

**NORTH EAST
SCOTLAND
COLLEGE**



REGIONAL BOARD

Meeting of 19 June 2019



REGIONAL BOARD

NOTICE

There will be a meeting of the Regional Board of North East Scotland College on Wednesday 19 June 2019 at 1000 hours in the Boardroom at Fraserburgh Campus.

AGENDA

Agenda Item		Paper
36-19	Apologies for Absence	
37-19	Declaration of any Potential Conflicts of Interest in relation to any Agenda Items	
38-19	Minutes of Previous Meeting – 13 March 2019	X
39-19	Matters Arising from the Previous Meeting	X
40-19	Minutes of Strategy Event – 24 April 2019	X
41-19	Matters Arising from the Strategy Event	X
	Reports to the Board	
42-19	Report by the Regional Chair	X
43-19	Report by the Principal	X
44-19	Report by Committee Chairs	X
	Matters for Decision	
45-19	Award of Catering Contract (Considered as a reserved item)	
46-19	Estates Strategy	X
47-19	Annual Priorities AY2019-20	X
48-19	Community Empowerment (Scotland) Act 2015 – Annual Report	X
49-19	Programme of Meetings AY2019-20	X
50-19	Governance Manual	X
51-19	Board Policies	X
52-19	Aberdeen Skills and Enterprise Training Ltd – Memorandum of Understanding	X
	Matters for Discussion	
53-19	Strategic Risk Register	X
54-19	Planning & Reporting Framework	X
	Matter for Information	
55-19	GDPR Update	X
56-19	Any Other Business	
57-19	Summation of Business and Date of next meeting	
	Reserved Items of Business	
	Matter for Discussion	
58-19	SFC Credit Activity	

	Matters for Decision	
59-19	Revenue Budget 2019-20	
60-19	Graduations 2019 – Fellow & Guest Speakers	
61-19	Senior Staff Line Management Changes	
62-19	Review of Senior Staff Pay	
	Matters for Information	
63-19	Principal's Performance Management Objectives	
64-19	Recruitment Process – Principal & Chief Executive	
65-19	Summation of Reserved Items of Business	



Agenda Item 38-19

REGIONAL BOARD

Draft Minutes of the meeting of the Regional Board held on Wednesday 13 March 2019 at 1000 hours in F110, Aberdeen Altens Campus.

Agenda Item	
	<p>Present: David Anderson Ann Bell – Vice Chair Abdul Elghedafi John Henderson – Vice Chair Liz McIntyre Ken Milroy - Regional Chair Drew Russell Anne Simpson Adrian Smith</p> <p>In attendance: Neil Cowie, Vice Principal Access & Partnerships Peter Smith, Vice Principal Finance & Resources Pauline May, Secretary to the Board Susan Lawrance, Minute Secretary HMI John Bowditch, Education Scotland</p>
14-19	<p>Apologies: Apologies were presented from Martin Dear, Kirsty Godsman, Abha Maheshwari, Neil McLennan and Abby Miah.</p>
15-19	<p>Declaration of any Potential Conflicts of Interest in relation to any Agenda Items A Smith declared potential conflicts of interest by virtue of his role as a Director of ASET. A Bell and J Henderson declared potential conflicts of interest by virtue of their roles as Trustees of the NES FE Foundation.</p>
16-19	<p>Minutes of Previous Meeting – 30 January 2019 The minutes were approved as a true and accurate record.</p>
17-19	<p>Matters Arising from the Previous Meeting Members noted the Matters Arising Report.</p> <p>P Smith advised that an internal appointment had been made to the post of Director of IT & Technical Services. The Board recorded its congratulations to the successful applicant, Paul Smith.</p> <p>No further matters were raised.</p>
	<p>Discussion</p>
18-19	<p>Education Scotland – Endorsement Statements The Board noted a paper providing information relating to the endorsement and publication of the College's Evaluative Report AY2017-18 & Enhancement Plan AY2018-19 (EREP).</p>

	<p>Members noted a tabled copy of the Endorsement Statements from the SFC Education Scotland in relation to the College's latest EREP.</p> <p>The College's HMI, J Bowditch, provided Members with a summary of the endorsement process for the sector's EREPs, advising that all EREPs had been published online at the end of January 2019. Positive feedback was provided on the robust process followed to produce NESCol's EREP, with J Bowditch adding that the document was comprehensive, detailed and well evidenced.</p> <p>The Board was provided with information on the Education Scotland grading options and their definitions.</p> <p>Members were advised of the proposed quality arrangements for AY2019-20, currently being considered by a working group comprised of Education Scotland, SFC and sector representatives. It was reported that it was likely that colleges would not be asked to submit a full EREP in AY2019-20 but would instead be asked to provide an update in relation to their Enhancement Plan. The possible introduction of progress visits was also highlighted. J Bowditch offered to attend a future Board Meeting if helpful to present the refreshed sector quality arrangements once finalised.</p> <p>L McIntyre noted recent discussions regarding a review of the College's self-evaluation processes and documentation, adding that the College would continue to prepare an evaluative report each year, including those where one was not required to be submitted to the SFC and Education Scotland.</p> <p>K Milroy thanked J Bowditch on behalf of the Board for attending the meeting and updating Members on quality related developments. J Bowditch was invited to stay for the remainder of the meeting.</p>
	<p>Reports to the Board</p>
19-19	<p>Report by the Regional Chair</p> <p>The Board noted the Report by the Regional Chair, with K Milroy proposing that in response to the Taskforce recommendations that trade union representatives be invited to Board Meetings as observers in advance of any future legislative changes. Members endorsed this proposal.</p> <p>Members were advised that three nominations had been received for the position of Support Staff Board Member, and that the ballot would open later that day.</p>
20-19	<p>Report by the Principal</p> <p>Members noted the Report by the Principal. L McIntyre provided additional information in relation to industrial action developments and advised of NESCol levels of support to date. It was reported that a ballot for action short of strike action is being undertaken by EIS-FELA.</p> <p>K Milroy highlighted the College's current recruitment campaign 'Choose College, Choose NESCol', with Members provided with an opportunity to listen to a radio advert being used as part of the campaign. L McIntyre noted other planned campaign activities.</p>
21-19	<p>Report by Committee Chairs</p> <p>Members noted the Report by the Committee Chairs.</p>

	<p>A Simpson in her role as Chair of the Curriculum & Quality Committee commented that it was very positive to note that the NES FE Foundation has approved the College's bid for funding for the project to develop a new College website.</p> <p>J Henderson in his role as Chair of the Finance & Resources Committee, noted discussions held at the Committee's most recent meeting in relation to potential impacts of Brexit and future consideration related to course fees.</p>
	Matters for Decision
22-19	<p>Draft Outcome Agreement 2019-20 The Board noted a paper providing an update on the development of the College's Outcome Agreement for 2019-20.</p> <p>Members were advised that it had not been possible to submit the final draft of the Outcome Agreement for 2019-20 for approval at this meeting. Feedback and requested amendments received from the SFC in response to the College' first draft of the document were noted. It was agreed that the final draft, with amendments highlighted, would be presented to the Board at its Strategy Event scheduled for April 2019.</p>
23-19	<p>Combined Heat & Power Proposal Members considered a paper providing an opportunity for the Board to approve that the College formally negotiate with Aberdeen Heat and Power to enter a long-term contract for the supply of combined heat and power at the Aberdeen City Campus.</p> <p>P Smith provided additional information on the proposal's expected benefits, and highlighting a number of contractual and financial considerations.</p> <p>Members sought reassurance around a number of potential technical matters with P Smith confirming that they would be comprehensively clarified in the detail of any contract. Assurances from a procurement point of view were also requested with P Smith confirming that EU legislative requirements would be met and that there is no alternative supplier within Aberdeen City.</p> <p>After some discussion, the Board agreed that the College should enter into formal negotiations with Aberdeen Heat and Power to agree contract details. It was noted that the Board would be asked to consider this matter further at the meeting scheduled for June 2019.</p>
	Matters for Discussion
24-19	<p>KPIs 2017-18 The Board discussed a paper providing an opportunity for Members to consider key performance indicators (KPIs) detailing the College's performance in academic year 2017-18.</p> <p>Members were advised that the SFC requires the College to publish its annual KPIs on its own website and that for the past two years NESCol had decided to create a KPI publication to share this information instead of simply publishing the KPI document received from the SFC.</p> <p>Key changes to the College's latest KPI publication compared to previous versions were highlighted, including the adoption of a new style of language,</p>

	<p>the inclusion of data to demonstrate the College's performance in comparison to the sector, and the inclusion of a glossary.</p> <p>The introduction of an internal version of the publication which includes further details of sector benchmarking data to support quality improvement at team level was highlighted.</p> <p>Graphs detailing NECol's performance against the sector average and each individual college were noted, with Members advised that the College's performance had not changed significantly in comparison to AY2016-17 for the majority of measures. Improvement in relation to the outcomes for care experienced learners was however highlighted. L McIntyre confirmed that the College would seek to improve its use of this data to benefit from learning from other colleges who are performing better than NESCol in relation to certain measures.</p> <p>It was agreed that it would be useful to include further information in the Introduction on the College's 3-year journey, and on how the publication will be used.</p> <p>J Bowditch complimented the creation of the documents. Members stated that the publication had been greatly improved and thanked the Director of Strategy & Planning and Director of Quality for the work undertaken to produce the high standard document.</p>
25-19	<p>Annual Priorities AY2018-19 – Progress Report Members noted a paper providing a progress update in relation to the College's Annual Priorities for AY2018-19.</p> <p>It was noted that good progress had been made against the majority of Priorities. L McIntyre advised that the pace of developments relating to the TWO PLUS Alliance with RGU was expected to increase in the near future following a meeting of the Alliance's Steering Group.</p>
26-19	<p>Environmental Sustainability Annual Report The Board considers the College's Environmental and Sustainability Annual Report AY2017-18.</p> <p>D Anderson commented that it was impressive that the College had received no non-conformities against the most recent reviews against the BSI Standards 14001 and 50001. A discussion followed on the lack of recommendations included in the report leading to the questioning of the added value of the College seeking to maintain accreditation. It was agreed that it would be beneficial for future audits to highlight good practice recommendations and benchmarking information.</p>
27-19	<p>Outcome Agreement Funding for Colleges – Indicative Allocations for 2019-20 Members noted a paper providing an opportunity to consider the impact of the SFC's announcement of indicative outcome agreement funding for academic year 2019-20.</p> <p>P Smith summarising the College's indicative funding allocation for 2019-20, and provided additional information relating to the use of capital funding for backlog maintenance.</p>
	<p>Matters for Information</p>

28-19	<p>The Prevent Duty</p> <p>The Board noted a paper providing information on the College's compliance with the Prevent Duty and the approaches taken to ensure compliance. K Milroy stated that it was important for the Board to be kept up to date on this issue.</p> <p>It was agreed that the Board should continue to receive an annual report on the Prevent Duty, but that Members should be updated on any significant developments as appropriate.</p> <p>It was also agreed that opportunities to feed into Prevent related Colleges Scotland forums would be clarified by K Milroy.</p>
29-19	<p>Internal Auditor Contract</p> <p>Members noted a paper advising of the tendering process to provide an internal audit service to the College, including subsidiaries, from 01 August 2019.</p> <p>P Smith advised that this matter would usually be brought to the Audit & Risk Committee but that due to the timing of the process it was thought to be appropriate to share the information with the Regional Board.</p> <p>P Smith explained the approach adopted for the tendering and appointment process for the College's next internal auditor service provider.</p> <p>A short discussion was held on the proposed number of annual audit days with P Smith highlighting that the College continued to receive a low number of recommendations from the internal audit process and that upon review it was felt that a reduction of the number of days was appropriate. D Anderson, in his role as Chair of the Audit & Risk Committee, confirmed that he supported the proposed reduction. It was noted that the reduction in annual audit days would generate a significant saving for the College in terms of total fees paid. Members were advised that the number of annual audit days could be reconsidered in the future at the request of the Audit & Risk Committee.</p> <p>A short discussion was also held on the importance of ensuring that the auditors assigned to the College by Henderson Loggie were highly experienced.</p>
30-19	<p>Summation of Business and Date of Next Meeting</p> <p>The Secretary gave a summation of the business conducted. The next meeting of the Regional Board is scheduled to take place on Wednesday 19 June at the Fraserburgh Campus.</p>
	<p>Reserved Items of Business Matters for Discussion</p>
31-19	<p>SFC Credit Activity</p>

32-19	ASET Report by Nominated Officer

33-19	Graduations 2019 – Fellows & Guest Speakers
34-19	Any Other Business
35-19	Summation of Reserved Items of Business The Secretary gave a summation of the reserved business conducted.
	Meeting ended 1225 hours

Agenda Item	Actions from Regional Board Meeting 13/03/19	Responsibility	Deadline
19-19	Discuss proposal for trade union representatives to attend future Board Meetings as observers with trade unions.	K. Milroy with L. McIntyre & P. May	30 June 2019
22-19	Consider final draft Outcome Agreement for 2019-20 at Board Strategy Event in April 2019.	P. May	24 April 2019
23-19	Further consideration of Combined Heat & Power Proposal at Regional Board Meeting scheduled for June 2019.	P. Smith	12 June 2019

26-19	Request that good practice recommendations and benchmarking information is included in future environmental sustainability audits.	P. Smith with G. Forshaw	
28-19	Clarify opportunities for NESCol to feed into Colleges Scotland Prevent related forums.	K. Milroy	

Signed:.....

Date:



Agenda Item 39-19

REGIONAL BOARD

An update on matters arising from the meeting of the Regional Board of North East Scotland College held on Wednesday 13 March 2019.

Agenda Item	
19-19	Action: Discuss proposal for trade union representatives to attend future Board Meetings as observers with trade unions.
	Status: This has still to be progressed. Trade union representatives will be written to in order for them to consider the proposal.
22-19	Action: Consider final draft Outcome Agreement for 2019-20 at Board Strategy Event in April 2019.
	Status: This matter was discussed at the Event held on 24 April 2019 – see Agenda Item 40-19.
23-19	Action: Further consideration of Combined Heat & Power Proposal at Regional Board Meeting scheduled for June 2019.
	Status: Work is continuing with the College's legal advisors to progress the District Heating Scheme contract with Aberdeen Heat and Power (AHP). Most recent discussions from 11 June 2019 will be forwarded to the AHP legal team for further comment and response. The actual contract will be with District Energy Aberdeen (DEA) Ltd, AHP's commercial arm. Procurement advice is that it will be appropriate to directly award a contract and publish a Voluntary Ex Ante Transparency (VEAT) Notice as AHP are the only authorised provider in the City. To meet the timescales of installation completion by late Autumn, it is likely that the Board will be required to approve the contract by correspondence, with subsequent ratification at a future meeting.
28-19	Action: Clarify opportunities for NESCol to feed into Colleges Scotland Prevent related forums.
	Status: This is currently being clarified and an update will be provided at the Board Meeting.
	Action:
	Status:

	Action:
	Status:
	Action:
	Status:



REGIONAL BOARD – STRATEGY EVENT

Draft Minutes of the Regional Board's Strategy Event held on 24 April 2019 at 0930 hours in G25, Aberdeen City Campus.

Agenda Item	
	<p>Present: David Anderson Ann Bell, Vice Chair (am only) Abdul Elghedafi Susan Elston John Henderson, Vice Chair Abha Maheshwari Liz McIntyre, Principal & Chief Executive Neil McLennan (am only) Abby Miah Drew Russell Anne Simpson Adrian Smith Gwen Watt</p> <p>In attendance: Neil Cowie, Vice Principal Access, Outcomes & Partnerships Peter Smith, Vice Principal Finance & Resources (pm only) Duncan Abernethy, Director of Business Development (am only) Susan Betty, Director of Learning Susan Grant, Director of Learning Robin McGregor, Director of Learning Pauline May, Secretary to the Board</p>
	<p>Apologies: Apologies were presented from Ken Milroy, Martin Dear and Kirsty Godsman.</p>
	<p>Declaration of any Potential Conflicts of Interest No declarations were made.</p>
	<p>Introduction by Vice Chair and Principal A Bell welcomed attendees to the Event, advising that K Milroy was unexpectedly unable to attend and that she in her role as Vice Chair would chair the morning sessions, and J Henderson, also in his role as Vice Chair, would chair the afternoon sessions.</p> <p>A Bell commented that in her role as the Board's Equality & Diversity Champion it was pleasing to see that the morning sessions had a focus equality, diversity and inclusion, adding that consideration also needed to be given to matters around access as well as those relating to protected characteristics.</p>

	<p>Theme – Equality, Diversity & Inclusion</p>
<p>Session 1</p>	<p>Respect N Cowie, Vice Principal Access, Outcomes & Partnerships, introduced the session highlighting a number of key positive developments since the Board last received an update in relation to equality matters:</p> <ul style="list-style-type: none"> • A fully embedded Equality Action Team, with the operation of a linked Equalities Committee • Significant progress with the implementation of the College's Equality Enhancement Plan • The publication of the College's first BSL Plan • An increased focus on equality mainstreaming across the College • Increased collaboration with the Students' Association on equality related matters. <p>Attendees were advised that the presentation would focus on work relating to the College's Respect Campaign.</p> <p>N Cowie provided attendees a definition of 'respect' that has been adopted for the College's campaign, and highlighting that 'respect' is an organisational priority by its inclusion in the College's Strategic Plan and Annual Priorities. Attendees were advised that the College aimed to have 'respect' fully embedded in its practices, behaviours, operations and activities, and have a reputation built on equality, fairness and inclusion by the end of the current Strategic Plan. The importance of encouraging a culture of equality, access, inclusion and diversity across all Campuses and in external partnerships with stakeholders was noted.</p> <p>Members were provided with a summary of 'respect' activities completed to date and were advised that the College's Equality Action Team were leading on the Respect Campaign.</p> <p>L MacAskill, Marketing & Social Media Officer, provided attendees with detailed information on the development of the Campaign's strapline 'get, give, grow'.</p> <p>Attendees were advised of student engagement activities that had been undertaken to date to help inform areas of focus for the initial Respect Campaign. A summary of themes and concerns highlighted through the student feedback collected at recent Equality & Diversity Fairs was provided. L MacAskill advised that feedback received so far had indicated that it may be beneficial to focus on different themes at each of the Campuses.</p> <p>Three logo options for the Campaign were shared with Members, with L MacAskill advising that the approach had been to develop something which will stand out from the 'normal' NESCol branding throughout College Campuses and publications. It was noted that the logos would be circulated to Members for comment following the Event.</p> <p>Example of posters and messaging to be used as part of the Campaign were shared. Members supported the approach to display both general posters and others designed to target specific curriculum areas. The proposed approach to Campaign messaging was also summarised.</p> <p>It was noted that existing messages that relate to 'respect' would be reviewed in terms of the language used and their presentation e.g. use of lifts, abuse of</p>

	<p>contractors. The need to reinforce key 'respect' messages as part of the student induction process was noted.</p> <p>Members were advised of the next key activities to be completed ahead of the planned Campaign launch in August 2019. L MacAskill highlighted the plan to produce a short impactful video featuring NESCol staff and students and the Board's Equality & Diversity Champion on the theme of respect. It was noted that a link to an example video would be circulated to Members following the Event.</p> <p>It was reiterated that the Respect Campaign was not to be a year-long initiative, rather that it would be a rolling programme of activities which will continue to evolve over future years.</p> <p>L McIntyre stated that the challenge in fully embedding this Campaign should not be underestimated. A discussion followed on a number of key considerations in terms of student and staff behaviours and how the College can influence these positively through the embedding of a 'respect' ethos in both its learning & teaching practices and relationships between colleagues, and between staff and students.</p> <p>In groups, attendees then discussed 'What role should Regional Board Members play in promoting our 'Respect' Agenda ?'</p>
Session 2	<p>Mentally Healthy College</p> <p>R McGregor, Director of Learning, introduced the 'Mental Health Matters at NESCol' initiative to attendees. The restructure of student support services and the addition of academic tutoring were highlighted, noting that both helped to support a mentally healthy college.</p> <p>Z Banicova, Student Access & Inclusion Manager, informed attendees that she was the lead for the 'Mental Health Matters at NESCol' initiative.</p> <p>The Scottish Government's Healthier Scotland Policy was highlighted with Members advised that it aims for mental health to be treated in the same way as physical health, with a consistent level of support across country. The College's role in relation to early intervention and signposting of internal and external support and services in relation to mental health issues was noted.</p> <p>Attendees were advised that every Scottish college must now have a Student Mental Health Agreement. It was noted that NESCol's Agreement was signed the previous day by the Principal and Regional President of the Students' Association.</p> <p>NESCol self declaration data at enrolment stage was shared. A short discussion followed on self declaration rates and how the College should seek to improve these to help ensure appropriate support is made available as early as possible.</p> <p>The new 'whole-College' student support model introduced at the beginning of AY2018-19 was summarised, including information on the responsibilities of the new academic tutor role now undertaken by teaching staff. The successful establishment of the Student Advice Centres was also noted.</p> <p>The College's new online referral system for issues relating to student support, mental health first aid, and safeguarding was explained, with examples provided on how the College would respond to various mental health issues.</p>

Attendees agreed that it was important for teaching staff to be aware that they are to treat student mental health issues the same as physical health issues, in that they may be involved in the initial response but they are then to seek help from trained staff e.g. a mental health first aider.

L McIntyre highlighted that a possible issue with the availability of trained mental first aiders for evening classes was currently being considered.

Members were advised that a follow-up review of the implementation of the new model was being undertaken to identify any areas that need to be strengthened.

The role of the College's Safeguarding Team was explained, with information provided on the College's role in signposting students to appropriate external services. It was noted that the College cannot currently provide counselling services but that discussions at a sector level regarding possible Scottish Government funding for offering this were currently ongoing. L McIntyre advised that the sector were seeking more flexibility for this funding to widen its use from exclusively being used for counselling services.

Members were advised of the creation of online Mental Health and Wellbeing toolkits – one for staff, one for students – with a demonstration of the student toolkit provided to enable attendees to see the information that has been made easily accessible. It was noted that the staff toolkit contained the same information, plus additional information on the academic tutor role, staff training, and available support for staff mental health issues.

It was reported that a commercial BCD course on mental health was under development which, once finalised, would be also be promoted to members of staff, and the College's Social Sciences Team is also developing a NPA on mental health which could be embedded into programmes across the College.

A discussion was held on what the College has learned from mental health referrals to date. Members were advised that staff members participated in a debrief after any incident. L McIntyre added that risk assessment was key, and advised that the College would be looking at opportunities to decrease possible stressors through curriculum and assessment design, and the possible introduction of more safe/quiet student spaces.

It was agreed that the Board should receive an annual report on mental health referrals, including information on any trends, themes and lessons learned.

In groups, attendees considered two case studies and provided feedback on key considerations and the appropriate way to respond to the two scenarios. Attendees agreed that communication and listening was key to identifying if there is a potential safeguarding or mental health issue.

A discussion was held on potential additional pressure members of staff may feel in having a responsibility in terms of students' mental health. Members agreed that it was important to ensure that staff are aware of the support available to them in how to respond to student mental health issues. Sessions provided at the most recent All Staff Development Day were noted. The current review of the new student support model was again noted, with Members advised that this would help to identify where further clarity of roles, responsibilities and appropriate actions was needed.

	<p>Attendees were advised of that the College planned to now focus on providing ongoing staff training in relation to mental health, providing self-management training for students to help build their confidence and resilience, further engagement with key external stakeholders, and seeking to achieve the Healthy Body Healthy Mind Award.</p> <p>R McGregor and Z Banicova were thanked for their very informative presentation.</p>
Session 3	<p>Equality Mainstreaming</p> <p>Attendees received a presentation from S Grant, Director of Learning, explaining PSED Reporting Requirements for 2019, and summarising progress to date and next steps in relation to the College's Equality Outcomes.</p> <p>S Grant also summarised work undertaken to produce the College's next Equality Mainstreaming Report that is required to be published online by the end of April 2019. It was noted that two of the reports appendices - Staff Equality Profile and Pay Gap Report – had been considered by the Board's HR Committee at its meeting held the previous week.</p> <p>A discussion was held around the College's current pay gap, with acknowledgement that the appointment of a female Principal had significantly contributed to the positive change over the reporting period. Attendees agreed that the College cannot be complacent in regard to addressing the gap and that more needs to be done.</p> <p>Recent College developments which are expected to contribute positively to the College's Equality Outcomes – the new 'whole-College support model, improved data systems for both staff and student information, and closer working with the two Community Planning Partnerships – were highlighted.</p> <p>In relation to the categories the College reports under, A Maheshwari asked if consideration had been given to moving away from only reporting by male and female given that many do not categorise themselves this way. It was confirmed that the College was required to report this way in line with the guidance received, however it was confirmed that staff and students are provided with an opportunity to self-declare under other categories.</p> <p>A discussion then followed on current considerations being given to the introduction of gender neutral toilets as part of the College's refreshed Estates Strategy. Members were also advised of the introduction of new software to avoid the use of gender based language in the College's staff recruitment processes as another tool to help address unconscious bias.</p> <p>L McIntyre acknowledged that the College was aware that improvements needed to be made in terms of how protected characteristics data is used in relation to planning, decision making, evaluation etc and that actions require to be implemented to address current non-disclosure rates of both staff and students.</p> <p>The Regional Board approval the Equality Mainstreaming Report, commenting of n the good progress made to date and suggesting that the College's achievements should be publicised and celebrated.</p> <p>Attendees also commented on the significant amount of work being done in relation to equality, diversity and inclusion at the College, and thanked contributors with special mention of the College's Equality Action Team.</p>

	<i>D Abernethy, A Bell and N McLennan left the meeting at this time.</i>
	Lunch 1245-1345 hours
	<i>P Smith joined the meeting at this time.</i>
	Theme – Outcome Agreement
Session 4	Credit Activity

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Session 5	<p>Outcome Agreement 2019-20 Members noted the second draft of the College's Outcome Agreement for 2019-20, with the Secretary to the Board highlighting changes made since the document was last considered by the Board.</p> <p>The process for reviewing the targets included in the National Measures table was summarised. Members agreed that they were comfortable with the approach taken.</p> <p>Following on from the discussion held as part of Session 4, it was reaffirmed that Members wished to accept the SFC's indicative allocation for AY2019-20 of 135,497 credits. Members also agreed that the Regional Chair and Principal should sign off the OA for 2019-20 if the final SFC funding and activity allocation does not differ from indicative allocations.</p>
Session 6	<p>Governance Update Members noted the papers provided - 'Board Member Recruitment & Selection Process' and 'Strengthening of Board Evaluation Process'.</p> <p>Members confirmed that they were happy with the proposed approach to be adopted for the recruitment and selection process to be initiated to fill the current two Board Member vacancies.</p> <p>J Henderson summarised discussion held at a recent meeting of the Governance Steering Group on the Board's evaluation processes. Members confirmed that they were happy with the proposed changes to help strengthen processes for the Board, Committees and individual Members.</p>
	<p>Review of Event The Secretary to the Board provided a summation of the decisions taken at the Event:</p>

	<p>As part of Session 2, it was agreed that, similar to the annual H&S report, the Board would be provided with a report containing trend information and lessons learned in relation to Mental Health referrals.</p> <p>As part of Session 3, the Board considered and approved the College's Equality Mainstreaming Report.</p> <p>As part of Session 4, the Board confirmed that they were happy to adopt the Senior Executive Team's recommendation to accept the SFC's indicative credits allocation for AY2019-20.</p> <p>As part of Session 5, the Board approved the amendments made to the narrative of the draft OA for 2019-20, and approved the Regional Chair and Principal to sign off the OA for 2019-20 if the final SFC funding and activity allocation does not differ from indicative allocations.</p> <p>Members provided positive feedback on the Event, commenting that the balance was right with consideration of student and staff equality focused initiatives in the morning, and 'business' in the afternoon. Members also agreed that their confidence in terms of a better understanding of the key issues discussed at the Event had increased.</p>
	<p>Closing Remarks by Vice Chair and Principal</p> <p>The Vice Chair on behalf of Members thanked the Principal, Secretary to the Board, and all staff contributors for their contributions to the Event.</p> <p>The Principal thanked Members for their contributions throughout the Event, noting that the Senior Executive and Wider Executive Teams found the discussions held and direction provided at Strategy Event very useful.</p>
	<p>Event ended 1600 hours</p>

Session	Actions from Regional Board Strategy Event 24/04/19	Responsibility	Deadline
Session 1	Circulate Respect Campaign logo options and link to example video to Members.	P. May	As soon as possible
Session 5	Initiate recruitment and selection process for Board vacancies.	P. May	As soon as possible
Session 5	Initiate refreshed self evaluation process.	P. May	As soon as possible

Signed:.....

Date:



REGIONAL BOARD

An update on matters arising from the Strategy Event of the Regional Board of North East Scotland College held on Wednesday 24 April 2019.

Agenda Item	
Session 1	Action: Circulate Respect Campaign logo options for comment and circulate link to example video.
	Status: Information circulated to Members on 25 April 2019.
Session 1	<p>Update: The video on the theme of respect featuring NESCol students, staff members and the Board's Equality & Diversity Champion is being filmed during weeks commencing 10 and 17 June 2019. The video will be incorporated into online student induction materials for AY2019-20.</p> <p>Consultation activities to help inform areas of focus for the Campaign are continuing, with an online survey for staff to share their views due to be circulated shortly.</p>
Session 3	<p>Update: The College's Equality Mainstreaming Report was published on the College's website by the required deadline of 30 April.</p> <p>The publication of the Report was highlighted to staff through the posting of a news item on COLIN.</p>
Session 5	<p>Update: The College's final Outcome Agreement for 2019-20 was submitted to the SFC at the end of May following a meeting with the College's Outcome Agreement Manager where the Board's discussions held at the Strategy Event regarding the College's credits activity were shared. The College has not signed the document yet, this will be requested following its signing by the SFC Chief Executive.</p>
Session 6	<p>Update: Online questionnaires to support Board and Committee evaluation processes are currently being prepared and will be issued to Members for completion shortly.</p>
Session 5	<p>Update: The deadline for the submission of applications for the Board Member vacancies was 03 June 2019. Two applications were submitted by the deadline. At the time of writing, a further three applications were however expected to be received, following agreement of the submission of late applications by the Regional Chair.</p> <p>Angela McCusker, Regional Chair of Dundee & Angus College has agreed to act as the independent person for the selection and appointment process. Interviews are being scheduled for 28 June 2019.</p>



REGIONAL BOARD
Meeting of 19 June 2019

REPORT BY THE REGIONAL CHAIR

The purpose of this report is to update the Regional Board on recent developments in the FE sector and at the College.

1	Regional Board Member Reappointment Approval was sought from Scottish Ministers in relation to the reappointment of one current Board Member in line with the Board's Succession Planning Policy. Drew Russell has been reappointed to serve a second four year term – 01 June 2019 to 31 May 2023.
2	Attendance at Meetings – Regional Chair The Regional Chair has attended various meetings since the last Board Meeting, including: <ul style="list-style-type: none">• Meeting with new CEO of the SFC and Chair of the SFC• Colleges Scotland Good Governance Steering Group• Meeting with RGU Chair and RGU Principal & Vice Chancellor• Scottish Government - Learner Journey Recommendation 11• CPA Board Meeting• CDN Governance & Leadership Summit• CDN Secretary to the Board Network Meeting• Strategic Liaison Meeting – Colleges Scotland, SFC, Scottish Government• Employers' Association Residential• Colleges Scotland Strategic Futures Group.



REGIONAL BOARD
Meeting of 19 June 2019

REPORT BY THE PRINCIPAL

The purpose of this report is to provide the Regional Board with relevant information relating to the period immediately prior to the Board Meeting, to provide updates and to identify key priorities and challenges for the next period.

1 National Collective Bargaining Update

NJNC Lecturers

After 20 dispute meetings, an agreement on pay and conditions has been reached with EIS-FELA (pending EIS ballot result due on 10 June). This agreement covers both pay and the National Working Practices Agreement, which deals with terms and conditions. Under the terms of the agreement, all lecturers will receive a pay increase of £400 unconsolidated and £1500 consolidated, covering a period of three years and five months. On the terms and conditions there is clarification on flexible working arrangements and observation of learning. The deal runs from 01 April 2017 to 31 August 2020, bringing the pay period for lecturers in line with support staff workers. This should mean a suspension of all industrial action and a reduced likelihood of industrial action during AY2019-20. The cost of the deal will need to be met through efficiencies. The impact on the College budget for AY2019-20 is currently being analysed and a verbal update will be provided to the Regional Board at its meeting on 19 June 2019.

NJNC Support Staff

The main issue remains the implementation of the national Job Evaluation process. The job role analysis stage is well underway and staff here, and across the sector, are currently completing FEDRA job role questionnaires. The College is adopting a highly supported model in partnership with local UNISON representatives. It is likely that, across the sector, the first set of deadlines for the completion of this stage is unlikely to be met and most colleges are likely to request an extension. It is vital for our support staff that we get this stage right and so we would prefer to take the time necessary to complete the process properly.

2 Key Priorities and Potential Challenges

As the end of the academic year approaches, key priorities are as follows:

- To remain focussed on the achievement of the AY2018-19 credit target and to ensure accurate forecasts are considered along with a financial risk assessment.
- To maintain a strong focus on recruitment and admissions processes to ensure that the summer period does not adversely impact on admissions.
- To implement the revised planning framework to inform summer period planning which impacts on the new academic year.

	<p>In addition, albeit less critical, there will be a focus on:</p> <ul style="list-style-type: none"> • Creating an action plan to implement further improvements to the student support system, including communication and training for staff. • Completion of a “temperature check” currently being carried out by HR to provide an opportunity for Heads of Faculty and Curriculum Managers to reflect on the changes to their role as implemented in August 2019. This may result in increased support and development for affected individuals.
<p>3</p>	<p>CITB Update</p> <p>In August 2017, modifications to the MA Framework for construction apprentices came online. This change required Colleges to deliver additional elements of the framework, in particular an SVQ3 and a Skills Test. There are significant costs associated with this additional delivery largely as a result of a requirement to assess the SVQ elements in the work-place. This requires additional assessors to conduct workplace visits.</p> <p>In August 2018 an increased fee was proposed by CITB but it was not considered, by the College sector, to be sufficient to cover the additional costs. Since then the College sector has adopted a consistent approach to dealing with CITB, SQA and the Scottish Government in relation to this change. The sector requested that either the change should be delayed to allow for a more managed transition, or that the Scottish Government should find additional funding to meet the additional costs of the delivery. Neither of these requests has been met.</p> <p>During the period, no college signed the 2018-2019 contract with CITB, although this has recently changed as a result of some additional funding being made available. Colleges are now required to decide whether to continue to work with CITB or to aim to recruit construction industry apprentices direct from employers and to draw down funding directly from SDS to enable the delivery of programmes to be financially sustainable in the future.</p> <p>In line with other Colleges, NESCol is exploring a gradual transition to a mixed model, which will see some apprentices recruited directly, and some coming from CITB. This action should help to mitigate the additional costs over the next two years. For AY2018-19 the sector has agreed to absorb any unfunded costs to ensure that apprentices due to complete their programmes are not disadvantaged. If no solution is found and the College has to bear the entire cost of the new framework this is likely to be around £800 per learner and by 2021 there are likely to be 260 CITB learners on programme across the four years. This remains a highly unsatisfactory situation but work is ongoing between Colleges Scotland and the CITB to try to find a more acceptable resolution in the form of increased levels of funding per apprentice.</p>
<p>4</p>	<p>IIP Gold Standard</p> <p>The College recently had its third Investors In People (IIP) review (as NESCol) and has successfully progressed from Silver to Gold Standard. The College also met the requirements of the IIP’s Health and Wellbeing Award.</p> <p>The Review Report from IIP stated that staff demonstrated more energy and positivity than observed during their previous reviews in 2015 and 2017 and</p>

	<p>highlighted the enthusiasm and commitment currently being demonstrated by staff.</p> <p>Staff spoke positively about recent structural changes and provided examples of how the College collaborates and innovates for both its students and the local community.</p> <p>The Review Report also contained a number of suggestions to enable the College to build progress to date. These suggestions will be considered and taken forward by the College's HR&OD Team in conjunction with the Leadership Team. Developments related to the implementation of any suggestions will be reported to the Board's Human Resources Committee.</p>
<p>5</p>	<p>Review of College Polices</p> <p>A review of the suite of College policies was recently initiated with the Leadership Team. Consideration of all current policies led to the identification of 26 which will be deleted – a number of these policies will however be converted into new frameworks, procedures or guidelines.</p> <p>A phased schedule for the review of the policies to be maintain is currently being prepared with a number of student-related policies to be reapproved prior to the start of AY2019-20. A separate schedule for the review of HR policies is also being prepared to reflect the need to consult with trade unions. A number of HR policies remain 'on hold' until current unknowns of the National Collective Bargaining process become clearer.</p> <p>A new policy template is also under development to improve consistency across the suite of policies.</p>
<p>6</p>	<p>Curriculum Update</p> <p>The following highlights a number of curriculum activities and developments:</p> <p><u>RGU Learning Without Borders, Teaching & Learning Conference:</u> Bob Craigmyle, Lecturer in Law, with a colleague from RGU, Margaret Downie, presented a paper at the RGU Teaching and Learning Conference on 02 May 2019. The paper related to a joint research project between RGU and NESCOL, looking at student transitions from FE to HE. The presentation was well attended and is likely to lead to further research.</p> <p><u>Summer School</u> A Business Summer School is set to run from 01 to 26 July 2019, aimed at those new to further education, or those how have not undertaken education and training for some time. It will prepare students for study at NC Business at Level 5. During this short, intensive, full-time programme students will complete three SQA units, two at Level 4 and one at Level 5.</p> <p><u>TwoPlus Alliance Business Spotlight – 29 May</u> On 29 May, 19 S3 pupils from Lochside Academy took part in a TwoPlus Alliance Business Spotlight event hosted at Aberdeen City Campus and RGU. Pupils engaged in two workshops and a question & answer session. The event highlighted opportunities at College and the University. A former 2+2 student, Morgan Riddel, answered attendees questions on her educational route.</p>

Transition Extreme Project

Year 1 TV students were asked to make one minute promotional videos highlighting some of the more extreme sports offered at Transition Extreme. They worked in groups and produced some excellent work. The top three groups were awarded prizes.

NESCol Moving Image Network initiative

NESCol is part of a joint initiative with The Moving Image Network to deliver teacher training in moving image education. Workshops have been delivered across the region and teachers have been very positive about their experience. The aim is to eventually create a central film making hub in the North East where examples of work can be shared through digital platforms.

Sound Production boldly goes into Morayshire!

NESCol is proud to deliver a bespoke teacher training programme to secondary school teachers in and around Inverness. Culloden Academy will host the 8 week course which will see Sound Production lecturer Pete Nixon deliver sessions to teachers to prepare them to deliver the new SQA National 5 Music Technology course. Plans are in place to roll this out to Aberdeenshire and Aberdeen City Council in AY2019-20 subject to staffing and resources.

HND Animation Student to visit world-renowned animation studios

Terry Cook (Lecturer in Animation) will be accompanying HND 3D animation students to London in May to visit Industrial Light and Magic (Star Wars) and The Mill (Gladiator) - two of the biggest animation studios in the world. This is the third year visiting these prestigious companies.

Syrian New Scots

Following a request from an Aberdeen City Council Community Development Officer, Hair and Beauty students volunteered to provide pamper sessions for Syrian New Scots who have relocated to Aberdeen. The Syrian New Scots do not yet have the confidence to go out into the wider community or come to College, so the pamper sessions took place in a local community centre where they feel in a safe environment together with their children. The students provided hair styling, make-up and manicures for the group. This enabled our students to experience a diverse range of cultural values and beliefs when working with the group, demonstrating excellent customer care and respect.

Aberdeen Youth Games

Our HN Coaching students participated in the Primary Festival of Sport at the end of May 2019. This is a citywide initiative in which NESCol and RGU students deliver activities in schools during the school year culminating in the Festival of Sport at the Aberdeen Sports Village. This one day event includes an array of activities for over 1500 primary school pupils. The goal is to promote sport for life and get more young people to join clubs and progress to a higher level.

Electrically Propelled Vehicles

The Altens Automotive Team held a training event on Electrically Propelled Vehicles for auto industry representatives on 27 May 2019. The event, which was well attended, included training on safety awareness for hybrid and electric vehicles and also included information and a chance to try out a

hydrogen powered vehicle. The Campus was also involved in the engineering sector TwoPlus Alliance Day, hosting workshops and talks for school pupils considering careers in engineering. The pupils had a fantastic experience and there was an enhanced opportunity for staff to liaise with counterparts in RGU.

STEM Club

Following the success of the STEM Club run over Easter at Altens Campus, some schools groups (S2) have also had the opportunity to engage in some of the STEM activities during May 2019. This has been popular and has provided an opportunity to introduce the pupils to the Campus and to STEM related careers.

Aberdeen City Primary School Science Competition

The Science Team hosted the final of the Aberdeen City Primary School Science Competition in May 2019. Pupils from participating schools presented their science posters to the judges on the day but they also had an opportunity to don their white coats to participate in some biology and chemistry practicals as well as trying out the Virtual Reality kit provided by the computing team and visiting the planetarium. A great time was had by all and plans are already afoot to repeat the event next year.

Grampian Chef of the Year Competition

The Professional Cookery team hosted the Grampian Chef of the Year Competition on 26 and 27 May 2019. All competitors must be employed in the hospitality sector within the North East (Grampian). The College team received thanks from the organisers, Hospitality Training, for their excellent hosting, who described the event as a "resounding success". Renz Mangalile, a level 2 professional cookery student who also works at the Saplinbrae, Mintlaw, won Junior Chef of the Year. Kyle Jackson - who is one of our former students - won Pastry Chef of the Year.

Taste of Grampian

The Professional Cookery Team were at Taste of Grampian, Thainstone on 01 June 2019. Two lecturers, two students and the curriculum manager carried out formal cookery demonstrations. Further small demonstrations/tastings for the public were also provided at the College's stand which provided an opportunity to promote the College and its offerings.

Mad Hatters Tea Party

Learning Opportunity students hosted a "Mad Hatters Tea Party" on 31 May 2019 for employers who have provided placements for them this year. Employers were treated to a delicious lunch in the Quick Bite Restaurant and were thanked for their valuable contribution to the learning experience for the students. An Awards Ceremony and Talent Show for Learning Opportunities students will be held in June 2019. These events will highlight the achievement and attainment of the students this year and provide them with a highly anticipated platform to perform respectively.

World Skills

The Computing Team participated in the World Skills Competition on 05 June 2019 at Edinburgh College. NESCol achieved the following:

- IT Support Technician – 1st place, Ewan Bain
- Network Systems Administrator – 2nd place, Andrew Cornfield.

Fujitsu Hub Opening Event

The official opening of the College's new Fujitsu Innovation Hub at the Fraserburgh Campus was held on the 22 May 2019. Members of the Regional Board and over 30 guests from a range of partner organisations attended the event and were treated to a series of presentations from key partners - Fujitsu, Intel NetApp and Rokus Networks - and a demonstration of the technology within the Hub from staff and students.

Learning Opportunities Award Ceremony

On 04 June 2019, the annual awards ceremony for Learning Opportunities and Supported Programmes students was held at Fraserburgh Campus. Students were joined by Members of the Regional Board, teaching staff and friends and families and following the ceremony were treated to a fantastic afternoon tea prepared by Skills for Work: Hospitality school pupils.

National Manufacturing Institute of Scotland TeachMeet

On 10 June 2019, a TeachMeet was delivered at the City Campus in partnership with City of Glasgow College and the National Manufacturing Institute of Scotland. A TeachMeet is an organised but informal meeting for teachers to share good practice, practical innovations and personal insights in teaching. A range of teaching staff from NESCol collaborated with partners from RGU, the University of Aberdeen, The University of Edinburgh and SDS to learn all about the NMIS Ambassador programme and the value of digital skills for workplace 4.0.

New and Additional Schools Activity

Since January 2019, as part of the Fraserburgh Campus Futures Team's ambitions to re-establish close working relationships between teaching teams and local schools, a significant amount of new schools provision has been delivered both in and out of the Campus.

Over 450 S2 pupils from Fraserburgh, Turriff, Mintlaw and Banff Academies attended the Campus for two day "Discover College" taster sessions. Pupils were able to choose from a wide range of subject areas and experience what it's like to be a college student. Initial feedback has been very positive and it is anticipated that this activity will be expanded upon for AY2019-20. Furthermore, the FENC Faculty team have been out and about in local primary schools delivering STEM workshops and experiences to over 600 pupils. These sessions were hugely popular with both staff and pupils and again, the intention is that this will become recurring activity.

7 External Engagements

Since the last report external engagements have taken place as follows:

- Aberdeenshire Headteachers Association relating to Campus 6
- Regional Learning and Skills Partnership
- Aberdeen City Council Multi-Agency Transformation Group
- ONE Oil and Gas Board
- Colleges Scotland Board and Stakeholder Engagement Event
- Learner Journey Implementation group
- College Principals' Group
- Employers' Association Residential
- National Articulation Forum
- Four Nations FE Forum (June 20/21 2019).

REGIONAL BOARD
Meeting of 19 June 2019

REPORT BY COMMITTEE CHAIRS

The purpose of this report is to provide the Regional Board with information relating to business conducted at the most recent meetings of its Committees.

