

## Minute of Colleges Scotland Board

Thursday 23 March 2023, Argyll Court, Castle Business Park, Stirling, FK9 4TY

<b>Present</b>		
Waiyin Hatton (WH) (Chair)	Angus Campbell (ACa)	Liz Connolly (LC)
Margaret Cook (MC)	Audrey Cumberford (AC)	Susan Elston (SE)
Alex Linkston (AL)	Ray McCowan (RMc)	Janie McCusker (JMc)
Laurie O'Donnell (LO)	Lydia Rohmer (LR) (1245)	Nora Senior (NS)
Ronnie Smith (RS)	Shona Struthers (SS)	David Watt (DW) (1307)
<b>In Attendance</b>		
Kirstie Laird (KL) (Minute)	Gavin Donoghue (GD)	Andy Witty (AW)
<b>Apologies</b>		
Trudi Craggs (TC)	Fiona McQueen (FMc)	Caroline Stuart (CSt)

### **1. Welcome and Apologies and Chairs Business**

- 1.1. The chair welcomed members in attendance and recorded apologies. No other competent business had been received; therefore, it was noted that the meeting would progress with the set agenda.
- 1.2. The board ratified the following:
  - Alex Linkston (AL) as a member of the College Sector Finance Group.
  - David Watt (DW) for his second term on the CS Board which renewed on 3 March 2023.
- 1.3. The board congratulated Liz Connolly (LC) on being elected as a Fellow of the Royal Society of Edinburgh (RSE).

### **2. Declaration of Interest Register**

- 2.1. No conflicts were declared by members of the board.

### **3. Minutes of Previous Meetings and Matters Arising**

- 3.1. The chair referred the board to Paper 3.1 requesting approval of the minutes of the previous meeting.
- 3.2. The board approved the minute as an accurate record of the previous meeting, subject to inclusion of reference to an update requested on the governance element of the CS review under item 13 (any other competent business).
- 3.3. SS provided commentary on the progress of the Action log.

### **4. Memorandum of Authority between Colleges Scotland and College Employers Scotland**

- 4.1. GD referred to Paper 4.1 and updated the board that the Memorandum of Authority (MoA) has been developed by the staff, with input from Professor Ron Hill (RH) of Stirling University, Robbie Francis (RF) of Thorntons Law and the Chair of College Employers Scotland (CES), with the purpose of clearly defining the roles and responsibilities of Colleges Scotland (CS) and CES.

- 4.2. The board noted that the main changes to the document were to provide greater clarity of what CES can and cannot do without the approval of the CS Board.
- 4.3. The lawyers were keen to ensure the MoA is clear that we remain one legal entity with CS board maintaining overall accountability.
- 4.4. GD informed the board that the MoA is for the board's information before it is presented to the CES Executive Group on 20 April 2023, then the full CES at their May meeting before presentation back to the CS Board for formal endorsement at the June board meeting.
- 4.5. The board agreed that the CES managements accounts would continue to be presented to the CS board for information, as the CS Board is accountable.
- 4.6. **GD agreed to check on the rationale for using two separate bank accounts for CS and CES.**
- 4.7. The board commented that the CES Governing Body should have responsibility for decision making and their finances, with the CS Board having overall oversight of the information for assurance that CES are following due processes which are aligned to those of CS.
- 4.8. **The board agreed to seek clarification from the lawyers on any legal implications arising from ratification of the CES Chair and Vice Chair by CS Board if this was removed from the MoA. In addition, to seek clarification on legal implications and accountability if the chair of CES may not be a CS member.**
- 4.9. It was confirmed that the CS Board's role is one of governance and fiduciary assurance and should be sighted on reports and decisions made by CES, with relevant KPIs where applicable.
- 4.10. Future CS Board agenda will not include CES operational matters.

