

Steeple Suite, Falkirk Campus @4.30pm

AGENDA

		Type	Lead
New members welcome & introductions			
1	Apologies and Declarations of Interest	Discussion	Trudi Craggs
2	Minutes and Matters Arising of Meeting of 22 June 2023	Approval	Trudi Craggs
(Elements of paper 2 are withheld from publication on the Forth Valley College website under Section 36 Confidentiality of the Freedom of Information (Scotland) Act 2002.)			
3	Minutes of Committee Meetings		
	3.1 Audit Committee – 7 September 2023	Noting	Lorna Dougall
	3.2 Finance, Resource & Infrastructure Committee – 19 September 2023	Noting	Liam McCabe
(Elements of paper 3.2 are withheld from publication on the Forth Valley College website under Section 33 Commercial Interests and the Economy of the Freedom of Information (Scotland) Act 2002.)			
4	Principal's Executive Summary Report	Discussion	Kenny MacInnes
(Paper 4 is withheld from publication on the Forth Valley College website under Section 33 Commercial Interests and the Economy of the Freedom of Information (Scotland) Act 2002.)			
5	Chair's Update	Discussion	Trudi Craggs
6	Student Association Report	Discussion	Steve Kemlo
STRATEGIC PLAN IMPLEMENTATION			
7	Skills Transition Centre – Draft Outline Business Case	Approval	Colin McMurray
(Paper 7 is withheld from publication on the Forth Valley College website under Section 33 Commercial Interests and the Economy of the Freedom of Information (Scotland) Act 2002.)			
GOVERNANCE			
8	Board Secretary Arrangements	Approval	Alison Stewart
9	Fuel Change Lessons Learned Report	Discussion	Alison Stewart
(Paper 9 is withheld from publication on the Forth Valley College website under Section 36 Confidentiality of the Freedom of Information (Scotland) Act 2002.)			
OPERATIONAL OVERSIGHT			
10	Review of Risk	Discussion	All

11 Any Other Competent Business

Discussion All

FOR INFORMATION

Board Calendar

CDN Governance Programme 2023/24

SFC Correspondence re FFR - (This paper is withheld from publication on the Forth Valley College website under Section 36 Confidentiality of the Freedom of Information (Scotland) Act 2002.)

CDN Governance Update July 23

CDN External Review update

Risk Management Policy and Procedure

Uncontrolled Copy

Steeple Suite, Falkirk Campus 4.30pm

Present: Trudi Craggs (Chair)
Kenny MacInnes
Hazel Burt
Paul Devoy
Lorna Dougall
Philip Harris
Emma Meredith

Apologies: Katherine Graham
Jennifer Hogarth
Caroline Johnston
Liam McCabe
Alistair McKean

In Attendance: Alison Stewart, Vice Principal Finance & Corporate Affairs (VPFACA)
David Allison, Vice Principal, Infrastructure and Communications (VPIC)
Sarah Higgins, Vice Principal Learning and Student Experience (VPLSE)
Stephen Jarvie, Corporate Governance and Planning Officer and Deputy Board Secretary (CGPO)
Steven Kemlo, incoming FVSA President (SK) - Observer
Andrew Kinnell, Student Engagement Coordinator (SEC) for item B/23/030 only
Lisa Baxter, University Partnership Officer (UPO) for item B/23/030 only

The Chair welcomed Steve Kemlo, incoming FVSA President, to the meeting as an observer.

B/23/025 Apologies and Declarations of interest

As above

B/23/026 Minutes & Matters Arising of Meeting of 28 April 2023 and 1 June 2023

Members considered the minutes of these meetings

a) Members approved the minutes of 28 April 2023 and 1 June 2023

Matters Arising - None

B/23/027 Minutes of Committee Meetings

3.1 Audit Committee – 18 May 2023

The Audit Chair outlined the business of the meeting, noting that there had been four very positive reports presented by the Internal Auditors.

She outlined the outcome of the recent tender for Internal Audit services and confirmed that Wyllie & Bisset had been appointed.

She highlighted that the Committee wished to record their thanks to the outgoing Internal Audit provider, Henderson Loggie for their services.

a) Members noted the content of the update

3.2 Learning & Student Experience Committee – 8 June 2023

Lorna Dougall updated members on the business of the Committee, noting that it was Sarah Higgins-Rollo's first meeting as the new Vice Principal Learning and Student Experience.

She informed members that there had been discussion on the curriculum changes which had arisen as a result of the consultation and commended the College on the work undertaken to minimise this impact as well as keeping students fully informed throughout the process.

She outlined further discussions on the College's work on improving the student journey process.

She informed members that a paper covering the College's PI performance against the sector was appended to the papers and that the College was performing well against the sector.

She informed members of an issue which the Committee had been informed about regarding 8 students being issued the wrong exam paper. She reported that the College was actively engaging with SQA to provide supplementary evidence to allow for the students to receive a fair assessment and that the College was engaging with the impacted students as matters progress.

The Principal provided additional information, remarking that a decision had been taken to offer the students a full reimbursement of their course fees and that he had also written to each of the students individually to apologise for the mistake. He stated that he had received some positive feedback from the students on taking ownership of the issues.

a) Members noted the content of the update

3.3 Finance Committee – 13 June 2023

Philip Harris reported on the content of the meeting, noting that the tuition fees paper and accounting policies for the year had been approved along with increases to the procurement threshold levels. He highlighted that the major discussion had been on the budget which the committee had endorsed and which would be considered further on in the Board agenda.

Members noted from the minute that there had been discussion on non-compliant spend and requested additional information on this.

The VPFACA outlined the items covered under this category, stating it was mainly related to when departments would go to local suppliers such as a builders merchant for materials directly instead of using the framework owing to time. She confirmed the non-compliant spend had been reviewed and there were no concerns highlighted.

She also informed members that a new process of No PO, No Payment was being introduced at the start of the new academic year as a further control mechanism.

Members queried the fee level for international students, noting that while the college was around the sector average this was roughly half the rate universities charged. Emma Meredith noted that she was aware of additional information on how other Colleges manage international work and it was agreed she would discuss this further with the Principal.

a) Members noted the content of the update

B/23/028

Principal's Report

(Elements of this section are withheld from publication under Section 33 Commercial Interests and the Economy of the Freedom of Information (Scotland) Act 2002.)

The Principal presented his first report to the Board since taking up his post at the start of May 2023.

He discussed the consultation that had been launched shortly thereafter and outlined to members the open staff briefing sessions he had with approximately 280 staff across all campuses and also via teams. He noted that all of the Senior Management Team were also in attendance at these meetings and thanked them for their support.

He informed members that the consultation has now been concluded and all the interviews for ring fenced posts in the consultation were also now completed.

[REDACTED]

He outlined staffing changes following the new VPLSE coming into her role and the appointment of staff to fill the vacancies this had created.

He reported on the recent FVSA awards ceremony which he had been asked to open. He highlighted that this was a fully student run event and the evening had been fantastic.

He highlighted the recent successful completion of the latest SCOTS cohort which continued to record excellent levels of success for pupils Schools identified as being at risk of not completing school, with 85% of those attending completing the course.

He discussed the current action short of strike being undertaken by the EIS-FELA union as part of national action. He confirmed that the impact of this was being actively monitored and staff were working to address this. He informed members that, for students progressing internally, they have all been offered their chosen progression route to provide some certainty and to allow the College to focus resources on supporting students who need results to secure university places or employment.

He referred to recent meetings with the chief exec of College's Scotland (CS). The Chair also noted that she had attended the CS Board meeting the previous week.

Members queried how CS was planning to respond to the range of reviews of the tertiary sector, such as the Withers report and Hayward reviews.

Members discussed what the Board would expect from CS as the sector representative and it was agreed that CS needs to be more proactive in the response to these reviews and push the government to ensure the sector is adequately funded to meet all the ambitions being outlined.

a) Members noted the content of the report

B/23/029

Chair's Report (Verbal)

The Chair reported that she had been in weekly contact with the Principal since he began his role. She also commented on the work involved in running the consultation alongside other business. She thanked the Principal and SMT for their work and commented that reduction in the number of staff affected by the consultation was welcomed.

a) Members noted the content of the update

B/23/030

Student Association Annual Report 2022/23 (including Foundation Application)

The Student Engagement Coordinator (SEC) and University Partnership Officer (UPO) joined the meeting for this item.

The SEC provided an overview of the contents of the 2022/23 annual report for FVSA.

He highlighted a range of successful events including the fresher's and refreshers fayres, as well as the awards referred to earlier in the meeting by the Principal.

He discussed the student pantries which are available on each campus and commented on the successful work with the College to ensure free breakfast and lunch provision on campuses.

He outlined the challenges in the past with getting students to vote in the sabbatical officer elections. He informed members that changes to the student elections processes and promotion had generated a 1,300% increase in voter turnout.

Members noted it would be useful to get a calendar of FVSA events as they could possibly attend to support the FVSA.

The UPO, who has line management responsibility for FVSA staff, attended the meeting to discuss the content of the recently approved application to the College Arm's Length Foundation (ALF) for the staffing costs of FVSA for the next two years.

She outlined the structure of FVSA going forward.

a) Members noted the content of the annual report and ALF application

STRATEGIC PLAN IMPLEMENTATION

B/23/031 Forth Valley College Foundation Grant Applications

The VPFACA presented a number of grant applications for the ALF for members consideration and approval.

She provided some background information on the role and function of the ALF.

She noted that the normal process would be for these applications to come to the Board before going to the ALF for consideration but that this had not been possible for all the applications given the timing of the ALF meeting. She confirmed that the ALF had approved all the applications subject to securing Board approval for relevant bids as outlined in the cover paper.

She presented an overview of the applications as appended to the paper.

a) Members approved the applications as outlined in the cover paper

B/23/032 Revenue and Capital Budgets 2023-24

The VPFACA presented the budgets for 2023-24. She confirmed to members that, as a result of the outcome of the consultation, the budget had reached a balanced position .

She discussed the outstanding risks as outlined in the paper and updated members that, since the paper was produced, the College had received confirmation of HEI block grant arrangements for 2023/24 from the University of Stirling.

She highlighted that the national pay negotiations were not concluded at this time but that the assumptions in the budget were in line with the national employers position.

The Principal provided members with an update on the pay requests from the unions and the challenges of this in an ongoing flat cash funding position. He informed members that College Employers Scotland were preparing comms for staff and these would be issued to staff once they were available.

Members commended the College for managing to achieve a balanced budget again and acknowledged the challenges in continuing to do so.

- a) Members approved the revenue and capital budgets for 2023/24

B/23/033

Financial Forecast Return 2022-26

The VPFACA presented the Finance Forecast Return (FFR) for 2022-26.

She confirmed that the FFR has been produced as per the SFC guidance and that it used SFC assumptions.

Members expressed significant reservations on the use of the assumptions given they did not appear to reflect an accurate reflection of the sector and that the measures taken in the FFR to achieve the balanced position SFC require are not feasible for the College.

