E

REGIONAL BOARD REPORT

Subject: Board Self-evaluation 2017-18 and Enhancement Plan 2018-19	**Purpose:** **For Approval** ☒ **For Discussion** ☐ **For Information** ☐
Prepared by: James Ayling	**Date:** 5 June 2018

Purpose:
To present to Board members for approval (a) a draft completed Board self-evaluation plan which covers the period March 2017 (date of Polley review) to date and (b) a draft Board enhancement plan which covers those areas in the plan where improvements could be made.

Linked to Strategic Goal 3: Provide a high quality College experience.

Executive Summary:

The Board is required under the Code of Good Governance for Scotland's Colleges to keep its effectiveness under annual review and to have in place a robust self-evaluation process (para D.23). The Board is required to provide its self-evaluation review and Board enhancement plan to the SFC and publish these online.

Members previously approved the format of the annual review and the proposal that the Chair's Committee of the Board take forward its completion and then present same to the Board for approval.

The Chair's Committee in conjunction with the Board Secretary has now prepared the attached Board self-evaluation plan. Based on that the Secretary has prepared a draft Board enhancement plan bringing together those areas where improvements have been identified.

The Board enhancement plan is based on the format previously used rather than the style of enhancement plan shown in part four of the review document as it is considered simpler to use as a stand alone document going forward.

Given the size of the review it would be very helpful if Board members could come to the meeting prepared to identify any additions or changes they suggest be made to the documents. This will greatly assist the management of the completion of the documents.

The Board is requested to authorise the Chair to agree the final terms of the documents.

Recommendation:
That the Board consider the documents, provide any comments thereon and authorise the Chair to approve their final completion.

Previous Committee Approvals:
n/a

For publication ☒	**For publication with redactions** ☐	**Not for publication** ☐

SUB LEVEL SELF-EVALUATION REPORT MARCH 2017/JUNE 2018
&
ENHANCEMENT PLAN 2018/19

Department: **Regional Board**

Report Author: **Chairs Committee & Board Secretary**

PART ONE – REVIEW OF DEVELOPMENT PLAN 2016/17 (Previous development plan completed)

1) Overview of Main Achievements and their impact on the Regional Board and College

Give a brief overview of the main achievements and their impact. State the number of development points within the previous year's plan and of those how many where achieved completely or partially. Provide details of the impact these have had on the College and the functioning of the Board.

2) Details of any Outstanding Issues or Planned Developments not Achieved

Any outstanding issues or planned developments that haven't been achieved should also be recorded in the Areas for Improvement column of the self-evaluation section of this report.

PART THREE - IDENTIFICATION OF STRENGTHS AND AREAS FOR IMPROVEMENT

Guidance notes for part 3

In this section you are required to produce bulleted evaluative statements outlining what we do well and what we need to improve. The tool below uses the principles from ***Code of Good Governance for Scotland's Colleges*** published by Scotland's Colleges in 2016. It is a requirement of all Regional Boards that they comply with the code and state this is the case in their annual financial statement. Boards must not only follow the letter but also the spirit of the Code to ensure good governance. Boards must think deeply, thoroughly and on a continuing basis about their overall tasks and their impact on the College, the community it serves and its stakeholders. The Board are required to self-evaluate their performance annually and have external evaluation at least every three years. This tool asks the Board to consider how well they comply with the code and what can be improved in their practice.

Development activities with action points should be created for each area of improvement.

The Regional Board of Borders College has adopted the following approach to completion of this tool. Responsibility for the initial completion of the report was delegated by the Board to the Chairs committee which met and considered a detailed response. A draft of the initial report was then submitted to Board members. The report was then discussed at the Board meeting held on 14 June 2018 at which time the Chair invited comments from all Board members. The Secretary was then instructed to incorporate any agreed Board observations into the Report which was then finalised by the Chair.

Regional Board

Evaluative Report

1: LEADERSHIP AND STRATEGY

HOW GOOD IS OUR LEADERSHIP AND OUR STRATEGIES?

Theme 1.1 Conduct in Public Life

Lead Committee: Regional Board

A.1 Every college and regional strategic body must be governed by an effective board that is collectively responsible for setting, demonstrating and upholding the values and ethos of the organisation.
A.2 Every board member must ensure that they are familiar with and their actions comply with the provisions of their board's Code of Conduct.
A.3 The *Nine Principles of Public Life in Scotland*, which incorporate the seven Nolan principles, must be the basis for board decisions and behaviour. These key principles, which apply individually and collectively are:

- Duty/Public Service
- Selflessness
- Integrity
- Objectivity
- Accountability and Stewardship
- Openness
- Honesty
- Leadership
- Respect

Challenge Questions

- How effective is the Board in taking collective responsibility for setting, demonstrating and upholding the values and ethos of the organisation?
- How well do Board members understand their own code of conduct?
- How effectively are the principles of public life applied by the Board?

What do we do well?	Evidence
• The Board is highly effective at taking collective responsibility for setting, demonstrating and upholding the values and ethos of the organisation whilst following the principles of public life and the Code of Conduct for Board members.	An external Governance Effectiveness Review carried out by Jan Polley of Polley Solutions Ltd in March 2017 (hereinafter referred to in this Evaluation Report as 'the Polley Review') noted

• The Code of Conduct and the principles of public life are an integral part of the Board Member induction process. Much of the Code and the principles of public life are based on transparency, thus allowing others to understand and if desired question the actions/decisions of the Board. • Decisions of the Board have to date all been taken by consensus. This helps to underpin the principle of collective and shared responsibility of the Board for decisions taken.	that from evidence garnered "Borders College has a strong, experienced and skilled Board that takes governance responsibilities seriously and adheres to the Code of Good Governance. The Board works in close and constructive partnership with a team of senior staff who have made real effort over the years to promote good governance and support the Board in its role " Publication of Board and Committee papers and minutes (with only limited exceptions) on the College's web site demonstrates the Board's commitment to demonstrating its transparent and open working practices and decisions. One paper considered at the Board was initially marked confidential but the Board chose otherwise .This openness in the Board's operations is key for public bodies. Members attend CDN training courses which reinforce the importance of conduct and adherence to the principles of public life and transparency. There have been no reported instances of any Board Member breaching the terms of the Code of Conduct or the principles of public life. Audit reports have not reported on any such incidents and there have been no allegations thereof from government bodies or other third parties.
What should we improve? • Members knowledge of the Code of Conduct and the principles of public life could be enhanced by a paper being brought to the Board annually reminding Members of their terms.	Evidence Continued adherence to compliance with the relevant terms and provisions
Theme 1.2 Vision and Strategy	
Lead Committee: Regional Board	
A.4 The Board is responsible for determining their institution's vision, strategic direction, educational character, values and ethos. Board members	

have a collective leadership role in fostering an environment that enables the body to fulfil its mission and meet Scottish Government priorities, for the benefit of students and the community it serves.

A.5 The Board must develop and articulate a clear vision for the region. This should be a formally agreed statement of its aims and desired outcomes which should be used as the basis for its overall strategy and planning processes.

A.6 The Board provides overall strategic leadership of the region. The Board is responsible for formulating and agreeing strategy by identifying strategic priorities and providing direction within a structured planning framework.

A.7 The Board must ensure that a comprehensive performance measurement system is in place which identifies key performance indicators. It must ensure that it scrutinises performance measures and reports these on their website in a manner that is both timely and accessible to stakeholders.

A.8 The Board is responsible for overseeing the negotiation of its outcome agreement with SFC, to meet the needs of the region and make best use of available funding, consistent with national strategy. The Board must ensure effective engagement with all relevant stakeholders in the development of its outcome agreement and monitor performance in achieving the agreed outcomes.

Challenge Questions

- How effective is the Board in determining the College's vision & mission and ensuring its achievement?
- How well do Board members determine the strategic priorities for the College to meet the regions priorities?
- How applicable and effective are the performances measures set by the Board?
- How effective is the outcome agreement process in meeting the national and regional priorities?