At the meeting of 19 June 2019, Committee Chairs will be provided with an opportunity to bring matters considered at these meetings to the attention of Members. Members will also be provided with an opportunity to seek further information on business that has been transacted.

1	<p>The following meetings have been held since the last meeting of the Regional Board</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Committee</th> <th style="text-align: left;">Meeting Date</th> </tr> </thead> <tbody> <tr> <td>Audit & Risk</td> <td>17 April 2019</td> </tr> <tr> <td>Human Resources</td> <td>17 April 2019</td> </tr> <tr> <td>Curriculum & Quality</td> <td>15 May 2019</td> </tr> <tr> <td>Finance & Resources</td> <td>15 May 2019</td> </tr> </tbody> </table> <p>Copies of the draft minutes from the above meetings have been made available in the Regional Board's Collaborative Space on COLIN.</p>	Committee	Meeting Date	Audit & Risk	17 April 2019	Human Resources	17 April 2019	Curriculum & Quality	15 May 2019	Finance & Resources	15 May 2019
Committee	Meeting Date										
Audit & Risk	17 April 2019										
Human Resources	17 April 2019										
Curriculum & Quality	15 May 2019										
Finance & Resources	15 May 2019										

2	<p>Audit & Risk Committee – 17 April 2019 Summary of key business</p> <ul style="list-style-type: none"> • Reports on five Internal Audit Reviews (IT Systems, Purchasing & Procurement, ASET, Corporate Governance, Follow-up of Previous Recommendations) • Revision of Accounting Policies • Strategic Risk Register • Annual Procurement Report • National Fraud Initiative • Internal Audit Contract Award. <p>Agreed actions</p> <ul style="list-style-type: none"> • Length of time the College will be required to recognise the negative goodwill arising from the merger of Aberdeen College and Banff & Buchan College to be clarified. • Future updates of Strategic Risk Register to be considered by the Committee to include information on progress against mitigating actions. • Strategic Risk Register to be discussed further at meeting of Committee scheduled for July. • Outcomes of two NFI investigations to be shared with Committee when known.
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<p>3</p>	<p>Human Resources Committee – 17 April 2019</p> <p>Summary of key business</p> <ul style="list-style-type: none"> • Gender Pay Gap Report • Staff Equality Profile 2018 • HR & OD Enhancement Plan AY2018-19 – Progress Update • HR & OD Management Information Report • National Collective Bargaining Update • Organisational Development Update <p>Agreed actions</p> <ul style="list-style-type: none"> • Committee to be provided with feedback from focus groups planned as part of the HR & OD Equalities Action Plan. • Updates to be provided at next meeting of Committee: <ul style="list-style-type: none"> ○ College's Organisational Development function and the Students' Association working together more closely ○ actions implemented to address increased turnover of new lecturers ○ review of Organisational Development structure ○ new Staff Induction Programme ○ work of the College's Mental Health Working Group to be provided.
<p>4</p>	<p>Curriculum & Quality Committee – 15 May 2019</p> <p>The Committee received a presentation from the Director of Business Development providing an overview of the work of the Business & Community Development Team, and information on the implementation of the College's Business Development Strategy.</p> <p>Summary of key business</p> <ul style="list-style-type: none"> • Students' Association Budget Proposal AY2019-20 • Quality Annual Report AY2018-19 • Sparqs Student Engagement Workshop • Student Applications AY2019-20 • College Level Review Enhancement Plan AY2018-19 – Progress Update • Student Satisfaction & Engagement Survey Results AY2017-18 <p>In addition to the above Agenda Items, a discussion was held on Future Meetings, including frequency, scheduling, and possible presentation topics and agenda items.</p> <p>Agreed actions</p> <ul style="list-style-type: none"> • Students' Association budget proposal to be recommended to Regional Board as part of its consideration of the College's Budget for 2019-20 at June Board Meeting • New Student Engagement Framework to be shared with Committee in due course.
<p>5</p>	<p>Finance & Resources Committee – 15 May 2019</p> <p>Summary of key business</p> <ul style="list-style-type: none"> • Course Fee Policy • Commercial Letting Charges • Draft Revenue Budget 2019-20 • Write-off Bad Debt

	<ul style="list-style-type: none"> • Performance monitoring- <p>Agreed actions</p> <ul style="list-style-type: none"> • Revised Course Fee Policy to be finalised • Report on the implementation of the new approach to commercial lets to be prepared for the Committee in due course • Draft College Budget for 2019-20 to be recommended to the Regional Board at June Board Meeting • Future 'Write-off of bad debt' papers to include background information on the debt and any lessons learned by the College.
<p>6</p>	<p>The Committees next meetings will be the first to be held in AY2019-20. The dates of the meetings are expected to be agreed when the Board considers the Programme of Meetings for AY2019-20 under Agenda Item 50-19.</p>



REGIONAL BOARD	
Meeting of 19 June 2019	
Title: Estates Strategy	
Author: Peter D Smith, Vice Principal – Finance & Resources	Contributor(s):
Type of Agenda Item:	
For Decision	<input checked="" type="checkbox"/>
For Discussion	<input type="checkbox"/>
For Information	<input type="checkbox"/>
Reserved Item of Business	<input type="checkbox"/>
Purpose: To enable the Regional Board to approve the College's Estates Strategy 2019-2029.	
Linked to Strategic Goal:	
5. Optimise the use of our available resources to deliver financial and environmental sustainability.	
Linked to Annual Priority:	
19. Develop a new Estates Strategy.	
Executive Summary:	
<p>Following the Scottish Funding Council's rejection of the College's previous Estates Vision, the Strategy, attached as Appendix 1, has been developed with the overriding principle that we invest in the property that we already have, ensuring it remains fit for purpose, is flexible enough to support curriculum developments and provides an excellent student experience.</p> <p>Note that we have yet to receive the insurance valuation for the College estate, net book values as at July 2019 will be added once the final accounts have been prepared, and the budgeted expenditure will also be added once approved.</p> <p>In implementing the Strategy, the College will create short and medium-term plans to support the aims and objectives. A summary of the accommodation changes planned for 2019-20 is attached as Appendix 2.</p>	
Recommendation:	
It is recommended that the Board approve the Estates Strategy, with amendments as necessary.	

Previous Committee Recommendation/Approval (if applicable):

None

Equality Impact Assessment:

Positive Impact

Negative Impact

No Impact

Evidence: See EIA

Executive Summary

This Strategy sets out the College's estates priorities over the ten-year period 2019 to 2029. It is based on an assessment of the current estate and considers planned curriculum developments, national and regional priorities, and feedback from students, staff, employers and other stakeholders. The Estates Strategy applies equally to the College's wholly-owned subsidiary company, Aberdeen Skills and Enterprise Training Limited (ASET).

In 2018, the College submitted to the Scottish Funding Council (SFC) a business case to support its Estates Masterplan. This Masterplan would have seen significant investment in the College's estate, with extensive new build and refurbishment; however, the business case failed to gain the support of SFC. This new Estates Strategy, therefore, has been developed recognising that the College must plan within the current resource envelope, while maintaining a first-class experience for all students, businesses, staff and other stakeholders.

A number of priorities are identified, the most pressing being to address backlog maintenance at the Aberdeen City Campus, while continuing to improve facilities across all campuses. The College is determined to remain a truly Regional college, maintaining its presence across Aberdeen City and Aberdeenshire. Aside from the annual estates maintenance funding available from SFC, the College will seek to support its investment programme through resource generated from the sale of surplus sites.

Linked to these priorities and supporting all of them, the College will continue to drive improvements in its environmental performance through its Carbon Management Plan. It will also ensure flexibility in its estate, recognising that learning and teaching is rapidly changing, with the likelihood that less physical classroom space will be needed in future.

A successful conclusion to these priorities will see the College benefit from a sustainable estate which meets the needs of all stakeholders into the future.

[SIGNED / DATE]

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6.0	Key Deliverables.....	Error! Bookmark not defined.
7.0	Performance	Error! Bookmark not defined.
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1. VISION

1.1 The College estate will provide high quality sustainable learning environments for all users, supporting innovation and flexibility in the curriculum through robust planning and utilisation.

2. INTRODUCTION AND CONTEXT

2.1 In its Strategic Plan 2018 – 2021, North East Scotland College (NESCol) has identified five Strategic Themes with accompanying Strategic Goals. These are: -

Strategic Theme: Being Responsive

Strategic Goal One: Deliver high quality, accessible and inclusive learning and training opportunities, which transform lives and which support the economic and social development of our region.

Strategic Theme: Developing People

Strategic Goal Two: Develop the skills, talents and potential of all of the people who come to college either to learn or to work.

Strategic Theme: Working in Partnership

Strategic Goal Three: Work with our partners to deliver positive and sustainable change for the individuals, communities and businesses in our region.

Strategic Theme: Delivering Quality

Strategic Goal Four: Deliver an excellent learning environment and experience leading to successful outcomes for all learners.

Strategic Theme: Building Sustainability

Strategic Goal Five: Optimise the use of our available resources to deliver financial and environmental sustainability.

2.2 A number of Strategic Objectives have been identified in relation to each Strategic Goal which detail how they will be achieved. A robust Estates Strategy is essential in underpinning all of the College's Strategic Themes, but has particular emphasis on Delivering Quality and Building Sustainability.

2.3 The College operates from seven main sites: -

Aberdeen City Campus
Aberdeen Altens Campus
Fraserburgh Campus
Clinterty Campus
Scottish Maritime Academy, Peterhead
Ellon Learning Centre
Inverurie Learning Centre

- 2.4 The College also delivers learning at other locations where this is in the best interests of learners, businesses and other customers.
- 2.5 The College retains two surplus properties, the former Balgownie Centre site, and the Gordon Centre, both in Aberdeen City.
- 2.6 A summary Register of Land is shown at **Appendix A**.
- 2.7 North East Scotland College was formed in November 2013, through the merger of Aberdeen College and Banff and Buchan College. The College retained the estates of both former institutions and is the designated Regional College serving the geographic area covering the City of Aberdeen and Aberdeenshire.
- 2.8 The College has benefited from a number of developments in recent years. Its Fraserburgh Campus (the former Banff and Buchan College) underwent major refurbishment and extension between 2010 and 2012, with a further extension completed in 2015-16. M Block at the Aberdeen Altens Campus was a new build in 2010 and the Tower Block and East Block at Aberdeen City Campus benefited from overcladding in 2014.
- 2.9 The College's estate has been generally well maintained; however, the constrained level of government funding made available to the College has resulted in the level of backlog maintenance increasing, valued at £50M in 2016. The majority of this reflects the backlog at Aberdeen City Campus, and the older blocks at Aberdeen Altens Campus.
- 2.10 The net book value of the estate at 31 July 2019 is [XXX] and the value for insurance purposes is [XXX]
- 2.11 In terms of scale, the College has an annual turnover of £50M, and serves around 6,500 full-time and 8,500 part-time students each year. It directly employs approximately 600 staff staff.
- 2.12 To support the Strategic Plan and the principle of institutional sustainability, this document sets out Aims and Objectives applicable to the College estates in the period 2019-2029.
- 2.12 The Strategy has been developed following consultation with staff and student groups. It is set against an expectation of limited and uncertain government funding. It considers known curriculum developments, but also takes the principle that estates and accommodation must be flexible enough to respond to further changes as they become known.
- 2.13 The desired Key Deliverables resulting from the implementation of the Strategy are identified in Section 6.

3. STRATEGY AIMS AND OBJECTIVES

- 3.1 The College has identified five Aims that will be crucial in ensuring that its strategic ambitions relating to Estates are achieved: -

Aim one: **Sustainable Estates Developments**

Aim two: **Efficient Resource Deployment**

Aim three: **Maximising Value**

Aim four: **Flexibility**

Aim five: **Minimising Environmental Impact**

- 3.1.1 In delivering **Sustainable Estates Developments**, the College will employ robust planning, monitoring and risk management techniques to ensure the sustainability of its estates. A programme of planned and preventative maintenance will ensure that the estate remains fully fit for purpose throughout its useful lifespan.
- 3.1.2 To ensure **Efficient Resource Deployment**, The College will ensure its resources are deployed economically, effectively and efficiently to meet the needs of curriculum and support services. Space utilisation surveys will be used to ensure existing estates are used as efficiently as possible. The College will also balance the needs of physical resources against the increasing use of technology in delivering the curriculum and business support services. Where surplus assets are identified, the College will seek to dispose of these, maximising value.
- 3.1.3 In **Maximising Value**, the College will seek to maximise value derived from its estates, through alternative uses and commercial income, and through the disposal of surplus assets.
- 3.1.4 To ensure **Flexibility**, the College will seek to utilise innovative, flexible solutions to estates requirements, including partnership working and managing its assets in such a manner so as to allow changes to use wherever possible.
- 3.1.5 In **Minimising Environmental Impact**, the College will develop a new Carbon Management Plan 2020-2025, setting challenging targets which build on the achievements of the previous Carbon Management Plan 2015-2020. The College will assess the environmental impact of all major developments and will prioritise measures which have a positive impact.

4. OVERVIEW OF EXISTING ESTATE

- 4.1 As noted previously, North East Scotland College was formed in November 2013, through the merger of Aberdeen College and Banff and Buchan College. This means that it not only has the characteristics of a large, city-centre college, but also serves the large semi-rural area of Aberdeenshire.
- 4.2 Aberdeen City Campus provides significantly the largest part of the College's curriculum, although engineering and construction programmes in the City are provided at Aberdeen Altens Campus, approximately 4 miles from Aberdeen City Campus. The City Campus also serves as the management and administrative centre

for the College. ASET, the College's trading subsidiary, is based at Altens and also occupies part of City Campus. Annually, around 4,700 full-time and 4,000 part-time students attend Aberdeen City, with around 700 full-time and 2,500 part-time student attending Aberdeen Altens Campus. 350 staff members are based at City Campus, with 60 at Altens.

- 4.3 Recognising the difficulties of travel across Aberdeenshire, the Fraserburgh Campus provides a broad curriculum offer, together with administrative and student support services, operating effectively as a community campus. Around 1,200 full-time and 2,300 part-time students attend Fraserburgh Campus each year. 150 staff members are based at Fraserburgh.
- 4.4 Clinterty Campus, 9 miles from Aberdeen City Campus, is a former agricultural college facility and principally provides for the delivery of ASET's programmes, but is also home to the College's horticultural provision. The Scaffolding Training Centre was added in 2015.
- 4.5 At Peterhead, the College trades under the name Scottish Maritime Academy. The centre itself is sited on Peterhead harbour. This relatively small facility provides a range of essential courses to the maritime industries, its location making it uniquely accessible to students and commercial clients.
- 4.6 The learning centres at Ellon and Inverurie are co-located on school sites owned by Aberdeenshire Council. They provide access to the College on, principally, part-time programmes to individuals who may not otherwise be able to engage with learning.
- 4.7 In terms of surplus property, the College retains two sites in Aberdeen. The site of the former Balgownie Centre is a cleared site, whereas the Gordon Centre is "mothballed". The latter was the former location for some of the College's sports and performing arts programmes and was retained should there be a need to decant services in the event of a major build project.
- 4.8 The College has benefited from a number of developments in recent years. In addition to the Scaffolding Centre noted above, the Fraserburgh Campus (when still the former Banff and Buchan College) underwent major refurbishment and extension between 2010 and 2012, and a further extension was completed in 2015-16. M Block at the Aberdeen Altens Campus was a new build in 2010 and the Tower Block and East Block at Aberdeen City Campus benefited from overcladding in 2014.

5. APPRAISAL OF EXISTING ESTATE

5.1 Aberdeen City Campus

5.1.1 General Description

Aberdeen City Campus is situated in central Aberdeen and occupies a total of approximately 1.73 hectares. Of this, 1.71 hectares is located on Gallowgate, and consists of three main blocks, with limited surrounding car parking. The adjacent Loch Street car park makes up the remaining 0.02 hectares.

The main block at Aberdeen City Campus is the Tower Block, dating from 1964, with a gross internal area (GIA) of 16,355 m². The Tower block comprises basement, lower ground floor, ground floor and 8 upper levels. It contains general classrooms, science and information technology (IT) laboratories, gymnasium, hair and beauty salons, performing arts and media practice and performance space, office accommodation, and student social, refectory and welfare space.

The East Block, also dating from 1964, has a GIA of 4,335 m². Over 3 levels, it contains general teaching classrooms, teaching kitchen and restaurant, office accommodation, and student social, refectory and welfare space.

The South Block, dating from 1975, has a GIA of 9,409 m² over 4 levels. Much of this block has been unused in recent years, particularly the upper levels. Of the areas in use, the block includes general and specialist teaching space, office accommodation and student and staff refectory space.

5.1.2 Tenure

Aberdeen City Campus is freehold.

5.1.3 Age and Condition

As noted in 5.1.1, the Campus buildings were constructed between 1964 and 1975, with significant, mostly internal, modifications over the years. Internal space is generally in good condition and fit-for-purpose. The College has started a programme of internal refurbishment, including mechanical and electrical plant, beginning with the fifth and sixth floors of the Tower Block, with works completed in 2018.

5.1.4 Valuation

The Campus was valued in 2019 for insurance purposes at XXX

5.1.5 Legislative Compliance

The Campus was initially constructed so as to comply with all legislative requirements at the time. All subsequent refurbishment and construction was carried out to ensure continued compliance, including all current requirements with regard to health and safety and equalities. Following the tragedy of the Grenfell Tower fire, the College subjected the external cladding to external review which confirmed that the cladding was fully compliant with legislation and not of a type to enable such a disaster to occur at Aberdeen City Campus.

5.1.6 Accommodation Schedule

A full accommodation schedule is retained for the Campus, including room descriptions, room type, teaching area, non-teaching area, theoretical capacity, actual capacity. This is used to assist in planning for any curriculum or other changes and for measuring space utilisation.

5.1.7 Use and Fitness for Purpose

Aberdeen City Campus is home to the College's broad provision in the City and contains general classrooms, science and information technology (IT) laboratories, teaching kitchen and restaurant, gymnasium and fitness room, hair and beauty salons, performing arts and media practice and performance space, office accommodation, library, student advice centre, specialist ASET training facilities, and student social, refectory and welfare space.

The accommodation is generally well-maintained and fit-for-purpose; however, feedback from students and staff has indicated that the learning experience could be improved by greater coherence and harmonisation in the layout and location of faculties and curricular delivery. With a proportion of the South Block currently unused, this gives the opportunity for plans to be developed over the medium-term to deliver coherent learning hubs, improving accessibility and synergy, and encouraging a sense of belonging.

With the creation of learning hubs bringing the South Block back into full use, the College will also prioritise the extension of overcladding and window replacements to the South Block; however this will be dependent on receipt of sales proceeds from surplus properties.

5.2 Aberdeen Altens Campus

5.2.1 General Description

Aberdeen Altens Campus is situated in the Altens Industrial Estate, approximately four miles from the City Campus, and covers an area of around 1.65 hectares. The Campus is the main centre for delivery of the College's engineering programmes in Aberdeen, and also the ASET Oil and Gas Training Academy. The Campus is made up of a number of blocks, mostly of traditional industrial design. There is adequate external space, including staff and student parking.

A Block, dating from the early 1970's, has a GIA of 924 m² and contains office and canteen facilities.

B/C Block, also dating from the early 1970's, has a GIA of 2,456 m² and contains engineering workshops and teaching and office accommodation.

D/E Block, also dating from the early 1970's, has a GIA of 2,697 m² and contains engineering workshops and teaching and office accommodation.

F Block, built in 1999, has a GIA of 2,972 m² over 3 levels, and houses teaching, office and refectory space.

M Block was a new build in 2010. With a GIA of 7,300 m² over 5 levels, it provides accommodation for engineering and construction workshops, general teaching space, offices and student social, refectory and welfare.

5.2.2 Tenure

Aberdeen Altens Campus is freehold.

5.2.3 Age and Condition

As noted in 5.2.1, the Campus buildings were constructed between 1970 and 2010, with significant, mostly internal, modifications over the years. Internal space is generally in good condition; however, externally, many of the buildings are in need of refurbishment.

5.2.4 Valuation

The Campus was valued in 2019 for insurance purposes at XXX

5.2.5 Legislative Compliance

The Campus was initially constructed so as to comply with all legislative requirements at the time. All subsequent refurbishment and construction was carried out to ensure continued compliance, including all current requirements with regard to health and safety and equalities.

5.2.6 Accommodation Schedule

A full accommodation schedule is retained for the Campus, including room descriptions, room type, teaching area, non-teaching area, theoretical capacity, actual capacity. This is used to assist in planning for any curriculum or other changes and for measuring space utilisation.

5.2.7 Use and Fitness for Purpose

The Campus is well used, delivering engineering and construction programmes for students studying in Aberdeen. It is also the head office of ASET and home to specialist Oil and Gas industry training. The workshop facilities are largely fit for purpose, although a degree of refurbishment and reconfiguration is required in some areas.

Student support and welfare is somewhat limited by physical constraints and the predominantly part-time mode of attendance for many students, especially when compared to Aberdeen City Campus, although the relatively close proximity to that Campus means that it does not necessarily need to be fully replicated. Office and classroom provision is generally good.

Externally, a number of Campus buildings need an element of refurbishment. Students and staff have both expressed a wish to be able to view the Campus as more of a destination with its own identity.

5.3 Fraserburgh Campus

5.3.1 General Description

Fraserburgh itself is approximately 41 miles from Aberdeen City Campus, and the Campus covers an area of 9.83 hectares, including car parking and sports pitches. The building itself was originally built in 1974, with subsequent modifications, including an extensive refurbishment and extension between 2010 and 2012. This £23.5M investment was funded by means of SFC Capital grant. A subsequent £8.5M extension and refurbishment for engineering, construction and science provision was completed in 2015-16 and funded by grant from North East Scotland Further Education Foundation.

The majority of the building is single-storey, with some areas having 2 levels. GIA is 17,272 m² and provides accommodation for general teaching, IT laboratories, hair and beauty salons, construction and engineering workshops, teaching kitchen and restaurant, offices, and student social, refectory and welfare space. There is also an on-site nursery.

5.3.2 Tenure

Fraserburgh Campus is freehold.

5.3.3 Age and Condition

Construction between 1974 and 2016, with effectively all of the Campus considered as “new-build” from 2012 onwards. The Campus has benefitted from ongoing maintenance and remains “as-new”

5.3.4 Valuation

The Campus was valued in 2019 for insurance purposes at **XXX**

5.3.5 Legislative Compliance

The Campus was initially constructed so as to comply with all legislative requirements at the time. All subsequent refurbishment and construction was carried out to ensure continued compliance, including all current requirements with regard to health and safety and equalities. Following the tragedy surrounding failures in the construction of some Edinburgh schools and the resulting “Cole Report”, the College undertook an independent survey which confirmed that construction at Fraserburgh was fully compliant with legislation and was not of the type which failed in Edinburgh.

5.3.6 Accommodation Schedule

A full accommodation schedule is retained for the Campus, including room descriptions, room type, teaching area, non-teaching area, theoretical capacity, actual capacity. This is used to assist in planning for any curriculum or other changes and for measuring space utilisation.

5.3.7 Use and Fitness for Purpose

The Fraserburgh Campus provides for a wide curriculum, with accommodation including workshops, general classrooms, IT laboratories, blended learning

rooms, hair and beauty salons, teaching kitchen and restaurant, refectory, offices and student welfare and support. There is a sports hall and playing fields. There is also a large car park. The accommodation is fit for purpose, although minor modifications could be considered, particularly to ensure students can access all support services available to them.

5.4 Clinterty Campus

5.4.1 General Description

Clinterty Campus is a former agricultural college campus, situated approximately 9 miles from Aberdeen City Campus. The majority of the Campus services ASET's commercial business, although horticulture programmes have relocated there in summer 2019. The site covers a total area of 3.9 hectares.

The Main Block has a GIA of 1,520 m² and comprises administration and teaching facilities. The Engineering Block contains workshops with a GIA of 847 m². The Scaffolding Centre, newly-built in 2015 has a GIA of 475 m². There is also a small office building, two vacant residential properties and a "mothballed" residential block with a GIA of 1,650 m².

5.4.2 Tenure

Clinterty Campus is freehold.

5.4.3 Age and Condition

Mostly constructed around 1973, with the Scaffolding Centre added in 2015, condition is generally good, but would benefit from decoration and refurbishment.

5.4.4 Valuation

The Campus was valued in 2019 for insurance purposes at XXX

5.4.5 Legislative Compliance

The Campus was initially constructed so as to comply with all legislative requirements at the time. All subsequent refurbishment and construction was carried out to ensure continued compliance, including all current requirements with regard to health and safety and equalities.

5.4.6 Accommodation Schedule

A full accommodation schedule is retained for the Campus, including room descriptions, room type, teaching area, non-teaching area, theoretical capacity, actual capacity. This is used to assist in planning for any curriculum or other changes and for measuring space utilisation.

5.4.7 Use and Fitness for Purpose

The Campus is mainly used for ASET's commercial programmes, with many students coming from outwith the region and United Kingdom. The Campus is generally fit-for-purpose.

5.5 Scottish Maritime Academy, Peterhead

5.5.1 General Description

The Scottish Maritime Academy occupies a single storey building, situated on Peterhead Harbour, approximately 29 miles from Aberdeen City Campus. The site covers a total of 0.33 hectares and the GIA is 794 m². There is a small amount of office space, together with classrooms, practical workshops and specialised simulation equipment. There is also a café area, open to the public.

5.5.2 Tenure

The Scottish Maritime Academy, Peterhead is freehold.

5.5.3 Age and Condition

Built in 1992, the Academy has been generally well-maintained and condition is good.

5.2.4 Valuation

The Campus was valued in 2019 for insurance purposes at **XXX**

5.2.5 Legislative Compliance

The Campus was initially constructed so as to comply with all legislative requirements at the time. All subsequent refurbishment and construction was carried out to ensure continued compliance, including all current requirements with regard to health and safety and equalities.

5.2.6 Accommodation Schedule

A full accommodation schedule is retained for the Campus, including room descriptions, room type, teaching area, non-teaching area, theoretical capacity, actual capacity. This is used to assist in planning for any curriculum or other changes and for measuring space utilisation.

5.2.7 Use and Fitness for Purpose

The Maritime Academy delivers specialist training to the maritime industries, often with very small groups of students. It is widely recognised as being a leader in this field. It is fit-for-purpose, but with a requirement for general ongoing maintenance.

5.6 Ellon Learning Centre

5.6.1 General Description

Ellon is approximately 16 miles from Aberdeen City Campus and the Ellon Learning Centre is a purpose-built facility, co-located on the Community Campus with Ellon Academy. It is a single storey new construction with a GIA of 570 m², completed in 2015

5.6.2 Tenure

The Ellon Learning Centre is leasehold, with an expiry date of August 2075. Break clauses are every five years, beginning August 2020.

5.6.3 Age and Condition

Completed in 2015, the building has been well-maintained and is "as-new".

5.6.4 Legislative Compliance

Being built as fully-accessible, the building is fully health and safety and equalities compliant.

5.6.5 Use and Fitness for Purpose

Being used mainly for community-based learning, the Centre comprises a small office, plus general and IT-based teaching spaces and workshops. It is generally agreed to be fit for purpose.

5.7 Inverurie Learning Centre

5.7.1 General Description

Inverurie is approximately 16 miles from Aberdeen City Campus and the Inverurie Learning Centre occupies a small, traditionally-constructed cottage, co-located on the Inverurie Academy site. It is a single storey with a GIA of 250 m².

5.7.2 Tenure

The Inverurie Learning Centre is leasehold, with the lease having been renewed since the original expiry date of 31 July 2014.

5.7.3 Age and Condition

The centre occupies a building dating from 1910 which is maintained by Aberdeenshire Council. It is in fair condition.

5.7.4 Legislative Compliance

Being single storey, the centre is accessible, and meets all necessary legislative requirements

5.7.5 Use and Fitness for Purpose

Being used mainly for community-based learning, the Centre comprises a small office, plus general and IT-based teaching spaces. It is generally agreed to be fit for purpose, although would benefit from refurbishment. The College is conscious that Aberdeenshire Council is undertaking a project to replace Inverurie Academy; however, the College has not been included in this in the same way as it was in Ellon. The College will, therefore, continue dialogue with Aberdeenshire Council to ascertain the most appropriate way to accommodate provision in Inverurie.

5.8 Gordon Centre, Aberdeen

5.8.1 General Description

The Gordon Centre is situated in Bridge of Don in Aberdeen. It comprises teaching spaces and a sports facility and is currently “mothballed”. A Block and the Guardhouse Building were formerly part of the Gordon Barracks, constructed between 1964 and 1978. GIA is 1,999 m². There is also a sports facility, which was new-build in 2005. GIA of the sports facility is 2,895 m².

5.8.2 Tenure

The Gordon Centre is freehold.

5.8.3 Age and Condition

Combination of build dates from 1964 to 2005. A Block and the Guardhouse retained as “mothballed” and wind-and-water tight. Sports Facility is in good repair and was recently let out to a commercial tenant.

5.8.4 Legislative Compliance

The Centre meets all necessary legislative requirements.

5.8.5 Use and Fitness for Purpose

The site has not been used by the College for some years, rather the Sports Facility has been let out commercially. Given the low space utilisation in the rest of the College estate, it is unlikely to be required.

5.9 Site of Former Balgownie Centre, Aberdeen

5.9.1 The site was cleared in 2011. The site is held for resale and planning permission was obtained to develop the site for residential use. It covers an area of 2.16 hectares.

6. KEY DELIVERABLES

6.1 To Meet the Aim of SUSTAINABLE ESTATES DEVELOPMENTS, the College will: -

- Continue to address backlog maintenance for all campuses in line with the priorities set out in the Condition Survey and supported by SFC funding.
- Create short- and medium-term accommodation plans for Aberdeen City Campus, designed to deliver curriculum coherence and harmonisation, in line with longer term curriculum planning.
- Develop a programme of refurbishment and environmental improvements at Aberdeen Altens Campus.
- Fully bring the South Block at Aberdeen City Campus back into use, creating a hub for enterprise and business engagement.

6.2 To Meet the Aim of EFFICIENT RESOURCE DEPLOYMENT, the College will: -

- Prioritise SFC funding, together with commercial income and sales from surplus sites, to areas of greatest need and impact.
- Use Space Utilisation statistics to inform accommodation planning.

6.3 To Meet the Aim of MAXIMISING VALUE, the College will: -

- Market its surplus sites at Balgownie and the Gordon Centre on a phased basis, taking into account prevailing market conditions, to ensure the best return.
- Seek to derive a cash return from property held for resale, by letting to commercial tenants.
- Set annual stretch targets for commercial income from hire of College facilities.

6.4 To Meet the Aim of FLEXIBILITY, the College Will: -

- Annually review accommodation requirements, including alternative approaches to curriculum and service delivery.
- Ensure a Regional Presence, utilising learning centres and other facilities to meet the needs of stakeholders as appropriate.

6.5 To Meet the Aim of MINIMISING ENVIRONMENTAL IMPACT, the College will: -

- Develop and deliver a new Carbon Management Plan covering the period 2020 to 2025.
- Deliver all estates projects in such a way so as to consider environmental impact.

7. PERFORMANCE

7.1 Financial Performance

7.1.1 The budgeted running costs for 2019-20 are: -

Staff Costs	£
Premises Costs	£
Transport Costs	£
Supplies and Services Costs	£
Lifecycle Costs	£
Total Expenditure	£
Income	(£)
Net Expenditure	£

Detailed budgets will be set annually, with longer-term 5-year financial plans also set. These plans will be developed to make best use of the funding available annually from SFC. The College will also seek to make available additional resources, generated from commercial provision, to fund estates developments.

7.1.2 As with all College services, the Estates function will be required to operate within agreed budgets. Additionally, annual stretch targets will be set for achievement of income from commercial lets, and targets for cash savings as well as carbon reduction will be included within the Carbon Management Plan.

7.2 Environmental Performance

7.2.1 The principal means of measurement of environmental performance will be by means of the Carbon Management Plan (CMP). A new CMP will be written, covering the period 2020-25. The last CMP utilised 2010-11 as a baseline, and the College has achieved a 16% (656 tonnes) reduction in CO₂ emissions in the period to July 2018, against a target of 15% to be achieved by July 2020, this despite the addition of the former Banff and Buchan premises to the property portfolio in 2013.

7.2.2 The College will also set annual targets for overall energy consumption and waste disposal, both for recycled waste and landfill.

7.2.3 The College currently holds ISO 14001 Environmental Management and ISO 50001 Energy Management accreditation, ensuring it employs internationally-recognised best practice in these areas. To support performance in this area, it will continue to utilise the benefits gained from holding the accreditation.

7.3 Efficiency

7.3.1 Space Utilisation

Historically, the College has not used space utilisation as a means of measuring estates performance and the most recent space utilisation survey was carried out in 2017, showing: -

Campus	Frequency	Occupancy	Utilisation
Aberdeen City	44.54%	24.13%	17.21%
Aberdeen Altens	46.35%	24.84%	16.59%
Fraserburgh	45.50%	21.02%	11.84%
Clinterty	21.55%	12.64%	6.27%
SMA Peterhead	43.64%	19.50%	10.97%
Total College	40.32%	20.43%	12.58%

The College recognises that these are low levels of utilisation but considers that the overall student experience should take precedence over maximising room utilisation. The College does not lack space overall when considering the total number of teaching spaces; however, it recognises that there will be instances where activities would be better timetabled in a different location or in a different type of room. With this in mind, the College will monitor room utilisation, both in terms of occupancy and frequency, to measure norms and to ensure that activities are timetabled into the most appropriate spaces.

7.3.2 Response Times

The College will also measure efficiency by means of Help Desk Key Performance Indicators for the Facilities Management Service.

8. SUSTAINABILITY AND TRANSPORT PLANNING

8.1 As already noted, the College will use its Carbon Management Plan to measure environmental performance. It will utilise its Environmental and Social Sustainability Strategy and the Sustainability Committee to promulgate good practice more widely across the College. It will continue to undertake mandatory carbon reporting as required as part of the Scottish public sector.

8.2 The College will also publish a Transport Plan, applicable to all staff and students of the College, with the intention to be as economic and efficient as possible, reduce environmental impact and improve the student experience.

9. RESPONSIBILITIES

9.1 The Regional Board is responsible for approving the Strategy.

9.2 The Vice Principal – Finance and Resources will monitor the Strategy's implementation and review the Strategy to ensure it continues to meet the College's needs.

9.3 The Head of Estates and Facilities, together with the Facilities Client Services Manager will liaise with members of the Leadership Team to ensure that implementation of the Strategy considers the needs of all faculties and support departments.

9.4 The Estates and Facilities Team will support the implementation of the Strategy.

10. MONITORING AND REVIEW

10.1 The Finance and Resources Committee will review progress in relation to the implementation of the Strategy by considering performance reports in accordance with its meeting cycle.

10.2 Progress will be monitored through regular updates to the Senior Executive Team.

10.3 Updates will be shared with the Leadership Team to ensure collaborative working and consultation in support of the Strategy as appropriate.

10.4 The Vice Principal – Finance and Resources will evaluate the Strategy's implementation to identify required actions in response to any emerging issues or priorities.

11. RELATED DOCUMENTS

Strategic Plan 2018-2021
Regional Outcome Agreement with the Scottish Funding Council
College Supporting Strategies
Carbon Management Plan

Status: Draft

Approved by:

Date of Version:

Date of EIA:

Responsible for Strategy: *Vice Principal – Finance and Resources*

Responsible for Implementation of Strategy:

Date of Review:

Equality Impact Assessment (EIA) Form

Part 1. Background Information. (Please enter relevant information as specified.)

Title of Policy or Procedure. Details of Relevant Practice:	Estates Strategy
Person(s) Responsible.	Vice Principal – Finance and Resources
Date of Assessment:	12 June 2019
What are the aims of the policy, procedure or practice being considered?	Highlighted in Strategy.
Who will this policy, procedure or practice impact upon?	This strategy will impact upon all staff, students and other stakeholders of the College.

Part 2. Public Sector Equality Duty comparison (Consider the proposed action against each element of the PSED and describe potential impact, which may be positive, neutral or negative. Provide details of evidence.)

Need	Impact	Evidence
<ul style="list-style-type: none"> Eliminating unlawful discrimination, harassment and victimisation. 	Positive. Buildings and services will be more accessible to all users.	Project plans will consider equalities duties.
<ul style="list-style-type: none"> Advancing Equality of Opportunity 	Positive. Buildings and services will be more accessible to all users.	Project plans will consider equalities duties.
<ul style="list-style-type: none"> Promoting Good relations. 	Positive. Consultation with staff and students will give ownership of projects	Project scope and initiation.

Part 3. Action & Outcome (Following initial assessment, describe any action that will be taken to address impact detected)

Additional actions will be identified as projects within the Strategy are initiated and progressed.

Sign-off, authorisation and publishing *	
Name:	Peter D Smith
Position:	Vice Principal - Finance and Resources
Date:	12/06/19

**Please note that an electronic sign-off is sufficient*

Register of Land

June 2019

1	Aberdeen City Campus Gallowgate Aberdeen AB25 1BN	<p>North East Scotland College's main centre, comprising of 3 main blocks:</p> <p>Tower Block (GIA - 16,354.68 m²) the accommodation comprises of basement, lower ground, ground and 8 upper levels. Dates from circa 1964, built from reinforced concrete frame, cladding panels and granite walling.</p> <p>East Block (GIA - 4,335.35 m²) the accommodation comprises of 3 main levels. Dates and construction as per the Tower Block.</p> <p>A project was completed in 2014 to overclad the Tower and East Blocks at the Campus.</p> <p>South Block (GIA - 9,409.21 m²) the accommodation comprises of 4 main levels. Dates from circa 1975, built from reinforced concrete frame, concrete cladding panels, brick walling and glazed infill. All blocks are under flat felt roofing.</p> <p>The site area is 1.71 Hectares or thereby.</p>
2	Loch Street Car Park Loch Street Aberdeen	<p>Land presently used as a car, bicycle and motorbike park, serving the Aberdeen City Campus. The site is fenced off from Loch Street and John Street by concrete posts and tubular steel fencing with an access gate. The surface is bitmac.</p> <p>Site area of 0.02 Hectares or thereby.</p>

Register of Land

June 2019

<p>Altens Campus Hareness Road Altens Ind. Estate Aberdeen AB123LA</p>	<p>The site comprises of 5 buildings.</p> <p>Block A (GIA - 924.34 m²) the accommodation comprises of office and training facilities. Dates from the early 1970's, built from traditional harled block and brick construction under flat felt roofing.</p> <p>Block B/C (GIA - 2,456.12 m²) the accommodation comprises of engineering workshop space and teaching/office accommodation. Dates from the early 1970's, an industrial specification shed of steel portal frame construction with harled block-work dados and sheet cladding under shallow pitched steel sheet and corrugated asbestos roofing. These premises have been extensively refurbished since its construction.</p> <p>Block D/E (GIA - 2,697 m²) the accommodation comprises of similar specification to Block B/C. The accommodation comprises of engineering workshop space and teaching/office accommodation. Dates from the early 1970's, an industrial specification shed of steel portal frame construction with harled block-work dados and sheet cladding under shallow pitched steel sheet and corrugated asbestos roofing.</p> <p>Block F (CIA 2,971.93 m²) This block is three storey steel framed structure, constructed around 2000. The barrel vault roof comprises a steel frame with a standing seam steel sheet cladding. The rainwater system comprises steel eaves gutters with uPVC downpipes.</p> <p>External walls are formed around the steel frame of cavity wall blockwork, which has dry coloured render on low level external elevations. Steel cladding is fitted to upper level external elevations.</p> <p>Windows are double glazed with aluminium frames. .</p> <p>External entrance doors are aluminium framed and double glazed with rear exit doors being of the solid core flush timber type.</p> <p>Immediate external areas and finishes are predominantly macadam surfaced.</p> <p>Internally, there are two staircases of concrete construction.</p> <p>Suspended ceilings are fitted throughout.</p>
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		<p>Internal walls are predominantly stud partitions with paint finishes.</p> <p>Floors are cast insitu concrete on permanent steel shutters with vinyl and carpet finishes.</p> <p>Internal doors are flush timber with melamine facings, some with glazed vision panels.</p> <p>Block M (GIA 7,300 m²) the accommodation comprises of 5 levels built in 2010. Training facility comprising of offices, classrooms & workshops, refectory & library, fitness suite and ancillary accommodation.</p> <p>Constructed with structural steel frame with concrete pad and strip foundations</p> <p>Concrete Ground, & first floor slabs</p> <p>External walls at lower level to be concrete facing blockwork and render panels in a cavity construction with blockwork panels at first floor level with external cladding in aluminium panels and timber cladding.</p> <p>Aluminium windows, screens and curtain walling.</p> <p>Internal walls metal stud and plasterboard</p> <p>Precast concrete for stairs 1, 3, 4, 5, & 6. Steel for stairs 2.</p> <p>Mechanical and electrical installations.</p> <p>External works Tarmac, paviers.</p> <p>The site area is 1.65 Hectares or thereby.</p>
4	<p>Gordon Campus Elion Road Bridge of Don Aberdeen</p>	<p>The site is part of the former Gordon Barracks.</p> <p>Block A (GIA - 1999.18 m²) concrete frame with infill panels with some synthetic granite block cladding under flat felt roofing. Dates between circa 1964 - 1978</p> <p>Sports facility was constructed in 2005 (GIA 2,895 m²). Building consist of 2 floors with offices and sports facility. Built to modern construction standards.</p> <p>Guard house coffee bar was created in 2004 within the former Guardhouse building, which is Grade 2 listed.</p> <p>Boiler House (GIA - 81.00 m²) unused.</p> <p>The site area is 3 Hectares or thereby.</p>

Register of Land

June 2019

		Site is currently unused.
5	Crichie Cottage Inverurie Academy Inverurie	<p>The premises are leased from Aberdeenshire Council. They are a single storey comprising teaching classrooms and office accommodation. The Gross Internal Area is 250 m².</p> <p>The initial lease expired on 31 July 2014 and was extended for a further 5 years. The next expiry date is 31 July 2019.</p>
6	Clinterty Campus Kinellar Aberdeen AB21 0TZ	<p>The premises comprise of a teaching campus including teaching, office, catering, workshop, storage and residential accommodation most of which dates from circa 1973, and a workshop constructed in 2016.</p> <p>Main Block (GIA – 1,520.49 m²) the accommodation comprises of teaching and administration facilities. Built of a mixture of concrete frame construction with cladding panels and traditional built buildings under a flat felt roof with the exception of the library which is under a pitched profile steel roof.</p> <p>Residential Block (GIA - 1,650.29 m²) traditionally built single storey housing. Currently unused.</p> <p>Engineering Workshop (GIA - 847.29 m²) the accommodation comprises workshop and storage facilities. Built of steel portal frame, harled block, corrugated asbestos wall cladding under a pitched corrugated asbestos roof.</p> <p>Scaffolding Training Centre (GIA – 475 m²) the accommodation comprises workshop and storage facilities, built 2015,</p> <p>Offices (GIA - 213.38 m²) traditionally built single storey housing.</p>

Register of Land

June 2019

7	Balgownie Campus Hutcheon Gardens Bridge of Don Aberdeen	The buildings on the site were demolished in 2011 and the site is held for resale. Planning permission has been obtained to develop the site for residential use (171 bed spaces). The site is unoccupied. The total site area is 2.16 Hectares.
8	Fraserburgh Campus Henderson Road Fraserburgh AB43 9GA	The property comprises mainly of a single storey design originally built in 1974 which has undergone various extensions and development with a major refurbishment carried out 2010-12. Teaching facilities for engineering, construction and science were refurbished and extended in 2015-16. The majority of the roof construction is sarnafil with the older parts metal profile and bitumen. The walls are a mixture of metal cladding and block work covered with render. The Campus also accommodates a nursery which is a Portakabin design built in 2002. GIA 17,272 m ² . The total site area is 9.83 Hectares.
9	Scottish Maritime Academy South Road Peterhead AB42 2YP	The property is a single storey steel frame design built in 1992 which was extensively refurbished in 2012. The roof construction is sarnafil which covers a series of flat roofs. The walls at the front of the building are glazed with a curtain wall system the rear is constructed with rendered block work with a clerestory of aluminium louvres. GIA is 794 m ² . The total site area is 0.33 Hectares. There are access and use restrictions.
10	Ellon Learning Centre, Cromleybank, Ellon AB41 8LN	The property is leased from Aberdeenshire Council. It is a single storey new construction completed in 2015 and became operational in August 2015. The site extends to a GIA of 570 m ² . The lease expires on 2 August 2075. There are 5-year break clauses, each year from 2 August 2020 onward.

GALLOWGATE DEPARTMENT HARMONISATION PROJECT

Implementation 2019-2020 Summary

1.0 INTRODUCTION AND BACKGROUND

- 1.1 The project is intended to create a more coherent approach to the location of curriculum delivery at Aberdeen City Campus. It is the first stage in supporting a strategy which seeks to utilise the assets that the College already has, recognising that public funding is likely to remain extremely tight in the coming years with only a very remote chance of the receiving additional resource from the Scottish Funding Council (SFC) to support estates projects.
- 1.2 The initial plans have been created following consultation with staff and students as part of the City Futures workstream.