Members queried whether the College had to approve and submit the FFR to SFC.

The VPFACA confirmed that submission was a condition of grant under the Financial Memorandum.

Members expressed concern over the possible impact on the amount of curriculum that the College can offer in the future. The Principal confirmed that, should funding continue as it has over recent years, there will be a tipping point where there are significant curriculum impacts.

- a) Members agreed that the FFR would be submitted to SFC but there would be notification that the Board did not approve the content and were submitting to meet Financial Memorandum requirements.

- b) Members agreed the Chair, Principal and VPFACA would develop a cover letter outlining the Board's concerns

B/23/034

Consultation Update

The VPFACA provided an update on the consultation exercise.

[REDACTED]

- a) Members noted the content of the update and the work done to reduce the number of staff at risk to a minimum

GOVERNANCE

B/23/035 Fuel Change

(Elements of this section are withheld from publication under Section 33 Commercial Interests and the Economy of the Freedom of Information (Scotland) Act 2002.)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- a) Members noted the content of the update.

B/23/036 Board Calendar and Committee Membership

The VPFAA presented the updated calendar of meetings and the proposed committee membership for consideration and approval.

She confirmed that, following earlier comments, she would work with the CGPO on a board engagement calendar as well over the summer to highlight College/FVSA events.

She highlighted that the membership lists did assume approval for the three new non-executive members of the Board whose appointment is currently with Ministers for approval.

Members queried when the trade union representatives might be joining the Board.

The VPFAA noted that this was sitting with Scottish Government as it would require legislative changes to add the Trade Union positions to the composition of the Board.

a) Members approved the calendar and the committee memberships

B/23/037 Board Member Self-Evaluation and Meeting with Chair and SIM

The VPFAA outlined the annual one to one conversations between members and the Chair and that self-evaluation paperwork as well as potential dates would be issued to members.

The CPGO noted that, following changes to the Code of Good Governance, meetings would also be arranged for members to have a discussion with the Senior Independent Member of the Board.

a) Members noted the content of the update

OPERATIONAL OVERSIGHT

B/23/038 Health and Safety Dashboard

The VPIC noted that the Board had requested that their awareness of the College's health and safety position be improved.

He presented the health and safety dashboard that previously been developed for the HR Committee and talked through the contents of the latest dashboard.

He also provided an overview of the College's internal health and safety committee which included trade union representation and which meets fortnightly.

a) Members noted the content of the dashboard and commented that it was at a good level for the Board.

B/23/039 Review of Risk

Risks were identified in covering papers

B/23/040 Any other competent Business

None

On line at 4.30pm

Present: Lorna Dougall (Chair)
Hazel Burt
Kat Graham
Alistair McKean

In Attendance: Kenny MacInnes, Principal
Alison Stewart, Vice Principal Finance and Corporate Affairs (VPFACA)
Michael Speight, Mazars
Ben Fowler, Mazars
Graham Gillespie, Wylie and Bisset
Stephen Pringle, Wylie and Bisset
Stuart Inglis, Henderson Loggie – exited after A/23/006
Stephen Jarvie, Corporate Governance and Planning Officer (CGPO)

A/23/001 Declarations of Interest

None

A/23/002 Apologies

None

A/23/003 Minutes of meeting of 18 May 2023

The minutes of the meeting of 18 May 2023 were approved.

A/23/004 Matters Arising

A/22/036 Update on Internal Audit Investigation (Verbal)

The VPFACA confirmed that the Fuel Change project has been terminated and a lessons learned report would be taken to the Board of Management in September on this topic.

A/23/005 Internal Audit Annual Report

Stuart Inglis presented the annual report from the internal auditors, outlining the audits which had happened in the 2022/23 academic year.

He reported that audit activity over the year had highlighted all areas reviewed as either good or satisfactory and that there was an unqualified credits return.

This has resulted in a clean audit opinion for the College.

a) Members noted the content of the report

A/23/006 Presentation of Internal Audit Reports

Stuart Inglis presented three internal audit reports for members' consideration.

Review of Facilities Management Contract

He noted to members that this review was not in the usual format and had been conducted to assist the College by reviewing the current outsourced facilities management (FM) contract to identify opportunities to drive cash savings or performance improvements in the new tender being developed.

Members noted that, when considering services that may be removed from the FM tender and tendering directly with suppliers, there will be an increased management cost for the College and this should be factored into any considerations.

The VPIC confirmed this would be kept under consideration. He also informed members that AECOM have also been appointed as consultants to support the College in developing the new contract.

a) Members noted the content of the report

Quality Assurance

Stuart Inglis presented the report on quality assurance, reporting that the outcome of the audit was a rating of good and that there were no recommendations made.

The VPLSE commented that the College welcomed the report and thought it was reflective of the processes in place.

The Principal commented on the level of activity that has been devoted towards addressing maladministration and commended the Head of Learning and Quality and the project team involved.

Members welcomed the report and recommended that this be passed to the Learning & Student Experience committee meeting.

a) Members noted the content of the report

Follow Up Review

Stuart Inglis presented the annual follow up review. He reported that good progress had been made and outlined the number of completed, live and recommendations passed their implementation date.

Members noted that the Committee had previously noted that the timescales for addressing recommendations were sometimes too ambitious and that the timescales need to give a realistic amount of time to complete a recommendation.

The Chair noted her and the Committee's thanks to Stuart and the team at Henderson Loggie for the support they have provided to the Committee over their tenure.

a) Members noted the content of the report

A/23/007 Review of Committee Remit

The VPFA presented the remit of the Committee for member's consideration, noting that it was good practice to review the remit annually.

a) Members considered and approved the Committee remit

A/23/008 Risk Management Policy

The CGPO presented an update to the College Risk Management policy. He noted that the document had been changed to reflect title changes and to include the risk appetite of the Board of Management.

Members queried the risk culture within the College and the CGPO gave a brief overview of how risk is highlighted and escalated within the College.

Members suggested that it would be useful to consider how other organisations manage risk culture within their staff. The Principal agreed that this would be looked into.

a) Members approved the Risk Management Policy

A/23/009 Audit Needs Assessment

Stephen Pringle, Wylie and Bisset, presented members with the audit needs assessment (ANA) for 2023/24. He outlined how this had been developed based on the College risk register, previous audit activity and through a session with the College Senior Management Team (SMT).

He outlined the content of the report and the proposed audits for the year.

The CGPO informed members that the ANA document that had been provided to members was not the final version. He apologised for the error and outlined the changes to the document.

Members agreed that the final version should be circulated to members electronically.

a) Members approved the audit needs assessment

A/23/010 Governance Statement

The VPFACA presented members with the governance statement that forms part of the College accounts. She noted it was good practice for the Committee to consider this ahead of the November meeting when the accounts are presented as this allows for any changes members agree to be incorporated.

a) Members considered and approved the content of the governance statement

A/23/011 Audit Committee Self Assessment

The Chair presented the annual self assessment report and checklist to members.

She highlighted that the Board Secretary arrangements in place in the College do not match the checklist and that this was with Board agreement. The VPFACA confirmed the Board Secretary arrangements would come to the full Board for their annual consideration of the effectiveness of the arrangements.

a) Members approved the self assessment document

A/23/012 Progress Report on Audit Recommendations

The CGPO presented the report on the current status of audit recommendations. He confirmed that the two recommendations rated as partially completed in the follow up review report would be re added to the tracker.

a) Members noted the content of the report

A/23/013 Risk Management

The VPFACA presented the College strategic risk register. She noted that there had been some changes since it was last presented and outlined what these were.

She highlighted that the student accommodation risk had been reduced with the accommodation providers appointment but noted that there were currently some issues being resolved and that this may increase the risk again.

She confirmed to members that risk 12 had been reduced as a result of the consultation exercise being completed and savings realised without compulsory redundancies.

Members recommended that the College explore alternative accommodation options incase these should be needed.

a) Members noted the content of the report

A/23/014 National Fraud Initiative

The VPFACA presented a paper outlining the National Fraud Initiative exercise which had been completed within the College, with the results outlined in the paper.

a) Members noted the content of the report

A/23/015 Review of Risk

No new risks identified

A/23/016 Any Other Competent Business

Mazar's Update

Michael Speight, Mazars, introduced his colleague Ben Fowler to the Committee.

He also outlined some developments he had been discussing with the VPFACA including the local government pension scheme and also that Audit Scotland have requested a review of the governance of Arm's Length Foundations.

He also mentioned RAAC which had recently been in the news in relation to public buildings. The VPIC confirmed that a review had been undertaken and that there was none in the College campuses.

a) Member's noted the content of the update

S1.19, Stirling Campus (commencing at 4.30pm)

Present: Liam McCabe
Philip Harris
Steve Kemlo, FVSA President (FVSAP)

Apologies: Paul Devoy
Caroline Johnston
Ken Richardson, co-opted member

In Attendance: Kenny MacInnes, Principal, arrived at F/23/009
Alison Stewart, Vice Principal Finance and Corporate Affairs (VPFACA)
David Allison, Vice Principal Infrastructure and Communications (VPIC)
Senga McKerr, Director of Finance (DOF)
Ralph Burns, Head of Human Resources (HHR)
Moirra France, Finance Manager (FM)
Stephen Jarvie, Corporate Governance and Planning Officer (CGPO)
Lisa Baxter, Student Association and University Partnership Manager (SAUP) for F/23/005
James Aston, Head of Business Transformation (HBT) for F/23/010
Karina Buchanan, Human Resource Business Manager (HRBM) for F/23/010 and F/23/011

The Chair welcomed members to the inaugural meeting of the committee.

F/23/001 Declarations of Interest

None

F/23/002 Minutes of Meeting

2.1 Finance Committee – 13 June 2023

a) Members approved the minute of the meeting

2.2 HR Committee – 20 April 2023

a) Members approved the minute of the meeting

F/23/003 Matters Arising

3.1 F/22/029 Q3 High Level Forecast Outturn 2022-23

The DOF informed members that it had been confirmed that Colleges could keep 20% of the funding for Foundation Apprenticeship credits that had not been delivered in 21/22 but noted that this was a small amount for the College. Members queried

whether there would likely be a clawback for 22/23 in relation to Foundation Apprenticeship funding at some point and the DOF agreed that this was likely.

H/22/019 Health and Wellbeing update

The HHR informed members that the Health and Wellbeing lead had been liaising with internal teams and would soon expand this to include the FVSA.

F/23/004 Review of Committee Remit

The VPFACA presented the committee remit, with an update in section 5 to ensure significant projects are reported on to the Committee. She confirmed that significance did not solely relate to value but also reputational and other considerations.

She noted that the Skills Transition Centre bid would be coming to the next meeting of the Board and would be reported on to this committee.