What do we do well?	Evidence
• Board members attend annual strategic planning days and are active in determining the College's strategic plan. The Board, its staff and students worked to create the current strategic plan for 2016-20 which clearly sets out the intentions and aspiration for the College over that period.	Borders College Strategic Plan 2016-20
• The Board reviews the strategic plan regularly and updates it as required in response to changes in the environment.	Relevant Board papers and minutes
• Performance measures set by the Board are measured by the Board's Curriculum and Quality Committee and the Finance & General Purposes Committee both of which give regular updates to all members at Board meetings. This information coupled with questioning of the College's Executive Team is considered an effective means of measuring performance.	The Polley Review noted that "the Board has ongoing engagement in the development of the annual Regional Outcome Agreement and the 5 year strategic plan and there is considerable evidence of systematic and regular reporting to the Board of progress against a range of agreed Key Strategic Indicators, annual priorities and self evaluation plans"
• In particular members of the Board are good at challenging members of the Executive Team on issues relating to meeting Key performance Indicators.	
• In reviewing the College's Outcome Agreement the Board actively considers whether there is an appropriate balance between achieving national priorities and meeting regional needs.	Minutes of Board Meetings

• There is a strong correlation between what the Board seeks to achieve in the Outcome Agreement and what it actually achieves.	Annual quality report submitted to SFC and accepted by them to date The College has not been challenged by key stakeholders
What should we improve? Whilst continuing to actively pursue engagement and consultation with stakeholders, the Board should take steps to further encourage existing stakeholders to become more actively involved.	Evidence Increased interest from other stakeholders.

Theme 1.3 Corporate Social Responsibility

Lead Committee: Regional Board

A.9 The Board must demonstrate high levels of corporate social responsibility by ensuring it behaves ethically and contributes to economic development while seeking to improve the quality of life of the local community, society at large and its workforce.

A.10 The Board must exercise its functions with a view to improving economic, cultural and social wellbeing in the locality of the College or region. It must have regard to social and economic needs and social inclusion.

A.11 The Board must provide leadership in equality and diversity.

A.12 The Board must seek to reflect in its membership the make-up of the community, through offering maximum opportunity of membership to a range of potential members and removing potential barriers to membership.

A.13 The Board must appoint one of the non-executive members to be the senior independent member to provide a sounding board for the Chair and to serve as an intermediary for the Principal, other Board members and the Board Secretary when necessary. The senior independent member should also be available where contact through the normal channels of Chair, Principal or Secretary has failed to resolve an issue or where such contact is inappropriate.

Challenge Questions

- How well does the Board lead the College in contributing to improvements in the quality of life for the community and its workforce?
- How well do Board members provide leadership on equality and diversity?
- How well does the Board reflect the make-up of the community?
- How effective is the role of senior independent member?

What do we do well? • As regards the community the College has engaged with local employers and responded to their needs (e.g. Engineering) thus improving quality of life for the community by skilling its workforce. The College has a full programme of adult education classes in a broad variety of academic and practical subjects open to members of the various communities which make up the Borders Region.	Evidence College Prospectus College Website

• The Board has supported considerable investment in care experienced young people which is particularly important for the profile of the Borders Region. • The Board supported a local community project which it was requested to endorse comprising proposals to use a local river to generate electricity. • The Board, through the Chair and Principal have been active in developing local area improvement plans. • The College has over 5000 students full and part time and is involved with many of the Borders region's employers both large and small. The Board is therefore well aware that given the low population of this region, decisions of the Board on the operations of the College will impact on a significant proportion of the region.	Nothing to prove to the contrary
• As regards the College's workforce, the Board's HR Committee has to date received and considered a number of reports prepared by the College's head of HR and Development regarding the College's workforce. Amongst these reports two should be highlighted. The HR & Staff Development Strategy is a supporting strategy for the College's Strategic Plan 2016-20. This strategy aims to support staff in the management of their employment, engagement with the College, professional development and their welfare and well-being. An Employee Engagement Survey, based on questions recommended by the CIPD, is carried out each year and a report given the Committee. Consideration of these reports allows the Committee to identify and comment on workforce issues. The HR Committee reports on its work to the full Board all of whom appreciate the importance of providing an environment conducive to maintaining a content and committed workforce.	HR Committee papers and Minutes Board Minutes
• Equality and Diversity are standing items on the Board Agenda. The Board strongly support the view that all individuals, no matter what their background, should have an opportunity to develop and improve and the Board supports the College in the various ways that it strives to achieve this. Members have been given copies of the Handbook for Board members in Scotland's colleges regarding governing bodies, equality and diversity noting the role that board members play in supporting equality and diversity. Last year the Board approved a Gender Action Plan which outlines how the College will take proactive steps to achieve greater equality for staff and students.	Gender Action Plan
• Given the relative lack of diversity within the Scottish Borders it is felt that our Board is representative of the make up of the Borders Community. The Board is well gender balanced in	Direct approaches made to various local diverse groups.eg local LGBT and Polish organisations

comparison with other college Boards in Scotland. Despite this the Board continues to try and increase its diversity. The Board recently advertised Board vacancies and the recruitment process sought applications from those possessing relevant skills as determined by the Nomination Committee's skills matrix and in particular applications from disabled people, ethnic minorities, women, people under 50 and LGBT + individuals all in an effort to increase diversity. • The College holds the LGBT Charter Mark. • The Board appointed a senior independent member (SIM) in December 2017 (this role is separate from that of Vice Chair which is held by another member). The Board anticipates that the role will be effectively carried out and to date the SIM has put in place a procedure for evaluation of the Chair over the preceding year.	Board minutes Chair Evaluation process
What should we improve? • Our Board recognises the advantages of increasing diversity within its membership. Our Nominations Committee is aware of its responsibility for ensuring a wider diversity among Board membership and is committed to increasing the diversity of the Board. Attracting diverse applicants from within the low population of the Scottish Borders is however challenging. The census of 2011 identified the Scottish Borders as having one of the lowest percentage populations of people from black and minority groups. The Board /Nominations Committee will continue to make efforts to increase diversity. • Set up a short-life working group of the Board to explore how to increase Board diversity. • It is too early to consider any improvements to the role of the SIM.	Evidence Board Secretary has approached local groups and will continue to do so when seeking future new Board members

2: QUALITY OF STUDENT EXPERIENCE **HOW GOOD IS THE QUALITY OF THE STUDENT EXPERIENCE WE PROVIDE?**
Theme 2.1 Student Engagement
Lead Committee: Curriculum & Quality
B.1 The Board must have close regard to the voice of its students and the quality of the student experience should be central to all Board

decisions.

B.2 The Board must lead by example in relation to openness, by ensuring that there is meaningful on-going engagement and dialogue with students, the Students' Association and, as appropriate, staff and trade unions in relation to the quality of the student experience. Consultation is essential where significant changes are being proposed.

B.3 The Board must consider the outcome of student surveys and other student engagements, and monitor action plans that could impact on the quality of the student experience.

B.4 The Board must have regard to the *Framework for the Development of Strong and Effective College Students' Associations in Scotland*. It must put in place robust partnership procedures to work together to achieve change, which are supported by regular and open communications.

B.5 The Board must encourage a strong and autonomous students' association and ensure that the Students' Association is adequately resourced.

B.6 The Board must ensure that the Students' Association operates in a fair and democratic manner and fulfils its responsibilities.

B.7 The Board must review the written constitution of its Students' Association at least every five years.

Challenge Questions

- How effective is the Board at placing the quality of the student experience at the centre of its decision making?
- How good is the Board at consulting and engaging with students and their representatives?
- How effectively are partnership agreements with the Students' Association, monitored and reviewed?
- How well does the Board support the Student Association to be the independent voice of students and ensure that it is adequately resourced?
- How effective is the Board in ensuring that the Students' Association operates effectively with a constitution and processes that are for the benefit of the College's students?

