current Board members as well as to those more recently appointed. There is no intention to expect participants to undertake all of the listed activities, but it would be sufficient to dip in and out. KF and Diane McGill to put the finishing touches to the programme and make it available to Board members.

Action: *KF and DMcG to finalise the Board mentoring development programme and circulate to current and potential Board members*

SLC Assigned College Business

There were no SLC representatives at the meeting therefore the items listed on the agenda at 13 and 14 were not discussed:

- SLC HR Committee 13 November 2019, and
- SLC Estates update October-December 2019

General Committee Business

15. Approval of publication of the papers from this committee:

- Agenda for RGP 2 March 2020
- Revised minutes of the meeting on 18 November 2019
- NCL Marketing Dashboard
- NCL Health and Safety Report
- SLC HR Committee 13 November 2019, *via the SLC website*
- SLC Estates Update October-December 2019, *via the SLC website*

16. There being no other business the Chair closed the meeting.

17. Date of next meeting: the next meeting of the RGP Committee will be on 1 June 2020 at 15.00 in the Boardroom at Motherwell Campus.

16 March 2020