



EDINBURGH COLLEGE BOARD OF MANAGEMENT

MINUTES OF MEETING OF 23 JUNE 2015

13:30 Boardroom, Granton Campus

Present: Colin Arthur; Kellie Bradford; Annette Bruton; Alan Johnston; Elaine Lee; Ian McKay (Chair); Niki McKenzie; Nigel Paul; Robin Stimpson; Jeroen Van Herk; Ian Young.

In attendance: Jenni Behan; Su Breadner; Penny Davis; Ray McCowan; Julie McCran; Pauline MacPherson; Marcus Walker (Clerk); Alan Williamson.

1. WELCOME AND APOLOGIES

- 1.1 Apologies had been received from Sandra Cairncross, Martin Crewe, Jan Cutting and Guy Hughes.
- 1.2 The Chair welcomed the new Principal, Annette Bruton, to the meeting.
- 1.3 The Board welcomed Jenni Behan, ECSA Vice President (Welfare), to the meeting as an observer.

2. DECLARATIONS OF INTEREST

- 2.1 The Board NOTED that Colin Arthur and Kellie Bradford were both officials in trade unions whom were party to the National Recognition and Procedure Agreement (NRPA), which would be considered by the Board under Item 7.
- 2.2 The Board NOTED the Chair's involvement in the development of the NRPA, as former Chair of the Colleges Scotland Employment Relations Committee.

3. PARTNERSHIP WORKING REPORTS

- 3.1 *Paragraph 3.1 presently exempt from publication under the Freedom of Information (Scotland) Act 2002, Section 30, Prejudice to the Effective Conduct of Public Affairs.*
- 3.2 *Paragraph 3.2 presently exempt from publication under the Freedom of Information (Scotland) Act 2002, Section 30, Prejudice to the Effective Conduct of Public Affairs.*

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4. MINUTES OF PREVIOUS MEETING

4.1 The Board APPROVED the Minutes from 05 May 2015 as an accurate record of the meeting.

5. MATTERS ARISING

5.1 Actions from the previous meeting were complete, overtaken or on the agenda, with the exception of the following items:

5.1.1 EDUCATION SCOTLAND INTERIM REPORT

The Board NOTED that an interim Education Scotland Report had been received by the College, and the Report would be circulated to the Board in due course.

6. PRINCIPAL AND EXECUTIVE REPORT

6.1 STRATEGY AND PLANNING

6.1.1 The Board NOTED that, as of 23 June, the College had achieved 98.9% of its WSUMs activity target. The Board NOTED that the Executive expected the College to achieve its year end WSUMs target for AY 2014/15.

6.1.2 The Board NOTED that the number of applications for courses in AY 2015/16 received (to date) had been positive. The Vice Principal, Academic Leadership, informed the Board that the new applications process had allowed the College to increase the number of selection decisions taken prior to staff leaving for the summer break.

The Board AGREED that figures indicating the accepted numbers of applications to date should be circulated to Members, to allow the performance of the new system to be effectively monitored. The Board AGREED that a mechanism for staff to feedback any concerns arising from the new application and enrolment system should be implemented.

6.1.3 The Board NOTED the main sources of public funding received by the College, and an overview of potential areas of revenue through national funding policies. The Vice Principal, Academic Leadership, confirmed that funding proposals were currently been drafted and it was expected that outcomes would be known by the start of the new academic year.

The Board AGREED that it would be beneficial to receive a greater understanding of the workings of the College's finances, including a breakdown of the total funding received through the SFC and other avenues.

6.1.4 The Board NOTED the College's overspend against its original staffing budget in AY 2014/15, due to a shortfall in student numbers, which necessitated additional unbudgeted courses and staff. The Board NOTED that staffing demands had been considered within a Zero Based Budgeting approach for AY 2015/16, and the Executive reassured the Board that temporary staffing costs would be reduced.

6.1.5 The Board NOTED the College's intention to reduce provision in Veterinary Nursing, in line with the curriculum strategy, and transfer provisions to SRUC. The Board NOTED the rationale behind the proposal and the need for the College to retain its SFC credits within any future agreement.