What do we do well?	Evidence
• The Board is committed to delivering success for its students and recognises the need to put students and their interests educational and otherwise at the heart of its decision making. experience. The Board sets meet or beat targets for the College.	Board papers and in particular the Curriculum & Quality papers
• The Regional Board engage well with the Borders College Students' Association (BCSA) with the Student president and one other student member being active members of the full Board and certain committees. Their views and contributions as full Board members have been sought and valued by other Board members. The Board is pleased that recognition and management of certain issues have to date allowed the student members of the Board to be involved in all Board discussions and not to be excluded.	BCSA Partnership Agreement 2017/18 BCSA Reports Presentation by the Student President to the Regional Board in December 2017 on the role of the Students Associations' Annual Report
• A partnership agreement with the BCSA sets out clear shared priorities based around improving outcomes for learners. The agreement is monitored annually with student members reporting on whether or not objectives have been met.	Polley Review 2017
• Regional Board Members engage well with staff and students through the Learning for Leading	Feedback from Learning for Leading visits Board has responded directly to issues raised

scheme. This scheme was revised in 2014 to enable Board members to establish a link and a relationship with curricular departments. Board members are requested to undertake visits to their allocated departments to meet and discuss issues with staff and students whilst affording that Board member the opportunity to learn about the business, make meaningful contact with staff and students and be visually impactive by their involvement. At the conclusion members are required to submit a report on their activity, impressions and identification of areas or concerns which are then followed up. • The Curriculum & Quality Committee of the Board review the Annual Student Survey and set high satisfaction levels • Many improvements have been made following Board discussions which included student members Staff and student members are not excluded from any discussions	by student members Faculty Council system Buzz the Boss which allows students to contact the Principal directly on any issue. Committee minutes
What should we improve? • Further direct involvement of Board members with students, coupled with more opportunities to meet with students informally would enhance the Board's understanding of student issues. • More presentations from students on matters important to them.	Evidence

Theme 2.2 Relevant High Quality Learning

Lead Committee: Curriculum & Quality

B.8 The Board must seek to secure coherent provision for students, having regard to other provision in the region or College's locality. The Board must be aware of external local, national and international bodies and their impact on the quality of the student experience, including community planning partners, employers, skills development and enterprise agencies and employer bodies. The Board must seek to foster good relationships and ensure that the body works in partnership with external bodies to enhance the student experience, including employability and the relevance of learning to industry needs.

Challenge Questions

- How effective is the Board in ensuring that the College's curriculum and services provide a coherent provision that support students into further study or employment?
- How effective is the Board in ensuring that the College works closely and collaboratively with other organisations, employers and partners to provide a quality experience for students?

What do we do well?	Evidence
• The Regional Board has a strong focus on learner success, setting meet or beat targets for the College. • The Board supported a recent College initiative to appoint three achievement coaches whose role is to identify students requiring support and the issues affecting them. Borders College is currently the only college in Scotland to introduce these roles. The Board will continue to monitor the progress of this initiative. • Annual priorities are agreed by the Board in pursuit of achieving the strategic goals set out in the College's Strategic Plan: Our Strategy-Towards 2020.The Board task the Executive team with achieving these priorities and monitor progress towards achievement regularly. • The Board supports changes to the curriculum which are designed to meet the needs of students and is supportive of student progression and articulation. The need to maintain the current excellent relationships which the college has built with local employers around employer engagement and work placements in particular is encouraged by the Board. • The Board receives regular reports on partnership arrangements e.g. Developing the Young Workforce and school/college provisions. • The Board responds to local employers, e.g. identification of engineering training provision for which the Board agreed relevant development funding.	Learner destination survey School-College programme Apprenticeships Very high success rates of students entering employment The College meets its targets for apprentices Regional Board Minutes Appointment of Achievement Coaches
What should we improve? • Working with the Students' Association to improve succession planning for class representatives.	Evidence

Theme 2.3 Quality Monitoring and Oversight

Lead Committee: Curriculum & Quality

B.9 The board must ensure appropriate mechanisms are in place for the effective oversight of the quality and inclusivity of the learning experience in the college or region. The board must ensure that the college works in partnership with sector quality agencies and other appropriate bodies to support and promote quality enhancement and high quality services for students.

Challenge Questions • How effective is the Board in monitoring the quality and inclusiveness of the college's provision? • How effective is the Board at ensuring that the college works closely and collaboratively with quality agencies e.g. SQA, Education Scotland to ensure a valid, high quality experience for students?	
What do we do well? • Detailed monitoring of the quality and inclusiveness of the college's provision of the learning experience is delegated to the Curriculum and Quality Committee of the Board which meets regularly and reports back to the main Board after each of its meetings. The Committee is chaired by an experienced former College Assistant Principal. • Detailed agendas are prepared for each meeting with matters such as courses for concern and complaints received being standard agenda items. The committee reviews these and at subsequent meetings monitors how the Executive has responded to complaints. • The Committee is good at identifying trends such as student retention issues. • Annual Quality Review is scrutinised by and approved by the Curriculum & Quality Committee. • The Board monitors well the quality systems and quality improvement arrangements.	Evidence CQC agendas and minutes .These are published on the College website. Presentation by Education Scotland to Curriculum & Quality Committee meeting in March 2017 and to Board in March 2018.
What should we improve? • The Board should continue to challenge management further over student retention and the reporting of retention figures .That challenge should include the need to improve management information systems in this regard.	Evidence Improved management information systems which provide Committee members with more detailed information on retention figures.

3: ACCOUNTABILITY

HOW ACCOUNTABLE IS THE WORK OF THE BOARD?

Theme 3.1 Accountability and delegation

Lead Committee: Regional Board

C.1 The Board is primarily accountable to SFC and ultimately responsible to Scottish Ministers who are accountable to the Scottish Parliament.
C.2 The Board must ensure delivery of its outcome agreement.

C.3 The Board must ensure it fulfils its statutory duties and other obligations on it, and that the terms and conditions of its grant are being met.

C.4 The Board also has a wider accountability to a range of stakeholders including students (both current and prospective), its staff, the wider public, employers and the community it serves, for the provision high quality education that improves people's life chances and social and economic well-being.

C.5 Regional Boards must maintain and publicly disclose a current register of interests for all Board members. Board members should declare any conflicts of interest in the business of the meeting prior to the commencement of each meeting of the Board and its committees and withdraw from meetings as appropriate.

C.6 The Board must ensure that its decision-making processes are transparent, properly informed, rigorous and timely, and that appropriate and effective systems of financial and operational control, quality, management of staff, risk assessment and management are established, monitored, continuously improved and appropriately impact assessed. This includes:

a) the prompt production, dissemination and online publication of Board/committee agendas, minutes and papers to the public
b) every Board meeting and every committee meeting having a well-structured agenda circulated timeously in advance
c) the retention of all key documentation which help justify the decisions made by the Board and its committees.

C.7 The Board may delegate responsibilities to committees for the effective conduct of Board business. As a minimum, the committees required are Audit, Remuneration, Finance and Nominations/Appointments. Delegation of responsibilities from and matters reserved to the Board and its committees must be set out in a scheme of delegation, including the functions delegated by the Board to the Chair, committees, the Principal and the Board Secretary (and any other members of staff). Incorporated College Boards and Regional Boards have no powers to delegate functions to an individual Board member (except the Chair who has no authority to act outwith their delegated powers).

C.8 The Board must ensure every Board committee has a specified member of the management team to provide objective, specialist advice to support it to discharge its remit, including by explaining in an accessible way the matters under discussion and the possible implications of different options.

C.9 The Board must consider and have in place procedures to ensure effective working relationships and constructive dialogue amongst the Board as a whole and ensure there is effective reporting and two way communications between committees and the Board. The Board must ensure that discussions and decisions of every committee are accurately recorded and reported to the Board, no later than the next meeting of the Board.

Challenge Questions

- How effective is the Board at ensuring the College meets its statutory duties and delivers the Outcome Agreement?
- How good is the Board at ensuring that it manages conflicts of interest?
- How transparent and rigorous is the Board's decision making processes?
- How effective and compliant is the Board's scheme of delegated authority?
- How effectively is the Board supported in its information needs and decision making process by the College's executive and management?