2.0 2019-2020 PLANS

- 2.1 The table below shows the plans for initial accommodation changes, as agreed at 12 June 2019: -

Room No	Current Use	Planned Use	Year
ELG7	Apple Mac Suite	Art Studio (SB16)	2019
ELG9	Staff Workroom	TBC	2019
ELG11	Apple Mac Suite	Art Studio (SB17)	2019
ELG14	Apple Mac Suite	TBC	2019
SB11	3D Animation PC	Photographic Lab	2019/2020
SB12	Apple Mac Suite	Photographic Lab	2019/2020
SB13	Apple Mac Suite	Photographic Lab	2019/2020
SB16	Art Studio	Photographic Studio	2019/2020
SB17	Art Studio	Photographic Studio	2019/2020
SB21	Student PC helpdesk	Photographic mini Lab	2019
SB25	3D Animation PC	Sound Booth x 3	2019
S013 - S104	Equipment Storage	3D Animation PC	2019
S107	Store	Drama Store	2019
S108	Equipment Storage	Apple Mac Suite	2019
S108a	Equipment Storage	Spray Booth/Wash up	2019
S109	Equipment Storage	Apple Mac Suite	2019
S111	Equipment Storage	Apple Mac Suite	2019
S113 - S114	Equipment Storage	Apple Mac Suite	2019
S115 - S116	Equipment Storage	Apple Mac Suite	2019
S117	Empty	Office	2019
S119	Exam Room	Exam Room	2019

S120	Exam Room	Exam Room	2019
S121	Exam Room	Exam Room	2019
S123	Exam Room	Staff Work room	2019
S125 - S125	Equipment Storage	3D Animation PC	2019
S133	Equipment Storage	Office	2019
S137	Equipment Storage	Office	2019
S141	Empty	Office	2019
S142	Empty	Office	2019
B11D	Nail Bar	Extented Reception	2019
B12	Photographic Studio	Gymnasium	2020
B13	Staff Workroom	Temp Nail Bar	2019
B14a	Photographic Lab	H & B Wellness	2020
B14b	Photographic Lab	H & B Wellness	2020
B14c	Photographic Lab	H & B Wellness	2020
B14F	Mini Lab	Store/Access to Plant Room	2019

2.2 These moves have a number of initial intended benefits: -

- Better room layouts will allow us to create larger spaces for each student
- All photographic studies will be brought together;
- Art and design, digital design and animation will be brought together to form a creative learning zone

2.3 Further developments will support the potential for commercial benefits from the use of the fitness suite, coupled with hair and beauty to create a wellness experience for users.

3.0 FINANCIAL IMPLICATIONS

3.1 This project has been allowed for within the 2019-20 Estates budget, with an initial sum of £415k for all Aberdeen City works.

4.0 NEXT STEPS

4.1 Further plans will be agreed over the coming months to create an overarching move plan for the next three years.



REGIONAL BOARD	
Meeting of 19 June 2019	
Title: Annual Priorities AY2019-20	
Author: Liz McIntyre, Principal & Chief Executive	Contributor(s): Leadership Team
Type of Agenda Item:	
For Decision	<input checked="" type="checkbox"/>
For Discussion	<input type="checkbox"/>
For Information	<input type="checkbox"/>
Reserved Item of Business	<input type="checkbox"/>
Purpose: To provide the Regional Board with an opportunity to consider proposed Annual Priorities for AY2019-20.	
Linked to Strategic Goal: This Agenda Item has reference to all five Strategic Goals.	
Linked to Annual Priority:	
Executive Summary:	
<p>At its meeting in June 2017, the Regional Board approved the College's first set of Annual Priorities.</p> <p>The Priorities were introduced for AY2017-18 to:</p> <ul style="list-style-type: none"> • enable action to be taken in a collective, agreed way to move the College forward and towards excellence. • enable any issues of poor quality or performance to be addressed. • enable any particular areas of development or innovation to be highlighted. • establish a mechanism for the College to measure achievements against in 12 months time. • inform detailed enhancement plans for the period. • enable communication of key College priorities to staff providing a clear rationale for plans and actions. <p>Attached as Appendix 1 to this paper is a further progress update against each of the Annual Priorities for AY2018-19 highlighting any further developments which have occurred since the interim progress update which was shared with the Board at its meeting in March 2019.</p> <p>Attached as Appendix 2 to this paper are proposed Annual Priorities to be addressed during AY2019-20. These Priorities have been identified by the</p>	

Principal following consultation with the College's Leadership Team. The consultation included reflection on progress made against the current Annual Priorities to consider if any should be retained or refocused for AY2019-20.

The Board will be provided with progress updates against the Annual Priorities for AY2019-20 at its meetings scheduled for March and June 2020.

Recommendation:

It is recommended that the Board:

- note the progress made against the College's Annual Priorities for AY2018-19
- consider, and if so minded, approve the Annual Priorities for AY2019-20.

Previous Committee Recommendation/Approval (if applicable):

None

Equality Impact Assessment:

Positive Impact

Negative Impact

No Impact

Evidence:

The delivery of a number of the Annual Priorities support the College's ambitions in relation to equality, diversity, access and inclusion.

BEING RESPONSIVE**1. Develop and deliver actions to promote the distinct strengths of NESCol@Fraserburgh, NESCol@AberdeenCity and NESCol@Altens in line with the curriculum review and stakeholder need.**

February Update: Good progress has been made in all areas. Each Campus has a dedicated Director of Learning with responsibility for driving forward the futures agenda and progress is reported to the Wider Executive Group. Detailed action plans have been created for the Fraserburgh and Alten's Campuses. A series of workshops has been held to consider the priorities for the Aberdeen City Campus. Newly constructed data reports enable KPI's for each Campus to be easily identified. Further work will be undertaken from February 2019 to determine progress on the curriculum review and to plan a revised approach to identifying new programmes and opportunities in support of the AY2019-20 Recruitment Strategy.

June Update: Work on the Campus Futures initiative is progressing well and has supported approaches to marketing, schools liaison, open events and a range of engagement activities in support of ambitious recruitment targets for AY2019-20. Ongoing work will align the campus based approach with the new whole College planning framework and with standardised approaches to KPI monitoring and improvement planning.

2. Deliver Regional College responsibilities in relation to the Regional STEM Strategy

February Update: The following key developments and activities have been undertaken to date in AY2018-19:

- Set up, hosted and run two meetings of the Regional STEM Hub.
- A regional baseline of STEM activity has been compiled.
- Methodology for developing and sharing STEM activity being discussed.
- Planning for a regional STEM Strategy has begun, building on the College strategy work.
- Involvement with Education Scotland project to deliver CLPL to computing teachers in region, and a project on 'Internet of Things'.
- Working on new collaborations with regional partners on STEM activity e.g. Oil and Gas Technology Centre for first Lego League.
- Working with industry partners on Greenpower Challenge project.

June Update:

- The College has undertaken approval to become STEM Assured through the Institute for Knowledge Exchange. This will be considered over the summer by the validation panel and, if successful, will generate a launch event at the beginning of the new academic year.
- The College is devising a "STEM Manifesto" to assist with the promotion of its STEM provision and the value of STEM skills across the employment spectrum.
- The Regional STEM Hub has met again and has identified unique regional characteristics which will be reflected in the Regional STEM strategy.
- Opportunities for collaboration have been identified and a calendar is being trialled so information on STEM Events can be shared and promoted by Hub Members.

3. Prioritise employer engagement and development of the offer to support the tourism industry and build growth in engineering subjects.

February Update: The roll out of the [Business Development Strategy](#) has seen Heads of Faculty empowered to look externally and forge new relationships with industry. In the Tourism sector this has seen discussions taking place with a number of local and national hoteliers about opportunities primarily for students but also for in-work staff development. This builds upon the discussions from the Tourism Strategy event that NESCol hosted in 2018.

Engineering is seeing a number of opportunities emerge from the recovery of the oil and gas industry with additional Modern Apprenticeship (MA) places being sought by employers. Significant effort is being made to enhance the work based learning elements of the qualification through improved employer engagement and service delivery. New opportunities are also emerging in the offshore wind sector with the commencement of the Moray East Windfarm project where NESCol is part of the Fraserburgh Local Alliance with Moray East (FLAME) working group. This 25 year Operation & Maintenance project will see a number of local jobs and training opportunities present themselves to NESCol.

June Update: Heads of Faculty presented progress made in relation to employer engagement approaches and activities at the June Curriculum Leadership Forum. BCD has offered to support this effort by introducing CMs to relevant employers and initiating meetings. BCD is also looking to arrange meetings (in the first instance) with employers offering placements (e.g. for FAs) to start the process of curriculum influence and support. In addition to the above, the College's 'Girls in Energy' programme has now been expanded into the city with four schools now commenced. This follows on from the seven schools who participated in the S2 Skills Competition in Aberdeen. This additional work has attracted new funding from Shell but will require additional resources to support it.

DEVELOPING PEOPLE

4. Implement through dynamic intervention the revised approach to the delivery of Student Support Services and the new curriculum management structure, including appropriate staff training and development to support new roles and responsibilities.

February Update: A revised approach to academic tutoring has been launched at each campus. All staff have been provided with revised [guidance](#) and managers instructed to ensure dissemination of key procedural changes. All non-advanced FE groups now receive one hour of scheduled academic tutoring from a designated member of staff each week. This formally timetabled session is fully-fundable, embedded within each group's programme of study and is used to provide induction information, core and essential skills training, employability and enterprise advice and to allow opportunity for one-to-one and small group advice and guidance. HE Groups have also all been allocated a designated lecturer to provide them with academic tutoring support. Curriculum Managers have been asked to look at curriculum design to see what options exist that may allow them to embed the delivery of academic tutoring activities into day-to-day learning and teaching e.g. via the delivery of a "Personal Development Planning" unit or similar.

New online [Student Support Referral Form](#) created to enable staff to quickly and easily refer students to specialist staff within the Student Advice and Support Centre on matters relating to Financial Support, Learning Support Needs Assessment, Safeguarding Issues and Study Skills Support.

A Mental Health [Hotline](#), that is monitored all day from 0830 to 1700hrs, has been set up so that staff can always contact the team if they have a student in crisis.

All staff received Mental Health Awareness Training at the January Development Day and several key staff have been trained as Mental Health First Aiders. Support and training is ongoing and provision will be tailored to meet the needs of each curriculum and student-facing support team.

June Update: Promoted staff have been adapting practice in accordance with the new curriculum structure and responsibilities with Directors of Learning, Heads of Faculty and Curriculum Managers working collaboratively to support the transition to the new model. Training has been provided to assist Managers in their new roles and bespoke training identified where indicated. An evaluation of new roles is underway which will measure the success of the restructure and inform future plans.

Whilst the range of support services and arrangements are satisfactory in terms of supporting students, it is anticipated that these will be further enhanced by the introduction of the new Student Support Information Portal. Discussions with students and staff have been held which has helped identify what is required to make services more responsive.

Key members of student support teams have now attended the two day ASIST course on Suicide Prevention or the half day Safe Talk training. Those who have attended the ASIST programme are undertaking a train the trainer programme in August 2019 which will enable them to cascade an hour long workshop "SuicideTalk. This will be available to all staff from the start of AY2019-20. In addition a flyer outlining the different types of training available on mental health and guiding staff to a range of suitable options has been created and circulated to all staff.

5. Deliver and cascade a whole College approach to leadership training based on College vision and values, strategic priorities and required skills and knowledge.

February Update: A whole College approach to developing leaders was agreed in the autumn term. There are a number of strands to this approach which include ensuring that training is provided on all College systems and procedures that leaders are responsible for. Due to changes in structures which took place at the beginning of AY2018-19 many leaders now have new responsibilities for managing staff, the focus of training for the first part of the academic year has been on people management. A series of short sessions was offered between the middle of October 2018 and the end of January 2019 covering topics such as implementing iCon, managing absence, and managing performance. These sessions were predominantly attended by staff new to line management responsibilities. In addition, a series of whole day sessions were offered in November and December 2018 on the Motivated College. These were facilitated by College Development Network and attended by almost all managers with line management responsibility. A new programme of short courses is currently being drafted which will be implemented from March 2019.

June Update: Further staff training arranged for Block 2 of AY2018-19 included further training on: iCon, Absence Management and Equality Impact Assessment for Fraserburgh staff, Timetabling for CMs, Budget Management, Training on the student records system for Fraserburgh CMs, Good Complaints Handling, and Project Management. An innovation workshop, specifically designed for promoted teaching staff, will be facilitated by RGU prior to the end of the academic year.

6. Deliver a range of employee engagement activities based on the promotion of vision and values and behaviours in support of a positive culture, strong working relationships and an excellent working environment.

February Update: The Development Day held in January 2019 was linked to the Annual Priorities around Developing People. All staff were expected to attend a workshop on mental health and two other workshops from a wide range of topics. The themes of the workshops were Respect & Diversity and Personal & Professional Development. The workshops were well attended and feedback from the Development Day is currently being analysed.

HR & OD have revised the Staff Code of Conduct and will be launching these along with the Professional Standards for Lecturers in Scotland's Colleges at the end of February 2019.

HR & OD have been continuing to develop partnership working with the Trade Unions to maximise the successful delivery of the College's strategic objectives. Ensuring robust processes are in place for full and meaningful consultation and genuine involvement in decisions that affect College employees.

June Update: A Staff Wellbeing Day is currently being developed which will run on 25 June 2019. This day has now become an annual event and allows staff to take a day where they can network with colleagues from other teams and campuses in a relaxed manner and take part in an activity which will boost their personal wellbeing or help them develop a new skill. Activities this year will include a range of outdoor activities such as hill walking and cycle rides and indoor activities such as welding and cooking.

7. Create and implement a whole College equalities theme of "Respect", for staff and students delivered through both curriculum and student support activities and designed in partnership with the Students' Association.

February Update: The College's Equality Action Team (EAT), throughout AY2018-19, has met and progressed NESCol's work on implementing a 'whole-college' equality-related approach to 'respect'. Some of the key activities undertaken are noted below:

Student Discipline Review: At the time of writing, a review of the College's Student Disciplinary Policy is being undertaken. The Review Team, comprising of the VP (Access, Outcomes & Partnerships); Director of Learning (Enhancement, Support and Fraserburgh Futures) and the Director of Strategy & Planning, has already gathered considerable evidence from discussions with both students and staff that will not only inform the review of student discipline but also assist the College in the approaches it intends taking when shaping its 'respect' agenda and the student, staff and contractor-related behaviours required to ensure its success.

City Campus Futures: Extensive focus group activity has been conducted by the Director of Learning (Enterprise, Innovation and Aberdeen Futures) as part of the consultation process for the City Campus Futures initiative. The many discussions with both students and staff have each focused on 'atmosphere and culture' within City Campus and consequently a rich pool of information has been derived and discussed with the EAT; information which will not only assist our City Campus Futures ambitions but also activities relating to the College's 'Respect' initiative.

Staff Development Day (29 January 2019): As part of the on-going development of the College 'Respect' activities, the most recent Staff Development Day focused predominantly on training sessions, delivered by external agencies and College staff, which related to both 'Respect' and Mental Wellbeing.

The EAT continues to develop its work on 'Respect' beyond the work noted above. It is currently planning and undertaking a further tranche of activity which will culminate in the launch of a College-wide 'Respect' Campaign for the start of AY2019-20.

Regional Board Strategy Event (24 April 2019): The EAT activities for 'Respect' also include providing an update on progress and plans to the Regional Board.

June Update: The Student Discipline Review is due to conclude by Summer 2019 and will feed into the College's Respect Campaign.

The Regional Board were presented with an update on progress with the Respect Campaign at its Strategy Event in April 2019. The Board were very pleased with progress and a good deal of useful discussion was stimulated by the presentation.

Consultation with staff and students has been undertaken at events and through focus groups in relation to what they understand by 'respect' and how it should be applied. Branding has been developed and is being consulted upon prior to final choice for launch in AY2019-20. 'Respect' has been included in the College online course for new applicants so that expectations are set out from the outset. The College's Equality Action Team (EAT) is currently collating information with regard to training and materials which may be required to support the campaign launch.

8. Develop a systematic approach to a "mentally healthy college" and deliver activities to promote wellbeing and good mental health for staff and students.

February Update: A project working group, comprising a range of staff and student representatives has been formed and a project title selected, "Mental Health Matters at NESCol".

Using a 'whole-college' approach, the project will focus on promoting positive mental health and wellbeing among staff and student populations by:

- **Building COMMUNITY:** Via its Student Partnership Agreement, the College has vowed to encourage collaboration between staff and students in all stages of the improvement journey.
- **Partnership in LEARNING:** NESCol aims to foster connectedness and motivation through the creation of effective student and staff networks and action groups. Via enhanced academic tutoring, flexibility in course design and assessment, and an open and universal approach to supporting the needs of a diverse student body will ensure that students feel able to shape their own learning experience.
- **Focus on LIVING:** Social, physical and digital environments all bear on mental health. To support this the College will work in partnership with staff and students to regularly review and enhance these environments in order to regulate, support and improve healthy cultures within them.
- **Effective SUPPORT:** NESCol has recently reviewed and revised its key support services appropriate to the needs of students. The College will commit to regularly reviewing these arrangements to ensure that they meet the needs of staff and students.

June Update: As presented at the Regional Board's Strategy Event in April 2019, a great deal of progress has been made relating to the Mental Health Matters project. To date the following has been delivered:

- New online student support referral systems to enable staff to quickly and confidentially refer students to the SAC Team.

- Additional staff trained in "Mental Health First Aid" to enable comprehensive coverage of support at each campus to help support students in crisis.
- Improved Safeguarding referral and reporting systems to improve case-management.
- New online staff and student Mental Health and Wellbeing Toolkits developed to help improve preventative support.
- New Student Mental Health Agreement developed in partnership with the SA and NUS.
- Comprehensive programme of staff training delivered during Development Days and offered to all teams throughout Block 2 of AY2018-19.
- Mental Health and Wellbeing events held at each campus to promote services and resources available to staff and students.

Work is still ongoing to improve links between the College, the Local Authorities and NHS to better embed support services within the College environment.

WORKING IN PARTNERSHIP

9. Build on the TWO PLUS alliance with RGU to increase impact in our region on widening access, the learner journey, work-based learning and advice and guidance.

February Update: NESCol and RGU have each appointed a Two Plus Alliance Co-ordinator. These two key members of staff are working closely together to undertake a significant mapping exercise relating to the current relationship between the institutions. There has been significant change at a senior level in RGU and this has slowed progress on this priority. Commitment to the project remains high and the Steering Group meet regularly with a planned meeting on the Joint Strategic Board scheduled for June 2019.

June Update: The Alliance continues to work to determine a range of tangible benefits from the relationship. The recent project focus has been on engaging with schools to raise awareness of joint pathways to HE for school pupils across the City and Shire. The Joint Strategic Board has not yet met and future priorities for the Alliance will be discussed at a meeting of the Joint Steering Group scheduled for the end of June 2019.

10. Building on existing practice, maintain strong links with Community Planning Partnerships (CPPs) in the City and the Shire, supporting their key priorities.

February Update: The College's work within the region's Community Planning Partnerships (CPPs) continues to grow and stronger links have been established, by NESCol representatives, with the two CPPs. Within Community Planning Aberdeen (CPA) the College has grown its stature as a lead partner and is now represented on CPA's Board (Regional Chair) and Management Group (VP Access, Outcomes & Partnerships); Integrated Children Services Board (VP Access, Outcomes & Partnerships); Innovation and Improvement Faculty (VP Access, Outcomes & Partnerships) and Aberdeen Prospers Group (Director of Business Development).

Although the work of Aberdeenshire Community Planning (ACP) is not as advanced as that of its Aberdeen contemporary, it progresses, as does the College's involvement in it, steadily. The College is represented on ACP's Board (Regional Chair) and on two of the three Local Outcome Improvement Plan (LOIP) groups, namely Tackling Poverty and Inequality and Connected and Cohesive Communities both VP Access, Outcomes and Partnerships).

The College's representation and activity on both the Regional Economic Strategy Group (RESG) and the Regional Learning and Skills Partnership has assisted NESCol to consolidate its position as the Region's College. In addition, NESCol has contributed to discussions, evaluations and activities which have promoted greater 'bridge-building' between the work of the groups whose activities concern both economic development and community planning.

The College has put in place arrangements which allow it to share and consult on its Outcome Agreement (OA) through the CPA Board and Management Group. During 2018 the College shared with all CPA Board and Management partners its OA (2018-19) and Strategic Plan (2018-21), the latter of which was developed after extensive consultation with community planning partners and other stakeholders. The College has extended an invitation to CPA partners to comment on its current OA with a view to considering such feedback when preparing the next iteration of the OA. Discussion papers relating to the College's revised OA are scheduled, as a matter of course, for

delivery and discussion within the CPA Board and Management Group's annual programme of business.

The College has, to varying degrees of success, also sought partners in both CPA and ACP to work more collaboratively towards improving attainment rates regionally, including those for learner categories specifically identified with the OA e.g. care experienced; SIMD10 and disabled learners. However, further work is to be undertaken on this and is likely to gain more traction particularly through the ICSB of CPA and the Connected and Cohesive Communities Group of ACP.

June Update:

Work with the two CPPs continues to progress positively and constructively. Within CPA, the Integrated Children Services Board (ICSB) is now generating a suite of improvement charters aimed at addressing various outcomes identified within the LOIP. The College will be involved in at least three such improvement projects, namely 'Care Experienced Children: Positive Destinations' and 'Sustained Positive Destinations in Quintiles 1, 2 + 3' and 'Foundation Apprenticeships'.

The College continues to be represented with Community Planning Aberdeenshire (CPA). Whilst activity relating to this CPP is progressing, it is doing so at a far slower pace than that of CPA. This said, the Connected and Cohesive Communities Group (CCC) is now beginning, in similar ways to CPA's ICSB, to align its discussions and activities to those of Aberdeenshire Council Integrated Children Services priorities. Further, CCC discussions are also beginning to align more fully with the Locality Plans for Peterhead and Fraserburgh.

Whilst the College's activities continue to progress positively in relation to both CPPs, it is worth noting that a range of 'complimentary' but separate College-local authority partnership activities are emerging which aim to improve outcomes for Aberdeen City and Aberdeenshire school pupils. Such activities will need to be linked more closely with CCP priorities in order to avoid unnecessary overload or duplication of work for the College and other partners.

11. Provide system leadership, with partners, to the North East Learning and Skills Partnership to support the implementation of the recommendations of the Learner Journey Review and to deliver on the Regional Skills Strategy.

February Update: The Regional Learning and Skills Partnership is now formed. Leadership of this initiative is shared with SDS and the group is jointly chaired by NESCol and SDS. Work on the Regional Skills Strategy Action Plan is the current priority but in the next period the group will consider how best to assess and monitor regional progress in relation to DYW. This group will also consider progress toward a range of senior phase collaborative activities, including Foundation Apprenticeships and Campus 6.

June Update: Collaboration remains the key focus of this group and regular meetings are continuing. The Partnership has determined a work plan for the future including an upcoming workshop on digital skills for the region, which will be held in June. The group has also welcomed a Head Teacher from one of the Aberdeenshire Secondary Schools, which aims to aid discussion on the wider education system.

12. Develop a refreshed approach to communication with external and internal stakeholders which improves brand awareness and customer relations and which strengthens connections through open dialogue and information sharing.

February Update: External stakeholders: It is proposed that a new website be developed which will be fully user-centric and customizable for any individual seeking information from it. It will be responsive, agile and designed for effective display and use on mobile devices e.g. smart phones. The proposed project will focus on the critical areas of web design, usability and search engine optimisation (SEO) in order to increase significantly the College's digital presence and maximise the traffic engaging and re-engaging with the College's site. It is also intended that a new and integrated digital marketing approach will also be developed as a consequence of the website project. This will see the creation of a more connected and 'joined up' College approach to digital marketing and communication through the integration of the new website. At its meeting on 30 January 2019, the Regional Board approved the submission of a bid to the NES FE Foundation to fund the project.

Internal stakeholders: A communications group, led by the Director of Marketing & Communications, has been formed. Ambassadors from each team are currently being recruited who will be responsible for promoting news articles and updating team information on COLIN. The landing page on COLIN has been re-designed and a weekly round-up of news is now issued to staff.

June Update: External Stakeholders: The tender exercise for the College's new website attracted over 70 companies, of which nine submitted a completed tender document. From the tender evaluations, four companies were then invited to pitch to the Website Steering Group. The preferred company, Blue2Digital <https://blue2.co.uk/>, has now been contracted. An initial contract meeting has taken place which covered engagement sessions, defined scope of project, design discussion, success matrix, technical aspects, accessibility and the project timeline. Engagement activities- focus groups and digital surveys are currently being planned and will commence on 20 June 2019. These activities will involve current students, staff members, Board Members, Foundation Apprentices, school pupils, employers, adult returners and influencers.

Internal Stakeholders: Following a Communications Meeting, an action to develop the skills required to upload information onto COLIN was identified by ambassadors from each curriculum area and support team. As a result, training sessions have been scheduled to be held at each campuses. Once the ambassadors have completed this training, a further Communications Meeting will be arranged.

DELIVERING QUALITY

13. Standardise management systems and approaches throughout the new curriculum management structure to support effective leadership, management and performance enhancement.

February Update: Heads of Faculty and Curriculum Managers are developing and applying the processes outlined in the [Faculty Management Framework and Toolkit](#). A recent audit established an acceptable degree of compliance with the implementation of the Framework and Toolkit given it had only been introduced at the start of AY2018-19.

Heads of Faculty are meeting more regularly as a group to discuss with Directors of Learning, the implementation of the College's strategies and objectives and ways in which they can lead on and manage initiatives. These meetings complement the Faculty Area Meetings. Directors of Learning also meet Heads of Faculty on an individual basis and discussions will relate to leadership, curriculum management and performance. Similarly, Heads of Faculty are meeting their Curriculum Managers as a group, then individually to support them in dealing with changes to their role. Promoted staff are also attending training to help develop skills required for their new roles.

June Update: The Framework for Supporting Students, the newly created Framework to Advance Student Engagement and the Faculty Management Framework, all complement one another and each contains clear ambitions to enhance performance.

All promoted staff have been using the Management Framework and Toolkit. Feedback has been gathered from a range of staff and a Forum was held with Heads of Faculty to evaluate the effectiveness and identify changes. The document has been updated in accordance with changes to quality processes and also to accommodate feedback from users.

The collaborative model of management has been implemented to allow greater consultation and intervention by promoted staff to inform management practice; assist implementation of changes (such as Support Model and Commercial Focus) and develop curriculum planning.

14. Create a revised approach to the use of data through effective use of business analytics to support planning for quality enhancement, optimising use of the new HR system.

February Update: A Data Dashboard, using Microsoft Power Bi, has been developed to provide live, in year, information to curriculum teams to enable them to review performance and identify early intervention (where appropriate) to improve Key Performance Indicators (KPIs). Incorporation of data in Faculty Framework and self-evaluation templates and reporting also requires promoted staff to use the data to inform discussion and facilitate improvements. The Dashboard is being refined according to feedback from users to ensure it provides the most useful data.

The new HR/Payroll System (ResourceLink) now holds the majority of all staff data, the old system (Teamspirit) is no longer being updated. IT are currently working with ResourceLink to install a connection between the new HR/Payroll System and with other systems that require staff data. In due course, additional management tools will be made available through the MyView Dashboard, including absence reporting, training and regular management information.

June Update: Additional reports have been designed on PowerBi to provide staff with live information with respect to enrolments, credit generation, retention, applications, equalities, surveys and outcomes for special interest groups. Collated information by course is also available to assist authors of course self-evaluation reports.

Power Bi reports are now being used to inform senior management meetings and remove the need for managers to compile data independently. This means data is more consistent and time is saved by reducing independent report writing.

15. Prioritise programme design and student support interventions to effect significant improvements in early retention for all courses.

February Update: Curriculum Managers have been reviewing programmes of study, and considering how module delivery and course structure impacts on early retention, amending the order of delivery and the timing of key units to help support early stage engagement.

The new 'whole-college' support model was applied from the beginning of AY2018-19 in order to enhance early intervention and support provision for students. However, time was required to implement associated major changes to both support and curriculum roles which meant the intended impact was not achieved this year.

Teaching staff have been working closely with colleagues from the Student Advice Centre to adopt a more planned and targeted approach to the delivery of in-class support aimed at enhancing early retention. Using new online referral forms staff are able to 'commission' in-class support for entire groups of learners as well as referring individuals for one-to-one, out-of-class support sessions.

Academic Tutoring sessions have been embedded within all FE timetables and teaching teams have been encouraged to design bespoke support pathways for all of their learners, that embed opportunities to reflect on progress, discuss challenges and barriers to attendance and develop key 21st century skills.

Attendance and progress patterns of students who disclose having a disability and/or who are Care Experienced are closely monitored by curriculum staff. Students have been offered additional opportunities to meet with either their Academic Tutor, Curriculum Manager or Head of Faculty to discuss the design of their programme and support experiences.

Whilst it is true that there was not universal improvement in early retention across the board in AY2018-19, the College now has in place a robust and sustainable support model, that provides a strong foundation on which to build on. Central to ensuring the continual improvement of this approach will be the development of Academic Tutors and Managers to ensure that all key staff possess the toolkit required to form effective professional relationships with learners.

June Update: Curriculum Managers are identifying opportunities for Academic Tutoring to be formalised on timetables for Higher Education students for the next academic year.

A review of the 'whole-college' support model was initiated in May and views of students and staff were collected from focus group discussions. A series of actions or recommendations are expected soon to further improve services to students;

Programme Delivery Guidelines for a significant number of courses are being refreshed to reflect changes to the induction period, programme design, delivery and assessment scheduling. This process will be concluded prior to the start of the new academic year.

A dedicated session on curriculum design and planning for Heads of Faculty was facilitated by Directors of Learning at the end of April 2019. This led to a valuable

discussion on interdisciplinary and intercampus opportunities, along with project based learning and blended learning approaches that could impact on early retention and final success.

Teaching staff have been working more closely with students through enhanced Partnership Agreement arrangements. This has generated useful feedback to inform improvements which will enhance outcomes and/or experiences.

An induction group has been convened to review the induction arrangements for AY2019-20 with a view to enhancing retention and additional training is being planned to support Academic Tutors in their role.

BUILDING SUSTAINABILITY

16. Operate an academic year budget which utilises all available budget resources in line with fiscal year cash allocations.

February Update: Initial budget set in June 2018 to utilise R-DEL and cash available to the College. Subsequently revised in January 2019, following known and anticipated changes to income and expenditure, to ensure R-DEL and cash utilisation targets are still met.

June Update: Latest management accounts (April 2019) show that the College expects to meet a balanced year-end position.

17. Ensure that the SFC Activity Target (Credits) is met in line with the Regional Outcome Agreement.

February Update: Work to improve the College's forecasting model initiated in AY2017-18 has continued in AY2018-19. Improved forecasting led to the earlier identification of the College being unable to meet its SFC Activity Target in AY2018-19. Discussions held early in the new year led to the SFC agreeing to reduce the College's Core Target by 3,000 credits. This agreement requires the College to work with its Outcome Agreement Manager on a plan to restore full-time enrolments to support achievement of the Activity Target in future years.

In order to ensure that the Credits target is achieved in future years, it is vital that the College is able to gain a better understanding of the factors that may be impacting on demand, especially for full-time programmes. As such at a recent meeting, the Regional Board supported the commissioning of a data research project to fully explore recent recruitment trends.

In addition to this, the Curriculum & Quality Action Team is co-ordinating the development of a Recruitment Strategy to halt the decline and increase full-time enrolments in AY2019-20, and to ensure there are effective links between curriculum planning, marketing, and admissions processes. All faculties are currently considering the recruitment challenge in a number of ways: under-utilised capacity; unmet demand; resources – physical & staffing; new provision; and organic growth (progressing students).

June Update: The Wider Executive Group has continued to monitor the College's actual credits position and forecast end of year position at its fortnightly meetings. Updates have also continued to be shared with the Regional Board, with a detailed discussion of the College's current and future credits activity held as part of the Strategy Event in April 2019. The College's Finance Team Management have appropriate contingency plans in place should the College fail to meet its AY2018-19 credits target. The latest end of year credits position is included as Agenda Item 58-19.

18. Address backlog maintenance in line with available resources.

February Update: SFC funding to address high/very high priority maintenance fully utilised in 2018-19, plans currently being considered to utilise 2019-20 allocation. This, however, continues to fall significantly short of identified backlog requirements.

June Update: Detailed plans to address high priority maintenance in AY2019-20 are currently being finalised, while also allowing for support to desirable projects.

19. Develop a new Estates Strategy.

February Update: Work continuing to gain Regional Board, staff and student feedback to assist in shaping Estates Strategy in line with available resource to address backlog maintenance and future development of estates. Options for all sites under

consideration with expectation that new Strategy will be approved by the Regional Board in June 2019.

June Update: As stated above, the draft Estates Strategy will be considered by the Regional Board at its meeting in June 2019.

20. Create a new, successful IT service model, with the ambition of delivering an improved service with the customer experience at its core.

February Update: The following key developments and activities have been undertaken to date in AY2018-19:

- IT service insourced 01 September 2018 following 10 years with RM Education, with staff successfully TUPE transferred into NESCol.
- New IT Helpdesk and Feedback Tool launched September 2018 (customer satisfaction at 94%).
- Redesigned ITTS Team presence on staff intranet, [COLIN](#), to inform and support users.
- Rebranded the ITTS Team with new logo, signage, reception and helpdesk area.
- New [IT Strategy](#) approved by Regional Board in December 2018, with focus on people and how the ITTS Team Engage, Provide, Support and Develop.
- Formal procedure with the Student Helpdesk and College IT Team created to improve communication, escalations and overall service.
- All Team policies and processes reviewed and a new ITTS Hub on SharePoint created to store and share all Team information.
- Membership of IT Action Team (ITAT) widened to include all Directors of Learning, and ITAT annual programme of business produced to support activity.
- Attendance at Facilities User Groups and Student Class Rep groups to develop user engagement.
- Management Dashboards introduced to support users: KPI Dashboard; Print Dashboard; IT Dashboards.
- IT staff passed ITIL Service Management Foundation training.
- Several initiatives to support Information/Cyber Security established, including the Keep it Safe awareness raising campaign; Staff Training; new Information Security Policy and achievement of Cyber Essentials accreditation (currently undertaking CE+) an enhanced standard.
- Business Analysis introduced as a service to support high quality effective developments and outcomes.

June Update:

- Cyber Essentials+ accreditation achieved.
- Additional project management resource added to the Team.
- Project management framework review initiated to enhance the Team's development function.

Draft Annual Priorities for 2019-2020

Being Responsive

1. Build on the “Campus Futures” approaches and plans for Fraserburgh, Aberdeen City and Altens, specifically in relation to STEM, engagement with employers and schools and new and differentiated provision.
2. Improve the attractiveness and effectiveness of our community provision across the region and develop an improved range of flexible pathways for adult learners, families and those in the workforce who require upskilling.
3. Deliver a new website improving access to information and services to prospective and existing students and for all stakeholders.

Developing People

4. Improve individual and College performance through consistent application of operational frameworks for planning, curriculum management and student support.
5. Deliver a year of “Digital” improving digital skills across our workforce in support of the delivery of innovative learning and teaching and effective business management systems.
6. Establish a standardised approach to curriculum design within each faculty that embeds opportunities for students to develop the meta-skills necessary to become future-proofed and adaptive learners.
7. Promote talent management, innovative learning and teaching and excellence in leadership and business management through the development of a new and integrated approach to organisational development.

Working in Partnership

8. Create and implement a Framework that supports new, campus relevant, approaches to working with regional schools throughout the academic year.
9. Create a range of Senior Phase Hubs across the region that bring together the Campus Six Model with other senior phase curriculum pathway opportunities.
10. Deliver a revised approach to external engagement ensuring a positive contribution to regional ambition that supports the delivery of the College’s Strategic Plan.
11. Deliver a data analysis project that supports an improved understanding of the effectiveness of our marketing approaches and which can inform curriculum planning and recruitment strategies.

Delivering Quality

12. Ensure that our approach to self-evaluation links directly to an integrated planning framework leading to actions that will improve all business services and improve outcomes for learners.
13. Develop and deliver actions that will embed a whole college ethos of environmental and social sustainability.
14. Refresh the College’s Access & Inclusion Strategy to ensure that processes, practices and behaviours promote the mainstreaming of equality for all protected characteristics and take cognisance of Scottish Government priority groups relating to widening access.
15. Improve outcomes for all learners, regardless of protected characteristics, through a reduction in early withdrawal and an increase in completed success rates.
16. Deliver a phased implementation of the Student Information Dashboard to improve monitoring of student progress and to enhance the provision of effective support for learners.

Building Sustainability

- 17. Deliver a financial plan that reduces reliance on SFC funding and ASET gift-aid and increases capacity for in-year resourcing flexibility.**
- 18. Devise a medium-term IT resourcing plan that supports business and curriculum priorities.**
- 19. Devise an estates plan which re-furbishes and re-purposes under-utilised space at the Aberdeen City Campus.**



REGIONAL BOARD	
Meeting of 19 June 2019	
Title: Community Empowerment (Scotland) Act 2015 – Annual Report	
Author: Peter D Smith, Vice Principal Finance & Resources	Contributor(s):
Type of Agenda Item:	
For Decision	<input checked="" type="checkbox"/>
For Discussion	<input type="checkbox"/>
For Information	<input type="checkbox"/>
Reserved Item of Business	<input type="checkbox"/>
Purpose: To enable the Regional Board to approve the College's Annual Report under Parts 3 and 5 of the Community Empowerment (Scotland) Act 2015.	
Linked to Strategic Goal:	
5. Optimise the use of our available resources to deliver financial and environmental sustainability.	
Linked to Annual Priority:	
Executive Summary: The Community Empowerment (Scotland) Act 2015 places obligations on public service authorities to publish, by 30 June each year, an annual report on work undertaken on Parts 3 and 5 of the Act for the preceding 12 months ended 31 March. A draft report for North East Scotland College for the period 01 April 2018 to 31 March 2019 is attached as Appendix 1.	
Recommendation: It is recommended that the Board approve the publication of the Annual Report on the College's obligations under Parts 3 and 5 of the Community Empowerment (Scotland) Act 2015.	
Previous Committee Recommendation/Approval (if applicable): None	
Equality Impact Assessment:	
Positive Impact	<input type="checkbox"/>
Negative Impact	<input type="checkbox"/>
No Impact	<input checked="" type="checkbox"/>
Evidence:	

COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015

Participation Requests and Asset Transfer Requests – Annual Report 2018-19

1.0. INTRODUCTION

- 1.1. This report summarises the work undertaken by North East Scotland College on Parts 3 and 5 of the Community Empowerment (Scotland) Act 2015 for the year 01 April 2018 to 31 March 2019.

2.0. BACKGROUND

- 2.1. The Community Empowerment (Scotland) Act 2015 (the Act) received Royal Assent on 24 July 2015. The purpose of the Act is to “*make provision about national outcomes; to confer functions on certain persons in relation to services provided by, and assets of, certain public bodies; to amend Parts 2 and 3 of the Land Reform (Scotland) Act 2003; to enable certain bodies to buy abandoned, neglected or detrimental land; to amend section 7C of the Forestry Act 1967; to enable the Scottish Ministers to make provision about supporters' involvement in and ownership of football clubs; to make provision for registers of common good property and about disposal and use of such property; to restate and amend the law on allotments; to enable participation in decision-making by specified persons having public functions; to enable local authorities to reduce or remit non-domestic rates; and for connected purposes*”. The Act is available here: - http://www.legislation.gov.uk/asp/2015/6/pdfs/asp_20150006_en.pdf
- 2.2. Part 3 *Participation Requests*, and Part 5 *Asset Transfer Requests*, of the Act place an obligation on Public Service Authorities (PSAs) to publish annual reports on work undertaken on those Parts of the Act. North East Scotland College is defined as a PSA under the Act.

3.0. PARTICIPATION REQUESTS

3.1. Reporting Requirements

Under Part 3 of the Act, a community participation body may make a request to a public service authority to permit the body to participate in an outcome improvement process. The PSA must report as follows: -

- (a) the number of participation requests the authority received,
- (b) the number of such requests which the authority: -
 - (i) agreed to, and
 - (ii) refused,
- (c) the number of such requests which resulted in changes to a public service provided by or on behalf of the authority, and
- (d) any action taken by the authority: -
 - (i) to promote the use of participation requests,
 - (ii) to support a community participation body in the making of a participation request.

3.2. Report for the Year 01 April 2018 to 31 March 2019

For the period 01 April 2018 to 31 March 2019, North East Scotland College received no participation requests. The College did not undertake any specific work to promote the use of participation requests. It was not requested to, nor did it undertake any work to support a community participation body in the making of a participation request.

4.0. ASSET TRANSFER REQUESTS

4.1. Reporting Requirements

Under Part 5 of the Act, a community transfer body may make a request: -

- (a) in relation to land owned by the relevant authority, for ownership of the land to be transferred to the community transfer body, or
- (b) in relation to land owned or leased by the relevant authority: -
 - (i) for the land to be leased to the community transfer body, or
 - (ii) for the authority to confer rights in respect of the land on the community transfer body (including, for example, rights to manage or occupy the land or use it for a purpose specified in the request).

The PSA must report as follows: -

- (a) the number of asset transfer requests the relevant authority received,
- (b) the number of such requests which the relevant authority: -
 - (i) agreed to, and
 - (ii) refused,
- (c) the number of such requests made to the relevant authority which resulted in: -
 - (i) a transfer of ownership of land to a community transfer body,
 - (ii) a lease of land to such a body,
 - (iii) rights in respect of land being conferred on such a body,
- (d) the number of appeals under section 85 relating to such requests made to the relevant authority that have: -
 - (i) been allowed,
 - (ii) been dismissed,
 - (iii) resulted in any part of the decision of the authority being varied or reversed,
- (e) in relation to a decision of the relevant authority reviewed under section 86 or 87, the number of such decisions that have been: -
 - (i) confirmed,
 - (ii) modified,
 - (iii) substituted by a different decision, and
- (f) any action taken by the relevant authority during the reporting year: -
 - (i) to promote the use of asset transfer requests,
 - (ii) to support a community transfer body in the making of an asset transfer request.

4.2. Report for the Year 01 April 2018 to 31 March 2019

For the period 01 April 2018 to 31 March 2019, North East Scotland College received no asset transfer requests. The College did not undertake any specific work to promote the use of asset transfer requests. It was not requested to, nor did it undertake any work to support a community transfer body in the making of an asset transfer request.



REGIONAL BOARD	
Meeting of 19 June 2019	
Title: Programme of Meetings AY2019-20	
Author: Pauline May, Secretary to the Board	Contributor(s): Senior Executive Team, Regional Chair, Committee Chairs
Type of Agenda Item:	
For Decision	<input checked="" type="checkbox"/>
For Discussion	<input type="checkbox"/>
For Information	<input type="checkbox"/>
Reserved Item of Business	<input type="checkbox"/>
Purpose: To enable the Regional Board to establish a programme of meetings for AY2019-20.	
Linked to Strategic Goal:	
1. Deliver high quality, accessible and inclusive learning and training opportunities, which transform lives and which support the economic and social development of our region.	
Linked to Annual Priority:	
Executive Summary:	
Attached as Appendix 1 is a proposed Programme of Meetings of the Regional Board and its Standing Committees (Audit & Risk, Curriculum & Quality, Finance & Resources, and Human Resources) for AY2019-20.	
In preparing the draft Programme, the Secretary to the Board has discussed proposed changes with the Senior Executive Team and the Director of HR & OD given their roles in preparing papers and supporting the Board and its Committees. Work undertaken to review the College's planning and reporting cycles has also been reflected upon, as well as agendas from Board and Committee meetings held in AY2018-19.	
Key changes in the attached draft Programme in comparison to the Programme for the current academic year are:	
<ul style="list-style-type: none"> • A reduction in the number of meetings of the Curriculum & Quality Committee from four to three. It is proposed however that a Committee engagement activity with students and/or staff is held instead of the fourth meeting of the Committee. • A reduction in the number of meetings of the Finance & Resources Committee from four to three. 	

- A rescheduling of various meetings to reduce commitments in two months which previously tended to be very busy (AY2018-19 October – Board Meeting, two Committees, Aberdeen Graduations and October break, AY2018-19 April – two Committees, Strategy Event and Easter break).
- A proposal for the AY2019-20 Strategy Event to be held at the City Campus and to be on a single day. It is proposed that the Board Member Networks Dinner that was cancelled earlier this year is held at Gate 63 on the evening of the Strategy Event.

It should be noted that additional meetings will be convened during the academic year if required.

Members will note that the majority of meetings are proposed to be held on Wednesdays, the same as in the current academic year. This works well in terms of aligning to other internal College meetings, e.g. Action Teams, and the reporting cycle, and avoids days on which key external meetings, e.g. Colleges Scotland, tend to be held.

Following the approval of the Programme of Meetings, relevant Outlook meeting invites will be sent to each Members College email addresses.

In addition to the Programme of Meetings, a Board Member Engagement Plan will be prepared and issued to Members at the beginning of AY2019-20. This will include Campus Visits and a variety of opportunities to engage with both staff members and students.

Recommendation:

It is recommended that the Board consider and if so minded approve the proposed dates for meetings of the Regional Board and its Standing Committees in AY2019-20.

