

REGIONAL BOARD

Actions from the
Meeting of the Regional Board held on
Thursday 8 December 2016 in the Board Room, Scottish Borders Campus

| Item | Action | Responsibility and Date |
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| 102/16 | T Jakimciw expected to present an expansive paper on the learner journey at the next meeting | T Jakimciw |
| 107/16 | Circulate presentation | P Smith |
| 110/16 | Add a development requirement in relation to the new Quality Assurance arrangements and self-evaluation process to the development plan as point 3.6 | T Jakimciw |
| 112/16 | Provide comments to D Killean on Priority Outcome Six: A well-governed, high-performing and sustainable College | All |
| 113/16 | Provide assurance to the Board that the tenders had been properly evaluated and to circulate a recommendation | E Acaster |
| 114/16 | Meet to consider how self-reporting system could be improved | SMT/BCSA |
| 115/16 | Populate the Risk Register for final agreement by the Board on 2 March 2017 | SMT – 2 March |
| 116/16 | Bring a paper on the role of a Senior Independent Member to the next meeting | G Crosier – 2 March |
| 117/16 | Make contact with programme areas to arrange a visit | All |
| 118/16 | Formally express the concerns of the Board with the addition of a proviso to 50/50 gender pledge | T Jakimciw |
| 122/16 | Consider a proposal to publish Board Committee papers (excluding draft minutes) on the Regional Board website prior to meetings | All – 2 March |

REGIONAL BOARD

Minutes of the meeting of the Regional Board held on Thursday 8 December 2016
at 5.30 pm in the Board Room, Scottish Borders Campus

| ITEM | MINUTE |
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| Present: | <p>Tony Jakimciw (Chair) Heather Anderson (Acting Principal) Gillian Crosier Ian Ireland Bryan McGrath Elaine Acaster Steven Ker Jane Martin Liz Parkes Virginia Grant David Peace Jane Gaddie Nicola McIlwraith Andy Winwood (Staff member) Andries Fourie (Staff member) Kevin Armstrong (Student member) Morag Mulhern (Student member)</p> |
| In Attendance: | <p>David Killean (Vice Principal, Quality and Innovation and Clerk to the Board) Pete Smith (Vice Principal, Finance and Resources) Sheila McColm (Secretary) Jan Polley (Polley Solutions)</p> |
| 102/16 | <p>CHAIR'S OPENING REMARKS</p> <p>T Jakimciw welcomed everyone to the meeting and introduced Morag Mulhern, the new student representative. He advised M Mulhern that decisions taken by the Board were usually reached by consensus and not by vote, and that she should express her views if not in agreement with any decision taken.</p> <p>T Jakimciw also welcomed Jan Polley, who was observing the Board meeting as part of her review.</p> <p>T Jakimciw then updated Board members on key environmental changes and any potential implications for the College.</p> <p>In relation to the new Enterprise and Skills Agency, the Scottish Government has decided to disband the existing boards and put one overall board in place. There has been no indication that the agencies will be disbanded. The Government was now embarking on phase 2 of this review, which would be concluded by March 2017. The Board should be forewarned that one of these committees could be responsible for the South of Scotland Agency. The letter sent by the Chairs of Borders and Dumfries and Galloway had been acknowledged by the Government but a response was still awaited.</p> <p>The outcome of the draft budget for 2017-18 would be announced the following week. The College's submission was for the same amount received for 2016-17 plus the additional funds received in-year. The sector has also requested an additional £38 million for pensions etc. Colleges have pointed out they are unable to make further cuts and deliver the manifesto commitment of 116000 FTE students and this is supported by the SFC.</p> |