The Chair noted that it would be useful if the Committee were aware of projects going forward and they could then identify those ones on which they would like more regular reports.

a) Members approved the remit

F/23/005 Student Association Outturn for 2022/23 & Budget for 2023/24

The FVSAP presented a paper outlining the associations outturn for last year and budget for this academic year.

He highlighted key activities such as freshers' fayres and student awards that had helped engagement with students.

He highlighted the work done to increase student involvement in elections, noting that there was a 1300% increase in number of votes cast and that a former staff member of FVSA who had led on this has been nominated for a SPARQS award.

He discussed other avenues of student engagement such as "Feedback Friday".

He noted that the College would be contributing £18,000 towards operational costs and that Forth Valley College Foundation (ALF) had provided 2 years of funding for FVSA Sabbatical officers and staff.

Members queried what "Feedback Friday" was. The FVSAP noted that this was a weekly short survey sent to students on a range of topics, designed to get feedback on current issues or future plans for FVSA.

Members also noted that, in the long term, the funding from Forth Valley College Foundation was a finite resource and queried what would happen when this was no longer available to fund FVSA.

The VPFACA agreed that the funding was limited and that there needed to be an examination of alternative funding channels. She requested that the SAUP conduct a review of how other student associations fund their staff complement.

a) Members approved the paper and the contribution from the College

F/23/006

Procurement Awards

The DOF presented members with two procurement awards, noting that these both had a value of over £250,000

6.1 Print Solution Contract

The DOF reported that this was a three year contract for devices and licences. She informed members that, ideally, a full tender exercise would have been conducted. However owing to timing and to ensure continuity of service, the College had used the direct buy option from the relevant APUC framework.

She drew attention to the risk of this approach, namely, that it may be challenged by other suppliers.

The VPIT informed members that a review of a number of potential printing options from not having an in house print unit through to pre-pandemic type provision had been examined and that, after an assessment exercise, this was considered to be, the best solution available at this time.

Members expressed some concerns regarding the level of detail in the paper, noting additional information on how this was a value for money approach would have been welcomed.

The VPIC commented that print volumes had been examined and that he was happy to bring this information to the next Committee meeting.

The VPFACA agreed with members comments and noted that the proposed solution would deliver quarterly savings against the current contract owing to a reduced number of devices being specified, including in the College print unit.

a) Members approved the Print Solution Contract

6.2 UNIT-e Contract

The DOF presented the paper in relation to the College Unit-e system which is a key MIS system for the College. She noted that engagement with the supplier had started in April 2023 but that they were slow in preparing the necessary paperwork.

She noted that, owing to the importance of the system to College operations, this was another direct call of contract and that the second placed supplier on the framework had been used as to move to the supplier currently ranked first would have incurred significant on boarding costs.

She confirmed that the contract had been signed and the College were looking for retrospective approval for this.

The Chair queried, given the contract had been signed, who had signed the contract and under which authority. The DOF confirmed the Principal had signed the contract.

The VPFACA noted that this should have been issued electronically to members for approval prior to signing.

Members also noted that the supplier being slow with paperwork should not alter College processes.

a) Members agreed to retrospective approval in this case and asked that the issues identified be looked into.

F/23/007

Management Accounts 2022/23 Forecast Outturn

The FM presented the draft forecast outturn to members. She noted that there were still a number of minor yearend adjustments to be made but that these were not material.

She highlighted that the current outturn is a surplus and discussed the variances as outlined in the paper.

Members queried the tangible fixed assets values and it was confirmed this was due to depreciation.

The DOF also highlighted that the college was currently in a positive pension scheme position.

The DOF also confirmed that the latest pay offer had been rejected by the unions and the figures used in the paper were the best information at this time and would be updated if the situation develops.

Members noted the level of capital expenditure still to happen in the current year and asked if this funding would be used and the programme would be caught up.

The VPIC confirmed that the majority of outstanding spend was in his area and that this would happen in time.

a) Members noted the content of the report

F/23/008

Hybrid Working Policy & Procedure

The HHR presented members with the College's Hybrid working policy. He outlined the development of this following the hybrid working trial conducted by the College. He confirmed that feedback from staff had formed part of this review.

He highlighted that, while aiming to be flexible for staff, business need was still the driving decision making point and all requests for hybrid working would be considered against this criteria.

He noted that instead of a normal three year review period for the policy, given the import of this policy, a one year review period would be used.

Members acknowledged the one year period but noted that this would have to start soon.

The HHR confirmed that data would be collected through the period via feedback from managers and staff as well as the College trades unions.

He also clarified that this was an option for staff and that those who wanted to work from campuses would be able to do so.

Members queried what the process would be if a staff member was unhappy with their line managers' decision on hybrid arrangements.

The HHR confirmed that if a challenge was made by staff, or via the unions, the rational for the proposed hybrid schedule would be examined by the SMT member who would make the final decision.

a) Members approved the policy

F/23/009

People Strategy Dashboard

The HHR presented the people strategy dashboard and outlined the current progress against the key strategy highlights.

He discussed the impact of restructuring which had delayed some of the targets owing to the focus needed.

He discussed staff CPD opportunities, highlighting linked in learning as a tool available to staff.

He also discussed the College being awarded the silver award from the defence employers scheme.

- a) Members welcomed the content of the report and noted a cover sheet of key highlights would be useful for future meetings

F/23/010 HR/Payroll System Implementation update (Presentation)

The HBT provided members with a presentation on the new HR/Payroll system. He highlighted the functionality the system will provide to College staff who currently use different systems for a range of tasks.

He also demonstrated how the new system can assist line managers with staff management as well as providing relevant, up to date information and analysis at Departmental and College management levels.

The HRBM discussed the use of the recruitment module which should significantly modernise and speed up recruitment.

The HBT outlined planned future developments to bring additional modules of the system on line to cover areas such as developing competency frameworks and succession planning models. He also confirmed the project team would remain in place until next April to be able to address any teething issues that may arise.

The HBT described the significant amount of testing that had been conducted and thanked the finance and HR staff who had been material to this.

Members welcomed the overview of the system and commented on the benefits highlighted in the presentation. They also agreed that keeping the project team in place was a prudent idea.

- a) Members noted the content of the report

F/23/011 Health & Wellbeing Dashboard

The HRBM presented the dashboard outlining progress against the health and wellbeing targets. She reported a good year, with all targets achieved.

She outlined the questionnaire which had been conducted to get a baseline and the outcomes from this, including bringing in a work task analysis consultant to look at reports of high workloads.

She reported that the report from the consultant has been received and will be published so that all staff can see the outputs.

She discussed support and workshops provided for managers to help them gain the skills to have wellbeing conversations with their staff.

She noted that a lot of engagement to date had been from female staff members so there was going to be a shift in focus to deliver more activity focussed on men's health to hopefully increase engagement.

She commented on the strong interest across the College for mental health first aid training.

She informed members that the College was also seeking to increase the organisation's Carer Positive level.

She discussed return on investment and how this was being measured, citing positive engagement with the courses on offer and that there would be a follow up questionnaire to compare against the baseline data the College has to see if there is an improvement.

Members queried the content of the consultant's report and the HRBM outlined a few key areas which had been identified for inclusion in an action plan.

Members queried whether an increase in budget for this activity would be helpful at this time.

The HRBP commented that the activity was funded by Forth Valley College Foundation and that the levels of funding would be kept under review.

a) Members noted the content of the report

F/23/012

Estates Update

The VPIC presented an update on College estates to members.

He highlighted the ongoing issue with backlog maintenance owing to the College not receiving appropriate funding levels from SFC. He outlined how maintenance was planned and that this would support a further approach to SFC to look at the estate as it has been 6 years since they last did a review.

He acknowledged that, while maintenance was being prioritised where necessary, the overall position was one that would increase over time. He informed members that further information would be brought to a future meeting.

The VPFACA commented that estates maintenance remains one of the highest risks on the College strategic risk register.

Members noted that ultimately the risk sits with the Board and more information on the scale of this would be welcomed.

The Members were assured that the Principal and his senior team were cognisant of and alert to the most significant strategic challenge this presented. The VPFACA confirmed further information could be prepared and presented to the December 2023 meeting of the Board.

The VPIC then discussed the ongoing work to develop the tender for the total FM contract (TFM). He highlighted that this was a significant contract [REDACTED]. He confirmed a number of approaches were being looked at to see which offered the best value for money to the College.

Members welcomed this review to ensure best value.

The VPIC also discussed ongoing decarbonisation activity funded by bid funding and outlined what this funding would cover, including LED lighting in Alloa and Stirling and an increase of Solar PV on campuses.

The VPIC informed members that there was currently a significant insurance claim ongoing owing to damp in the Stirling campus. [REDACTED]

Members queried if this would mean a period of closure for the Stirling refectory.

The VPIC confirmed this was likely the case and outlined actions being looked into to mitigate the impact.

Members also provided some suggestions to consider to maintain catering provision at the campus.

a) Members noted the content of the report

F/23/013

Health & Safety Dashboard

The VPIC presented the health and safety dashboard. He noted that the actions on the tracker had all been completed, with one so recently it was still graded amber until fully implemented.

He noted the health and safety training figures and confirmed that the College continued to push this training.

He noted that the College accident statistics had been compared against English colleges (as Scottish data was not available) and that we compared very favourably in terms of accident rates.

Members noted that the accident figures did seem very low and the VPIC confirmed this had been the case for a period of time.

a) Members noted the content of the report

F/23/014 Review of Risk

Risks were identified in their covering papers

F/23/015 Any Other Competent Business

Members noted the paper on purchase orders attached for information and welcomed the introduction of the system.

Uncontrolled Copy

1. Purpose

To provide members with an update on the recent activities of the Forth Valley Student Association (FVSA).

2. Recommendation

That members note the contents of this report.

3. Background

To inform the Board of FVSA activities.

4. Key Considerations – Since the last Board of Management FVSA have conducted several activities.

Student Inductions

Induction tables at the start of term – FVSA hosted tables at each of the 3 campuses. Engagement was high in both Falkirk & Stirling, lower engagement in Alloa, reasoning that Alloa is a quieter Campus.

Class visits – The FVSA President and Vice President attended pre-arranged, and ad hoc, visits over all 3 Campuses. These visits are ongoing, the President and Vice President have made themselves available for 3 weeks to ensure all interested parties were accommodated. Visits booked totalled 68. FVSA have conducted 38 to date with a further 30 visits forthcoming, up to the October break. The Care, Sport, Business and Communities department booked 38 visits, the Creative, Digital and Leisure Industries department booked 20 and the STEM & Construction department booked 10. FVSA have received positive feedback regarding these visits.

Class Representatives

Review of Class Rep process (registration and training, class rep meetings etc) - FVSA undertook a review of the Class Rep system. This review was corroborated with research and feedback obtained by the previous FVSA Student Engagement Co-ordinator. The sign-up process has now been updated to align with the feedback received and now includes an initial training programme to ensure all registered Class Reps have a basic level of training. Ongoing training elements will be implemented into the re-formatted class rep meetings which will encourage continued development and engagement with FVSA. Class rep sign-up is still ongoing until 6 October 2023.