Previous Committee Recommendation/Approval (if applicable):

None

Equality Impact Assessment:

Positive Impact

Negative Impact

No Impact

Evidence:

Draft Programme of Meetings Academic Year 2019-20

Strategy Events		
Date	Time	Venue
Thursday 21 November 2019	1200 hours	G25, Aberdeen City Campus
Wednesday 29 April 2020	0930 hours	

Regional Board Meetings		
Date	Time	Venue
Wednesday 30 October 2019	1000 hours	G10, Aberdeen City Campus
Wednesday 11 December 2019	1000 hours	
Wednesday 25 March 2020	1000 hours	MEG01, Aberdeen Altens Campus
Wednesday 24 June 2020	1000 hours	Boardroom, Fraserburgh Campus

Audit & Risk Committee Meetings		
Date	Time	Venue
Wednesday 25 September 2019	1030 hours	G10, Aberdeen City Campus
Thursday 28 November 2019*	1030 hours	
Wednesday 19 February 2020	1030 hours	
Wednesday 20 May 2020	1030 hours	

Curriculum & Quality Committee Meetings		
Date	Time	Venue
Wednesday 06 November 2019	1030 hours	G10, Aberdeen City Campus
Wednesday 26 February 2020	1030 hours	
Wednesday 27 May 2020	1030 hours	

Finance & Resources Committee Meetings		
Date	Time	Venue
Thursday 28 November 2019*	1100 hours	G10, Aberdeen City Campus
Wednesday 19 February 2020	1130 hours	
Wednesday 20 May 2020	1130 hours	

Human Resources Committee Meetings		
Date	Time	Venue
Wednesday 25 September 2019	0900 hours	G10, Aberdeen City Campus
Tuesday 26 May 2020	0900 hours	

Annual Chairs Meeting		
Date	Time	Venue
Wednesday 24 June 2020	1300 hours	Boardroom, Fraserburgh Campus

Governance Steering Group Meetings		
Date	Time	Venue
Wednesday 11 September 2019	TBC	G25, Aberdeen City Campus
Wednesday 06 November 2019	0900 hours	
Wednesday 19 February 2020	0900 hours	
Tuesday 26 May 2020	1030 hours	

In addition to the Programme of Meetings, all Board Engagement Plan will be circulated to Members and updated throughout the academic year as appropriate.

**The Audit & Risk Committee and Finance & Resources Committee will jointly consider the College's Financial Statements*

Draft Programme of Meetings - Academic Year 2019-20

Month	Date	Meeting	Time	Venue
September	11	Governance Steering Group	TBC	G25, Aberdeen City Campus
	25	Human Resources Committee	0900 hours	G10, Aberdeen City Campus
		Audit & Risk Committee	1030 hours	
	28	Fraserburgh Graduation		Fraserburgh Campus
October	08 & 09	Aberdeen Graduations		Doubletree Aberdeen Treetops
	14-25	October Break		
	30	Regional Board	1000 hours	G10, Aberdeen City Campus
November	06	Governance Steering Group	0900 hours	G25, Aberdeen City Campus
		Curriculum & Quality Committee	1030 hours	G10, Aberdeen City Campus
	21	Strategy Event	1200 hours	G25, Aberdeen City Campus
	28	Audit & Risk Committee*	1030 hours	G10, Aberdeen City Campus
Finance & Resources Committee*		1100 hours		
December	11	Regional Board	1000 hours	G10, Aberdeen City Campus
January				
February	19	Governance Steering Group	0900 hours	G25, Aberdeen City Campus
		Audit & Risk Committee	1030 hours	G10, Aberdeen City Campus
	Finance & Resources Committee	1130 hours		
26	Curriculum & Quality Committee	1030 hours		
March	25	Regional Board	1000 hours	MEG01, Aberdeen Altens Campus
April	06-17	Easter Break		
	29	Strategy Event	0930 hours	G25, Aberdeen City Campus
May	20	Audit & Risk Committee	1030 hours	G10, Aberdeen City Campus
		Finance & Resources Committee	1130 hours	
	26	Human Resources Committee	0900 hours	G25, Aberdeen City Campus
		Governance Steering Group	1030 hours	
27	Curriculum & Quality Committee	1030 hours	G10, Aberdeen City Campus	
June	24	Regional Board	1000 hours	Boardroom, Fraserburgh Campus
		Annual Chairs Meeting	1300 hours	
July				
August				

*The Audit & Risk Committee and Finance & Resources Committee will jointly consider the College's Financial Statements



REGIONAL BOARD	
Meeting of 19 June 2019	
Title: Governance Manual	
Author: Pauline May, Secretary to the Board	Contributor(s): Governance Steering Group – Ken Milroy, Ann Bell, John Henderson
Type of Agenda Item:	
For Decision	<input checked="" type="checkbox"/>
For Discussion	<input type="checkbox"/>
For Information	<input type="checkbox"/>
Reserved Item of Business	<input type="checkbox"/>
Purpose: To enable the Regional Board to consider an updated version of its Governance Manual.	
Linked to Strategic Goal:	
1. Deliver high quality, accessible and inclusive learning and training opportunities, which transform lives and which support the economic and social development of our region.	
Linked to Annual Priority:	
Executive Summary:	
<p>At its most recent meeting, the Board's Governance Steering Group reviewed a number of proposed amendments to the Governance Manual identified by the Secretary to the Board. Attached as Appendix 1 is a track-changed version of the Manual highlighting these proposed amendments.</p> <p>The Governance Steering Group has noted that the document will require a further review following upcoming legislative changes regarding trade union membership.</p>	
Recommendation:	
It is recommended that the Board approve the updated Manual, and in doing so readopt its Standing Orders, Scheme of Delegation, and Code of Conduct.	
Previous Committee Recommendation/Approval (if applicable):	
None	

Equality Impact Assessment:

Positive Impact

Negative Impact

No Impact

Evidence:

The Governance Manual contains information on the role of the Regional Board and its Committees in terms of equality and diversity and of the Board's Equality & Diversity Champion.



REGIONAL BOARD

GOVERNANCE MANUAL WORKING DRAFT

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Page numbers to be updated once amendments approved

1. INTRODUCTION

1.1 This document sets out:

- The statutory and regulatory responsibilities underpinning the operation of the Regional Board of North East Scotland College
- The Constitution and Standing Orders of the Board and its Committees
- The Scheme of Delegation, including delegation to the Chair, Committees, the Principal and the Secretary to the Board
- The Regional Board Code of Conduct
- The Terms of Reference of the Board and its Committees.

1.2 This Manual is not intended to undermine or supersede the formal Instruments and Articles of Governance, under which the College has its charitable status. In the event of any conflict between the contents of this Manual and the Instruments and Articles, the Instruments and Articles take precedence. Any changes to those Instrument and Articles will, as appropriate, be reflected in the content of this Manual.

1.3 This Manual should be read in conjunction with the [Code of Good Governance for Scotland's Colleges](#)

2. STATUTORY AND REGULATORY RESPONSIBILITIES

- 2.1 The Board is constituted in accordance with the Acts and any relevant Regulations, Statutory Provisions or Orders made by the Scottish Government. Any changes to the Acts or any relevant Regulations, Statutory Provisions or Orders made by the Scottish Government will supersede any arrangements or procedures set out in this Manual.
- 2.2 The Board shall be the College's legal authority and, as such, shall ensure that systems are in place for meeting the College's legal obligations, including those arising from contracts and other legal commitments made in the College's name.
- 2.3 The Board shall act as trustee for any legacy, endowment, bequest or gift given to it in support of the work and welfare of the College.
- 2.4 The Board shall ensure that constitutional arrangements as set out in legislation are followed and that appropriate advice is available to enable this to happen.
- 2.5 The Board shall be the employer of all employees of the College.
- 2.6 The Board shall ensure that the College operates ethically, responsibly and with respect for the environment and for society at large and will ensure that the College provides public benefit in Scotland and elsewhere through:
 - the advancement of education and training; and
 - the advancement of citizenship or community development.
- 2.7 The Board shall ensure that it maintains a balance of appropriate knowledge, skills and experience amongst its membership in order to meet its primary responsibilities.
- 2.8 The Board shall be the principal financial and business authority of the College; shall ensure that proper books of account are kept; shall approve the annual budget and financial statements; and shall have overall responsibility for the assets, property and estate of the College and the use thereof.
- 2.9 The Board shall ensure the establishment and monitoring of systems of control and accountability, including: financial and operational controls; systems in respect of risk assessment and management; clear procedures for handling internal grievances; clear procedures for managing conflicts of interest; and clear procedures for public interest disclosure, all so as to maintain the solvency of the College and safeguard its assets.
- 2.10 The Board shall ensure that processes are in place to monitor and evaluate the performance and effectiveness of the College against approved plans and key performance indicators, which should be benchmarked against other comparable institutions, wherever possible.
- 2.11 The Board shall ensure that arrangements are in place to promote the proper management of the health, safety and security of students, staff and others affected by the College and its operations.
- 2.12 It is the duty of the Board to comply with any direction, requirement, notice or duty imposed by the Charities and Trustee Investment (Scotland) Act 2005.

- 2.13 The Board shall make provision, in consultation with the Students' Association, for the general welfare of students.

3. CONSTITUTION AND STANDING ORDERS

Executive Summary

- 3.1 North East Scotland College is established under the Further and Higher Education (Scotland) Act 1992. The College's constitutional arrangements are set out expressly in the Act, most notably in section 12 and Schedule 2. A Guide produced by the Scottish Government highlighting the key functions, constitution and proceedings of boards of management is attached as Appendix G.
- 3.2 Under the Act, boards of management are responsible for developing Standing Orders. The Standing Orders of North East Scotland College Regional Board set out the Board's policy and practice on those issues which it has powers to determine.
- 3.3 The Standing Orders are to be read in conjunction with the following:
- The Further and Higher Education (Scotland) Act 1992 (as amended), the Further and Higher Education (Scotland) Act 2005 (as amended) and the Post-16 Education (Scotland) Act 2013. In the event of any conflict arising between the Standing Orders and the Acts, the terms of the Acts shall prevail;
 - The Ethical Standards in Public Life etc. (Scotland) Act 2000;
 - Charities and Trustee Investment (Scotland) Act 2005;
 - The Code of Good Governance for Scotland's Colleges;
 - The Scheme of Delegation; and
 - The Regional Board Code of Conduct.
- 3.4 The Regional Board of North East Scotland College is established under the provisions of the 1992 Act and is a charity registered in Scotland in terms of the Charities and Trustee Investment (Scotland) Act 2005 with registered number SC021174.
- 3.5 In the event of a dispute as to the interpretation of constitutional arrangements or the Standing Orders the ruling of the Chair shall be sought. In the event of a challenge to the Chair's authority the Board shall, in the first instance, refer the matter to the ~~Vice Chair and~~ Senior Independent Member who will consult the Secretary to the Board as appropriate.

Purpose and Powers

- 3.6 The Regional Board shall have the duty to manage and conduct the business of the College in accordance with the terms of its statutory responsibilities and, in particular, ensure that it provides suitable and efficient further and higher education to students at the College.
- 3.7 The Board has the responsibility for the appointment of the College Principal, and for the conduct of any disciplinary or other action taken against the Principal as the result of an allegation of misconduct or the investigation of a grievance. It shall put in place suitable arrangements for monitoring his/her performance.
- 3.8 The Board shall delegate to the Principal, as Chief Executive, authority for the academic, corporate, financial, estate and human resource management of the

College, and shall establish and monitor such management functions as shall be undertaken by and under the authority of the Principal.

3.9 The Board has powers to:

- charge fees;
- provide assistance of a financial or other nature (including waiving or granting remission of fees unless specifically prohibited by legislation from doing so);
- receive any property, rights, liabilities and obligations transferred under the 2013 Act and to acquire property for the College's benefit;
- provide facilities of any description appearing necessary for the managing of the College's activities;
- subject to Section 11 of the 2013 Act and with the written consent of the Scottish Ministers, to dispose of property;
- supply goods and services; and enter into contracts, including staff contracts and the supply of goods and services necessary for the management of the College's activities;
- to form or promote or join with any other person in forming or promoting companies (within the meaning of the Companies Act 2006);
- subject to the terms of the Financial Memorandum with the SFC, to borrow such sums as it sees fit; invest such sums as are not immediately required by the Board for the purpose of carrying out the College's activities; and raise funds and accept gifts of money, land or property and apply it to the purpose of carrying out College activities.

3.10 The Board may, having particular regard to any requirements laid down by the SFC with respect to financial management, delegate the performance of its functions to its Chair or any Committee appointed by it or any member of its staff with the exception of the following:

- the determination of the educational character and mission of the College;
- monitoring and review of College systems and procedures;
- approval of annual estimates of income and expenditure;
- ensuring solvency of the College and safeguarding its assets;
- approval of the College's Strategic Plan and Regional Outcome Agreement; and
- appointment and dismissal of the Principal.

3.11 The Board may pay to Board members such allowances and expenses as they may determine subject to any criteria issued from time to time by Scottish Ministers.

3.12 The Board shall not without written consent of the Scottish Ministers:

- borrow money from any source other than within the limits established by the Financial Memorandum;
- give a guarantee or indemnity or create any trust or security over or in respect of the College's property; nor
- effect a material change in the character of the College.

3.13 The Board may be given direction of a general or a specific character by the Scottish Government or the SFC or its equivalent, with regard to the discharge of its functions, and it is the duty of the Board to comply with any directions given.

3.14 The Board has a duty to keep proper accounts which shall be prepared and audited in accordance with the requirements of the SFC.

- 3.15 Subject to the responsibilities of the Board, the Principal is responsible for the executive management of the College, including its financial management, internal organisation and discipline.

Appointment of Chair

- 3.16 The Chair of the Regional Board is appointed by Scottish Ministers.
- 3.17 Regional college chair appointments are subject to standard terms and conditions of appointment. A copy of these terms and conditions can be found on the Scottish Government website - <http://www.gov.scot/Topics/Education/post16reform/hefegovernance/TermsandConditions>
- 3.18 The Chair holds and vacates office on such terms and conditions as the Scottish Ministers may determine.

Appointment of Vice Chairs

- 3.19 The Board shall appoint, as Vice Chair, ~~two~~ of its members, not being a person who is:
- a student at the College;
 - the Principal or Acting Principal of the College or any other employee of the College.
- 3.20 The period of appointment of the ~~offices of~~ Vice Chair shall be ~~four years from their date of appointment or as otherwise~~ determined by the Board in line with succession planning considerations and arrangements.~~from time to time.~~
- 3.21 Holders of the office of ~~The~~ Vice Chair may at any time by notice in writing to the Secretary to the Board, resign their respective office as Vice Chair, and/or from the Board itself.
- 3.22 At the first meeting following the expiry of their term of office, or following their resignation, the Board shall appoint a new Vice Chair, as the case may be, from amongst their number for a period in line with the arrangements set out in Section 3.19 above. The Vice Chair retiring at the end of their respective term of office, are eligible for re-election subject to the terms of the Tenure of Office.
- 3.23 When ~~either the~~ Vice Chair ~~ceases~~ to be a member of the Board, he or she shall cease to be ~~a~~ Vice Chair.
- 3.24 The Board ~~will~~ may appoint one of the Vice Chairs as the senior independent member (Appendix B) to provide a sounding board for the Chair and to serve as an intermediary for the other Board members and Secretary to the Board as necessary.

Appointment of Equality and Diversity Champion

- 3.25 The Board shall appoint, as Equality and Diversity, one of its members, to help ensure that the Board observes good practice in regard to equality and diversity (Appendix C).
- 3.26 The period of appointment of the Equality and Diversity Champion shall be four years from their date of appointment or as otherwise determined by the Board from time to time.

Membership

- 3.27 The Board shall consist of no fewer than 15 nor more than 18 members. The Board shall comprise:
- a) a person appointed by the Scottish Ministers to chair meetings of the Board (the “chairing member”);
 - b) the principal of the college;
 - c) a person appointed by being elected by the teaching staff of the college from among their own number;
 - d) a person appointed by being elected by the non-teaching staff of the college from among their own number;
 - e) two persons appointed by being nominated by the Students’ Association of the college from among the students of the college; and
 - f) other members appointed by the Board.

An appointment made in pursuance of (f) has effect only if approved by the chairing member and the Scottish Ministers.

- 3.28 All Board vacancies for membership of the Regional Board shall be filled in line with the Recruitment and Selection Policy for Board Members.
- 3.29 Upon appointment/reappointment, all Board members are required to sign a set of terms and conditions complete a Declaration Form (Appendix B). Board members will also be required to complete an induction process, as detailed in the Induction Policy for Board Members.
- 3.30 Procedural arrangements for any elections to the Board shall be delegated to the Secretary to the Board (Appendix C).
- 3.31 Board members (except the Principal) may resign at any time, by giving notice in writing to the Chair or the Secretary to the Board.
- 3.32 Board members who are members of staff (including the Principal) or students of the College cease to be Board members if they cease to be staff or students of the College.
- 3.33 A person nominated to fill a vacancy may attend Board meetings prior to the resignation of the Board member who he or she is replacing, and may speak at meetings, but not take part in any vote on a Board item.
- 3.34 Without prejudice to the rights of any Committee to co-opt members from time to time, the Board may from time to time co-opt persons to any Committee and may at any time revoke such co-option. Any person co-opted to any Committee may attend any meeting of that Committee and take part in that Committee’s discussions. Co-optees may not chair any Committee, nor may they vote in any decisions determined by a vote of any Committee, but they shall in all other respects have equivalent status to Committee members.
- 3.35 The Board will maintain a Succession Planning Policy for Board Members to provide a framework for the planned succession of Members of the Regional Board. In doing so the Board will ensure balance in the skills and expertise which all Members bring and will consider the diversity of its membership.

Terms and Tenure of Office

- 3.365 A member of the Board (other than the Principal or Students' Association nomination) shall hold office for a period of four years.
- 3.376 Board members who have been absent without reasonable excuse from the Board for more than six months may, by resolution of the Board and notice in writing from the Chair, be removed from the Board.
- 3.387 Board members may not act as such unless and until he or she is eligible for appointment as a Board member in terms of Schedule 2 to the 1992 Act.
- 3.398 Individuals who are disqualified from being a charity trustee under Section 69 of the Charities and Trustee Investment (Scotland) Act 2005; or have failed to pass a PVG check are ineligible to be a Board Member.
- 3.4039 Board members shall at all times comply with:
- any duties imposed on Board members in their capacity as charity trustees pursuant to section 66 of the Charities and Trustee Investment (Scotland) Act 2005;
 - any other legislation and/or statutory or regulatory guidance applicable to the College from time to time;
 - the terms of the Regional Board Code of Conduct; and
 - the Code of Good Governance for Scotland's Colleges.

Meetings

- 3.419 The Board shall hold as many Board and Committee meetings as may be necessary for the performance of its functions and at such times, places and frequency as the Board determines.
- 3.424 The Secretary to the Board shall produce an annual programme of meetings which shall be presented to the Board for approval.
- 3.432 Meetings of the Board shall be quorate if no less than one half of the members entitled to vote at such a meeting are present. Members participating are counted in the quorum in line with the following arrangements:
1. Board members participate in a meeting or part of a meeting when they can each communicate to the other members any information or opinions they have on any particular item of the business of the meeting.
 2. In determining whether members are participating in a meeting, it is irrelevant where any member is or how they communicate with each other.
 3. If all the Committee members participating in a meeting are not in the same place, they may decide that the meeting is to be treated as taking place wherever any of them is.
- 3.443 If a quorum is not present, the Chair shall adjourn the meeting for 15 minutes and, after this time, if a quorum is still not present, the Chair shall have the power to decide to close the meeting or to take such items on the agenda that may require discussion on an advisory basis only, subject to a vote taken by the next quorate meeting of the Board.
- 3.454 The Chair shall be responsible for the general conduct of meetings and shall:

- preserve order and ensure every member has a fair hearing;
- decide upon all matters of order, competency and relevancy; and
- determine all questions of procedure in reference to which no express provision is made in legislation or under these Standing Orders.

All business at Board and Committee meetings shall be conducted through the Chair by members indicating to the Chair that they wish to speak. The Chair shall be heard without interruption.

- 3.4~~65~~ The ruling of the Chair on all matters within his/her jurisdiction as Chair is final.
- 3.4~~76~~ If ~~both~~ the Chair and both Vice Chairs are absent from any meeting of the Board, the Board members present shall choose one of their numbers to act as Chair for the meeting.
- 3.4~~87~~ Notification to Board members of the time and place of the meeting and a copy of the agenda will be sent to Board members at least five working days in advance of the meeting, or if the meeting is convened at a shorter time, then at the time it is convened.
- 3.4~~98~~ The order of business will be determined at the start of the meeting and will generally follow the format contained in the agenda accompanying the notice calling the meeting. Matters to be raised under Any Other Business should be notified to the Chair or the Secretary to the Board prior to the meeting. Any such matters may, subject to the approval of the Chair or ~~at~~ the Vice Chair, be considered by the Board.
- 3.5~~049~~ An Extraordinary Meeting of the Board or a Committee may be called on the instructions of the Chair or by agreement by a majority of Board members entitled to vote at such a meeting. If there are matters requiring urgent attention, notice will be given as soon as is reasonably practicable and giving no less than two working days' notice.
- 3.5~~19~~ If any Board member disregards the authority of the Chair or displays obstructive or offensive conduct, that Board member may be suspended for the remainder of the meeting.
- 3.5~~24~~ Subject at all times to its constitutional arrangements and the terms of the Standing Orders, the Board shall regulate its proceedings as it thinks fit. The Chair may from time to time, adopt, amend and/or replace any procedures of the Board in respect of the regulation of proceedings.

Attendance at Meetings

- 3.5~~32~~ The Secretary to the Board shall have oversight of all Board and Committee meetings in order to ensure meetings are conducted in accordance with legislation, terms and conditions of grant (including in relation to its Financial Memorandum, the Scottish Public Finance Manual, the Code of Good Governance for Scotland's Colleges), the Board's Scheme of Delegation and these Standing Orders, and in order to ensure a record is kept of proceedings.
- 3.5~~43~~ It shall be a matter for the Board or Committee to determine which College employees (with the exception of the staff Board Members who shall be invited to attend all meetings of the Board and Committees they are a member of) or other individuals should be invited to attend any Board or Committee meeting or any part of it in an advisory capacity in order to ensure that the Board or Committee has the

required advice to fulfil its functions. Where invited to do so by the Chair at the meeting, these employees or individuals may contribute to the discussion, but may not vote.

3.554 The Board may decide to meet privately without the Principal or any Senior Executive Management Team members being present. In these circumstances the Secretary to the Board shall be present at the meeting unless requested by the Chair to leave. Where the Secretary to the Board is requested to leave, there must be a clear and specific reason for this recorded in the minutes and the Chair shall ensure that appropriate arrangements are made for recording the discussion and any decisions taken at the meeting in the minutes. Staff and student Board members are permitted to attend such meetings unless they have a conflict of interest in relation to the matter being discussed.

Agenda and Papers

3.565 The Secretary to the Board in consultation with the Chair and Principal shall prepare the draft agenda. Other members may request for an item to be included on the agenda for discussion by submitting this to the Secretary to the Board no later than 10 working days in advance of the meeting (except in the case of an extraordinary meeting where only the urgent business notified at the time the meeting was requested will be placed on the agenda). The Secretary shall ensure that all items placed on the agenda fall within the remit of the Board or Committee.

3.576 All matters for consideration by the Board or Committee shall be clearly identified on the agenda as to whether it is for decision, discussion or for information purposes.

The order of business shall be:

- Apologies for absence
- Declarations of any Potential Conflicts of Interest in relation to any agenda items
- Approval of the minutes of the previous meeting
- Matters arising
- All other business with those items of business requiring approval or a decision taking precedence over items of business for noting
- Date and time of the next meeting.

3.587 Board and Committee papers may be submitted by the Chair, Vice Chairs, Principal, a member of the Senior Executive Management Team or the Secretary to the Board. Others may also submit papers following agreement with the Chair.

3.598 The Secretary to the Board shall ensure the circulation of papers to Board or Committee members at least five working days prior to the meeting. Where this timescale is not possible, the Secretary to the Board shall advise members of this and advise of the reason for the delay and when papers might be expected.

Minutes

3.6059 After each Board or Committee meeting, the draft minutes shall, normally within ten working days, be submitted to the relevant Chair for consideration in the first instance. After consideration by the relevant Chair, the draft minutes shall be circulated by email, normally within in ten working days, to all Board or Committee members. Draft minutes will then be submitted to the next meeting for approval. After the minutes have been approved as a correct record of the meeting to which they relate, subject to or without amendment, the relevant Chair shall sign them.

3.6~~10~~ After the minutes have been approved, and before the next business on the agenda, any Board member may ask any question in regard to matters arising out of them. Questions shall be allowed for the purposes of information only.

3.6~~24~~ All Committee minutes will be submitted to the Board for information and discussion at the next scheduled meeting of the Board regardless of whether the minutes are draft or have been approved by the Committee.

Quorum and Voting Rights

3.6~~32~~ The quorum for a meeting of the Board or Committee shall be no less than one half of the members entitled to vote at such a meeting.

3.6~~43~~ If a meeting does not have a quorum of members present 15 minutes after its scheduled start time or falls below having a quorum of members present part way through, the Chair must either adjourn the meeting to a new date and time, or proceed with the agenda, ensuring that any decisions are taken by members at the next meeting of the Committee or Board, whichever is the sooner.

3.6~~54~~ If the Chair of the Board or Committee is not present at any meeting, ~~the~~ Vice Chair shall assume that role. Where a Vice Chair is not available, members shall elect from amongst themselves a Board member who is entitled to vote as the Chair of that meeting.

3.6~~65~~ A question on when a vote is required shall be determined by a majority of votes of the members of the Board present and voting on the question and, in the case of an equal division of votes, the Chair of the meeting shall have a second or casting vote.

3.6~~76~~ Only matters identified on the agenda as requiring a decision shall, if consensus is not possible, be decided by vote.

3.6~~87~~ In exceptional circumstances, such as for matters requiring urgent attention, and when the approval of the Board or Committee is required, decisions can be taken, with the prior agreement of the Chair, by written procedure. That is, decisions can be taken without calling a physical meeting of the Board or Committee. In such circumstances for a decision to be deemed to be taken:

- The Secretary to the Board shall email all Board members outlining the decision required, together with relevant briefing information.
- A quorum, as defined above, must have replied to the email.
- The Secretary to the Board shall ensure that a deadline for response is clearly specified and Board members shall endeavour to respond within that timeframe.
- Any decisions taken in this way shall be homologated at the next relevant meeting of the Board or Committee.

3.6~~98~~ Where a proposal is amended, voting will take place on the amendment against the proposal, or the series of amendments, in the order of the last amendment first, until a single amendment is put against the proposal. Thereafter, voting will take place upon the proposal amended. All members have a single vote.

- 3.7069 No-one shall be entitled to tender his or her dissent from any decision, except at the meeting at which it has been passed; but any member not present may at the next meeting have his or her dissent recorded.
- 3.719 No proposal nor any amendment to any such proposal, shall be moved if it involves a reconsideration of any question or proposal which has been decided or adopted by the Board at any time within the preceding six months unless:
- it is moved by the Chair
 - in addition to being signed by the mover, it is signed by at least one third of the total members of the Board.
- 3.724 In the case of an equality of votes at any meeting of the Board, or Committee, the Chair/Committee Chair or, in his/her absence, the Vice Chair/Committee Vice Chair shall have a second or casting vote.
- 3.732 In the absence of the Principal, the Chair will nominate a member of the College Senior Executive Management Team to attend and speak at any meeting of the Board or its Committees. The nominee shall not be entitled to vote at any such meeting.
- 3.743 Staff and student members of the Board shall, unless invited to remain by the Chair, withdraw from any part of any meeting of the Board or its Committees at which the appointment, promotion, conduct, suspension, dismissal, retirement or terms and conditions of employment of any employee of the College is to be considered.
- 3.754 Meetings of the Board are not normally open to the public. At any meeting of the Board at which the College's Annual Report is presented, the Chair, with the consent of a majority of the Board members, may admit members of the public for that item.

Proceedings and Publication of Board Papers

- 3.765 Meetings shall be minuted by the Secretary to the Board or nominated deputy.
- 3.776 The Board may regulate its own proceedings and those of any Committee appointed by it. The validity of any proceedings of the Board or of any Committee appointed by them shall not be affected by any defect in the appointment of any member of the Board - or any member of such Committee or by a vacancy amongst the members of the Board.
- 3.787 The Board shall make available on the College website or for inspection at the principal office of the College, at all reasonable times, for anyone who wishes to inspect them, copies of the documents to which this sub paragraph applies:
- the agenda for any meeting of the Board or any Board Committee;
 - the draft minutes of any such meeting as approved by the Chair of the meeting;
 - the minutes of such meeting as agreed by the Board or as the case may be, the Committee; and
 - any report or document considered by such meeting.
- 3.798 There may be excluded from any item required to be made available under paragraph 3.77 above, any material relating to:
- a named person employed at or proposed to be employed at the College
 - a named student at, or candidate for admission to, the College
 - information relating to any particular applicant for, or recipient or former recipient of, any service provided by the College

- information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the College
- information relating to the financial or business affairs of any particular person (other than the College)
- the amount of any expenditure proposed to be incurred by the College under any particular contract for the acquisition of property or the supply of goods or services
- any terms proposed or to be proposed by or to the College in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services
- the identity of the College as the person offering any particular tender for a contract for the supply of goods or services
- information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the College and employees of the College
- any instructions to counsel and any opinion of counsel (whether or now in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:
 - a) any legal proceedings by or against the College, or
 - b) the determination of any matter affecting the College (whether, in either case, proceedings have been commenced or are in contemplation)
- any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
- the identity of a protected informant.

Committees

3.8079 The Board shall appoint such Committees, as it considers necessary.

3.810 The Board, unless resolved otherwise, will establish, as a minimum, the following Committees:

- Audit and Risk Committee
- Curriculum and Quality Committee
- Finance and Resources Committee
- Human Resources Committee
- Remuneration Committee
- Selection and Appointments Committee.

3.824 The Chair of the Board and the Principal may attend any meetings of any Committee (other than the Audit and Risk Committee, which they may only attend by invitation) but may not vote unless they are members of the Committee.

3.8.2 3.8.3 Committees may include persons who are not Board members but such persons will not be entitled to vote at meetings of the Committee.

3.843 The Standing Orders of the Board shall also be the Standing Orders of its Committees.

3.854 Committees shall determine or advise the Board on any matters which the Board remits to them.

3.865 The Chairs of Committees can request support to undertake the role from the Chair of the Regional Board and from other Committee Chairs. Support in relation to items of Committee business is also available from relevant members of the College's Senior **Executive Management** Team.

3.876 Terms of Reference for the Committees can be found in Section 6 of this Manual, and detail:

- Membership
- Quorum
- Remit
- Frequency of Meetings.

3.887 Each Committee shall review its remit annually and shall submit any proposed changes to the Board for approval.

Board Members' Interests

3.898 Board members may not take or hold any interest in any property held or used for the purpose of the College.

3.890 A Board member who has any financial or material interest in:

- the supply of work or goods to or for the purpose of the College;
- any contract or proposed contract concerning the College; or
- any other matter relating to the College

must, at any meeting when the item is considered, declare an interest and withdraw from the meeting, unless the Board allows the member to remain when she or he may talk on the item, but they may not vote on any question in relation to it. In considering whether to make a declaration in any proceedings, members must consider not only whether they will be influenced but whether anybody else would think that they might be influenced by the interest. Members must keep in mind that the test is whether a member of the public, acting reasonably, might think that a particular interest could influence a member's actions.

3.910 In accordance with the terms of the Ethical Standards in Public Life Etc. (Scotland) Act 2000, a Register of Interests will be maintained by the Secretary to the Board. Such Register of Interests shall be available for inspection at all reasonable times at the principal office of the College or as otherwise required by the Standards Commission for Scotland.

3.924 There will be a biannual review of the Register of Interests but, notwithstanding the annual review, it is the responsibility of members of the Board to declare all relevant information and to promptly notify any changes.

3.932 Guidance to Board members is provided in the Code of Conduct and Register of Interests sections of this manual.

Confidentiality of Information

3.943 Any information received or obtained by any person in connection with his/her functions as a Board member, or a member of any Committee, shall be treated as confidential to the Board or that Committee.

3.954 Papers and reports shall not be divulged or disclosed to anyone prior to meetings of the Board or its Committees. Papers, discussion and decisions agreed by the Board and its Committees to be confidential shall be separately minuted and shall not be

made available to anyone other than members of the Board and the Secretary to the Board.

3.9~~65~~ In particular, but without limitation, Board members must treat the following information as confidential and must not divulge or disclose any such information to any third party:

- personal information held about individuals;
- information relating to a person who is, has been, or is likely to be a student of the College;
- matters related to or concerned with legal disputes or actions concerning the College;
- any information the disclosure of which is prohibited by anything in any enactment (including, but not limited to, the 1992 Act and any enactment contained in a subordinate instrument) or rule of law;
- matters relating to the business of the College, its transactions and financial affairs;
- matters relating to the business of the College's funders, partners, contractors and other third parties with which the College has or may have business or commercial relationships; and
- matters which are identified by the Board as being confidential or which, given their nature, may be regarded as being confidential to the College.

Suspension and Review of Standing Orders

3.9~~76~~ Any one or more provisions of the Standing Orders may be suspended, except where such suspension might lead to an action contrary to law, provided that at least two thirds of the members present entitled to vote agree to such a motion.

3.9~~87~~ The Board shall, at least once every three years, review the Standing Orders in order to determine whether any amendments and/ or additions should be made thereto.

4. SCHEME OF DELEGATION

Preamble

4.1 In accordance with paragraph 12(4) of the Further and Higher Education (Scotland) Act 1992 ("the 1992 Act") a board may delegate the performance of any of their functions to their chair, to any Committee appointed by them or to any member of their staff.

4.2 In accordance with paragraph C.8 of the Code of Good Governance for Scotland's Colleges ("the Code") delegation of responsibilities from, and matters reserved to, the Board and its Committee must be clarified through a Scheme of Delegation including the functions delegated by the Board to the Chair, Committees, the Principal and the Secretary to the Board.

Authority Reserved to the Regional Board

- 4.3 Whilst initial discussion or consideration may take place by Committees or individuals, the Board reserves making decisions on the following matters to itself:
- determining the objectives of the Board
 - final approval of the College's Strategic Plan and Regional Outcome Agreement
 - approval of the year-end Annual Report and Accounts
 - approval of the Annual Budget
 - final consideration of the Annual Audit Report
 - approval of the High Level Strategic Risk Register
 - acquisition and disposal of heritable property, subject to approval of the Scottish Funding Council
 - appointment of Board members, in accordance with the 1992 Act and the College Sector Board Appointments: 2014 Guidance
 - appointment and removal of the Principal
 - appointment and removal of the Secretary to the Board (in accordance with paragraph D.13 of the Code)
 - approval of terms and conditions of appointment of Board members
 - approval of the Students' Association constitution and the election regulations for student officers
 - delegation of functions of the Board including remits of Committees and this Scheme of Delegation
 - the making, amendment and revocation of the Standing Orders of the Board.

Delegation to Committees

- 4.4 In accordance with paragraph 13 of Schedule 2 to the 1992 Act, the Board may establish Committees for any purpose and any such Committee may appoint Sub Committees.
- 4.5 In accordance with paragraph C.8 of the Code, the minimum Committees required are Audit, Remuneration, Finance and Nominations/Appointments.
- 4.6 Each Committee and Sub Committee shall have a clearly defined remit which shall set out the duties and responsibilities delegated. The remit must be approved by the Board. The Committee may suggest amendments to the remit, but any amendments must be approved by the Board before they are implemented.
- 4.7 The Board may delegate functions to a specific Committee and this shall be clearly detailed within the minutes of the appropriate meeting.
- 4.8 The Board reserves the right to review the Committees required and the authority delegated to them as and when it deems it appropriate to do so.
- 4.9 The minutes of each Committee meeting will be submitted to the Board for information at the next appropriate meeting. In addition, the Committee Chair shall give an update to the Board on key issues where requested to do so.

Delegation to Chair of the Regional Board

4.10 The Chair must abide by the terms and conditions of their appointment in leading the Board and ensuring its effectiveness, and in exercising any delegated authority. The Chair has delegated authority to:

- exercise judgement in the event of a need for an urgent decision during the period between Board meetings, such that:
 - an extraordinary Board meeting is called in the case of material decisions;
 - a proposal is circulated and a decision is approved by email (in accordance with the Standing Orders) and is thereafter homologated at the next Board meeting.
- on behalf of the Board, sign and date the College's Annual Report and Accounts, after Board approval, and other documents as may be required.
- represent the Board within the College and externally.
- issue communications on behalf of the Board in whatever form is appropriate, both within and out with the College.
- monitor, review and record the Principal's performance at least annually against performance measures agreed by the Board.
- monitor, review and record the Secretary to the Board's performance at least annually against performance measures agreed by the Board.
- ensure each Board member participates in an annual development meeting, facilitated ~~either by the Chair or Vice Chair as appropriate~~.
- initiate action further to a decision of the Board to take disciplinary action against, or suspend, the Principal or Secretary to the Board.
- initiate action further to a decision of the Board to appoint a new Principal or Secretary to the Board.

Delegation to the Principal

4.11 The Principal, as Chief Executive of the College, shall be responsible for the operational management of the College subject to strategic and policy direction by the Board and the terms of any specific authority reserved to the Board. The Principal may in turn delegate tasks as appropriate to staff, including the Secretary to the Board.

4.12 The Principal has delegated authority to:

General Management

- as appropriate, take such measures as may be required in emergencies, subject to advising the Chair where possible and homologation at the appropriate Committee or to the Board as soon as possible thereafter, on any items for which approval of the Committee or the Board would normally be necessary.
- facilitate the management of the College and its provision of services within the framework determined by the College's Strategic Plan and Regional

Outcome Agreement, the approved budget, and any other policies and strategies determined by the Board.

- consult on behalf of the Board with representatives from key organisations, local and national, about the priorities contained within the College's Strategic Plan and Regional Outcome Agreement prior to final approval by the Board.
- respond on behalf of the Board to consultative documents that may be sent to the College by the Scottish Government, the Scottish Funding Council or other external agencies.
- incur expenditure in making visits and the provision of reasonable hospitality to representatives of other Colleges, organisations and companies, taking into account the principles of the Bribery Act 2010.
- give a direction in special circumstances that any member of staff shall not exercise a delegated function.
- take out membership of and attend meetings of outside bodies and professional associations where it is compatible with the duties of Principal and in the interests of the College to do so.
- authorise the issue of press releases for publication and broadcasting on behalf of the College.
- authorise the publication of any document on behalf of the College.
- engage the services of outside persons, firms or organisations and enter into contracts and sign all deeds and other documents binding the Board for all purposes except those where the power to engage such services is not delegated to a Committee or is not reserved to the Board.
- raise funds for and supply them to any of the activities which the Board has power to undertake.
- provide courses as required by outside agencies and negotiate appropriate charges for these.
- determine the dates of the College holidays and other details of the College's academic calendar.
- appoint a senior member of staff to deputise for the Principal during periods of planned absence.

Staff Management

- determine an appropriate staff structure for the College consistent with the conditions of employment that currently apply after consultation and where appropriate, negotiation with representatives of recognised trade unions.
- consult and negotiate with representatives of recognised trade unions on behalf of the Board.

- establish procedures for the appointment of College staff in circumstances where the power to appoint has not been delegated to a Committee or is not reserved to the Board.
- supervise, manage and deploy staff within the College and arrange appropriate induction and training for College staff.
- establish procedures for taking disciplinary action against College staff up to and including dismissal subject to complying with the policies laid down by the Board.
- grant unpaid leave of absence to any member of College staff in accordance with the relevant policies laid down by the Board.
- represent the Board in negotiating and implementing conditions of service in relation to relevant College staff, including participation in national collective bargaining.
- approve the secondment of College staff to external agencies in accordance with relevant policies laid down by the Board and to approve the appointment, where necessary, of a temporary replacement for the duration of the secondment.
- in exceptional circumstances, agree individual severance arrangements with staff, taking into account limits set by the Scottish Funding Council and functions delegated to the Board or a Committee.
- establish any other procedures required for the orderly management of College staff.

Student Management

- arrange for the provision of appropriate curriculum and support services for students and clients.
- administer, in accordance with any policy determined by the Scottish Government or the Scottish Funding Council or the Board the disbursement of monies to students attending the College.
- administer, in accordance with any policy of the Board, the provision of financial or other assistance to students of the College.
- set and amend as necessary the level of tuition fees, examination expenses, maintenance and contribution scales for all courses offered by the College and to waive or grant remission of such fees or expenses in special cases within guidelines set by the Board.
- authorise students and to make grants to students, to enable them to attend courses and conferences, and to undertake educational visits and excursions within the UK or abroad, within approved budgets and policies of the Board.
- take appropriate disciplinary action including exclusion, against students in accordance with any policies of the Board.

- provide financial or other assistance to the Students' Association of the College within the terms approved by the Board.

Property Management

- allocate accommodation within the College in order to meet student and staff needs and to arrange for any necessary alterations or adaptations to College property.
- apply to the appropriate authority for any necessary statutory consents.
- grant any way leave or servitude over property of the College on such terms as may be appropriate.
- grant the use of College accommodation to outside bodies or persons for the purpose of holding meetings and functions on such terms and conditions as are reasonable in the circumstances.

Financial Management

- take personal responsibility for ensuring the proper and effective operation of financial, planning and management controls, and for giving effect to the Board's policies for securing the efficient, economical and effective management of all the College's income, assets and expenditure. This includes agreeing Board approved budgetary limits.
- act at all times in compliance with the Financial Memorandum, Conditions of Grant, Scottish Public Finance Manual and to follow the College's Financial Regulations, taking particular account of the delegated financial limits.
- enter into and negotiate contracts and other binding arrangements for the supply of goods and services (whether bought, leased, hired or otherwise acquired) to the College or to authorise another to enter into such contracts up to a value of the relevant EU Procurement threshold or Board approved budgetary limits and all in accordance with the College's financial regulations.
- terminate contracts, when it is in the best interests of the College to do so.
- check the financial standing of potential contractors.
- dispose of assets up to the value of the delegated financial limit as set out in the Finance Regulations and in line with the requirements of the Scottish Public Finance Manual.
- administer any educational endowment which transferred to and vested in the Board in terms of Section 19(1) of the 1992 Act.
- take out any necessary insurances to protect the interests of the College.
- settle any claims whether or not such claims are insured or whether or not a court action has been raised.
- spend public funds only for the purposes for which they were given and in accordance with any terms and conditions attached to them.

- arrange for the presentation to the Board for approval an Annual Budget of income and expenditure, including revenue and capital, and to give regular updates on income and expenditure account, balance sheet and cash flow statement.
- arrange for the preparation, audit and presentation to the Board of Accounts following the end of each financial year in compliance with the requirements of the Accounts Direction and encompassing Audit Scotland and the Scottish Funding Council instruction.
- report to the Scottish Funding Council should the Board adopt a policy or commission an action which is incompatible with the terms of the Financial Memorandum or the Scottish Public Finance Manual, or which would infringe on the requirements of propriety or regularity, and report to the Board in writing on such matters being considered and advise the Board that, should it wish to choose to continue with the policy or action, then as Accounting Officer he or she must report the Board's intentions to the Scottish Funding Council in writing.

Absence of the Principal

- 4.13 In the absence of the Principal, the Senior **ExecutiveManagement** Team shall ensure that the essential functions and delegated authorities of the Principal are carried out with due regard to any relevant provisions of the Financial Memorandum with Fundable Bodies in the College Sector.
- 4.14 After a period of four weeks' unplanned continuous absence of the Principal, the Board shall designate a Vice Principal as the accountable officer for the duration of the Principal's absence, ensuring that the Scottish Funding Council is advised of such absence at the earliest opportunity.

Delegation to the Secretary to the Board

- 4.15 The Secretary to the Board has delegated authority to:
- administer, circulate, retain and publish as appropriate the records of all Board and Committee business.
 - undertake appropriate actions to ensure that the Board is sufficiently informed of its obligations as defined in legislation, the terms and conditions of grant, the Scottish Public Finance Manual, the Code and the Standing Orders.
 - administer staff elections to the Board and act as returning officer.
 - act as Standards Officer in accordance with Advice on the Role of a Standards Officer (issued by the Standards Commission for Scotland).
 - in accordance with the Code, report any unresolved concerns about the governance of a body to the relevant funding body (i.e. the Scottish Funding Council).

Absence of the Secretary to the Board

- 4.16 In the absence of the Secretary to the Board, the Board shall agree temporary arrangements that can be put in place either by appointing a staff member to fulfil the delegated functions, or by making such other arrangements as may be required.

5. EVALUATION

- 5.1 The following evaluation activities for the Board and its Committees are designed to be both reflective and forward looking.

5.2 The Board will undertake an annual self-evaluation, which will include a review of its effectiveness against the Code of Good Governance for Scotland's Colleges and the development of an action plan for improvement.

5.3 Each Board Committee will undertake an annual self-evaluation reflecting upon performance against remit and the provision of Executive support which will feed into the Board's annual self-evaluation.

5.42 The Board will evaluate, on an annual basis, the effectiveness of the Chair. This process will be led by the ~~Vice Chair~~ Senior Independent Member and will provide all Board Members with an opportunity to comment on the Chair's performance through the use of an anonymous online questionnaire. The Principal will also be asked to provide a commentary on the effectiveness of their relationship with the Chair.

