

REGIONAL BOARD REPORT

Subject: College Governance	Purpose: For Approval <input type="checkbox"/> For Discussion <input type="checkbox"/> For Information <input checked="" type="checkbox"/>
Prepared by: Tony Jakimciw	Date: 18 February 2019
Purpose: To advise members of the Minister's decisions regarding the proposed amendments to Corporate Governance of Colleges.	
Linked to Strategic Goal 3: Provide a high quality College experience.	
Executive Summary: Richard Lochhead MSP, Minister for Further Education, Higher Education and Science, has written to the Convener of the Scottish Parliament's Education and Skills Committee outlining his decisions following the Good College Governance Consultation which was published in April 2017. A copy of this letter is attached. The fundamental changes are noted below: <ul style="list-style-type: none"> The introduction of two trade union nominees to the boards of incorporated colleges, the Lanarkshire Board and the Glasgow Colleges' Regional Board <i>in addition</i> to the existing staff representatives. Amendment of Ministerial Guidance for college board appointments to: <ul style="list-style-type: none"> - strengthen the guidance on succession planning and multiple candidate appointments - require all board vacancies to be advertised on the College Development Network (CDN) website. CDN to embed teamwork within the induction training of board members. Developing guidance for the Scottish Funding Council (SFC) and colleges to follow in relation to any specific reviews undertaken by SFC of colleges under section 7C(7) of the Act. Introducing the ability for SFC to attend the board meetings of assigned colleges. Investigating the Auditor General for Scotland having the ability to conduct economy, efficiency and effectiveness reviews with the non-incorporated colleges that are not part of a local authority. Bringing colleges into line with other Scottish public bodies where appointing bodies may suspend board members. Remunerating the incorporated, assigned college chairs at a rate to be determined by the Scottish Ministers. 	
Recommendation: Members are asked to note the information.	
Previous Committee Approvals: n/a	
For publication <input checked="" type="checkbox"/>	For publication with redactions <input type="checkbox"/>
Not for publication <input type="checkbox"/>	



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Ms Clare Adamson MSP
Convenor – Education and Skills Committee
The Scottish Parliament
EDINBURGH
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18 February 2019

Dear Convenor,

Colleges make a vital contribution to this Government's commitment to improving the lives and employability of all Scotland's people. Their effective governance is fundamental in securing public value; and in supporting colleges to improve the life chances of their students and the performance of businesses.

In 2016, the then Education Secretary's Good Governance Task Group reported back on the lessons learned at Glasgow Clyde, North Glasgow and Coatbridge Colleges. The Task Group also made a series of recommendations to improve governance in Scotland's colleges around four strategic themes of prevention; self-assessment; external assurance; and sanctions. These recommendations have been taken forward in conjunction with the Good Governance Steering Group which is a cross-sector body with a remit to support ongoing good governance across the college sector.

Two of the specific recommendations suggested that the Scottish Ministers consult on the introduction of a number of new provisions, either legislatively or administratively, to the college governance framework. The Scottish Government consulted on these recommendations in April and May 2017. The Scottish Government received 39 responses to this consultation – 28 from organisations, including 10 colleges, and 11 from individuals. The majority of the questions consulted on are complex and have required lengthy consideration.

The Scottish Government proposes to take forward a number of proposals where it has been clearly demonstrated that undertaking such an action would improve governance in Scotland's colleges and would not alter the chain of accountability in the sector as introduced by the Post-16 Education (Scotland) Act 2013.

As a result, I am proposing to undertake the following actions as a consequence of this consultation:

- **Partnership working:** introduce two trade union nominees to the boards of incorporated colleges, the Lanarkshire Board and the Glasgow Colleges' Regional Board *in addition* to the existing staff representatives, bringing the college sector into line with changes made in universities by the Higher Education Governance Act 2016.
- **Board appointments:** amend ministerial guidance for college board appointments to:
 - strengthen the guidance on succession planning and multiple candidate appointments, and;
 - require all board vacancies to be advertised on the Colleges Development Network Website.
- **Training:** ask the Colleges Development Network to embed teamwork within the induction training of board members.
- **Enhanced guidance:** develop guidance for the SFC and colleges to follow in relation to any specific reviews undertaken by SFC of colleges under section 7C(7) of the Act (which relate to reviewing statutory criteria for a body to remain eligible for funding).
- **Board meetings:** introducing the ability of SFC to attend the board meetings of assigned colleges.
- **Auditor General reviews:** we will further investigate allowing the Auditor-General for Scotland the ability to conduct economy, efficiency and effectiveness reviews with the non-incorporated colleges that are not part of a local authority.
- **Alignment:** bring colleges into line with other Scottish public bodies where appointing bodies may suspend board members.
- **Remuneration:** remunerate the incorporated, assigned college chairs (bringing them into line with their regional strategic body and regional college colleagues), at a rate to be determined by the Scottish Ministers.

I hope the Committee finds this information useful. Officials will work closely with the Good Governance Steering Group to take forward the implementation of these actions.

I also attach the responses to the public consultation, which will be shortly published on the Scottish Government website.

A handwritten signature in black ink, reading 'Richard Lochhead'. The signature is written in a cursive, flowing style.

RICHARD LOCHHEAD