- Current no. of class is 41
 - Target number of reps is 200
-

Executive Officer Election

Review of Executive Officer election – timeline brought forward to give officers longer in the role.

There are currently 3 candidates running in the election for the positions of Wellbeing, Education and Diversity & Inclusion Officer. The target no. of candidates is 6. FVSA displayed posters, spoke of the Executive Officer elections during class visits, posted information bulletins on the Student Community Teams channel and at the Induction tables.

The voting period is 18 – 22 September with the results announced 29 September.

Student Partnership Agreement (SPA)

Focus groups have been conducted related to the SPA. The SPA is an agreement which aims to build an ethos of partnership across all levels of the college. This partnership leads to collaboration between the Forth Valley Students' Association and Forth Valley College to enhance the student learning experience as much as possible. The aim is to gather students' feedback and opinions across the four areas of the SPA (Underrepresented groups, department representation, mental health and positive destinations). After taking on board and collating the feedback, an action plan will be generated to determine how best to represent the students' voice.

The data on attendance of the focus groups:

- 1 in Alloa
- 7 in Falkirk
- 2 in Stirling
- 10 in total across all 3 campuses

Monthly Meetings with the Principal

The FVSA Team have had monthly meeting with the Principal, Kenny MacInnes where we give updates on activities done by the Students' Association as well as prepare actions. We also bring forward any student complaints and provide him with data on student engagement.

Fresher's

Across Alloa, Stirling and Falkirk Campus, the Students Association have organised fresher's events between 19th until 21st September. The sponsors/participants who have attended and supported the event include:

- iPro Hydrate
 - 5 college department for example Inclusion and Student Services
 - Emergency services such as the Fire Service and Police Scotland
 - Students promoting their clubs and societies/registering interest
 - Electoral Registration Office
 - 7 Scots Army Reserves
 - Who Cares? Scotland
-

We have been collating measurables to track Student Engagement. For example, number of students on MS Teams Page, Event feedback form so Fresher's can be improved on and using amount of freebies collected to calculate how many students spoke to the FVSA team.

SPARQS Student Engagement Award

The former Student Engagement Co-ordinator, Andrew Kinnell has been shortlisted for the SPARQS Student Engagement Award which reflects on the turnout of the 2023 Sabbatical Officer Election.

5. Financial Implications

Please detail the financial implications of this item – No financial implications

6. Equalities

Assessment in Place? – Not applicable

If No, please explain why – N/A

Please summarise any positive/negative impacts (noting mitigating actions) – N/A

7. Risk

Please indicate on the matrix below the risk score. Risk is scored against Impact and Likelihood as Very Low through to Very High.

	Likelihood	Impact
Very High		
High		
Medium		
Low		
Very Low	x	x

Please describe any risks associated with this paper and associated mitigating actions – n/a

8. Other Implications –

Please indicate whether there are implications for the areas below.

Not applicable.

Paper Author – Steve Kemlo, Kirsten Kennedy

SMT Owner – text

1. Purpose

To seek approval from members to continue with the current arrangements for the Board Secretary and Deputy Board Secretary.

2. Recommendation

That members review the current arrangement for the Board Secretary and Deputy Board Secretary as outlined in this paper and approve to these to continue for 2023/24.

3. Background

The revised Code of Good Governance for Scotland's Colleges ("the Code") was adopted by the Board in December 2016.

Section D.13 of the Code states

The board as a whole must appoint a board secretary who is responsible to it and reports directly to the chair in their board secretary capacity. The board secretary may be a member of the senior management team in their board secretary capacity, but **they cannot hold any other senior management team position at the same time. The appointment and removal of the board secretary is a decision of the board as a whole.**

The code also requires colleges to publish a Statement of Compliance with Good Governance in the Annual Report.

Each board must state its adoption of the Code in the corporate governance statement contained in its annual financial statement. The chair, on behalf of the board, is expected to report as to how the principles have been applied by the board. Where, for whatever reason, a board's practice is not consistent with any particular principle of the Code, it should make this known to SFC or, if it is an assigned college, the regional strategic body. This should be done immediately they become aware of an inconsistency and, without exception, in advance of publishing the information. An explanation for that inconsistency must be clearly stated in its corporate governance statement. Boards will be expected to offer a clear rationale for exceptions in the context of their college's operational model and to identify mitigations.

It was approved by the Board in December 2016 that the Vice Principal Finance & Corporate Affairs would be formally appointed as the Board Secretary and the Corporate Governance and Planning Officer would be formally appointed as Deputy Board Secretary in line with the current arrangements. Both report directly to the Chair in terms of the Board Secretary role. This has subsequently been reviewed and ratified by the Board annually since then.

4. Key Considerations

The 2021 external board Effectiveness review highlighted that this did not comply with the Code, however recognised that this had been approved by the Board and that Board members felt the arrangements were working well.

It is common practice in a number of organisations both within the public and private sector for the board Secretary to hold a position within the Senior Management Team. At least two other Colleges do not comply with the code in relation to the Board Secretary role. It can be argued that by having a dual role that this actually strengthens governance and provides greater assurance to the Board rather than weakens it.

It is also not considered to be good value for money to employ a part time Board Secretary when the College already has members of staff with the required skills to perform this role and have been doing so for a number of years.

There is only one area within the Board Secretary role where holding a senior management team position as well as Board Secretary could impact on good governance. The Board Secretary is appointed by the Board and reports directly to the Chair, if they also report to the Principal in terms of their senior management team role this could lead to a potential conflict of interest in terms of reporting to the Board. The current arrangements mitigate this risk by having a Depute Board Secretary.

While current arrangements go against the requirement of the code, it is still acceptable for the Board to take this decision and explain the reason for non-compliance in the annual financial statements and to SFC, which the College has done for the previously. This has been reviewed by the external Auditors and in the Audit Reports they have stated they have no issues to report in relation to Governance. SFC have also noted the non-compliance, however have not requested that this be changed.

5. Resource Implications (Financial, People, Estates and Communications)

None. Both the Secretary to the Board and Depute Secretary are established roles within the College.

6. Equalities

There are no equalities impacts as this approval related to compliance with the Code of Good Governance.

7. Communities and Partners

None

8. Risk and Impact

Please complete the risk table below. Risk is scored against Likelihood x Impact, with each category scored from Very Low through to Very High. Risks should be robustly scored and, if the combined score (Likelihood x Impact) is higher than the Board Risk appetite for the risk category identified, additional justification must be provided on why this risk is necessary.

If the paper is an approval, please reflect on whether the approval will have any direct or indirect impact for any other areas of operational activity internally or externally within the College – No

	Likelihood	Impact
Very High (5)		
High (4)		X
Medium (3)		
Low (2)	X	
Very Low (1)		

Total Risk Score – 8

The College has a Strategic Risk appetite for categories of risk as defined by the Board of Management. Decisions being taken at LMT/SMT/Board level must have cognisance of this. Please indicate the single most relevant risk category in the table below.

BoM Risk Categories & Risk Appetite (Select one area only)					
Cautious <15		Open 15> <20		Eager >20	
Governance	X	Strategy		People	
Legal		Financial		Project/Programme	
Property		Reputational			
		Technology			

There is a risk the Board are not fully informed due to a conflict of interest of the Board Secretary reporting to both the Chair and the Principal. The appointment of two individuals reporting to the Chair minimises this risk.

Is the score above the Board Risk Appetite level? - No

Risk Owner – Board of Management

Action Owner – Chair of Board of Management

Paper Author – Alison Stewart on behalf of the Chair

BOARD OF MANAGEMENT

Meeting	Academic Year 2023/24				
Board of Management	Thursday 28 September 2023 Falkirk – Steeple Suite	Thursday 7 Dec 2023 Stirling – S1.18 and S1.19 (Morning Meeting and Xmas lunch)	Thursday 22 Feb 2024 Falkirk – Steeple Suite	Thursday 25 Apr 2024 Falkirk – Steeple Suite	Thursday 20 June 2024 Falkirk - Steeple Suite
Remuneration					
Audit	Thursday 7 Sept 2023	Tuesday 21 Nov 2023 5pm Falkirk – Steeple Suite			Thursday 16 May 2024
Finance, Resource and Infrastructure	Tuesday 19 Sept 2023	Tuesday 21 Nov 2023 4pm Falkirk – Steeple Suite		Tuesday 26 Mar 2024	Tuesday 11 June 2024
Learning & Student Experience		Thursday 26 Oct 2023	Thursday 8 Feb 2024		Thursday 6 June 2024
Nominations	As required				
Other Key Dates		Graduation 6 October 2023 Falkirk Campus			

BOARD OF MANAGEMENT

Meeting	Academic Year 2024/25				
Board of Management	Thursday/Friday 26/27 September 2024 Strategic Session Venue TBC	Thursday 5 Dec 2024 Stirling – S1.18 and S1.19 (Morning Meeting and Xmas lunch)	Thursday 20 Feb 2025 Falkirk – Steeple Suite	Thursday 24 April 2025 Falkirk – Steeple Suite	Thursday 20 June 2025 Falkirk - Steeple Suite
Remuneration					
Audit	Thursday 5 Sept 2024	Tuesday 19 Nov 2024 5pm Falkirk – Steeple Suite			Thursday 15 May 2025
FRAIC	Tuesday 17 Sept 2024	Tuesday 19 Nov 2024 4pm Falkirk – Steeple Suite		Tuesday 25 Mar 2025	Tuesday 10 June 2025
Learning & Student Experience		Thursday 24 Oct 2024	Thursday 6 Feb 2025		Thursday 5 June 2025
Nominations	As required				
Other Key Dates		Graduation TBC			

1. Purpose

To provide members with information on College Development Network (CDN) Governance programme.

2. Recommendation

That members consider the training on offer and book onto session if relevant to them.

3. Background

Board Members are required to attend a national Board Member induction session as well as the College specific session.

CDN also offer other sessions that may be of interest to the wider Board and these are included in section 4 below.

