

**NORTH EAST
SCOTLAND
COLLEGE**



REGIONAL BOARD

Meeting of 16 December 2020



REGIONAL BOARD

NOTICE

There will be a meeting of the Regional Board of North East Scotland College on Wednesday 16 December 2020 at 1000 hours via Microsoft Office Teams.

AGENDA

Agenda Item		Paper
62-20	Apologies for Absence	
63-20	Declaration of any Potential Conflicts of Interest in relation to any Agenda Items	
64-20	Minutes of Meeting of 07 October 2020	X
65-20	Matters Arising from 07 October 2020	X
66-20	Note of Strategy Event – 04 November 2020	X
67-20	Matters Arising from the Strategy Event	X
	Reports to the Board	
68-20	Report by the Regional Chair	X
69-20	Report by the Principal	X
70-20	Report by Committee Chairs	X
	Governance Matters	
71-20	Governance Manual	X
72-20	Equality & Diversity Champion	X
73-20	Board Member Recruitment	X
	Matters for Decision	
74-20	Students' Association Constitution	X
75-20	Strategic Risk Register	X
76-20	SFC Review Phase 1 – NESCol Response	X
	Matters for Information	
77-20	Strategic Plan	X
78-20	Interim Outcome Agreement AY2020-21	X
79-20	Any Other Business	
80-20	Summation of Business and Date of next meeting	
	Reserved Items of Business	
	Matter for Decision	
81-20	Financial Statements for the Year to 31 July 2019	
82-20	Annual Report to the Regional Board by the Audit & Risk Committee	
	Matters for Discussion	
83-20	SFC Credit Activity Update & Forecast	
84-20	Annual Appraisal of Regional Chair	

85-20	Principal's Performance Management Objectives – Update	
86-20	Strategic Discussion Groups	
	Standing Item	
87-20	Regional Board Programme of Business AY2020-21	X
88-20	Summation of Reserved Items of Business	



REGIONAL BOARD

Draft Minutes of the meeting of the Regional Board held on Wednesday 07 October 2020 at 1000 hours via Microsoft Teams.

Agenda Item	
	<p>Present: David Anderson Sasha Brydon Neil Cowie Martin Dear Abdul Elghedafi Susan Elston John Henderson – Vice Chair Abha Maheshwari Neil McLennan Ken Milroy - Regional Chair Sheena Ross Andrew Russell Gwen Watt</p> <p>In attendance: Robin McGregor, Vice Principal Curriculum & Quality Peter Smith, Vice Principal Finance & Resources Duncan Abernethy, Director of Business Development (Agenda Items 53-20 to 55-20) Colin Beattie, Head of Health, Safety & Security (Agenda Items 53-20 – 59-20) Susan Betty, Director of Learning (Agenda Items 52-20 to 59-20) Alesia Du Plessis, Director of Learning (Agenda Items 53-20 to 55-20) Susan Grant, Director of Learning (Agenda Items 53-20 to 55-20) Pauline May, Secretary to the Board Susan Lawrance, Minute Secretary</p> <p>Trade Union Nominees: Elle Watson, UNISON Sue Porter, EIS/FELA</p>
	<p>Microsoft Office Teams Training Members were provided with a training session on the use and functionality of Microsoft Office Teams from A Wilson, Digital Learning Advisor.</p> <p>Members were advised that as the upcoming Strategy Event required to be held virtually the use of teams by all Members would be key to the effective running of the Event.</p>
	<p>Prior to the commencement of business, the Regional Chair welcomed S Brydon, S Porter, and E Watson to their first Regional Board Meeting. Introductions were provided by all attendees.</p>
39-20	<p>Apologies: Apologies were presented for Ann Bell and Anne Simpson.</p>

40-20	<p>Declaration of any Potential Conflicts of Interest in relation to any Agenda Items</p> <p>There were no declarations of potential conflicts of interest.</p>
41-20	<p>Minutes of Previous Meeting – 24 June 2020</p> <p>The minutes were approved as a true and accurate record.</p>
42-20	<p>Matters Arising from the Previous Meeting</p> <p>Members noted the Matters Arising Report.</p> <p>In relation to the Community Empowerment Act, it was highlighted that reporting to the Board would be by exception following agreement that the required Annual Report would be approved by the Executive Team on behalf of the Board.</p> <p>The convening of the Chairs Committee on two occasions to date was highlighted.</p> <p>No further matters were raised.</p>
	<p>Reports to the Board</p>
43-20	<p>Report by the Regional Chair</p> <p>Members noted the report by the Regional Chair.</p>
44-20	<p>Report by the Principal</p> <p>Members noted the report by the Principal, with N Cowie providing additional information on a number of items.</p> <p>Members were advised that the SFC had advised there was currently no available funding to support college voluntary severance schemes.</p> <p>In relation to Outcome Agreement discussions it was noted that the SFC had requested to be kept apprised of the developments regarding a closer working relationship between the College and RGU.</p> <p>The role of the College in the Aberdeen City Council Socio Economic Rescue Plan was highlighted, with related discussion with ONE regarding the Energy Transition Zone, and regional net zero discussions summarised.</p> <p>Planning arrangements for the upcoming Board Strategy Event were summarised.</p>
45-20	<p>Report by Committee Chairs</p> <p>Members noted the Report by Committee Chairs.</p> <p>D Anderson in his role as Chair of the Audit & Risk Committee provided context behind the agreed actions from the last meeting of the Committee. Members were advised that MHA Henderson Loggie would provide the Board with a risk management training session as part of the December Board Meeting.</p> <p>In relation to the HR Committee, it was highlighted that an additional meeting had been convened for March 2021.</p>

	Governance Matters
46-20	<p>Regional Board Terms of Reference Members considered the Board's Terms of Reference with the Regional Chair highlighted a number of suggested clarifications regarding the Board's role in relation to the recruitment of Members. The Board readopted the Terms of Reference with the inclusion of the proposed amendments as presented.</p>
47-20	<p>Programme of Business AY2020-21 Members considered the Board's proposed Programme of Business for AY220-21. It was noted that it would be revisited after the upcoming Strategy Event to ensure the Programme reflects the agreed Event outcomes and the direction of travel. Members approved the Programme of Business as presented, noting that flexibility would be required this year with the potential requirement to hold additional meetings.</p>
48-20	<p>Governance Steering Group Update The Board considered a paper providing a summary of recent considerations by the Board's Governance Steering Group, including a number of recommendations.</p> <p>Members considered the recommendation made in relation to the Chairs Committee. The Board approved the adoption of the Committee as a permanent aspect of the Board's governance arrangements and approved the Committee's amended Terms of Reference, subject to changing the Principal from in attendance to a member.</p> <p>The Regional Chair advised that there would be an opportunity for Members to discuss in private the Principal's Performance Management Objectives under Agenda Item 60-20.</p> <p>The Board approved the appointment of MHA Henderson Loggie to undertake the Board's next External Effectiveness Review. The scope of the Review was discussed and it was agreed that priority areas would be identified, by the Regional Chair and Principal on behalf of the Board, following reflection after the Strategy Event. It was also agreed that the capturing of Members' views by MHA Henderson Loggie as part of the Review would be undertaken collectively rather than through one to one interviews.</p> <p>It was confirmed that the annual appraisal process for the Regional Chair, facilitated by the Senior Independent Member had been initiated. P May highlighted that an online questionnaire had been issued the previous day to capture Members' views as part of the process.</p> <p>It was reported that the second Student Member for AY2020-21 had been appointed and would be invited to the upcoming Strategy Event.</p>
	Matters for Decision
49-20	<p>Modern Slavery Act Statement The Board considered a paper providing an opportunity for the Board to approve publication of the College's Modern Slavery Act Statement 2020.</p> <p>Members approved the Statement, subject to the inclusion of a reference stating the Regional Board's responsibility for approving the document annually.</p>

50-20	<p>Facilities Management Contract Members considered a paper recommending the approval of the award of the College's Facilities Contract to Mitie Technical Facilities Management Ltd from 01 April 2021 to 31 March 2026.</p> <p>P Smith gave a summary of the background and context to the Facilities Contract, including the awarding of a previous extension. A discussion followed with P Smith responding to a number of queries in relation to the scoring and quality of bids. A discussion was held regarding contract costs, with P Smith advising that an automatic inflationary uplift had been included but that the potential for the College to re-negotiate had been retained on an 'as required' basis.</p> <p>Members approved the appointment of Mitie Technical Facilities Management Ltd.</p>
51-20	<p>Closure of Bank Account The Board considered a paper recommending closure of the College's Lloyds Bank Corporate Current Account, a former Banff and Buchan College account which is no longer used.</p> <p>Members approved the closure of the legacy account, noting that savings would be made with the removal of back-office administration of the account.</p>
Additional Item	<p>SDS Data Request In response to a query, N Cowie shared information on a request for a significant amount of data that had been sent to all colleges by SDS. It was noted that the request had been discussed by the College Principals Group and with the SFC, and that it was hoped that a sector position on responding would be reached.</p>
	<p><i>S Betty joined the meeting at this time.</i></p>
52-20	<p>NESCol Students' Association Constitution Members considered a paper providing information on the revision of the NESCol Students' Association Constitution.</p> <p>S Betty advised that the revised document was in the process of being reviewed with the College's solicitors and, following finalisation, would be designed by the College's Marketing & Communications Team.</p> <p>S Betty summarised the key information contained in the document and changes made in comparison to the previous Constitution. It was agreed that a number of proposed further consideration raised by Members would be addressed out with the meeting.</p> <p>Given the current status of the document, it was agreed that a final revised version of the Constitution would be brought back to the December Board Meeting for approval.</p>
	<p><i>M Dear left the meeting at this time.</i></p> <p><i>A short break was taken.</i></p> <p><i>D Abernethy, C Beattie, S Betty, A Du Plessis and S Grant joined the meeting at this time.</i></p>

	Matters for Discussion
53-20	<p>NESCol KPIs AY2019-20 The Board noted a paper providing information on the College's Key Performance Indicators for AY2019-20.</p> <p>R McGregor provided Members with additional information regarding the completion of deferred AY2019-20 activity, noting the expected positive impact this will have on final KPIs for AY2019-20. Information was also shared on the College's SQA resulting and appeals process for AY2019-20.</p> <p>The impact of the ongoing processing of deferred courses currently still being completed was highlighted, with Members noting the caveat that the figures provided were not yet final. It was agreed that further interrogation of the data and information on review systems and processes would be undertaken by the Curriculum & Quality Committee in due course.</p> <p>It was confirmed that updated KPI data would be made available to the Board and Committees in due course, and that this would also be considered as part of a session on Curriculum Business Priorities at the upcoming Strategy Event.</p> <p>R McGregor provided information on quality improvement work that will be undertaken to address areas of poor performance.</p> <p>An issue around life insurance for NESCol nursing students on work placements was raised by S Brydon. N Cowie advised that this issue had very recently been drawn to his attention at a Colleges Scotland meeting, and confirmed that any related developments would be shared with SA President.</p>
54-20	<p>Health & Safety Annual Report Members considered the College's Health & Safety Annual Report, with C Beattie highlighting key information and noting impacts of and costs relating to the COVID-19 pandemic.</p> <p>Members were advised that 12 positive cases and 65 self-isolating individuals had been recorded across all College locations to date. The Board was provided with reassurance from C Beattie relating to the College's reporting system and related positive feedback received from Public Health Scotland.</p> <p>A discussion was held around pandemic related costs to the College with C Beattie advising that to date approximately £86K had been spent on key items such as signage, screens and sanitisers. D Russell queried how much of this expenditure was 'one off' with C Beattie clarifying approximately £33K had been spent on signage and that costs relating to sanitisers and cleaning products would continue to rise, especially once larger numbers of staff and staff return to campus.</p> <p>The Board recorded its thanks to the College's Health & Safety Team for the work undertaken to reopen the College safely.</p> <p>Following a query from D Anderson, a short discussion was held regarding the reporting, recorded and 'lessons learned' from 'near misses'. It was agreed that it would be beneficial for future Annual Reports to include 'near miss' information.</p> <p>N Cowie provided additional information from recent meetings of the College Principals Group, noting that Scottish Government officials had asked to</p>

	<p>attend a meeting to share public health updates and guidance and to discuss the impact of the pandemic on the college sector,</p> <p>N Cowie also provided information on the process followed by the College when positive and potential COVID-19 cases are reported by a staff member of student. R McGregor also provided information on the various support mechanisms available for affected students.</p> <p>In relation to a query from K Milroy, C Beattie confirmed that throughout the pandemic the College has continued to consult with trade union representatives, staff members and students, and that the Leadership Team is committed to ensuring there is clear and comprehensive communication with all key stakeholders.</p>
55-20	<p>AY2020-21 so far (Presentation)</p> <p>The Board received a presentation from R McGregor on enrolments to date and related information on credits, withdrawals and areas of risk. Members were also advised that the College was currently forecasting a shortfall against its credits target for AY2020-21. Plans for additional credit-generating activity were shared.</p> <p>A Curriculum Update presentation was also provided by the Directors of Learning and Director of Business Development covering the following:</p> <ul style="list-style-type: none"> • AY2020-21 Key Changes • Positives to Date • Key Challenges • Risks • Approaches to Redesign and Recovery <p>K Milroy commented that the information provided was helpful in providing context for the Board's upcoming Strategy Event.</p> <p>N Cowie highlighted a significant project currently being undertaken in relation to Curriculum Business Priorities, advising that information on this would be shared with Members at the Strategy Event.</p>
	<p><i>R McGregor, D Abernethy, A Du Plessis, and S Grant left the meeting at this time.</i></p>
	<p>Matters for Information</p>
56-20	<p>Internal Audit Annual Plan, Year to 31 July 2021</p> <p>The Board noted a paper providing information on the programme of internal audit work to be undertaken by MHA Henderson Loggie in AY2020-21.</p> <p>P Smith provided background information on the preparation of the Plan, highlighting that changes request at the most recent meeting of the Audit & Risk Committee were to be incorporated to provided clarity as to why some high risk areas were not included in the Plan for the current academic year. Input into the Plan from the College's Leadership Team.</p>
57-20	<p>Strategic Risk Register</p> <p>Members noted a paper providing information on the latest version of the College's Strategic Risk Register and further planned work regarding its development.</p> <p>Members noted the presented timeline for for review and development.</p>

	The risk management training session for Board Members and the Leadership Team as part of the December Board Meeting was highlighted.
58-20	Any Other Business No other business was raised.
59-20	Summation of Business and Date of Next Meeting The Secretary gave a summation of the business conducted. The next meeting of the Regional Board is scheduled to take place at 1000 hours on Wednesday 16 December 2020 via Microsoft Teams.
	<i>C Beattie, S Betty, N Cowie, P Smith, S Porter, E Watson, P May, S Lawrance let the meeting at this time.</i>
	Reserved Item of Business – Matter for Information
60-20	Principal's Performance Management Objectives
61-20	Summation of Reserved Items of Business The Secretary gave a summation of the reserved business conducted
	Meeting ended 1330 hours

Agenda Item	Actions from Regional Board Meeting 07/10/20	Responsibility	Deadline
48-20	Confirm appointment of MHA Henderson Loggie to undertake the Board's Externally Facilitated Effectiveness Review, advising views of Members to be gathered collectively rather than by one-to-ones.	P May	As soon as possible
48-20	Identify additional areas of focus for Externally Facilitated Effectiveness Review after Strategy Event scheduled for November 2020.	K Milroy with N Cowie	13 November 2020
49-20	Add reference to approved Modern Slavery Statement regarding the Board's responsibility for its annual approval.	P Smith	Prior to publication
51-20	Close former Banff & Buchan College bank account.	P Smith	As soon as possible
52-20	Finalise Students' Association Constitution following review by	R McGregor with S Betty	04 December 2020

	Burness Paull, further proof read and consider Members' suggested amendments.		
53-20	Provide Curriculum & Quality Committee with AY2019-20 KPI data once finalised for further interrogation.	R McGregor	18 November 2020
53-20	Update Regional Students' Association President on developments relating to life insurance for NESCol nursing students on work placement.	N Cowie	As required
54-20	Ensure next Health & Safety Annual Report includes 'near miss' information.	P Smith with C Beattie	October 2021
60-20			

Signed:.....

Date:



Agenda Item 65-20

REGIONAL BOARD

An update on matters arising from the meeting of the Regional Board of North East Scotland College held on Wednesday 07 October 2020.

Agenda Item	
48-20	Action: Confirm appointment of MHA Henderson Loggie to undertake the Board's Externally Facilitated Effectiveness Review, advising views of Members to be gathered collectively rather than by one-to-ones
	Status: Complete - Appointment has been confirmed and a planned meeting held between the External Facilitator, D Archibald, and the Regional Chair and Secretary to the Board. For further information see Agenda Item 68-20.
48-20	Action: Identify additional areas of focus for Externally Facilitated Effectiveness Review after Strategy Event scheduled for November 2020.
	Update: At the planning meeting referred to above it was noted that the Review will reflect on the first year of the Principal's appointment, the College's and Board's response to the COVID-19 pandemic and related challenging circumstances, a renewed emphasis on relationships and collaborations, and the strengthening of processes for the measuring of success.
49-20	Action: Add reference to approved Modern Slavery Statement regarding the Board's responsibility for its annual approval.
	Status: Complete – the Statement can be accessed on the College's website .
51-20	Action: Close former Banff & Buchan College bank account.
	Status: Complete.
52-20	Action: Finalise Students' Association Constitution following review by Burness Paull, further proof read and consider Members' suggested amendments.
	Status: Complete – a final designed version of the Constitution will be considered under Agenda Item 74-20.
53-20	Action: Provide Curriculum & Quality Committee with AY2019-20 KPI data once finalised for further interrogation.

	<p>Update: At its meeting on 18 November, the Curriculum & Quality Committee considered updated KPIS for AY2019-20, with the caveat that some deferrals still required to be processed. The Committee was advised that analysis of the final data would be undertaken to identify themes and patterns and any related potential issues and that this would be shared with the Committee at a future meeting. The Committee also requested that for future data reports, a one page summary be included to high-level messages and any areas of concern.</p> <p>It may be helpful to note that published SFCKPI data and related NESCol publications will be shared with the Board at its meeting in March 2021.</p>
53-20	<p>Action: Update Regional Students' Association President on developments relating to life insurance for NESCol nursing students on work placement.</p>
	<p>Status: This matter has been resolved, with Members advised by email on 17 November 2020 - https://www.pressandjournal.co.uk/fp/news/aberdeenshire/2653468/students-who-were-left-in-limbo-over-insurance-confusion-to-proceed-with-vital-placements/</p>
54-20	<p>Action: Ensure next Health & Safety Annual Report includes 'near miss' information.</p>
	<p>Update: This information will be included in the next Annual Report due in October 2021.</p>
60-20	<p>Action: Revisit Principal's Performance Management Objectives in line with Members' feedback.</p>
	<p>Status: Complete – see Agenda Item 85-20.</p>



REGIONAL BOARD – STRATEGY EVENT

Note of the Regional Board's Strategy Event held on 04 November 2020 through the use of Microsoft Teams.