What do we do well?	Evidence
• The Board has so far as it is aware met its statutory duties as set out in the relevant legislation including those imposed on members under charity legislation.	Internal Audit reports
• The Board clearly recognises the importance of the Regional Outcome agreement. Each year it receives a copy of the draft outcome agreement together with a report from the Executive. The	Polley Review 2017

Board will discuss the draft in detail where required and will in particular consider the need to express the ambition of the College. The Board does however recognise the constraints within which the College operates and the need for ambition and funding and resources to be balanced in order that the outcome agreement can be delivered.	Minutes of Meetings Board papers College website
• Conflicts of interest are managed by the Board by means of (a) maintenance of a register of Member's interests (available on College's web site), (b) conflict of interest declaration reminders at the start of board and committee agendas (c) relevant decisions being taken at meetings to manage any declared interest /conflicts and (d) interests monitored by the Audit Committee.	Borders College Regional Board Corporate Governance Guide (Scheme of Delegated Authority)
• The Board's decision making processes are both transparent and rigorous. Decisions on matters which are reserved to the Board are made following consideration by the Board of relevant detailed Board papers primarily produced by the Executive but also in some cases by Board members. Relevant members of the Executive (or if applicable relevant college staff members), will be required to present these papers to the Board or Committee and to submit to detailed questioning by members. The members will debate the paper and make a decision on papers for approval which decision has to date always been made by consensus. Where appropriate the Board may approve a paper/proposal but agree that minor amendments may be finalised by the Chair after the meeting. Papers for discussion will if required go through a similar process with the Board's views minuted. Action lists prepared post meetings are reviewed at the following meeting to check that points have been implemented.	Add evidence re delivery of outcome agreement to date
• Transparency is provided by the publication of agendas, papers and minutes on the College web site save for those which relate to confidential or commercially sensitive matters.	
• The Board's Scheme of Delegation is set out in the Borders College Regional Board Corporate Governance Guide (available on the college web site). This Scheme has worked well with the following committees currently in existence: Audit, Chair's, Finance and General Purposes, Remuneration, Human Resources, Curriculum and Quality and Nominations .Each of these Committees has specific terms of reference which are reviewed each year and the Committee chairs report to the main Board after each committee meeting.	College web site
• The Board is well supported by the College's Executive and other management .The Principal of the College, as a member of the Board, the Vice Principals for Finance and Corporate Services and Curriculum and Student Services attend all Board meetings and are available for questioning and providing supplementary information as required by Board members.	

• The Principal prepares and submits a written report on college priorities and associated activities which she presents to each Board meeting and on which she takes questions.	
What should we improve? • The timely distribution of Board papers a week prior to Board meetings is an important objective to allow members time to consider the terms of what may be detailed and lengthy papers. Occasionally for operational reasons some papers may be submitted outwith this period and consideration is currently being given as to how to minimise these occurrences. • Currently reviewing the Committee structure and membership to make best use of resources.	Evidence Timely distribution
Theme 3.2 Risk Management	
Lead Committee: Audit Committee	
C.10 The Regional Board is responsible for the overall management of risk and opportunity. It must set the risk appetite of the College and ensure there is an appropriate balance between risk and opportunity and that this is communicated via the Principal to the College's management team. C.11 The Board must ensure that sound risk management and internal control systems are in place and maintained. It must ensure there is a formal on-going process for identifying, reporting, evaluating and managing the College's significant risks, and it must review the effectiveness of risk management, business continuity planning and internal control systems.	
Challenge Questions • How effective is the Board at ensuring that the College's risk appetite and risk management is well monitored and reviewed? • How effective is the Board in ensuring that the College is taking appropriate action to manage risk effectively? • How effective is the Board at ensuring the College has effective continuity plans and internal control systems in place?	
What do we do well? • The Board is effective in ensuring that internal control systems are in place and working well. • Risk is evaluated by both the Board and the Audit Committee. In December 2016 the Board approved an updated Risk Management Policy and Risk Register. This included feedback from Board members. The Policy set out what was agreed as an acceptable level of risk to be adopted when meeting each of the College's strategic goals. In March 2017 the Board approved a refined risk register which then incorporated the objectives in the College's Strategic Plan 2016-20 and incorporated risk appetite.	Evidence Minutes Audit reports (internal and external) As part of the College's Internal Audit Plan for 2016/7 the College's internal auditors Wylie & Bisset were asked to undertake a review of risk management arrangements in place. They noted in their subsequent report on the College's risk management that the College had strong risk management arrangements in

• The Audit Committee, which is currently chaired by an experienced Chartered Accountant, evaluates risk at its regular meetings in several ways. A risk register, prepared by the Vice Principal: Finance and Corporate Services (following extensive review and consideration thereof at regular Executive team meetings) is presented to each Committee meeting. It sets out the major risks facing the College in each of its areas of operation including funding requirements together with an analysis showing current controls, likelihood/impact of risks, actions to be taken and by whom and when actions are to be completed by. This is discussed by the Committee who can challenge the risk assessments. • The Committee reviews and challenges the Executive's planned internal audit programme to ensure it covers those areas which the Committee considers should be reviewed at a given time. • The Audit Committee reviews internal audit reports on the College's internal controls and procedures, to ensure there are no significant weaknesses which need to be addressed. • The Chair of the Audit Committee provides a verbal report to each subsequent Board meeting and takes any questions. Copies of the Committee minutes are within the next Board pack.	place. They noted both the detailed Strategic Risk register and the Operational Risk Register both of which are discussed at all Audit Committees and Board Meetings. Risk register
What should we improve? • Enhanced review by the full Board of those matters highlighted on the College's risk register as being of high risk to ensure a greater understanding of the risk and potential mitigation. • Business Continuity plans – enhanced review of the College plans and annual reporting on status thereof to Audit Committee.	Evidence Further discussion at Board meetings on high risk items Reports made to Audit Committee going forward

Theme 3.3 Audit Committee

Lead Committee: Audit Committee

C.12 The Audit Committee must support the Board and the Principal by reviewing the comprehensiveness, reliability and integrity of assurances including the Board's governance, risk management and internal control framework.

C.13 The scope of the Audit Committee's work must be defined in its terms of reference and encompass all of the assurance needs of the Board and the Principal. The Audit Committee must have particular engagement with internal and external audit, and must work with management and auditors to resolve any issues in relation to financial reporting.

C.14 The Audit Committee must promptly pursue recommendations arising from audit reports and must monitor their implementation.

C.15 The membership of the Audit Committee cannot include the Board Chair or the Principal. The role of the College executive is to attend meetings at the invitation of the committee Chair and to provide information for particular agenda items.

C.16 The Audit Committee terms of reference must provide for the Committee to sit privately without any non-members present for all or part of a meeting if they so decide. The Audit Committee members should meet with the internal and external auditors without the executive team present at least annually.

C.17 At least one member of the Audit Committee should have recent relevant financial or audit experience.

Challenge Questions

- How effective is the Audit Committee at testing the comprehensiveness, reliability and integrity of the assurances it receives?
- How well do the terms of reference and membership for the Committee meet the requirements set within the code of good governance?
- How effectively are recommendations from audit monitored and implemented?

What do we do well?	Evidence
• The Audit Committee operates in a very open and professional manner and members regularly question the assurances which it receives from management e.g. regarding cyber security. Relationships with management are both appropriate and conducted at arms' length.	Minutes (non-confidential) published on website
• The Terms of Reference of the Audit Committee are regularly reviewed and meet the requirements set within the code of good governance. The committee is chaired by an experienced Charted Accountant.	
• Specific recommendations from both internal and external audits are monitored effectively, including management's proposed course of action and timeframe for implementation, at each Audit Committee meeting. Actions from Audit Committee meetings are separately noted and monitored for completion /noted at next meeting.	Audit reports

What should we improve?	Evidence
• Further consideration by the Board that a) actions taken by management to deal with risks are effective and will reduce risk and b) that all risks facing the College are being addressed.	Board minutes
• Recommendations and enhanced monitoring of the implementation of such recommendations within an agreed time scale.	

Theme 3.4 Remuneration Committee

Lead Committee: Remuneration Committee

C.18 It essential that members of the Remuneration Committee understand their roles and responsibilities. Members must undertake the online

training module for Remuneration Committees provided by College Development Network within one month of appointment.