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| | <p>T Jakimciw circulated the Think Piece document produced by Colleges Scotland; The Learning and Skills Journey October 2016, which was submitted to the Scottish Government to indicate how efficiency gains could be made. He advised that a second paper had been produced to provide a costing of these savings.</p> <p>T Jakimciw expected to present an expansive paper on the learner journey at the next meeting.</p> <p style="text-align: right;">ACTION: TJ</p> <p>He considered that these strategic developments could have an effect on the College and that the concentration on 16-24 year olds was contrary to demographics in Scotland.</p> |
| 103/16 | <p>APOLOGIES FOR ABSENCE</p> <p>Apologies were received from Sara Shinton.</p> |
| 104/16 | <p>MINUTES OF BOARD MEETING HELD ON 29 September 2016 (Paper A)</p> <p>Further to the following amendment, the minutes of the meeting held on 29 September 2016 were agreed as a true and accurate record.</p> <p>Item 80/16, 2nd paragraph:</p> <p><i>She proposed changing the agenda to allow non-Board staff members to leave the meeting after their items.</i></p> |
| 105/16 | <p>MATTERS ARISING</p> <p>70/16 With the regard to the Learning for Leading programme, Board members agreed to copy Department Heads into correspondence with Programme Leaders.</p> <p>91/16 D Killean advised that benchmarking data on complaints from across the sector was not yet available.</p> <p>94/16 K Armstrong circulated a full accounts summary for BCSA for 2015-16. He advised that the balance was now around £2,200.</p> <p>Remaining actions were complete.</p> |
| 106/16 | <p>DECLARATION OF ANY CONFLICT OF INTEREST/REGISTER OF INTERESTS UPDATE</p> <p>There were no declarations of any conflicts of interest. T Jakimciw advised staff and student members that there would be an update on the Employers Association later in the meeting which would need to be treated as confidential.</p> <p>The Clerk should be provided with any amendments to the Register of Interests.</p> |
| 107/16 | <p>PRESENTATION - FINANCIAL REPORTING</p> <p>At the request of Board members, P Smith gave a presentation on college finance and the public sector. A glossary of terms was circulated for information.</p> <p>He explained the previous method of reporting, the changes which had been made, the operating challenges and the net depreciation challenge.</p> |

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| | <p>He clarified that non-cash income referred to the rental from Heriot-Watt University which would last a further ten years, after which time a cost would be incurred by the university.</p> <p>Board members thanked P Smith for providing the presentation which they agreed had been very useful. The presentation would be circulated and members were invited to contact P Smith for further information if required.</p> <p style="text-align: right;">ACTION: PS</p> |
| 108/16 | <p>BORDERS COLLEGE ANNUAL ACCOUNTS (Paper B)</p> <p>P Smith presented the annual accounts for the year 1 August 2015 to 31 July 2016 and advised there had been no changes since the joint meeting of the Audit and Finance & General Purposes Committees on 24 November. At this meeting, the Audit Committee recorded that they recommended approval of the annual accounts to the Regional Board.</p> <p>This was the first period of reporting under FRS 102 and P Smith explained the changes from the previous method of reporting.</p> <p>S Ker confirmed that the Audit Committee supported the signing off of the accounts. E Acaster advised that the Finance & General Purposes Committee had reviewed the accounts on two occasions. The College was posting a deficit which was clearly presented; however on the basis of Income and Expenditure an operating surplus was posted.</p> <p>The Board approved the adoption of the audited financial statements. The accounts would be signed by the Chair and the Principal at the end of the meeting.</p> |
| 109/16 | <p>LETTER OF REPRESENTATION (Paper C)</p> <p>P Smith presented the Letter of Representation and the Annual Auditor's Report to the Regional Board and the Auditor General for Scotland.</p> <p>There were no questions and the Board approved the issuing of the Letter of Representation to Grant Thornton, external auditors.</p> |
| 110/16 | <p>ANNUAL BOARD DEVELOPMENT PLAN (Paper D)</p> <p>T Jakimciw presented the draft Development Plan which he had produced following individual review meetings with Board members.</p> <p>D Killean advised that there would be a development requirement for the Board and the College Management Team in relation to the new Quality Assurance arrangements and self-evaluation process. It was agreed to add this to the development plan as point 3.6.</p> <p style="text-align: right;">ACTION: TJ</p> <p>T Jakimciw considered that the review process was key in terms of future development. He proposed that, following the next set of individual reviews he would provide a progress report to the Board.</p> <p>The Board accepted the Development Plan with the addition of point 3.6.</p> |

