

## Board Meeting

Date of Meeting	Tuesday 27 October 2015
Paper Title	Matters arising
Agenda Item	8
Paper Number	BM2-H
Responsible Officer	Martin Fairbairn, Interim Chief Officer
Status	Disclosable
Action	For Discussion

### 1. Report Purpose

- 1.1. Update the Board on various issues, including matters arising from previous meetings.

### 2. Recommendations

- 2.1. The Board is invited to note this paper.

### 3. Action log

- 3.1. The detailed action log of items arising from previous meetings is attached as Annex A.
- 3.2. The rest of this paper provides the Board with updates and information on other relevant matters.

### 4. Public Audit Committee report on Scotland's Colleges 2015 Audit Scotland report on college sector

- 4.1. On 1 June 2015 the Board received information about Audit Scotland's overview report on the college sector: *Scotland's colleges 2015*<sup>1</sup>. Since then the Scottish Parliament's Public Audit Committee has considered the Audit Scotland report and has published its own report<sup>2</sup>. This report included a specific section on regional boards, a copy of which is provided in full at Annex B. GCRB management believes that the approach being taken to development of GCRB's role in collaboration with the assigned colleges is consistent with the Public Audit Committee's desire for regional boards to play a constructive role in an efficient manner.

- 4.2. The Public Audit Committee's full report will be considered at the next meeting of GCRB's Audit Committee.

<sup>1</sup> [http://www.audit-scotland.gov.uk/docs/central/2015/nr\\_150402\\_scotlands\\_colleges.pdf](http://www.audit-scotland.gov.uk/docs/central/2015/nr_150402_scotlands_colleges.pdf)

<sup>2</sup> <http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/92656.aspx>

**5. Public Audit Committee report on the 2012-13 audit of North Glasgow College: governance and financial stewardship**

**5.1.** At its meeting on 15 December 2014 the Board of GCRB received a report on the 2012-13 audit of North Glasgow College, which focussed on North Glasgow College's governance in relation to senior management severance arrangements. The minute of that meeting records that:

- the Board noted that the Public Audit Committee was still in the process of considering the matter and that when that process was complete, the Board would then be able to consider the matter in full; and
- the Board delegated detailed consideration of the matter to the Nominations and Remuneration Committee who would then report any recommendations back to the Board management.

**5.2.** The Public Audit Committee has now completed its considerations and has published its report<sup>3</sup>. The Nominations & Remuneration Committee will therefore consider this matter at its next meeting on 7 December 2015.

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<sup>3</sup> <http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/93106.aspx>

## Action Monitoring Log

<b>Meeting of Monday 13 July 2015</b>					
<b>Agenda Item</b>	<b>Action Ref</b>	<b>Action</b>	<b>Date</b>	<b>Owner</b>	<b>Status</b>
5	A07.01	It was agreed that the Interim Chair would write to the Scottish Government outlining the points made by the Board in relation to the Scottish Government's consideration of Glasgow Clyde College under section 24 of the Further and Higher Education Scotland Act 1992.	Asap	AJ	<b>Complete</b>
<b>Meeting of Monday 1 June 2015</b>					
<b>Agenda Item</b>	<b>Action Ref</b>	<b>Action</b>	<b>Date</b>	<b>Owner</b>	<b>Status</b>
6	A06.01	Minutes of 16 March, 25 March and 13 April to be redrafted into action/decision format and submitted to next meeting of the Board for approval.	October 2015	M Fairbairn	<b>Complete</b>
7	A06.02	Interim Chair request SFC to apply its own processes for approving fully-operational fundable body status as quickly as possible	August 2015	A Jarvis	<b>Complete</b>
7	A06.03	M Fairbairn to write to members outlining the timeline for fully operational fundable body status.	End June 2015	M Fairbairn	<b>Complete</b>
9	A06.04	Add to long-term agenda: Glasgow Kelvin College to report on progress against its Educational Scotland action plan in 6 months' time.	October 2015	M Fairbairn	<b>Complete</b>
10	A06.05	Future papers to contain standard section on implications for delivery against the Regional Outcome Agreement	October 2015	M Fairbairn	<b>Complete</b>
11	A06.06	Board long term agenda to be updated with suggestions from members	October 2015	M Fairbairn	<b>Complete</b>
11	A06.07	Interim Chair to arrange meeting to discuss the proposal for a forum to be established to enable more structured interaction between the GCRB and the relevant trade unions.	October 2015	A Jarvis	<b>In progress</b>
12	A06.08	GCRB office to send out dates for all GCRB Board and GCRB committee meetings following consultation with the Interim Chair and committee chairs.	Asap	M Fairbairn	<b>Complete</b>
13	A06.09	Urgent action procedure to be drafted for approval	October 2015	M Fairbairn	<b>Ongoing</b>
13	A06.10	Interim Scheme of delegation to be finalised and published on GCRB website	July 2015	M Fairbairn	<b>Complete</b>