C.19 The Board must have a formal procedure in place for setting the remuneration of the Principal by a designated committee of non-executive members. The Board may wish to supplement this by taking evidence from a range of sources. In particular, staff and students should have a role in gathering and submitting evidence in relation to the College Principal to the relevant committee.

C.20 The Board Chair cannot be the Chair of the Remuneration Committee (but they can be a member of it).

Challenge Questions

- How effective is the Remuneration Committee at undertaking its roles and responsibilities?
- How well do the terms of reference and membership for the Committee meet the requirements set within the code of good governance?
- How sufficient are the procedures and evidence used in setting remuneration?

What do we do well?	Evidence
• The Remuneration Committee has effectively dealt with matters delegated to it and in particular the remuneration for the Principal, Executive Team and issues relating to national pay bargaining. • The terms of reference meet the requirements of the code of good governance although a further member should be appointed to the Committee. • The Remuneration Committee reviews a range of relevant information when proposing remuneration for the Principal and the Executive team. It recognises the need to balance the College's financial restraints with the need for adequate remuneration and has also looked at the impact of senior remuneration levels on other grades. • The Committee noted that the implementation of the national pay bargaining award in late 2017 may have required the College to commit to a voluntary redundancy programme and potentially compulsory redundancies. The Committee took great care in ensuring that the terms of any such programmes were implemented in accordance with all necessary guidelines. • The Board is fully compliant with the Financial Memorandum regarding redundancy and severance payments.	Remuneration Committee minutes Online training completed by Remuneration Committee
What should we improve?	**Evidence**
• Another committee member is required and this will be dealt with as part of an imminent review of the current Committee structure and membership. • Consider how best to obtain staff/student feedback in relation to the Executive Team's remuneration	New independent member appointed

Theme 3.5 Financial and Institutional Sustainability

Lead Committee: Finance & General Purposes Committee

C.21 The Board is responsible for ensuring the financial and institutional sustainability of the body. The Board must ensure compliance with its Financial Memorandum, including relevant aspects of the Scottish Public Finance Manual.

C.22 The Board must ensure that:

- funds are used as economically, efficiently and effectively as possible
- effective monitoring arrangements are in place
- College staff report relevant financial matters to it.

C.23 Board members are also charity trustees. The Board must ensure its members are aware of their responsibilities under charity legislation and for complying with relevant provisions, as set out by the Office of the Scottish Charity Regulator. See *OSCR Guidance and Good Practice for Charity Trustees.*

Challenge Questions

- How effective is the Board at ensuring it complies with its Financial Memorandum and the relevant aspects of the Scottish Public Finance manual?
- How well do Board members monitor and ensure that funds are used economically, efficiently and effectively?
- How sufficient are the reports on financial matters?
- How well do Board members comply with their responsibilities as charity trustees?

What do we do well?	Evidence
• The Board has effectively complied with the Financial Memorandum and the relevant aspects of the Scottish Public Finance Manual by adopting a rigorous approach to financial planning and management. This approach is reflected in the Board's Finance and General Purposes Committee which meets four times a year and is currently led by the Vice Chair of the Board. The Agenda for the committee meetings is structured to provide reports at each meeting on the Risk Register and Business review as well as regular detailed reports on significant matters such as the budget, estates strategy and ,ISLT strategy. KPIs are presented for review. • The reports given to the members of the Finance & General Purposes Committee are detailed and comprehensive and enable them to review that funds are used economically, efficiently and effectively. Members challenge financial assumptions, plans and data provided and seek information and assurance through rigorous questioning. Reports are provided by the Vice Principal : Finance and Corporate Services who is experienced in public finance and who is required under the Committee's terms of reference to be in attendance at the meetings to answer questions from Committee members. The Chair of the Committee reports on its work at each subsequent Board meeting and provides a Written Annual report to the full Board. As	Minutes of the Finance & General Purposes Committee Work being carried out efficiently and effectively Timely return and submission of SFC returns Balanced budget despite short term nature of funding. No significant issues raised by Auditors.

regards the financial stability of the College the Board considers that it has been both agile and effective in managing the budget of the college and its long term aspirations despite the short term nature of the public funding. • Board members are well aware of their responsibilities as charity trustees. The Board's approval of the College's annual Report and Accounts includes an acknowledgement of the Charitable status of the College and in addition the Board will consider any charitable status implications potentially arising from relevant papers.	No adverse reports /observations from OSCR. Board Minutes show consideration of any OSCR implication in running a deficit and notification requirements in the College's safeguarding policy.
What should we improve? • Strengthen the Finance & General Purposes committee with more business and financial expertise as and when suitably qualified members are appointed. • Improve focus of management on planning for longer term and increasing financial income resources/external business development (i.e. be less dependent on public sector funds) • Provision for reminding nature of charitable responsibilities to Board members. • Board to actively consider Charitable duties/implications when reviewing college policies.	Evidence Additional /changed membership if suitably qualified new members join the Board. Additional funding sources explored and possibly put in place. A précis of main charitable responsibilities to be supplied annually to Board members.

Theme 3.6 Staff Governance

Lead Committee: HR Committee

C.24 The Board as the employer is responsible for promoting positive employee relations and for ensuring effective partnership between recognised trade unions and management.

C.25 The Board must have a system of corporate accountability in place for the fair and effective management of all staff, to ensure all legal obligations are met and all policies and agreements are implemented, and identify areas that require improvement and develop action plans to address them.

C.26 The Board must comply with the nationally agreed college sector *Staff Governance Standard*.

C.27 The Board must comply with collective agreements placed on it through national collective bargaining for colleges.

Challenge Questions

- How effective is the Board at promoting positive employee relations?
- How well does the Board monitor and ensure that there are effective systems in place for managing staff?
- How well does the Board comply with the national Staff Governance Standards and national collective bargaining arrangements?

What do we do well?	Evidence
• The HR Committee with the backing of the Board works to promote positive employee relations and the absence of any cases being taken to an industrial tribunal would suggest that this is working well.	HR Committee minutes
• Detailed reports on HR matters are provided to the HR Committee who discuss these at their meetings .The meetings are attended by the College's Head of HR who is an experienced HR professional who will advise on any current issues and report back to the Committee on matters raised by them.	Board member on H&S Committee (may change if HR Committee merged with F&GP)
• One matter in particular reviewed by the Committee is the results of the Annual Employee Engagement Survey which are provided to the committee to allow it to be aware of the engagement levels of staff and to comment on any issues arising.	Healthy Living award LGBT charter etc.
• Health and safety is recognised by the Board as being of major importance for both students and staff and a member of the Board sits on the College's own internal Health and Safety Committee.	No industrial tribunals
• The Board supports the promotion of the College as a Living Wage employer.	Good Health & Safety Reports
• The Board complies with the principles of the Staff Governance Standard.	No industrial tribunal cases
• The Board is very aware of its obligations to comply with the outcomes of national collective bargaining arrangements. It has to date, when central funding has not yet been committed, prepared various financial contingency plans including redundancy options to enable it to be in a position to fund the increased costs resulting from the national bargaining.	
• The Principal reports to the Board on HR matters in particular relating to National Bargaining, staff relations and consultations, communications and initiatives e.g.mental health / wellbeing, both at Board meetings and by email updates to Board Members.	

What should we improve?	Evidence
• Reporting on compliance with National Staff Governance Standards to HR Committee (F&GP if merged)	Relevant minutes

4: EFFECTIVENESS

HOW EFFECTIVE IS THE WORK OF THE BOARD?

Theme 4.1 Board (and Committee) Chair(s)

Lead Committee: All Committees (Each committee should evaluate the work of its own Chair)

D.1 The Chair is responsible for leadership of the Board and ensuring its effectiveness in all aspects of its role. The Chair is responsible for setting the Board's agenda and ensuring that adequate time is available for discussion of all agenda items, particularly strategic issues. The Chair must promote a culture of openness and debate by:

- encouraging the effective contribution of all Board members
- fostering constructive challenge and support to the Principal, executive team and fellow Board members
- effective team-working
- positive relations between Board members.

The Chair must engage with the Principal and the Board Secretary in a manner which is both constructive and effective.