Agenda Item	
	<p>Board Members Present: David Anderson Ann Bell – Vice Chair Sasha Brydon Neil Cowie - Principal & Chief Executive Martin Dear Abdul Elghedafi (for Session 4 only) Susan Elston John Henderson – Vice Chair Abha Maheshwari Julie McGinley Neil McLennan Ken Milroy - Regional Chair Sheena Ross Andrew Russell Anne Simpson Gwen Watt</p> <p>In attendance: Robin McGregor, Vice Principal Curriculum & Quality Peter Smith, Vice Principal Finance & Resources Pauline May, Secretary to the Board Susan Lawrance, Minute Secretary</p>
	<p>Apologies: Apologies were presented for G Mutch.</p>
<p>Session 1 0905-0915 hours</p>	<p>Introduction K Milroy welcomed attendees to the Event.</p> <p>It was noted that the Event would provide the Executive and Leadership Teams with a steer in relation to key considerations for the College's strategy and strategic documents, and to continue the process for providing a clear sense for direction of travel for short medium and long term.</p> <p>The impact of the ongoing COVID-19 pandemic in relation to the College's operating environment was highlighted.</p> <p>Also in terms of context, the importance of the SFC Review was highlighted. K Milroy stated that it is important for the College to have an effective relationship with the SFC and to participate as appropriate in the Review to position NESCol in as strong a position as possible.</p> <p>Following her recent appointment to the Regional Board, J McGinley was welcomed to her first attendance at Board Meeting.</p>

	<p>Members were encouraged to contribute to the discussions, noting that the final session would provide an opportunity to identify actions to be taken forward by the Board, its Committees and other mechanisms.</p> <p>N Cowie stated that this was an important event for both the Board and the Executive and Leadership Teams, adding that a number of the Sessions would be seeking Board endorsement for the direction of travel.</p> <p>N Cowie commented that a lot of work undertaken in 2020 has been reactive to the challenging external circumstances, adding that the Event marks the start of a conversation which will continue with the Board, its Committees and the Executive and Leadership Teams.</p> <p>N Cowie summarised the Event Agenda, noting planned outcomes for the Sessions.</p>
<p>Session 2 0915-0955 hours</p>	<p>Setting the Context N Cowie gave a presentation covering the following:</p> <p>2020</p> <ul style="list-style-type: none"> • A year of reactive leadership • Converging tracks: A need for more of the same, and a need for some strategic refresh <p>National Context</p> <ul style="list-style-type: none"> • Cumberford-Little Report • Enterprise & Skills Strategic Board Report • Higgins Report • SFC Review (highlighted Report's 10 key themes) <p>Regional Context</p> <ul style="list-style-type: none"> • Redundancy statistics, noting significant impact COVID-19 pandemic and continued oil & gas downturn has had • Region equates to 45% of redundancies in Scotland • Demand for skills - job posting and unemployment statistics, including contraction of regional jobs market <p>Local Context</p> <ul style="list-style-type: none"> • NESCol ambitions for 2025 as presented by N Cowie at his interview for the role of Principal, noting that the context of the COVID-19 pandemic does not change these, but perhaps increases challenge for some • Principal's Interim Objectives aligned to College's future strategy and to be aligned to the objectives for the Leadership Team <p>Regional Opportunities</p> <ul style="list-style-type: none"> • College's role as a civic anchor - a valued partner and key player • ACC and Energy Transition Zone • City Centre Masterplan • 'Green' regional economic recovery <p>Revisiting NESCol's Strategic Plan</p> <ul style="list-style-type: none"> • Will we have fully delivered the current Plan by July 2021? • Strategic approach for emergency years be developed or something new for longer? • How to sustain financial stability and improve outcomes and experience for students and stakeholders?

	<p>Members were advised that five of the College's key regional stakeholders had recorded Soundbites on future regional priorities and advised that these would be added to the Regional Board Team Space for Members to view.</p> <p>P Smith gave a Financial Context presentation covering the following:</p> <p>SFC Funding</p> <ul style="list-style-type: none"> • Trends for past 3 years – slight increase • Funding changes - FWDF, student support, and capital, and what this has enabled the College to do. Some areas not sufficient – only sector pay awards, estates work not possible <p>2019-20 Budget & Forecast</p> <p>Financial Forecast 2020-21 to 2022-23</p> <p>2020-21 Budget & Forecast</p> <ul style="list-style-type: none"> • Highlighted some additional funding that is now expected, plus losses in income e.g. student refectory income due to closure • Increase to National Insurance and pension costs <p>Future considerations</p> <ul style="list-style-type: none"> • Flat teaching grants to 2022-23 • Offset with reduction in credits target • Funding methodology changes • Tertiary structure changes • COVID-19 influenced changes to our cost base • Overall public finance position • BREXIT <p>A discussion followed including:</p> <ul style="list-style-type: none"> • The ambition to reduce the College's reliance on SFC funding and to seek to benefit from other available funding streams • The ambition to increase commercial activity and to improve tracking of this income • The need to review cost base delivery of ASET provision • The Government's furlough scheme and related impacts on the College budget.
	<p><i>S Betty, Director of Learning with responsibility for the Students' Association, joined the Event at this time.</i></p>
<p>Session 3 0955-1015 hours</p>	<p>Engagement = Attainment, The Students' Association's Role in Supporting Attainment</p> <p>S Brydon gave a presentation covering the following:</p> <p>Background to Enhancement Plan</p> <ul style="list-style-type: none"> • A fluid document which is amended as required • Linked to the College's ambition to be the best college in Scotland by 2025 • Seven broad objectives contributing to increasing visibility and engagement <p>Enhancement Plan Ambitions</p> <ul style="list-style-type: none"> • Mechanisms to support effective communication • A landscape for blended learning – adoption of new approaches • Effective partnerships – internal and external • Mechanisms for engaging students and capacity building

	<ul style="list-style-type: none"> • Contributing to the student mental health agenda – resources and support • Measuring impact – surveys, evaluations, Class Reps, data analysis and action identification <p>A Student Engagement Framework for Scotland</p> <ul style="list-style-type: none"> • How the SA supports these elements <p>Key Elements of Effective Student Engagement</p> <ul style="list-style-type: none"> • Support provided by the Association • Benefits for the Association, students, staff and the College. <p>Members were advised that the Association would welcome any feedback out with the Event in relation to student engagement.</p> <p>K Milroy stated that the Board's support for an effective, engaged and sustainable Association was important, and that this needs to be a key consideration in the development of the College's future strategy.</p> <p>A discussion was held on relationship management – the Association and partnership working, the student body and the customer/client aspects.</p>
	<p><i>Break 1010-1030 hours</i></p>
	<p><i>A Bell, A Elghedafi, K Watt (SFC), K Coyne (SFC), and the College's Leadership Team joined the Event at this time.</i></p>
<p>Session 4 1030-1205 hours</p>	<p>SFC Review of Coherent Provision and Sustainability Phase 1</p> <p>Attendees received a presentation from K Watt, Chief Executive of the Scottish Funding Council on the approach to and findings of Phase 1 of the SFCs' Review of Coherent Provision and Sustainability.</p> <p>K Watt advised that the first phase of the Review aimed to initiate a debate about the future of the college sector, identifying the big current and future issues and considerations, adding that a further two phases are planned.</p> <p>It was noted that the Review was requested by Ministers and explored a coherent system from the perspective of both individual learners, and Scotland. It was noted that the positivity of responses to the Review consultation demonstrated that there is an appetite for change across the sector, with a clear desire to start planning for its future even with current significant uncertainty.</p> <p>The context for change was highlighted from two aspects - immediate COVID-19 pandemic and a resilient future, with an expected two year emergency period noted. K Watt advised that the SFC is clear that collaboration for change will be key, and that it is committed to working in partnership with colleges.</p> <p>Areas of focus for the emergency years (2020-22) were identified as:</p> <ul style="list-style-type: none"> • Health and safety • Flexibility and support • Economic and social recovery • Stability and sustainability. <p>Key themes for the future were identified as:</p> <ul style="list-style-type: none"> • Keeping students at the heart of everything • A digital revolution for learners.....and for everyone !

- An integrated, connected tertiary education and skills eco-system
- National assets and civic anchors
- Building strong relationships with employers and industry
- Research (will be considered further in Phase 2 of Review)
- Innovation (will be considered further in Phase 2 of Review)
- Enhancing collaboration – different models
- Making the most of the sector's global connections
- Financial sustainability and funding.

K Watt summarised a proposed renewed SFC framework, including information on investment (budgets, funding, modelling), and a new national Outcome & Impact Framework.

Next steps were highlighted as:

- COVID-19 response
- Further development of Phase 1 themes
- Funding and delivery of Foundation and Graduate Apprenticeships
- Student Advisory Group
- Multi-college regions
- Employer and industry engagement
- Enhanced digital and blended learning.

K Milroy thanked K Watt for the helpful and informative presentation.

A discussion followed with comments and questions from Board Members and members of the College's Leadership Team:

- SFC was congratulated SFC on tackling the key issues
- Identified a need for the SFC and colleges to be better at creating, sourcing and using evidence, the importance of evaluation and lessons learned
- Inclusion of review of senior phase important – transitions and subject choice in schools are key linkages, SFC will key this conversation going, noting funding considerations for senior phase are needed
- SFC's ambition to be around regional planning tables to be involved in key conversations – encourage and support regional planning, clarity with SDS required
- Relationship of mutual trust between colleges and SFC- colleges can be the eyes and ears for the SFC if they can't be at all tables
- DYW – lesson learned from desired outcomes being missed, issues with stakeholder management
- Health & wellbeing to remain a key priority after COVID-19
- Self-promotion of the college sector – need to work in partnership to tell our story
- Outcomes – need to focus on the difference colleges make on regional economic recovery and outcomes for students – need to make sure any new approach is focused on the right key outcomes with colleges defining how the contribute to the national picture
- The ambition to link colleges better to universities in relation to research
- Students to be considered as customers as well as partners
- Colleges are in the middle – need to be able to effect all parts of the journey not just our own – efficiency and opportunities to have cross-sector discussion
- SFC support recorded for developments with RGU, especially in relation to accelerated journeys and curriculum alignment
- Review of funding model and how funding is used to help accelerate developments related to the learner journey – fund students differently, parity of funding with unis

	<ul style="list-style-type: none"> • COVID-19 – additional funding to help make campuses secure as currently taking funding away from delivery to address this, Live discussion continuing at the SFC to see if funds are allocated in the best way – providing flexibility for the use of funds • Quality arrangements and new Outcome & Impact Framework – opportunity to collaborate with Education Scotland and QAA, SFC to review with aim of removing bureaucracy and duplication – discussion have commenced and will continue in Phase 2 • Significant additional teaching costs due to COVID1-19 – not recognised by Government • Funding model is not currently transparent • Flexibility – ONS classification restrictions, need for flexibility • International opportunities – sector to work in partnership to access new markets rather than individual colleges <p>A short discussion was held regarding additional costs attributed to respond to the COVID-19 pandemic. It was agreed that it would be helpful for the sector position to be collated, with C Beattie asked to raise this matter with the Health & Safety Community of Practice to take this forward and to share information with the SFC in due course.</p> <p>K Watt stated that the Review is to continue to be an active engagement, it will not sit on the shelf. Phase 2 is currently being designed by the SFC – expected to raise ambition for regional round table discussion, will seek more business and industry input, and will discuss urgent priorities – funding model, additional uni places, required flexibility, possibility of transition funding, and funding of apprenticeships in AY2020-21.</p> <p>K Watt advised that student support and wellbeing guidelines introduced for AY2020-21 are being discussed to set what should be applied in the long term.</p> <p>K Watts thanked the College for the opportunity to attend and contribute to the Event.</p> <p>K Watt asked the College to consider how it can respond to Phase 1 of the Review, proposing some considerations:</p> <ul style="list-style-type: none"> • Take themes from Report into NESCol conversations to help inform College's direction of travel • Consider NESCol's agenda for change – what capacity is there ? right people in the right spaces ? • Work through current and potential future the challenges and consider resilience of the organisation to identify what skills and capabilities does the College need to respond ? <p>K Watt was thanked for her contribution by K Milroy on behalf of the Board and the Executive and Leadership Teams. K Milroy added that the College would consider how to provide feedback to the SFC on Phase 1 of the Review.</p>
	<p><i>M Dear and A Elghedafi left the meeting at this time.</i></p>
	<p><i>Lunch 1200-1330 hours</i></p>
	<p><i>S Betty, A Du Plessis, D Abernethy and K Donnelly joined the Event at this time.</i></p>
<p>Session 5 1335-1445 hours</p>	<p>Curriculum Priority Planning R McGregor gave a presentation on Curriculum Priority Planning providing Members with information to enable them to consider:</p>

- We will be the best college in Scotland by 2025
- COVID has changed formal education forever
- Where are we now ?
- Where do we want to be by 2025 ?
- What do we need to do to get there ?

The 'positive' benefits of the COVID-19 pandemic in helping to drive pace at the College regarding the need to embrace digital technologies more and to deliver to students through a blended learning model were highlighted.

Members were advised of current Internal Review work currently underway, including a portfolio review and identification of curriculum business priorities and the potential impacts of this on workforce and resources & estates planning. Key ongoing changes to education and training provision were also highlighted.

The presentation then focused on five Priorities, each with related challenge questions for the Board to consider:

- Priority One: The Emergency Years
- Priority Two: Workforce Planning & Development
- Priority Three: Development & Diversification of the Curriculum
- Priority Four: Regional Economic Recovery
- Priority Five: More Integrated Tertiary Sector

The following was noted as part of discussions during the presentation:

- The College's response to digital poverty and blended learning and the headstart NESCol had due to its well established BYOD initiative
- NESCol's commercial provision and opportunities in responding to regional economic recovery
- Student success – College and post-College and how to work with partners in relation to this
- Returning business – longer relationships with students beyond their first course
- The student experience and viewing students as customers
- The Digital Revolution and related staff skills gap analysis and workforce development needs
- Workforce planning and structural considerations aligned to Curriculum Business Priorities
- Importance of staff and student consultation processes and the evaluation of feedback
- Curriculum Review - more flexible learning pathways and commercial opportunities, a balance between 'big-bang' redesign vs iterative evolution, horizontal diversification of existing portfolio, identification of low/medium/high risk and growth areas, possible joint co-design and delivery with neighbouring colleges
- Required redesign of senior phase planning, delivery and funding
- The need to ensure that NESCol's USP is sustainable in COVID-19 changed world
- The right offer at the right place is critical – consider areas of excellence for campuses, USPs for each campus, campuses to be civic anchors
- The need to develop capacity to engage with regional partners, including structural reviews of College teams.

R McGregor presented a Draft Curriculum Roadmap to 2025, advising of planned key milestones allocated to Year 1, Years 2 and 4, and Years 4 and 5. It was noted that progress would continue to be shared with the Board and its Committees as appropriate.

	<i>Break 1450-1500 hours</i>
	<i>G Watt left and P Smith joined the Event at this time.</i>
Session 6 1500- 1600hours	<p>Communications Strategy & Stakeholder Engagement P Smith (M&C) gave a presentation.</p> <p>In highlighted his appointment to the role in January2020, P Smith summarised the approach taken to marketing and communications since joining the College, including information on the College's response to the pandemic</p> <p>Members were provided with a summary of the development of the Interim Marketing & Communications Strategy & Plan, including detailed information on each of its seven pillars – Integrating; Digitising; Engaging; Amplifying; Targeting, and Evaluating.</p> <p>P Smith summarised the College's new campaign 'Start Your Story', launched for the opening of AY2021-22 applications. Members were shown some visual identity examples for external advertising, the new prospectus and new content for website. The promotional video was shown.</p> <p>The direction of travel for stakeholder engagement was shared including:</p> <ul style="list-style-type: none"> • Principles of engagement • NESCol objectives • Tools of the trade • Mapping of NESCol stakeholders – key groups, categorisation, next steps. <p>It was noted that a refreshed approach to stakeholder engagement would be implemented from December 2020 and would continue to be developed. A discussion was held around the ambassadorial role of Board Members and members of the Leadership Team. Board Member agreed that they had a responsibility to help with the amplification of key College messages, development and opportunities through their social media and platforms such as LinkedIn.</p> <p>A discussion was held around NESCol advertising. Members commented that if that if learning and teaching is expected to continue through a blended learning model for some time that it would be beneficial to reflect this in marketing materials for AY2021-22. It was also agreed that it is crucial for the College to ensure that promotional materials reflect all aspects of student in terms of protected characteristics.</p> <p>In reflecting upon impacts of the ongoing COVID-19 pandemic, Members highlighted the potential reach of advertising in supermarkets and on the radio, and the use of LinkedIn. Opportunities to engage with those made redundant in the region, such as working with JobCentre Plus, were noted. The potential to feature in Community Planning Partnership bulletins was also noted. The need for this year's Open Day to be held virtually was highlighted. P Smith and the College's Marketing & Communications Team were commended on fun approach adopted, with Members stating the new materials are very impressive, clean, fresh, modern and engaging.</p> <p>It was noted that Members' input would be sought into the mapping exercise of NESCol stakeholders, with P Smith advised that any additional feedback out with the Event at this stage in the process would be welcomed.</p>

	<p><i>N McLennan left the Event at this time.</i></p>
<p>Session 7 1600-1630 hours</p>	<p>Event Outcomes & Next Steps</p> <p>K Milroy stated that it was critical to have a strong Board, even more so with the current challenging operating environment,</p> <p>P May summarised actions and key considerations made during the Event (see Actions Table for Sessions 2 to 6).</p> <p>P May then presented a number of agreed and proposed actions that had been identified in advance of the Event.</p> <p>The following previously agreed actions and associated timescales were noted:</p> <ul style="list-style-type: none"> • Review of Regional Board & Committee AY2020-21 Programmes of Business • Review of Strategic Risk Register • Identify additional areas of focus for Board's External Effectiveness Review • Revisit Principal's Performance Management Objectives. <p>A discussion followed on a number of proposed actions and considerations:</p> <ul style="list-style-type: none"> • Chairs Committee/Short Life Working Groups – not required as the existing Committee structure will be used to progress actions and considerations from the Event. • Response to SFC Review Phase 1 – Executive Team to consider how the College should respond, Board to consider at meeting scheduled for December 2020. • NESCol Strategic Plan – previous proposal to develop an interim strategic document now not support, should instead seek to develop new document which includes specific reference to the 'emergency years', Executive and Leadership Teams to commence discussion regarding development of next strategic document, including review of achievements against current plan. • Board Member Recruitment Process – Board's Governance Steering Group to agree approach and timeline. • Co-opted Members – consider benefits of further use of co-option to enhance the work of the Board through added value of additional skills and experience, needs to be clear that they are not guaranteed Board membership – noted there is a due process that must be undertaken, consider if co-opted Members should be appointed in advance of next recruitment process or as part of the recruitment process. • Board Development Session – further consideration to be given to the holding of this to fed into the Board's next recruitment process. <p>The Board endorsed the presented direction of travel for both the College and the Students' Association.</p> <p>Members agreed that the College's Strategy and overall ambitions remained fit for purpose and that in the development of the College's next strategic document it would be important to ensure the changing regional and sector contexts are responded to.</p> <p>N Cowie thanked Members and Leadership Team Event contributors for their respective roles in an engaging day.</p>

	<p>K Milroy thanked all Event contributors for the work undertaken to prepare the Event and for the comprehensive information shared with the Board. Members were thanked for the engagement and contributions at the Sessions.</p> <p>The importance of continued effective and meaningful engagement with the SFC was acknowledged.</p> <p>It was agreed that feedback would be requested from Members to help inform future Events.</p>
	Event ended 1630 hours

Copies of the Event Presentations can be accessed in the [Regional Board Team Space](#).