4. CDN Governance Programme

The dates and links below come from the CDN website - <https://www.cdn.ac.uk/courses-events/?category=event>

Event	Date	Link
Understanding Your Role in Regional Economic Engagement	10 October 2023	https://eu.eventscloud.com/website/12041/
National Board Member Induction	17 October 2023	https://eu.eventscloud.com/website/12022/
Understanding Your Role in Quality Assurance and Enhancement	24 October 2023	https://eu.eventscloud.com/website/12039/
Meet the Stakeholders: Student Experience and Engagement	8 November 2023	https://eu.eventscloud.com/website/12035/
National Board Member Induction	14 November 2023	https://eu.eventscloud.com/website/12029/
National Board Member Induction	12 December 2023	https://eu.eventscloud.com/website/12030/
The Real Work of the Board - Moving into Governance	23 January 2024	https://eu.eventscloud.com/website/12038/
National Board Member Induction	30 January 2024	https://eu.eventscloud.com/website/12031/
All You Need to Know about College Funding	6 February 2024	https://eu.eventscloud.com/website/12193/

National Board Member Induction	5 March 2024	https://eu.eventscloud.com/website/12032/
Understanding Your Role in Regional Economic Engagement	12 March 2024	https://eu.eventscloud.com/website/12042/
National Board Member Induction	9 April 2024	https://eu.eventscloud.com/website/12033/
Meet the Stakeholders: Policy and Funding	16 April 2024	https://eu.eventscloud.com/website/12012/
Understanding Your Role in Quality Assurance and Enhancement	23 April 2024	https://eu.eventscloud.com/website/12040/
National Board Member Induction	30 April 2024	https://eu.eventscloud.com/website/12034/

Paper Author – Stephen Jarvie

SMT Owner – Alison Stewart



Dr Waiyin Hatton
Chair of the Good Governance Steering Group
Regional Chair, West College Scotland

Introduction

This latest update provides information to the college sector's leaders and governance professionals on progress around the Scottish Government college governance reforms and the work of the Good Governance Steering Group (GGSG) over the last year.

Key Governance Areas

Trade Union Nominees on Boards (Incorporated Colleges and Regional Strategic Bodies)

This area has been a key focus for the GGSG over the past six months. The GGSG established a short life working group to take forward key work and to consider and develop final recommendations in relation to timescales for implementation, processes and procedures (including election and appointment) as well as induction and training. Outlined below are the agreed implementation arrangements for this governance reform.

Timeline

Presented below are the various stages of the implementation process which includes the statutory instrument which the Scottish Government is required to bring forward that will make the necessary amendments to legislation to give effect to the policy change.

Period	Stage
Early September 2023	Scottish Government to lay Draft Order to the Scottish Parliament to allow for the amendments to be made to the 1992 Act and the 2005 Act (<i>requires 54 days</i>).
Early October 2023	Recognised trade unions to prepare for election process.
Early November 2023	Draft Order passed through the Scottish Parliament. Recognised trade unions to commence election process (<i>4 - 6 weeks</i>).
1 st January 2024 * * <i>boards will be given three weeks of flexibility to complete this stage.</i>	New board members to be formally elected to boards and associated announcements made.
January to March 2024	New board members to: <ul style="list-style-type: none"> • undertake internal board induction programmes • undertake CDN board member induction training programmes • start attending scheduled board meetings • be formally ratified by the board.
End March 2024	Sector to fully implement the governance reform to allow for trade union nominees on boards.

Procedure for the Election and Appointment of the Trade Union Nominees to College Boards in Scotland

Outlined in **Annex 1** is the agreed procedure for the election and appointment of trade union nominees onto boards. The procedure sets out the criteria for selection of candidates which will be adopted by the recognised trade unions and the staged election procedure to be adopted in the appointment process. This procedure will be uploaded to College Development Network's (CDN) [Governance Hub](#) and be available to download, alongside other guidance and key document templates for use by colleges and regional strategic bodies.

Induction and Training Programmes

The GGSG agreed that the current [Board Member Induction Workshops](#) provided by CDN for new board members, along with the internal board induction programmes carried out by the chair of the board and governance professional were adequate and that there was no requirement to introduce a separate programme of activity. However, in line with the timeline for implementation, CDN has agreed to run three additional workshops in early 2024 to meet the initial demand across the sector of new trade union nominees on boards.

Remuneration of Assigned College Chairs

The Scottish Government's College Governance Team has begun to scope out a proposal for implementing this policy change and intends to discuss this with the Minister before bringing it to the GGSG at a future meeting. Latest timescales indicate that this will be in place by 2024+. The chair of the GGSG has recently written to the Scottish Government to seek a commitment that implementation for this change will be in 2024 and to request a detailed timeline in taking forward each of the key areas, as set out in the College Governance Implementation Plan. Further information will be shared with the sector once available.

Review College Sector Board Appointments: Ministerial Guidance 2014

The Scottish Government's College Governance Team will shortly be publishing a 6–8 week consultation on the updated Ministerial Guidance. A draft version has already been considered and comments provided by members of the GGSG and the Governance Professionals Steering Group. Once the Draft Order to amend the relevant Acts for the trade union nominees on boards has been laid before Parliament, the references to this will also be updated in the guidance.

Scottish Government Public Appointments Website

The chair of the GGSG has recently written to the Scottish Government to raise the issue that by removing the ability for colleges and regional strategic bodies to advertise for non-executive board members on the Public Appointments website this is having a detrimental effect on the wide range of board members which the sector can attract. The letter requests that the Scottish Government reconsiders its decision.

2022 Code of Good Governance for Scotland's Colleges

Over the next 12 months, the 2022 Code will be reviewed and amendments drafted in line with new legislative changes and good practices. This will include reviewing the recently updated [Code of Good Higher Education Governance](#). In addition, the GGSG will conduct an Islands Communities Impact Assessment to ensure any changes to the Code does not adversely affect college boards within the Scottish islands.

Standards Commission for Scotland – Advice Note

The Standards Commission has offered to assist the GGSG by producing an Advice Note for boards and its members on how to manage conflicts of interest arising and how to ensure compliance with the *Model Code of Conduct for Members of Devolved Public Bodies*. This will be considered at the next meeting of the GGSG and once agreed, uploaded to CDN's [Governance Hub](#) and be available to download, alongside other guidance and key document templates for use by colleges and regional strategic bodies.

External College Governance Reviews: What Happened Next?

A CDN Insight Report by Candy Munro and Ron Hill has recently been [published](#). This study follows up on the most recent series of externally facilitated effectiveness reviews of the governance of colleges by asking what happened next with a sample of seven colleges. This report will be considered by the GGSG at its next meeting.

Further Information

We will continue to keep the sector briefed on further developments on college governance.

For information, a note of the current members of the GGSG and contact details for any enquiries, are noted below:

GGSG Members	
Four regional/assigned college chairs <ul style="list-style-type: none">• Waiyin Hatton (Chair), West College Scotland• Angus Campbell, FE Regional Lead/Vice-Chair, UHI Regional Strategy Committee• Janie McCusker, GCRB• David Newall, Glasgow Clyde College	Four college principals (or senior college staff) <ul style="list-style-type: none">• Margaret Cook, UHI Perth• Pete Smith, Borders College• Stella McManus, South Lanarkshire College• Steven Taylor, Dundee and Angus College
Two college governance professionals <ul style="list-style-type: none">• Marcus Walker, Edinburgh College• Marianne Philp, Fife College <i>Also in attendance: Penny Davis, GCRB</i>	Representation from STUC <ul style="list-style-type: none">• Stuart Brown, EIS• John Mooney, UNISON
Representative from Scottish Government <ul style="list-style-type: none">• Adam Mackie	Representative from NUS Scotland <ul style="list-style-type: none">• Laura Jimenez-Hernandez
Representative from SFC <ul style="list-style-type: none">• Jacqui Brasted	Representative from CDN <ul style="list-style-type: none">• Gordon Hunt/Vicky Underwood
Representative from Colleges Scotland <ul style="list-style-type: none">• Shona Struthers	Representative from OSCR <ul style="list-style-type: none">• Martin Tyson
Contact Information	
Frances Harrower Secretariat for the Good Governance Steering Group frances.harrower@collegesscotland.ac.uk M: 07725 557342	

Good Governance Steering Group
July 2023



Procedure for the Election and Appointment of the Trade Union Nominees to College Boards in Scotland

Context

Colleges make a vital contribution to improving the education, lives and employability of learners in Scotland. Their effective governance is fundamental in supporting colleges to deliver high quality learning and teaching experiences and in improving the life chances of their students whilst securing public value.

In February 2019, the Scottish Government announced its decision to implement recommendations to improve the effectiveness of governance in Scotland's colleges, whilst retaining the chain of accountability in the sector introduced by the Post-16 Education (Scotland) Act 2013.

Fundamental to these proposals is a commitment to partnership working, with the introduction of two trade union nominees to college boards in addition to the existing staff members, bringing the college sector into line with changes made in universities by the Higher Education Governance Act 2016.

The introduction of trade union nominees will build on the fundamental principles of the Fair Work Convention, an agenda supported by the Scottish Government, which recognises the positive impact of trade unions at individual, workplace, sector and national level and the unions' role in promoting progressive workplace practices that contribute to the health of the economy and civil society in Scotland.

Subordinate legislation will be introduced later this year to provide a mechanism for the election of these nominees and in preparation, the college sector's Good Governance Steering Group has been tasked with producing guidance for the election of these members.

This paper sets out the proposed criteria for selection of candidates which will be adopted by the recognised trade unions and the staged election procedure to be adopted in the appointment process.

Criteria for Selection of Candidates

The EIS is the recognised trade union for academic and academic related staff within Scotland's colleges. UNISON, Unite and the GMB are the current recognised trade unions for professional support staff within Scotland's colleges.

It will be for the recognised trade unions for academic and professional support staff within Scotland's colleges to determine which trade union body will lead on and manage the election and appointment process for the relevant institution(s).

In selecting the trade union nominees for academic and professional support staff, the recognised trade unions will apply the following criteria:

- Candidates will be a member of staff from the relevant institution(s).
- A candidate will preferably:
 - be an active trade union representative; or
 - be involved in the running of the local branch; or
 - regularly attend national branch meetings.

As with the appointments for teaching (academic) and non-teaching (support) staff board members, the term of appointment for trade union nominee board members shall also be for a period of four years, and candidates standing for election should be aware of this commitment.

Stages of the Election Process Leading to Appointment to a College Board

Stage One: A call for candidates will normally be issued two months prior to a vacancy on the college board and in accordance with an agreed election timetable. At that time, the relevant trade union(s) will appoint a Returning Officer who will administer the election process.

The Returning Officer will call a meeting or otherwise communicate with all union members of the institution to seek nominations for the position of trade union nominee. Each nomination must be signed by the nominee and will go forward if endorsed by two representatives from the relevant trade union(s).

If only one candidate is nominated for the relevant staff group, then that person will be elected unopposed as the trade union nominee for the staff group concerned.

Stage Two: If more than one candidate for each position comes forward, then the nominations will be intimated to the Returning Officer and the local membership of the relevant trade union(s) will be balloted. The ballot will be conducted over a three-week period. The candidate with the highest number of votes will be elected as the trade union nominee for the staff group involved.

Stage Three: The Returning Officer will communicate the nomination to the Governance Professional of the college involved in accordance with the election timetable.

Stage Four: The names of the persons elected shall be announced to the board and if appropriate, ratified before being announced to all staff.

Stages of the Election Process Leading to Appointment to a Regional Strategic Body

Stage One: A call for candidates will normally be issued two months prior to a vacancy on the Regional Strategic Body ('RSB') and in accordance with an agreed election timetable. At that time, the relevant trade union(s) will appoint a Returning Officer who will administer the election process.