D.2 The Board and its committees must have the appropriate balance of skills, experience, independence and knowledge of the Board to enable them to discharge their respective duties and responsibilities effectively.

Challenge Questions

- How effective is the Chair at leading the Board/Committee in all aspects of its role?
- How effective is the Chair at setting an appropriate agenda and chairing Board/Committee meetings?
- How open is the culture at Board/Committee meetings?
- How effective is the relationship between the Chair, the Principal and the Board Secretary?
- How appropriate is the balance of skills, experience independence and knowledge at Board and committee level?

What do we do well?	Evidence
• The current Chair, who is highly experienced in the field of education is acknowledged by the members of the Board to be highly effective in leading the Board and relevant Committees, setting agendas therefor and chairing meetings. It should be noted that the Chair is actively involved in a range of external organisations and initiatives relevant to the College and the economic development of the Borders Region and his participation in them is a useful asset for the Board and the College. • All meetings (Board and Committees) are held in a very constructive and open manner with views actively sought by the relevant Chair around the table.	Last evaluation of Chair did not disclose any significant matters with the consensus being that the Chair was performing that role highly effectively. No issues have been voiced since then and a further evaluation is currently being undertaken for year ended Dec 2017. The Polley Review

• The Chair, the Principal and the Board Secretary enjoy a relationship which is collectively committed to achieving the aims of the College in a manner compliant with the obligations imposed on the Board and the College. This supports the Principal and the Chair whilst frequent formal and informal communications and meetings provide an opportunity for both support and constructive questioning.	Board minutes. All decisions to date taken by consensus.
• The balance of skills, experience, independence and knowledge at Board level is primarily dictated by the composition of the membership of the Board at any given time and the individual attributes of each Member. Current members come from a variety of backgrounds e.g. private and public sector and education. This balance of skills and experience etc. is reflected in the membership of the Board's various Committees with an emphasis, where possible, of the Chairs thereof having relevant experience and/or qualifications.	Varied Board composition
What should we improve?	Evidence
• We should further endeavour to enhance the experience of the Board membership by continuing to try and attract members from those sections of the community currently underrepresented on the Board although this is difficult to achieve in the Borders area due to the small numbers of ethnic groups.	Enhanced Board diversity
• Endeavour to procure an additional Board member with financial /accounting experience.	Member appointed with finance/accounting experience.

Theme 4.2 Board Members

Lead Committee: Regional Board

D.3 Each Board member is collectively responsible and accountable for all board decisions. Board members must make decisions in the best interests of the College and/or region as a whole rather than selectively or in the interests of a particular group.

D.4 Staff and student Board members are full Board members and bring essential and unique, skills, knowledge and experience to the Board. Staff and student Board members must not be excluded from Board business unless there is a clear conflict of interest, in common with all Board members.

D.5 All Board members, as charity trustees, including staff and student Board members, have legal duties and responsibilities under the Charities Act 2005. This includes registering any personal interests that could be seen as conflicting with the interests of the body. The 'objective test' for judging if there is a conflict of interest is:
"… whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your decision making in your role as a member of a public body".

Challenge Questions • How effective is the Board at ensuring all members are involved and take responsibility for collective decision making? • How effective is the Board in ensuring staff and student members are involved appropriately and inclusively in Board business? • How effective is the Board at monitoring and managing conflicts of interest for non-executive members, staff and student members and the Principal?	
What do we do well? • Active participation of all Board members is achieved by attendance at Board and Committee meetings. The Chair actively seeks participation from Board members in discussions. The Board has a distinct committee structure currently comprising Finance and General Purposes Committee, Human Resources Committee, Nominations Committee, Audit Committee, Curriculum and Quality Committee, Remuneration Committee and Chairs Committee. In addition a Board member sits on the College's Health and Safety Committee. All Board members are therefore actively involved in the work of the Board as a whole and also in the specific areas delegated to the Committees on which the member sits. Each member however recognises his or her collective responsibility for the actions not just of the Board but for all Committees. • All decisions taken to date by the Board have been by consensus thus reinforcing the principle of collective responsibility. • Subject to any required declaration of interest and exclusion if required from voting, staff and student members have been able to date to remain in all Board meetings (including those involved with staff restructuring) based on the overriding principle of confidentiality of Board matters. This is important in retaining inclusivity for these members in Board business. • As well as maintaining a Register of Interests for all members of the Board (Staff, Student, Principal, Chair and Non Executive) members are requested at the beginning of each Board or Committee meeting to declare any conflict of interest relating to a matter to be discussed at that meeting . Any such potential conflict is noted by the Chair and minuted and the Chair will manage the participation of the declaring member in an appropriate fashion when the matter is dealt with. • Board members are clear on their responsibilities as charity trustees and have discussed this in the context of the financial position of the College.	Evidence Minutes (published on website) Register of Interests (published on website)
What should we improve? • Consider the provision of voluntary training around confidence building and board skills possibly with an external facilitator or appropriate member of staff.	Evidence Enhanced participation in Board and Committee discussions.

Theme 4.3 Principal

Lead Committee: Regional Board

D.6 The Board must appoint the Principal as chief executive of the College, securing approval for the appointment and terms and conditions of the appointment from the regional strategic body if necessary.

D.7 The Board must ensure there is an open and transparent recruitment process for the appointment. Students and staff must have an opportunity to contribute to the recruitment process.

D.8 The Board must delegate to the Principal, as chief executive, authority for the academic, corporate, financial, estate and human resource management of the College, and must ensure the establishment of such management functions are undertaken by and are under the authority of the Principal.

D.9 The Board must ensure a clear process is in place to set and agree personal performance measures for the Principal. This process should seek the views of students and staff. The Chair, on behalf of the Board, should monitor, review and record the Principal's performance, at least annually, against the agreed performance measures.

D.10 The Principal, as a Board member, shares responsibility for good governance with the Chair and all other members of the Board, supported by the Board Secretary. The Principal also enables good governance through supporting effective communication and interaction between the body and the rest of the College, including staff and students.

D.11 The Board provides strategic direction for the region, and the Chair provides leadership to the Board. The Principal provides leadership to the staff of the body.

D.12 The Board must provide a constructive challenge to the Principal and executive team and hold them to account.

Challenge Questions

- How effective is the Board at monitoring that the delegated authority given to the Principal to manage the College is undertaken to a high standard, ensuring the efficient and effective operation of the College?
- How effective is the process for agreeing performance measures for the Principal?
- How assured is the Board that the principal's performance is being monitored effectively and targets are being met?
- How effective is the communication from the Board through the Principal to both the staff and student body?
- How well is the College led by the Principal?
- How well does the Board provide a high level of challenge to the Principal and executive team?

What do we do well?	Evidence
• The performance of the Principal is reflected in the overall outcomes achieved by the College and as such the various reports and statistics provided to Board members allows them to evaluate and monitor the activities and the ambition of the Principal. As a full member of the Board the Principal is present at all Board meetings. Members regularly question the Principal not just on the terms of her own Report but also on the wide range of matters reported to Board meetings for which the Principal has delegated responsibility.	Formal appraisal process

• Members are also aware that in addition the Chair meets with the Principal regularly and on ad hoc occasions to discuss college operations and the Board takes comfort from this in relation to ongoing developments and the day to day operation of the College. • The performance measures for the Principal are set by and subsequently monitored by the Chair at defined reviews.	
What should we improve? • The Board should consider how best to better involve the Board as a whole in the process for the evaluation of the Principal, thus ensuring that all relevant matters or concerns regarding the Principal are picked up and addressed as part of the review of the Principal.	Evidence

Theme 4.4 Board Secretary

Lead Committee: Regional Board

D.13 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.