Session	Actions from Regional Board Strategy Event 04/11/20	Responsibility
2	Members to view Stakeholder Soundbites.	Board Members
3	Share monthly Students' Association Bulletin with Board Members.	S Brydon
4	Consider how the College should response to Phase 1 of the SFC Review.	Executive Team
4	Head of Health Safety & Security to raise at the sector's Health & Safety Community of Practice the collation of COVID-19 related costs for sharing with the SFC.	C Beattie
6	Board Members to share any further feedback in relation to stakeholder engagement groups and mechanisms.	Board Members
7	Seek feedback from Board Members to inform future events.	P May
7	Review of Regional Board & Committee AY2020-21 Programmes of Business to ensure key issues discussed at the Strategy Event are included.	Executive Team
7	Review Strategic Risk Register to ensure key issues discussed at the Strategy Event are included.	Executive & Leadership Teams
7	Identify additional areas of focus for Board's Externally Facilitated Effectiveness Review.	K Milroy & N Cowie
7	Revisit Principal's Performance Management Objectives to ensure key considerations from the Strategy Event are appropriately reflected.	K Milroy & N Cowie
7	Consider approach and timeline for the College's next Strategic Plan.	Executive Team
7	Prepare approach and timeline for the Board's next recruitment process.	Governance Steering Group
7	Agree requirement for Board development session – Towards 2025: Governance.	K Milroy



Agenda Item 67-20

REGIONAL BOARD

An update on matters arising from the Regional Board's Strategy Event held on Wednesday 04 November 2020.

Agenda Item	
Session 2	Action: Members to view Stakeholder Soundbites.
	Update: A reminder that Soundbites from six of the College's key regional stakeholders can be accessed in the Regional Board Team Space .
Session 3	Action: Share monthly Students' Association Bulletin with Board Members.
	Status: To date, Bulletins 4, 5 & 6 have been circulated to Board Members.
Session 4	Action: Consider how the College should response to Phase 1 of the SFC Review.
	Update: See Agenda Item 76-20.
Session 4	Action: Head of Health Safety & Security to raise at the sector's Health & Safety Community of Practice the collation of COVID-19 related costs for sharing with the SFC.
	Update: This matter was raised as requested, to date however there has been no progress with this matter being taken forward collectively. The Head of Health, Safety & Security plans to raise the matter again with sector colleagues.
Session 6	Action: Board Members to share any further feedback in relation to stakeholder engagement groups and mechanisms.
	Update: A reminder that Members have an opportunity to provide the College's Director of Marketing & Communications with further feedback. A copy of the presentation provided at the Strategy Event can be accessed in the Regional Board Team Space .
	The Director of Marketing & Communications is currently preparing a briefing paper and initial list of the College's key stakeholders which will be shared with the Board in the new year for input into a detailed stakeholder mapping exercise.

Session 7	Action: Seek feedback from Board Members to inform future events.
	Update: Written feedback submitted by Members has been shared with and considered by the Regional Chair and the Executive Team, and will help to inform the planning of future Events.
Session 7	Action: Review of Regional Board & Committee AY2020-21 Programmes of Business to ensure key issues discussed at the Strategy Event are included.
	Status: All Programmes of Business were reviewed after the Strategy Event by the Executive Team with no required amendments identified. The Programmes and related agendas will however continue to be amended to reflect internal and external developments going forward to support the Board's agreed direction of travel.
Session 7	Action: Review Strategic Risk Register to ensure key issues discussed at the Strategy Event are included.
	Status: See Agenda Item 75-20.
Session 7	Action: Identify additional areas of focus for Board's Externally Facilitated Effectiveness Review.
	Status: See Agenda Item 65-20.
Session 7	Action: Revisit Principal's Performance Management Objectives to ensure key considerations from the Strategy Event are appropriately reflected.
	Status: See Agenda Item 85-20.
Session 7	Action: Consider approach and timeline for the College's next Strategic Plan.
	Status: See Agenda Item 77-20.
Session 7	Action: Prepare approach and timeline for the Board's next recruitment process.
	Status: See Agenda Item 73-20.
Session 7	Action: Agree requirement for Board development session – Towards 2025: Governance.
	Update: The Regional Chair has advised that this session is not required at this time.



REGIONAL BOARD
Meeting of 16 December 2020

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	<p>External Effectiveness Review</p> <p>David Archibald, MHA Henderson Loggie, will be in attendance, as the Review Facilitator, to observe the meeting of 16 December 2020 as part of the evidence gathering process.</p> <p>At the October Board Meeting, Members agreed that their preference for sharing views on Board performance be undertaken through a facilitated focus group. It is proposed that this focus group is scheduled for mid to late January 2021.</p> <p>In advance of the focus group, Members will be asked to complete a questionnaire scoring the Board's performance over the last 12 months in relation to the Code of Good Governance criteria, and sharing views on required Board development. The feedback from the questionnaires will be analysed to identify areas for exploring further as part of the focus group.</p> <p>Views will also be sought from the Executive Team and Trade Union Nominees, and key evidence of processes and practices will be shared with the Facilitator as part of a supporting desktop exercise.</p> <p>A draft report will then be prepared which will identify strengths and areas for improvement under each of the five Principles of the Code. It is proposed that the draft report is initially considered by the Board's Governance Steering Group, and the Executive Team to suggest responses to any recommendations prior to consideration of the report by the Regional Board at its meeting on 24 March 2021.</p>
2	<p>Principal's Performance Management Objectives</p> <p>I have worked with the Principal to refine the broad objectives previously outlined for the Principal and shared with Members at the October Board Meeting. These will be considered under Agenda Item 85-20.</p>
3	<p>Attendance at Meetings – Regional Chair</p> <p>The Regional Chair has attended various meetings since the last Board Meeting, including:</p> <ul style="list-style-type: none"> • Meeting J Dunphy, recently appointed as SFC Director of Access, Learning & Outcomes

	<ul style="list-style-type: none">• Colleges Scotland Board Meetings, including one with SFC Chair and CEO• Strategic Dialogue Meetings University Scotland and SDS on behalf of Colleges Scotland• Aberdeenshire Community Planning Board• Meetings with Regional College Chairs• Meeting with Board Chairs of Uni of Aberdeen and & RGU• 1-1 meetings with NESCol Board Committee Chairs• Meeting NESCol Student Board Members• Colleges Scotland Employers' Association meetings• Convening Scotland Colleges All Chairs Meetings• Convening the Employers' Association Working Group considering the inclusion of College senior staff in national bargaining arrangements• Aberdeen Community Planning Board• Meeting with Further and Higher Education Minister, R Lochhead• Regular meetings with N Cowie• Regular meetings with S Struthers CEO of Colleges Scotland• Meeting researchers involved in FE Governance Research Project• Various meetings for sectors Good Governance Steering Group.
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REGIONAL BOARD

Meeting of 16 December 2020

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 Bargaining Update

Pay Awards: As previously reported, an offer of a consolidated 2% pay increase across all lecturer salary points was issued to the lecturing staff side of the National Joint Negotiating Committee (NJNC). Subsequently, the EIS-FELA Executive recommended acceptance of the offer to its members and after a consultative ballot the offer was duly accepted. At NESCol, the pay award has been awarded and lecturing staff have received the associated back pay and uplift in advance of the festive break.

For support staff the offer of a consolidated 2% pay increase effective from 01 September 2020 - across all salary points with a minimum payment of £400 (FTE) - had previously been made to, and rejected by, UNISON. At the time of writing the pay award position vis-a-vis support staff has still be resolved.

On-going Instructor/Assessor Dispute: The EIS-FELA has raised a national dispute on this matter. Two dispute meetings have been held, the second of which was ended with no resolution being found and with the EIS-FELA advising that they would consider their next course of action. The EA's view is that this is not a national dispute as most colleges already have instructor/assessor type posts and have done so for some time. From the EIS-FELA perspective, this is a national dispute. However, EIS-FELA's issue would seem to be specific to a very small number of colleges who have introduced these posts more recently. Further updates will be provided as additional information becomes available.

2 SFC Board Meeting: NESCol/RGU Proposal

Members will be aware that work has continued throughout this calendar year on enhancing further the long-standing and highly effective partnership between the College and Robert Gordon University (RGU). As a consequence of this activity a proposal entitled '[Developing demand-led, aligned and sustainable learner pathways](#)', was co-written by senior staff at both institutions and forwarded to the Chair and Chief Executive of the Scottish Funding Council (SFC).

Following this, the Principals of both NESCol and RGU were invited to attend the SFC's Board meeting on 12 November in order to explain more fully the content of the proposal. In addition, they were asked to explain how the suggested activities contained within the document would help address some of the considerations arising from the SFC's recently published phase 1 review report on colleges and universities.

	<p>The presentation was very well received and the proposal, to all intents and purposes, was endorsed. It was agreed that SFC would likely issue a further invite to both Principals in 2021 in order that the Principals could update SFC Board members on progress made.</p> <p>It is planned that the College's Regional Board will be updated fully on this in the New Year. This will happen once the NESCol/RGU Joint Planning and Delivery Group has identified more comprehensively its key deliverables, planned activities, associated milestones and agreed deadlines.</p>
<p>3</p>	<p>Health & Safety Executive/Environmental Health Department Inspection</p> <p>On 23 November 2020, a local Inspector from the Health and Safety Executive and an Environmental Health Officer from Aberdeen City's Environmental Health Department undertook an inspection into the College's arrangements to manage the COVID-19 pandemic. This inspection formed part of wider HSE national program of review into colleges and was not as a result of any issue or complaint at North East Scotland College.</p> <p>This inspection focused on COVID-19 management in the College's hair and beauty training facilities. Hair and beauty was selected as a focus due to its nature as a high-risk close contact activity. It was made clear at the outset that the inspection could broaden to other close contact activities or COVID-19 management systems more generally, if the inspectors were not satisfied with arrangements in place.</p> <p>The results of the inspection were very positive and no action was required by either enforcing authority.</p>
<p>4</p>	<p>Student Testing</p> <p>Further to the request from Scottish Government, the College has been in consultation with the University of Aberdeen (UoA) to provide asymptomatic testing for students who may wish to travel to other parts of Scotland to be with families or friends over the Xmas break.</p> <p>A testing facility has been set up at the Butchart Recreation Centre, University Road, Aberdeen and students from both organisations have been invited to take two tests, three to five days apart prior to travelling home. These lateral flow tests provide a quick indication with results expected within 30 minutes.</p> <p>On receiving two negative tests, the students will be regarded in the low risk category and should leave for the Christmas address as soon as possible after receiving the second negative result. NESCol students wishing to travel home after the second negative result, but before the end of session have been asked to contact their Academic Tutor. Arrangements will be made so that the student does not fall behind with any coursework.</p> <p>This facility will operate from 30 November to 11 December 2020 and has capacity for up to 1,000 tests per day. Sufficient volunteers have been sourced by UoA, and the offer of help from NESCol is not required at the moment, other than to provide some hand-held mirrors.</p>

<p>5</p>	<p>Virtual Open Day</p> <p>The College held its first Virtual Open Day on 18 November 2020. The following provides a summary of related key facts and figures:</p> <ul style="list-style-type: none"> • Estimated Virtual Open Day visitors: 1,150+ • Pre-registrations: 454 • LiveChat conversations: 264 • Teams Live Event attendees (school and open public sessions): 191 • Applications in first two weeks, up to 01 December: 385 (against 2019 average of 164 per week in November) • Applications have opened later in 2020 – 18 November compared to 01 November 2019, so playing catch-up on cumulative applications to date (688 by 01 December 2019) • Web traffic up 54% on Virtual Open Day • 80% of pre-registrations related to Aberdeen and Altens interest – consideration to be given to splitting from college-wide virtual event to campus specific events, to bolster Fraserburgh interest • Care and Art, Design and Photography rated highly in pre-registration interest. Social Sciences, Business Management and Modern Apprenticeships also featured heavily • On LiveChat, general enquiries relating to funding and applications were most prominent – followed by Care and Art, Design and Photography as well as Engineering and Business Management • Pre-registration interest was primarily from school pupils (266), but with a high proportion of adult returners (108) • Facebook and Instagram advertising generated the most clicks to the Virtual Open Day, followed by activity on the Evening Express homepage. More difficult to quantify the traditional media referrals (including outdoor advertising, press and radio). <p>All Virtual Open Day resources, including the interactive digital prospectus and video content, is available to view at the 'Start Your Story' page: https://www.nescol.ac.uk/start-your-story/</p> <p>'Start Your Story' content will continue to be expanded through the campaign, with plans for podcasts, long-reads and other multi-media material.</p>
<p>6</p>	<p>Green Gown Awards</p> <p>The College's Stage 1 application to the EAUC's Green Gown Awards has been successful, with a request received for the College to submit a proposal for the second round of judging. The College's application is based on the Shell "Girls in Energy" programme and how the College is supporting energy transition. Finalists will be selected at the end of January 2021.</p>
<p>7</p>	<p>District Heating Scheme</p> <p>After many months of negotiation, planning and installation, the switchover to Aberdeen Heat and Power's District Heating Scheme of heating provision at Aberdeen City Campus was completed on 01 November 2020. This completion of a major element of the College's Carbon Management Plan sees the College significantly reducing its our carbon footprint, while also paving the way for inclusion in a combined heat and power project.</p>

8	<p>Student Wellbeing</p> <p>The College's recently launched Counselling Service, provided by ACIS Student, has received a lot of uptake and in order to keep up with demand provision has been doubled with the taking on of another counsellor. A 'Live Therapy' option has also been added via Togetherall, to provide further out-of-hours support to students. Very soon, a new 'Report and Support' system will be up and running which is another reporting platform closely linked to safeguarding and feeds into the College's approach to Gender-based Violence support.</p>
9	<p>#SparkleAtNESCol Winter Festival</p> <p>#SparkleAtNESCol launched on 07 December and will run until 18 December 2020. The Festival's theme is "12 days of NESCol", providing an opportunity to showcase the College's fantastic courses and facilities, as well as the staff and students who make up the NESCol community. Content, provided by staff and students will be hosted on a Wakelet with promotion via COLin, MyNESCol and College social media platforms.</p> <p>As part of the #SparkleAtNESCol Winter Festival, the College will celebrate those from within the NESCol community who have had an impact on the wider community of the North East. In what has not been an easy year for many, it is so important to acknowledge those who take time out of their own busy lives to benefit the lives of others. Staff and students have an opportunity to submit nominations for the 'Time to Shine Awards' on or before 09 December 2020.</p>
10	<p>CURRICULUM UPDATES</p> <p>HNC Healthcare Practice</p> <p>All students on the HNC Healthcare Practice course have now started work placement, in clinical settings. There was an issue with College students accessing the Scottish Government COVID-19 Life Assurance Scheme (offered to students studying in an HE environment). This has now been resolved.</p> <p>In order to ensure the safety of students on placement, individual COVID-19 risk assessments were undertaken by the College's Occupational Health Service. This course articulates to Year 2 of the BA Nursing at RGU. A condition of articulation is that students complete 675 hours of clinical practice. Positive discussions have taken place with RGU to look at ways in which the deficit in can be made up, through additional placement hours, project work and simulation.</p> <p>Fujitsu Competition - Computing</p> <p>NESCol entered a cross-College team of Computing students to compete in the Annual Fujitsu Innovation Challenge, a UK wide competition for colleges. The team was comprised of 2 students from Fraserburgh and 2 from Aberdeen.</p> <p>The challenge was to produce a proposal to address a problem in Education or Healthcare using Artificial Intelligence (AI) or robotics. The NESCol team chose to address both by combining an education problem with a Healthcare problem to produce one solution for both.</p>

The NESCol team fought off stiff competition from educational institutions across the UK to reach the finals, receiving very positive feedback from the judges. For the final, the team must deliver a 15 minute online pitch of their proposal to a panel of Fujitsu experts on 07 December 2020. The team is working hard on their pitch with the help of an industry expert and the College's Communications team.

Sustainable Fashion Scotland (SFS)

This is a community-led venture with the mission to connect the sustainable fashion community in Scotland and facilitate positive change in the industry. NESCol Fashion and Textiles students have been invited to join the network and staff are investigating a range of webinars with professional contacts. The team are about to launch projects for the students looking at the effects of the pandemic and lockdown on the fashion industry.

Video Learning Resources in 3D Computer Animation

The Animation team have been working hard at producing video content to support learning. Almost 90 videos have been created already and this has proven very popular with learners who are able to access the demonstrations as and when they like:

<https://www.youtube.com/watch?v=EJDARf-3mn4&feature=youtu.be>

<https://www.youtube.com/watch?v=pBo7U4amFF0&feature=youtu.be>

Sivernote presents - Charlotte Printer Workshop

Charlotte Printer is a world renowned session musician, working with acts like Skipinnish, The Red Hot Chili Pipers, George Ezra, Albert Hammond and more.

This free online workshop, to be held on 09 December 2020 for Music and Sound students, is designed to give students a direct insight into working professionally in music, making the link between education and employment. The attendees will also have the opportunity to ask questions and discuss a multitude of topics with Charlotte.

Music Lecturer Dan Stevenson is coordinating this event as a series of workshops and industry events through the award winning Silvernote Project.

Youth Music Provision in Aberdeen

NESCol has been working with the University of Aberdeen, Big Noise Torry and Aberdeen Performing Arts and Station House Media Unit (SHMU) to strengthen youth music provision in Aberdeen. The project has recently been awarded £15,000 from Creative Scotland's Youth Music Initiative (YMI) Strengthening Youth Music Fund.

The funding will help create a new Aberdeen Youth Music Partnership (AYMP) and will build on the solid foundations created by the YMI-funded 'Aberdeen Youth Music Forum', which concluded in 2019. The Partnership will ensure the active engagement and influence of young people, practitioners and partners and identify areas of alignment with Aberdeen's Cultural Strategy. The AYMP will also model an approach which gives young people a greater say in the youth music sector through initiatives which will help meet local challenges and aspirations, with a particular focus on how the sector can navigate the COVID-19 situation.

Wella Centre of Excellence

The Hairdressing Team has been awarded a "Centre of Excellence" status by Wella. The commercial salon is now operating as a training resource at the moment until COVID-19 restrictions are eased.

Business & Community Development Update

1. Inverurie Learning Centre temporary move: Following notification from Aberdeenshire Council that services to the Crichton Learning Centre were being disconnected as part of the old academy demolition, a plan was quickly developed to temporarily relocate to modular accommodation adjacent to St Andrews School (approx. ½ mile away). The accommodation is slightly smaller but will suffice while the College has reduced numbers due to the pandemic. The Learning Centre is expected to be available to the College again by March/April 2021 (tbc).
2. The Scottish Maritime Academy is hosting approx. 20 candidates from across the UK in the first week of December 2020. UK and Scottish Government guidance is being followed and additional health & safety checks have been carried out to ensure the safety of staff and candidates. SQA and MCA still expect the exams to run and City of Glasgow College are also hosting with significantly more candidates (as things stand).
3. Part Time Student Survey: While BCD students are not covered under the College's First Impressions Survey, a part time survey has been circulated separately. 95% felt completely or partially safe within the classroom (COVID health & safety arrangements in place); 88% could access all online classes and learning materials on Blackboard; and 79% identified online classes as interactive and enjoyable. 68 students responded.
4. Flexible Workforce Development Fund (FWDF) and Modern Apprenticeships remain challenging with many employers still reluctant to commit to new training programmes. New Scottish Government funding has increased the available allocation to NESCol as well as opening up the fund to private providers and SME customers.