The Returning Officer will call a meeting or otherwise communicate with all union members of the institution(s) to seek nominations for the position of trade union nominee from the relevant assigned colleges. Each nomination must be signed by the nominee and will go forward if endorsed by two representatives from the relevant trade union(s).

If only one candidate is nominated for the relevant staff group, then that person will be elected unopposed to the RSB as the trade union nominee for the staff group concerned.

Stage Two: If more than one candidate for each position comes forward from the relevant assigned colleges of the RSB, then the nominations will be intimated to the Returning Officer and the local membership of the relevant trade union(s) of the assigned colleges will be balloted. The ballot will be conducted over a three-week period. The candidate with the highest number of votes will be elected to the RSB as the trade union nominee for the staff group involved.

Stage Three: The Returning Officer will communicate the nomination to the Governance Professional of the RSB involved in accordance with the election timetable.

Stage Four: The names of the persons elected shall be announced to the board of the RSB and if appropriate, ratified before being announced to all staff of the relevant assigned colleges.



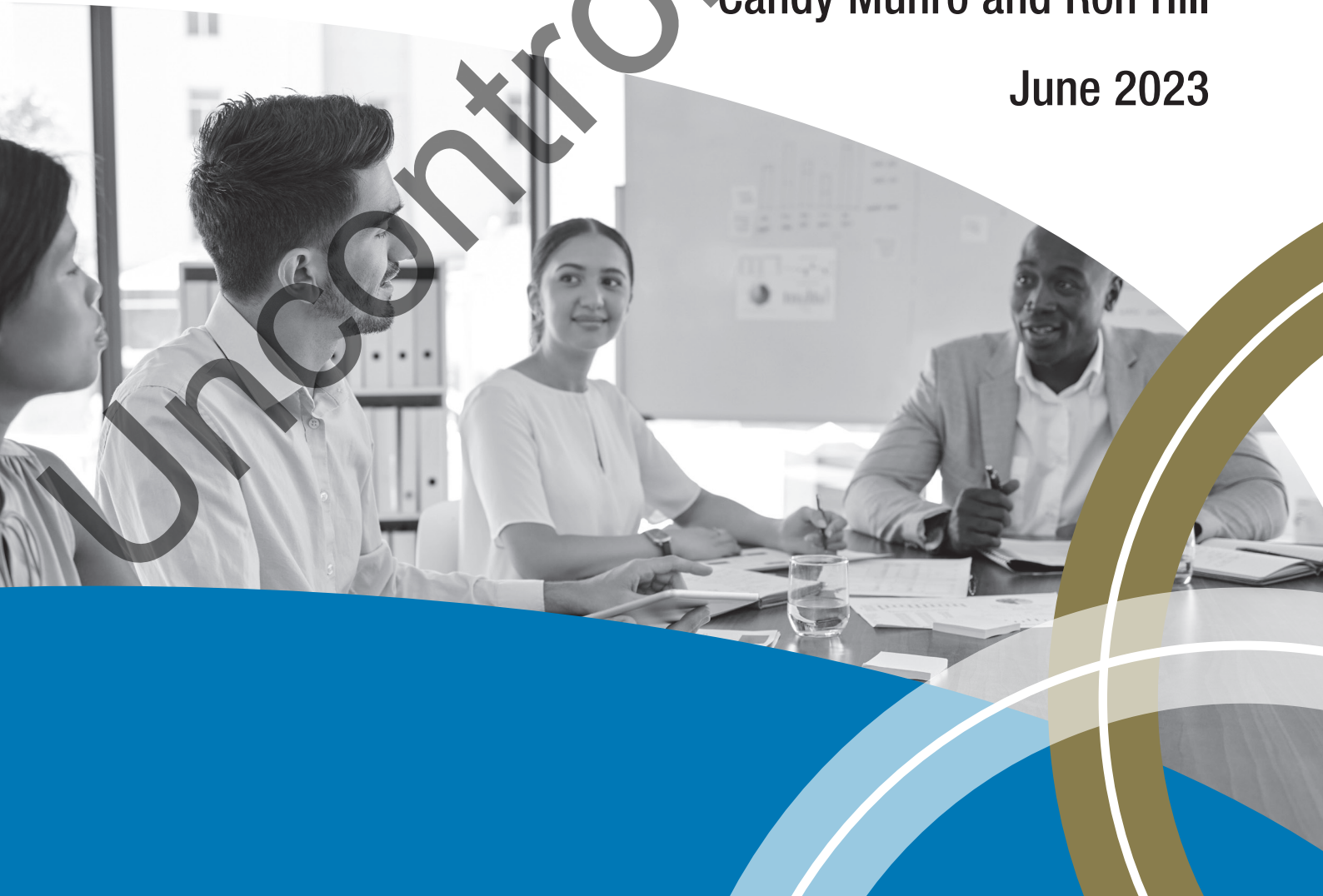
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College Development Network

EXTERNAL COLLEGE GOVERNANCE REVIEWS: WHAT HAPPENED NEXT?

A CDN Insight Report by
Candy Munro and Ron Hill

June 2023



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1. EXECUTIVE SUMMARY

This study has followed up the most recent series of externally facilitated effectiveness reviews (EERs) of the governance of colleges in Scotland by asking what happened next with a sample of seven colleges.

There was unanimous agreement that the process and outcome of an external governance review were useful and provided a catalyst for improvement with some describing the review as '*challenging but very helpful in the end*' and others '*transformational*'.

The centrality of the governance professional in leading governing improvements was evident throughout this study, they played a leading role in shaping the response to the EER and any recommendations made. In some cases, governance professionals reported that they had benefited from a stronger professional status resulting from leading the implementation of post-EER action plans where they were seen as part of the 'leadership of improvement'.

A common approach was the formation of action plans which were used to record and track governance actions arising from the EER and any recommendations. These action plans were used effectively to measure progress and changes made, however in future consideration should be given to adding 'anticipated impact' to any action plan.

Evidence suggests two general responses to the EERs, recognising that there are elements of both aspects in some external governance review reports.

- **Validation, Assurance, Improvement:** This was where the EER presented limited, or no recommendations and the emphasis was on the validation of effective governing practice. However, even in these cases improvement plans were developed to strengthen governing practices.
- **Improvement:** The most common response, this was where the EER presented recommendations for improvement, and provided a catalyst for action to improve governing practice.

It was evident that where boards were 'in transition' this had an impact on the outcome of the EER, usually causing a delay in implementing the actions. Some boards were experiencing significant transition where several elements are changing, this could be a new chair, new principal, new governance professional and / or the appointment of a significant number of new board members.



Although some colleges believed the biggest impact was the validation of existing good practice other colleges reported significant improvements in governing practice and processes, ranging from positive cultural change to more specific elements of governing such as improvements to board member induction and more effective use of strategic KPIs.

Some recommendations were more complex and took longer to achieve, however feedback indicated that these were often the actions that had the biggest impact. Inevitably, given the centrality of the role of the governance professional in responding to the external governance review report, the skills, experience, and confidence of the governance professional were significant factors in achieving change as was the maturity of the relationship and trust between the governance professional and the chair and principal.

Some colleges found bringing in external support to progress action and build momentum for change to be effective.

The *Guidance note on conducting externally facilitated effectiveness reviews*¹ was viewed as being helpful and no changes were suggested.

¹ <https://bit.ly/EERGuidanceNote>

2. AIMS OF THE STUDY

There were two aims for this study. Firstly, to understand the processes and practices that took place following external college governance reviews. Having addressed the first aim, the second aim was to identify the changes in governing behaviour and performance stimulated by external college governance reviews. In other words, what has been the impact of these external college governance reviews?

3. CONTEXT

There are many codes of 'good' governance in existence such as the *Combined corporate code*, the *Charity code* and, specifically for this study, the *Code of good governance for Scotland's colleges*².

All codes stress the importance for governing boards of regular self-assessment of the board's performance (usually on an annual basis) and to complement this process, the periodic use of an externally facilitated review of governance.

The *Code of good governance for Scotland's colleges* states:

D 24 *The board must keep its effectiveness under annual review and have in place a robust self-evaluation process. There should also be an externally facilitated evaluation of its effectiveness every three to five years. The board should determine the timing for this externally facilitated review as part of the annual effectiveness review*

Hill and James (2016)³, in relation to educational institutions, reported on this approach noting that the credibility of the external facilitation of reviewing was of paramount importance in securing legitimacy and acceptance of forthcoming review reports and recommendations. The point here was that whilst the notion of an external review of governing practice is generally supported, the most useful and productive external reviews were believed to be achieved when the external facilitator is familiar with, in this case, the context and circumstances of governing colleges in Scotland.

Although it was for each governing board to decide who it selected to undertake the review, the *Guidance note on conducting externally facilitated effectiveness reviews* sets out the minimum criteria that should be met by the reviewer.

The framework provided by the *Code of good governance for Scotland's colleges* along with the guidance note enabled a degree of comparison between reviews.

The most recent round of external college governance reviews was undertaken in Scotland in 2020/21. A summary account of these reviews was produced by Munro and Hill for the College Development Network (CDN). See *Overview of the external governance effectiveness reviews for Scotland's colleges 2020/21*⁴.

4 <https://bit.ly/EEROOverviewReport2021>

2 <https://bit.ly/CodeOfGoodGovernanceScotlandsColleges2022>

3 Hill, R. and James, I. (2016) *Reviewing the self-assessment of governing body performance in colleges and schools in England* Journal of EMAL Vol 44(5) pp745-756

4. METHODOLOGY

Given it has been two years since the completion of these external college governance reviews and their receipt by the respective college governing board, it is now appropriate to consider what difference this national exercise of governance review has made to the performance of college governing boards for the benefit of teaching and learning in colleges and the achievement of the responsibilities of the governing board.

Colleges were selected to participate in the study to reflect

- Large to medium sized colleges.
- Assigned and regional college boards.
- A range of providers of the external governance reviews.

Participating colleges were

- Edinburgh College
- UHI Perth
- Dumfries and Galloway College
- North East Scotland College (NESCol)
- City of Glasgow College
- UHI Inverness
- West Lothian College.

We record our thanks for the insight and contribution from the governance professional, principal, and chair of these colleges.

The authors also wish to thank Marianne Philp, governance professional at Fife College, for her advice and encouragement in the undertaking of this study.

Evidence was gathered from

- A review of the External Governance Review report and any subsequent development/action plans that were based on the outcome of the review, including any recommendations;
- Interviews with chair & principal & governance professional carried out during February and March 2023;
- Questions to all board members at the selected colleges to get views in addition to the three key players associated with the processes and practices of governing.
 - Responses were received from 14 board members; this was a low response compared to the number of members invited to respond. There may be a range of reasons for this low response rate, but it is known that a high percentage of members have been appointed since the 2020/21 reviews.