13	A06.11	Fuller version of scheme of delegation to be developed and submitted to the first meeting of the Performance and Resources Committee for consideration, before coming back to the full Board.	October 2015	M Fairbairn	<b>Complete</b>
15	A06.12	Consider introducing arrangements for other staff and students to attend Board meetings (but not as members).	July 2015	M Fairbairn	<b>Ongoing</b>
15	A06.13	Interim Chief Officer to ratify the extensions of assigned college board member appointments on completion of performance assessment.	July 2015	M Fairbairn	<b>Complete</b>
15	A06.14	Interim Chair, in consultation with the Chair of the Nominations & Remuneration Committee, to finalise the formal arrangements for the secondment of the Interim Chief Officer with the Scottish Funding Council.	October 2015	A Jarvis	<b>Complete</b>
15	A06.15	Interim Chief Officer, in consultation with the Interim Chair and the Chair of the Nominations & Remuneration Committee, to make the arrangements for the appointment of a Board Secretary through an arrangement with a partner higher education institution, subject to obtaining the necessary financial approvals.	October 2015	M Fairbairn	<b>In progress</b>
<b>Meeting of Monday 16 March 2015</b>					
<b>Agenda Item</b>	<b>Action Ref</b>	<b>Action</b>	<b>Date</b>	<b>Owner</b>	
5	A05.01	Further detail on the changes to the curriculum to be considered by the Performance and Resources Committee at its first meeting.	Date to be confirmed	M Fairbairn	<b>Complete</b>
6	A05.02	Members to send any final comments on the Financial Memorandum between GCRB and assigned colleges to JH.	Asap	All	<b>Complete</b>
6	A05.03	Final sign off of the Financial Memorandum between GCRB and assigned college remitted to the Performance and Resources Committee.	Date to be confirmed	M Fairbairn	<b>Complete</b>
7	A05.04	Chairs and Principals, with the GCRB Chair and Advisor to the Board, to develop a paper regarding the immediate funding issues. Paper to be discussed with student representatives and an equality impact assessment to take place before taking the item forward with SFC and Government.	June 2015	M Fairbairn	<b>In progress</b>
7	A05.05	A funding working group to be established to look at long term funding issues.	June 2015	M Fairbairn	<b>Included in GCG Sustainability Group</b>

10	A05.06	Detailed costs for the common application system to be taken to the first meeting of the Performance and Resources Committee.	Date to be confirmed	F Samara	<b>Ongoing</b>
12	A05.07	Chair to contact SG and SFC to inform of the Board's decision regarding the secondment offer from the SFC.	Asap <b>Complete</b>	H McLeish	<b>Complete</b>
<b>Meeting of Monday 15 December 2014</b>					
<b>Agenda Item</b>	<b>Action Ref</b>	<b>Action</b>	<b>Date</b>	<b>Owner</b>	
3	A04.01	Actions from October meeting (ref A03.01 and A03.02) in relation to the Curriculum and Estates Review outstanding.	March 2015 A03.01 from 6/10/14 meeting <b>superseded</b> by A04.03 from 15/12/14 meeting.	LH	<b>Superseded</b>
4	A04.03	Agreement to be drawn up (initiated by SFC) to clarify project governance, showing responsibilities and accountabilities between GCRB, SFC and Assigned Colleges. Assurance required from SFC with regard to financial sustainability, funding (including alternative funding streams e.g. ESF) and risk margins.	March 2015	Scottish Funding Council	<b>Superseded</b>
4	A04.04	Principals to follow up with those who responded to the consultation to inform them of the outcome and clear plans in relation to communication, consultation and engagement to be developed.	March 2015	Principals	<b>Complete</b>
6	A04.09	At a future meeting Board to receive information on non-SFC funded activity.	March 2015	M Fairbairn	<b>On long term agenda</b>
8	A04.11	Colleges to provide details of the constitution of the arms lengths foundations.	March 2015	Principals	<b>On long term agenda</b>
<b>Meeting of Monday 6 October 2014</b>					
<b>Agenda Item</b>	<b>Action Ref</b>	<b>Action</b>	<b>Date</b>	<b>Owner</b>	
4	A03.01	With regard to new estates and curriculum strategic plan, clarification to be sought from the Scottish Funding Council regarding responsibilities and accountabilities between SFC, GCRB and assigned colleges	December 2014 <b>Superseded</b> by A04.03 from 15/12/14 meeting.	M Fairbairn	<b>Superseded</b>
4	A03.02	Further information to be provided to the Board on the financial sustainability of the Curriculum and Estates proposals	December 2014	M Fairbairn	<b>Superseded</b>

80. In this correspondence, the Scottish Government stated:

“ we understand that the SFC will be reviewing the scope, impact and effectiveness of available sanctions and actions and their likely effect in improving governance while ensuring these do not penalise students as a result of the actions of Board members. We support such a review and would consider the SFC's advice in due course.”<sup>77</sup>

81. The Committee is cognisant of the difficulty outlined by the Scottish Government in applying sanctions or disciplinary action to colleges that both carry a significant deterrent and do not indirectly affect the resources for students and staff. The Committee also appreciates that the nature of the merger programme means that, in the case of the Section 22 reports related to severance arrangements, any disciplinary action applied would be to the successor institutions rather than to those institutions who failed to follow best practice and may therefore not apply to those who initially instigated the breach.

82. Although it is welcome that “most severance was managed in line with good practice”<sup>78</sup> the Committee is appalled that two colleges displayed “significant shortcomings”<sup>79</sup> and auditors identified shortcomings in another four colleges with regards to the provision of voluntary severance arrangements to senior members of staff.

83. In light of these difficulties, the Committee welcomed the provision of updated guidance on severance arrangements from the Scottish Government and the SFC in 2014, and their commitment to encouraging Board members to undertake training on severance.<sup>80</sup> The Committee also welcomes the requirement for approval from the SFC for severance arrangements as a result of ONS reclassification, which it believes will reduce the opportunities for poor governance.

84. The Committee seeks further information from the Scottish Government and SFC on what options it would consider for colleges and individuals who fail to follow best practice in providing severance arrangements in the future whilst protecting the student experience.

## Regional Boards

85. The college reform programme has also led to the introduction of 13 Regional Boards. 10 of these Boards correspond to a single college within their region, with the other 3 overseeing multiple colleges.

86. These Boards are responsible for negotiating funding with the SFC, allocating funding, monitoring college performance and achieving the outcomes set out within their regional outcome agreement.<sup>81</sup>