External Engagements

During the reporting period the Principal has attended the following external meetings:

- NESCol/RGU Joint Planning and Delivery Board (19 October)
- Tripartite Meeting of the Region's Tertiary Sector Principals (19 October)
- Aberdeen City Council Transformation Management Group (Various dates)
- Energy Transition Zone Meeting with ONE (28 October)
- Colleges Scotland College Principals' Group (Various dates)
- Principal (NESCol) + Chief Executive (ASET) Meeting (06 November)
- Colleges Scotland Employers' Association Meeting (11/12 November)
- SFC Board Meeting re. NESCol/RGU Proposal (12 November)
- Energy Skills Partnership Meeting (17 November)
- DYW NE Board Meeting (19 November)
- ONE Energy Board (24 November)
- Regional Economic Steering Group (27 November)

<p>This is shared with the Board to provide examples of the range of external engagements undertaken in support of the College's work.</p>
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REGIONAL BOARD
Meeting of 16 December 2020

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 16 December 2020, 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 style="background-color: #d3d3d3;"> <th style="padding: 5px;">Committee</th> <th style="padding: 5px;">Meeting Date</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Curriculum & Quality</td> <td style="padding: 5px;">18 November 2020</td> </tr> <tr> <td style="padding: 5px;">Audit & Risk</td> <td style="padding: 5px;">02 December 2020</td> </tr> <tr> <td style="padding: 5px;">Finance & Resources</td> <td style="padding: 5px;">02 December 2020</td> </tr> </tbody> </table> <p>Copies of the draft minutes from the above meetings will be made available, in due course, in the Regional Board's Team Space.</p>	Committee	Meeting Date	Curriculum & Quality	18 November 2020	Audit & Risk	02 December 2020	Finance & Resources	02 December 2020
Committee	Meeting Date								
Curriculum & Quality	18 November 2020								
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Finance & Resources	02 December 2020								

2	<p>Curriculum & Quality Committee – 18 November 2020</p> <p>Summary of key business</p> <ul style="list-style-type: none"> • Committee Terms of Reference • Programme of Business AY2020-21 • Internal Key Performance Indicators Report 2017-19 • Early Withdrawal Key Performance Indicator Report AY2020-21 • Credits Outturn AY2019-20 & Credits Forecast AY2020-21 • Early Student Satisfaction & Engagement Feedback • Students' Association – Activity Report • College Enhancement Plan AY2019-20 – Final Update • Recruitment Activity – Virtual Open Day. <p>In addition to the above, the Committee received two presentations:</p> <ul style="list-style-type: none"> • Quality Enhancement Team Update • Student Support, Health & Wellbeing Update <p>Agreed actions</p> <ul style="list-style-type: none"> • Further update on quality enhancement activities to be provided at next meeting of Committee • Confirmation to be sought from SFC to confirm treatment of deferrals to ensure sector benchmarking will be fair and accurate • Confirmation of early withdrawal data to be shared with Committee once finalised • Demonstration of Power Bi Dashboard to be made available to all Board Members.
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<p>3</p>	<p>Audit & Risk Committee – 02 December 2020</p> <p>Summary of key business</p> <ul style="list-style-type: none"> • Internal Audit Annual Report AY2019-20 • Annual Report of the Audit & Risk Committee to the Regional Board • Committee Evaluation Feedback • Audit Certification of Student Activity & Support Fund Year-End Returns • Strategic Risk Register. <p>In addition to the above the Committee jointly considered the College's Financial Statements for the year ended 31 July 2020 with the Finance & Resources Committee.</p> <p>Agreed actions</p> <ul style="list-style-type: none"> • Weaknesses highlighted in the Business Development Internal Audit Report to be reflected upon by the Curriculum & Quality Committee • Internal Audit Reports to be shared with other relevant Board Committees • Annual Report to the Board by the Committee to be submitted to the December Board Meeting (see Agenda Item 78-20) • Members to submit any further comments on evaluation of Committee's performance • Consideration to be given to longer-term categorisation of COVID-19 related risks included in the Strategic Risk Register (see Agenda Item 75-20) • Proposed additional fees to be discussed and agreed by Vice Principal Finance & Resources and EY • Provision of awaited letter from SFC providing certain financial assurances to the sector for the current academic year to be followed up by Vice Principal Finance & Resources • Concerns regarding the negative impact of additional fees on delivery to students be fed back to the regulators and SFC • Financial Statements for the year ended 31 July 2020 to be recommended for adoption by the Regional Board (see Agenda Item 82-20).
<p>4</p>	<p>Finance & Resources Committee – 02 December 2020</p> <p>Summary of key business</p> <ul style="list-style-type: none"> • Committee Terms of Reference • Programme of Business AY2020-21 • Course Fees AY2021-22 • Estates Strategy Annual Report 2020 • IT Strategy Annual Report 2020 • Committee Evaluation Feedback • Management Accounts for the period 01 August – 31 October 2020. <p>Agreed actions</p>

	<ul style="list-style-type: none"> • Vice Principal Finance & Resources to raise through the Finance Directors Network the reaching of a sector position regarding impacts of Brexit on course fees for EU students • Lessons learned during the COVID-19 pandemic and considerations from the ongoing Business Priorities to be reflected upon for progression of the College's Estates Strategy • Estates Strategy position statement to be developed. 										
5	<p>The Committees are scheduled to next meet as follows:</p> <table border="1" data-bbox="509 528 1230 714"> <thead> <tr> <th data-bbox="509 528 887 566">Committee</th> <th data-bbox="887 528 1230 566">Meeting Date</th> </tr> </thead> <tbody> <tr> <td data-bbox="509 566 887 604">Curriculum & Quality</td> <td data-bbox="887 566 1230 604">24 February 2021</td> </tr> <tr> <td data-bbox="509 604 887 642">Finance & Resources</td> <td data-bbox="887 604 1230 642">03 March 2021</td> </tr> <tr> <td data-bbox="509 642 887 680">Human Resources</td> <td data-bbox="887 642 1230 680">10 March 2021</td> </tr> <tr> <td data-bbox="509 680 887 714">Audit & Risk</td> <td data-bbox="887 680 1230 714">02 June 2021</td> </tr> </tbody> </table>	Committee	Meeting Date	Curriculum & Quality	24 February 2021	Finance & Resources	03 March 2021	Human Resources	10 March 2021	Audit & Risk	02 June 2021
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REGIONAL BOARD	
Meeting of 16 December 2020	
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 initiated a review of the Regional Board's Governance Manual. Attached as Appendix 1 is the Manual, with a number of required amendments highlighted through track-changes:</p> <ul style="list-style-type: none"> • Amendments to the remits of the Board and its Committee as agreed at the respective first meetings of AY2020-21; • Reference to the Chairs Committee in the 'Delegation to Committees' section; • The inclusion of the Terms of Reference for the Chairs Committee as approved at the Board Meeting held in October 2020; • The addition of three new Appendices – Role Descriptions for the Regional Chair, Board Members, and the Secretary to the Board; • A number of terminology updates. <p>In addition to the above, it is proposed that Role Descriptions for the offices of Vice Chair and Committee Chair, and the Principal specifically referencing Regional Board duties be prepared and added.</p>	

Please note that page and section numbers will be updated when the amendments to the Manual are finalised.

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

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Page numbers to be updated

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 **LG**.
- 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 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 ([Appendix B](#)) 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 determined by the Board in line with succession planning considerations and arrangements..

- 3.21 Holders of the office of 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 Vice Chair ceases to be a member of the Board, he or she shall cease to be a Vice Chair.

- 3.24 The Board may appoint one of the Vice Chairs as the Senior Independent Member ([Appendix CB](#)) 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 DG](#)).

- 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 ([Appendix E](#)). 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. Board members will also be required to complete an induction process within the first year following appointment, 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 GG](#)).
- 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

- 3.36 A member of the Board (other than the Principal or Students' Association nomination) shall hold office for a period of four years.
- 3.37 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.
- 3.38 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.
- 3.39 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.
- 3.40 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

- 3.41 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.
- 3.42 The Secretary to the Board shall produce an annual programme of meetings which shall be presented to the Board for approval.
- 3.43 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.
- 3.44 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.

- 3.45 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.

- 3.46 The ruling of the Chair on all matters within his/her jurisdiction as Chair is final.
- 3.47 If 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.
- 3.48 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.
- 3.49 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 a Vice Chair, be considered by the Board.
- 3.50 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.
- 3.51 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.
- 3.52 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

- 3.53 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.
- 3.54 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.

- 3.55 The Board may decide to meet privately without the Principal or any ~~Senior~~-Executive 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

- 3.56 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.
- 3.57 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.
- 3.58 Board and Committee papers may be submitted by the Chair, Vice Chairs, Principal, a member of the ~~Senior~~-Executive Team or the Secretary to the Board. Others may also submit papers following agreement with the Chair.
- 3.59 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

- 3.60 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.

- 3.61 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.
- 3.62 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

- 3.63 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.
- 3.64 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.
- 3.65 If the Chair of the Board or Committee is not present at any meeting, a 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.
- 3.66 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.
- 3.67 Only matters identified on the agenda as requiring a decision shall, if consensus is not possible, be decided by vote.
- 3.68 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.
- 3.69 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.

- 3.70 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.
- 3.71 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.
- 3.72 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.
- 3.73 In the absence of the Principal, the Chair will nominate a member of the College ~~Senior~~ Executive 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.
- 3.74 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.
- 3.75 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

- 3.76 Meetings shall be minuted by the Secretary to the Board or nominated deputy.
- 3.77 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.
- 3.78 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.
- 3.79 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

- 3.80 The Board shall appoint such Committees, as it considers necessary.
- 3.81 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
 - Chairs Committee.
- 3.82 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.
- 3.8.3 Committees may include persons who are not Board members but such persons will not be entitled to vote at meetings of the Committee.
- 3.84 The Standing Orders of the Board shall also be the Standing Orders of its Committees.
- 3.85 Committees shall determine or advise the Board on any matters which the Board remits to them.
- 3.86 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 Team.

- 3.87 Terms of Reference for the Committees can be found in Section 6 of this Manual, and detail:
- Membership
 - Quorum
 - Remit
 - Frequency of Meetings.
- 3.88 Each Committee shall review its remit annually and shall submit any proposed changes to the Board for approval.

Board Members' Interests

- 3.89 Board members may not take or hold any interest in any property held or used for the purpose of the College.
- 3.90 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.

- 3.91 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.
- 3.92 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.
- 3.93 Guidance to Board members is provided in the Code of Conduct and Register of Interests sections of this manual.

Confidentiality of Information

- 3.94 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.

- 3.95 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.
- 3.96 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

- 3.97 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.
- 3.98 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 If a matter arises which, in the judgement of the Regional Chair, requires urgent attention or decision, the Regional Board has authorised the delegation of its authority to the Chairs Committee. This delegation is subject to all Board Members being advised of the convening of the Chairs Committee and minutes of its meetings being made available to all Board Members.
- 4.89 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.
- 4.910 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 by the Chair.
- 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~~ Executive 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.
- 5.4 The Board will evaluate, on an annual basis, the effectiveness of the Chair. This process will be led by the 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.
- 5.5 In line with the Code of Good Governance for Scotland's College, the Chair will also be evaluated by the Scottish Government.
- 5.6 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.
- 5.7 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 which will provide key evidence for the Board and Committee self-evaluations and related action plans for areas of development.
- 5.9 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.
- 5.10 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 • 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 • 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 • 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 Strategic Risk Register • acquisition and disposal of heritable property, subject to approval of the SFC • <u>appointment of Board Members</u> • <u>ensuring a formal and open procedure is in place for recruiting and selecting new non-executive Board Members, having regard to all relevant Ministerial Guidance on board appointments</u> • <u>ensuring appropriate arrangements are in place for the appointment of Staff and Student Members</u> • <u>appointment of the Senior Independent Member</u> • 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 • the making, amendment and revocation of the Standing Orders of the Board • approval of the awarding of contracts over a value of £250,000 • approval of the College’s capital programme.
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 A minimum of 6 Members, one of whom shall be appointed Committee Chair.</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 No less than one half of the members entitled to vote.</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 consideration 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.

Risk Management

- 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~~ Executive 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 three 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 Regional 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 Executive Team provides objective, specialist advice to support the Committee to discharge its remit:</p> <ul style="list-style-type: none"> • Vice Principal – Finance & Resources

CURRICULUM AND 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 No less than one half of the members entitled to vote.</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"> • Provide critical strategic direction and support for the College's improvement agenda • Maintain oversight of the College's approach to curriculum planning, review and development • Ensure that the College undertakes effective external engagement with key stakeholders to support evidence based approaches to curriculum and quality related developments • Monitor key College student activity, student outcome and quality related performance indicators, including the consideration of national benchmarking data where available • 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's Enhancement Plan • 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 impact on the quality of learners' experience • Ensure that learners are effectively supported to achieve the best possible outcomes • 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 • Review, approve and monitor the implementation of the College's Business Development, Learning & Teaching, and Marketing & Communication Strategies • Receive, as appropriate, reports from the Curriculum, & Quality & Student Support Committee Action Team, Student Engagement Action Group, Learning & Development Action Team, and Equalities Committee Action Team, and Student Support Action Team

	<ul style="list-style-type: none"> • Ensure that, on behalf of the Regional Board, the College is addressing relevant national and regional economic, education, and skills related strategies, policies and priorities, including those local to College Campuses.
1.4	<p>Meetings</p> <p>The Curriculum & Quality Committee will normally meet at least three times per year.</p>
1.5	<p>Management Support</p> <p>The following members of the Wider Executive Group and Leadership Teams provide objective, specialist advice to support the Committee to discharge its remit:</p> <ul style="list-style-type: none"> • Vice Principal – Curriculum & Quality Learners • Directors of Learning • Director of Business Development • Director of Quality

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 No less than one half of the members entitled to vote.</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 • Consider the College's annual financial performance through the Annual Financial Statements • 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 • 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 Strategy • 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 • 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 individual bad debts in excess of £3,000 • Oversee cash management and the Scottish Government Banking Service • Agree and monitor the College's insurance arrangements • Approve the award of contracts with a value of £100,000 to £249,999 • Consider and monitor the College's Estates Strategy (including capital proposals and major capital works) making recommendations to the Regional Board as appropriate

	<ul style="list-style-type: none"> • 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 • 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.
1.4	<p>Meetings</p> <p>The Finance and Resources Committee will normally meet at least three times per year.</p>
1.5	<p>Senior Management Support</p> <p>The following member of the Senior Executive Team provides objective, specialist advice to support the Committee to discharge its remit:</p> <ul style="list-style-type: none"> • Vice Principal – Finance & Resources

HUMAN RESOURCES COMMITTEE	
1.1	<p>Membership A minimum of 5 Members, one of whom shall be appointed Committee Chair Principal One Staff and one Student Board Member</p>
1.2	<p>Quorum No less than one half of the members entitled to vote.</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 People Strategy • Monitor key performance indicators with regard to <u>People ServicesHR and OD</u> objectives and College staff <u>through the consideration of key management information reports</u> • 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 <u>health and wellbeing</u> of its staff • Maintain oversight of <u>Learning & Development, including health and wellbeing and Learning Technologies, organisational and staff development</u> 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 <u>People ServicesHR & OD</u> 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 of People Services

CHAIRS COMMITTEE		
1.1	<u>Membership</u>	<u>Chair of Regional Board</u> <u>Vice Chairs of Regional Board</u> <u>Chair of the Finance & Resources Committee</u> <u>Chair of the Curriculum & Quality Committee</u> <u>Chair of the Human Resources Committee</u> <u>Principal & Chief Executive</u>
	<u>Advisors</u>	<u>The Group may consult with advisors as deemed necessary by the Chair. This may include the Chair of Audit & Risk Committee and Members of the College's Executive and Leadership Teams</u>
1.2	<u>Quorum</u>	<u>3 members</u>
1.3	<u>Substitutes</u>	<u>If a Chair is unable to attend a meeting, the Vice Chair of the respective Committee may attend in their place.</u>
1.4	<u>Remit</u>	<u>The Chairs Committee shall:</u> <ul style="list-style-type: none"> • <u>provide support and guidance to the College's Executive Team and advice to the Regional Board</u> • <u>to act on behalf of the Regional Board in any matter which, in the judgement of the Regional Chair, requires urgent attention or decision.</u>
1.5	<u>Meetings</u>	<u>The Chairs Committee will meet as required.</u>

REMUNERATION COMMITTEE	
1.1	<p>Membership</p> <p>Chair of Regional Board Vice Chairs 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</p> <p>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 Executive 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 Chairs of Regional Board Chair of Audit & Risk Committee 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</p> <p>3 members</p>
1.3	<p>Remit</p> <p>The Selection and Appointments Committee shall:</p> <ul style="list-style-type: none"> • Support the process by which Regional Board Members are recruited, selected, and recommended for appointment; • Advise the Regional Board on matters relating to the appointment of the Chairs, Vice Chairs and membership of the Board's Committees; • Where the Regional Board so determines, provide assistance in identifying, selecting and recommending candidates for appointment to senior staff positions in the College, and to senior positions in College subsidiaries or any other body to which the College is entitled to make appointments.
1.4	<p>Meetings</p> <p>The Selection and Appointments Committee will meet as required.</p>

8. GOVERNANCE STEERING GROUP

GOVERNANCE STEERING GROUP	
1.1	<p>Membership Chair of Regional Board, who shall be appointed as Group Chair Vice Chairs of Regional Board Equality and Diversity Champion Senior Independent Member</p>
1.2	<p>Remit The Governance Steering Group will support the Regional Board in maintaining high standards of governance. The Governance Steering Group shall:</p> <ul style="list-style-type: none"> • Consider and approve amendments to the Regional Board's Governance Manual • Ensure that the Regional Board complies with the Code of Good Governance for Scotland's Colleges • Consider implications of legislative changes and advise the Regional Board accordingly • 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 • Consider the Board's succession planning arrangements.
1.3	<p>Meetings The Governance Steering Group will meet a minimum of four times during each academic year, with meetings scheduled to be held ahead of each meeting of the Regional Board.</p>

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

REGIONAL CHAIR ROLE DESCRIPTION

As defined in the Terms and Conditions of the Appointment of the Regional Chair issued by Scottish Ministers

Functions

The main functions (including powers and duties) of the Body are those set out in the Further and Higher Education (Scotland) Act 1992 (as amended) (the “1992 Act”) and the Further and Higher Education (Scotland) Act 2005 (as amended) (the “2005 Act). Significant amendments were made to the 1992 Act by the Post-16 Education (Scotland) Act 2013 (the “2013 Act”).

You will provide active and effective leadership, direction, support and guidance to ensure that the Body delivers, and is committed to delivering, its functions effectively and efficiently and in accordance with the aims, policies and priorities of the Scottish Ministers.

You will provide a strong ‘challenge function’, carefully scrutinising planned and underlying assumptions before decisions are taken. In exercising this function, you will, where necessary, challenge other members and senior officials of the Body.