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| <p>111/16</p> | <p>INTERIM CLERK ARRANGEMENTS</p> <p>T Jakimciw reported that, following the resignation of B Hood as Clerk the vacancy had been discussed at the Remuneration Committee meeting on 3 November.</p> <p>He explained that the role of Clerk was becoming increasingly important in terms of governance in the sector and before filling the role it was important to ensure the correct processes were in place. Due to the previous difficulties in recruiting a Clerk, it had been hoped to appoint a member of the Senior Management Team in a hybrid role as in universities; however the Code of Good Governance stated that this was not permissible in the college sector. T Jakimciw had written to the SFC to request a hybrid arrangement, appointing D Killean until the end of the academic session in order to put procedures in place. Permission for this had been granted. In addition, the job description for the Clerk had been reviewed and much of the organisation and administration had been moved across to S McColm's role.</p> <p>T Jakimciw requested the Board's agreement to take forward the above proposal. During discussion he provided clarification on the following matters:</p> <ul style="list-style-type: none"> • A job specification had been produced. • Advertising for the post would be unlikely to commence before April. • D Killean would be asked to act as mentor to the new Clerk. • Accreditation was being developed for the clerking role; gaining this would be made a condition of employment. • The possibility of sharing another college's Clerk had been explored but without success. • Some of the Clerk's work could be done remotely. • D Killean would review the processes currently in place for the Board to determine how they fit with the new Quality Assurance process. <p>I Ireland considered that, in his role as Vice Principal – Quality and Innovation, D Killean was best placed to undertake this temporary role.</p> <p>Board members accepted the proposal for D Killean to undertake the role as interim Clerk.</p> <p>T Jakimciw advised D Killean that, in the role of Clerk he was independent of both SMT and the Chair, and any concerns regarding the Chair should be reported to the Board and ultimately the SFC. D Killean assured the Board that he recognised the conflict of interest in the different roles he had.</p> |
| <p>112/16</p> | <p>OUTCOME AGREEMENT 2017-18 –DRAFT 1 (Paper E)</p> <p>D Killean presented the first draft of the Outcome Agreement 2017-18, which was split into three parts; the Context Statement, the Outcome Agreement itself and Outcome Agreement Measures. The new Access and Inclusion Strategy which had been produced in support of the Outcome Agreement was also attached. The document had been considered at length by the Curriculum and Quality Committee on 1 December. He was seeking approval of the Board to use the document to commence negotiations with the SFC.</p> <p>SMT had considered the challenges in meeting the credit target for 2016-17 and had decided on consolidation at a credit target of 25,095 for 2017-18 and a small amount of growth targeted towards digital technology for 2018-19 and 2019-20. It was unlikely that the College would receive any additional income from SFC due to this consolidation, but over the next three years school leavers in the Scottish Borders were expected to decline. Young people were staying at school longer and</p> |

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| | <p>more were now going to Edinburgh College for its larger curriculum. The College could grow 25+ activity; however this age group had not been the focus of the Scottish Government.</p> <p>The Board noted its understanding and agreed a period of consolidation for 2017-18 as the starting point for negotiations but felt that the college should indicate its desire to grow should circumstances change.</p> <p>S Ker queried the financial resilience of the plan presented. H Anderson advised that there was still work to do. Figures were based on prediction; however recruitment would take place from January to March and SMT would continue to revise and negotiate as required.</p> <p>T Jakimciw noted that it was very difficult to prepare a model while funding was unknown. It had been April before the funding had been announced this year. It may be necessary to deliver part-time if full-time was not meeting targets.</p> <p>D Killean considered there was risk in terms of the operating environment and diminished opportunities for further growth, i.e. the national picture for constraint in terms of public spending. He also considered that achieving overall activity could be difficult. It would be a challenge to get FE learner success rate back to previous levels, although it was still above sector average.</p> <p>Board members were asked to provide comments to D Killean on Priority Outcome Six: A well-governed, high-performing and sustainable College.</p> <p style="text-align: right;">ACTION: All</p> <p>E Acaster considered that, when the document was further developed it would be very useful for Board members to gain a better understanding of the market and curricular design.</p> <p>B McGrath considered the Outcome Agreement to be a good example of an evidence based approach.</p> <p>The Board agreed to accept the proposal to commence negotiation with SFC on the basis of this draft with a proviso that further discussion was required.</p> <p>T Jakimciw congratulated D Killean on this very good piece of work.</p> |
| 113/16 | <p>ISLT INFRASTRUCTURE PROCUREMENT</p> <p>P Smith reported that the tender evaluation for the ISLT infrastructure had been delayed due to illness of the APUC account manager. He had expected to bring a recommendation for the appointment of a contractor to this meeting for approval; however it should be ready for circulation by 16 December. There had been 20 bids in total.</p> <p>Following discussion it was agreed to copy the report to all members and to delegate authority to the Finance and General Purposes Committee to consider the analysis and recommendation from APUC and provide assurance to the Board that the tenders had been properly evaluated and to circulate a recommendation.</p> <p style="text-align: right;">ACTION: EA</p> |