The Board agreed to halt proceedings and consider the Academic Council Draft Minutes 12.06.15 (Item 9.1 refers) out of sequence

Elaine Lee left the meeting

6.2 FINANCE

6.2.1 The Board NOTED the College's current adverse position in operational income, which was forecast to widen by the year-end. The Director of Finance informed the Board that a concerted effort to mitigate the effects of full year income shortfalls by securing new business and containing expenditure continued.

6.2.2 The Board DISCUSSED the following points relating to the financial implications of the shortfall:

- (i) the impact on the July and March Resource Returns;
- (ii) the level of confidence amongst the Executive for achieving the AY 2015/16 financial targets;
- (iii) the active management of the College's financial situation with the SFC;
- (iv) the anticipated salary saving in AY 2015/16, outlined by the Director of Finance;
- (v) the lack of foresight, at both committee and Board level, relating to commercial and international projections.

6.2.3 The Board NOTED its disappointment with the financial figures outlined, and AGREED that mechanisms to highlight future income shortfall should be implemented.

6.2.4 The Board AGREED that the Executive would provide an update on the College's financial position to the next meeting of the Policy & Resources Committee.

6.3 HUMAN RESOURCES AND STAFF ENGAGEMENT

6.3.1 The Board NOTED an update on the Job Evaluation Scheme (JES). The Director of OD and Communications informed the Board that applications would be reviewed by the second week in July, with outcomes going forward for consideration by the Executive.

6.3.2 The Board AGREED that any JES related communications to staff should be reviewed by the Chair and Vice Chair prior to circulation.

6.4 MONITORING OUR PERFORMANCE

6.4.1 The Board NOTED a summary of Key Performance Indicators (KPIs) for June 2015, and the actions taken by the Executive to address areas that were highlighted amber or red.

6.4.2 The Board NOTED that the performance summary information related to financial indicators was out of date. The Board AGREED that accurate and timely performance information must be provided to future meetings of the Board and relevant committees.

6.5 RISK

6.5.1 The Board NOTED a RIDDOR Report to 01 June, which included equivalent year to date information as previously request by the Board.

The Vice Principals, the Director of Finance and the ECSA Vice President (Welfare) left the meeting

7. CLOSED ITEM(S) OF BUSINESS

7.1 VOLUNTARY SEVERANCE

An update on Voluntary Severance was considered by the Board as part of a closed session (Closed minute 7.1/23.06.15 refers).

7.2 REMUNERATION COMMITTEE

A verbal update on Remuneration Committee business was considered by the Board as part of a closed session (Closed minute 7.2/23.06.15 refers).

The Vice Principals, the Director of Finance and the ECSA Vice President (Welfare) re-joined the meeting

8. RECOGNITION & PROCEDURE AGREEMENT

8.1 *Paragraph 8.1 presently exempt from publication under the Freedom of Information (Scotland) Act 2002, Section 30, Prejudice to the Effective Conduct of Public Affairs.*

8.2 NATIONAL RPA

- 8.2.1 The Board NOTED a National Recognition & Procedure Agreement (NRPA) agreed by National Joint Negotiating Committee (NJNC), and endorsed by the Colleges Scotland Board. The Board NOTED that college chairs and principals were asked, on behalf of Colleges Scotland, to seek endorsement from their respective boards to formally adopt the NRPA.
- 8.2.2 The Board NOTED that signing the NRPA provided a mechanism and a mandate for negotiations to move from local to national level, providing a significant first step to reintroducing national bargaining in line with Scottish Government policy.
- 8.2.3 The Board DISCUSSED the individual areas where Scottish colleges would agree to negotiate with trade unions at the NJNC, and the need for principals within sector to work together (through robust internal processes) in the best interests of the sector.
- 8.2.4 The Board AGREED to endorse the NPRA, and NOTED that the Agreement would come into effect from 01 August – if endorsed by the college sector.

9. EDINBURGH COLLEGE STUDENTS' ASSOCIATION

9.1 ECSA UPDATE

- 9.1.1 The Board NOTED a report on ECSA's activities and upcoming projects, introduced by the Student President.
- 9.1.2 The Board NOTED that the Student President had met with the Shadow Cabinet Secretary for Education and Lifelong Learning to discuss a number of issues, including bursaries and student support within further education.

