

---

## Nominations & Remuneration Committee

Date of Meeting	Thursday 30 May 2024
Paper Title	Update on Sector Governance Developments
Agenda Item	10
Paper Number	NRC4-E
Responsible Officer	Board Secretary
Status	Disclosable
Action	For Noting

### 1. Executive Summary

- 1.1. The report provides an update on progress with a range of sector governance changes being taken forward by Scottish Government, in which the Good Governance Steering Group (GGSG) has had a consultative and steering role.
- 1.2. The GGSG met on 2 May 2024 and received an update from a representative of Scottish Government.

### 2. Recommendations

- 2.1 The Committee is invited to **note** the update.

### 3. Background

- 3.1. The Nominations and Remuneration Committee is responsible for oversight of the Board's activity and arrangements for membership and appointments.

### 4. Update

- 4.1 The roll-out of provision for **Trade Union board members** has been completed, however, the results have fallen short of expectations. Across the sector, 9 out of a potential 20 support staff TU positions have been filled and 13 out of 20 teaching staff positions. Some colleges have reported the reason as being a lack of people putting themselves forward for nomination. An ongoing discussion about remission time may have been a factor. In Glasgow, all teaching staff TU positions are filled; 3 of 4 support staff TU places are vacant. College sector boards' constitutions are now defined in the legislation as including the two TU members, so filling the vacancies cannot be considered optional, however, the power to nominate rests with the TUs. Unison have been contacted in respect of GCRB's vacancy, with a request to consider issuing a wider call for nominations. The original call stipulated that applicants should be an active accredited Unison rep and regularly attend national branch meetings whereas the guidance (developed by TUs and agreed by GGSG) says:

*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.*

If remission time were to be agreed formally (this would be a matter for colleges as employers), it would be necessary to consider equal treatment for staff and student members on boards.

- 4.2 Scottish Government previously had a deadline of 2024 for introducing **remuneration for assigned college chairs**. There is currently no timetable, which is likely as a result of the ongoing review of arrangements in multi-college regions. The GGSG is keen to press for progress in this area. Provision for remuneration of *regional college* chairs is in Section 12 of the 1992 Further and Higher Education (Scotland) Act as opposed to Schedule 2 (for *regional board* chairs, the provision is in schedule 2B to the 2005 Act). Assigned college appointments are provided for alongside regional college appointments, and amendment of Section 12 would require primary legislation. The first step would be for Scottish Government to consult with RSBs and others on aspects including affordability.
- 4.3 Consultation on the **revised Ministerial appointments guidance** is also on hold. The delay is likely also related to the ongoing review.
- 4.4 Arrangements for **SFC reviews of assigned colleges** (against statutory criteria for fundable body status) and **SFC powers to attend assigned college board meetings** are both also on hold.

## **5 Risk and Compliance Analysis**

- 5.1** The report primarily seeks to mitigate Risk 8: There is a breach of legislation/guidance/code of practice and this results in a failure of governance, by ensuring that the Committee is regularly apprised of the status of developments impacting on governance.

## **6 Financial and Resource Analysis**

- 6.1** There are presently no resource implications associated with this report. There is the potential for remuneration of Assigned College chairs to be introduced in future.

## **7 Equalities Implications**

- 7.1** There are no equalities implications associated with this report.

## **8 Learner Implications**

- 8.1** This report does not have direct implications for the learner, however, robust governance arrangements are the essential to the effective determination and delivery of GCRB objectives.