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| <p>114/16</p> | <p>PRINCIPAL'S REPORT (Paper F)</p> <p>H Anderson presented the Acting Principal's Report and advised that she had a further update on National Bargaining since the report had been prepared.</p> <p>She and T Jakimciw had attended the Employers' Association meeting on 5 December. A proposed change to the membership section of the remit had been agreed; each college would be entitled to nominate two representatives (one executive and one non-executive member) on an annual basis to sit on the Employers' Association. Board members agreed with the proposal for T Jakimciw to continue as the non-executive member.</p> <p>H Anderson also reported that an agreement had been reached regarding the 2016-17 pay offer for support staff. She cautioned that this information was embargoed until the following day. P Smith provided detail of the settlement and explained that all support staff would receive an uplift of £550, to include the £100 which had already been paid.</p> <p>H Anderson thanked the Board members who had attended the Xmas Stars lunch earlier that day.</p> <p>With regard to the KPI Update, K Armstrong considered the rule that students must now achieve 100% attendance in order to receive bursary payments to be harsh.</p> <p>H Anderson advised that the attendance rate was not set by the College and that bursaries had been brought into line with EMAs at 100% by the SFC. Students could self-certificate; however course tutors were reporting that signed authorised absences were not being submitted, in which case warnings were issued. There were currently 130 students with unexplained absences.</p> <p>A Winwood confirmed that students were informed from the onset of their course that absence forms must be completed. M Mulhern agreed that this was the case but advised that they were not informed of financial implications. D Killian clarified that bursaries were not stopped in the event of unexplained absences; they were recalculated. T Jakimciw noted that this had been imposed nationally, but suggested that SMT and the Students Association could meet to consider how the system could be improved within the College.</p> <p style="text-align: right;">ACTION: SMT/BCSA</p> |
| <p>115/16</p> | <p>RISK REGISTER (Paper G)</p> <p>P Smith presented the updated Risk Management Policy and Risk Register. He thanked Board members for their input at the session on 17 November.</p> <p>The Board approved both documents and agreed with P Smith's proposal for SMT to populate the Risk Register for final agreement by the Board on 2 March 2017.</p> <p style="text-align: right;">ACTION: SMT</p> |
| <p>116/16</p> | <p>CHAIR'S EVALUATION</p> <p>T Jakimciw left the meeting for the duration of this item.</p> <p>G Crosier explained the process around the annual evaluation of the Chair, which she advised was not as detailed an approach as used by the majority of colleges. She proposed that, from the following year she would, in her role as Senior Independent Member conduct a one-to-one review with the Chair.</p> |