5.53 In line with the Code of Good Governance for Scotland's College, the Chair will also be evaluated by the Scottish Government.

5.64 The Chair will conduct annual one to one meetings with each Board member to discuss performance and training and development needs. Members who hold the office of Committee Chair will also be evaluated on this role at this time including the observations of Committee Members in relation to Chairs' performance through the use of an anonymous online questionnaire.

5.75 The Governance Steering Group, on behalf of the Board, will evaluate, on an annual basis, the effectiveness of the Secretary to the Board. This process will be led by the Chair.

5.8 An annual Chairs Meeting will be held at the end of each academic year whci will provide key evidence for the Board and Committee self-evaluations and related action plans for areas of development.

5.96 The Board's evaluation processes will take into account the "Guidance Notes for Boards in the College Sector: A Board Development Framework" and sector good practice the Board becomes aware of.

5.107 The Board will ensure that an externally facilitated evaluation of its effectiveness is undertaken at least every three years.

6. REGIONAL BOARD CODE OF CONDUCT

Introduction to the Code of Conduct

- 6.1 The Scottish public has a high expectation of those who serve on the boards of public bodies and the way in which they should conduct themselves in undertaking

their duties for the public body. You, as a member of the Regional Board of North East Scotland College must meet those expectations by ensuring that your conduct is above reproach.

- 6.2 The Ethical Standards in Public Life etc. (Scotland) Act 2000 provides for new Codes of Conduct for local authority councillors and members of relevant public bodies; imposes on councils and relevant public bodies a duty to help their members to comply with the relevant code; and establishes a Standards Commission for Scotland to oversee the new framework and deal with alleged breaches of the codes.
- 6.3 As a member of the Regional Board, it is your responsibility to make sure that you are familiar with, and that your actions comply with, the provisions of this Code of Conduct.

Guidance on the Code of Conduct

- 6.4 Board members must observe the rules of conduct and it is each member's personal responsibility to comply with the rules contained in the Code.
- 6.5 Board members must review regularly their collective performance, and at least annually, their personal circumstances with this in mind, particularly when your circumstances change. Members must not at any time advocate or encourage any action contrary to this Code of Conduct.
- 6.6 The key principles listed below provide additional information on how the principles should be interpreted and applied in practice. The Standards Commission for Scotland may also issue guidance. No Code can provide for all circumstances and if uncertain Board members should seek advice from the Secretary to the Board. Members may also choose to consult their own legal advisers and, on detailed financial and commercial matters, seek advice from other relevant professionals.

Enforcement

- 6.7 Part 2 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 sets out the provisions for dealing with alleged breaches of this Code of Conduct and the sanctions that shall be applied if the Standards Commission for Scotland finds that there has been a breach of this Code. Those sanctions are outlined in Appendix A.

Key Principles of the Code of Conduct

- 6.8 The general principles upon which this Code is based should be used for guidance and interpretation only. These general principles are:

Duty

You have a duty to uphold the law and act in accordance with the law and the public trust placed in you. You have a duty to act in the interests of the Regional Board and in accordance with the core functions and duties of the public body.

Selflessness

You have a duty to take decisions solely in terms of public interest. You must not act in order to gain financial or other material benefit for yourself, family or friends.

Integrity

You must not place yourself under any financial, or other, obligation to any individual or organisation that might reasonably be thought to influence you in the performance of your duties.

Objectivity

You must make decisions solely on merit and in a way that is consistent with the functions of the public body when carrying out public business including making appointments, awarding contracts or recommending individuals for rewards and benefits.

Accountability and Stewardship

You are accountable for your decisions and actions to the public. You have a duty to consider issues on their merits, taking account of the views of others and must ensure that the Regional Board uses its resources prudently and in accordance with the law.

Openness

You have a duty to be as open as possible about your decisions and actions, giving reasons for your decisions and restricting information only when the wider public interest clearly demands.

Honesty

You have a duty to act honestly. You must declare any private interests relating to your public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

You have a duty to promote and support these principles by leadership and example, to maintain and strengthen the public's trust and confidence in the integrity of the Regional Board and its members in conducting public business.

Respect

You must respect fellow members of the Regional Board and employees of the Regional Board and the role they play, treating them with courtesy at all times. Similarly you must respect members of the public when performing duties as a member of the Regional Board. You should apply the principles of this Code to your dealings with fellow members of the Board of Management, its employees and other stakeholders. Similarly you should also observe the principles of this Code in dealings with the public when performing duties as a member of the Regional Board.

General Conduct

- 6.9 The rules of good conduct in this section must be observed in all situations where you act as a member of the public body.

Conduct at Meetings

You must respect the chair, your colleagues and employees of the public body in meetings. You must comply with rulings from the chair in the conduct of the business of these meetings.

Relationship with Board Members and Employees of the Public Body (including those employed by contractors providing services)

You will treat your fellow board members and any staff employed by the body with courtesy and respect. It is expected that fellow board members and employees will show you the same consideration in return. It is good practice for employers to provide examples of what is unacceptable behaviour in their organisation. Public

bodies should promote a safe, healthy and fair working environment for all. As a board member you should be familiar with the policies of the public body in relation to bullying and harassment in the workplace and also lead by exemplar behaviour.

Remuneration, Allowances and Expenses

You must comply with any rules of the public body regarding remuneration, allowances and expenses.

Gifts and Hospitality

You must not accept any offer by way of gift or hospitality which could give rise to real or substantive personal gain or a reasonable suspicion of influence on your part to show favour, or disadvantage, to any individual or organisation. You should also consider whether there may be any reasonable perception that any gift received by your spouse or cohabitee or by any company in which you have a controlling interest, or by a partnership of which you are a partner, can or would influence your judgement. The term “gift” includes benefits such as relief from indebtedness, loan concessions or provision of services at a cost below that generally charged to members of the public.

You must never ask for gifts or hospitality.

You are personally responsible for all decisions connected with the offer or acceptance of gifts or hospitality offered to you and for avoiding the risk of damage to public confidence in your public body. As a general guide, it is usually appropriate to refuse offers except:

- (a) isolated gifts of a trivial character, the value of which must not exceed £50;
- (b) normal hospitality associated with your duties and which would reasonably be regarded as appropriate; or
- (c) gifts received on behalf of the public body.

You must not accept any offer of a gift or hospitality from any individual or organisation which stands to gain or benefit from a decision your body may be involved in determining, or who is seeking to do business with your organisation, and which a person might reasonably consider could have a bearing on your judgement. If you are making a visit in your capacity as a member of your public body then, as a general rule, you should ensure that your body pays for the cost of the visit.

You must not accept repeated hospitality or repeated gifts from the same source.

Members of devolved public bodies should familiarise themselves with the terms of the Bribery Act 2010 which provides for offences of bribing another person and offences relating to being bribed.

Confidentiality Requirements

There may be times when you will be required to treat discussions, documents or other information relating to the work of the body in a confidential manner. You will often receive information of a private nature which is not yet public, or which perhaps would not be intended to be public. You must always respect the confidential nature of such information and comply with the requirement to keep such information private.

It is unacceptable to disclose any information to which you have privileged access, for example derived from a confidential document, either orally or in writing. In the case of other documents and information, you are requested to exercise your judgement as to what should or should not be made available to outside bodies or individuals. In any event, such information should never be used for the purposes of personal or financial gain, or for political purposes or used in such a way as to bring the public body into disrepute.

Use of Public Body Facilities

Members of public bodies must not misuse facilities, equipment, stationery, telephony, computer, information technology equipment and services, or use them for party political or campaigning activities. Use of such equipment and services etc. must be in accordance with the public body's policy and rules on their usage. Care must also be exercised when using social media networks not to compromise your position as a member of the public body.

Appointment to Partner Organisations

You may be appointed, or nominated by your public body, as a member of another body or organisation. If so, you are bound by the rules of conduct of these organisations and should observe the rules of this Code in carrying out the duties of that body.

Members who become directors of companies as nominees of their public body will assume personal responsibilities under the Companies Acts. It is possible that conflicts of interest can arise for such members between the company and the public body. It is your responsibility to take advice on your responsibilities to the public body and to the company. This will include questions of declarations of interest.

7. BOARD AND COMMITTEE TERMS OF REFERENCE

REGIONAL BOARD	
1.1	<p>Membership The membership of the Regional Board will be constituted as required by the Further and Higher Education (Scotland) Act 1992 (as amended), the Further and Higher Education (Scotland) Act 2005 (as amended) and the Post 16 Education (Scotland) Act 2013 and as per the Standing Orders</p>
1.2	<p>Quorum No less than one half of the members entitled to vote.</p>
1.3	<p>Remit</p> <p>The Regional Board shall observe constitutional arrangements as set out in legislation and the Standing Orders in all its business.</p> <p>The Regional Board must ensure compliance with the statutes, ordinances and provisions regulating the College and its framework of governance and, subject to these, take all final decisions on matters of fundamental concern to the College.</p> <p>The Regional Board is responsible for overseeing the business of the College, determining its strategic direction and fostering a safe environment in which the College's vision is achieved and the potential of all learners is maximised through the delivery of high quality learning and outcomes. The Regional Board must also ensure that the College has in place effective management and financial controls to support the student experience within a framework of public accountability and transparency.</p> <p>The Regional Board shall:</p> <ul style="list-style-type: none"> • Determine the College's vision, strategic direction, educational character, values and ethos • Identify strategic priorities and provide direction within a structured planning framework • <u>Safeguard the financial and institutional sustainability of the College by ensuring that funds are used as economically, efficiently and effectively as possible, and that effective monitoring arrangements are in place</u> • <u>Ensure there is a common approach to the management of risk throughout the College through the development, implementation and embedding within the organisation of a formal, structured risk management process</u> • Monitor agreed key performance indicators to determine if the College's vision and values are being fulfilled and the interests of stakeholders are being met • Work in partnership to secure the coherent provision of high quality fundable further and higher education across the region • Provide leadership in equality and diversity • Ensure that the College conducts its operations in such a way, so far as is reasonably practicable, that employees, students and others who may be affected by its activities are not exposed to risks to their health and safety • Determine the Board's position regarding National Collective Bargaining and ensure that this is communicated to the Employers' Association.

	<p>In observance of the Scheme of Delegation, the Regional Board reserves making decisions on the following matters to itself, upon advice from or recommendation by the relevant Committee where appropriate and must not be delegated:</p> <ul style="list-style-type: none"> • determining the objectives of the Board • final approval of the College’s Strategic Plan and Regional Outcome Agreement • approval of the year-end Annual Report and Accounts • approval of the Annual Budget • final consideration of the Annual Audit Report • approval of the High Level Strategic Risk Register • acquisition and disposal of heritable property, subject to approval of the SFC • appointment of Board Members • appointment and removal of the Principal and Chief Executive • appointment and removal of the Secretary to the Board • approval of terms and conditions of appointment of Board Members • approval of the Students’ Association constitution and the election regulations for student officers • delegation of functions of the Board including remits of Committees and this Scheme of Delegation • <u>the making, amendment and revocation of the Standing Orders of the Board</u> • <u>approval of the awarding of contracts over a value of £250,000</u> • <u>approval of the College’s capital programme.</u>
1.4	<p>Meetings/Reporting</p> <p>The Regional Board shall meet a minimum of four times per year. The Regional Board will normally hold two Strategy Events during each academic year.</p>

COMMITTEE TERMS OF REFERENCE

AUDIT AND RISK COMMITTEE	
1.1	<p>Membership 68 Members, one of whom shall be appointed Committee Chair.</p> <p>The Chair of the Audit and Risk Committee is precluded from serving on the Finance and General Purposes Committee.</p> <p>The internal audit service provider and representatives of the external auditor will be expected to attend meetings of the Audit and Risk Committee and to be provided with the agenda and papers for meetings.</p>
1.2	<p>Quorum 5 members <u>No less than one half of the members entitled to vote.</u></p>
1.3	<p>Remit</p> <p>General The Audit and Risk Committee shall make its recommendations to the Regional Board as appropriate. The Committee shall make its decisions and report these to the Regional Board. The Audit and Risk Committee shall observe the Standing Orders in all its business.</p> <p>The Audit and Risk Committee is established in accordance with the Financial Memorandum between the Scottish Funding Council (SFC) and the Regional Board of North East Scotland College.</p> <p>The Audit and Risk Committee is an advisory body with no executive powers, and will adopt and ensure compliance with Audit Scotland’s Code of Audit Practice.</p> <p>Specific Duties The following provides a summary of the main duties of the Audit and Risk Committee</p> <p>Internal Control</p> <ul style="list-style-type: none"> • Reviewing and advising the Regional Board of the Internal Audit Services (IAS) and the external auditor’s assessment of the effectiveness of the College’s financial and other internal control systems, including controls specifically to prevent or detect fraud or other irregularities as well as those for securing economy, efficiency and effectiveness reviewing and advising the Regional Board on its compliance with corporate governance requirements and good practice guidance. <p>Internal Audit</p> <ul style="list-style-type: none"> • Advising the Regional Board on the selection, appointment or reappointment and remuneration, or removal of the IAS provider where the service is contracted-out • Advising the Regional Board on the terms of reference for the IAS; reviewing the scope, efficiency and effectiveness of the work of internal audit, considering the adequacy of the resourcing of internal audit and advising the Regional Board on these matters • Advising the Regional Board of the Audit and Risk Committee’s approval of the basis for and the results of the internal audit planning process

- Reviewing the IAS's monitoring of management action on the implementation of agreed recommendations reports in internal audit assignment reports and internal audit annual reports
- Considering salient issues arising from internal audit assignment reports, progress reports, annual reports and management's response thereto and informing the Regional Board thereof
- Informing the Regional Board of the Audit and Risk Committee's approval of the IAS's annual report
- Ensuring establishment of appropriate performance measures and indicators to monitor appropriate liaison and co-ordination between internal and external audit
- Ensuring good communication between the Committee, the Head of IAS and the external auditor
- Responding appropriately to notification of fraud or other improprieties received from the Head of IAS or other persons.

External Audit

- In conjunction with the Finance & Resources Committee, Considering and approving the College's annual financial statements and the external auditor's report prior to submission to the Regional Board. (This should include if within its terms of reference, the Committee should consider ation of the external audit opinion, the Statement of Member's Responsibilities and any relevant issue raised in the external auditor's management letter)
- Reviewing the external auditor's annual Management Letter and monitoring management action on the implementation of the agreed recommendations contained therein
- Advising the Regional Board of salient issues arising from the external auditor's management letter and any other external audit reports and of management's response thereto
- Reviewing the statement of corporate governance as part of the consideration of the College's annual financial statements
- Reviewing the external audit strategy and plan
- Holding discussions with external auditors and ensuring their attendance at Audit and Risk Committee and Regional Board meetings as required
- Considering the objectives and scope of any non-statutory audit work undertaken or to be undertaken, by the external auditor's firm and advising the Regional Board of any potential conflict of interest
- Securing appropriate liaison and co-ordination between external and internal audit.

Value for Money

- Establishing and overseeing a review process for evaluating the effectiveness of the College's arrangements for securing the economical, efficient and effective management of the College's resources and the promotion of best practice and protocols, and reporting to the Regional Board thereon
- Advising the Regional Board on potential topics for inclusion in a programme to undertake individual assignments considering the required expertise and experience
- Advising the Regional Board of action that it may wish to consider in the light of national value for money studies in the further education sector.

	<p>Risk Management</p> <ul style="list-style-type: none"> • Reviewing the Risk Management Policy, ahead of its consideration by the Regional Board • The Committee will be responsible for satisfying itself that risks are being managed and will seek assurance on the adequacy of their management, including from Internal and External Auditors and the Senior <u>ExecutiveManagement</u> Team. <p>Governance</p> <ul style="list-style-type: none"> • Reviewing the College's governance arrangements in line with the Code of Good Governance for Scotland's Colleges. <p>Advice to the Board</p> <ul style="list-style-type: none"> • Reviewing the College's compliance with the Code of Audit Practice and advising the Board on this • Producing an annual report for the Regional Board • Advising the Board of significant, relevant reports from the SFC, Audit Scotland and the Auditor General and, where appropriate, management's response thereto • Reviewing reported cases of impropriety to establish whether they have been appropriately handled.
1.4	<p>Meetings / Reporting</p> <p>The Audit and Risk Committee will normally meet at least four times per year.</p> <p>The Chair of the Finance and General Purposes Committee may attend meetings of the Audit and Risk Committee in an observer's role.</p> <p>Once a year, subsequent to a meeting of the Audit and Risk Committee, Lay members of the Audit and Risk Committee will meet with the internal audit service provider and representatives of the external auditor. The Chair of the Board of Management may elect to attend this meeting.</p> <p>At its discretion, the Audit and Risk Committee may sit privately without any non-Members present for all or part of a meeting if they so decide.</p> <p>The Audit and Risk Committee will report to the Regional Board on a regular basis, and the Audit Chair will produce an Annual Report for submission to the Board following the end of the financial year.</p>
1.5	<p>Senior Management Support</p> <p>The following member of the Senior <u>ExecutiveManagement</u> Team provides objective, specialist advice to support the Committee to discharge its remit:</p> <ul style="list-style-type: none"> • Vice Principal – Finance <u>& Resources</u>

CURRICULUM & QUALITY COMMITTEE	
1.1	<p>Membership A minimum of 5 Members, one of whom shall be appointed as Committee Chair Principal Up to two Staff and up to two Student Board Members</p>
1.2	<p>Quorum 5 Members <u>No less than one half of the members entitled to vote.</u></p>
1.3	<p>Remit</p> <p>General The Committee shall make its recommendations to the Regional Board as appropriate. The Committee shall make its decisions and report these to the Regional Board. The Committee shall observe the Standing Orders in all its business.</p> <p>Specific Duties The Committee has overall responsibility for maintaining a strategic overview of the College's curriculum offer and its development, and monitoring the quality of the student experience. The Curriculum & Quality Committee shall:</p> <ul style="list-style-type: none"> • Maintain oversight of the College's curriculum offer to secure coherent provision which meets the needs of learners and employers across the region • Review and approve the College's curriculum and quality related strategies • Monitor the Colleges' student activity, student outcome and quality related performance indicators • Monitor student-related equality data • Receive reports on progress against student related targets from the College's Outcome Agreement • Ensure that appropriate mechanisms are in place for the effective oversight of the quality and inclusivity of the learning experience in the College • Monitor progress against the College Level Enhancement Plan • Maintain oversight of the College's Internal Review Process • Support meaningful ongoing engagement and dialogue with students, the Students' Association and as appropriate staff in relation to the quality of the student experience • Consider the results of key student surveys and monitor related action plans that could impact on the quality of learners' experience • Support and monitor the implementation of the Partnership Agreement between the College and the Students' Association • Consider and approve the Students' Association annual budget proposal ahead of its inclusion in the College's draft annual budget • Monitor the implementation of the College's Business Development Strategy <u>and Student Engagement Framework</u> • Receive, as appropriate, reports from the Curriculum & Quality Action Team, <u>Student Engagement Action Group</u>, and Business Development Action Team • Ensure that, on behalf of the Regional Board, the College is addressing Scottish Government and Scottish Funding Council student and curriculum relation priorities as required.
1.4	<p>Meetings The Curriculum & Quality Committee will normally meet at least four times per year.</p>

1.5 ~~Senior~~ Management Support

The following members of the ~~Wider Executive Group~~Senior Management Team provide objective, specialist advice to support the Committee to discharge its remit:

- Vice Principal ~~— Access, Outcomes~~ & Partnerships
- ~~Vice Principal — Curriculum & Quality~~
- Directors of Learning
- Director of Business Development

FINANCE AND RESOURCES COMMITTEE	
1.1	<p>Membership A minimum of 6 Members, one of whom shall be appointed as Committee Chair Principal One Staff and one Student Member</p> <p>The Chair of the Finance and Resources Committee is precluded from serving on the Audit and Risk Committee.</p>
1.2	<p>Quorum 4 members <u>No less than one half of the members entitled to vote.</u></p>
1.3	<p>Remit</p> <p>General The Committee shall make its recommendations to the Regional Board as appropriate. The Committee shall make its decisions and report these to the Regional Board. The Committee shall observe the Standing Orders in all its business.</p> <p>Specific Duties The Committee has overall responsibility (within the Financial Memorandum between the College and the Scottish Funding Council (SFC)) for the direction and oversight of the College's financial affairs. The Finance and Resources Committee shall:</p> <ul style="list-style-type: none"> • Monitor the College's financial position • Review and monitor the Colleges' key financial performance indicators, student funding performance indicators, and student activity performance indicators • Monitor performance against specific targets relating to the generation of commercial income as defined by the College • Consider and recommend the College budget for the following financial year to the Regional Board • <u>Consider the College's annual financial performance through the Annual Financial Statements</u> • <u>In conjunction with the Audit & Risk Committee, consider and approve the College's annual financial statements and the external auditor's report prior to submission to the Regional Board</u> • Consider the proposed SFC Financial Forecast Return (FFR) and make recommendations to the Regional Board • Review, on behalf of the Regional Board, long term financial plans and consider a range of strategic financial scenarios as presented by the College Management • Approve and review the College's Finance and Procurement Strategies • Undertake an annual review of the College's Financial Regulations <u>Maintain a continuous review of the College's Financial Regulations, through the Vice Principal – Finance and Resources, and advise the Regional Board of any additions or changes necessary</u> • Approve annually, all course fees (other than those fixed by statutory regulations) • Approve fee waivers on behalf of the Regional Board • Approve the write-off of <u>individual</u> bad debts <u>in excess of £3,000</u> (in accordance with limits set in the Financial Regulations) • Oversee cash management and the Scottish Government Banking Service • Agree and monitor the College's insurance arrangements • Approve the lease of any heritable property which relate to the College's title thereto

	<ul style="list-style-type: none"> • Review information on<u>Approve</u> the award of contracts with<u>ever</u> a value of £50,000<u>£100,000 to £249,000</u> • Consider and monitor the College's Estates Development Strategy (including capital proposals) making recommendations to the Regional Board as appropriate • Ensure that the College's existing buildings and estates comply with statutory and regulatory requirements, are maintained to an appropriate standard and remain fit for purpose • <u>Approve any new aspect of business, or proposed establishment of a company or joint venture, which requires an investment in buildings, resources or staff time of more than £100,000</u> • Approve, review and M<u>monitor</u> major capital works.
1.4	<p>Meetings The Finance and Resources Committee will normally meet at least four times per year.</p>
1.5	<p>Senior Management Support The following member of the Senior Executive<u>Management</u> Team provides objective, specialist advice to support the Committee to discharge its remit:</p> <ul style="list-style-type: none"> • Vice Principal – Finance <u>& Resources</u>

HUMAN RESOURCES COMMITTEE	
1.1	<p>Membership A minimum of 5⁶ Members, one of whom shall be appointed Committee Chair Principal One Staff and one Student Board Member</p>
1.2	<p>Quorum 4 Members <u>No less than one half of the members entitled to vote.</u></p>
1.3	<p>Remit</p> <p>General The Committee shall make its recommendations to the Regional Board as appropriate. The Committee shall make its decisions and report these to the Regional Board. The Committee shall observe the Standing Orders in all its business.</p> <p>Specific Duties The Committee has overall responsibility for the direction and oversight of all human resource matters relating to the function of the Regional Board as employer of the College's staff. The Human Resources Committee shall:</p> <ul style="list-style-type: none"> • Monitor the implementation of the College's Human Resources Strategy • Monitor key performance indicators with regard to HR and OD objectives and College staff • Monitor staff-related equality data • Ensure that the College maintains positive employer relations through the implementation of its approach to employee engagement • Ensure that the College promotes the physical and mental wellbeing of its staff • Maintain oversight of organisational and staff development activities within the College • Approve the College's annual Equal Pay Statement and Policy, Occupational Segregation and Gender Pay Gap Reports • Approve College HR policies and procedures as appropriate • Monitor progress against the HR & OD Enhancement Plan • Undertake appropriate monitoring to ensure that the College meets all legislative duties in relation to human resources • Monitor progress against the implementation of the outcomes of National Collective Bargaining.
1.4	<p>Meetings The Human Resources Committee will normally meet twice per year.</p>
1.5	<p>Management Support The following member of the Leadership Team provides objective, specialist advice to support the Committee to discharge its remit:</p> <ul style="list-style-type: none"> • Director HR & OD

REMUNERATION COMMITTEE	
1.1	<p>Membership</p> <p>Chair of Regional Board Vice Chair<u>s</u> of Regional Board Chair of the Curriculum & Quality Committee Chair of the Finance & Resources Committee Chair of the Human Resources Committee, who shall be appointed as Committee Chair Staff Representative Student Representative</p>
1.2	<p>Quorum 4 members</p>
1.3	<p>Remit</p> <p>The Remuneration Committee shall:</p> <ul style="list-style-type: none"> • Advise the Board and make recommendations on matters relating to the pay, conditions of service and structure of the College's Senior <u>Executive Management</u> Team and such other staff as the Regional Board may from time to time determine; • Seek comparative information on salaries and other emoluments and conditions of service in the FE sector; • Ensure that the performance of the Principal as head of the College is assessed on an annual basis; • Oversee severance arrangements for senior staff and ensure that account is taken of the SFC Guidance on Severance Arrangements in respect of senior staff. Where consideration of severance arrangements is delegated, to ensure that the boundaries of delegated authority are clear, and to receive formal reports of any severance arrangements.
1.4	<p>Meetings</p> <p>The Remuneration Committee will meet as required.</p>

SELECTION AND APPOINTMENTS COMMITTEE	
1.1	<p>Membership</p> <p>Chair of Regional Board Vice Chair<u>s</u> of Regional Board <u>Chair of Audit & Risk Committee</u> Chair of the Finance & Resources Committee Chair of the Curriculum & Quality Committee Chair of the Human Resources Committee Equality & Diversity Champion</p>
1.2	<p>Quorum 3 members</p>
1.3	<p>Remit</p> <p>The <u>Selection and Appointments</u> Committee shall:</p> <ul style="list-style-type: none"> • <u>Support the process by which Regional Board Members are recruited, selected, and recommended for appointment;</u> • <u>has responsibility for a</u>Advise<u>ing</u> the Regional Board on matters relating to the appointment of the Chairs, Vice Chairs and membership of the Board's Committees; • <u>Where the Regional Board so determines, provide assistance in identifying, selecting and recommending candidates for appointment to senior staff</u>

	<u>positions in the College, and to senior positions in College subsidiaries or any other body to which the College is entitled to make appointments.</u>
1.4	Meetings The Selection and Appointments Committee will meet as required.

8. GOVERNANCE STEERING GROUP

GOVERNANCE STEERING GROUP	
1.1	Membership Chair of Regional Board, <u>who shall be appointed as Group Chair</u> Vice Chair <u>s</u> of Regional Board Equality and Diversity Champion <u>Senior Independent Member</u>
1.2	Quorum <u>3 members</u>
1.23	Remit The Governance Steering Group will support the Regional Board in maintaining high standards of governance. The Governance Steering Group shall: <ul style="list-style-type: none"> • Consider and approve amendments to the Regional Board's Governance Manual • <u>Ensure that the Regional Board complies with the Code of Good Governance for Scotland's Colleges</u> • <u>Consider implications of legislative charges and advise the Regional Board accordingly</u> • <u>Provide a forum to consider any governance issues that arise centrally or in other college regions and any possible related implications or considerations for the Regional Board of North East Scotland College</u> • <u>Consider the Board's succession planning arrangements.</u>
1.34	Meetings The Governance Steering Group will meet as required <u>minimum of four times during each academic year, with meetings scheduled to be held ahead of each meeting of the Regional Board.</u>

9. COLLEGE COMPANIES

Aberdeen Skills and Enterprise Training (ASET)

- 9.1 The College's Regional Board is also required to approve the Memorandum of Understanding between the College and ASET, the Policy on the Appointment of Directors of ASET, any amendments to ASET's Articles of Association, and the appointment of external auditors of ASET.
- 9.2 As the Company's sole shareholder, the College's Regional Board is invited to attend the Annual General Meeting at which attendees are asked to consider and, if so minded, approve the Company's Annual Directors' Report and Financial Statements, and the payment of dividend.

Clinterty Estates Limited (CEL)

- 9.3 As the Company's sole shareholder, the College's Regional Board is invited to attend the Annual General Meeting at which attendees are asked to consider and, if so minded, approve the Company's Annual Directors' Report and Financial Statements, and the payment of dividend.

APPENDIX A

SANCTIONS AVAILABLE TO THE STANDARDS COMMISSION FOR BREACH OF THE CODE

Censure – the Commission may reprimand the member but otherwise take no action against them;

Suspension – of the member for a maximum period of one year from attending one or more, but not all, of the following:

- all meetings of the Board of Management;
- all meetings of one or more committees or sub-committees of the Board of Management; or
- all meetings of any other public body on which that member is a representative or nominee of the Board of Management.

Suspension – for a period not exceeding one year, the member's entitlement to attend all of the meetings referred to above.

Disqualification – removing the member from membership of the Board of Management for a period of no more than 5 years.

Where a member has been suspended, the Commission may direct that any remuneration or allowance received from membership of the Board of Management be reduced, or not paid.

Where the Commission disqualifies a member of the Board of Management, it may go on to impose the following further sanctions:

- Where the member of the Board of Management is also a councillor, the Commission may disqualify that member (for a period of no more than five years) from their public body and terminating being nominated for election as, or from being elected, a councillor. Disqualification of a councillor has the effect of disqualifying that member from membership of any committee, subcommittee, joint committee, joint board or any other body on which that member sits as a representative of their local authority.
- Direct that the member be removed from membership, and disqualified in respect of membership, of any other devolved public body (provided the members' code applicable to that body is then in force) and may disqualify that person from office.

In some cases the Standards Commission do not have the legislative powers to deal with sanctions, for example if the respondent is an executive member of the board or appointed by the Queen. Sections 23 and 24 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 refer. Full details of the sanctions are set out in Section 19 of the Act.

APPENDIX B

SENIOR INDEPENDENT MEMBER ROLE DESCRIPTION

The Senior Independent Member (SIM) is appointed by the Board as a whole to provide advice and guidance to the Board Chair, as required and on its members' behalf, in order to support good standards of corporate governance and the maintenance of collective responsibility. Situations in which that advice and guidance may be required include:

- a) Leading the annual appraisal of the Board Chair, including ensuring
 - i. All Board Members and the Principal have an opportunity to express their views on the Chair's performance over the last year and areas for development over the coming 12 months
 - ii. The Chair is given the opportunity to understand and discuss the collective views with the SIM
 - iii. An annual development plan is agreed with the Chair and the SIM ensures the Board is informed of its content
 - iv. If required, the SIM facilitates the provision of information from the appraisal process to the Chair's appointing body (Scottish Government or the Regional Strategic Body).

- b) Intervening with the Chair, on behalf of the Board, if Board members, the Board Secretary or senior staff are concerned that the Chair's actions are undermining good standards of corporate governance and the maintenance of collective responsibility, including if the Chair
 - i. Is unable to fulfil the responsibilities set out in the letter of appointment
 - ii. Fails to make pertinent information available to the Board as a whole
 - iii. Undermines the collective responsibility of the Board as a whole
 - iv. Acts in a manner which brings the Board into disrepute, including failing to address personal conflicts of interest
 - v. Is unable to work with the Principal to ensure that the staff of the organisation provide the Board with the service required, including adequate sources of information and assurance and delivery of performance.

- c) Acting as a sounding board for the Chair in pursuit of good standards of corporate governance and collective responsibility.

Should the SIM ever have serious concerns about the propriety, regularity or governance of the College, and these cannot be resolved satisfactorily with the Chair, they should inform the SFC.

APPENDIX C

EQUALITY AND DIVERSITY CHAMPION ROLE DESCRIPTION

Key Objectives

- To help ensure that the Board observes good practice in regard to equality and diversity
- To further embed equality and diversity in the Board's strategic and decision-making processes
- To help ensure that the Board complies with its legal obligations in regard to equality and diversity and meets the requirements of the Equality Act 2010 and the Public Sector Equality Duty.

Main Tasks

- Attend meetings of the College's Equality and Diversity Strategy Group, as appropriate, to ensure that there is effective communication between the Group and the Board of Management
- Attend meetings of the Board's Governance Steering Group, as appropriate when equality and diversity matters are being considered
- Participate in reviews of key College documentation relating to equality and diversity, such as the Equality Outcomes and the Equality and Diversity Strategy
- Attend equality and diversity training and briefings, in addition to those provided to the Board as a whole, to disseminate knowledge gained to other Board Members and to advise if changes to Board practices should be considered.

Desired Attributes

The Champion should have an interest and enthusiasm for improving their knowledge and understanding of equality and diversity and in advancing equality and diversity issues.

APPENDIX D



GOOD PRACTICE GUIDANCE FOR THE ELECTION OF STAFF MEMBERS TO BOARDS

Appointment of Teaching (Academic) and Non-Teaching (Support) Staff Members to the Board of Management of College

Election Rules

- 1 In accordance with Schedule 2 to the Further and Higher Education (Scotland) Act 1992 (“Schedule 2), the Board must include two members of staff. One shall be appointed by being elected by the teaching (“academic”) staff of the college from amongst their own number and the other shall be appointed by the non-teaching (“support”) staff of the college from amongst their own number.
- 2 Paragraph 3B(1) of Schedule 2 provides that such elections must be held in accordance with rules made by the Board.
- 3 Before making, varying or replacing these Election Rules, the Board must, as required under 3B of Schedule 2, consult the representatives of any trade union which the Board recognises as being, or which otherwise appears to the Board to be, representative of the academic/support staff of the College.
- 4 Having consulted relevant representatives as required under paragraphs 3(B)(2) and (3) of Schedule 2, these election rules have been made by the Board under paragraph 3(B)(1) of Schedule 2.
- 5 For the purposes of these election rules, staff groups are defined as follows:
 - **Teaching Staff/Academic Staff** – all staff (including Managers) who are on the academic staff payroll.
 - **Non-Teaching Staff/Support Staff**– all staff (including Managers) who are on the support staff payroll.
- 6 Appointments shall proceed as follows:
 - (a) The appointment shall be made by election administered by the Returning Officer (the Returning Officer shall normally be the Secretary to the Board. Where the Secretary to the Board is unavailable, the Board must appoint another staff member to act as Returning Officer).
 - (b) The Returning Officer shall communicate to staff any vacancies that arise and request nominations for membership from the Academic or Support Staff as relevant.

- (c) Such nominations must be received by the Returning Officer by the date specified in the communication, being not less than fourteen days from the date of the communication.
 - (d) Each nomination must be signed by the nominee, the proposer and one other person all being members of the academic or support staff as appropriate. Only academic members of staff may nominate the academic member and only support staff may nominate the support staff member.
 - (e) If more than one nomination is received, the Returning Officer shall thereafter arrange for an election to be conducted using an appropriate electronic system and shall notify each member of the academic or support staff of the college as appropriate of the names of the nominees and the process to be followed.
 - (f) The election shall be completed by the date and time specified in the notice issued by the Returning Officer being not less than seven days from the date of the issue of the notice of the election. Only academic members of staff may vote for the academic member and only support staff may vote for the support staff member. All staff members who are eligible to vote shall each be entitled to one vote.
- 7 The following rules shall be followed as regards counting votes:
- (a) The Returning Officer shall offer each nominee the opportunity to be present or represented at the counting of votes.
 - (b) The counting of votes shall take place within 24 hours of the time set for the close of the election and shall be done by the Returning Officer in the presence of such nominees or their representatives as have chosen to attend.
 - (c) The nominee receiving the most votes shall be declared elected.
 - (d) In the event of a tie the election shall be decided by the drawing of cards or lots amongst the nominees with the most number of votes.
 - (e) In the event of elections for academic and support staff members being held concurrently, the counting of votes shall be done as a separate and consecutive process for each election.
 - (f) The Returning Officer may use such staff of the College as may be necessary to assist in the counting of votes.
 - (g) The names of the persons elected shall be reported to the next meeting of the Board after the election, and announced to all staff.

The 'counting of votes' may be a physical count of ballot papers where a paper system has been used, or the opening of an electronic report where an electronic voting system has been used.

- 8 The following rules shall apply in the event of a vacancy arising in respect of the appointment for a staff member:

- (a) In the event of an election requiring to be held because of the expiry of the term of office of the respective members of the Board the procedures set out above shall be completed no later than four weeks prior to the date of expiry.
- (b) In the event of an election requiring to be held because of a resignation or death of the respective members of the Board the procedures set out shall be completed no later than eight weeks after the vacancy occurs. The eight weeks excludes College vacation periods to ensure that all staff have the opportunity to participate.

Good Governance Steering Group
June 2016

APPENDIX F

REGISTER OF INTERESTS FORM

NAME OF MEMBER:
INTERESTS RELATING TO REMUNERATION:
INTERESTS RELATING TO RELATED UNDERTAKINGS:
INTERESTS RELATING TO CONTRACTS:
INTERESTS RELATING TO HOUSES, LAND AND BUILDINGS:
INTERESTS RELATING TO SHARES AND SECURITIES:
INTERESTS RELATING TO GIFTS AND HOSPITALITY:
INTERESTS RELATING TO NON-FINANCIAL INTERESTS:
DATE:

APPENDIX G

REGISTER OF INTERESTS - GUIDELINES

The following paragraphs set out the kinds of interests, financial and otherwise which you have to register. These are called “Registerable Interests”. You must, at all times, ensure that these interests are registered, when you are appointed and whenever your circumstances change in such a way as to require change or an addition to your entry in the body’s Register. It is your duty to ensure any changes in circumstances are reported within one month of them changing.

The Regulations¹ as amended describe the detail and timescale for registering interests. It is your personal responsibility to comply with these regulations and you should review regularly and at least once a year your personal circumstances. **Annex B** contains key definitions and explanatory notes to help you decide what is required when registering your interests under any particular category. The interests which require to be registered are those set out in the following paragraphs and relate to you. It is not necessary to register the interests of your spouse or cohabitee.

Category One: Remuneration

You have a Registerable Interest where you receive remuneration by virtue of being:

- employed;
- self-employed;
- the holder of an office;
- a director of an undertaking;
- a partner in a firm; or
- undertaking a trade, profession or vocation or any other work.

In relation to above, the amount of remuneration does not require to be registered and remuneration received as a member does not have to be registered.

If a position is not remunerated it does not need to be registered under this category. However, unremunerated directorships may need to be registered under category two, “Related Undertakings”.

If you receive any allowances in relation to membership of any organisation, the fact that you receive such an allowance must be registered.

When registering employment, you must give the name of the employer, the nature of its business, and the nature of the post held in the organisation.

When registering self-employment, you must provide the name and give details of the nature of the business. When registering an interest in a partnership, you must give the name of the partnership and the nature of its business.

Where you undertake a trade, profession or vocation, or any other work, the detail to be given is the nature of the work and its regularity. For example, if you write for a newspaper, you must give the name of the publication, and the frequency of articles for which you are paid.

¹ SSI - The Ethical Standards in Public Life etc. (Scotland) Act 2000 (Register of Interests) Regulations 2003 Number 135, as amended.

When registering a directorship, it is necessary to provide the registered name of the undertaking in which the directorship is held and the nature of its business.

Registration of a pension is not required as this falls outside the scope of the category.

Category Two: Related Undertakings

You must register any directorships held which are themselves not remunerated but where the company (or other undertaking) in question is a subsidiary of, or a parent of, a company (or other undertaking) in which you hold a remunerated directorship.

You must register the name of the subsidiary or parent company or other undertaking and the nature of its business, and its relationship to the company or other undertaking in which you are a director and from which you receive remuneration.

The situations to which the above paragraphs apply are as follows:

- you are a director of a board of an undertaking and receive remuneration declared under category one – and
- you are a director of a parent or subsidiary undertaking but do not receive remuneration in that capacity.

Category Three: Contracts

You have a registerable interest where you (or a firm in which you are a partner, or an undertaking in which you are a director or in which you have shares of a value as described below) have made a contract with the public body of which you are a member:

- (i) under which goods or services are to be provided, or works are to be executed; and
- (ii) which has not been fully discharged.

You must register a description of the contract, including its duration, but excluding the consideration.

Category Four: Houses, Land and Buildings

You have a registerable interest where you own or have any other right or interest in houses, land and buildings, which may be significant to, of relevance to, or bear upon, the work and operation of the body to which you are appointed.

The test to be applied when considering appropriateness of registration is to ask whether a member of the public acting reasonably might consider any interests in houses, land and buildings could potentially affect your responsibilities to the organisation to which you are appointed and to the public, or could influence your actions, speeches or decision making.

Category Five: Interest in Shares and Securities

You have a registerable interest where you have an interest in shares comprised in the share capital of a company or other body which may be significant to, of relevance to, or bear upon, the work and operation of (a) the body to which you are appointed and (b) the **nominal value** of the shares is:

- (i) greater than 1% of the issued share capital of the company or other body; or

- (ii) greater than £25,000.

Where you are required to register the interest, you should provide the registered name of the company in which you hold shares; the amount or value of the shares does not have to be registered.

Category Six: Gifts and Hospitality

You must register the details of any gifts or hospitality received within your current term of office. This record will be available for public inspection. It is not however necessary to record any gifts or hospitality as described on page 22 of this Manual.

Category Seven: Non-Financial Interests

You may also have a registerable interest if you have non-financial interests which may be significant to, of relevance to, or bear upon, the work and operation of the body to which you are appointed. It is important that relevant interests such as membership or holding office in other public bodies, clubs, societies and organisations such as trades unions and voluntary organisations, are registered and described.

In the context of non-financial interests, the test to be applied when considering appropriateness of registration is to ask whether a member of the public might reasonably think that any non-financial interest could potentially affect your responsibilities to the organisation to which you are appointed and to the public, or could influence your actions, speeches or decision-making.

DECLARATION OF INTERESTS

General

The key principles of the Code, especially those in relation to integrity, honesty and openness, are given further practical effect by the requirement for you to declare certain interests in proceedings of the public body. Together with the rules on registration of interests, this ensures transparency of your interests which might influence, or be thought to influence, your actions.

Public bodies inevitably have dealings with a wide variety of organisations and individuals and this Code indicates the circumstances in which a business or personal interest must be declared. Public confidence in the public body and its members depends on it being clearly understood that decisions are taken in the public interest and not for any other reason.

In considering whether to make a declaration in any proceedings, you must consider not only whether you will be influenced but whether anybody else would think that you might be influenced by the interest. You must, however, always comply with the **objective test** (“the objective test”) which 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 discussion or decision making in your role as a member of a public body.

If you feel that, in the context of the matter being considered, your involvement is neither capable of being viewed as more significant than that of an ordinary member of the public, nor likely to be perceived by the public as wrong, you may continue to attend the meeting and participate in both discussion and voting. The relevant interest must however be declared. It is your responsibility to judge whether an interest is sufficiently relevant to particular proceedings to require a declaration and you are advised to err on the side of

caution. If a board member is unsure as to whether a conflict of interest exists, they should seek advice from the board chair.

As a member of a public body you might serve on other bodies. In relation to service on the boards and management committees of limited liability companies, public bodies, societies and other organisations, you must decide, in the particular circumstances surrounding any matter, whether to declare an interest. Only if you believe that, in the particular circumstances, the nature of the interest is so remote or without significance, should it not be declared. You must always remember the public interest points towards transparency and, in particular, a possible divergence of interest between your public body and another body. Keep particularly in mind the advice on page 23 of this Manual about your legal responsibilities to any limited company of which you are a director.

Interests which Require Declaration

Interests which require to be declared if known to you may be financial or non-financial. They may or may not cover interests which are registerable under the terms of this Code. Most of the interests to be declared will be your personal interests but, on occasion, you will have to consider whether the interests of other persons require you to make a declaration. The paragraphs which follow deal with (a) your financial interests (b) your non-financial interests and (c) the interests, financial and non-financial, of other persons.

You will also have other private and personal interests and may serve, or be associated with, bodies, societies and organisations as a result of your private and personal interests and not because of your role as a member of a public body. In the context of any particular matter you will need to decide whether to declare an interest. You should declare an interest unless you believe that, in the particular circumstances, the interest is too remote or without significance. In reaching a view on whether the objective test applies to the interest, you should consider whether your interest (whether taking the form of association or the holding of office) would be seen by a member of the public acting reasonably in a different light because it is the interest of a person who is a member of a public body as opposed to the interest of an ordinary member of the public.

Your Financial Interests

You must declare, if it is known to you, any financial interest (including any financial interest which is registerable under any of the seven categories). If, under category one (or category seven in respect of non-financial interests), you have registered an interest

- (a) as the Principal of the College;
- (b) as a member of the teaching staff of the College having been elected from their number to the Board;
- (c) as a member of the non-teaching staff of the College having been elected from their number to the Board;
- (d) as a student of the College having been nominated by the Students' Association of the College to the Board; or in relation to any particular experience or position which was relevant to / a reason for your appointment to the public body (for example, as director of an education authority) you do not, for that reason alone, have to declare that interest.

There is no need to declare an interest which is so remote or insignificant that it could not reasonably be taken to fall within the objective test.

You must withdraw from the meeting room until discussion of the relevant item where you have a declarable interest is concluded. There is no need to withdraw in the case of an interest which is so remote or insignificant that it could not reasonably be taken to fall within the objective test.

Your Non-Financial Interests

You must declare, if it is known to you, any non-financial interest if:

- (i) that interest has been registered under category seven (Non-Financial Interests) of Section 4 of the Code; or
- (ii) that interest would fall within the terms of the objective test.