D.14 All Board members must have access to the Board Secretary, who has an important governance role in advising the Board, the committees and individual Board members and supporting good governance. The distinctive Board Secretary role includes:

- facilitating good governance and advising Board members on:
  - the proper exercise of their powers, including in relation to relevant legislation
  - the Board's compliance with its Financial Memorandum, the Good Governance Code, its Standing Orders and Scheme of Delegation
  - their behaviour and conduct in relation to the Board's Code of Conduct.
- providing clear advice to the Chair and the Board/committees on any concerns the Board Secretary may have that Board members have not been given:
  - sufficient information
  - information in an appropriate form
  - sufficient time to monitor, scrutinise or make informed and rigorous decisions in an open and transparent way.
- attending and providing support to every Board meeting and every meeting of every Board committee. Where the Board Secretary is unable to attend, proper arrangements must be made to cover the role with a person who is fully able to discharge the role effectively. The Board Secretary would, however, retain overall responsibility.
- having an unambiguous right to speak at Board and committee meetings to convey any concerns they may have about governance. This extends to someone substituting for the Board Secretary.
- reporting any unresolved concerns about the governance of the body to the relevant funding body (i.e. SFC or the regional strategic body).

D.15 The Board must ensure the Board Secretary:

- has suitable skills, knowledge and behaviours to carry out their role effectively

- receives appropriate induction, and if new to the role, is mentored by a more experienced Board Secretary for at least their first year
- has adequate time and resources available to undertake their role effectively.

D.16 The Board must ensure arrangements are in place to deal with a Board Secretary's potential or real conflicts of interest.

Challenge Questions

- How effective is the Board at ensure the Board Secretary operates free of conflicts of interest?
- How accessible is the Board Secretary for all Board members?
- How effective is the Board Secretary in advising the Board and committees on governance matters?
- How effective is the Board Secretary at raising concerns with the Chair, Board and committees regarding governance concerns?

What do we do well?	Evidence
• The Board understands the importance of the role of the Board Secretary in the overall governance of the Board and its operations. The current Board Secretary who was appointed in August 2017, has declared his interests to the Board. The Chairman has reinforced the role of the Secretary in so far as the Secretary's participation in meetings is focussed on governance matters as set out in the Code of Good Governance for Scotland's Colleges as distinct from the role played by Board members in questioning papers and proposals and making decisions on proposals put forward. The scope for conflicts of interest to arise for the Secretary is therefore considered to be limited. The Secretary is experienced in Board administration and is a non-practising member of the Law Society of Scotland and readily understands the issues surrounding conflict of interest. • The Board Secretary is accessible to all Board members when required and is in attendance not just at Board meetings but also all committee meetings and therefore is in regular contact with members. He is currently working with the Senior Independent Member on the Chair Evaluation. • The Board Secretary has to date spoken to the Chair on a variety of matters which he felt required clarification or which he wished to highlight and will no doubt do the same if required to do so on Committee or Board matters and has also raised matters during Board meetings.	Board Minutes The Secretary has to date sought clarification on a number of matters relating to late submission of papers and clarification on the Board's quorum provisions.
What should we improve? •	Evidence

Theme 4.5 Board Appointment and Induction Training

Lead Committee: Regional Board

D.17 The Board must ensure a formal and open procedure is in place for recruiting and selecting new non-executive Board members. Boards must have regard to all relevant Ministerial Guidance on Board appointments.

D.18 The Board is responsible for ensuring appropriate arrangements are in place for the conduct of student elections and nominations, and elections of staff members to the Board.

D.19 The Chair must ensure that new Board members receive a formal induction on joining the Board, tailored in accordance with their individual and collective needs. The Board Secretary should support the Chair in the provision of relevant induction for new Board members.

D.20 The Board must ensure all Board members undertake appropriate training and development in respect of their governance role. The Board Secretary should support the Chair in the provision of relevant training and development opportunities for Board members, which should be tailored to meet Board members' skills and needs. The Board Secretary must keep records of the development activity of Board members, including the Chair.

D.21 The Board must ensure that new committee members receive a committee induction and have their specific training needs assessed and met.

Challenge Questions

- How effective and compliant are the Board's processes for recruiting new non-executive Board members?
- How effective are the Board processes for recruiting staff and student members?
- How sufficient is the Board member induction process?
- How sufficient and effective is the ongoing training for Board members?

What do we do well?	Evidence
• A recruitment exercise for non executive members was commenced in January 2018. Following an extensive open publicity campaign and significant effort to contact organisations involving under-represented groups, three applications were received. • On 22 February 2018 the Nominations Committee of the Board interviewed potential Board members.The interview panel was chaired by the Chair of the Board and as required included an external and independent assessor. • The process was conducted in a fair, open and merit-based manner taking cognisance of the existing gender balance, skills and knowledge base of the candidates and of current Board members and complied with the College Sector Board Appointments: Ministerial Guidance. • The independent external assessor provided a statement which confirmed that an open recruitment process had been followed and noted her involvement in reviewing the process. • Considerable effort was put into making this process compliant with relevant guidance. • Student members are appointed following an open and transparent nominations process and	Associated paperwork

procedure carried out by the Borders College Students Association. The returning Officer for the election of the Student President is a Board member. • As part of the student induction process students are provided with a Board mentor. • Staff members are appointed following an open and transparent defined nominations procedure for each of the teaching staff and non teaching staff. • New members are given an opportunity post-induction to comment on the process. • Good opportunities for training, some of which is with staff. • Opportunities to gain more understanding and knowledge through discussions with departments as part of the Learning for Leading scheme.	Learning for Leading reports
What should we improve? •	Evidence

Theme 4.6 Board Evaluation

Lead Committee: Regional Board

D.22 Extension of the term of office of Board appointments requires evidence and the Board must ensure appropriate mechanisms are in place to support this.

D.23 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 at least every three years. The Board must send its self-evaluation (including an externally facilitated evaluation) and Board development plan (including progress on previous year's plan) to its funding body and publish them online.

D.24 The Board must agree a process for evaluating the effectiveness of the Board Chair and the committee Chairs. The evaluation of the Board Chair should normally be led by the Vice-chair/senior independent member.

D.25 The Board must ensure all Board members are subject to appraisal of their performance, conducted at least annually, normally by the Chair of the Board.

D.26 The performance of Regional College Chairs will also be evaluated by the Scottish Government, as Regional College chairs are appointed by the Scottish Ministers and are personally accountable to them.

Challenge Questions

- How effective and robust is the Board's self-evaluation process?
- How effective and robust is the Board's process for evaluating the performance of the Chair and committee Chairs?
- How effective and robust is the Board's process for evaluating the performance of individual Board members?

What do we do well?	Evidence
The Board clearly accepts the need to have a sound process for self evaluation in place. Building on the terms of the highly satisfactory Polley Review on Board compliance with corporate governance and the Code of Good Governance for Scotland's Colleges the Board agreed to pursue a detailed self evaluation process based on challenging itself against the principles of the Code of Good Governance and backing up its conclusions with reference to evidence where possible., As part of this process the Board is identifying and recording any areas which could be improved and an enhancement plan will be prepared to follow these up. This is a significant exercise which is currently being led by the Chair's Committee of the Board and its comprehensive nature reflects the Board's recognition of the importance of this matter.	The completion of the 2017-18 Board self-evalution review and the resulting enhancement plan based on items which the Board felt could be improved.
• An exercise to evaluate the performance of the Chair has just been completed**.** It was conducted as part of compliance with the Guidance notes for Boards in the College Sector – A Board Development Framework, to examine and evaluate the performance of the Board Chair in 2017 and made reference to the skills matrix for Chairs in the college sector contained in Annex E. The questionnaire submitted to Members also sought to identify any competencies which Members considered may require further development. The evaluation of the Chair's performance was led by Dr Virginia Grant who is the Senior Independent Member of the Board of Borders College and who will agree any necessary development actions with the Chair.	Completed questionnaires on Chair's performance submitted to Board Secretary and following collation the Senior Independent Member will agree a development plan with Chair and report on all these matters to the Board.
• The Chair currently meets Members individually on an annual basis at which time the Chair notes the Member's attendance record at the Board and any Committees on which he /she sits. The Chair separately reviews an individual's performance as Chair of a Committee. The Chair also notes relevant courses attended and highlights any development points which should be considered by the Member. A sheet recording the development actions is prepared and signed by both parties.	Annual review documentation/records.
What should we improve?	Evidence
• Enhance process for evaluation of the work of Committee Chairs.	