Specific functions may vary but, unless otherwise agreed, you will:

- prepare for, and attend, meetings of the Body and its committees;
- attend other meetings and seminars on behalf of the Body (as required);
- assist in the development, approval and monitoring of the Body’s corporate plans which demonstrate how the Body contributes to National Outcomes;
- approve, where appropriate, a statement of accounts for each financial year on the basis determined by the Scottish Ministers;
- monitor the financial position of the Body against budget allocations and key financial targets and ensure corrective action is taken where required;
- establish good partnership working with other organisations and participate in reference groups, discussion forums and open meetings (as required);
- provide effective leadership to the Body, including chairing meetings and fostering sound decision-making and full participation by other members of the Body in the exercise of their functions and in the work of the Body;
- be the principal spokesperson and public face of the Body, representing it at meetings with other bodies, the Scottish Ministers and other Members of the Scottish Parliament, and at conferences and in the media;
- appraise the performance of other members of the Body (including the member holding the office of deputy chair) against the individual objectives applying to those offices and also the extent to which these office-holders contribute to ensuring that the Body as a whole delivers its functions effectively and efficiently, and in accordance with Ministerial aims, policies and priorities;
- arrange an annual appraisal interview to discuss and review the performance of members of the Body and prepare a short annual written appraisal of each; and refer reports of unsatisfactory performance to the Scottish Government’s sponsor directorate for the Body, and refer other reports on its request;
- appoint the Principal and undertake the annual appraisal of the Principal and Board Secretary;
- attend the Colleges Scotland Board meetings as required; and
- carry out other tasks that may reasonably be required.

APPENDIX **CB**

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 **DC**

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 Regional 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 Policy~~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 E

REGIONAL BOARD MEMBER ROLE DESCRIPTION

As defined in the College Development Network's Guidance for Board Members in the College Sector

Duties of the Board

- Provide leadership, direction, and support to the organisation, setting its strategy and priorities.
- Promote commitment to the values and ethos of the organisation including equality and diversity.
- Ensure satisfactory delivery of the organisation's performance and financial objectives, high quality learning and outcomes, and a good learning experience.
- Be accountable to and maintain the trust of key stakeholders.
- Comply with relevant legal and financial requirements including the Scottish Public Finance Manual.
- Ensure identification and control of the main risks to delivery of the organisation's responsibilities and business objectives.
- Ensure staff have the appropriate skills, knowledge, culture and working environment.
- Adhere to the sector's Code of Good Governance and the College's relevant Financial Memorandum.

Role of a Board Member

- Contribute to Board discussions in a constructive and supportive manner, explaining their thinking and listening to others.
- Scrutinise the College's performance and, when necessary, provide challenge to senior staff and fellow Board members.
- Give the required amount of time to the role, attending meetings unless previously agreed with the Chair and be properly prepared for meetings.
- Accept and share corporate collective responsibility once the Board has made a decision on anything.
- Devote time to understanding the College and its operational environment.
- Take part in an annual Board member appraisal process overseen by the Chair, taking up opportunities for training to acquire and keep up to date their skills and knowledge.
- Represent the Board at College, regional or national events as required.
- Build relationships of trust and mutual respect with other Board members and senior staff.
- Abide by any confidentiality requirements subject to Freedom of Information laws.
- Uphold and promote the required standards of behaviour and values.

APPENDIX F

SECRETARY TO THE BOARD ROLE DESCRIPTION

As defined in the Model Role Description for Board Secretary/Clerk to the Board/Governance Officer/College Secretary

Job Purpose

The Board Secretary has an important governance role in advising the Board and individual Board members and supporting good governance. The Board Secretary should advise the Board and Executive Team on governance, the role of the Board and Board matters.

The Board Secretary must directly support the Chair and the Board in ensuring that the Board receives appropriate, timely and high quality information in a form that allows it to monitor and scrutinise the College's activities and to challenge performance when required. The Board Secretary must support the Chair, the Board and the Executive Team in ensuring compliance with all relevant legislation and governance requirements.

The Board Secretary is accountable to the Board through the Chair on all matters relating to his or her duties. The Board Secretary will give sound, well-researched, independent and impartial advice and guidance to the Board and will support Board Members in evaluating their effectiveness.

The Board Secretary may be a member of the senior management team in their board secretary capacity, but they cannot hold any other senior management team position at the same time. This is to ensure independent advice is given and to avoid potential conflicts of interest arising. However, this does not imply that the Board Secretary is independent of the college, they play a vital role, and should avoid becoming remote from the working of the college. The Board Secretary should establish an effective working relationship with senior management and other relevant staff in their College.

Key Responsibilities

Advisory

Provide advice to the Board and its Committees to facilitate good governance in relation to:

- (a) the proper exercise of their powers, including in relation to relevant legislation
- (b) compliance with the Financial Memorandum, its Good Governance Code, Standing Orders and Scheme of Delegation
- (c) their behaviour and conduct in relation to the Board's Code of Conduct.

Provide clear advice to the Chair and the Board or Committee on any concerns the Board may have that relates to Board members having not been given:

- (a) sufficient information
- (b) information in an appropriate form
- (c) sufficient time to monitor, scrutinise or make informed and rigorous decisions in an open and transparent way.

Take appropriate action if Board, Committee or any Board members appear to be at risk of acting outside their powers, in conflict with the College's interests, or undertaking or proposing actions that may be unlawful.

Keep abreast of sector developments and relevant government policy and bring to the attention of the Chair and the Board matters likely to affect the arrangements in place for the College in relation to governance.

Act in an independent and impartial capacity to secure professional advice or undertake research on behalf of the Board and brief the Chair and Board Members on relevant issues.

Ensure that all documentation relating to corporate governance, including the Board's Standing Orders, Scheme of Delegation, Code of Conduct, Committee remits and Registers of Interest, are regularly reviewed and kept up-to-date and are approved by the Board prior to publication.

Draft briefing papers for the Board and correspondence on behalf of the Chair.

Report any unresolved concerns about the governance of the body to the relevant funding body (i.e. the Scottish Funding Council or the Regional Strategic Body).

Board Appointments

Manage the process of Board appointments, ensuring that the Board fully takes account of the College Sector Board Appointments: 2014 Ministerial Guidance and ensuring that all Board members are kept up-to-date on progress.

Act as Returning Officer for the election of staff members to the Board, ensuring that the procedures used are in accordance with legislation and staff have been consulted on these procedures as appropriate.

Check the eligibility of current and prospective Board members in accordance with legislation.

Prepare and issue terms of appointment for all Board members.

Support the Board in the recruitment of a new Principal and, where relevant, members of the Senior Management Team.

Induction, Training and Development

Promote the availability of the National Induction Programme to new Board members as soon as dates are available and encourage, support and monitor participation, normally to be completed by Members within 9 months of appointment.

Lead on the development of a College specific induction programme for new Board members, tailored to individual needs.

Support the Chair in providing an ongoing training programme of activities for existing Board members, to reflect individual training needs, sector changes and current College or national issues.

Assist the Chair (and Vice Chair where appropriate) in making arrangements for annual development meetings with individual Board members.

Participate in relevant CPD and networking events to ensure up-to-date knowledge on governance and sector-wide issues.

Conduct of Board Meetings

Ensure that agendas, papers and minutes are drafted and issued in accordance with the Standing Orders.

Attend or have oversight of all Board and Committee meetings, ensuring that adequate arrangements are in place to record attendance, take minutes and give procedural advice where required.

After each meeting, ensure dissemination of Board decisions to those required to implement them and ensure the Board is briefed on progress at subsequent meetings.

Support the Board in undertaking its annual review of effectiveness.

Prepare an annual schedule of Board and Committee meetings (including Strategy and Development Days where appropriate) and circulate this in a timely manner to Board Members.

Make appropriate arrangements for relevant information relating to the Board to be published on the College website.

Facilitate suitable arrangements for the approval and retention of minutes, in accordance with the Standing Orders.

Standards Officer

Act as Standards Officer in accordance with the Advice on the Role of a Standards Officer (issued by the Standards Commission for Scotland).

General

Check claims for expenses submitted by Board members are in made accordance with College procedures and ensure payment is made.

Undertake any other duties as may reasonably be required by the Board.



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 **HE**

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 **IF**

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 JG

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.

N Cowie McIntyre

Principal and Chief Executive
North East Scotland College

APPENDIX **KH**

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 **L**

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 subparagraph (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 16 December 2020		
Title: Equality & Diversity Champion		
Presenter: Ken Milroy, Regional Chair	Author: Pauline May, Secretary to the Board	Contributor(s): Governance Steering Group Members - 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 the appointment of the next Equality & Diversity Champion.		
Linked to Strategic Goal:		
Linked to Annual Priority:		
Executive Summary:		
<p>To demonstrate its commitment to equality and diversity the Board appointed its first Equality and Diversity Champion in June 2016. (A copy of the role description for this office is attached for reference as Appendix 1).</p> <p>Ann Bell has held this office since it was created. Due to Ann's term of office as a Regional Board Member concluding at the end of August 2021, the Board's Governance Steering Group has given some consideration to the appointment of her successor.</p> <p>It is proposed that Susan Elston be appointed as the Board's next Equality and Diversity Champion. Susan has confirmed that she would accept the appointment if approved by the Regional Board.</p> <p>It is also proposed that, if approved by the Board, Susan be appointed for immediate commencement to enable Ann to support Susan in her transition into the role.</p> <p>In anticipation of the appointment, Ann and Susan recently jointly facilitated a number of student focus groups - one at each Campus – on the theme of equality, diversity and inclusion. A summary of feedback from these groups is attached as Appendix 2 for Members' information. Susan has also requested to attend meetings of the College's Equalities Committee in an observer capacity.</p>		

Recommendation: It is recommended that the Board appoint its next Equality & Diversity Champion.

Previous Committee Recommendation/Approval (if applicable):
None

Equality Impact Assessment:

Positive Impact

Negative Impact

No Impact

Evidence: The continuation of the office of Equality and Diversity Champion helps ensure that the Board observes good practice in regard to equality and diversity, and continues to further embed equality and diversity in the Board's strategic and decision-making processes.

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 Regional Board
- 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 Policy
- 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.

Focus Group Feedback

Focus Groups on the theme of Equality, Diversity and Inclusion were arranged at the request of Ann Bell, Regional Board Vice Chair. The meetings were conducted online, via Teams, and with Fraserburgh Campus students and City Campus students on 19 November 2020 and Altens Campus students on the 26 November 2020.

Attendees:

- Ann Bell, Regional Board Vice Chair
- Susan Elston, Board Member
- Allison Lamont, Student Engagement Co-ordinator
- Fraserburgh Campus: 3 students (8 invited); Sasha Brydon, Students' Association President; Ewa Skubiszewska, Students' Association Depute President
- City Campus: 8 students (10 invited); Natalia Jankowska, Students' Association Depute President
- Altens Campus: 6 students; Sasha Brydon, Students' Association Regional President.

Structure:

Focus Group discussion followed the following format, focused on 4 themes:

1. The group understanding of Equality, Diversity, and Inclusion
2. Their experiences on Campus
3. What was working well and what could be improved
4. What could Board Members do / take forward.

The focus of the group was Equality, Diversity, and Inclusion, but much of the discussion, in all groups, centred on the impact of the COVID-19 pandemic and related inclusion and support.

Following all meetings the following record was circulated to attendees to confirm that this was a fair reflection of the discussion.

Summary of main points	Comments
Limited opportunities on campus and interaction on campus makes it difficult to comment on Equality and Diversity.	Various opportunities are being offered for students to meet socially through Virtual Café; Class Rep spaces; Clubs and Societies; curriculum supporting social sessions. Otherwise, campus access is subject to COVID related restrictions
Students miss opportunities for interaction	
There is an understanding of why the current measures are in place and why time on campus is limited	No action required
Online learning makes it difficult for students to express in class support	Curriculum staff are currently offering one to one appointments to students

needs /understanding of subject and for staff to identify those who are struggling	
Online learning makes it easier for students to maintain a low profile (especially with larger class size online groups)	<p>Quality Team have advised that the issue of students staying “off video” while accessing online learning has been raised at College Development Network meetings and is a concern shared by all colleges.</p> <p>There are multiple reasons why students are “off camera “including</p> <ul style="list-style-type: none"> • Not keen to share their home environment on camera; Collaborate does not allow for background effects; staff are using Teams where possible as this enables students to join with applied backgrounds. • Poor internet connections often do not support both video and audio connection
Online learning can be boring/hard work if at a screen continuously and makes it difficult to concentrate or engage	Also noted that Staff use a range of online tools to break up sessions
There are tools which can be used to make sessions participative and interactive and students enjoy these	Noted
No major issues identified in terms of Equality and Diversity	Noted
How can college increase participation in i.e. Breakout Groups?	Curriculum Teams are aware of this
Class Reps have created spaces for students to meet for study and social support	This is working well for some Reps and their classes. Where Reps are not comfortable with this medium, in some cases, course staff have set aside areas on Blackboard for Reps to post to their classes.

Introductions:

Allison opened the meetings by introducing Ann Bell and Susan Elston as Board Members. Ann outlined her role as the Board's Equality and Diversity Champion and Susan as a potential successor in that role. Ann explained the Board function as being one of governance but also as a link between College staff, and students. Ann explained that in her role she would ensure that there was support for everyone and that there were no inequalities.

Susan introduced herself as a Board Member and alluded to her previous role on an Equality and Diversity Advisory Group for a global company, reflecting her interest and experience in this area and in potentially taking on the Board's Champion role.

Feedback:

Fraserburgh Campus

Theme 1: Understanding of Equality, Diversity, and Inclusion

Saw it as everyone being included; everyone being treated the same.

Reference was made to the self-study unit with content on Equality and Diversity; the student felt it would be better delivered in class where there could be discussion.

Issue was raised several times that with limited time being spent on campus and with limited interaction it was difficult to gauge how diverse or inclusive the campus was.

The SA President also commented that there is a legislative requirement to deliver on Equality and Diversity but also felt that the College also had a "heart" to do so.

Theme 2: Experiences on Campus

Things heading the right way but much still to be done – student reflected that this was really a reflection on society and not our campuses directly.

A student commented on the diverse range of students in classes now compared to her first student experience 20 years ago; commenting on the increase in students participating in courses with previous strong gender stereotypes (in this instance males into care; females into fishing were given as examples) the student attributed this to student attitudes changing and attitudes in wider society changing but also alluding to the fact that college now "has to" comply with legislation.

Another student stated that it was difficult to comment on the campus as inclusive or diverse as much of their current College experience is online, however, they did feel that as a mature student they were accepted by the younger students on their course also commenting on the fact that they found younger students to be "more accepting" and "very positive" and "more understanding" on these issues than, perhaps, his peers.

Another student who identifies as non-binary and has health issues felt that the class was "very understanding" and "open minded," however, they also reflected that the issue of their identifying as non-binary was ignored as students lacked understanding, the student, was unsure if students "did not know" about the definition or "did not care." However, this student felt "accepted."

A student commented on the experiences of a family member not being able to access campus due to health and safety issues where they were unable to wear a mask for health reasons. The Students' Association will follow this issue up.

Much of the discussion centred online learning; the consequent lack of on campus experience and lack of opportunities to interact with class groups and wider student

body. In terms of Inclusion and Support it was felt that online learning enabled students "to hide" and meant that students were "not participating" and as a result this student was "not enjoying" the college experience. Other students present agreed with these comments

Theme 3: What is working well; areas for improvement

Felt that there was a general societal need to change and improve in relation to Equality and Diversity.

Cited some attitudes and being very particular to the North East of Scotland and to the older generation.

Felt that attitudes could change through education.

Stated that all literature and posters on campus "looked okay"

It was stated by one student but other agreed that there was not an opportunity to stop and look at information due to COVID but even outside of the current environment the "triangular screen" area was not well used and there was often too much information on it and in posters. Could there be more boards for general information; could information be simplified, and bullet pointed. Could there be a centralised place for information on important issues having two or three boards where people could stop and read; perhaps a notice board in the Atrium; are there better ways of advertising; students are not sure where to find information. Could posters be put in classrooms where they would be seen this would not impact on the one-way system?

This was towards the end of the meeting and the types of information that was to be sourced were not identified. Ann closed this meeting in recognising the following actions for the Board:

- Equality, Diversity, and Inclusion to be a regular item on Board agendas
- More meetings like this on campus
- Consider how we integrate Equality, Diversity, and Inclusion in regular behaviours.

Susan recognised some of actions as being those of reinforcement and education but also asked how we can involve people and make them feel included.

City Campus

Theme 1: Understanding of Equality, Diversity and Inclusion

A student mentioned the Academic and Personal Skills Unit, which covers all areas of Equality, Diversity and Inclusion, as a useful educative tool that also provides reassurance to student that these issues are being covered.

Another student offered that Equality was not treating everyone equal but treating everyone "according to their needs".

Another student commented that diversity is reflected in both the staff and student populations on campus and mentioned the range of courses on offer making reference to the Learning Opportunities courses in terms of Inclusion.

Another student felt that diversity was “managed well” with opportunities to learn about it and referred to the Students’ Association as “doing a lot” to promote Equality and Diversity.

Theme 2: Experiences on Campus

The issue of off- campus learning was raised, and a student felt that because of online learning issues relating to Equality and Diversity were “not being pushed as much” as fewer students were on campus. Students commented that this learning was “very robotic” that students worked “better collectively” there was “no opportunity to meet new people” or “social opportunities.”

Some students commented positively that students and Class Reps have set up their own groups so that students could support each other but also use this as a social space too. Where this is happening, students value this.

Some students perceived lecturers as “not having the same amount of time” to give to students as they might have in on campus learning and that as lecturers were not in class, they were not able to identify those who might be struggling.

Students were aware that there were students who did not have the confidence to participate in online classes and wondered how this could be encouraged while not increasing their anxiety.

There followed quite a bit of feedback on the subject of students not wanting to identify when they were struggling and most certainly not when online. Students did recognise that some lecturers where starting class by asking if everyone was ok but remarked that few would be willing to post that they were not. A student noted that this could be “stigmatising” and students did not like being “put on the spot” Again a student understood that there is a difficulty in striking a balance between encouraging or giving students the opportunity to participate and while not forcing them to do the same. Students remarked that where students were not identifying as in need of help, they would then turn to class members out of class time for help and support and that “placed a burden “on those class members. Another student remarked that this could also be the case for students who were new to a class who had, perhaps, covered some of this work in a feeder course and the class felt that time was being devoted to having those students play “catch up.” Students noted lack of opportunities for one-to-one support as a point of information Allison clarified that staff were now following up on one-to-one support.

The issue of lack of class’s cohesion was more evident where new students had joined a class of continuing students and there was no opportunity for them to bond with the new classmates.

On the theme of participation another student noted that students were not opening their video and should be encouraged to do so and often there was lack of participation in the breakout rooms. Another student stated again that this may be due to lack of confidence.

Another student remarked on the low turn out to some classes as “very frustrating”

A student remarked in the chat box that "There seems to be a correlation between not knowing one another and low engagement within classes. The inclusion side of things is very important this year, we can't have people feeling uncomfortable in this setting."

A student also remarked "It would help having smaller class sizes, for my course we have 2 groups of people and usually we'd just have the one. Smaller class sizes do help both for the lecturers and students"

Another student stated "If someone sees 40 people saying no, I don't have a question, they don't want to be that one odd one that asks questions"

Theme 3: What is working well and what could be improved

Students commented positively on the opportunity that technology gave them to participate in groups through break out rooms etc. Another student remarked positively on technology and the opportunities that technology afforded for interactivity when used in online learning and bringing in quizzes, team challenges and that students really appreciated and enjoyed that. Kahoot was mentioned as a tool that the class enjoyed using.