## 5. **CEO Report**

- 5.1. The board noted the achievements and activities of the CEO and CS Staff recorded in Paper 5.1, highlighting the achievements of the Policy team, in particular, securing funding for the sector from the Young Person's Guarantee (YPG) of £4.2m.
- 5.2. AW informed the board that each of the four priority working groups established from February's Think the Unthinkable (TtU) Convention 4 had now met at least once and actions were being progressed with all groups meeting next week. The four priority areas have now been shared with Scottish Government (SG).
- 5.3. AW met with Welsh officials and senior civil servants last week to gain an understanding of the Welsh college model. AW is due to meet with Colleges Wales and policy team online in the coming weeks.
- 5.4. The board was informed that college sector engineering leads attended the Climate Emergency Skills Event with senior members of Energy Skills Partnership (ESP) and CS. Key messages for the Minister from the meeting were around the need for better focused careers advice in this area and that following the Just Transition funding being available in one geographical area, there would be strong benefit in seeing this extended to other areas.
- 5.5. SS informed the board that the Minister for Further and Higher Education and Skills, Mr Jamie Hepburn, has yet to respond to our letter signed by 21 college principals seeking urgent action on mental health counsellor funding. CS has signed off a media line for

release today which notes their disappointment that counsellor roles would cease after summer if no funding was forthcoming.

- 5.6. SS informed the board that after sustained intervention and advocacy from CS staff, the SFC is supporting the development of a business case for WorldSkills to continue in Scotland. SS explained that this was not the case a few weeks ago when it seemed certain that Scottish Government were content to be the only region of the UK which does not contribute to the WorldSkills programme.

## **6. Colleges Scotland Strategy Tracker**

- 6.1. SS referred the board to Paper 6.1. Following a request from the Finance and General Purposes Committee (FGPC) to streamline the report, the summary and diagram pages have been removed.
- 6.2. SS confirmed that all aspects of the strategy tracker were now being progressed.
- 6.3. AW informed the board that the CS Annual External Stakeholder Perception survey had started later than planned due to the time and resource required for the TtU events which took priority, however, the survey is now progressing.

## **7. College Employers Scotland (CES)**

- 7.1. GD provided the board with an update on National Bargaining, noting there had been a long discussion at CES and there was no unanimous agreement to move from the current 2% pay offer at this time, without government intervention.
- 7.2. GD also provided the board with an update on the Job Evaluation project, noting funding ceased as of 31 January 2023, and that CES had discussed this issue in January and March. CES is progressing this issue with input from the HR Strategic Group.
- 7.3. The board noted that Job Evaluation is a complex project which carries a lot of high risks, however, CES is trying to find a way forward to ensure money is dispersed to staff with a joint agreement between employers and trade unions. The board held a comprehensive discussion on the risks carried by the Job Evaluation project against CS and mitigations implemented by CES to address these.
- 7.4. The board agreed the CS Risk Register should be reviewed to ensure it captures the correct narrative and mitigations against the Job Evaluation project.

## **8. Finance Update**

- 8.1. AW referred the board to Paper 8.1. noting that, since the accounts were prepared, the vacancies within core staffing have been filled and the Executive Team are looking to utilise these savings on research and stakeholder engagement. He noted there was a slight increase in income due to CS hiring out their meeting rooms for external use.
- 8.2. GD referred the board to Paper 8.2 highlighting that the underspend in core staffing was mainly due to the unsuccessful recruitment campaigns to fill vacancies. CES is currently recruiting for a Joint Secretary, is progressing recruitment for the HR Policy Officer, and had just appointed a Communications and Public Affairs Officer.
- 8.3. The board noted both sets of Management Accounts.

## **9. Risk and Regulatory Update**

- 9.1. SS presented Paper 9.1, noting the red risks on the register had been discussed during earlier agenda items and were linked to the Job Evaluation Project and recruitment issues.