9.2 ECSA END OF YEAR REPORT

- 9.2.1 The Board NOTED a report outlining the activities conducted by ECSA in AY 2014/15, and an update on the Student Association's progress against measures outlined in its Operational Plan.
- 9.2.2 The Board NOTED that of the 87 key measure set out in the ECSA Operational Plan, 84 had been completed or were on track to be achieved by the end of June. The Board NOTED the three key measures which had not been achieved and the 'lessons learned' for forward planning.
- 9.2.3 The Board commended ECSA for providing an excellent report, and wished the ECSA Team well in achieving their aims for AY 2015/16.

10. COMMITTEE REPORTS

10.1 ACADEMIC COUNCIL

10.1.1 MINUTES 12.06.15

The Board NOTED the Academic Council minutes from the meeting held on 12 June.

The Board NOTED that the Academic Council had approved both the Blended Learning Strategy and the Curriculum Strategy. Elaine Lee, a member of the Academic Council, informed the Board that a final version of the Curriculum Strategy would be presented to the next meeting of the Committee.

10.2 AUDIT & RISK ASSURANCE COMMITTEE

10.2.1 MINUTES 03.06.15

The Board NOTED the Audit & Risk Assurance Committee minutes from the meeting held on 03 June. The Board NOTED that a Whistleblowing Policy, which was consistent with current legislation, had been considered and approved by the Committee.

The Board NOTED that the Committee had conducted a review of its annual operation, in line with Audit Scotland's guidance, and had agreed a number of actions to further its work in AY 2015/16. The Chair welcomed the actions put forward, and highlighted the Committee's important role in reviewing the robustness of the College's financial monitoring systems.

10.2.2 TOP RISK REGISTER

The Board NOTED the Top Risk Register for May 2015, which had been updated to align more closely with the Operational Risk Register.

10.3 CAPITAL & INFRASTRUCTURE COMMITTEE

10.3.1 MINUTES 27.04.15

The Board NOTED the Capital & Infrastructure Committee minutes from the meeting held on 27 April

10.3.2 MINUTES 09.06.15

The Board NOTED the Capital & Infrastructure Committee minutes from the meeting held on 09 June.

The Board NOTED that the Committee had received a presentation on the College's Estates Development Review. The Board AGREED that it would be appropriate to hold a Board Strategy Day to consider the future development of the College's estates.

10.4 COMMERCIAL & INTERNATIONAL COMMITTEE

10.4.1 MINUTES 20.05.15

The Board NOTED the Commercial & International Committee minutes from the meeting held on 20 May.

The Board NOTED the importance of business pipeline KPIs and business stream outcomes to the work of the Committee. The Committee Chair informed the Board that these areas would be considered further at the Committee's next meeting on 06 July.

10.5 NOMINATIONS & ENGAGEMENT COMMITTEE

10.5.1 MINUTES 01.05.15

The Board NOTED the Nominations & Engagement Committee minutes from the meeting held on 01 May.

10.5.2 MEETING UPDATE 08.06.15

The Board NOTED a verbal update from the Vice Chair on the key matters considered at the Nominations & Engagement Committee held on 08 June.

The Board NOTED that the Committee had welcomed further developments to the Brand Wheel, and that a presentation on brand development would be provided to the Board at its next meeting.

10.6 POLICY & RESOURCES COMMITTEE

10.6.1 MINUTES 03.06.15

The Board NOTED the Policy & Resources Committee minutes from the meeting held on 03 June.

The Board NOTED that the SFC (in a letter dated 15 May) had confirmed a second evaluation of the College in 2016, to review progress relating to merger implementation and the College's development action plan.

The Board NOTED that a Student Funding Partnership Agreement, which recognised that the College and ECSA would jointly support the management of all student support funds, had been welcomed by the Committee.

The Board NOTED that the Committee had approved the College's Tuition Fee Policy 2015/16, subject to an Equality Impact Assessment. The Vice Chair informed the Board that there had been no increase in fees, with the exception of an inflationary uplift to part-time course fees.

10.6.2 ECSA BLOCK GRANT SUBMISSION 2015/16

The Board NOTED a recommendation by the Policy & Resources Committee to approve the ECSA Block Grant Submission for AY 2015/16.

