

Glasgow Colleges' Regional Board

Date of Meeting	Monday 25 March 2019
Paper Title	Scottish Government Governance Consultation Outcomes
Agenda Item	16
Paper Number	BM3-P
Responsible Officer	Penny Davis, Board Secretary
Status	Disclosable
Action	For Discussion

1. Report Purpose

- 1.1 To apprise the Board of outcomes of the Scottish Government's 2017 consultation on college governance.

2. Recommendations

- 2.1. The Committee is invited to **discuss** the report and implications for GCRB.

3. Background

- 3.1. The Scottish Government issued a consultation in April 2017 further to recommendations made by the Good Governance Task Group (the group established in 2016 to report on lessons learned from events at Glasgow Clyde, North Glasgow and Coatbridge Colleges).
- 3.2. The consultation covered a number of areas of potential reform, including the remuneration of assigned college chairs and the inclusion of trade union representatives on college sector boards.
- 3.3. GCRB was one of twenty-eight organisations that responded to the consultation at the time.
- 3.4. The Scottish Government has now communicated its conclusions from the survey. A letter sent to regional chairs on February 18 setting out proposed actions is appended.
- 3.5. The Nominations and Remuneration Committee considered the information in this report at its meeting on 7 March and considered implications for areas within its membership and appointments remit.
- 3.6. The Scottish Government is undertaking further work to develop guidance on implementation of its proposed actions. The following is an initial consideration of the implications for GCRB, taking items in the order in which they appear in the appended letter.

4. Consultation Outcomes

- 4.1 **Partnership working** - It is proposed that two trade union nominees join the board in addition to the elected staff members.

Guidance on implementation will need to set out a process by which this should happen, any implications there may be for the election of staff representatives (for example, whether trade unions may also nominate official candidates in staff elections), and other areas of potential ambiguity (for example, whether a staff member of an assigned college board may also be a union nominee on the regional board).

A particular consideration for GCRB, which has a smaller proportion of non-executive members than other boards in the sector, will be retaining balance and among its membership.

Once further guidance is available, it will be possible to consider any issues in depth and prepare for implementation.

- 4.2 Board appointments** – it is proposed to strengthen guidance on succession planning and multiple candidate appointments and to require vacancies to be advertised on the CDN website. GCRB has good succession planning arrangements in place and will be able to accommodate any further requirements in this area.

Developing collaborative approaches further with the Assigned Colleges will support greater improvement in this area. It is anticipated that the new guidance will also address the need to retain “highly regarded” candidates for whom there is no current vacancy without having to ask them to re-apply when a vacancy arises.

- 4.3 Training** – CDN’s induction programme will be developed to include teamwork. This should be a welcome recommendation, supportive of developing a more meaningful approach to collective responsibility. GCRB undertook some initial development activity focused on teamwork with an external facilitator in August 2018, and may wish to ensure that this remains in its development plan for 2019-20. As a regional board, GCRB must also consider the wider, collaborative regional ‘team’.

- 4.4 Enhanced guidance** – Guidance will be developed for SFC and colleges to follow in relation to reviews of their eligibility to receive funding. The consultation question asked whether legislation should be changed to require colleges to co-operate with such reviews. This does not directly impact on GCRB, however, it will be important to ensure that any guidance takes account of the role of the regional body and the need for appropriate communication and engagement with the regional body in undertaking any review of assigned colleges.

- 4.5 Board meetings** – It is proposed to allow the SFC to attend board meetings of assigned colleges. In the consultation, this item followed the question about colleges co-operating with reviews, and is a natural corollary of the SFC’s powers to review whether a college meets fundable body criteria. Again, the main issue for GCRB will be to ensure that there is recognition of its role and authority in the context of any such review.

- 4.6 Auditor General reviews** – this point relates to reviews of non-incorporated colleges and does not affect GCRB at this time.

- 4.7 Alignment** – The proposed change will mean that appointing bodies may suspend (as well as remove) members of boards. This is consistent with other public bodies and means that an appointing body may suspend a member or members where it has serious concerns and needs time to conduct an investigation.

4.8 Remuneration – As anticipated, it has been decided that assigned college chairs will be remunerated in future. The rate will be determined by Scottish Ministers. GCRB was firmly supportive of this proposal in the consultation.

4.9 Outcomes are, for the most part, consistent with the responses that GCRB gave to the consultation.

GCRB did not support the idea of additional trade union members joining boards, for the reason of balance, outlined under 4.1 above and parity between staff and student participation in boards. It did, however, recognise the important role of trade unions and support their greater involvement in staff elections.

4.10 Noting that several of the proposed changes have particular, in some cases unique, implications for GCRB, the Board Chair and Executive Director have both suggested to the Scottish Government that GCRB should be involved in the dialogue to develop implementation guidance.

5. Risk Analysis

5.1 The report is provided for information. Implementation of the proposed changes, however, with particular reference to the extension of the board to include four staff members, may have implications in terms of board balance and further assessment will be needed once the Scottish Government has issued its guidance.

6. Legal Implications

6.1 There are no further legal implications.

7. Resource Implications

7.1 There will be resource implications arising from the remuneration of assigned college chairs.

8. Equalities Implications

8.1 An impact assessment will need to be carried out by the Scottish Government in introducing any significant changes to regulation/policy, which would likely include changes to board constitution and remuneration of chairs.

9. Strategic Implications

9.1 This report is not directly relevant to the Regional Outcome Agreement, however, robust governance arrangements are the essential to the effective determination and delivery of GCRB objectives.