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| | <p>She also advised that the questionnaire used by the College consisted of 25 questions while other colleges only had 4 or 5 questions. There had been nine returns from Board members.</p> <p>Around the table comments on the Chair's performance were then invited from all Board members. G Crosier advised that she would use these comments and the questionnaire results to provide verbal and written feedback to T Jakimciw.</p> <p>She would also bring a paper on the role of a Senior Independent Member to the next meeting.</p> <p style="text-align: right;">ACTION: GC</p> <p>T Jakimciw re-entered the meeting at this point.</p> |
| 117/16 | <p>REPORTS FROM COMMITTEE CHAIRS, INCLUDING ANNUAL REPORTS</p> <p><u>Audit Committee (paper H)</u> S Kerr presented the annual report of the committee for the period July 2015 – June 2016. He reported that the fraud which had been noted in the previous year's annual report had been mentioned again in this report due to the date it occurred. An insurance claim had been made and the sum had been recovered. The minutes of the meeting held on 22 September had also been circulated.</p> <p><u>Finance and General Purposes Committee (Paper I)</u> The annual report of the committee was received along with minutes of the meeting held on 25 October and draft minutes of the meeting on 25 November. E Acaster reported that the main items of discussion over the year had been estates and ISLT developments and the budget.</p> <p><u>Curriculum and Quality Committee (Paper J)</u> The annual report for the period December 2015 – November 2016 was received along with the minutes of the meeting held on 27 October. I Ireland reported that a further meeting had taken place on 1 December, at which the Outcome Agreement had been considered in depth. The Corporate Parenting Monitoring document had been received and good progress noted and the Learning for Leading scheme had been updated. He appealed for Board members to make contact with their programme areas to arrange a visit.</p> <p style="text-align: right;">ACTION: All</p> <p><u>HR Committee (Paper K)</u> The Board received the draft minutes of the meeting held on 3 November along with the annual report for the period December 2015 – December 2016.</p> <p><u>Nominations Committee (Paper L)</u> The annual report of the committee for the period July 2015 – June 2016 was received.</p> <p><u>Remuneration Committee (Paper M)</u> The draft minutes of the meeting held on 3 November were presented along with the annual report of the committee for the period December 2015 – December 2106.</p> <p><u>Chair's Committee (Paper N)</u> The annual report of the committee for the period July 2015 – June 2016 was received.</p> <p>T Jakimciw thanked Board members for all their work on the various committees.</p> |

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| 118/16 | <p>EQUALITY AND DIVERSITY (standing item)</p> <p>D Killean reported that college Boards were being encouraged to sign up to the 2020 50/50 Gender Balance pledge. He recommended that the Board consider and sign up to this pledge.</p> <p>T Jakimciw was concerned that the Board had no control over the appointment of the four staff and student members, and also reminded members that they had already committed as a Board to achieve gender equality.</p> <p>Board members considered that they should be appointed on merit without consideration of gender. The assumption that there only two genders was also noted. Members suggested there was need for a proviso when signing up to the pledge. T Jakimciw agreed to formally express the concerns of the Board with the addition of a proviso.</p> <p style="text-align: right;">ACTION: TJ</p> <p>There was discussion around the broader aspect of equalities in relation to the Board and it was agreed that aspirations should reflect the demographics of the area.</p> |
| 119/16 | <p>ENVIRONMENTAL AND SUSTAINABILITY (standing item)</p> <p>There were no items for discussion.</p> |
| 120/16 | <p>HEALTH AND SAFETY (standing item)</p> <p>There were no items for discussion.</p> |
| 121/16 | <p>AGENDA ITEMS FOR NEXT MEETING</p> <ul style="list-style-type: none"> • Presentation on new Quality Assurance arrangements from Janet Gardner, Education Scotland. • Role of Senior Independent Member (G Crosier) • Publishing of Board papers • Update on the Learner Journey (T Jakimciw) |
| 122/16 | <p>ANY OTHER BUSINESS</p> <ul style="list-style-type: none"> • T Jakimciw asked whether a second workshop was required in order for J Polley to complete the Board evaluation. <p>J Polley advised that an alternative approach would be for a small sample of one-to-one discussions with a mix of Board members. She could then provide a draft report for comment at the next meeting on 2 March. This suggestion was accepted and the following members volunteered for interview: I Ireland, A Winwood, V Grant and K Armstrong (along with B Jamieson, the previous BCSA President).</p> <ul style="list-style-type: none"> • T Jakimciw asked Board members to consider a proposal to publish Board Committee papers (excluding draft minutes) on the Regional Board website prior to meetings, for discussion at the next meeting. <p style="text-align: right;">ACTION: All</p> <p>A tick box would be added to the front sheet in order that authors could indicate whether papers could be published or not. An example of this was circulated.</p> |

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| | <ul style="list-style-type: none"> Ireland advised that there was a vacancy on the Borders Further Education Trust following L McIntyre's resignation. The Board agreed to invite the new Principal, Angela Cox to fill this vacancy. |
| 123/16 | <p>DATE OF NEXT MEETING</p> <p>The next meeting of the Board of Management would take place on Thursday 2 March 2017 at 5.30pm in the Board Room, Scottish Borders Campus, Netherdale, Galashiels.</p> |

Signed:.....
Chair

Signed:.....
Clerk to the Board