5: RELATIONSHIPS AND COLLABORATION **HOW EFFECTIVE ARE THE BOARD IN FORMING AND MAINTAINING EFFECTIVE EXTERNAL RELATIONSHIPS AND COLLABORATIVE WORK?**
Theme 5.1 Partnership Working
Lead Committee: Regional Board
E.1 The Board must work in partnership to secure the coherent provision of high quality fundable further and higher education in their localities.

E.2 The Board must ensure effective consultation, local and regional planning and must follow the principles of effective collaborative working: mutual respect, trust and working towards commonly agreed outcomes.

E.3 The Board must ensure effective partnership working with local and national bodies, including businesses, public and third sector organisations to develop commonly agreed priorities, following the principles of effective collaborative working.

E.4 The Board must encourage and support effective partnership working and collaboration within and across regions to address local needs and meet national priorities and specialisms.

Challenge Questions

- How effective is the Board at ensuring there is coherent, high quality education across providers in the Borders region?
- How effective is the Board at ensuring that their local and national partnerships are effectively maintained, function well and have a positive impact?
- How effective and is the Board at ensuring that partnerships develop and deliver agreed priorities for the region's economy and people, and for national priorities and specialisms?

What do we do well?	Evidence
• The Board recognises the need for the College to prioritise its provisions for learners in line not only with Scottish Government requirements but importantly in line with local priorities in the Scottish Borders Region. This need is applied by the Board in considering all educational and training provisions made and proposed by the College Executive. • The Board is highly committed to working in partnership with local organisations and bodies. • The Board supports the community based learning facilities throughout the Scottish Borders. • Commitment to partnership working. • Range of developments the College is involved in around partnership working (as per evidence).	Commitment to City Deal, Borderlands, Schools/College Partnership South of Scotland Economic Partnership Schools Academy courses Involvement in Developing the Young Workforce Strategic Plan Community Planning Partnership Outcome Agreement Stakeholders dinner
What should we improve?	**Evidence**
• Encourage proactive involvement from new and existing partners.	Enhanced partnership working with potentially better outcomes.

PART FOUR - ENHANCEMENT PLAN (see separate document)

Guidance notes for part 4

Use the template provided to identify Areas for Development for the coming academic year. An Area for Development is identified from the “what should we improve sections of the self-evaluation.

For each Area for Development you must:

1. Provide a numerical reference code
2. Briefly describe the area for development,
3. Describe the impact this will have and how it will be measured,
4. Describe each activity you will undertake to have the desired impact. State by when and who will be leading the work
5. Link it to a developmental driver

You are required to evaluate progress and update the plan in February and June. Two columns are provided in the table below for this purpose. You should give a brief update of progress and evaluate your progress using the RAG status.

RAG Guidance

February Colour the box green if the impact has been achieved or you are on target to achieve the desired impact. Colour the box amber if there is a chance you will not achieve the desired impact by June and colour the box red if you feel there is a significant likelihood of not achieving the desired impact by June.
June Green achieved desired impact, Orange partially achieved desired impact, Red did not achieve the desired impact.
You can add further areas for development at other times in the year as they arise.

ENHANCEMENT PLAN

Please reference each Developmental Driver using the following coding:

Area for Improvement (from the self-evaluation) – Reference back to the self-evaluation (**AI**) above

No.	**Area for Development** (Developmental Driver)	**Impact** (The intended difference to be made)	**Actions to be taken** (Describe each activity you will undertake to have the desired impact)	**By When & by Whom**	**Developmental Driver Code (e.g. AI1)**	**Update & Evaluation**	**RAG Status**

PART 5 - EXCELLENT PRACTICE IDENTIFIED

DRAFT BOARD DEVELOPMENT PLAN (2018-19)

	Area for Development	**Impact** (The intended difference to be made)	**Actions to be taken**	**Complete by whom & by when**	**Progress Report**
1	Enhance Board members' understanding of the Code of Conduct	Continued adherence to compliance with the relevant terms and provisions of the Code	Paper to go to the Board on an annual basis to remind members of the terms	Board Secretary December Board meeting (annually)	
2	Ensure effective engagement with relevant stakeholders	Meet the needs of the region and make best use of available funding	Actively pursue engagement and consultation with stakeholders Further encourage existing stakeholders to become more actively involved	Board June 2019	
3	Further effort to attract applicants from minority groups within the Scottish Borders	Increased diversity within the membership of the Board	Approach local groups Set up short-life working group of the Board to explore how to increase Board diversity	Nominations Committee and Board Secretary 2018/19	
4	Further direct involvement of Board members with students	Enhanced understanding of student issues	Board members to be given more opportunities for direct involvement with students (informally) More presentations from students on matters important to them	Curriculum & Quality Committee 2018/19	

			Work with Students' Association to improve succession planning for class representatives		
5	Ensure appropriate mechanisms are in place for the monitoring of student retention and reporting of retention figures.	Board members provided with more detailed information on retention figures	Challenge management over student retention and reporting of figures Improve management information systems in this regard	Curriculum & Quality Committee June 2019	
6	Enhance support of the Board in its information needs and decision making process by the College Executive	Timely distribution of Board papers a week prior to meetings to allow members time to consider the terms of sometimes detailed and lengthy papers	Consider how to minimise occurrences of papers being submitted outwith a week before meetings	Board Secretary By Dec 2018	
7	Ensure best use of Board resources	Increased effective conduct of Board business	Review committee structure and membership	Chair, Vice Chair & Board Secretary Currently ongoing June 2019	
8	Enhanced review by the Board of the College's risk appetite and risk management	Ensure a greater understanding of risk and mitigation	Further discussion at Board meetings on high risk items	Chair of Audit Committee Currently ongoing	

				To be discussed at June 2018 Board	
9	Enhanced review of business continuity plans	Effective continuity plans and internal control systems in place.	Consideration of continuity plans at the Audit Committee	Board Audit Committee Timeline to be decided by Audit Committee	
10	Enhanced monitoring by Audit Committee of recommendations/ actions taken re risks	Timeous implementation of recommendations from audits	Enhanced monitoring of the implementation of recommendations from audits within an agreed timescale	Timeline to be decided by Audit Committee	
11	Membership of and procedures used by the Remuneration Committee	Compliance with governance requirements	Appoint new member Consider how best to obtain staff/student feedback relating to the Executive's remuneration	Board And Remuneration Committee June 2019	
12	Strengthen the Finance and General Purposes Committee	Ensure financial and institutional sustainability of the College	Endeavour to appoint new members with necessary business/financial expertise Improve focus of management on planning for longer term and increasing financial income resources/external business development	Board and F&GP Committee June 2019	

13	Awareness of charitable responsibility	Governance compliance	Reminding Board members of nature of charitable responsibilities	Board Secretary Annually at Dec Board	
14	Understanding implications of charitable status	Governance compliance	Consider charitable duties/implications when reviewing College policies	Board Ongoing	
15	Compliance with the nationally agreed college sector Staff Governance Standard	Positive employee relations and fair and effective management of all staff	Reporting on compliance with National Staff Governance Standard - F&GP/HR Committee	F&GP/HR Committee June 2019	
16	Enhance the experience of Board membership and ensure an appropriate balance of skills and experience to enable effective discharge of duties and responsibilities	Effectiveness of the Board in all aspects of its role and enhanced Board diversity	Attract members from those sections of the community currently underrepresented on the Board (link in with earlier development plan) Procure Board members with financial/accounting experience	Nominations Committee/ Board Secretary 2018/19	
17	Evaluation of the Principal	Ensure that all relevant matters or concerns are addressed as part of the review	Devise a method of involving the Board as a whole in the process	Remuneration Committee June 2019	
18	Board training	Effectiveness of members	Consider the provision of voluntary training around confidence building and board skills possibly with an external facilitator or appropriate member of staff	Chair and Board Secretary June 2019	

19	Process for evaluation of Board committee Chairs	Effectiveness of Board and committees	Enhance process for evaluating Committee Chairs	Chair and Board Secretary June 2019	
20	Partnership working	Coherent provision of high quality fundable further and higher education in the Scottish Borders	Encourage proactive involvement from new and existing partners	Chair and Board June 2019	