There is no need to declare an interest which is so remote or insignificant that it could not reasonably be taken to fall within the objective test.

You must withdraw from the meeting room until discussion of the relevant item where you have a declarable interest is concluded. There is no need to withdraw in the case of an interest which is so remote or insignificant that it could not reasonably be taken to fall within the objective test.

The Financial Interests of Other Persons

The Code requires only your financial interests to be registered. You also, however, have to consider whether you should declare any financial interest of certain other persons.

You must declare if it is known to you any financial interest of:-

- (i) a spouse, a civil partner or a co-habitee;
- (ii) a close relative, close friend or close associate;
- (iii) an employer or a partner in a firm;
- (iv) a body (or subsidiary or parent of a body) of which you are a remunerated member or director;
- (v) a person from whom you have received a registerable gift or registerable hospitality;
- (vi) a person from whom you have received registerable expenses.

There is no need to declare an interest if it is so remote or insignificant that it could not reasonably be taken to fall within the objective test.

You must withdraw from the meeting room until discussion of and voting on the relevant item where you have a declarable interest is concluded. There is no need to withdraw in the case of an interest which is so remote or insignificant that it could not reasonably be taken to fall within the objective test.

This Code does not attempt the task of defining “relative” or “friend” or “associate”. Not only is such a task fraught with difficulty but is also unlikely that such definitions would reflect the intention of this part of the Code. The key principle is the need for transparency in regard to any interest which might (regardless of the precise description of relationship) be objectively regarded by a member of the public, acting reasonably, as potentially affecting your responsibilities as a member of the public body and, as such, would be covered by the objective test.

The Non-Financial Interests of Other Persons

You must declare if it is known to you any non-financial interest of:-

- (i) a spouse, a civil partner or a co-habitee;
- (ii) a close relative, close friend or close associate;
- (iii) an employer or a partner in a firm;
- (iv) a body (or subsidiary or parent of a body) of which you are a remunerated member or director;
- (v) a person from whom you have received a registerable gift or registerable hospitality;
- (vi) a person from whom you have received registerable election expenses.

There is no need to declare the interest if it is so remote or insignificant that it could not reasonably be taken to fall within the objective test.

There is only a need to withdraw from the meeting if the interest is clear and substantial.

Making a Declaration

You must consider at the earliest stage possible whether you have an interest to declare in relation to any matter which is to be considered. You should consider whether agendas for meetings raise any issue of declaration of interest. Your declaration of interest must be made as soon as practicable at a meeting where that interest arises. If you do identify the need for a declaration of interest only when a particular matter is being discussed you must declare the interest as soon as you realise it is necessary.

The oral statement of declaration of interest should identify the item or items of business to which it relates. The statement should begin with the words "I declare an interest". The statement must be sufficiently informative to enable those at the meeting to understand the nature of your interest but need not give a detailed description of the interest.

Frequent Declarations of Interest

Public confidence in a public body is damaged by perception that decisions taken by that body are substantially influenced by factors other than the public interest. If you would have to declare interests frequently at meetings in respect of your role as a board member you should not accept a role or appointment with that attendant consequence. If members are frequently declaring interests at meetings then they should consider whether they can carry out their role effectively and discuss with their chair. Similarly, if any appointment or nomination to another body would give rise to objective concern because of your existing personal involvement or affiliations, you should not accept the appointment or nomination.

Dispensations

In some very limited circumstances dispensations can be granted by the Standards Commission in relation to the existence of financial and non-financial interests which would otherwise prohibit you from taking part and voting on matters coming before your public body and its committees.

Applications for dispensations will be considered by the Standards Commission and should be made as soon as possible in order to allow proper consideration of the application in advance of meetings where dispensation is sought. You should not take part in the consideration of the matter in question until the application has been granted.

LOBBYING AND ACCESS TO MEMBERS OF PUBLIC BODIES

Introduction

In order for the public body to fulfil its commitment to being open and accessible, it needs to encourage participation by organisations and individuals in the decision-making process. Clearly however, the desire to involve the public and other interest groups in the decision-making process must take account of the need to ensure transparency and probity in the way in which the public body conducts its business.

You will need to be able to consider evidence and arguments advanced by a wide range of organisations and individuals in order to perform your duties effectively. Some of these organisations and individuals will make their views known directly to individual members. The rules in this Code set out how you should conduct yourself in your contacts with those who would seek to influence you. They are designed to encourage proper interaction between members of public bodies, those they represent and interest groups.

Rules and Guidance

You must not, in relation to contact with any person or organisation that lobbies do anything which contravenes this Code or any other relevant rule of the public body or any statutory provision.

You must not, in relation to contact with any person or organisation who lobbies, act in any way which could bring discredit upon the public body.

The public must be assured that no person or organisation will gain better access to or treatment by, you as a result of employing a company or individual to lobby on a fee basis on their behalf. You must not, therefore, offer or accord any preferential access or treatment to those lobbying on a fee basis on behalf of clients compared with that which you accord any other person or organisation who lobbies or approaches you. Nor should those lobbying on a fee basis on behalf of clients be given to understand that preferential access or treatment, compared to that accorded to any other person or organisation, might be forthcoming from another member of the public body.

Before taking any action as a result of being lobbied, you should seek to satisfy yourself about the identity of the person or organisation that is lobbying and the motive for lobbying. You may choose to act in response to a person or organisation lobbying on a fee basis on behalf of clients but it is important that you know the basis on which you are being lobbied in order to ensure that any action taken in connection with the lobbyist complies with the standards set out in this Code.

You should not accept any paid work:-

- (a) which would involve you lobbying on behalf of any person or organisation or any clients of a person or organisation.
- (b) to provide services as a strategist, adviser or consultant, for example, advising on how to influence the public body and its members. This does not prohibit you from being remunerated for activity which may arise because of, or relate to, membership of the public body, such as journalism or broadcasting, or involvement in representative or presentational work, such as participation in delegations, conferences or other events.

If you have concerns about the approach or methods used by any person or organisation in their contacts with you, you must seek the guidance of the public body.

APPENDIX H

ANTI-BRIBERY AND CORRUPTION STATEMENT

Introduction

The Regional Board of North East Scotland College (the **College**) recognise that bribery and corruption has a detrimental effect on communities wherever they occur. Corrupt acts expose the College and its employees to the risk of prosecution, fines and imprisonment, as well as endangering the College's reputation.

It is the College's policy to comply with all anti-bribery and corruption laws. In line with the requirements of the UK Bribery Act 2010, the College has taken steps to introduce "adequate procedures" which are rigorously applied and reviewed to ensure that we are fully compliant.

It is the College's policy to maintain the highest level of ethical standards in the conduct of its business affairs and the College has a zero tolerance towards bribery and corruption.

Scope

The College's zero tolerance of bribery and corruption is intended to be all encompassing. It applies to all members, officers, directors, employees, agency/seconded workers, volunteers, interns, as well as any agents, contractors, external consultants, third-party representatives or other parties acting on behalf of the College or any subsidiary, of which the College has effective control, in any country that we operate. The College has developed a detailed internal policy setting out the expectations on, and responsibilities of, everyone working for or on behalf of the College.

The College also expects our business partners, sponsors, suppliers, contractors or any other person associated with us to act with integrity, and not be involved in bribery and/or corruption. We will, where appropriate, include clauses to this effect in relevant contracts.

The Statement

The College has prepared the following Anti-Bribery statement setting out clearly its position in relation to bribery and corruption.

The Regional Board of North East Scotland College prohibits: the offering, the giving, the solicitation or the acceptance of any bribe, whether cash or other inducement to or from any person or company, wherever they are situated and whether they are a public official or body or private person or company by any individual employee, agent or other person or body acting on North East Scotland College's behalf in order to gain any commercial, contractual or regulatory advantage for North East Scotland College in a way which is unethical or in order to gain any personal advantage, financial or otherwise, for the individual or anyone connected with the individual.

Responsibility

The Principal has lead responsibility for compliance with the College's obligations under the Bribery Act 2010 and this statement is signed by the Principal to demonstrate the Regional Board's commitment.

L McIntyre
Principal and Chief Executive
North East Scotland College

APPENDIX I

GLOSSARY OF TERMS

In this document the following definitions shall apply:

“**1992 Act**” means the Further and Higher Education (Scotland) Act 1992.

“**2005 Act**” means the Further and Higher Education (Scotland) Act 2005.

“**2013 Act**” means the Post 16 Education (Scotland) Act 2013.

“**The Acts**” mean the Further and Higher Education (Scotland) Acts 1992 and 2005 and the Post 16 Education (Scotland) Act 2013.

“**Board**” or “**Regional Board**” means the Regional Board of North East Scotland College being a body corporate established as a board of management of a college of further education under the Further and Higher Education (Scotland) Act 1992.

“**Board Member**” means a member of the Regional Board of North East Scotland College.

“**College**” means North East Scotland College.

“**Committee**” means any committee referred to in this document and any other committee established by the Board. The term “Committee member” shall be construed accordingly.

“**Financial Memorandum**” means the financial memorandum of the College as the same may be amended from time to time.

“**SFC**” means The Scottish Further and Higher Education Funding Council or any body which takes over or adopts its functions and obligations.

“**OSCR**” means the Office of the Scottish Charity Regulator.

“**Remuneration**” includes any salary, wage, share of profits, fee, expenses, other monetary benefit or benefit in kind. This would include, for example, the provision of a company car or travelling expenses by an employer.

“**Undertaking**” means: a body corporate or partnership; or an unincorporated association carrying on a trade or business, with or without a view to a profit.

“**Related Undertaking**” is a parent or subsidiary company of a principal undertaking of which you are also a director. You will receive remuneration for the principal undertaking though you will not receive remuneration as director of the related undertaking.

“**Parent Undertaking**” is an undertaking in relation to another undertaking, a subsidiary undertaking, if a) it holds a majority of the voting rights in the undertaking; or b) it is a member of the undertaking and has the right to appoint or remove a majority of its board of directors; or c) it has the right to exercise a dominant influence over the undertaking (i) by virtue of provisions contained in the undertaking’s memorandum or articles or (ii) by virtue of a control contract; or (d) it is a councillor of the undertaking and controls alone, pursuant to an agreement with other shareholders or councillors, a majority of the voting rights in the undertaking.

“Group of companies” has the same meaning as “group” in section 474(1) of the Companies Act 2006. A “group”, within section 474(1) of the Companies Act 2006, means a parent undertaking and its subsidiary undertakings.

“Public body” means a devolved public body listed in Schedule 3 of the Ethical Standards in Public Life etc (Scotland) Act 2000.

“A person” means a single individual or legal person and includes a group of companies.

“Any person” includes individuals, incorporated and unincorporated bodies, trade unions, charities and voluntary organisations.

“Spouse” does not include a former spouse or a spouse who is living separately and apart from you.

“Partner” includes a person, whether of the opposite sex or not, who is living with you in a relationship similar to that of a husband or wife.

APPENDIX J

GUIDE TO KEY FUNCTIONS, CONSTITUTION AND PROCEEDINGS OF INCORPORATED COLLEGE BOARDS

Purpose

1.1 This guide describes and brings together key pieces of legislation relating to the key functions, constitution and proceedings of boards of management established under the Further and Higher Education (Scotland) Act 1992 (“the 1992 Act”). A college with a board of management under the 1992 Act is sometimes referred to as an “incorporated college”. Some of the legislative provisions are relevant specifically to boards of regional colleges, others to boards of assigned colleges.

1.2 An incorporated college board (“a board”) derives its functions and constitution from legislation. Legislation does not give a board the power to develop or modify its constitution. What might be considered for day-to-day purposes to be a ‘board constitution’ is largely the legislative provisions that are either specific to incorporated colleges or are particularly relevant to them.

1.3 The main piece of legislation that specifically makes provisions for boards is the 1992 Act. It has over the years been amended, including by the Post-16 Education (Scotland) Act 2013 (“the 2013 Act”). The Further and Higher Education (Scotland) Act 2005 (“the 2005 Act”) also confers functions on boards. It has similarly been amended over the years, including by the 2013 Act.

1.4 Extracts from legislation (as amended) that are particularly pertinent to incorporated college boards have been reproduced in this annex. Yellow identifies provisions specific to regional colleges; green identifies provisions specific to assigned incorporated colleges. Non-highlighted provisions apply to all incorporated colleges.

2. ‘Core’ functions of a board

2.1 What might be considered as ‘core’ functions² of a board are set out in section 12 of the 1992 Act (see **Appendix 1**).

3. Delegation, constitution and proceedings of the board

3.1 Section 12(4) of the 1992 Act gives a board powers to delegate the performance of any of its functions to its chair, to any board committee or to any member of the college staff. This is commonly achieved through a board’s **Scheme of Delegation**.

3.2 Provisions relating to the constitution and proceedings of a board are set out in Schedule 2 to the 1992 Act (see **Appendix 2**).

3.3 Paragraph 3B of Schedule 2 to the 1992 Act requires a board to make **rules for the election of staff members to the board**, following consultation.

3.4 Paragraph 11(1) of Schedule 2 to the 1992 Act gives a board powers to regulate its own proceedings and those of any committee appointed by it. This regulation is commonly achieved through a board’s **Standing Orders**. Standing Orders should not merely restate legislative provisions, for example, those set out in Schedule 2 to the 1992 Act. Standing Orders are a means to *supplement* such regulation. Legislation does not require to be

² This is simply a convenient term to use. There is no hierarchy of function.

restated to have effect and to do so is potentially confusing because boards do *have* powers to determine Standing Orders whereas they *do not have* powers to determine legislative provisions. A board should also not seek to use Standing Orders to subvert the will of Parliament by, for example, reinstating in Standing Orders a repealed legislative provision.

4. Other Key Legislative Provisions

Regional colleges: functions

4.1 Some additional functions of a regional college board are set out in sections 23A-23D of the 2005 Act (see **Appendix 3**).

Assigned colleges: information and directions

4.2 An assigned college board has additional functions to provide information to its regional strategic body and to comply with directions issued by it under section 23N of the 2005 Act (see **Appendix 4**).

Board failure/mismanagement

4.3 Provisions relating to board failure/mismanagement are set out in section 24 of the 1992 Act (see **Appendix 5**).

Code of Governance

4.4 Provisions relating to principles of good governance for the college sector are set out under section 9B of the 2005 Act.

4.5 Ministers have required the Scottish Further and Higher Education Funding Council (commonly known as the Scottish Funding Council or “SFC”) to identify principles of good practice for publicly funded colleges and regional strategic bodies.

4.6 Publicly funded colleges are required to comply the **Code of Good Governance for Scotland’s Colleges**³ as a term and condition of grant provided by either the SFC or a regional strategic body. Regional strategic bodies are similarly required to comply with the Code.

Equality

4.7 A board is subject to section 26A of the 2005 Act, which is reproduced below (a board is a post-16 education body).

26A Equal opportunities: post-16 education bodies etc.

(1) Every post-16 education body and regional strategic body must, when making appointments to its governing body or exercising any of its other functions, do so in a manner which encourages equal opportunities and in particular the observance of the equal opportunities requirements.

³ The [Code of Good Governance for Scotland’s Colleges](#) has been identified by the SFC as the principles of good governance for the purposes of section 9B of the 2005 Act.

(2) In subsection (1), “equal opportunities” and “equal opportunity requirements” have the same meanings as in Section L2 (equal opportunities) of Part II of Schedule 5 to the Scotland Act 1998.

4.8 A board is also bound by the Equality Act 2010 and the [Equality Act 2010 \(Specific Duties\) \(Scotland\) Regulations 2012](#)⁴, which introduced specific equality duties to assist bodies to meet the general public sector equality duty. The general equality duty requires public authorities, in the exercise of their functions, to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct;
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

Charity

4.9 Every board is a charitable body under the Charities and Trustee Investment (Scotland) Act 2005. As such it is regulated by the Office of the Scottish Charity Regulator and board members have duties under section 66 of that Act to act in the charity’s interest, subject to obeying other laws. It is a legal requirement that a board complies with directions from its regional strategic body and, as such, compliance with directions would not compromise individual board members in their capacity as charity trustees⁵.

4.10 [The Charity Test \(Specified Bodies\) \(Scotland\) Order 2008](#) (as amended) disapplies the Ministerial control aspect of the charity test in section 7 of the Act in relation to the boards of management of colleges listed in the Schedule to that Order⁶. Ministerial controls do not therefore disbar such colleges from being charities.

Ethical Standards

4.11 The Ethical Standards in Public Life etc. (Scotland) Act 2000 provides for Codes of Conduct for members of relevant public bodies and imposes on them a duty to help their members to comply with the relevant code. A board is subject to this legislation. Board members accordingly have a responsibility to make sure that they are familiar with, and that their actions comply with, the provisions of the Code of Conduct adopted by the board.

⁴ The Regulations were amended by the [Equality Act 2010 \(Specific Duties\) \(Scotland\) Amendment Regulations 2015](#) to ensure that they continue to apply to all publicly funded colleges (i.e. colleges that are generally eligible to be funded by the SFC or a regional strategic body).

⁵ The Scottish Government’s view on this is set out in a [letter published on the Scottish Parliament’s website](#).

⁶ The Schedule, which lists incorporated colleges, was updated by the [Post-16 Education \(Scotland\) Act 2013 \(Modification of Legislation\) Order 2015](#)

Protection of Vulnerable Groups (PVG) Scheme

4.12 It is an offence under section 35(1) of the Protection of Vulnerable Groups (Scotland) Act 2007 for a regional college board or in the case of an assigned incorporated college, a regional strategic body, to appoint a person to the college board if that individual is barred from regulated work⁷. By virtue of paragraph 18 of schedule 2 to that Act, regulated work with children includes being a member of the board. Under section 35(7) of that Act, the regional college board/regional strategic body can offer a board appointment subject to it being satisfied that the individual is suitable, e.g. by requesting a PVG scheme record. It is an offence under section 34 of that Act for any person who is barred from regulated work with children to seek to be a board member.

Scottish Public Services Ombudsman

4.13 Under the Scottish Public Services Ombudsman Act 2002, a publicly funded college falls within the remit of the Scottish Public Services Ombudsman.

Freedom of Information

4.14 Under the Freedom of Information (Scotland) Act 2002, a publicly funded college falls within the remit of the Scottish Information Commissioner.

Auditor General for Scotland

4.15 Paragraph 18(2A) of Schedule 2 to the 1992 Act provides that the college accounts are audited by the Auditor General for Scotland. The Auditor General for Scotland may under section 21 of the Public Finance and Accountability (Scotland) Act 2000 appoint another person to audit the accounts. Under section 23(2)(a) of that Act the Auditor General for Scotland may initiate examinations into the economy, efficiency and effectiveness of the college.

Academic Freedom

4.16 A board is subject to section 26 of the 2005 Act, which is reproduced below (a board is a post-16 education body)⁸.

26 Academic freedom

- (1) A post-16 education body must have regard to the desirability of—
 - (a) ensuring the academic freedom of relevant persons; and
 - (b) ensuring that the matters mentioned in subsection (2) are not adversely affected by the exercise of a relevant person's academic freedom.
- (2) Those matters are—
 - (a) the appointment held; and
 - (b) any entitlements or privileges enjoyed,by the relevant person at the post-16 education body.
- (3) In this section, a “relevant person” is a person who is engaged in—
 - (a) teaching, or the provision of learning, at a post-16 education body; or

⁷ Section 91(2) of, and schedule 2 to, the Protection of Vulnerable Groups (Scotland) Act 2007 define “regulated work with children” and section 92 sets out when an individual is “barred from regulated work”.

⁸ Please note that the [Higher Education Governance \(Scotland\) Bill](#) introduced in the Scottish Parliament on 16 June 2015 proposes to amend section 26.

(b) research at a post-16 education body.

(4) For the purposes of this section, “academic freedom” includes freedom (within the law) to–

(a) hold and express opinion;

(b) question and test established ideas and received wisdom; and

(c) present controversial or unpopular points of view.

APPENDIX 1

SECTION 12 OF THE 1992 ACT (AS AMENDED)

BOARDS OF MANAGEMENT

12. (1) A board of management shall have the duty of managing and conducting their college.

(2) A board of management shall have the power -

(a) to provide or secure the provision of further education (within the meaning of section 1(5)(b) of the 1980 Act);

(aa) to provide part-time and full-time courses of instruction for persons of school age;

(b) to charge fees for or in connection with the provision by them of any form of further education or any course of instruction provided under subparagraph (aa);

(c) to provide to students of the college such assistance of a financial or other nature (including waiving or granting remission of fees) as they may consider appropriate;

(d) for the purpose of the administration and management of the college, to receive any property, rights, liabilities and obligations transferred to the board under or in pursuance of any provision of this Part of this Act or of the Further and Higher Education (Scotland) Act 2005;

(e) to provide facilities of any description appearing to the board to be necessary or expedient for the purpose of or in connection with the carrying on of any of the activities mentioned in this subsection or in subsection (1) above (including boarding accommodation and recreational facilities for students and staff and facilities to meet the needs of students who have learning difficulties and disabled staff);

(f) to supply goods and services;

(g) subject to subsection (7)(a) below and section 18 of this Act, to acquire, hold and dispose of land and other property;

(h) to enter into contracts, including in particular -

(i) contracts for the employment of teachers and other staff for the purpose of or in connection with the carrying on of any such activities as are mentioned in this subsection or in subsection (1) above; and

(ii) contracts with respect to the carrying on by the board of any of such activities;

(i) to form or promote, or to join with any other person in forming or promoting, companies under the Companies Act 2006;

(j) subject to subsection (7)(a) below and the said section 18, to borrow such sums as the board think fit for the purpose of carrying on any of the activities they have power to carry on or for meeting any liability or obligation transferred to them under or in pursuance of any provision of this Part of this Act and, in connection with such borrowing, to grant such security or give such guarantee or indemnity as they think fit;

(k) to invest any sums not immediately required by the board for the purpose of their carrying on any of the activities which they have power to carry on or for meeting any liability or obligation transferred to them under or in pursuance of any provision of this Part of this Act;

(l) subject to subsection (7)(a) below and the said section 18, to raise funds, accept gifts of money, land or other property and apply it to, or hold or administer it in trust for, the purpose of carrying on any of the activities which they have power to carry on; and

(m) to do all such other things as are calculated to facilitate or are incidental or conducive to the carrying on of any of the activities which the board have power to carry on.

(3) In carrying out their functions under this section a board of management shall have regard to the requirements of persons who have learning difficulties.

(4) A board of management may delegate the performance of any of their functions to their chairman, to any committee appointed by them or to any member of their staff.

(4A) A board of management of a regional college is to pay to the chairing member appointed under paragraph 3(2)(a) of Schedule 2 such remuneration as the Scottish Ministers may in each case determine.

(5) A board of management may pay to persons appointed to be members of the board such allowances and expenses as they may determine; and any allowances and expenses to be paid by virtue of this subsection shall be calculated by reference to such criteria as the Secretary of State may determine.

(6) A board of management shall make such reports or returns and give such information to the Secretary of State as he may require for the purposes of the exercise of his powers and the performance of his duties under this Part of this Act.

(7) A board of management shall not, without the prior consent, given in writing, of the Secretary of State -

(a) borrow money from any source, give any guarantee or indemnity or create any trust or security over or in respect of any of their property; or

(b) effect any material change in the character of their college.

(8) The Secretary of State may by order amend the provisions of subsection (2) above by varying, adding to or removing the powers conferred by that subsection.

(9) An order shall not be made under subsection (8) above unless the Secretary of State has consulted such persons or organisations appearing to him to be

representative of boards of management and such other persons as appear to him to be appropriate as to the amendments proposed to be made by the order.

(10) Schedule 2 to this Act shall have effect with respect to the constitution and proceedings of and other matters relating to every board of management established in pursuance of any provision of this Part of this Act.

References to:

“the 1980 Act” are to the Education (Scotland) Act 1980;

“the Secretary of State” are to the Scottish Ministers.

APPENDIX 2

SCHEDULE 2 TO THE 1992 ACT

CONSTITUTION AND PROCEEDINGS OF BOARDS OF MANAGEMENT

Status

1. A board of management (in this Schedule referred to as “the board”) shall not-

(a) be regarded as the servants or agents of the Crown;

(b) have any status, immunity or privilege of the Crown,

and their property shall not be regarded as property of, or held on behalf of, the Crown.

Membership

3. (1) The board of a regional college is to consist of no fewer than 15 nor more than 18 members.

(2) The board is to be comprised of—

(a) a person appointed by the Scottish Ministers to chair meetings of the board (the “chairing member”);

(b) the principal of the college;

(c) a person appointed by being elected by the teaching staff of the college from among their own number;

(d) a person appointed by being elected by the non-teaching staff of the college from among their own number;

(e) two persons appointed by being nominated by the students’ association of the college from among the students of the college; and

(f) other members appointed by the board.

(3) An appointment made in pursuance of sub-paragraph (2)(f) has effect only if approved by -

(a) the chairing member; and

(b) the Scottish Ministers.

(4) A person is not eligible for appointment as the chairing member under sub-paragraph (2)(a) if the person is -

(a) a member of the Scottish Parliament;

(b) a member of the House of Lords;

(c) a member of the House of Commons; or

(d) a member of the European Parliament,

but such a person may otherwise be appointed as a member of the board⁹.

3A. (1) The board of a college which is not a regional college is to consist of no fewer than 13 nor more than 18 members.

(2) The board is to be comprised of -

(a) a person appointed by the regional strategic body to chair meetings of the board (the "chairing member");

(b) the principal of the college;

(c) a person appointed by being elected by the teaching staff of the college from among their own number;

(d) a person appointed by being elected by the non-teaching staff of the college from among their own number;

(e) two persons appointed by being nominated by the students' association of the college from among the students of the college; and

(f) other members appointed by the regional strategic body.

3B. (1) An election to appoint members in pursuance of paragraph 3(2)(c) or (d) or 3A(2)(c) or (d) is to be conducted in accordance with rules made by the board.

(2) Before making, varying or replacing rules about elections to be held in pursuance of paragraph 3(2)(c) or 3A(2)(c), the board must consult the representatives of any trade union which the board recognises as being, or which otherwise appears to the board to be, representative of the teaching staff of the college.

(3) Before making, varying or replacing rules about elections to be held in pursuance of paragraph 3(2)(d) or 3A(2)(d), the board must consult the representatives of any trade union which the board recognises as being, or which otherwise appears to the board to be, representative of the non-teaching staff of the college.

3C. (1) In appointing members under paragraph 3(2) or 3A(2) and in extending the period of appointment of any member so appointed, the board or, as the case may be, regional strategic body must have regard to any guidance issued by the Scottish Ministers in relation

⁹ This reflects the provision as amended by the [Post-16 Education \(Scotland\) Act 2013 \(Modification of Legislation\) Order 2015](#)

to the making of such appointments (including any guidance on the desirability of appointing members with particular skills and experience).

(2) Before issuing guidance under sub-paragraph (1), the Scottish Ministers must consult -

- (a) any board to which the guidance relates;
- (b) where it relates to the board of a college which is not a regional college, the regional strategic body for the college;
- (c) the local authority for any area in which the board to which the guidance relates is situated;
- (d) the relevant students' associations;
- (e) the representatives of any trade union which is recognised by a board to which the guidance relates or which otherwise appears to the Scottish Ministers to be representative of its staff;
- (f) the Council;
- (g) any body which appears to the Scottish Ministers to be representative of colleges of further education;
- (h) any body which appears to the Scottish Ministers to be representative of local authorities;
- (i) any body which appears to the Scottish Ministers to be representative of students of colleges of further education generally; and
- (j) any body which appears to the Scottish Ministers to be representative of trade unions in Scotland.

(3) Different guidance may be issued for different purposes.

Qualifications and tenure of office

5. (1) Subject to this paragraph and paragraphs 5A and 5B below, a member of the board -

(a) if appointed in pursuance of paragraph 3(2)(a) as the chairing member of the board of a regional college, holds and vacates office on such terms and conditions as the Scottish Ministers may determine;

(b) if appointed in pursuance of paragraph 3(2)(c) to (f) as a member of the board of a regional college, holds and vacates office on such terms and conditions as the board may determine;

(c) if appointed in pursuance of paragraph 3A(2)(a) or (c) to (f) as a member of the board of a college which is not a regional college, holds and vacates office on such terms as the regional strategic body may determine; and

(d) is, on ceasing to hold office, eligible for re-appointment.

(2) Subject to sub-paragraphs (2A) to (2G) below—

(a) a member appointed by being elected in pursuance of paragraph 3(2)(c) or (d) or 3A(2)(c) or (d) is to hold office for 4 years;

(b) a member appointed in pursuance of paragraph 3(2)(e) or 3A(2)(e) is to hold office until 31 August following appointment; and

(c) each other member of the board (including the chairing member) is to hold office for such period (not exceeding 4 years) as is specified in the member's terms of appointment.

(2A) The Scottish Ministers may extend the period of appointment of the chairing member of a regional college for a single further period not exceeding 4 years.

(2B) The board of a regional college may extend the period of appointment of a member appointed under paragraph 3(2)(f) for a single further period not exceeding 4 years (but such an extension has effect only if approved by the chairing member and the Scottish Ministers).

(2C) A regional strategic body may extend the period of appointment of a member it appoints under paragraph 3A(2)(a) or (f) for a single further period not exceeding 4 years.

(2D) The chairing member of a regional college is to vacate office if the member becomes a person of the type described in paragraph 3(4).

(2E) The principal of a college is to vacate office on ceasing to be the principal.

(2F) A member appointed under paragraph 3(2)(c) or (d) or 3A(2)(c) or (d) is to vacate office if the member ceases to be a member of the teaching or, as the case may be, non-teaching staff of the college before the member's period of appointment ends.

(2G) A member appointed in pursuance of paragraph 3(2)(e) or 3A(2)(e) is to vacate office if the member ceases to be a student of the college before the member's period of appointment ends.

(5) A member of the board, other than the principal of the college, may resign his office at any time by giving notice in writing to -

(a) in the case of the chairing member of the board of a regional college, the Scottish Ministers;

(b) in the case of any other member of the board a regional college, the board;

(c) in the case of any member of the board of a college which is not a regional college, the regional strategic body.

5A. (1) A person is not eligible for appointment as a member of the board if the person –

(a) has within 5 years of the date on which the appointment would take effect, been sentenced (following conviction for an offence in the United Kingdom, the Channel Islands, the Isle of Man or the Irish Republic) to imprisonment for

a period of not less than 3 months, whether suspended or not, without the option of a fine;

(b) is an undischarged bankrupt; or

(c) has been removed from office under section 24 of this Act or section 23Q of the Further and Higher Education (Scotland) Act 2005.

(2) For the purposes of sub-paragraph (1)(b), “undischarged bankrupt” means a person -

(a) whose estate has been sequestrated and who has not been discharged (or against whom a bankruptcy order has been made and is still in force);

(b) who has granted a trust deed for, or made a composition or arrangement with, creditors (and has not been discharged in respect of it);

(c) who is the subject of a bankruptcy restrictions order, or an interim bankruptcy restrictions order, made under the Bankruptcy (Scotland) Act 1985 or the Insolvency Act 1986;

(d) who is the subject of a bankruptcy restrictions undertaking entered into under either of those Acts;

(e) who has been adjudged bankrupt (and has not been discharged); or

(f) who is subject to any other kind of order, arrangement or undertaking analogous to those described in paragraphs (a) to (d), anywhere in the world.

5B. (1) The relevant person must remove a member of the board from office (by giving notice in writing to the member) if—

(a) the member—

(i) is sentenced as mentioned in paragraph 5A(1)(a); or

(ii) has become a person to whom paragraph 5A(1)(b) applies; or

(b) the relevant person is satisfied that the member -

(i) has been absent from meetings of the board for a period longer than 6 consecutive months without the permission of the board; or

(ii) is otherwise unable or unfit to discharge the member’s functions.

(2) In sub-paragraph (1), “relevant person” -

(a) in the case of the chairing member of the board of a regional college, means the Scottish Ministers,

(b) in the case of any other member of the board of a regional college, means the board of management of that college,

(c) in the case of a member of the board of a college which is not a regional college, means the regional strategic body for that college.

(3) The Scottish Ministers must, by giving notice in writing to the member, remove a member from office if the member is removed from office under section 24 of this Act (in relation to any other college) or section 23Q of the Further and Higher Education (Scotland) Act 2005 (in relation to any regional board).

(4) Where a member removed under sub-paragraph (3) was appointed under paragraph 3(2)(f) or 3A(2)(a) or (f), the Scottish Ministers may appoint another person in place of the removed member¹⁰.

(5) An appointment made under sub-paragraph (4) has effect as if made under the provision under which the removed member was appointed.

5C. Paragraphs 5A and 5B do not apply in relation to the principal of the college.

Proceedings

11. (1) Subject to paragraph 13 below, the board may regulate their own proceedings and those of any committee appointed by them.

(2) The validity of any proceedings of the board or of any committee appointed by them shall not be affected by any defect in the appointment of any member of the board or any member of such committee or by a vacancy amongst the members of the board.

(3) Subject to sub-paragraph (5) below, the board shall make available for inspection at the college at all reasonable times by anyone who wishes to inspect them copies of the documents to which this sub-paragraph applies.

(4) The documents to which sub-paragraph (3) above applies are -

- (a) the agenda for any meeting of the board or of any committee of theirs;
- (b) the draft minutes of any such meeting as approved by the chairman of the meeting;
- (c) the minutes of such meeting as agreed by the board or, as the case may be, committee; and
- (d) any report or other document considered by such meeting.

(5) Sub-paragraph (3) above shall not apply to any document or part thereof which relates to -

- (a) an employee, former employee or applicant for employment in relation to the college;
- (b) a person who is, has been, or is likely to be a student of the college;

¹⁰ This reflects the provision as amended by the [Post-16 Education \(Scotland\) Act 2013 \(Modification of Legislation\) Order 2015](#)

(c) any information the disclosure of which is prohibited by anything in any enactment (including this Act and an enactment contained in a subordinate instrument) or rule of law;

(d) anything which it appears to the board should be treated as confidential because of its commercial nature or otherwise.

Committees

13. (1) The board may establish committees for any purpose and any such committee may appoint sub-committees.

(2) Such committees may include persons who are not members of the board; but such persons shall not be entitled to vote at meetings of a committee.

(3) The principal of the college shall be entitled to attend and speak at any meeting of a committee of the board; but he shall be entitled to vote at such meeting only if he is a member of such committee.

(4) The board may pay to the members of such committees (whether or not they are also members of the board) such allowances and expenses as they may determine; and any allowances and expenses to be paid by virtue of this sub-paragraph shall be calculated by reference to such criteria as the Secretary of State may determine.

(5) Any reference in this Schedule to a committee of the board shall include a reference to any sub-committee appointed by such committee.

Staff

16. Subject to section 15 of this Act and paragraph 16A below, the board may appoint on such terms and conditions as they may determine such employees as they think fit.

16A. The appointment of a principal of a college which is not a regional college, and the terms and conditions of such an appointment, have effect only if approved by the regional strategic body for the college.

17. (1) The board may, in the case of such of its employees or former employees as they may, subject to sub-paragraph (2) below, determine -

(a) pay such pensions, allowances or gratuities to or in respect of those employees;

(b) make such payments towards provision of such pensions, allowances or gratuities; or

(c) make such arrangements for the provision and maintenance of such schemes (whether contributory or not) for the payment of such pensions, allowances or gratuities,

as they think fit.

(2) Sub-paragraph (1) above shall not apply to any person who becomes an employee of the board under or by virtue of any provision of this Act (other than paragraph 16 above) unless that person, by notice given in writing, informs the board that he wishes it so to apply.

(3) The reference in sub-paragraph (1) above to pensions, allowances or gratuities in respect of employees of the board includes a reference to pensions, allowances or gratuities by way of compensation to or in respect of any such employee who suffers loss of office or employment.

Accounts

18. (1) It shall be the duty of the board to keep proper accounts and other records.
- (2) The accounts shall be prepared in respect of each financial year in such manner as the Scottish Ministers may direct and the accounts shall be submitted to the Scottish Ministers by such time as they may direct.
- (2A) The Scottish Ministers shall send the accounts to the Auditor General for Scotland for auditing.
- (3) The financial year of the board shall be from 1st April to 31st March.
- (4) The Secretary of State may by order provide that the board shall have a different financial year, and an order under this sub-paragraph may make such consequential provision as appears to the Secretary of State to be necessary or expedient.
19. The accounts of the board shall be open to the inspection of the Comptroller and Auditor General, but –
- (a) the power conferred by this paragraph; and
- (b) the powers under sections 6 and 8 of the National Audit Act 1983 (examinations into the economy, efficiency and effectiveness of certain bodies and access to documents and information) conferred on the Comptroller and Auditor General by virtue of section 6(3)(c) of that Act,
- shall be exercisable only in, or in relation to accounts or other documents which relate to, any financial year in which expenditure is incurred by the board in respect of which grants, loans or other payments are made to them under this Part of this Act.

Execution of documents

20. (1) For any purpose other than those mentioned in sub-paragraph (2) below, a document is validly executed by the board if it is signed on their behalf by a member of the board or by their secretary (or any person performing the duties of secretary to the board) or by any person authorised to sign the document on their behalf.
- (2) For the purposes of any enactment or rule of law relating to the authentication of documents, a document is validly executed by the board if it is subscribed on their behalf by being executed in accordance with the provisions of sub-paragraph (1) above.
- (3) A document which bears to have been executed by the board in accordance with sub-paragraph (2) above shall, in relation to such execution, be a probative document if the subscription of the document bears to have been attested by at least one witness.

Provision of services

21. The Local Authorities (Goods and Services) Act 1970 (supply of goods and services by local authorities to certain public bodies) shall have effect as if the board were a public body within the meaning of that Act.

References to the “Secretary of State” are to the Scottish Ministers

[Note: In relation to the paragraph 18, the Scottish Ministers have by order changed the financial year of boards. Boards have a financial year of 1 August to 31 July¹¹.

This Appendix does not reflect changes made to Schedule 2 to the 1992 Act by the [Lanarkshire Colleges Order 2014](#) in relation to New College Lanarkshire, as the changes are in relation to only that college.]

¹¹http://www.sfc.ac.uk/web/FILES/Guidance_college_reclassification/Colleges_of_Further_Education_Order_2015.pdf

APPENDIX 3

SECTION 23A – 23D OF THE 2005 ACT

REGIONAL COLLEGES: FUNCTIONS

Regional colleges: general duty

23A (1) It is the duty of a regional college to exercise its functions with a view to securing the coherent provision of a high quality of fundable further education and fundable higher education in the locality of the regional college.

(2) In doing so, the regional college must have regard to any fundable further education and fundable higher education provided by other post-16 education bodies in the locality of the regional college.

Regional colleges: planning, consultation and collaboration

23B (1) A regional college must plan for -

(a) how it proposes to provide fundable further education and fundable higher education; and

(b) how it intends to exercise its other functions.

(2) When making plans, a regional college must have regard to the importance of ensuring that funds made available to it under section 12 are used as economically, efficiently and effectively as possible.

(3) A regional college must, where it considers it appropriate to do so in the exercise of its functions, consult -

(a) the representatives of any trade union which it recognises or which otherwise appears to it to be representative of its staff;

(b) its students' association;

(c) the local authority for the area in which the regional college is situated;

(d) the governing body of any other post-16 education body which provides fundable further education or fundable higher education in the locality of the regional college;

(e) any other regional college or regional strategic body whom it considers likely to have an interest in the matter concerned;

(f) any person who appears to it to be representative of employers in the locality of the regional college;

(g) any person who appears to it to be representative of the interests of any sector for which the regional college provides specialist education or training;

(h) The Open University;

(i) The Skills Development Scotland Co. Limited;

(j) the Scottish Qualifications Authority; and

(k) Scottish Enterprise or Highlands and Islands Enterprise (as appropriate).

(4) Any particular requirement for consultation imposed on a regional college by virtue of this or any other enactment is without prejudice to subsection (3).

(5) A regional college must, so far as is consistent with the proper exercise of its functions, seek to secure the collaboration with the regional college of the following persons -

(a) the representatives of any trade union which the regional college recognises or which otherwise appears to it to be representative of its staff;

(b) the regional college's students' association;

(c) the local authority for the area in which the regional college is situated;

(d) the governing body of any other post-16 education body which provides fundable further education or fundable higher education in the locality of the regional college;

(e) any other regional college or regional strategic body whom it considers it appropriate to collaborate with;

(f) The Open University;

(g) The Skills Development Scotland Co. Limited;

(h) the Scottish Qualifications Authority; and

(i) Scottish Enterprise or Highlands and Islands Enterprise (as appropriate).

(6) The Scottish Ministers may by order modify subsection (3) or (5) by -

(a) adding or removing persons, or types of persons, to which those provisions apply; or

(b) varying the description of any such person or type of person.

(7) But such an order may not modify paragraph (a) or (b) of subsection (3).

Regional colleges: improvement of economic and social well-being

23C (1) A regional college is to exercise its functions with a view to improving the economic and social well-being of the locality of the regional college.

(2) In doing so, the regional college is to have regard to -

(a) social and economic regeneration needs in the locality; and

(b) social cohesion and social inclusion issues in the locality.

(3) For the purposes of subsection (2)(a), "needs" means needs which appear to the regional college -

(a) to exist for the time being or be likely to exist in the future; and

(b) to be capable of being addressed (wholly or partly) by the provision of fundable further education or fundable higher education.

(4) For the purposes of subsection (2)(b), “issues” means issues which appear to the regional college -

(a) to exist for the time being or be likely to exist in the future; and

(b) to be capable of being addressed (wholly or partly) by the provision of fundable further education or fundable higher education.

Regional college to have regard to particular matters

23D (1) In exercising its functions, a regional college is to have regard to—

(a) skills needs in the locality of the regional college;

(b) issues affecting the economy of the locality of the regional college;

(c) social and cultural issues in the locality of the regional college; and

(d) the needs and issues in relation to Scotland identified by the Council for the purposes of section 20(1).

(2) In exercising its functions, a regional college is to have regard to the desirability of the achieving of sustainable development.

(3) In exercising its functions, a regional college is to have regard to the—

(a) United Kingdom context; and

(b) international context,

in which it carries on its activities.

(4) In exercising its functions, a regional college is to have regard to the educational and related needs (including support needs) of persons who are, and the likely educational and related needs (including support needs) of persons who might wish to become, students of the college.

(5) In exercising its functions, a regional college is to have regard to the desirability of enabling, encouraging and improving participation in fundable further education and fundable higher education by persons belonging to any socio-economic group which the regional college reasonably considers to be under-represented in such education.

(6) For the purposes of subsection (1)(a), “skills needs” means any requirement or desirability for skills or knowledge which appears to the regional college –

(a) to exist for the time being or be likely to exist in the future; and

(b) to be capable of being addressed (wholly or partly) by the provision of fundable further education or fundable higher education.

(7) For the purposes of subsection (1)(b) and (c), “issues” means issues which appear to the regional college -

(a) to exist for the time being or be likely to exist in the future; and

(b) to be capable of being addressed (wholly or partly) by the provision of fundable further education or fundable higher education.

(8) For the purposes of subsection (5), a socio-economic group is to be treated as under-represented in fundable further education or fundable higher education if participation in such education by persons in that group is disproportionately low.

(9) A regional college may take into account any social or economic characteristics which it considers appropriate when determining which groups are to constitute “socio-economic groups” for the purposes of subsection (5).

(10) A regional college is to have regard to the under-represented socio-economic groups identified by the Council for the purposes of section 20(4A) when determining

-

(a) which groups are to constitute “socio-economic groups” for the purposes of subsection (5); and

(b) whether a socio-economic group so determined is under-represented in fundable further education or fundable higher education.

References to “the Council” are references to the Scottish Funding Council

APPENDIX 4

SECTION 23N OF THE 2005 ACT

ASSIGNED COLLEGES: INFORMATION AND DIRECTIONS

23N (1) A regional strategic body's colleges must provide the regional strategic body with such information as it may reasonably require for the purposes of or in connection with the exercise of any of its functions.

(2) A regional strategic body may give such directions to its colleges, or to any of them, as it considers appropriate.

(3) Directions given under this section may be of a general or specific character.

(4) Before giving directions under this section, a regional strategic body must consult

(a) any college to which the proposed directions relate;

(b) the representatives of any trade union recognised by such a college or which otherwise appears to the regional strategic body to be representative of its staff; and

(c) the students' association of every such college.

(5) A college must comply with directions given to it under this section.

(6) Directions given under this section may be varied or revoked.

(7) Nothing in this section allows a regional strategic body -

(a) to give directions in relation to the transfer of any staff, property, rights, liabilities or obligations¹²; or

(b) to give directions to a college whose governing body is not a board of management established in pursuance of Part 1 of the 1992 Act.

¹² This reflects the provision as amended by the [Post-16 Education \(Scotland\) Act 2013 \(Modification of Legislation\) Order 2015, SSI 2015/153](#)

APPENDIX 5

SECTION 24 OF THE 1992 ACT

MISMANAGEMENT BY BOARDS

24 (1) This section applies where -

(a) it appears to the Scottish Ministers that the board of management of any college of further education -

(i) have committed or are committing a serious breach of any term or condition of a grant made to them under section 12 or 12B of the Further and Higher Education (Scotland) Act 2005 (“the 2005 Act”);

(ii) have committed or are committing repeated breaches of such terms or conditions;

(iii) have failed, or are failing, to provide or secure the provision of education of such standard as the Scottish Ministers consider appropriate;

(iv) have failed, or are failing, to discharge any of their duties properly; or

(v) have mismanaged, or are mismanaging, their financial or other affairs; or

(b) the Council has informed the Scottish Ministers that a college of further education whose board of management is established in pursuance of this Part is not, or is no longer, a body for which there are suitable provisions, procedures and arrangements of the type described by or under section 7(2) of the 2005 Act.