A student remarked in the chat box "Lecturers are trying their best to help and use different methods to make students engage in their classes. One of my lecturers told me that they will be trying break out rooms which chooses groups randomly but let the same groups be with each other in every session to build relationships and get the confidence of getting along with each other. "

Another comment in the chat box "Breakout rooms are fab but students sometimes don't have the confidence to turn on cameras or videos"" I definitely agree the break our rooms are great if people are willing to participate in smaller groups."

Another student remarked on Collaborate and issues of connectivity and in some classes (sometimes the same classes) they were frequently losing connection; being "kicked out" students were finding this frustrating.

A student asked about lecturer infill and was asked to raise this issue outside of the meeting so that it could be progressed.

As a point of information at this stage Allison advised that the opportunity for students to feedback on course specific issue would come shortly through Course Committee Meetings so encouraged students to raise specific issues with their Reps. As a further point of clarification Allison advised the issue of connectivity was raised at a recent Class Rep meeting where a member of the Digital Futures Team was present, and this issue was noted.

In respect of student support a student noted positively that College and staff are generally "very understanding" and will always try to find a way to "resolve and help." The student remarked on the Student Advice Centre staff being "helpful" but that the environment was very big and open and not conducive to raising personal issues at the reception area. As a point of information Allison advised that there was an online booking system which would address this issue and the need to disclose publicly the reason for requesting an appointment.

A student raised the issue about student preferred names from an Equality and Diversity perspective. Allison Lamont would follow up on the systems that would capture and allow for sharing preferred names.

Theme 4: What could the Board Members do / take forward

A student fed back that NESCol was "a great college for Equality, Diversity and Inclusion" Another student referred to a time of both "highs and lows" and specifically to Social Science where they noted that staff "worked hard to be inclusive" "there were good levels of support including "one to one support" and noted that this was not just a demanding time for students but for staff too as "everyone comes to terms with online learning".

Students enjoyed and welcomed the session held today commenting "Is this group going to be a regular meeting point" and "Really fab meeting today" which indicates to the importance of further meetings with students regarding online learning?

There were no specific tasks identified for the Board Members.

Ann and Susan thanked all students for coming along, for being willing to participate and commented on it being refreshing to hear student opinion. Susan recognised that this was a journey for everyone and was stage of development from which we were all continuing to learn.

Altens Campus

Theme 1: What is Equality Diversity and Inclusion?

Questions itself not addressed but student feedback indicated that students present felt safe and respected on campus

Theme 2: Experiences on campus

Most students advised that they had, so far, spent limited time on campus due to COVID restrictions so were unable to make much comment on the campus situation. However, when on campus students advised that they were "treated fairly" "lecturers were good" "lecturers are keeping on top of COVID stuff" and "lecturers care" "lecturers want you to learn" "lecturers have student best interests at heart." Another felt that being at College was fine but (due to COVID) the experience was "a bit lacking at the moment."

While at college a student felt that "students and staff respected each other" "another added that "students want to be there and respect each other"

When on campus students felt that there were opportunities to socialise while maintaining social distancing and when not on campus some Reps have set up What's App spaces so that students could mutually support each other there.

Students unanimously felt that they would rather be on campus than have to learn online but appreciated the current measures and understood why online delivery was necessary. One student suggested that many students are not keen on online

learning as it can be “fairly boring” “staring at a screen all day” and that this “makes it difficult to concentrate” most students present agreed with this. Students felt that they learn better in a group and in an online learning situation this makes it difficult for lecturers to respond and identify who needs help. Another student suggested that working at home can be a challenge if you are stuck on an issue, however, all students agreed that they can contact their lecturers via email and that lecturers have been “more than clear that students can ask for help at any time “

Students agreed that there are some online classes that could be better delivered on campus, if possible, but again understood the difficulties in accommodating this, one example of a subject that some members felt could be better taught on campus was “Machine Principles.” Allison advised that Course Committee Meetings would be an ideal way to raise these issues but that this could also be done through the Class Rep structure.

Another student raised an issue about in class support, Allison advised that students could book appointments online with a member of the Student Access and Inclusion Team as well as lecturers raising referrals for support.

Theme 3. What was working and areas for Improvement

A student summarised the current situation by saying they felt that college is “making the best of a bad (COVID) situation” “that students generally feel safe” and that it was “a privilege to be here (at college) “

Theme 4. What could the Board Members do / take forward

No issues were raised for Board Members. Susan took the opportunity share her appreciation of the positive feedback and noted that from all the feedback there is information that would enable the Board to identify opportunities to enhance Inclusivity.

Allison Lamont

Student Engagement Coordinator

December 2020



REGIONAL BOARD		
Meeting of 16 December 2020		
Title: Board Member Recruitment		
Presenter: Ken Milroy, Regional Chair	Author: Pauline May, Secretary to the Board	Contributor(s): Governance Steering Group Members - Ann Bell & John Henderson; Neil Cowie, Principal & Chief Executive; Paul Smith, Director of Marketing & Communications
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 provide the Regional Board with information on the approach to be adopted for its next recruitment process.		
Linked to Strategic Goal:		
Linked to Annual Priority:		
Executive Summary: The Regional Board currently has two non-Executive vacancies, with a further two arising from serving non-Executive Members reaching the end of their terms of office – one at end of April 2021 and one at the end of August 2021. At the Board's recent Strategy Event in November 2020 it was agreed that the Governance Steering Group should consider the approach and timing of the Board's next recruitment process. The following provides a summary of key aspects of the process.		
Skills Gaps In preparation for the Board's next recruitment process, the Board at its meeting in June 2020 adopted a new format of Skills Matrix. The information gathered from the completion of the Matrix has been considered by the Board's Governance Steering Group, with the following identified as areas of experience the Board should aim to attract applicants from:		
<ul style="list-style-type: none"> • Local authority and public sector agencies • Education • Regional economy (economic development) • Community affiliation 		

- Finance/Commercial (incl. procurement)
- Tourism
- Third/Voluntary sector.

Advertising

The Regional Chair and Secretary to the Board recently met with the Director of Marketing & Communications to discuss the advertising of the vacancies.

The following will be used:

- NESCol Social media - Facebook, Instagram, Twitter, LinkedIn
- Websites: Scottish Government Public Appointments, College Development Network, Aberdeen & Grampian Chamber of Commerce (AGCC), Scottish Council for Development & Industry (SCDI), Federation of Small Business (FSB), and Community Planning Partnerships
- Stakeholders' social media, websites and bulletins.

The style for advertising of the vacancies will be in line with the refreshed branding and approach to promotion adopted by the College for AY2020-21.

In addition to adverts, the Board vacancies will be highlighted in a number of profile and opinion pieces the College plans to prepare for the local press.

Microsite

Potential applicants will be directed to a microsite on the College's website to provide easy access to comprehensive supporting information.

Microsite Contents:

- Video by Regional Chair – Welcome (to be recorded)
- Video by Principal – The regional role of the College and its ambitions (to be recorded)
- "Why become a Board Member" – Statements from Dave Anderson and Anne Simpson
- Application Form (to be updated)
- Board Member Person Specification (to be updated)
- Board Member Terms and Conditions
- Contents of the former Information Pack (to be presented differently)
- Supporting governance information e.g. Sector Board Member Guide
- Other supporting information (incl. links to key areas of website, existing promotional video content).

The information provided will be inviting, focused on 'the here and now' and highlighting the College's role in making a real difference in the region, particularly in relation to economic recovery, and community development and inclusion.

Use of Networks

Board Members, Fellows, past Guest Speakers and College staff will be asked to highlight vacancies to their networks and employer contacts.

The Board's Governance Steering Group, and the Executive and Leadership Teams have also identified a number of individuals and organisations that the vacancies will be specifically highlighted to.

Proposed Timeline

Preparation of adverts and microsite Recording of videos	11 to 22 January 2021 (2 weeks)
Vacancies to be advertised	25 January to 15 February 2021 (3 weeks)
Shortlisting of applications	By 18 February 2021
Applicants to be invited to interview	19 February 2021
Interviews	w/c 01 March 2021

Recommendation: It is recommended that the Board note the information provided.

Previous Committee Recommendation/Approval (if applicable):

None

Equality Impact Assessment:

Positive Impact

Negative Impact

No Impact

Evidence:



REGIONAL BOARD Meeting of 16 December 2020	
Title: Students' Association Constitution	
Author: Susan Betty, Director of Learning	Contributor(s): Allison Lamont, Student Engagement Co-ordinator
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 a revised version of the NESCol Students' Association Constitution.	
Linked to Strategic Goal: 3. Work with our partners to deliver positive and sustainable change for the individuals, communities and businesses in our region.	
Linked to Annual Priority:	
Executive Summary: The Constitution is subject to review by the Students' Association, in partnership with the Regional Board, at least every five years, in accordance with the Education Act 1994. Since the first draft of a revised Constitution was shared with the Regional Board at its meeting in October 2020, the following has taken place: <ul style="list-style-type: none"> • An additional proofreading exercise commenced to ensure consistency in the use of terms, titles and acronyms, and to amend the sequence of numbering; • The Student Code of Conduct was updated to reflect changes following the College review; • A version control statement was added (subject to Board approval); • The introduction was finalised; • A contents page index was included; • The definitions and interpretations section was completed; • The Constitution was reviewed by the College's solicitors, Burness Paull; • The Constitution was formatted and designed by the College's Marketing & Communications Team. 	

The revised Constitution has been shared with NUS Scotland. It has been scrutinised and sanctioned by the Development Consultant allocated to support the College's Students' Association (SA).

The College's SA is content with the Constitution's purpose and contents.

Code of Practice

The review of The Code of Practice, attached as Appendix 2. Is a duty placed on the Regional Board under the Informal Consolidation of the Education Act 1994:

(3) The governing body of every establishment to which this Part applies shall for the purposes of this section, prepare and issue, and when necessary revise, a code of practice as to the manner in which the requirements set out above are to be carried into effect in relation to any students' union for students at the establishment, setting out in relation to each of the requirements details of the arrangements made to secure its observance.

Appendix 2 highlights a number of proposed amendments to the Code which reflect current practice for the Board's consideration.

Recommendation:

It is recommended that the Board review, and if so minded, approve:

- the revised Constitution
- the revised Code of Practice.

Previous Committee Recommendation/Approval (if applicable):

None

Equality Impact Assessment:

Positive Impact

Negative Impact

No Impact

Evidence:



The **Constitution** of the
North East Scotland College
Students' Association

CONTENTS

This Constitution shall take effect from December 2020 and invalidates all former Constitutions of this Association. This Constitution shall be subject to review by the Students' Association & the Regional Board of Management of North East Scotland College at least every five years, in accordance with the Education Act 1994.

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STUDENT INTRODUCTION

We, as a Students' Association, need to have a Constitution. This is a legal document that sets out:

- What the Students' Association can or cannot do
- How it should operate
- How Members can raise their concerns or issues

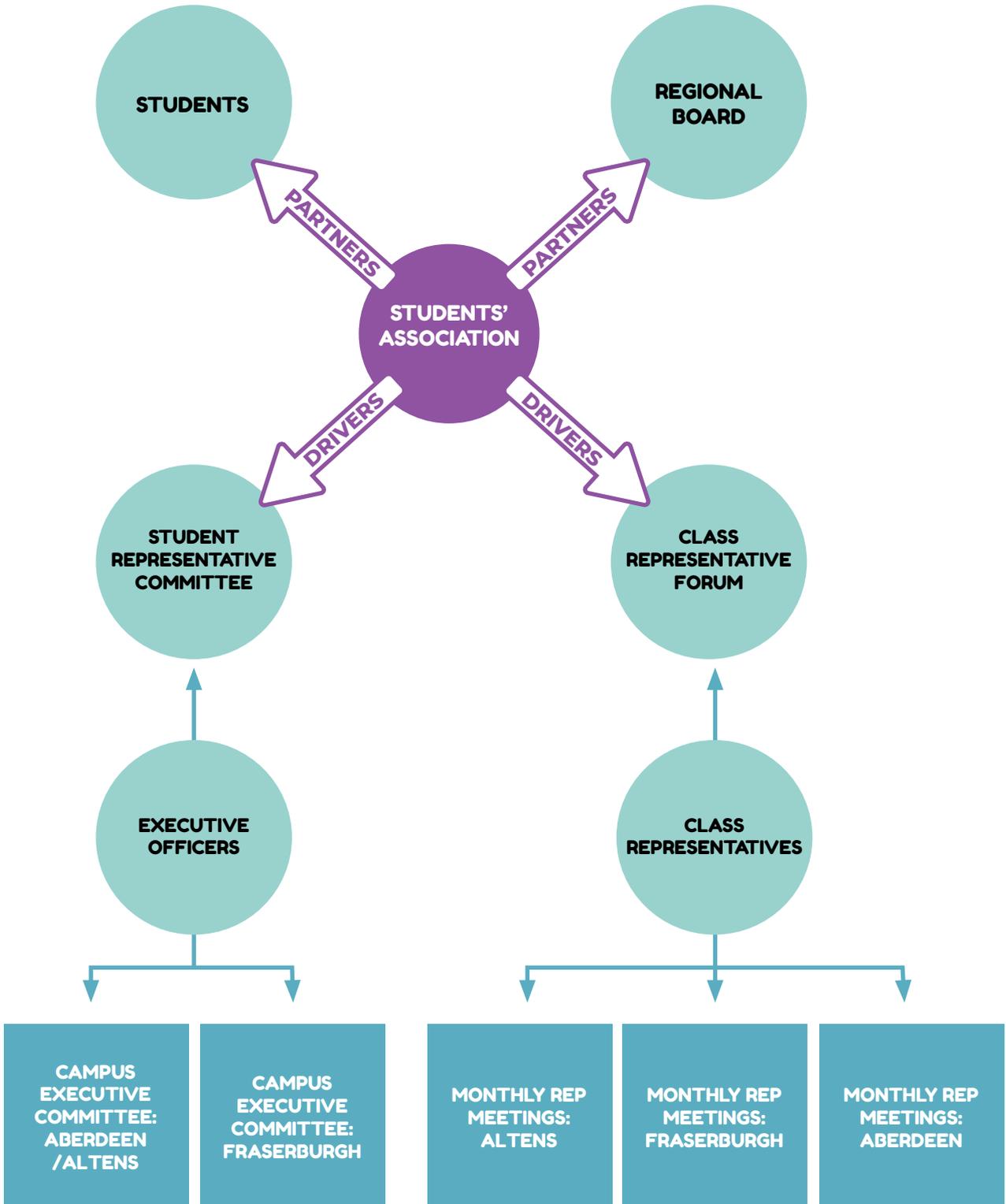
We work to represent all Members. If you are enrolled as a student at North East Scotland College, and are over the age of 16, then you are automatically a Member. Read more about this in section 1.5 on page 7.

You can also read about the President and Depute President Posts. These post holders are called Sabbatical Officers. They are supported by Elected Officers (the Executive), and are part of the Student Representative Committee (SRC), see Article 3, section 3.1. on page 11.

On starting College you can choose to stand as a Class Representative (class rep). We support the Class Representative system by holding monthly meetings. The class reps attend these monthly meetings and they also make up the Class Representative Forum (CRF). See section 3.2. on page 11 for more information.

We hope that your experience at College is as good as it can be so, we help support Clubs and Societies on Campus. You can read more about this in Schedule 5 on page 27.





Who We are and What We Do

The North East Scotland College Students' Association ("NESCol SA") is a Students' Association of the North East Scotland College (hereafter referred to as "the College"), within the meaning of the Education Act 1994. NESCol SA acts as a voice for its Members and supports their educational interests and welfare.

The Education Act (1994) requires the College's governing body (referred to in this Constitution as the Regional Board) to ensure that NESCol SA operates in a fair & democratic manner & is accountable for its finances. The Constitution is an important document which explains how we will achieve this.

The Regional Board recognises NESCol SA as a democratically run organisation committed to serving & representing the students of North East Scotland College.

Funding received from the College helps NESCol SA meet its aims & supports its structure. The current structure of NESCol SA is:

- a **Regional President (1FTE) &**
- a **Depute or Deputes (1FTE role or two 0.5 FTE roles).**

They are supported by an Executive Committee of volunteers on each campus (Campus Executive Committee) & they come together to form the Student Representative Committee (SRC).

This Constitution is made up of three parts:

- **The Articles.** This outlines the aims & objectives of the Students' Association along with what can or cannot be done.
- **The Schedules.** This provides operational details in relation to how things are done.
- **The Appendices.** This contains supplementary information & other regulations that the Students' Association has to follow.

PART 1: THE ARTICLES

Article 1

The Students' Association

1.1 The Name and Status

NESCol SA is a Students' Association within the meaning of the Education Act 1994. We act as a voice for our Members and we are devoted to supporting their educational interests and well-being. The College provides NESCol SA with the funds to help meet our aims and objectives.

1.2 Aims and Objectives of NESCol SA:

1.2.1

- (a) To promote the interests and welfare of Members at local and national level and represent, support and advise Members;
- (b) To work with Members and in partnership with the College, to ensure that every student has the best possible educational and wider student experience;
- (c) To provide and promote participation in social, cultural, sporting and recreational activities, including clubs, societies and forums, for the personal development of Members;
- (d) To represent the views of Members to the College, its Committees and contribute to relevant College quality processes;
- (e) To undertake its responsibilities as outlined in the Post 16 Education (Scotland) Act 2013.

1.2.2

NESCol SA will operate independently of any political party or religious organisation and without discrimination on the grounds of age, disability, race, gender reassignment, religion or belief, sex or sexual orientation and any other discriminatory form as deemed by the Equality Act 2010 or subsequent statutory provisions. We may take action to promote equality of opportunity.

1.2.3

A Member who, in the reasonable opinion of NESCol SA, does not support the aims and objectives, may be dealt with under the Student Code of Conduct.

1.3 Powers

1.3.1

NESCol SA has the power to:

- (a) appoint and replace Officers according to the Constitution, in line with the attached schedules
- (b) appoint Officers to sit on relevant College Committees and Action Teams
- (c) provide and promote activities, services and facilities to Members
- (d) raise funds and receive grants and donations
- (e) do anything which is lawful to achieve the objectives of NESCol SA
- (f) trade whilst carrying out any other objectives and carry on any other trade which is not expected to lead to taxable profits

These powers will be limited by the budget allocation determined by the Regional Board.

1.4 Money and Property

1.4.1

Money and property must only be used to carry out the aims of NESCol SA.

1.4.2

Executive Officers cannot receive any money or property from NESCol SA other than:

(a) Reasonable expenses subject to approval of the Student Engagement Coordinator

(a) Salary payments and expenses paid to elected officers

1.4.3

The Student Engagement Co-ordinator will supervise all NESCol SA finances and ensure that the annual budget, amendments to the budget, and all other short term financial reports are discussed and approved by the Sabbatical Officers.

1.4.4

The Student Engagement Co-ordinator and Sabbatical Officers will prepare budget papers for the Regional Board's Curriculum and Quality Committee meeting in February of each year.

1.4.5

The financial activity of NESCol SA must follow the College's procurement and financial procedures.

1.5 Membership of NESCol SA

1.5.1

All students aged 16 and over who are enrolled at NESCol automatically become Members of NESCol SA, unless they choose to opt out.