- 9.2. SS agreed as part of Senior Leadership Team' (SLT) ongoing review of the Risk Register, particular focus will be made to risks 15 and 16.
- 9.3. The board noted the Risk Register.
10. **HR and Health and Safety Report for period 1 August 2022 – 31 January 2023**
- 10.1. SS informed the board that Paper 10.1 is a bi-annual report and was reviewed by the FGPC at their March meeting where the committee sought and received confirmation that cyber security was in hand.
- 10.2. SS informed the board that Jillian Cheape (JC) has been systematically progressing the HR policies as a development opportunity and this has been done in marginal time.
- 10.3. The board noted the report and asked that the minute reflects their thanks to JC for her efforts.
11. **2023-24 Schedule of Key Meetings Dates**
- 11.1. The board noted Paper 11.1 and dates for their diaries for 2023-24. The chair requested the board contact the Board Admin Officer (Kirstie Laird) with any existing diary clashes as soon as possible.
12. **Committee/Advisory Groups Minutes of Meetings**
- 12.1. The chair referred the board to the links provided in the board pack for the committee/advisory group minutes.
13. **Any Other Competent Business**
- 13.1. There was no other competent business.
14. **Date of Next Meeting**
- 14.1. The board noted the date of the next board meeting, Thursday 15 June 2023 (1000-1300).

## Board of Management Action Monitoring Log

<b>Actions from 23 March 2023 Meeting</b>				
<b>Action Ref</b>	<b>Action</b>	<b>Owner</b>	<b>Due Date</b>	<b>Status</b>
230323 – 4.6	GD agreed to check on the rationale for using two separate bank accounts for CS and CES.	GD/SLT	Jun-23	Complete
230323 – 4.8	The board agreed to seek clarification from the lawyers on any legal implications arising from ratification of the CES Chair and Vice Chair by CS Board if this was removed from the MoA. In addition, to seek clarification on legal implications and accountability if the chair of CES may not be a CS member.	GD/SLT	Jun-23	Complete
<b>Actions from 26 January 2023 Meeting</b>				
<b>Action Ref</b>	<b>Action</b>	<b>Owner</b>	<b>Due Date</b>	<b>Status</b>
230126 – 5.5	The board agreed direction from SG on their red lines is required and confirmation if different models would be considered with any restrictions. The Policy Team will seek confirmation of any red lines SG may have on TtU options.	Policy	Mar-23	Complete
230126 – 8.5	The board agreed JJ is to make the decision on the most cost-effective way to progress a survey with the aim of highlighting any gaps in stakeholders the sector communicates between Colleges Scotland and College Development Network.	JJ	Mar-23	Complete
230126 – 9.13	The board agreed the next steps to be taken by SLT re Colleges Scotland Fit for Purpose Accommodation: <ul style="list-style-type: none"> <li>Discussions with members as to the pros and cons of a member college hosting CS and CES staff in fit for purpose accommodation which meets set criteria</li> <li>Appropriate consultation with the subtenants (ESP and WorldSkills) to gather information</li> <li>Appropriate consultation with key stakeholders of CS and CES to gather information</li> <li>Appropriate consultation with staff at the point there is a proposal which meets the criteria</li> <li>SLT to present the findings to the next meeting of the Finance and General Purposes Committee</li> </ul>	SLT	Jun-23	Ongoing – update provided under Agenda Item 4 (Matters Arising).
230126 – 13.5	The board agreed that a board development day be scheduled to enable reflection on CS's Strategy 2022-26 in the light of the sector's landscape.	WH/Exec/ Admin	TBA	Ongoing – update provided under Agenda Item 4 (Matters Arising).

<b>Actions from 23 June 2022 Meeting</b>				
<b>Action Ref</b>	<b>Action</b>	<b>Owner</b>	<b>Due Date</b>	<b>Status</b>
<b>220623 – 4.4</b>	The chair will schedule a board evaluation for 2024. An interim progress report based on comments contributed at one-to-one meetings with the chair will be prepared.	Chair/Exec	Jun-23	Complete
<b>220623 – 4.8</b>	On conclusion of the sector leadership work, a meeting would be arranged with key stakeholders to ensure a more joined up approach to future budget challenges and implications.	SLT/Admin	Jun-23	Complete