(2) Where this section applies, the Scottish Ministers may by order—

(a) remove any or all of the members of the board (other than the principal of the college); and

(b) where a removed member was appointed under paragraph 3(2)(a) or (f) or 3A(2)(a) or (f) of Schedule 2, appoint another person in place of the removed member.

(3) Before making an order under subsection (2)(a), the Scottish Ministers must consult the Council.

(4) The Scottish Ministers must give notice of exercise of the power of removal conferred by subsection (2)(a) to the board and the member.

(5) An appointment made under subsection (2)(b) has effect as if made under the provision of Schedule 2 under which the removed member was appointed.

References to “the Council” are references to Scottish Funding Council



REGIONAL BOARD	
Meeting of 19 June 2019	
Title: Board Policies	
Author: Pauline May, Secretary to the Board	Contributor(s): Governance Steering Group – Ken Milroy, Ann Bell, John Henderson
Type of Agenda Item:	
For Decision	<input checked="" type="checkbox"/>
For Discussion	<input type="checkbox"/>
For Information	<input type="checkbox"/>
Reserved Item of Business	<input type="checkbox"/>
Purpose: To provide the Regional Board with an opportunity to consider two policies which relate directly to Board Members.	
Linked to Strategic Goal:	
Linked to Annual Priority:	
Executive Summary:	
Attached as Appendix 1 to this paper is an updated version of the Recruitment and Selection Policy for Board Members. This Policy has been updated to reflect changes to the recruitment process which were implemented when current Board vacancies were recently advertised.	
Attached as Appendix 2 to this paper is an updated version of the Induction Policy for Board Members. This Policy has been updated to reflect changes to the induction process as agreed by the Governance Steering Group.	
Recommendation:	
It is recommended that the Board consider and, if so minded, approve the updated Policies.	
Previous Committee Recommendation/Approval (if applicable):	
None	
Equality Impact Assessment:	
Positive Impact	<input checked="" type="checkbox"/>
Negative Impact	<input type="checkbox"/>

No Impact



Evidence:

The Recruitment and Selection Policy takes cognisance of legislation regarding gender representation on the boards of public bodies and seeks to ensure that unconscious bias is avoided.

Recruitment and Selection Policy for Board Members



Agenda Item 51-19
Appendix 1

Recruitment and Selection Policy for Board Members

Review Date: June 2020

Recruitment and Selection Policy for Board Members

1.0 Introduction

- 1.1 The Model Code of Conduct for Public Bodies, 2014 states that the Board of a Scottish Public Body should consist of “board members who reflect Scotland’s diverse population with the right skills, knowledge, experience and attributes to make a valuable contribution to an effective board.”
- 1.2 The Code of Good Governance for Scotland’s Colleges states that “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.”
- 1.3 The Regional Board acknowledges that it is critical to ensure that an effective and open and transparent recruitment and selection policy is followed to:
 - maintain public accountability
 - ensure that the Board is properly equipped to perform its role and to achieve positive outcomes
 - encourage participation from a wide and representative group of individuals.
- 1.4 The Regional Board will ensure that its recruitment and selection process is undertaken in a manner that encourages equal opportunities and, in particular, observes Scottish Government Policy in relation to the gender equality on the boards of public bodies.
- 1.5 This Policy relates to the recruitment and selection of non-executive Board Members.
- 1.6 The recruitment and selection of the following categories of Board Members is undertaken by other formal processes:
 - the principal of the college

Recruitment and Selection Policy for Board Members

- a person appointed by being elected by the teaching staff of the college from among their own number
- a person appointed by being elected by the non-teaching staff of the college from among their own number
- two persons appointed by being nominated by the students' association of the college from among the students of the college.

2.0 Legislation

2.1 In meeting the requirements of the Post 16 Education (Scotland) Act 2013 "Every post-16 education body and regional strategic body must, when making appointments to its governing body or exercising any of its other functions, do so in a manner which encourages equal opportunities and in particular the observance of the equal opportunities requirements."

2.2 In line with the Gender Representation on Public Boards (Scotland) Act 2018, the Board will seek to improve the representation of women in non-executive positions on public boards, noting the 'gender representation objective' – a target that women should make up 50% of non-executive board membership. The Board will take positive action in relation to Board Member recruitment to encourage applications from a diverse cross-section of the region's population, striving for a 50/50 gender balance in terms of its membership but also taking cognisance of all other protected characteristics as part of its recruitment and appointment process. The Board will however always, above all other considerations, appoint the person who has the skills required at that time.

2.2 As defined in the Post 16 Education (Scotland) Act 2013 "In appointing members and in extending the period of appointment of any member so appointed, the board must have regard to any guidance issued by the Scottish Ministers in relation to the making of such appointments (including any guidance on the desirability of appointing members with particular skills and experience)."



Recruitment and Selection Policy for Board Members

2.3 Eligibility for appointment to the Regional Board of North East Scotland College is as set out in the Further and Higher Education Acts 1992 and 2005, and the Post-16 Education (Scotland) Act 2013.

2.4 An appointment has effect only if approved by the Regional Chair and Scottish Ministers.

3.0 College Sector Board Appointments: Ministerial Guidance

3.1 The Ministerial Guidance:

- identifies the skills, knowledge, experience and attributes of board members to enable college sector boards to perform effectively; and
- outlines, in general terms, the process by which appointments should be made or extended to support a robust, effective and transparent system in which learners, staff, business, wider society and Ministers will have confidence.

3.2 The current Ministerial Guidance can be accessed on the Scottish Government website –

<http://www.gov.scot/Topics/Education/UniversitiesColleges/17135/CollegeGovernance>

4.0 Skills Matrix

4.1 A non-executive Board Member Skills Matrix is maintained to ensure that the Board has, within its composition, the appropriate coverage of skills, qualities and expertise required to effectively govern the College.

4.2 The Skills Matrix is used to identify possible gaps which could be addressed by the recruitment and selection process.

5.0 Recruitment Process

5.1 The key stages of the recruitment process can be summarised as follows:

- The Governance Steering Group will agree the timescales to be

Recruitment and Selection Policy for Board Members

adopted for the recruitment and selection process following consideration of the Board's Skills Matrix, terms of office of current Board Members, and the Board's Succession Planning Policy for Board Members

- The Secretary to the Board will prepare an advertisement which will highlight desirable skills and experience
- The advertisement will be placed in the Press & Journal newspaper and on appropriate websites, including Scottish Government Public Appointments, College Development Network, Aberdeen and Grampian Chamber of Commerce (AGCC), and Scottish Council for Development and Industry (SCDI).
- The advertisement will also be highlighted on the College's Facebook page, LinkedIn and Twitter account
- A microsite will be created on the College website to make available the application form, person specification, Board Member terms and conditions, and information pack along with key supporting information.
- Targeted emails may also be issued to organisations and businesses which relate to particular skills or sectors from which applications are particularly welcomed
- Board Members will be asked to highlight the opportunity to join the Regional Board to their existing networks
- A shortlist of applicants will be agreed by the Board's Governance Steering Group and the Independent Person. The shortlisting of applicants will be undertaken with anonymised applications i.e. names and dates of birth will be removed, to help avoid any unconscious biases
- The Secretary to the Board will establish an interview schedule.

6.0 Selection Process

6.1 The key stages of the selection process can be summarised as follows:

- Shortlisted applicants will be interviewed by the Regional Chair, one of the Board's Vice Chair's and the Independent Person, with the Secretary to the Board in attendance



Recruitment and Selection Policy for Board Members

- Applicants will be asked an agreed set of interview questions
- Applicants will individually meet with the Principal
- A list of preferred candidates will be agreed by the Regional Chair and the Independent Person
- Consideration will also be given to the identification of highly regarded candidates for which there is no immediate position
- A letter from the Regional Chair seeking approval of the appointments, along with a supporting letter from the Independent Person, will be sent to the Deputy Director, Colleges, SFC and Young Workforce
- Upon receipt of approval of the appointments, the Secretary to the Board will inform successful and unsuccessful candidates
- If any preferred candidates do not receive Scottish Ministers approval a further recruitment process will be undertaken to appoint to any remaining vacancies.

Status:	To be considered by Regional Board
Date of version:	June 2019
Responsibility for Policy:	Regional Board
Responsibility for implementation:	Regional Chair and Secretary to the Board
Responsibility for review:	Regional Board
Review date:	June 2020

Induction Policy for Board Members



Agenda Item 51-19
Appendix 2

Induction Policy for Board Members

Review Date: June 2020



Induction Policy for Board Members

1.0 Introduction

- 1.1 It is important that when new Board Members are appointed they receive appropriate induction training to enable them to discharge their responsibilities with confidence.
- 1.2 This Policy identifies the process that will be followed to ensure that new Board Members receive an effective induction in preparation for their new role.
- 1.3 It should be noted that induction arrangements for staff and student members of the Board may differ to those detailed to reflect existing knowledge of the College and the Scottish Further Education Sector.

2.0 Induction Programme

- 2.1 The College's Board Member Induction Programme aims to:
 - assist new Members to familiarise themselves with their roles and responsibilities;
 - enable new Members to understand what is expected of them; and,
 - provide new Members with key information regarding the operation of the College and its Regional Board, and the College's operating environment.
- 2.2 The College's internal Induction Programme consists of three stages:
 - 2.2.1 **Stage 1**

New Board Members will meet with the Regional Chair and the Secretary to the Board to be briefed on the terms of their appointment and made aware of the responsibilities placed on them for the proper governance of the College.



Induction Policy for Board Members

At this time, new Board Members will be provided with an introduction to the Regional Board, including the following aspects:

- The Scottish Further Education Sector and the role of colleges
- A College overview and history, including ASET and the NES FE Foundation
- The Board's role and main functions
- The operation of the Board and its Committees
- The Role of a Board Member
- Board engagement activities
- Board evaluation processes
- Key College publications.

The following key governance documents will also be highlighted:

- The Code of Good Governance for Scotland's Colleges
- The North East Scotland College Governance Manual
- The Code of Conduct for Members of the Regional Board of North East Scotland College
- Guide for Board Members in the College Sector: your essential guide to being a board member
- A Board Development Framework
- Framework for the Development of Strong and Effective College Students' Associations in Scotland.

New Board Members will receive an introduction to the College intranet, COLIN, a valuable source of information on the operation of the College. The use of online Board and Committee Collaborative Spaces to access meeting agendas, papers and minutes, and supporting reference materials will be explained.

New Board Members will also be registered for the College

Induction Policy for Board Members

Development Network (CDN) Governance Hub which provides access to sector training courses and various supporting resources.

2.2.2 **Stage 2**

Briefing sessions with each Committee Chair to gain an understanding of the remit and business conducted by each of the Board's Committees will be arranged.

2.2.3 **Stage 3**

Six months following appointment, Board Members will be asked to identify any topics/issues/College processes they feel it would be beneficial to gain a greater awareness and understanding of e.g. curriculum planning, financial reporting. A tailored programme will then be scheduled by the Secretary to the Board.

At this time, Board Members will also be invited to meet with the Governance Steering Group to share their experience to date as a Member of the Regional Board,

2.2.4 In addition to the above three stages, newly appointed Board Members will be provided with an opportunity to informally meet with serving Board Members, and to advise if they believe a mentoring arrangement with a long serving Member would be beneficial,.

2.3 Board Members will also be required to complete the mandatory National Induction Programme, delivered by CDN on behalf of the sector. The Programme provides Members with an opportunity to:

- understand what they are accountable for and what their rights as well as duties are

Induction Policy for Board Members

- hear from key national decision makers on what is expected from the college sector and its Boards
- build skills and confidence in the governance role, identifying the 'hard' procedural and 'soft' behavioural requirements of good governance in the college sector
- review key source documents and guidance, exploring crucial lessons from the past
- discuss and share insights into the typical challenges facing Board members in the sector
- build a network of personal contacts from other Boards that can be developed over the years.

3.0 Continuing Professional Development

- 3.1 Following initial induction Board Members will be provided with ongoing opportunities to undertake training and continuing professional development activities. This will include internal and external training courses, briefing sessions, joint events with other educational institutions, and Board visits across College Campuses and to various curriculum areas.
- 3.2 Board Members will have the opportunity to undertake online Blackboard courses and to attend internal staff development sessions provided by the College's Organisational Development Team.
- 3.3 Opportunities to identify Board training and development needs will be ongoing throughout the year and will be discussed at Board and Standing Committee meetings and as part of the Board's evaluation process and at the Annual Chairs Meeting. Individual Board Member training and development needs will be discussed during Annual Board Member Development meetings with the Regional Chair.



Induction Policy for Board Members

Status:	To be considered by Regional Board
Date of version:	June 2019
Responsibility for authorisation:	Regional Board
Responsibility for implementation:	Secretary to the Board
Responsibility for review:	Regional Board
Review date:	June 2020



REGIONAL BOARD	
Meeting of 19 June 2019	
Title: Aberdeen Skills and Enterprise Training Ltd – Memorandum of Understanding	
Author: Peter D Smith, Vice Principal Finance & Resources	Contributor(s):
Type of Agenda Item:	
For Decision	<input checked="" type="checkbox"/>
For Discussion	<input type="checkbox"/>
For Information	<input type="checkbox"/>
Reserved Item of Business	<input type="checkbox"/>
Purpose: To enable the Regional Board to review the operation of the Memorandum of Understanding (MOU) established between the Board and the Board of Directors of Aberdeen Skills and Enterprise Training Limited (ASET).	
Linked to Strategic Goal:	
5. Optimise the use of our available resources to deliver financial and environmental sustainability.	
Linked to Annual Priority:	
16. Operate an academic year budget which utilises all available budget resources in line with fiscal year cash allocations.	
Executive Summary:	
The Memorandum of Understanding (MoU) was first established in 1998 to define the relationship between the College and ASET, its wholly owned subsidiary company. Both Boards review it annually.	
A marked-up version of the current MOU is attached as Appendix 1, showing amendments suggested by the Board of Directors of ASET at this review, following discussions with the Regional Chair, the ASET Chief Executive and the Vice Principal Finance & Resources..	
Recommendation:	
It is recommended that the Board approve the updates to the MOU.	
Previous Committee Recommendation/Approval (if applicable):	
June 2018	

Equality Impact Assessment:

Positive Impact

Negative Impact

No Impact

Evidence:



Memorandum of Understanding

between the
the Regional Board
of North East Scotland College
and Aberdeen Skills and Enterprise Training
Limited (ASET).

Document status: Revision marked version approved by the Board of Directors of ASET

Date first established: August 1998

Date of version: June 2018

Responsibility for document: Regional Board and Board of Directors of ASET

Responsibility for implementation: Regional Board and Board of Directors of ASET

Responsibility for review: Regional Board and Board of Directors of ASET

Date for review: June 2018

1. Purpose of the Memorandum

- 1.1. The purpose of this memorandum is to define the relationship between the Regional Board of North East Scotland College and Aberdeen Skills and Enterprise Training Limited.

2. Definitions

- 2.1. 'Regional Board' or 'College' means the Board of Management of North East Scotland College.
- 2.2. 'ASET' means Aberdeen Skills and Enterprise Training Limited, which operates as an independent company wholly owned by North East Scotland College.
- 2.3. 'Directors' or 'Board of Directors' means the Board of Directors of Aberdeen Skills and Enterprise Training Limited.
- 2.4. 'Nominated Officer' means a senior manager of North East Scotland College as designated by the Board from time to time.

3. Governance

- 3.1. The Board of Directors shall consist of a majority of Directors who are appointed by the Regional Board, one of whom shall hold the Office of Chair of the Board of Directors-

~~3.2. A Member of the Regional Board shall hold the Office of Chair of the Board of Directors.~~

~~3.3.~~3.2. A Director, who is a Member of the Regional Board, shall resign from the office of Director when he/she ceases to be a Member of the Regional Board of Management.

4. Characteristics of effective governance

- 4.1. The Boards agree that effective governance might be characterised as meaning:
 - adherence to effective procedures;
 - clear decision making and follow through;
 - effective communication throughout the Company from top to bottom;
 - clear and effective reporting procedures to the Regional Board and from the Regional Board to the Board of Directors;
 - complete integrity and trust amongst Directors, which is transparent to senior management and employees;
 - effective communication and discussion between the Board of Directors and the Regional Board;
 - commercial confidentiality;
 - vetting of Directors of ASET and the appointment of individuals to the Board of Directors to be handled by ASET in accordance with established procedure and then approved or otherwise by the Regional Board of the College.

5. Obligations of ASET to the Regional Board

- 5.1. To be accountable to the Regional Board through the Chair of the Board of Directors.
- 5.2. To provide management information to the Regional Board to enable the Regional Board to maintain a clear understanding of the Company's financial and operational position.
- 5.3. To adopt the Regional Board's operational policies and procedures such as those on quality assurance, finance, health and safety, human resources and procurement.

The Directors shall consult with the Nominated Officer to ensure compliance with the Regional Board's operational policies and procedures.

6. Obligations of North East Scotland College to ASET

- 6.1. To ~~co-operate~~ensure co-operation with College academic faculties and teams in identifying commercial education and training opportunities for College and ASET programmes of study.
- 6.2. To promote efficient use of College academic, administrative and material resources to maximise efficiency.
- 6.3. ~~The College recognises the need to preserve and protect ASET's core training provision and market position. As such, the College undertakes to work closely with ASET where there already is a shared client relationship and to work to ensure ASET's market position is not undermined by College activity.~~The College recognises the need to preserve and protect ASET's core training provision and market position. Therefore, the College's commercial course provision shall not duplicate ASET's core training provision as marketed on the ASET website and annual ASET Course Directory.

7. ASET / North East Scotland College: Scope of activity

- 7.1. ASET to develop and deliver commercial training business independently of and shall not duplicate the commercial training provision of the College.
- 7.2. The College to develop and deliver commercial training business independently of and shall not duplicate the commercial training provision of ASET.
- 7.3. The College and ASET shall not pursue any commercial opportunities which may lead to either party competing directly or indirectly against each other.
- 7.1. ~~To maximise commercial income to the College through marketing an agreed range of courses to commercial clients.~~
- 7.2. ~~To develop and market a range of appropriate Business and Industry related knowledge and skill based programmes employing Industry standard resources wherever possible.~~
~~To expand business opportunities through the development of qualifications, training materials and other educational and training activities utilising the skills available within ASET and the College for which there is a demonstrable demand but which are outwith the range of North East Scotland College existing provision.~~
- 7.4. ASET and the College ~~Commercial Business Development team~~ to collaborate, where there is mutual benefit, to jointly deliver commercial training packages comprising both ASET and the College's core provision.
- 7.5. To make use of the academic resources of North East Scotland College by identifying and exploiting commercial training activities.

8. ~~Scope of activity~~Liaison

- 8.1. ~~To develop business and generate income from activities outwith the range of College activities.~~ To support this, rRegular liaison will be undertaken between the ASET Chief Executive and the College Principal and Nominated Officer. Operationally, this will be supported by liaison meetings between the ASET Customer Service and Marketing Manager and the College Director of Business and Community Development.

9. Financial Arrangements

- 9.1. ASET shall establish and maintain a gift aid arrangement with the Regional Board. ASET is required to return all profits to the Regional Board, or to any another charity as the Regional Board might require, by means of gift aid. Any amendment to this requirement will require the prior approval of the Regional Board. [Liaison between the Finance staff of ASET and the College will ensure the timing of Gift Aid payments supports group cash flow requirements.](#)
- 9.2. ASET will operate its own bank accounts without requiring the Regional Board to act as guarantor.
- 9.3. Loan arrangements, i.e. borrowings from or loans to third parties, may only be undertaken by ASET if the Company's Directors have first obtained approval from the Regional Board. The Directors shall consult with the Nominated Officer in considering such arrangements.
- 9.4. ASET shall comply with the framework provided by the Financial Regulations adopted by the Regional Board.

10. Human Resources Arrangements

- 10.1. ASET shall comply with the framework provided by the Human Resources Policies adopted by the Regional Board.

11. Actions of the Directors requiring the approval of the Regional Board

- 11.1. Appointment of Directors may only be undertaken if the Company's Directors have first obtained approval from the Regional Board.
- 11.2. Acquisition or disposal of assets of more than £25,000 in value.
- 11.3. The Company's annual business plan (for the forthcoming three years) and the annual revenue and capital budgets.
- 11.4. The Directors' annual report and financial statements at the Company's annual general meeting.

12. Review

- 12.1. This memorandum will be reviewed annually by the Directors of ASET and the Regional Board prior to the preparation of the Company's business plan and budget.



REGIONAL BOARD	
Meeting of 19 June 2019	
Title: Strategic Risk Register	
Author: Pauline May, Director of Strategy & Planning	Contributor(s): Senior Executive Team
Type of Agenda Item:	
For Decision	<input type="checkbox"/>
For Discussion	<input checked="" type="checkbox"/>
For Information	<input type="checkbox"/>
Reserved Item of Business	<input type="checkbox"/>
Purpose: The purpose of this paper is to provide the Regional Board with an opportunity to consider the latest version of the College's Strategic Risk Register.	
Linked to Strategic Goal:	
Choose an item.	
Linked to Annual Priority:	
Choose an item.	
Executive Summary:	
Attached as Appendix 1 to this paper is the latest version of the College's Strategic Risk Register. The document was significantly reviewed in April 2019 by the Senior Executive Team (SET) and the Director of Strategy & Planning.	
The review of the document led to a number of updates, including:	
<ul style="list-style-type: none"> • The reallocation of risks that were previously owned by the Vice Principal Curriculum & Quality • The widening of the allocation of risk and action owners from the SET to now include appropriate members of the Leadership Team • The amendment of a number of scorings and current controls to reflect changed circumstances • The amendment of further actions to reflect current and planned developments which will improve the College's approach to mitigating risk • The rewording, removal and combination of risks to refocus the Register on those which are out with the College's control • The closure of a risk • The addition of a risk. 	
These updates are annotated in the Appendix to highlight the changes to Members.	

The attached version of the Strategic Risk Register was shared with the Audit & Risk Committee at its meeting in April 2019, at which Members requested to consider the document further at the next meeting of the Committee scheduled for July 2019.

Going forward, the Register will be reviewed monthly by the SET and, to ensure that the Audit & Risk Committee maintains an overview of the document throughout the academic, it will now be included as a standing item at each of its meetings. The addition of new risks and any significant changes to scorings will also be reported to the Regional Board or relevant Committee as appropriate throughout the academic year.

The Strategic Risk Register is currently being reviewed by the College's newly appointed Internal Auditors, Henderson Loggie, to inform the preparation of an Audit Needs Assessment and Strategic Plan which will be presented to the Audit & Risk Committee at its meeting in July 2019.

Recommendation:

It is recommended that the Board consider the latest version of the Strategic Risk Register.

Previous Committee Recommendation/Approval (if applicable):

Audit & Risk Committee, April 2019

Equality Impact Assessment:

Positive Impact

Negative Impact

No Impact

Evidence:

NORTH EAST SCOTLAND COLLEGE STRATEGIC RISK REGISTER

Approved by: Regional Board 20/06/18
 Last considered by Audit & Risk Committee: 17/04/19
 Last reviewed by SET: 03/06/19

Strategic Risk Appetite - **Cautious**

Ref	Movement since last review	Objectives and Risks	Risk Owner	Original Likelihood (1 - 5)	Original Impact (1 - 5)	Original Rating (max=25)	Current Controls	Current Likelihood (1 - 5)	Current Impact (1 - 5)	Current Rating (max=25)	Target Likelihood (1 - 5)	Target Impact (1 - 5)	Target Total (max=25)	Above/ On Target	Further Actions	Action Owner	Planned Action Completion Date	Reported to
1 Strategic Goal 1: Deliver high quality, accessible and inclusive learning and training opportunities, which transform lives and which support the economic and social development of our region. Risk Appetite - Cautious																		
1.1	↔	IF national priorities conflict with local needs, THEN the College may not be able to effectively meet regional needs.	Principal	3	3	9	Outcome Agreement process and engagement with SFC, Curriculum planning process, Engagement with CPPs and industry	2	3	6	2	3	6	On Target	TOLERATE - Build on good reputation of the College to foster genuine partnerships and solutions to regional challenges. Continue to promote positive PR and success stories.	SET	Continuous	Regional Board
1.2	DELETE	IF the College fails to build on the unique and distinctive strengths of its Campus locations, THEN the College will not strengthen its reputation, optimise the use of its facilities, and widen access to its programmes.	Principal	3	3	9	Staff, student and stakeholder consultation, Campus Futures strategies and action plans	2	3	6	2	2	4	Above Target	TREAT - Maximise use of College estate to increase awareness of standard of facilities and to generate income.	VP F&R/VP A, O&P	Continuous	Regional Board
1.3	↔	IF the College fails to provide the right learning in the right places and effectively align the curriculum across the region, IF the College is not effectively aligned with regional need, THEN this will lead to decreases in demand, successful outcomes and positive feedback.	Directors of Learning/Director of Business Development	2	3	6	Curriculum Area Development Planning process, Curriculum Approval process, Partnership working with local schools, universities and employers, Student and stakeholder feedback	2	3	6	2	3	6	On Target	TREAT - Implement strengthened curriculum planning process with refreshed timeline and improved monitoring & reporting.	Directors of Learning/Director of Business Development/Director of Strategy & Planning	Continuous	Curriculum & Quality Committee
1.4	↔	IF students are not enrolled on the most appropriate programme, THEN they may be less likely to succeed.	VP A, O&P/Directors of Learning/Director of Business Development/Director of Student Access & Information	2	4	8	Admissions procedures and interviews, Programme review, Student and academic support, Student Advice Centres, KPI analysis, Recruitment Strategies	2	4	8	1	3	3	Above Target	TREAT - Continue to have clear entry requirements understood by those interviewing and suggest alternative provision when applicant doesn't match original course.	VP A, O&P/Directors of Learning/Director of Business Development/Director of Student Access & Information	Continuous	Curriculum & Quality Committee
2 Strategic Goal 2: Develop the skills, talents and potential of all of the people who come to college either to learn or to work. Risk Appetite - Moderate																		
2.1	↔	IF the College is not able to recruit and develop appropriately qualified staff, THEN this will adversely impact on the student experience.	Principal	3	4	12	People Strategy, Recruitment & Selection Policy, Strategy & Procedure, Induction arrangements, Organisational development activities	2	3	6	2	2	4	Above Target	TREAT - Implement refreshed approach to organisational development. Continue to promote College successes through proactive marketing and PR campaigns to increase attractiveness to employers.	Principal with Director OD & HR	Continuous	Human Resources Committee
2.2	↔	IF staff are not fully motivated and engaged in delivering the best learner experience, THEN students may not achieve desired outcomes.	Principal	3	3	9	CPD and organisational development, Staff consultation events, College meetings and briefings, All Staff Development Days	2	2	4	2	2	4	On Target	TOLERATE - Continue to influence external policy on National Bargaining and Workforce for the Future. Communicate regularly with staff, and students, where appropriate, regarding National Collective Bargaining, Approach to Employee Engagement.	Principal	Continuous	Curriculum & Quality Committee, Human Resources Committee
2.3	↔	IF staff do not deliver teaching methods that are engaging and effective, THEN students are less likely to achieve a successful outcome.	Directors of Learning	2	3	6	Learning & Teaching Strategy, Lesson observations, CPD and organisational development, Internal audits, Programme review, Student feedback, Digital Futures Project	2	3	6	2	2	4	Above Target	TREAT - Implement refreshed approach to organisational development. Continue Digital Futures Project, Refreshed approach for learning and teaching organisational development.	Directors of Learning	Continuous	Curriculum & Quality Committee
2.4	↔	IF the Students' Association (SA) does not continue to be pro-active in engaging with the College, THEN the learner experience will likely be diminished.	Director of Learning (Enterprise, Innovation and Aberdeen Futures)	4	3	12	Financial and SET support to SA, Partnership Agreement, Clear SA Constitution and Strategic Plan, Student feedback, SA contributions at Board and Committee meetings and Board Strategy Events	3	3	9	2	2	4	Above Target	TOLERATE - Ensure SA is effectively supported, and continues to be engaged through the Regional Board and the appropriate College Action Teams, Student Engagement Framework.	Director of Learning (Enterprise, Innovation and Aberdeen Futures)	Continuous	Curriculum & Quality Committee
2.5	↓	IF the Regional Board fails to maintain the highest standards for governance and comply with the 'Code of Good Governance for Scotland's Colleges', THEN the terms and conditions of grant will not be met.	Regional Chair	3	3	9	Board recruitment and induction processes, Internal audit, External Effectiveness Review, NESCol Governance Steering Group, Regional Chair's national/sector roles, Board Member training and development, Audit & Risk Committee's Annual Review of operation of Board against Code	2	3	6	1	3	3	Above Target	TREAT - Strengthen Board's evaluation processes	Regional Chair with Secretary to the Board	Continuous	Regional Board
3 Strategic Goal 3: Work with our partners to deliver positive and sustainable change for the individuals, communities and businesses in our region. Risk Appetite - Open																		
3.1	↓	IF employers do not successfully engage with NESCol, THEN the College will not be able to identify and meet their needs.	VP A, O&P/Director of Business Development/Directors of Learning	3	4	12	Business Development Strategy, Engagement with industry groups and employers, Employer engagement events, Stakeholder consultations	3	3	9	2	2	4	Above Target	TREAT - Strengthen partnership working to address regional skills shortages and to deliver the Regional Economic and Skills Strategies. Promote successes to employers.	VP A, O&P/Director of Business Development/Directors of Learning	Continuous	Curriculum & Quality Committee
3.2	↑	IF local schools do not work closely with NESCol, THEN effective learner pathways will not be delivered throughout the region.	VP A, O&P/Directors of Learning/Director of Business Development	4	3	12	Schools Liaison Team, Partnership Agreements, Regional Learning & Skills Partnership, Mapping of learner pathways	3	3	9	1	3	3	Above Target	TREAT - Strengthen curriculum planning process for schools provision. Develop model with schools for co-creation of pathways. Lobbying senior local authority partners re: need for closer alignment of FA provision.	VP A, O&P/Directors of Learning/Director of Business Development	Continuous	Curriculum & Quality Committee
3.3	↑	IF university partners do not work closely with NESCol, THEN improvements to widening access, improving articulation and increasing the efficiency and effectiveness of the learner journey in the region will not be achieved.	VP A, O&P/Directors of Learning/Director of Business Development	3	3	9	Articulation Agreements, Engagement activities, TWO PLUS Alliance with RGU, LOIP and Locality Plans,	2	3	6	1	2	2	Above Target	TOLERATE - Ensure external relationships are maintained during transition to new Principal.	VP A, O&P/Directors of Learning/Director of Business Development	Continuous	Curriculum & Quality Committee
3.4	NEW	IF the impact of Brexit decreases the number of international students in the region THEN the College may face increased competition with the two local Universities	Principal	2	5	10	Monitoring of Brexit developments, College's Brexit Action Log, Guidance from SFC Brexit Team, Partnership working			0			0	On Target	TOLERATE - Continue to monitor Brexit developments.	Principal		

4														Strategic Goal 4: Deliver an excellent learning environment and experience leading to successful outcome for all learners. Risk Appetite - Cautious													
4.1	↓	IF the College does not have sufficient capacity to address the widening needs of the student body, THEN the learner experience and learner outcomes will be diminished.	VP A, O&P/Directors of Learning/Director of Student Access & Information	4	4	16	Access & Inclusion Strategy, Whole-College Student Support Model, Student feedback, Staff Training, Regular review of policies and procedures	3	3	9	2	3	6	Above Target	TREAT - Review operation of the Whole-College Support Model, Mentally Healthy College initiative.	VP A, O&P/Directors of Learning/Director of Student Access & Information	Continuous	Curriculum & Quality Committee									
4.2	↔	IF students are not engaged in driving the learner experience, THEN the College may not develop an appropriate learner experience.	Director of Learning (Enterprise, Innovation and Aberdeen Futures)	2	3	6	Student feedback, Partnership Agreement	2	3	6	2	2	4	Above Target	TREAT - New Student Engagement Framework.	Directors of Learning/Director of Business Development	Continuous	Curriculum & Quality Committee									
4.3	↑	IF the College fails to achieve planned increases in student outcomes, IF student outcomes do not improve as planned THEN the College's ability to achieve its SFC activity target will be reduced.	WEG/Director of Student Access & Information/Director of Quality	4	3	12	Effective student information, advice, guidance and support, Course design, Engaged and motivated staff, Appropriate staffing levels, Reporting and monitoring of KPIs	3	3	9	2	3	6	Above Target	TREAT - Strengthen KPI monitoring and reporting process, Develop approaches to reducing early withdrawal.	WEG/Director of Student Access & Information/Director of Quality	Continuous	Curriculum & Quality Committee									
4.4	↔	IF robust self-evaluation processes are not implemented and adhered to, THEN the College will not benefit from an effective improvement planning process.	VP A, O&P	2	3	6	Staff briefings, Clear templates with accompanying guidance for completion, Annual Quality Review Timeline, Enhancement Plans, Annual Priorities	1	3	3	1	3	3	On Target	TREAT - Review self-evaluation templates for AY2019-20.	VP A, O&P	31/07/2019	Curriculum & Quality Committee									
4.5	CLOSED	IF funding is not received from central authorities to progress the Estates Development Strategy, THEN the College's estate may not remain fit for purpose and in line with learners' expectations.	VP F&R	4	5	20	Outcome agreement process and engagement with SFC	4	3	12	2	3	6	Above Target	TREAT - Develop new College Estates Strategy to implement a phased approach to improving the College estate.	VP F&R		Finance & Resources Committee									
4.6	↓	IF the SFC does not provide sufficient capital maintenance funding to maintain modern fit-for-purpose buildings, THEN the quality of the student experience will be reduced.	VP F&R/Director of Quality	4	4	16	Outcome agreement process and engagement with SFC, Business cases for capital projects, Resource planning, Regular condition and structural surveys	4	3	12	2	3	6	Above Target	TREAT - Develop new College Estates Strategy to implement a phased approach to improving the College estate.	VP F&R	31/07/2019	Finance & Resources Committee									
4.7	↔	IF the College does not have effective business continuity arrangements in place, IF an emergency/disaster/significant systems failure occurs THEN the learner experience will be negatively impacted upon should an emergency or disaster occur.	Principal	3	5	15	Regular review of Business Continuity Plan, Scenario and desktop exercises, Desktop Training exercises, Insurance on buildings and equipment, IT disaster recovery arrangements	2	5	10	1	5	5	Above Target	TREAT - Improve staff awareness of College Business Continuity Plan and emergency responses.	Principal	31/07/2019	Regional Board									
4.8	↔	IF the College fails to manage health and safety effectively, THEN the College may face litigation or criminal prosecution and reputational damage. CHANGE TO: IF an individual is harmed or property is damaged THEN the College may face litigation or criminal prosecution and reputational damage.	Principal/VP F&R	3	5	15	Robust health and safety management system, Regular review of arrangements, Strict adherence to processes, policies and procedures, Effective monitoring systems, Staff Training, Health & Safety Committee, Compliance with BSI Standards, Staff training	2	5	10	1	5	5	Above Target	TREAT - Continue staff training and awareness raising.	VP F&R	Continuous	Regional Board									
5														Strategic Goal 5: Optimise the use of our available resources to deliver financial and environmental sustainability. Risk Appetite - Averse													
5.1	DELETE	IF the College implements inadequate financial strategy and management, THEN the College's ability to achieve a balanced budget will be adversely affected. Our Financial Strategy is entirely within our gift this is therefore not a risk as such. It is the external factors below that impact on our ability to achieve our desired outcomes	Principal/VP F&R	3	5	15	Finance Strategy, Robust budgeting and financial monitoring and reporting processes, Adherence to professional financial advice, Exercising prudent assumptions, Training of staff in budgetary control	2	5	10	1	5	5	Above Target	TREAT - Contingency planning for the College failing to meet its credits target.	Principal/VP F&R	Continuous	Finance & Resources Committee, Regional Board									
5.2	↑	IF the College fails to achieve its SFC credits target, THEN the College's ability to achieve a balanced budget will be adversely affected and future credits targets may be reduced. CHANGE TO: IF insufficient students enrol at the College, THEN the College's ability to achieve a balanced budget will be adversely affected and future credits targets may be reduced.	WEG	4	4	16	Outcome Agreement process and engagement with SFC, Activity planning and reporting processes, Recruitment Strategy and supporting Marketing Campaign, Applications monitoring, Early Withdrawal target, Forecasting model incl. risk matrix	3	4	12	1	3	3	Above Target	TREAT - Contingency planning for the College failing to meet its credits target, Develop approaches to reduce early withdrawal.	VP F&R	Continuous	Finance & Resources Committee, Curriculum & Quality Committee, Regional Board									
5.3	MERGED WITH 5.3	IF the College fails to deliver efficiencies year on year, THEN the College will not achieve financial investment in innovation, staff and facilities.	Principal/VP F&R	3	4	12	Robust budgeting, financial monitoring and reporting processes, Save Well-Spend Well Initiative	2	4	8	2	3	6	Above Target	TREAT - Use of moratoriums, Setting of target cost reductions	VP F&R	Continuous	Finance & Resources Committee									
5.4	DELETE	IF SFC funding is reduced, THEN the College may be unable to invest in a sustainable IT infrastructure to offer up-to-date learning and improve business processes.	VP F&R	2	3	6	IT Strategy, Engagement with SFC, Outcome Agreement Process, curriculum and business planning	1	3	3	1	3	3	On Target	TOLERATE - monitor feedback on IT systems and equipment.	VP F&R	Continuous	Finance & Resources Committee									
5.5	↔	IF alternative sources of income are not found, THEN the ability to develop new delivery and trial new products is restricted. IF sufficient income levels are not achieved THEN the College will not be able to financially invest in innovation, staff and facilities.	VP F&R/VP A, O & P/Director of Business Development	3	4	12	Business Development Strategy, Employer/client engagement, Save Well-Spend Well initiative	3	4	12	1	4	4	Above Target	TREAT - Work with BCD and Faculties to increase commercial engagements and wider funding opportunities, Continue to explore alternative funding streams.	VP F&R/VP A, O & P/Director of Business Development	Continuous	Finance & Resources Committee									
5.6	DELETE	IF the College fails to allocate its Flexible Workforce Development Funding (FWDF) allocation, THEN there may be possible clawback and future allocations will be reduced.	VP A, O&P/Director of Business Development/Directors of Learning	5	4	20	Targeted marketing, Ongoing employer engagement	5	3	15	2	3	6	Above Target	TREAT - Consider staffing resource for managing College's FWDF allocation and related training.	VP A, O&P/Director of Business Development/Directors of Learning	Continuous	Finance & Resources Committee, Curriculum & Quality Committee									
5.7	↑	IF regional demand reduces, THEN the credit target may not be achieved resulting in clawback and reduced funding in future years.	WEG	4	4	16	Marketing & Communications Strategy, Engagement with CPPs, schools and employers, Data analysis, Effective marketing	3	4	12	2	3	6	Above Target	TREAT - Contingency planning for the College failing to meet its credits target.	VP F&R	Continuous	Curriculum & Quality Committee									
5.8	↔	IF the College fails to meet the targets agreed with Skills Development Scotland (SDS) in relation to Foundation Apprenticeships (FAs), THEN the allocation of future places may be reduced. CHANGE TO: IF candidate numbers are insufficient to meet SDS targets in relation to Foundation Apprenticeships (FAs), THEN the allocation of future places may be reduced.	VP F&R/VP A, O&P/Director of Business Development	4	4	16	Effective marketing, Good relationships with key stakeholders e.g. local authorities, schools, universities and employers, Effective forward planning	3	4	12	2	3	6	Above Target	TREAT - Continue promotion of benefits of undertaking an FA to school pupils and their parents, and employers. Develop model with schools for co-creation of pathways, Lobbying senior local authority partners re: need for closer alignment of FA provision.	VP F&R/VP A, O&P/Director of Business Development	Continuous	Curriculum & Quality Committee									
5.9	DELETE	IF the College fails to maintain strict environmental practices, THEN it will lose its accreditation to BSI Standards 14001 and 50001. REMOVE: Not actually a risk to the College.	VP F&R	3	4	12	Robust monitoring and reporting processes, Staff training	1	3	3	1	3	3	On Target	TOLERATE - Continue staff training and awareness raising.	VP F&R	Continuous	Finance & Resources Committee									
6														Other. Risk Appetite - Avoid													
6.1	↔	IF key statutory obligations and legislative requirements, including the Equality Act 2010, Freedom of Information (Scotland) Act 2002, General Data Protection Regulation (GDPR), are not adhered to THEN the College may face significant financial penalties and/or reputational damage may occur.	Principal	3	4	12	Legal advice, Comprehensive policies and procedures, Internal audits, Staff training, Data Protection Officer, Engagement with key external stakeholders (Advance HE, SPSC & Scottish Information Commissioner)	1	4	4	1	4	4	On Target	TOLERATE - Provide up-to-date staff training on legislative requirements and related College policies.	Principal with SET	Continuous	Regional Board									

6.2	←	IF IT security arrangements are inadequate, THEN the College may experience data security breaches, cyber attacks and/or major IT outages.	VP F&R	3	5	15	IT Strategy, Internal audits, Robust systems testing, Appropriate physical security and use of preventative technologies, Resilient architecture of links between sites, Monitoring of threat levels through partners, Use of cloud-based repository, Staff training	2	5	10	1	5	5	Above Target	TREAT - Complete work to improve IT business continuity and disaster recovery arrangements. Completion of actions to Achieve Cyber Essentials Plus Accreditation.	VP F&R	Continuous	Regional Board
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Appetite						
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	2					
Likelihood	1					
		1	2	3	4	5
		Impact				

Likelihood	Impact	Risk Control
Almost certain 5 80% +	5 Critical	TERMINATE - Eliminates the risk completely
4 Very likely 4 60% - 80%	4 Significant	TRANSFER - Passes the Risk to a third party, who bears or shares the impact
3 Likely 3 40% - 60%	3 Moderate	TREAT - Containment. Reduces the likelihood and/or the impact. Contingent. Establishes a contingency to be enacted should the Risk happen
2 Unlikely 2 20% - 40%	2 Minor	TOLERATE- Accept the Risk, subject to monitoring
Very unlikely 1 Less than 20%	1 Marginal	



REGIONAL BOARD	
Meeting of 19 June 2019	
Title: Planning & Reporting Framework	
Author: Pauline May, Director of Strategy & Planning	Contributor(s):
Type of Agenda Item:	
For Decision	<input type="checkbox"/>
For Discussion	<input type="checkbox"/>
For Information	<input checked="" type="checkbox"/>
Reserved Item of Business	<input type="checkbox"/>
Purpose: To share with the Regional Board a working draft of a new College Planning & Reporting Framework.	
Linked to Strategic Goal:	
Linked to Annual Priority:	
<p>Executive Summary: As referred to in the 'Report by the Principal', a review of the suite of College policies has been initiated. When considering the College's existing policies, the Principal proposed that the Strategic & Business Planning Policy be replaced with a new Planning & Reporting Framework.</p> <p>Attached as Appendix 1 is an initial working draft of the Framework. The Framework provides an overview of the College's planning and business cycles and related reporting processes. Information on College Committees and key planning documents is also included.</p> <p>Once complete, the Framework will be made available to staff on COLIN and will be referred to during the Summer planning process to schedule meetings of College Committees and Action Teams and to prepare their annual Programmes of Business for AY2019-20.</p>	
Recommendation:	
It is recommended that the Board note the working draft of the new Planning & Reporting Framework.	
Previous Committee Recommendation/Approval (if applicable):	
None	
Equality Impact Assessment:	
Positive Impact	<input type="checkbox"/>

Negative Impact

No Impact

Evidence:



PLANNING & REPORTING FRAMEWORK

WORKING DRAFT

JUNE 2019

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INTRODUCTION

The College recognises that the task of developing and implementing strategic planning is complex and requires timely access to complete and accurate information. It also demands effective communication and collaboration between all levels of staff and across all College Teams and Departments.

This Framework aims to explain the College's underlying approach to its key planning processes.

Definitions

Strategic Planning is the consideration of the College's future course with the aim of determining long-term aims and objectives and identifying the best approach for achieving those aims and objectives.

Curriculum Planning

Etc., etc.