1.5.2

The Regional and Depute President(s) are elected and paid representatives. They are also full Members of NESCol SA. They are known as Sabbatical Officers.

1.5.3

A student can option out of the NESCol SA membership by contacting the Sabbatical Officers.

1.5.4

A student who opts out of the NESCol SA will not be able to participate in decision making operations. For example, they will not be able to stand for a representative position, including club and society committee positions.

1.5.5

A student who has opted out can re-apply to become a Member of NESCol SA by contacting one of the Sabbatical Officers.

1.5.6

NESCol SA Members can:

- attend, vote and speak at NESCol SA meetings
- vote in NESCol SA elections
- hold voluntary posts within NESCol SA
- use NESCol SA's facilities (except in circumstances where there is a potential to breach data protection law, including GDPR regulations)
- take part in NESCol SA activities and events
- hold office in clubs and societies

1.5.7

Enrolled students of NESCol under the age of 16, although not Members and will not have an NUS Scotland card, can take part in certain activities and events as determined by NESCol SA. Enrolled students of NESCol under the age of 16 can apply to the NESCol SA for Associate Membership. Due to employment law, Members must be at least 16 years old to hold a Sabbatical Officer position.

1.5.8

An Associate Membership can be applied for by any registered student of NESCol under the age of 16. This form of Membership, shall convert to full SA Member upon the student attaining the age of 16, unless the student advises they do not wish to be a Member.

Acceptance of Associate Membership application is subject to the normal rules of NESCol SA.

1.5.9

Association Members cannot transfer their Membership to anyone else. Membership will automatically end when:

- a) the Member ceases to be a registered student, or
- b) the Member provides written notice to NESCol SA that they do not wish to be a Member of NESCol SA, or
- c) In the case of Members who are not elected Student Officers, a decision is made at an Student Representative Committee meeting where two thirds of those present decide that the student should be expelled, as continuation as a Member could be harmful or prejudicial (or likely to be harmful or prejudicial) to NESCol SA.

Regarding (c), NESCol SA will provide the student with at least 14 days written notice before this decision. The notice will explain the grounds on which the intended expulsion is being sought. The student will be provided with instructions on how to appeal any such pending decision, or any decision made following the Student Representative Committee meeting.

1.5.10

NESCol SA welcomes contributions from all Members. Students may contact any of the elected officers if there is an issue they wish to raise.

Article 2

The Running of the Students' Association

2.1 Elections and Referendums

2.1.1

In line with the Education Act 1994, all office holders will be elected by a secret ballot of NESCol SA Members. The way in which elections will be run is outlined in Schedule One of this Constitution.

2.1.2

The Sabbatical Officers will be elected between the months of March and May during each calendar year in accordance with Schedule One.

2.1.3

In line with Education Act 1994, no Member will hold a Sabbatical Officer post for more than two years.

2.1.4

Referendums can be held once in any year on a single topic and requests submitted to the Student Representative Committee with 200 verified Member signatures. Details are in Schedule One.

2.2 Office Holders

2.2.1

NESCol SA has 2FTE office holders. These roles are Sabbatical Officer roles and will be salaried. The current roles are:

- (a) **Regional President 1FTE**
- (b) **Depute President(s), 1 FTE or 2 x 0.5**

2.2.2

The Sabbatical Officers will be elected Members.

2.2.3

The number, structure and main responsibilities of the Sabbatical Officers will be agreed by the student body or its representatives and in keeping with NESCol SA's budget.

2.2.4

The Sabbatical Officers will represent the interests of all students but will have primary responsibility for students on the campuses to which they are elected.

2.2.5

The Sabbatical Officers will have a job description and Statement of Main Particulars issued by the College as their employer. These will be agreed by the NESCol SA and its Executive.

2.2.6

Executive Officers and Campus Executives are groups of students appointed to represent the interests of students at Aberdeen, Altens, as one campus, and Fraserburgh and satellites as the other.

2.2.7

All Members can join the NESCol SA Campus Executives Team. The Campus Executives are made up of a team of voluntary, unpaid, part time Executive Officers. Roles and remits are subject to change as dictated by the student body, but may include:

- (a) Health and Wellbeing Officer(s)
- (b) Events and Activities Officer(s)
- (c) Communications Officer(s)
- (d) Environmental Officer(s)
- (e) Equality and Diversity Officer(s)

2.2.8

A role can be held by more than one Member. However, a volunteer can only hold one role at a time.

2.2.9

Representatives of NESCol SA must make all reasonable efforts to ascertain representative views and concerns of students across the College and ensure those views are made known to NESCol SA and staff of the College.

2.2.10

Executive Officer roles will be offered to students in October of each year by the Student Engagement Co-ordinator. Students will submit written Expressions of Interest following attendance at a compulsory briefing session. The Sabbatical Officers will take part in this selection process. Appointments will be limited to 3 students per role, per campus. If expressions of interest exceed the number of roles available, the roles may be shared amongst a group of students to work collaboratively subject to NESCol SA capacity.

2.2.11

Additional Roles: NESCol SA will establish a number of dedicated volunteers who will assist the Sabbatical Officers in the discharge of their duties, as and when required. These volunteers will be issued with a Volunteering Agreement and Volunteering Handbook.

2.3 Conduct

2.3.1

Members of NESCol SA, as students, will continue to be accountable to the College's Student Code of Conduct. The Student Code of Conduct and The Student Disciplinary Policy and Procedure sets out consequences for a breach of the Code of Conduct. Any breaches could include suspending or removing any or all rights and privileges of Membership of NESCol SA (including ability to hold office).

2.3.2

Sabbatical Officers and Executive Officers will no longer be Officers if:

- a) they resign by giving notice to the Committee they sit on;
- b) they fail to go to two Committee meetings in a row without sending apologies
- c) a motion of no confidence in the campus Sabbatical Officer is passed by a 66% majority vote at their SRC;
- d) in the case of someone in a sabbatical post, if a motion of no confidence is passed by a 66% majority of a general meeting;
- e) employment ceases for whatever reason.

Article 3

Committees and Meetings

3.1 The Student Representative Committee (SRC)

3.1.1

Members of the Student Representative Committee (SRC) will consist of the Sabbatical Officers and the Members of Campus Executives.

3.1.2

The SRC will be chaired by a Sabbatical Officer to be determined by the SRC, but this position would usually fall to the Regional President.

3.1.3

The strategic direction of NESCol SA is set by the students as a Membership body. Students will be engaged with this process through the SRC.

3.2

The Class Representative Forum (CRF)

3.2.1

There will be a Class Representative Forum (CRF) for each main campus of the College.

3.2.2

The CRF will meet once per academic block and will be additional to the Class Rep monthly meetings

3.2.3

Every class or tutor group will be entitled to send two elected representatives to CRF meetings. The class reps are responsible for:

- a) helping the SRC carry out its work and holding them accountable,
- b) helping to set the NESCol SA's policy,
- c) acting as a consultation forum for raising matters with the College and by raising issues that are of concern to students with their Sabbatical Officers.

3.2.4

The Membership and procedures of the CRF will be set out in the schedules.

3.3 Meetings

Annual Review Meeting and Extraordinary General Meetings (EGMs)

3.3.1

NESCol SA will hold an annual event, in each academic year. Members will review activities, aims and objectives and budget spend. It may not be branded as an Annual Review Meeting or Annual General Meeting but the purpose will remain the same. For the purpose of this Constitution, references to 'general meeting' will include Annual Review Meetings and Extraordinary General Meetings (EGMs).

3.3.2

NESCol SA, via the Student Representative Committee, will give Members at least 14 calendar days' notice of the place, day and time of any general meeting and details of the agenda.

3.3.3

There must be at least 15 Members present at a general meeting.

3.3.4

The Chairperson of these meetings will be the Regional President.

3.3.5

Every Member will have one vote and decisions will be made on a simple majority, which is 50% +1 vote, unless the Constitution says otherwise. The Chair will have the casting vote.

3.3.6

EGMs will be called when an urgent matter needs to be discussed or resolved and a minimum of 48 hours given.

3.3.7

EGMs will be convened by the President at the written request of the following:

- (a) by the SRC at any time
- (b) the SRC receiving a requisition to hold an EGM, signed by at least 100 Members who have the right to attend and vote at general meetings.

Article 4

Governance & Administration

4.1 Governance

4.1.1

The College's Regional Board's responsibility includes:

- (a) ensuring NESCol SA operates in a fair and democratic manner. This includes ensuring elections are democratic and that the Constitution enables NESCol SA to carry out its aims and objectives.
- (b) NESCol SA is accountable for its finances. The Regional Board's Curriculum and Quality Committee will approve NESCol SA's budget annually.

4.2 Affiliations

4.2.1

Any proposal to affiliate to another organisation must be approved by the Members at a general meeting.

4.2.2

NESCol SA will inform our Members and the College about all new links to other organisations, including the name of the organisation and the fee to be paid (subject to NESCol SA's budget).

4.2.3

NESCol SA will include details of all links to other organisations, including the names of the organisations and each fee paid, in the Annual Report (to be prepared by the Student Representative Committee). The Annual Report is available to all Members and to the College.

4.2.4

If Members want to object to a current link to any particular organisation, they must present a petition, signed by at least 100 Members, to a Sabbatical Officer.

4.2.5

A general meeting will be called to review the issue in line with the Schedules. NESCol SA will not hold more than one general meeting about the same matter in the same Academic Year.

4.3 Amendments

Section 22(2)(a) of the 1994 Act states that a constitution shall be subject to review by the governing body at intervals of not more than five years. Sabbatical Officers will ensure amendments are submitted to the Regional Board of Management for approval.

4.4 Interpretations

4.4.1

If anyone challenges any part of this Constitution, this is to be raised with NESCol SA's Regional President. They will then hold discussions regarding the challenge with the other Sabbatical Officer(s) and the Student Engagement Co-Ordinator.

4.4.2

If a Member of NESCol SA is not satisfied with any decision, or the SRC does not agree, they may appeal to the Regional Board, whose decision will be final. To avoid a conflict of interest the Sabbatical Officers will not be present.



PART 2: THE SCHEDULES

Schedule 1

5.1 Election Rules

5.1.1

It is important that elections are run fairly and democratically. This Schedule outlines the process for all elections. It also outlines the procedure to follow if a vacancy arises in any position. The vacancies would be for Sabbatical Officers who are paid, that is the President and Deputy President(s), and for Officers who would be voluntary and part time.

5.1.2

The elections of the Sabbatical Officers and any other Elected Officers of the SA would be carried out in accordance with these regulations.

5.1.3

The Student Engagement Co-ordinator will administer the election process, and current elected Officers will not be involved in the management or administration of the election, except in its promotion.

5.1.4

Elections will be by secret ballot of all Members of NESCol SA.

5.1.5

The voting system used will be Single Transferable Voting, with all candidates ranked in order of preference.

5.1.6

In addition to the regulations, NESCol SA must comply with:

1. the College rules, regulations and policies (including but not limited to IT, Health and Safety, bullying and harassment etc.).
2. NESCol SA rules, regulations and policies; and
3. all Scottish legislation, collectively referred to as “the rules”.

5.1.7

Elections for the Sabbatical Officers will be held between March and May of each year and elections or appointment of other Officers will be held between August and October of each year.

5.2 The Returning Officer

5.2.1

The National Union of Students (NUS) will appoint a Returning Officer upon the NESCol SA representative registering for the Election Service.

5.2.2

The Returning Officer may appoint nominees from within the College to act on their behalf in the day-to-day supervision of the elections.

5.2.3

The Student Engagement Co-coordinator, as Depute Returning Officer, will carry out the following, on behalf of the Returning Officer:

- oversee the procedure for the acceptance of nominations and publication of valid nominations.
- fix the date of the elections which will be then ratified by the Student Representative Committee.
- publicise notices giving information about the date of the elections, and the arrangements for the elections.
- supervise and conduct the count.
- oversee the announcement of the result.

5.3 Eligibility for Office - Sabbaticals

5.3.1

The Presidents or Sabbatical Officers will be paid elected Members who have just completed their studies at North East Scotland College, or are taking a year out from their studies or, in the case of part time posts, are currently a student of North East Scotland College

5.3.2

Candidates will need to provide their full name and student number. NESCol SA will confirm that candidates are enrolled and over 16 years of age. Where there is doubt NESCol SA may seek:

- 1) a letter from an institution confirming student status
- 2) a scan of a valid student card

5.3.3

The Election Pack contains information on what the role involves and what is expected if elected. In the event of a successful outcome, an employment agreement with North East Scotland College needs to be signed and adherence to North East Scotland College policies and procedures is expected. An application for a PVG through Disclosure Scotland is also required

5.4 Nominations

5.4.1

Eligibility for the elections will be as follows:

- a) any ordinary Member will be eligible to stand as a candidate for the position of Sabbatical Officer and Executive Officer.
- b) any ordinary Member registered at one of the Altens or Aberdeen City Centre campuses will be eligible to stand for Sabbatical Officer in respect of that area, or as a Member of the Local Campus Executive Group for that area.
- c) any ordinary Member registered at Fraserburgh Campus and satellite centres will be eligible to stand for Sabbatical Officer in respect of that area, or as a Member of the Local Campus Executive Group for that area.
- d) a candidate may only stand for election for one officer post within any NESCol SA election.

5.4.2

The Student Engagement Co-ordinator will post a notice on NESCol SA's Blackboard site or other current student portal, at least eight College term-time days before the date on which nominations open. The following information will be provided:

- a) the period for accepting nominations;
- b) the posts for which nominations can be made;
- c) places from which nomination forms can be obtained, and
- d) places to which completed nomination forms must be returned.

5.4.3

Candidates must submit a manifesto or similar, referring to guidance available in election packs. All manifestos received will be collated and published by NESCol SA.

5.4.4

After the closing date, the Depute Returning Officer will inspect all nominations and manifestos. They will verify that they comply with the Rules and Regulations. Any points of conflict or ambiguity will be clarified with the Returning Officer.

5.4.5

The Depute Returning Officer will draw up a list of Candidates after the close of the nominations and will post a notice on NESCol SA Notice Boards, Blackboard or relevant student VLE, Social Networking sites, via All Student Email and by any other appropriate means as soon as is reasonably practicable, stating the date of the election and the arrangements for voting.

5.4.6

The Depute Returning Officer may allow electronic voting to take place in tandem with or instead of manual voting procedures. Electronic voting will be the preferred process.

5.4.7

The Returning Officer or the Depute Returning Officer will, as soon as possible, following the close of nominations and confirmation of Candidates, arrange a briefing meeting with the Candidates. The election process and procedures will be explained. All Candidates will be afforded an opportunity to ask questions relating to the election at the end of the briefing.

5.4.8

If a Candidate is unable to attend the briefing session for reasons acceptable to the Returning Officer/Depute returning officer, the Depute Returning Officer will take all practicable steps to give them the opportunity to access the same materials.

5.4.9

All Candidates are expected to attend the briefing session. If a Candidate fails to attend without sending apologies, they may be subject to sanctions at the discretion of the Returning Officer.

5.5 Campaigning

5.5.1

As soon as is reasonably practicable following the close of the nominations, a list of valid nominations and manifestos will be published by NESCol SA on the relevant mediums, which may include the NESCol SA Notice Boards, BlackBoard and via All Student Email.

5.5.2

The campaigning period will commence at the end of the candidates' briefing at a time announced by the Depute Returning Officer. Campaigning will end at the close of voting.

5.5.3

Any coverage of the elections by NESCol SA via whatever means or media will be fair and balanced, providing equal exposure to all Candidates, as far as reasonably practicable.

5.5.4

Each Candidate will be awarded a small budget from NESCol SA (where budget allows) for canvassing materials. Finances will be confirmed at the Candidates' briefing. Any Candidate exceeding the allocated budget will not be reimbursed for overspend.

5.5.5

Campaign materials promotes a Candidate and their manifesto or discourages others from voting for opponents. These materials include, but are not limited to: flyers, posters, banners, T-shirts and bags. It also includes costs involved in online activity such as paid for social media campaigning. Candidates may be asked to produce receipts of their expenditure and may be asked to ensure that any goods/services received are available to all candidates and not only a result of special relationships with suppliers.

5.5.6

No offensive or derogatory election materials will be produced during the campaign by any candidate.

5.5.7

The Depute Returning Officer and Depute Returning Officer reserve the right to remove any election material which, in their reasonable opinion, is inappropriate.

5.5.8

"Candidate's Question Time" will be held at a designated time following the Candidates' briefing and will be chaired by the Depute Returning Officer.

5.5.9

Each Candidate is encouraged to attend "Candidates Question Time".

5.5.10

Candidates' travel to and from the "Candidates Question Time" locations will be paid for from NESCol SA election budget in order to ensure all Candidates have the opportunity to take part in "Candidates Question Time".

5.5.11

NESCol SA resources must not be used to promote a particular Candidate's campaign.

5.5.12

Candidates are expected to seek clarification from the Depute Returning Officer if unclear on campaigning rules.

5.5.13

College and NESCol SA staff must not show preference or support for a particular Candidate.

5.6 Elections

5.6.1

The elections in respect of the Sabbatical Officers will be held no later than the final Friday in May of each Academic Year.

5.6.2

Any other election(s) must take place by the third Thursday in October of the relevant year. The SRC procedure for nominations and campaigning (above) will apply.

5.6.3

If any sabbatical positions are still vacant, an emergency by-election will be held in accordance with the Election Regulations until these roles are filled.

5.6.4

If the position that is required to be filled is that of a Sabbatical Officer position then the unanimous vote would be required from the Student Representative Committee.

5.6.5

In any case the ordinary Member, Officer or Executive Officer would be required to complete the relevant Nomination Form and submit a manifesto for the relevant Executive Committee (Campus or Regional) to review.

5.7 Voting

5.7.1

The responsibility for ensuring that voting is conducted in accordance with the provisions of this Schedule rests with the Depute Returning Officer, in the first instance.

5.7.2

Voting will take place at the appropriate voting stations and/or electronically at times to be determined by the Depute Returning Officer.

5.7.3

The location and arrangements of voting stations and the list of candidates will be publicised by NESCol SA, as soon as is reasonably practicable.

5.7.4

All Members (excluding Associate Members) registered at a campus may vote for the post of Sabbatical Officer in respect of their campus, Depute and all other Officer roles that are available at that time.

5.7.5

Votes will be cast by secure electronic means.

5.7.6

Ballot papers will bear the name of each Candidate, the position being contested and a suitable space for indicating the voting preference of the voter.

5.7.7

Voting will be carried out by one of two means:

- a) placing all, or some, of the Candidates in the voter's numerical preference, with '1' being first preference.
- b) where a number of vacancies exist on one ballot paper, each voter may only vote for the number of vacancies which exist. Ballot papers will bear a brief description of the voting procedure.

5.7.8

There will be an option on the ballot paper entitled "Re-Open Nominations" ("RON").

5.7.9

RON, for the purposes of the count, will be treated as a Candidate, though will not be allowed a publicity budget as allowed to the other Candidates in the election.

5.7.10

If RON wins the election, then the election will be re-run at a date to be determined by the Depute Returning Officer.

5.7.11

In the event of a re-run of the election, RON will again appear as an option on the ballot paper.

5.7.12

In all non-electronic elections, adjustments will be made to ensure no voter will be at a disadvantage.

5.7.13

Candidates and their supporters should not be in the immediate vicinity of a voter when they are in the act of casting their vote.