The primary source of evidence for this study was the interviews; the survey was a secondary source and, whilst the response rate is low, the pattern of response is of some interest.

5. EMERGING THEMES FROM EVIDENCE

The contents from the interviews and questionnaire responses are grouped under themes as follows below. We have provided case examples to illustrate ways of working where possible. The anonymity of colleges has been preserved as it was a condition of participating in this study.

Theme 1. Responding to the EER

A consistent finding across all colleges contacted for this study showed the centrality of the governance professional in playing a leading role in shaping the response to recommendations and advice.

To play this role effectively the governance professional needed to work with

- the principal, especially on recommendations linked to revised reporting; revised strategic emphasis and
- the chair, especially on recommendations linked to board conduct and culture.

The formation of action plans in response to the external effectiveness review was a common, though

not universally common, approach to tabulating, recording, and tracking governance actions.

The following three examples of tables were provided for this study. These examples focus on action to be taken, rather than impact expected from the action taken.

From discussion with governance professionals, it is anticipated that impact will be identified via annual governing board self-assessment processes.

For future reference, there could be greater merit in tabulating action/changes and anticipated impact arising from the changes in the same table to improve the monitoring process.

Responding to the EER has been described as a trigger/catalyst for change by governance professionals, principals and chairs. This is discussed in more detail in Theme 6 below in relation to governance professionals but the sense of taking an opportunity/responding to a stimulus to make changes was shared throughout the interviews informing this study.

Table A

Recommendation	Action required/Notes	Complete by	Evidence of completion

Table B

Action	Lead	Deadline	Status	Commentary

Table C

Primary and Secondary Recommendations	Action(s) Required	Target Completion Date	Responsible Parties	Status Update / Evidence Collected	RAG Status

Theme 2. Validation, Assurance, Improvement

Evidence from interviews suggests one of two general responses to the EERs, recognising that there are elements of both aspects in some external governance review reports.

Validation and Assurance

One response was to be able to place more emphasis on the validation of effective practice as the EER presented limited or no recommendations for improvement. Obviously, the sense of validation derives from the validator and the evidence gained upon which to judge governance effectiveness. This form of EER *'provided confidence to the Board'* that *'the right things were happening'*. A further example of this type of response to an EER was *'there were no surprises from the EER; no one thing has changed our practice'*.

It was clear that this position was more one of maintaining good practice rather than making changes to reach good practice. However, whilst there were minimal or no recommendations in these case examples, improvement plans were developed to strengthen governing practices and processes further.

Improvement

The second category of response was more common from the evidence gathering. This is where recommendations for improvement have been provided and this has stimulated a focus and desire for action to improve governing practices and processes. In addition, some recommendations

have included further training and support for the governance professional. In some cases, this action is summarised as achieving *'broad, positive cultural change'*.

There were two broad responses in this category, both of which are valid and produced positive results,

- The board maintained control and took ownership of the action plan and the monitoring of the plan.
- The board expected the governance professional to progress the actions and report back to a committee and / or the board through a quarterly 'governance update' which reported on progress against a wider board development plan.

Within both categories, the benefit of 'governance benchmarking' was raised. Technically, benchmarking requires evaluating something by comparison with a standard. We accept that there are standards expressed within the *Code of good governance for Scotland's colleges*, but it is a stretch of the meaning of benchmarking to say that benchmarking is provided by the EER. Certainly, it would be expected that the selected EER reviewer(s) should be able to make informed comparisons with wider governing practice, but this should not be labelled 'benchmarking'.

For further information, the *Overview of the external governance effectiveness reviews for Scotland's colleges 2020/21* report highlights examples of effective governance practice, while recognising what works well in one setting might not easily transfer to another.

Theme 3. Implementing and Monitoring

Action following from the EERs was reported to have been monitored in several ways including

- by the governance professional only;
- by the governance professional reporting to a committee, e.g. chair's committee;
- by the governance professional reporting to the governing board.

An important aspect of monitoring action described by governance professionals was building momentum. Change was happening and increasingly change became the expectation. This momentum was easiest where there was consistency of personnel in key roles of governance professional, principal and chair.

This post-EER stage was an opportunity for governance professionals to demonstrate leadership, including strategic influence. In some cases, this necessitated widening the EER action plan to include other items for change which emerged from a closer look at governing practices and processes. In others the EER action plan was embedded in the wider board development plan.

Ownership of the response to the EER was primarily with the governance professional. The achievement of interest from other parties depended on the nature and extent of the recommendations to be addressed. In some cases, *'senior staff worked with the governance professional'* or *'Executive Management Team, governance professional and Chairs' Committee worked together'*. In some cases, chairs were instrumental, in other cases chairs were part of a collective effort. In all cases chairs invested in oversight of the response to the EER.

As reported in the *Overview of the external governance effectiveness reviews for Scotland's colleges 2020/21*:

Many college boards, and possibly all boards, are 'in transition' reflecting the dynamic nature of governing as a process and the frequently changing nature of governing boards. However, some college boards are in significant transition where several elements are in flux, including the appointment of a new chair, new principal, new board secretary and / or the appointment of significant numbers of new board members. In such circumstances it may be advisable for the board to formally recognise this transition phase by including it with the college strategic risk register and to formulate an action plan to secure successful and well-managed transition.

Almost all of the colleges participating in the study had gone through some form of transition either during or since the time of the EER, and this did impact on the outcome, with some governance professionals reporting on delays in the implementation phase. Half of the respondents to the survey had joined the board post EER, highlighting the constant turnover in board membership.

Theme 4. Biggest Impact from EERs

We asked for examples of the biggest impact from EERs. 'Biggest impact' is an elastic term and requires definition for any deeper analysis. However, we were simply looking for those changes arising from EERs that made an impact on the participating interviewees.

Accepting some colleges believed the biggest impact was validation of existing good practice, other colleges in our sample provided the following responses

- The biggest impact has been a new chair, new board members.
- Clearer scrutiny and decision making.
- Connecting reporting to strategic direction.
- Discussing the EER and developing a better understanding of what constitutes effective governance.
- Improved focus on induction and training for board members.

- Improving our minutes and board reports.
- Improved diversity of board membership.
- Use of a KPI dashboard at every meeting.
- Reducing senior staff presentation of reports.
- The centrality of teaching and learning to the board's focus.
- Improved risk register with more robust scrutiny from the audit committee; some improved reporting.
- More critical thinking time built in for the board.
- Significant shift in the culture of the board.
- Having an action plan in place that everyone understands and is committed to.
- It was a catalyst for change in governing behaviours.

Perhaps not surprisingly, the easiest actions to address were where the governance professional could take direct action. It was confirmed that where the governance professional needed to influence others e.g., board chair, principal, senior staff, addressing EER recommendations was less straightforward and took longer.

Theme 5. Harder to achieve from EERs

Some recommendations were more complex and therefore more challenging. These took longer to achieve, but it is interesting to note that feedback indicated that these were often the actions that had the biggest positive impact on the governance of the college.

Other factors that impacted on implementation of the recommendations and associated action plans included COVID restrictions, changes in key players, i.e. chair, principal or governance professional and changes in external environment.

Inevitably, given the centrality of the role of the governance professional to responding to the external governance review report, the skills, experience, and confidence of the governance professional were significant factors in achieving change as was the maturity of the relationship and trust between the governance professional and the chair and principal.

Comments on the hardest to achieve items included

- Developing a set of strategic KPIs and a dashboard.
- Moving towards a culture where more decision making was delegated from the board to the committees.
- Restructuring of the committee arrangements.
- Reviewing the strategic planning process.
- Ensuring board papers remain strategic and focussed.

It is of note that post review bringing in external support was reported to be very effective in reviewing action plans and building momentum for change.



Theme 6. Centrality of the governance professional

The governance professionals identified a number of aspects to their role post external governance reviews. In summary, these points are

- For some governance professionals, the EER acted as a trigger or catalyst to pursue an improvement agenda that already had been forming either formally or informally. This point suggested that in some circumstances, unfortunately the governance professional had not been able to pursue change based on their professional opinion alone. Thus, the EER confirmed the governance professional's perception and priorities for action / improvement. This point is linked to the findings of the study by Hill & Munro *The role and experience of the board secretary as a governance professional in Scotland's colleges*⁵ regarding the restricted status of some governance professionals.
- In some cases, governance professionals reported that they had benefited from a stronger professional status resulting from leading the implementation of post-EER action plans where they were seen as part of the 'leadership of improvement'. One way in which this status change was enacted was working closely with newly formed governor groups to oversee creating and implementing of EER action plans. An example of this would be working with a chairs' committee.
- The creation of governance improvement action plans was a way of placing all the improvement actions in one place for ease of reference and the sharpening of the focus on change.
- The additional tasks emerging from the EER, such as the action plan formation, implementation and monitoring placed an additional work task on to already congested working conditions. This links to the findings of the study by Hill and Munro regarding the nature of terms and conditions for some governance professionals;
- In some cases, governance professionals were working through periods of transition whereby chairs and/or principals were changing and so part of the governance professional's role was to engage new chairs and principals in the process of governance improvement.
- Newly appointed governance professionals reported the usefulness of the EER as a guide to the priorities to be addressed, rather than waiting for an annual governance board self-review to identify any matters for improvement. The EER was 'a good place to start from'.
- Some governance professionals are positively looking forward to the next EER evidenced by 'I know we've improved, and it can be recognised'.
- Some governance professionals were pleased to feel that they were working within a stronger governance framework, evidenced by such examples as 'recommended improvements to our risk register have produced better scrutiny by the audit committee'.
- Some governance professionals felt they could have provided even more leadership in response to the EER if encouraged and/or if there had been some assistance in looking at ways to respond to recommendations.
- It was observed that some EERs did not present any recommendations but included items for consideration. From the governance professionals' perspective, the boundary between 'must' and 'should' or 'might' was not clear enough.
- Some governance professionals were prompted by the EER to pursue professional development either formally by registering for an appropriate qualification and/or seeking professional support.

Theme 7 – Feedback from 14 Board Members

Yes	No	Unsure	Comments
1. Were you a member of the Governing Board at the time of the Review?			
7	7	0	Only seven of the fourteen respondents were on the board at the time of the review, reflecting boards in transition.
2. Did you receive a copy of the external governance review report?			
12	1	1	
3. If you were on the Board at the time, did you consider the external governance review report at a Governing Board meeting?			
9	2	3	
4. Has there been an action plan agreed by the Governing Board in response to the external governance review report?			
11	2	1	
5. If there is a plan in place, has it delivered sustained changes to governing processes and practices?			
9	4	1	<p>Most governing processes and practices required minor adaptation rather than significant change.</p> <p>There have been positive changes to the staff support structures for those who are responsible for the management and administration of the governance of the college. There have also been improvements made to the committee structures and reporting systems to the board.</p>
6. If there is a plan in place, are there any actions which have not produced improvement to governing processes and practice?			
2	11	1	Some of the development plan actions have not been commenced / completed. Possibly due to the interim period following changes in board chair.
7. How is the action plan being monitored?			
Board 12	Committee 2		
8. Have you identified any barriers to changing governing processes and practice?			
1	13	0	
9. What value would you place on the external governance review report as a stimulus to improving governing?			
High 8	Useful 6		<p>Excellent review, detailed guidance, and a good strategy to take things forward. Keeps the board focussed.</p> <p>The review provides external scrutiny and helps highlight any areas for strengthening governance arrangements.</p> <p>All external reviews are helpful given how governance is ever evolving.</p>

6. OVERALL USEFULNESS

There was unanimous agreement that the process and outcome of an external governance review were useful with some describing the review as '*challenging but very helpful in the end*' and others '*transformational*'.