COLLEGE CYCLES

Summary of 90-day planning approach

DRAFT

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	Q1 (Aug-Oct)	Q2 (Nov-Jan)	Q3 (Feb-Apr)	Q4 (May-July)
CURRICULUM	Enrolments, Induction and Retention	Early withdrawal (25%) date Retention Applications Curriculum Planning – credits Curriculum Area Development Planning Exercise (current AY + 2 years)	Applications and Interviews Curriculum Planning – credits Programmes of Study Curriculum Area Development Planning Exercise (current AY + 2 years)	Attainment and Outcomes Applications and Interviews
FINANCE	Course Viability Exercise	Financial Statements Budget Review In-year redistribution of student support funds	Indicative SFC Funding Allocation	End of year outturn Final SFC Funding Allocation Budget Approval
QUALITY	Internal KPIs Evaluative Report & Enhancement Plan (EREP)	Publication of Sector KPIs	Enhancement Plan Interim Reviews – Teams & College	Enhancement Plan End of Year Updates – Team & College
STRATEGY	KSI Table (Strategic Plan)	Draft Outcome Agreement	Annual Priorities – Progress Updates Final Outcome Agreement	Annual Priorities – End of Year Update Annual Priorities (next AY)
GOVERNANCE	Sept Committees (A&R, HR) Oct Regional Board	Nov Committees (A&R, C&Q, F&R) Nov Strategy Event Dec Regional Board	Feb Committees (A&R, F&R, C&Q) Mar Regional Board Apr Strategy Event	May Committees (A&R, C&Q, F&R, HR) June Regional Board

REPORTING

Q1 Reporting Period – First two weeks of November

Q2 Reporting Period – First two weeks of February

Q3 Reporting Period – First two weeks of May

Q4 Reporting Period – First two weeks of August

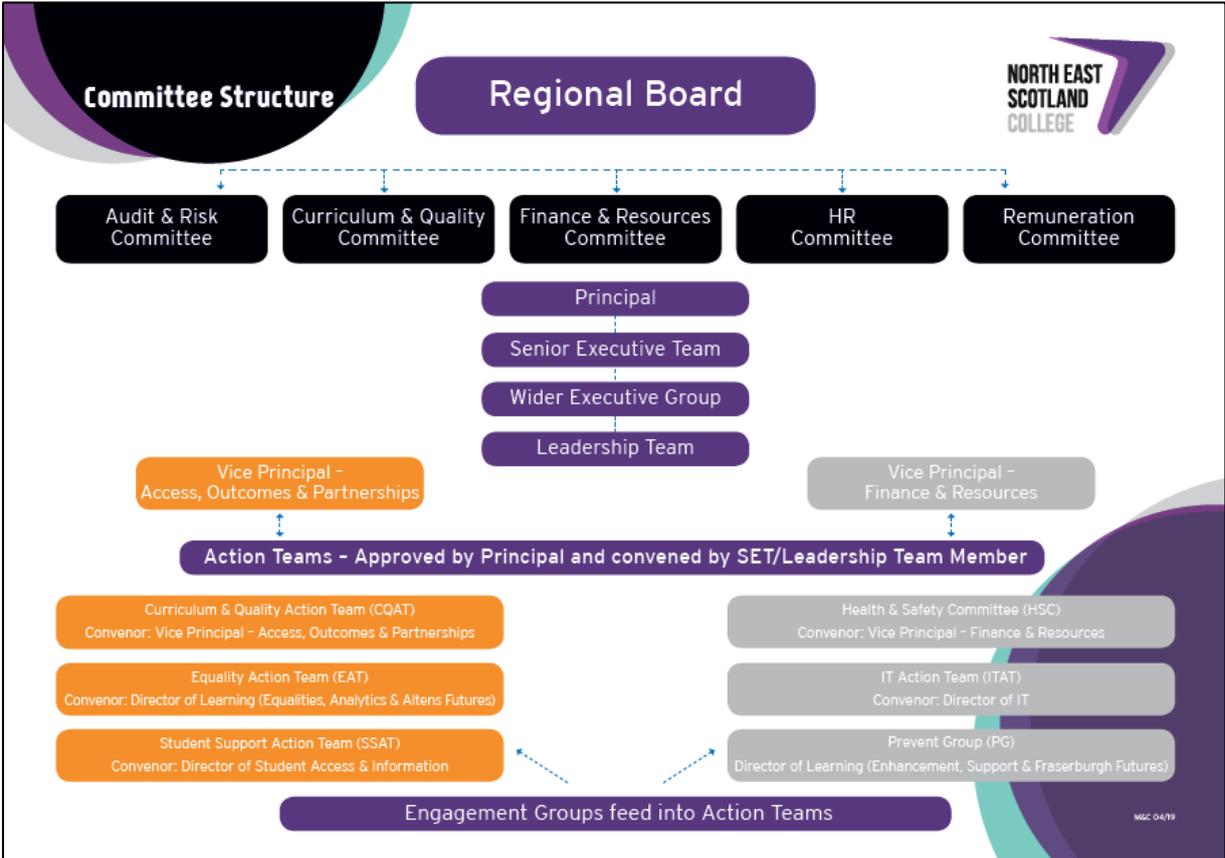
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REPORTING				
	MONTHLY	QUARTERLY	BIANNUALLY	ANNUALLY
CURRICULUM	Applications (Jan – June) Enrolments (Aug – Nov) Credits Forecast (Oct onwards) Staff & Room Utilisation x2 (fortnightly)	FES Data Returns		KPIs College Leaver Destinations Articulation
FINANCE	Management Accounts		Budget/Budget Review	Financial Statements Financial Forecast Return (FFR) Year end returns Procurement
QUALITY		Complaints	Enhancement Plans Student Satisfaction	Self-evaluation Reports Evaluative Report & Enhancement Plan (EREP)
STRATEGY	Strategic Risk Register		Annual Priorities	KSI Table (Strategic Plan)
CORPORATE				Environment & Sustainability Estates IT Health & Safety Prevent Duty

COMMITTEE STRUCTURE

To ensure that the College meets both its internal and external reporting requirements a committee structure has been established to ensure that effective decision making and monitoring processes are in place.

The Programmes of Business for the Committees noted in this section should be planned on an annual basis at the beginning of each academic year to reflect key milestones in the College's Cycles. An annual schedule of Committee meetings is also set at the beginning of each academic year to ensure that the work of each Committee informs the work of other relevant Committees in a timely manner.



Above to be updated to reflect recent changes

The following tables note the purpose of each of the College's key Committees. Terms of Reference providing information on remits, membership, and frequency for each of the above Teams can be accessed on [COLIN](#).

Governance	Responsibilities
Regional Board	<ul style="list-style-type: none"> Overseeing the business of the College, determining its strategic direction and fostering a safe environment in which the College's vision is achieved and the potential of all learners is maximised through the delivery of high quality learning and outcomes. Ensuring that the College has in place effective management and financial controls to support the student experience within a framework of public accountability and transparency.
Audit & Risk Committee	To review the effectiveness of the College's governance arrangements, financial systems, internal control environment and risk management arrangements and provide appropriate assurances to the Regional Board.
Curriculum & Quality Committee	Maintaining a strategic overview of the College's curriculum offer and its development, and monitoring the quality of the student experience.
Finance & Resources Committee	The direction and oversight of the College's financial affairs (within the Financial Memorandum between the College and the Scottish Funding Council (SFC)).
Human Resources Committee	The direction and oversight of all human resource matters relating to the function of the Regional Board as employer of the College's staff.

Further information on the work of the Regional Board and each of its Committees along with meeting agendas and papers can be accessed in the [Governance](#) section of COLIN.

Highlight key items approved by the Board etc in line with College cycles – budget, EREP, OA

Management Team	Purpose
Senior Executive Team (SET)	To provide strategic corporate leadership and direction for the College, including: <ul style="list-style-type: none"> • clarity of purpose and a focus on core business • realisation of the College's Vision & Values • formulation and implementation of strategic objectives, plans and reviews • efficient use of College resources.
Wider Executive Group (WEG)	To deliver a model of collaborative leadership and collective responsibility to the provision of the College's core business.
Leadership Team	<ul style="list-style-type: none"> • To provide collective and collaborative leadership for the College through the development and delivery of strategic, operational and enhancement plans. • To monitor progress against these plans through the application of agreed data and reporting systems and through regular updates from members in line with College planning cycles to positively influence culture and behaviours across the organisation.
Business Development Action Team (BDAT)	To support the development and implementation of the Business Development Strategy, with the primary aims of increasing non-SFC income, enhancing employer engagement and monitoring progress towards both.
College Action Team Schools (CATS)	To ensure a transparent, collaborative and proactive approach to planning, marketing & delivering a School/College portfolio, thus ensuring that more pupils access College courses and subsequent progression routes.
Curriculum & Quality Committee (CQAT)	To ensure that strategic decisions impacting on learners, the learning experience and learner outcomes are implemented coherently and consistently across the College.
Equality Action Team (EAT)	To ensure that, in line with its ambitions, priorities and policies, the College advances equality and diversity through meaningful, inclusive student-, staff- and stakeholder-centred services and approaches.
IT Action Team (ITAT)	To support the delivery of the College Strategic Aims and Objectives, by providing excellent IT services and support to enable this.
Prevent Action Team	To establish and maintain arrangements to ensure that the College complies with the requirements of the 'Prevent Duty' set out in the Counter-Terrorism and Security Act 2015 as they relate to Scottish Colleges.
Student Engagement Action Group (SEAG)	To support the Students' Association, the student body and the College in their partnered work relating to engagement, participation, quality improvement and enhancement.
Student Support Action Team (SSAT)	To ensure the development, implementation, review and monitoring of student-facing services which primarily aim to improve, year-on-year, both student experiences and student outcomes.

Other	Purpose
Curriculum Approval Panel (CAP)	To consider proposals for additions or amendments to the College's portfolio of awards.
Health & Safety Committee	To ensure that College governance with regard to Health and Safety is robust and covers all aspects of the organisation's activities. The Committee will advise and make recommendations to the Senior Executive and Leadership Teams on legislative compliance and operational matters of health and safety, and to provide a means of consultation between management and staff and promotion of best practice in health and safety issues in the College.
Sustainability Committee	To promote an ethos of environmental and social sustainability in all aspects of College business, including acting as an enabler in meeting the targets set in the College's Carbon Management Plan and providing a forum for ensuring best practice across the College.

ANNUAL MEETING SCHEDULE

The following details the frequency and scheduling of each of the College Committees detailed in the previous section. At the beginning of each Academic Year, a schedule containing specific meeting dates will be established, and Committee Members will be sent Outlook Invitations to each meeting.

In addition to the meetings detailed below, the Senior Executive Team and the Wider Executive Group meet on a fortnightly basis.

Month	Meeting
August	Curriculum & Quality Action Team
	Information Technology Action Team
September	Audit & Risk Committee
	Human Resources Committee
	Leadership Team
	Curriculum & Quality Action Team
	Student Support Action Team
	Equality Action Team
	Student Engagement Action Group
	Health & Safety Committee (Action Team)
	Sustainability Committee (Action Team)
	Curriculum Approval Panel
October	Regional Board
	Leadership Team
	Curriculum & Quality Action Team
November	Curriculum & Quality Committee
	Regional Board Strategy Event
	Audit & Risk Committee*
	Finance & Resources Committee*
	Leadership Team
	Curriculum & Quality Action Team
	Student Support Action Team
	Equality Action Team
	Information Technology Action Team
	Sustainability Committee
Curriculum Approval Panel	
December	Regional Board
	Leadership Team
	Curriculum & Quality Action Team
	Student Engagement Action Group
January	Curriculum & Quality Action Team
	Student Support Action Team
	Equality Action Team
	Curriculum Approval Panel
February	Audit & Risk Committee
	Finance & Resources Committee
	Curriculum & Quality Committee
	Leadership Team
	Curriculum & Quality Action Team
	Information Technology Action Team
	Health & Safety Committee
Sustainability Committee	
March	Regional Board
	Leadership Team
	Curriculum & Quality Action Team
	Student Support Action Team
	Equality Action Team

	Student Engagement Action Group
	Curriculum Approval Panel
April	Regional Board Strategy Event
	Leadership Team
	Curriculum & Quality Action Team
May	Audit & Risk Committee
	Finance & Resources Committee
	Curriculum & Quality Committee
	Human Resources Committee
	Leadership Team
	Curriculum & Quality Action Team
	Equality Action Team
	Information Technology Action Team
	Health & Safety Committee
	Sustainability Committee
	Curriculum Approval Panel
June	Regional Board
	Leadership Team
	Curriculum & Quality Action Team
	Student Support Action Team
	Student Engagement Action Group
July	

Still to be added in

Prevent – 2 times per year

BDAT – continuing ?

PLANNING DOCUMENTS

The following tables provide information on the key planning documents referred to in the College Cycles:

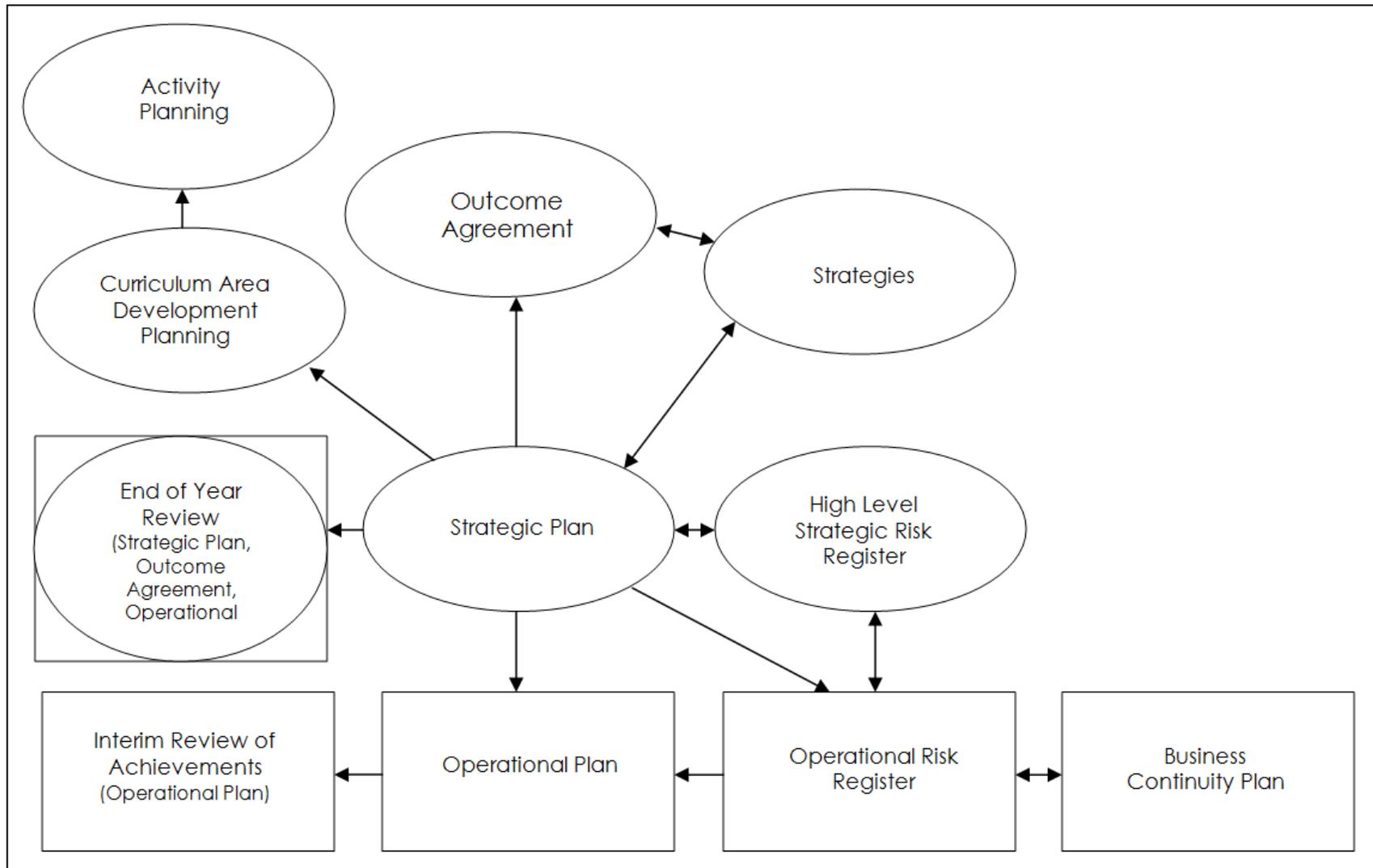
Planning Document	Description	Frequency	Author(s)	Owner
Strategic Plan	Identifies the strategic direction of the College for the coming three years and provides context and rationale. The Plan is the corporate planning statement of the Regional Board and establishes its strategic themes, goals and objectives.	Every 3 years	Principal working with Leadership Team	Regional Board
Annual Priorities	<ul style="list-style-type: none"> enable action to be taken in a collective, agreed way to move the College forward and towards excellence enable any issues of poor quality or performance to be addressed enable any particular areas of development or innovation to be highlighted establish a mechanism for the College to measure achievements against in 12 months time inform detailed enhancement plans for the period enable communication of key College priorities to staff providing a clear rationale for plans and actions. 	Every academic year	Principal working with Leadership Team	
Evaluative Report & Enhancement Plan (EREP)	Details progress in relation to Outcome Agreement priorities and is a self-evaluation of quality assurance measured against a range of quality indicators (QIs) from the How good is our college? framework. The Enhancement Plan provides an opportunity for the College to identify actions and areas development to support delivery of the Strategic Plan, Supporting Strategies and Annual Priorities and to address strategic risks. The EREP is submitted to the SFC and Education Scotland for endorsement.	Frequency TBC, next EREP due October 2020		Regional Board

Planning Document	Description	Frequency	Author(s)	Owner
Department & Team Self-evaluations and Enhancement Plans		Annually	Leadership Team Heads of Faculty	
Supporting Strategies <ul style="list-style-type: none"> • Access & Inclusion • Business Development • Estates • Finance • Learning & Teaching • Marketing & Communications • People 	Single themed strategies developed as part of the planning process which support delivery of the Strategic Plan.	Every 3 years	Assigned Leadership Team Members	Regional Board and Board Committees as appropriate
Strategic Risk Register	Identifies, against each Strategic Theme, actual critical risks that the College is facing with details of current controls and further mitigating actions along with associated risk scorings and risk appetites.	Ongoing	Director of Strategic & Planning with SET and Leadership Team	Regional Board
Key Strategic Indicators Table	Identifies indicators used to monitor progress of the delivery of key aspects of the Strategic Plan.	Annually	Director of Strategic & Planning	Regional Board
Outcome Agreement	Details the regional context within which the College operates and agreed outcomes and outputs the College will deliver in response to Scottish Government priorities. The Outcome Agreement is submitted to the SFC as part of the national funding system for colleges.	Annually	Wider Executive Group	Regional Board
Curriculum Area Developing Planning (CADP)	Evaluates and refreshes course provision in curriculum areas by identifying new offerings, revisions and deletions to ensure that the College's portfolio remains relevant to the needs of both learners and industry.	Annually	Head of Faculty	

Planning Document	Description	Frequency	Author(s)	Owner
Activity Planning Spreadsheets	Identifies planned levels of activity across the College's teaching areas in terms of enrolments, credits, credits income, teaching hours and teaching staff FTE, and demonstrates how the College plans to meet its SFC funded activity target.	Annually	Directors of Learning, Director of Business Development	
Business Continuity Plan	Establishes the responsibilities, procedures and responses of the College following a disaster or major incident which damages or destroys critical assets or disrupts the effective operation of the College.	Ongoing	Director of Strategy & Planning	

DRAFT

Links between College planning documents **diagram to be updated**



STRATEGIC PLAN

Summary of process – role of Regional Board, role of Leadership Team

Identification of Strategic Themes, Goals and Objectives

OUTCOME AGREEMENT

Outcome Agreements were introduced by the Scottish Funding Council (SFC) in AY2012-13. They are intended to enable the SFC and colleges to demonstrate the impact of the college sector and its contribution to meeting Scottish Government priorities. The Outcome Agreement is also a funding contract between the SFC and each region and set out what colleges plan to deliver in return for their funding from SFC.

The Outcome Agreement process is intended to:

- promote relationship-based engagement
- to ensure SFC decisions take account of the context within which colleges operate and so that the SFC can differentiate its approach where it is appropriate
- provide consistent methods of reporting through an outcome agreement document to ensure that a fair interpretation of college impact is made and to enable the SFC to interpret impact consistently at a regional and national level
- provide a means by which college regions can discuss with the SFC their broader aspirations.

A copy of the College's Outcome Agreement for the current academic year can be found in the [Planning and Quality](#) section of COLIN.

Summary of process – College's OA Manager, meetings and negotiations

Annual Guidance – Scot Gov & SFC priorities

<http://www.sfc.ac.uk/funding/outcome-agreements/outcome-agreements-guidance/outcome-agreements-guidance.aspx>

Importance of national measures table

Explain link to College's funding allocation

ACTIVITY PLANNING

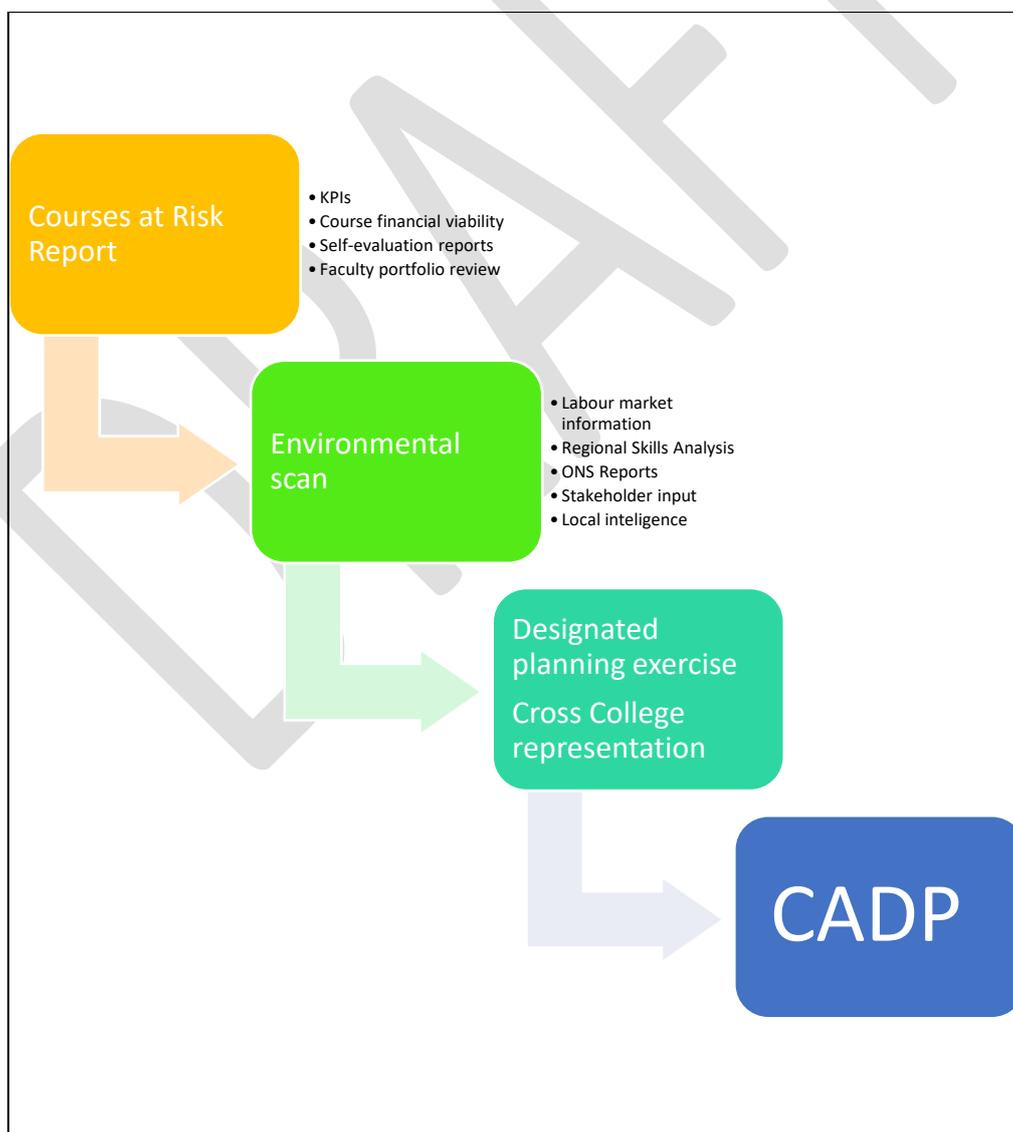
Summary of process – SFC target, spreadsheets & recruitment strategy, monitoring by WEG, reporting to SFC and Board

CURRICULUM PLANNING

The key principles of the College's curriculum planning process are:

- Responsive: Able to approve, plan and design learning to service customer need within a suitable timescale
- Flexible: Adjustable to cover the required elements in a way appropriate to the style, mode of attendance and assessment required
- Efficient: Avoiding duplication and unnecessary work, but capable of covering all necessary quality requirements
- Informed: Intelligence based, taking into account local and regional demand as well as national policy requirements
- Collaborative: Inter- and intra-team engagement with evaluation, monitoring and refinement of the process on a live and ongoing basis

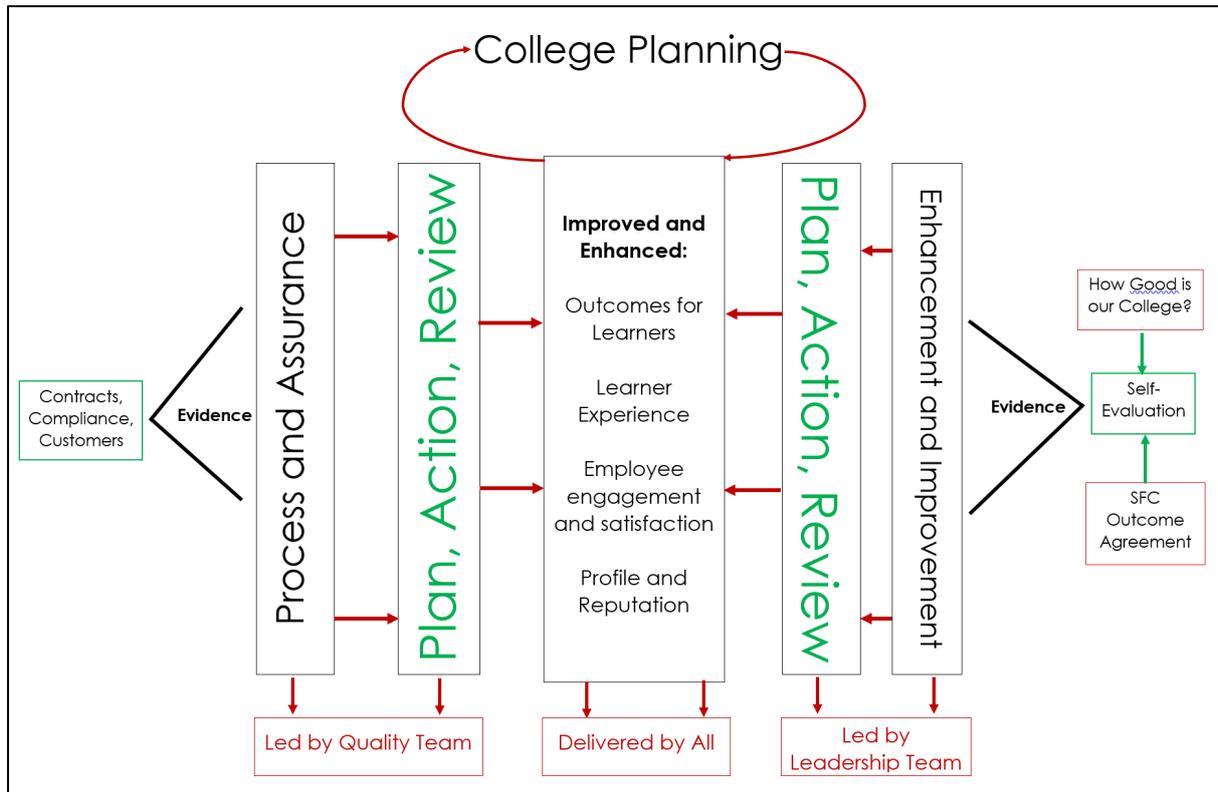
Summary of stages – info to explain diagram



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Appendix 1

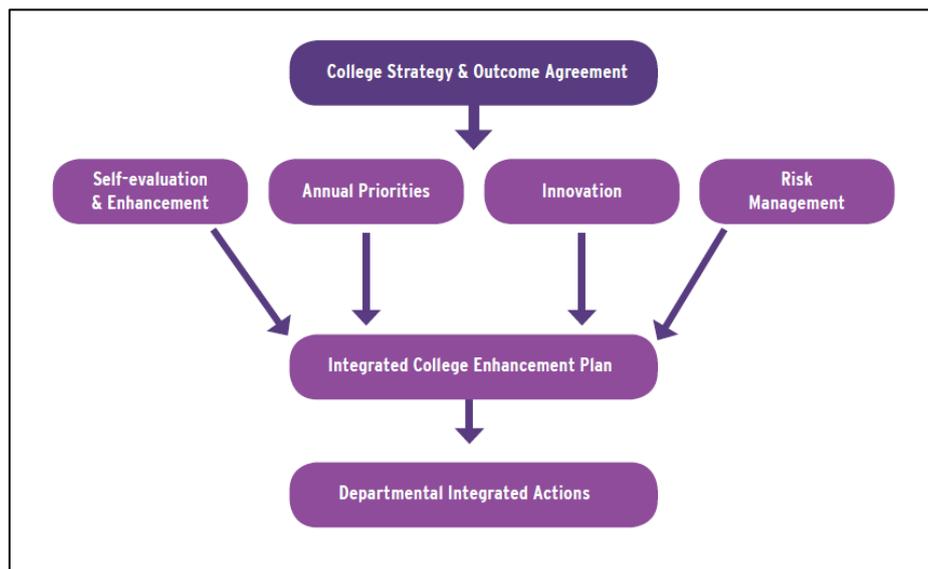
Activity	Current Year -1										Current Year												
	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	
Create Courses at Risk Report	■												■										
Course Financial Viability Exercise	■												■										
Environmental Scan and employer input	■	■											■	■									
Sector KPIs Published			■												■								
CADP Meetings			■												■								
Submission of CADPs				■												■							
Course Feasibility Exercise					■												■						
Monitor & report planned activity & applications														■	■	■	■	■	■	■	■	■	■
FA tender											■												
Schools planning												■	■	■									
FA tender outcome confirmed													■										
Activity Planning process - planning spreadsheets													■	■									
School applications running														■	■	■							
MA tender														■									
Resource and budget planning for coming year															■	■							
Confirmation of School Links Offer																■							
MA tender outcome confirmed																	■						
SFC Indicative Funding & Activity Allocation																■							
Consider final Outcome Agreement																	■						
SFC Final Funding & Activity Allocation																		■					

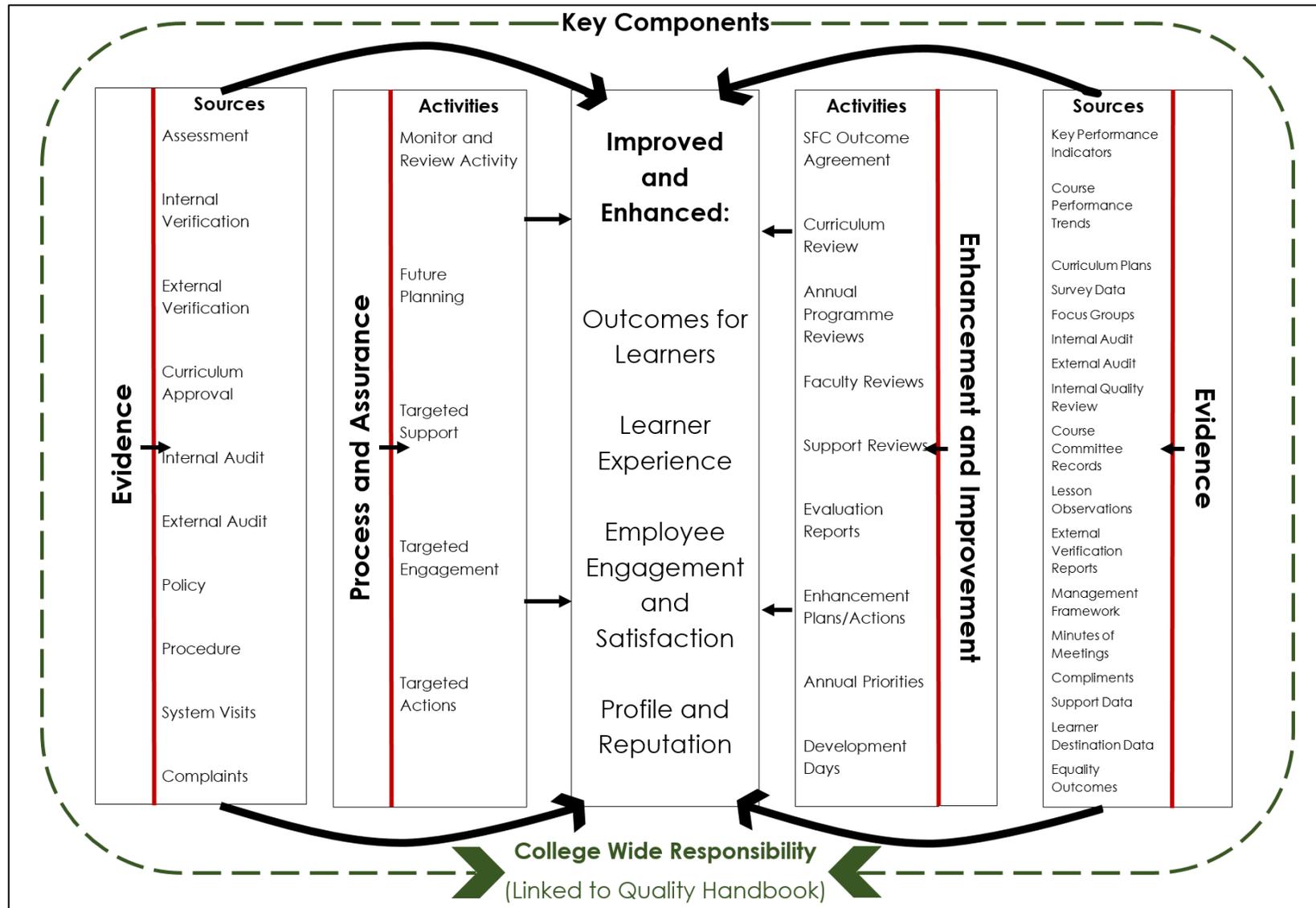
PLANNING & QUALITY



Link between Quality Framework and Outcome Agreement.....

Actions to deliver the College's Strategic Objectives are contained in the Integrated College Enhancement Plan. This Plan enables the College to coordinate activities to respond to a range of ambitions, priorities and risks, and to respond to any areas for development emerging from self-evaluation activities.





Info on CQAT

Work of the Team related to Planning & Quality, incl. standing items once agreed

Include relationship map to other Committees

RESPONSIBILITIES



REGIONAL BOARD	
Meeting of 19 June 2019	
Title: GDPR Update	
Author: Jacqueline Gillanders, Data Protection Officer	Contributor(s):
Type of Agenda Item:	
For Decision	<input type="checkbox"/>
For Discussion	<input type="checkbox"/>
For Information	<input checked="" type="checkbox"/>
Reserved Item of Business	<input type="checkbox"/>
Purpose: To enable the Regional Board to consider an update on recent developments at NESCol relating to GDPR.	
Linked to Strategic Goal:	
Linked to Annual Priority:	
Executive Summary: At its Strategy Event in November 2018, the Regional Board received a presentation from the College's Data Protection Officer providing Members with information on GDPR principles, compliance and practices. At the Event it was agreed that in six months' time Members would be provided with a progress update on key activities highlighted in the College's GDPR Action Plan. An update is therefore attached as Appendix 1 is	
Recommendation: It is recommended that the Board note the information provided.	
Previous Committee Recommendation/Approval (if applicable): None	
Equality Impact Assessment:	
Positive Impact	<input type="checkbox"/>
Negative Impact	<input type="checkbox"/>
No Impact	<input type="checkbox"/>
Evidence:	

GENERAL DATA PROTECTION REGULATION (GDPR) UPDATE - JUNE 2019

The purpose of this report is to provide the Regional Board with an update on progress in relation to GDPR, to follow on from the presentation and update given in November 2018.

To date, GDPR work has been driven by 3 mechanisms:

- Internal audit action plan
- GDPR action plan
- 'Issues arising' action plan.

INTERNAL AUDIT ACTION PLAN

The Internal auditor carried out an initial GDPR audit and reported on the results in February 2018. This identified areas of good practice and also identified 10 actions. The follow up audit conducted in July 2018 recognised that 5 actions had been fully implemented and 5 were partially implemented. The 5 remaining actions have now been fully implemented. This means the College has progressed to having in place:

Internal audit recommendation	Action taken
Follow Information Commissioner's Office (ICO) guidance and issues information to learners as to the rights of individuals under the GDPR	Privacy Notices (PNs) added to College website. Emails and letters sent to students advising of PNs and rights. System for online applications and enrolments (Unit-E) updated with new PNs. Individuals' rights published on College website.
Update the risk register to include a specific risk on GDPR implementation and compliance	Risk added to Operational Risk Register (item 2.8)
Create a detailed GDPR work plan; communicate to necessary personnel; report progress at each LT meeting	GDPR Action Plan created and in place – 75 actions at present. LT progress reporting being put in place.
Ensure a suitable person is in post to undertake Data Protection Officer (DPO) duties	HEFESTIS shared-service DPO in post.
Ensure the review and updating (where necessary) of privacy notices is included in the Work Plan and carried out by the College	Key PNs published on college website. Additional, specific, PNs being drafted and published as need is identified.
Develop formal compliance and checking procedures that are actively followed on a regular basis following the introduction of GDPR in May 2018	A compliance audit/self-assessment toolkit has been developed by HEFESTIS DPOs and will be available to the college as the procedures to follow for compliance checking.
Develop a Register of Data Sharing Agreement	Data sharing agreement team site in place, with Register of DSAs. Shared with Director of Quality & Director of Student Information & Access.
Develop Data Sharing Procedures and they are circulated to all staff members	Published on DP collaborative space on COLIN.
Review and update all relevant policies and procedures to ensure they comply with GDPR	DP policy approved. Other relevant policies identified; 16 assessed for GDPR relevance; DPO has proposed amendments for 15 policies; Social media policy remains outstanding - larger piece of work.
Establish mechanisms for logging requests for data portability, together	Rights info published on website. Subject Access Request form contains check box if Data Subject also

with a process for the effective and secure execution of any transfer of data	asks for data portability. If checked, will lead into data portability procedure. In addition, the SAR procedure contains a section on portability, covering electronic format and secure delivery.
---	---

GDPR ACTION PLAN

The GDPR action plan was developed to incorporate work done by the Scottish Colleges Information Governance Group (SCIGG), the internal audit action plan and a previous NESCol GDPR plan. The plan has 75 actions, of which 34 are complete. The remainder are in progress and a number of these actions will flow from and be completed when the data audit work is concluded.

Data audit

Article 30 of GDPR places a legal requirement on organisations such as the College to maintain a register of processing activity. This requires a data audit to be conducted across all faculties and departments to identify:

- Where personal data is processed
- The reasons for processing
- The GDPR lawful basis for doing so
- Where personal data is stored
- How it is protected
- How it is shared and with whom.

An initial audit return was made by each faculty and department in early 2018 and this work is being continued by the DPO. Once complete, the College will have a data asset register on which retention periods can be allocated, asset owners can be identified, duplication can be identified and removed, appropriate lawful bases can be applied, inappropriate/unlawful processing can be eliminated and file classification can be applied (all covered by 8 actions in the GDPR action plan). The asset register will also contribute to Information Security risk management work being led by the IT and Technical Services team (to which the DPO is contributing).

Outstanding actions

Other outstanding actions in the GDPR action plan include:

- Ensuring effective processes to enable individuals' rights to be exercised across all College-held data
- Data retention and records management improvements
- Integration of DP responsibilities into all roles
- Embedding of data protection risk assessments and 'DP by design and default' into College processes.

ISSUES ARISING

Issues that have arisen in addition to those identified in the above action plans have been allocated to a separate action plan, so that original action plans can be signed off as complete (as a 'phase 1' action plan). The 'phase 2' action plan contains all actions, issues, requirements and considerations that are identified by the DPO as more data processing is understood, as a response to data incidents/breaches, as a result of subject access requests, as a result of case law amendments and as more knowledge on GDPR requirements is gained.

The key areas being addressed include:

- **Policy development, with associated procedures**

Requirements for additional GDPR-related policies and procedures are being identified as work progresses within the College and as legislative requirements are understood.

Of priority, the Data Protection Act 2018 (UK legislation which sits alongside the GDPR) requires all organisations who process special category data (certain types of sensitive data) to have a Special Category Data Policy in place. This policy sets out how the College's processing of personal data meets the requirements of Article 5 of the GDPR and explains the relevant records management policies. The policy must be kept up to date and made available to the ICO on request. This policy has been drafted and is to go to the Leadership Team for approval, as a working document requiring regular review.

- **Contracts and data sharing agreements**

Where the college goes out to tender for a new or replacement service or product, or enters into a contract/agreement with a third party, there is a requirement for either a data sharing agreement (DSA) or the insertion of Standard Contractual Clauses (SCCs). These put the required governance arrangements in place for data sharing and define the responsibilities of both parties. It is vital the College is identified in the appropriate role of data controller where necessary, to be able to discharge its responsibilities accordingly. It is also important that the College sets out its requirements of any third party processing data on its behalf. A template data sharing agreement has been developed and is available on COLIN. Template SCCs have been drafted and are ready for approval.

The register of DSAs is maintained by the DPO and now includes 14 DSAs with partner organisations. A number are under development, including with the SDS, Student Loans Company, Aberdeen City Council, RGU, University of Aberdeen, CITB, the Occupational Health provider. Others have been identified as being required and will be addressed as part of a managed program.

- **Data Protection Impact Assessments (DPIAs)**

Article 35 of GDPR requires organisations to carry out a DPIA if processing, or proposed processing, meets certain criteria. A set of DPIA screening questions have been developed to help assess the need for a full DPIA. These should be done as early as possible in a project, or process change, so that the additional requirement for 'data protection by design and by default' (Article 25) can be met – privacy risks must be identified at early stages and be incorporated as a project develops, rather than at the end when it is often too late to make changes.

A full DPIA template has been developed and is available on COLIN, to detail the (intended) processing, identify the personal data involved and identify the privacy risks and mitigating actions.

IT&T will incorporate the screening questions into project management documentation, to ensure privacy is considered as part of IT-related projects. Further work is required to ensure DPIAs are considered as part of other college business when personal data is involved.

- **Data incidents and breaches**

The College now has a data breach reporting procedure in place, with a register of incidents and breaches being maintained by the DPO. Not all incidents lead to an actual breach, so it is important that a distinction is made. Awareness raising is key in relation to data breaches – having staff who are aware of when a breach may have occurred and how to report it. It is important that incidents/breaches are reported so that lessons can be learnt, mitigating actions can be put in place and statutory reporting requirements can be met. Further awareness raising will take place as GDPR training is rolled out, to improve recognition and reporting.

Of the 18 incidents reported to the DPO, all have been very low or low risk and none have required reporting to the Information Commissioner's Office.

- **Training and awareness sessions**

A rolling program is underway to deliver GDPR training and awareness to all faculties and departments in the College. Each session will cover defined areas but will be as tailored as possible to each team's needs, to put GDPR into context and to increase relevance and understanding. Sessions include information on:

- The GDPR principles – in plain English
- The 6 lawful bases for processing
- Individuals' rights – what they are and what to do when a request is received
- Privacy notices – what they are and when they are needed
- Data breaches – how to recognise and how to avoid
- Practical tips for compliance.

- **Multiple projects**

As awareness of GDPR requirements has been raised across the College, more requests have been made of the DPO to provide advice and guidance. As these projects are identified they are being added to the 'phase 2' action plan, with the intention that the initial GDPR action plan can be signed off once complete; the 'phase 2' action plan will be a rolling plan onto which actions arising will continually be added and removed as completed.

Some examples of such projects, advice and guidance include:

- Guidance for Marketing & Communications, to ensure lawfulness of direct marketing and electronic communications, in line with GDPR and the Privacy and Electronic Communications Regulations (PECR)
- Photography guidance for faculties and Marketing & Communications, to ensure lawfulness, appropriate consent and appropriate onward use
- Appropriate processing guidance and requirements for use of placement providers
- Aligning GDPR work with Information Security work, to ensure complementary processes and lessen duplication of effort
- Staff awareness sessions for all faculty and departmental staff
- Creation of privacy notices for specific situations/data subjects
- Identifying relevant legislation to provide the lawful basis for processing.

Work will continue over the next 6 months towards concluding the 'phase 1' GDPR action plan and to developing the rolling 'phase 2' action plan. A further 6 month progress update will be provided to Board members in November 2019, or earlier if required.

DPO Shared Service

The DPO is in place with NESCol through the shared service provided by HEFESTIS (Higher Education and Further Education Shared Technology & Information Services). As part of this, the DPO has undertaken further training and has attended conferences and other networking events.

The shared service also provides a mechanism for the sharing of knowledge and experiences, allowing NESCol to benefit from the experiences of other colleges and to share its experiences in return. For example, the shared service DPOs have been working collectively to enable DSAs with organisations such as the SFC and the SDS, on behalf of colleges, to ensure consistency across the sector.

Discussions and information-share with DPO colleagues allow the DPO to gauge informally NESCol progress towards GDPR with that of other colleges. While a like-for-like comparison cannot be made, it is reassuring to note that NESCol progress to date is similar to that of others in Scotland.

Jacqueline Gillanders

Data Protection Officer

HEFESTIS DPO Shared Service, with North East Scotland College