The Board NOTED a letter from the SFC to college Principals and Chairs regarding the 'Future Development of Students Associations', which outlined the modest baseline budget expectations placed on colleges.

The Board DISCUSSED the level of funding required to develop an effective and sustainable Students' Association, and APPROVED the ECSA Block Grant Submission.

10.6.3 DRAFT COLLEGE BUDGET 2015/16

The Board NOTED a Draft College Budget for AY 2015/16, as agreed by the Policy & Resources Committee. The Board NOTED that the College's adverse operation income, as outlined under Paragraph 6.2, and its potential impact on the Draft Budget were unknown at the point of Committee approval.

The Board DISCUSSED the likely impact of a potential 1% uplift in staffing costs and the national changes to employer pension contributions.

The Board AGREED that, in light of the financial shortfalls and potential increases in staffing costs, a reforecast Draft College Budget would be considered by the Policy & Resource Committee, prior to a final Budget being proposed to the Board.

11. GOVERNANCE

11.1 GOVERNANCE REPORT

11.1.1 The Board NOTED that Jenni Behan, Vice President (Welfare), had been nominated by ECSA as a Student Board Member, along with the incumbent Student President.

11.2 GOVERNANCE FRAMEWORK

11.2.1 The Board NOTED revised elements of the College's Governance Framework, which included the Constitution and Proceedings of the Board of Management and the Powers of the Board of Management as determined by the Post-16 Education Act (2013).

11.2.2 The Board DISCUSSED the revised elements of the Governance Framework, as set out in the legislation, and the College's own Standing Orders as put forward by the Governance Director.

11.2.3 The Board indicated that it was content with the approach to the revised Governance Framework, and APPROVED the Standing Orders of the Board of Management.

11.3 COMMITTEE RESTRUCTURE

11.3.1 The Board NOTED a proposed committee structure, approved by the Nominations & Engagement Committee, which aligned with the new executive structure and reduced the number of committees reporting to the Board.

11.3.2 The Board NOTED that operational areas of the College would be overseen by four major business committees, with the Nominations and Remuneration Committee refocused towards their statutory functions.

11.3.3 The Board NOTED that the level of student and staff representation on committees would remain consistent, despite the fact that the overall number of committees had been reduced by one.

11.3.4 The Board DISCUSSED the following aspects of the revised committee structure:

- (i) the removal of the Capital & Infrastructure Committee from the structure, and the repositioning of its remit;
- (ii) the use of 'sub-groups' to consider larger-scale project items in a more flexible manner;
- (iii) the presentation of a revised Scheme of Delegation to the Board in AY 2015/16.

11.3.5 The Board APPROVED the revised committee structure for implementation prior to the start of the new academic year.

11.3.6 The Board NOTED the proposed membership of the newly reconfigured committee structure, and DISCUSSED the need to fill vacant positions in a timely manner through the ongoing non-executive recruitment process.

11.3.7 The Board APPROVED the proposed committee membership, and AGREED to consider means to further enhance student and staff participation within the committee structure.

11.4 BOARD AND COMMITTEE CALENDAR

11.4.1 The Board NOTED an overview of the Board and committee calendar for AY 2015/16. The Chair confirmed that a number of meeting dates would need to be revised in-light of the committee restructure.

12. NATIONAL REPORT

The Board NOTED that representative from Scotland's college boards had met in Edinburgh on 16 June, for the launch of the new *Guide for Board Members in the College Sector*. The Chair welcomed the attendance of a number of the College's Board Members at the event, where Education Secretary Angela Constance had addressed attendees.

13. ANY OTHER COMPETENT BUSINESS

The Board NOTED that Dame Ruth Silver, Chair of the Widening Access Commission and Aileen McKechnie, Director of Advanced Learning & Science at Scottish Government, would be in-attendance at the next meeting of the Board.

14. DATE OF NEXT MEETING

The next meeting would be held at 14:00hrs on 22 September 2015 at the Milton Road Campus.

15. CLOSED BUSINESS

Items of business were considered by the Board as part of a closed session. Closed items were recorded under a separate minutes (*Closed minutes 7/23.06.15 refers*).

Meeting closed at 17:40

..... (Signature of Chair) (Date)