Some EERs provided reassurance and confidence in the governing arrangements leading to fairly minor adjustments in governing practice whereas others identified areas for improvement which, when put in place, had a significant positive impact.

Comments included

- Provided a catalyst for change in governing behaviour.
- Improved engagement with student members.
- Improved use of KPIs.
- It was useful to step back and reflect on governing processes and practices.

- External, independent, and unbiased view on our governance was extremely valuable.
- It was helpful to have the areas requiring attention reaffirmed, and it helped to focus attention on the priority areas.

Thus, there may be two levels on which to consider the usefulness of the external governance reviews.

- Firstly, there is a general feel for how governing is operating post review and whether it seems to be tighter, sharper, better focused on decision making rather than hovering over topics of interest. It has been noted that even the process of an external governance review has, during that process, had the effect of improving governance arrangements.
- On another level, there is the more instrumental way to consider usefulness by checking off each change to governing practice and assessing the impact (anticipated versus actual) and forming a view regarding the extent and benefit of the particular change.

Whichever level is applied, or both, all interviewees recognised the benefits of the external governance review report and its contribution to learners and learning at each respective institution.

7. FOR THE NEXT EERs CYCLE

Participants were happy with the *Guidance note on conducting externally facilitated effectiveness reviews*, but did comment that they would welcome more face to face interaction next time as most of the 2020/21 reviews were conducted virtually during Covid restrictions.

There was broad recognition and understanding that the External Effectiveness Review is intended to be a developmental process not an audit.

Comments included:

- It is important for board members to understand the benefits of an EER in order to secure commitment to the process and the outcome.

- Identification of the priority actions would be useful, e.g. if there are ten recommendations which are the top three? Which would deliver the biggest improvements?
- Incorporating the EER action plan into a broader board development plan is more useful than having separate plans.
- External support post-EER can be effective in implementing the recommendations.



8. CONCLUSION

From the evidence we gathered from documentation, interviews, and responses to a brief questionnaire, we believe there is a consensus that the External Effectiveness Reviews are valuable, and, in many colleges, such reviews have led to significant improvements in governing arrangements. A variety of impacts have been recorded which are clearly beneficial to the achievement of the governing board's responsibilities.

The governance professional plays a key role in developing action plans and leading change. The process and outcome of the EERs has, in some

colleges, underlined the importance of the role and strengthened the critical triangular relationship between the chair, principal and governance professional.

Where college boards have been 'in transition' this has delayed the implementation of some of the EER recommendations and possibly compromised the potential impact on the governing arrangements. However, in these circumstances, having an EER in place along with an action plan has been extremely helpful for incoming chairs and governance professionals, giving assurance and a focus on priorities.



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Risk Management Policy

Status
Date of Version
Responsibility for Contents

Responsibility for Review

Review Date
Primary Contact

Approved Audit Committee
September 2023
Vice Principal Finance and Corporate
Affairs
Corporate Governance and Planning
Officer
August 2026
Corporate Governance and Planning
Officer Ext 3273

1.0 Purpose

This policy and procedure details and disseminates the College's approach to risk capture, monitoring and reporting.

2.0 Policy Statement

Forth Valley College is committed to effectively identifying and managing risk, taking all reasonable steps to safeguard staff, learners and assets. Risk registers will be reviewed on a structured basis, with new risks added whenever identified.

3.0 Responsibility for the Implementation of this Policy and Procedure

While all College staff should be aware of all policies and procedures, the following areas are specifically responsible for implementing this policy and procedure –

- Board of Management
- Audit Committee
- Senior Management Team
- Leadership Management Team
- Corporate Services Team
- College Teaching and Corporate Service Departments

4.0 Extent of Policy

- 4.1 This Risk Management policy forms a core component of the College's Corporate Governance responsibilities and internal control functions.
- 4.2 The policy outlines the College's underlying approach to risk management and details the roles and responsibilities of the Board of Management and staff.
- 4.3 The policy outlines the main aspects of the risk management process, and details the primary reporting methodologies.
- 4.4 This document should be read in conjunction with either the current College Risk Register, available from the Corporate Governance and Planning Officer, or a specific departmental risk register available from the relevant Director / Head of Department.

5.0 Specific Responsibilities

- 5.1 The Board of Management has overall responsibility for ensuring the effective identification, mitigation and monitoring of strategic risks within the College. The Audit Committee has delegated authority from the Board of Management to approve the Risk Management Policy and to review regular reports from the College Senior Management Team regarding risk.
- 5.2 The Senior Management Team, with the Vice Principal Finance and Corporate Affairs as lead, is responsible for the maintenance of a College strategic risk register and for ensuring appropriate risk mitigation actions are implemented to address significant risks to College operations and strategic objectives.
- 5.3 Senior Management Team members are responsible for establishing controls to mitigate identified risks wherever possible. This information is included on the Strategic Risk Register in summary form.
- 5.4 Senior Management Team members will nominate an 'action owner' for each identified risk. These individuals will be responsible for the implementation of mitigating actions at an operational level.
- 5.5 The Corporate Governance and Planning Officer is responsible for the maintenance of the Strategic Risk Register and the production of monitoring reports on a regular basis for consideration by the Audit Committee.
- 5.6 Directors are responsible for the maintenance of a Departmental risk register and the cascading of high level departmental risks to the relevant Senior Management member for consideration and action where necessary. Departmental risk registers will also form a key component of the Departmental Operational planning process.
- 5.7 When risks are identified within their area of responsibility, Senior Management Team members are responsible for the timely communication to Senior Management and Leadership Management Team meetings. Identification of risk will be a standing item on Senior Management and Leadership Management Team agendas.
- 5.8 All papers presented to the Senior Management Team and Leadership Management Team meetings must contain a risk assessment matrix. All departments are encouraged to use this approach.
- 5.9 Significant projects within the College (e.g. estates development) should maintain an appropriate risk register to enable the management of associated risks to the College (see section 10).

6.0 Board Risk Appetite

- 6.1 A key component of effective risk management at a strategic level is to measure identified risk levels against the level of comfort or 'appetite' the Board of Management has across a number of key College aspects.
- 6.2 The Board risk appetite will be reviewed every three years, or earlier if the Board wishes it.

- 6.3 All papers to Board and Committee meetings as well as Senior Management and Leadership Management Team meetings must compare identified risks against the currently established Board appetite levels

7.0 Risk Registers

- 7.1 Copies of the current risk registers are available from the Corporate Governance and Planning Officer or appropriate Departmental Director/Head of Department /Project lead.

- 7.2 Identified risks are assessed on a basis of the likelihood of the risk happening and the impact this would have on the College. Mitigating actions are identified to reduce the potential risk to the College and a net risk score is identified.

A full description and examples of each scoring level is contained in Annex 1 of this document.

- 7.3 Each risk register within the College has 2 components –

- A full version of the particular risk register, detailing all risks and their causes and controls.
- An explanation of the scoring criteria for use when adding new risks or reviewing existing risks.

8.0 Maintenance of Risk Registers

- 8.1 To ensure the continued relevance and utility of College risk registers at all levels, all registers must be updated regularly either when new risks are identified or as part of a rolling monthly/quarterly process depending upon the nature of the individual register

9.0 Reporting Arrangements – Strategic Risk Register

- 9.1 Information on the Strategic Risk Register is presented to the Audit Committee of the Board of Management. The Chair of the Audit Committee reports to the overall Board of Management on any areas of concern arising from the Risk Register.

- 9.2 The Strategic Risk Register will be presented to the Board of Management on an annual basis.

10.0 Project Risk Registers

- 10.1 Occasionally, large or high profile projects within the College will require the setting up and maintenance of a specific risk register. This will apply to any project within the College the Senior Management Team/Leadership Management Team deems appropriate.

10.2 When a specific risk register is created, the creator should –

- Ensure that the reason for the creation of a specific register is included in the College Strategic Risk Register
- Utilise as much as possible, depending upon the type of project, the scoring criteria in Appendix 1
- Use the standard format for risk registers, available in excel format from the Corporate Governance and Planning Officer
- Notify the Corporate Governance and Planning Officer of the creation of another risk register and the reason for its creation.

10.3 Annex 2 contains a flow chart detailing the inputs, outputs and interdependencies of the risk registers in operation within the College.

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Annex 1

Scoring Criteria

Scoring of likelihood and impact changes as a risk matures and mitigating actions take effect. A new risk will often have a score that reflects the initial risk to the College. While a range of mitigations can be identified, these should only begin to impact the risk score once they have commenced and can be seen to be effective.

LIKELIHOOD

Description	Scenario	Code Letter	Risk Rating Value	Guide Probability
Very High	Almost certain to occur	VH	5	90%+
High	More likely to occur than not	H	4	75%
Medium	Fairly likely to happen	M	3	50%
Low	Low but not impossible	L	2	25%
Unlikely	Extremely unlikely to happen	VL	1	5%

IMPACT

Description	Scenario	Code Letter	Risk Rating Value
Very High	Significant ongoing change to College operations and strategic direction	VH	5
High	Critical or Major impact on costs, objectives. Serious impact on output and/or quality and reputation. Medium to long-term effect and expensive to recover.	H	4
Medium	Reduces viability significant waste of time and resources and impact on operational efficiency, output, and quality. Medium term effect, which may be expensive to recover.	M	3
Low	Minor loss, delay, inconvenience or interruption. Short to medium term effect.	L	2
Very Low	Minimal loss, delay, inconvenience or interruption. Can be easily and quickly remedied.	VL	1

CONSEQUENCE

Description	Scenario
Financial	Generating non-budgeted additional costs for the College or impacting upon our ability to source or draw down funding
Reputational	Public perception, press reports, MP/MSP, Local Authorities, Partner Organisations
Operational	Impact upon ability to deliver frontline services
Business risk	Any action or event that effects the Colleges ability to achieve its objectives or comply with legislation

BOARD RISK APPETITE

Area	Maximum Risk Score	Overall Appetite
Financial	20	Open
Governance	15	Cautious
Legal	15	Cautious
People	25	Eager
Project/Programme	25	Eager
Property	15	Cautious
Reputational	20	Open
Strategy	20	Open
Technology	20	Open

Annex 2

Risk Register Relationships

