**Minute Chairs Committee Meeting**

**Via Zoom 5.30 pm 4th September 2024**

**Present: Ronnie Smith, Dave Winning, Keith Fulton, Paula Blackadder, Yvonne Finlayson**

**In Attendance: Ann Baxter, Ronnie Gilmour, Diane McGIll, Penny Neish, Sandra McLoughlan for the item on the Prisons Bid.**

**1.** **Chair’s welcome**: Ronnie Smith welcomed the Chairs to the meeting and thanked them for attending. It was agreed to take the item on the prisons bid first.

**2.** **Apologies for Absence**: There were apologies from Christopher Moore.

**3. Declarations of Interest:** There were no declarations of interest.

**4. Minutes of the Chairs’ Committee 16th May 2024:** The minutes were approved.

**5. Prisons Contract Presentation:**

**5.1** Sandra McLoughlan updated the Committee on the latest position in relation to the joint bid for the Scottish Prisons Service personal development and learning contract with Novus. The Committee was updated as follows:

**5.2 Overview:** The written bid and commercial model are progressing well and are on track for delivery ahead of the bid upload deadline. However, the procurement dynamics have been challenging due to the ongoing clarification process. New information continues to emerge, significantly impacting the volume of required staff and contractual clarifications on risk and liability. Each wave of responses reshapes the service and clarifies the extent of specific risks and liabilities. This evolving situation refines the bid but delays finalizing the commercial basis for the service and the proposed delivery entity.

**5.3 Current Status:** Although the initial Invitation to Tender (ITT) submission is technically acceptable, the Scottish Prison Service confirmed at the bidders' forum on August 28th at HMP Polmont that they do not intend to make an award at this stage. Instead, they plan to proceed to dialogue with three of the four shortlisted bidders. If successful at this stage, the dialogue phase will be entered in mid-November, with a final governance session scheduled for late November.

**5.4 New College Lanarkshire's Contributions:** New College Lanarkshire has made significant strides in preparing for this bid:

* **Memorandum of Understanding (MOU):** Established a formal MOU with Novus to solidify the partnership and outline mutual commitments.
* **Pre-Qualification Questionnaire (PQQ):** Successfully submitted a PQQ that achieved a perfect score of 100%, demonstrating our capability and readiness.
* **Internal Team Formation:** Assembled an internal team led by Sandra McLoughlan, supported by two additional team members from the commercial department, to ensure thorough preparation and execution.
* **Budget Allocation:** Created a small budget to support the bid process, recognising the potential high return if the contract is awarded.
* **Leadership Adjustment:** Appointed an interim dean to relieve Sandra McLoughlan of her regular duties, allowing her to focus entirely on developing the solution and maximising its impact.
* **Due Diligence:** Committed to carrying out all necessary due diligence prior to the formation of any new legal entity.

**5.5 Next Steps:** Ahead of the dialogue phase, the Chief Executives of New College Lanarkshire and LTE Group (Novus’ parent organisation) will meet during the week of September 23rd to finalise all arrangements for the proposed legal entity. The proposal for the new legal entity will be presented at the next board meeting on the 7th October.

**5.6** The Chairs’ Committee was informed thatthe bid and the service to be delivered for the monies awarded will be rigorously scrutinized to ensure that there is a profit for the college. The outcome has to be beneficial to the college. Keith Fulton said that it was important that the team were aware that there would be no adverse judgement if the bid was not successful or there was a decision not to go ahead. The process in itself provided learning and developed future expertise for the college. The Committee noted that the notional contract value of the contract does not look consistent with the “wish list” of services sought by SPS.

***Decision: The Chairs Committee was asked to approve the next stage of bid submission to the dialogue stage. The Chairs’ Committee approved the submission on the basis of the scrutiny that would be undertaken at all stages of the bidding process.***

**6. Scottish Government Consultation on the RSB’s.**

**6.1** Ronnie Smith updated the Chairs on the consultation and they were asked for comment on the draft response to the consultation. The following comments were made:

* The Board Secretary said that the proposal to use the ROA for regional planning would not be possible as there was a new framework coming out from the SFC – TQEF- and this did not have a regional planning element. This would have to be changed in the consultation response. The thrust of the argument in the response is that NCL is an existing regional college with a broad reach. SLC is a smaller more locally based college and could be considered as a community college. Creating two regional colleges, as opposed to regional “entities” as stated in the SFC recommendation to dissolve the RSB, could complicate the responsibilities for regional planning and lead to unhealthy competition and conflict.
* Keith Fulton asked for the paragraphs on NCL as a regional college be expanded. Many learners in the Clydesdale district (part of the South Lanarkshire area) will naturally go to Motherwell College because of transport, geographical, historical and cultural reasons. NCL also had strong regional partnerships e.g. the undergraduate school with UWS and the SMART Hub. This should be also expanded. Ann Baxter highlighted that NCL works with the majority of schools in South Lanarkshire and also with Falkirk and Stirling Councils in taking learners into the Cumbernauld Campus. She would provide further information on this.

**6.2** A revised response would be circulated to the Board for comment before submission to the Scottish Government.

***Decision: The Chairs’ Committee approved the submission of the response after it had been to the Board for further comment.***

**7. AOB:** There is another consultation with the same submission date on Post-School Education and Skills Reform. The draft was also copied to the Chairs’ Committee. Ronnie Smith informed the Committee that Colleges’ Scotland would be submitting a response but it was open to individual colleges to also submit. Keith Fulton said that the response should include comment that, if there was a bringing together of agencies into the SFC, the SFC had experience of student awards and apprenticeships in the FE and HE context but not in the private sector context. They would not have the expertise in dealing with commercial contracting with the private sector.

***Action: Ann Baxter will speak to Tony Carlin about the issues raised above so that this can be reflected in the response.***

***Decision: The Chairs’ Committee approved the submission of the response with the amendments requested and following circulation to the Board for any further comments.***

**8. Date of Next Meeting: The meetings of this Committee are ad hoc.**