5.8 Administration

5.8.1

The Depute Returning Officer will administer the count with the option of inviting the Returning Officer to oversee events. Alternatively, the Returning Officer should be notified of the result and/or invited to the announcement.

5.8.2

A quota will be calculated as follows:

- 1) the quota will be determined by dividing the total number of valid votes, by the number of positions available (plus one).
- 2) in the event the quota contains a decimal it may be rounded up or down as the Depute Returning Officer sees appropriate.

5.8.3

If the Candidate reaches the quota on the first count then they will be deemed to be elected to that post.

5.8.4

If no Candidate has reached the quota, the votes will be redistributed in accordance with Electoral Reform Society Scotland's and NUS Scotland's guidance.

5.8.5

In the event that the paper ballot count results there are fewer than five votes of a difference, there will be an automatic recount of any paper ballots.

5.8.6

In the event of a tie at the exhaustion of all transferable votes the Candidate with the highest number of first preferences will be deemed the winner. If these are tied a coin toss will decide the election outcome.

5.8.7

The Depute Returning Officer will be responsible for announcing and publicising the results of the election by any reasonable means or medium they will deem appropriate.

5.8.8

The results will become official 48 hours after they have been posted provided that no complaint has been lodged with the Depute Returning Officer. In the event of a complaint being received by the Returning Officer, the results will be suspended until the complaint has been resolved.

5.9 Candidates

5.9.1

Candidates already in office will be given the same privileges and restrictions as any other candidates in the election.

5.9.2

Candidates may only benefit from what is openly available to all Candidates.

5.10 Tenure of Office

5.10.1

The tenure of office for Sabbatical Officers will be a 12-month consecutive period. This period should commence on 1st July in the same year as the election from which they were elected to that post. For other elected officers the term of office will be from the date on which the individual was elected until the end of the academic session in which the election took place.

5.10.2

Incoming Sabbatical Officers not already in office will have a handover and training period in the month prior to start of tenure. This should be an optimum of 10 hours and should not exceed 15 hours.

5.10.3

Depending on their original College status and the Education Act 1994, Section 22, the Sabbatical Officers may stand for re-election at the close of their first tenure of office.

5.10.4

The maximum period of office of Sabbatical Officers which may be held by an individual Candidate is two tenures in a single position.

5.10.5

There will be no restriction on the number of times that other Officers of NESCol SA may stand for re-election.

5.11 Referendums

5.11.1

The SRC will have the final say on whether or not a referendum will proceed.

5.11.2

The language of a referendum must be worded neutrally and can be answered by a simple "Yes" or "No".

5.11.3

The referendum will be held in accordance with Schedule One.

5.11.4

Referendum results can be considered advisory or binding for the NESCol SA when:

- a) binding referendum requires the NESCol SA to write a position paper that outlines the stance of the student body to the College in support of the referendum.
- b) referendum results are considered binding if the vote receives 66% or more students voted "yes" from the total amount of students that voted.
- c) if a referendum is not binding, it is considered advisory and the NESCol SA can choose under its own volition whether it supports the resolution. In either case, the results of the referendum vote will be released to the College and student body.

5.12 Complaints and Appeals

5.12.1

The procedure for the consideration of complaints relating to elections will be as follows:

- a) no one involved in a Candidate's campaign will be involved in the appeals procedure;
- b) formal complaints must be submitted in writing with any supporting evidence to the Returning Officer.
- c) the Returning Officer reserves the right to investigate any unsound activity and make any rulings which are fair and reasonable in all the circumstances.
- d) the Returning Officer will investigate any formal complaint within the terms of the Regulations and decide what action will be taken, including but not limited to the disqualification of any candidate concerned, or the annulment of the relevant election.

5.12.2

Any complaint against the conduct or administration of the election should be received by the Depute Returning officer for onward referral to the Returning Officer before the start of the count.

5.12.3

A challenge or complaint during or following the count, must only relate to the conduct of the count, and be lodged with the Depute Returning Officer. They will refer the matter to the Returning Officer to resolve within 48 hours of the challenge or complaint being lodged.

5.12.4

The ruling of the Returning Officer on any complaint will be final.

5.12.5

The role of the College's Regional Board is one of oversight, to ensure that democratic processes have been followed.

Schedule 2

Financial Reporting: Budgets & Financial Statements

6.1 Budgets and Financial Statements

6.1.1

Staffing and operational budgets will be made available to NESCol SA upon submission of a budget statement annually to the Regional Board's Curriculum and Quality Committee.

6.1.2

The budget will be subject to College procedures and administered by the College's Finance Department.

6.1.3

Regular meetings will take place between the Student Engagement Co-ordinator and College's Finance Department to review budget.

6.1.4

The NESCol SA remains accountable to the College, the Regional Board and Members for their finances.

6.1.5

Budgets will be drawn up for all areas of proposed expenditure in February for consideration by the Board's Curriculum and Quality Committee. These budgets will be established by the Executive and supported by the Student Engagement Co-ordinator.

6.1.6

The Sabbatical Officers, with support from the Student Engagement Co-ordinator, will provide North East Scotland College with a financial statement at least once a year, and more frequently if required, as a condition of grant, or as requested.

6.1.7

No Member of NESCol SA or the SRC, under the age of 18, will sign any contract or financial agreement, authorise any expenditure, take responsibility for any budget, sign cheques or make any financial decisions.

6.2 Contracts

6.2.1

Any contract or ongoing financial commitment must be made in keeping with any relevant College financial procedures and or tendering legislation.

6.2.2

No financial agreement (e.g. a leasing contract) may be entered into which involves a financial commitment beyond the term of office of the SRC.

6.2.3

All contracts will have two signatories and will be signed by:

- a) the Sabbatical Officer; and
- b) the Student Engagement Co-ordinator

6.3 Loan Arrangements

No loan arrangements will be entered into by NESCol SA.

6.4 Security and Insurance

6.4.1

NESCol SA will be responsible for maintaining proper security at all times for all stock, stores, furniture, equipment, cash etc., under its control.

6.4.2

The College will inform NESCol SA in any case where security is thought to be defective or where it is considered that special security arrangements may be needed.

6.4.3

The College will be responsible for ensuring that proper insurance cover is undertaken, including fire risks, theft, damage and loss etc. of property and employers' liability.

6.4.4

NESCol SA will comply with all College Health, Safety and Security policies, procedures, advice, guidance and legislation.

6.5 Events

6.5.1

All events undertaken or provided by NESCol SA must be costed and budgets prepared.

6.5.2

Annually, NESCol SA will draw up a proposed programme of events/entertainments. This will form the basis of all events/entertainment's expenditure.

6.5.3

Records of all expenditure are kept within College system. The Student Engagement Co-ordinator will share, on an ongoing basis, the budget statements provided by the College's Finance Department. The SRC is responsible, under the direction of the Student Engagement Co-ordinator, for ensuring that agreed budgets are not exceeded, unless the necessary approval has been given before the proposed expenditure.

6.6 Expenses to Association Members

6.6.1

Any Member of NESCol SA may receive expenses for certain costs incurred whilst on NESCol SA business. This needs to be approved in advance by the Student Engagement Co-ordinator.

6.6.2

Expense claims must be authorised and approved by the Student Engagement Co-ordinator

6.6.3

Expenditure relating to expenses will be reported to the SRC as part of the financial report.

6.7 Donations

6.7.1

The NESCol SA will not make donations or affiliations to any organisation outside the aims and objectives of NESCol SA. NESCol SA may allow for its facilities to be used for special events which raise money for a specific charity or cause. Only the net profit from such events may be passed to the charity.

6.7.2

The NESCol SA may provide a donation to a Member or group of Members, if the budget permits. Such funds will be limited to support clubs or societies or in relation to academic events or activities.

Schedule 3

7.1 Committees

7.1.1

The Student Representative Committee (SRC) as required by the NESCol SA Constitution, will be established in accordance with this schedule.

7.1.2

The SRC will have a Membership made up of the elected officers from all campuses and the Sabbatical Officers.

7.1.3

The SRC will be chaired by one of the Sabbatical Officers. It will be a rolling chair. It will be decided at the first meeting who will chair. In the absence of the Chairperson, one of the other Sabbatical Officers will take the Chair.

7.1.4

The Chairperson will not get a vote unless the vote is split. In the circumstance of a split vote, the Chairperson will then be allowed to cast the final deciding vote.

7.1.5

A meeting of the SRC will be held at least once every three months, but it can be held more often if required.

7.1.6

The quorum for the SRC will be 50 % +1 vote.

7.1.6

The SRC will run the NESCol SA on a day-to-day basis in line with the Constitution and its Schedules. The following will also be taken into consideration:

- relevant legislation;
- any decisions the Members make at any general meetings;
- any direction from the College's Regional Board and
- a condition of grant.

7.1.7

The SRC's responsibilities will include but will not be limited to:

- (a) agreeing NESCol SA Policy;
- (b) maintaining a relationship with the College and outside bodies;
- (c) NESCol SA campaigning and events;
- (d) organising short-term working groups to support local events;
- (e) supervising and coordinating the work of each Campus;
- (f) preparing an annual budget;
- (g) the day to day supervision of the work of the Sabbatical Officers;
- (h) contributing to and renewing the NESCol SA Strategic Plan;
- (i) reviewing the yearly Plan of Work;
- (j) preparing reports on regional activity for consideration by the class reps.
- (k) preparing an Annual Report in the final term of the Academic Year detailing the activities of NESCol SA for presentation to the Regional Board;
- (l) agreeing and managing regional level activities, services, and campaigns;
- (m) being responsible for communication between the Members and College's Regional Board and/or Senior Management.

7.2 The Campus Executive Committee (CEC)

7.2.1

There will be informal Campus Executive Committee meetings (CEC) at Aberdeen, Altens and Fraserburgh. These meetings will take place monthly and any issues will be taken forward to the SRC. Each CEC will be made up of the campus Sabbatical Officer(s) and the Executive Officers appointed for that campus.

7.2.2

Each CEC will be chaired by their respective campus Sabbatical Officer with a rotating chair between the Regional President and Depute at Aberdeen and Altens.

7.2.3

The CEC will run the local activities, services, and representative structures of the NESCol SA on a day-to-day basis. Operations will be in line with the Constitution and its Schedules, any relevant legislation and any decisions the Members make at a general meeting, decisions made by the Class Representative Forum (CRF) or regional strategy agreed by the SRC.

7.2.4

The responsibilities of each CEC will include, but not be limited to:

- (a) co-producing a local yearly plan of work
- (b) preparing reports for the local Class Representative Forum (CRF)
- (c) agreeing and managing local level activities, services, campaigns and priorities;
- (d) being responsible for communication between Members and the College's Regional Board and/or Senior Managers
- (e) keeping the Student Board Members and Committee Members informed of local issues

7.3 The Class Representative Forum (CRF)

7.3.1

The Class Representative Forum (CRF) is the collective name used within the Constitution for formal meetings of Class Representatives (class reps). This Forum exists in addition to the monthly Class Representative Meetings held to discuss learning and teaching and wider student issues.

7.3.2

All class reps will be eligible to attend their CRF at their campus. Every class rep who attends a meeting will have a vote and can speak at that meeting.

7.3.3

Sabbatical Officers and Campus Executive Committee Members will be eligible to sit on their local CRF.

7.3.4

The quorum for a meeting will be twenty (20) persons.

7.3.5

The CRF Chair and Depute Chair elected will be expected to attend all meetings at their campus. If they fail to attend three consecutive meetings without giving apologies, and do not provide satisfactory reasons, they will be considered to have resigned and a new Chair or Depute elected.

7.3.6

Any full Member of NESCol SA may attend CRF and speak with the permission of the meeting.

7.3.7

Members of one Campus CRF may attend and speak, but not vote, at the other CRF.

7.3.8

Only Members of the CRF who are present at the meeting, may vote.

Schedule 4

7.4 Complaints

7.1.1

All complaints should be handled sensitively, telling only those who need to know. NESCol SA will adhere to any relevant Data Protection legislation.

7.1.2

Any complaints about an individual officer or Member of the NESCol SA can be made informally through the Student Engagement Co-ordinator or formally through the NESCol complaints procedures. Copies of relevant forms will be made available.

Schedule 5

8.1 Clubs & Societies

8.1.1

The NESCol SA encourages student participation in sports and activities and will support groups of students to set up clubs and societies to provide these activities. These will include educational, religious, sporting or social pursuits.

8.1.2

The NESCol SA will approve the setting up of clubs and societies subject to the Clubs and Societies Policies and Procedures (See Appendix 3). If, in their opinion, there is a sufficient number of students wishing to participate in a particular activity and it is properly organised approval will be granted. Approval will entitle the groups to use College facilities for meetings and activities and they may apply for funding to the Executive.

8.2 Setting Up A Club Or Society

8.2.1

No club or society may receive funds from the NESCol SA or use its facilities without recognition in each Academic Year.

8.2.2

To be considered for approval, the club or society will complete an application form and submit a Group Agreement along with a list of prospective Members as outlined in the Clubs and Societies Procedures.

8.2.3

No club or society will be recognised if its aims conflict with those of NESCol SA. However, this restriction will not be interpreted to prevent the establishment of political, religious or ethnically based clubs and societies.

8.2.4

Any club or society that wishes to be recognised by the NESCol SA will present in the documents outlined in the Policies and Procedures:

- a) the name of the Club/Society;
- b) the aims and aims of the Club/Society (which will not be contrary to those of NESCol SA);
- c) names of the elected Chair and Vice Chair of the Club/Society;
- d) the responsibilities of the Committee;
- e) where relevant, provision for an annual review meeting at which an income and expenditure account will be presented and approved.

8.3 Money for Clubs and Societies

8.3.1

NESCol SA will earmark a sum in the NESCol SA budget, which will be for grant aid of recognised clubs and societies.

8.3.2

To receive funding an eligible club/society will submit a Funding Application Form

8.3.3

NESCol SA will meet and approve the funds in line with the NESCol SA budget. Allocations will be made based on the level of activity in the club/society; the number of Members it has and special equipment and travel considerations.

8.3.4

Funding requests will be overseen by the NESCol SA and the Student Engagement Co-ordinator.

8.4 Meetings of Clubs and Societies

8.4.1

Each club or society should have a minimum of one General Meeting per year where all Committee Members of the respective club/society should attend, unless reasonable apologies are submitted.

8.4.2

The Chair and/or Co Chair are responsible for arranging the dates of meetings and must inform the Members at least five college days in advance. Agendas should be available two days in advance of the meeting.

8.5 Responsibilities of Clubs and Societies

8.5.1

No-one from a club or society may commit either the club or society or the NESCol SA to any expenditure without prior authorisation from NESCol SA.

8.5.2

The club or society will be responsible for promoting itself during induction week to encourage new membership.

8.5.3

The club or society will not hold its own bank account. All its finance will be administered through the NESCol SA.

8.5.4

The club or society will hold no funds whatsoever outside the NESCol SA accounts.

8.5.5

The Chair and Co-Chair of the club/society will be responsible for the smooth running of any social events and activities and will be responsible for convening of general meetings.

8.5.6

The Chair and Co-Chair will be responsible for publicising general meetings, providing agendas and taking minutes of the meetings.

8.5.7

The club or society will be responsible for ensuring that all expenditure is legitimate and that it does not exceed the club or society allocation for that year. It will also ensure that an accurate list of all equipment purchased is kept and all equipment is returned to NESCol SA at the end of the Academic Year.

8.5.8

The Treasurer will ensure that all income received by the club or society is paid directly into the NESCol SA accounts and that no funds received by the club/society are withheld.

8.5.9

Where appropriate, the club/society will ensure that an income and expenditure account for the previous Academic Year is presented to the Annual Review meeting of the club or society, and copies are sent to NESCol SA.

8.5.10

Failure to abide by these this Schedule, the NESCol SA Constitution and Clubs and Societies Policies and Procedures, may result in suspension of the club or society.

Review deadline: December 2025

PART 3: APPENDICES

This section includes other regulations that NESCol SA must follow:

1. Legislation Supplement
2. Student Code of Conduct
3. Clubs and Societies
4. Definitions and Interpretations



PART 3: THE APPENDIXES

Appendix 1

LEGISLATION SUPPLEMENT: REFERENCES TO STUDENTS' ASSOCIATIONS IN LEGISLATION

This Supplement summaries key pieces of legislation relevant to students' associations.

Requirement to have a Students' Association

- Colleges must seek to ensure the interests of their students are represented by a students' association

The effect of section 7(2)(fa) of the Further and Higher Education (Scotland) Act 2005 (the 2005 Act) is to require colleges to have suitable arrangements for the purpose of seeking to ensure that the interests of their students are represented by a students' association. The provision is framed this way because it is not solely a matter for colleges that there is a functioning students' association.

Failure to have suitable arrangements of the type described in section 7(2) of the 2005 Act could mean, where relevant, (a) a college is removed from the list of bodies the Scottish Funding Council (SFC) can generally fund for education purposes; (b) board Members are removed from an incorporated college board or (c) a non-incorporated college is unassigned from its regional strategic body.

Duties on incorporated college boards to ensure their students' association is democratic and accountable.

- The Education Act 1994 (the 1994 Act) does not require colleges to have a students' association. Where there is an association, 1994 Act places duties on the board of management of an incorporated college to ensure the association is democratic and accountable.

Section 22 of the 1994 Act places duties on the board of management of every incorporated college to take such steps as are reasonably practicable to secure that any students' union for students at the establishment operates in a fair and democratic manner and is accountable for its finances. A students' association covered by this Framework is a type of students' union for the purposes of Part 2 of the 1994 Act. The Appendix to this Annex reproduces section 22 of the 1994 Act, as amended (as at March 2015).



Incorporated college boards

- There must be two Members of an incorporated college board

	Paragraph in Schedule 2 to 1992 Act
Specific to regional college boards	
Two persons are to be appointed by being nominated by the students' association from among the students of the college	3(2)(e)
Specific to assigned incorporated college boards	
Two persons are to be appointed by being nominated by the students' association from among the students of the college	3A(2)
Common to all incorporated college boards	
Members hold office until 31 August following their appointment	5(2)(b)
Members must vacate office if they cease to be a student of the college	5(2G)

Regional Boards

- There must be two Members of a Regional Board

	Paragraph in schedule 2B to 2005 Act
Two Members are to be appointed to the board in accordance with paragraph 4 of that schedule [nomination by students' association of an assigned college and in some circumstances following election]	3(2)(e)
Members hold office until 31 August following their appointment	7(2)(d)
A student Member must vacate office if they cease to be a student of one of the board's colleges	7(7)

Duties to collaborate with students' associations

- Regional colleges and regional strategic bodies must seek to secure the collaboration of students' associations

Regional colleges	Must, so far as is consistent with the proper exercise of its functions, seek to secure the collaboration of its students' association	Section 23B(5)(b) of the 2005 Act
Regional strategic bodies	Must, so far as is consistent with the proper exercise of its functions, seek to secure the collaboration of any or all of the students' associations of the colleges assigned to it	Section 23M(3)(c) of the 2005 Act

Duties to consult students' associations

- Regional colleges, regional strategic bodies, Scottish Ministers and the SFC have duties to consult students' associations

Regional colleges	Must consult must, where it considers it appropriate to do so in the exercise of its functions , consult its students' association	Section 23B(3)(b) of 2005 Act
Regional strategic bodies	Must, where it considers it appropriate to do so in the exercise of its functions , consult any of the students' associations of the colleges assigned to it	Section 23M(1)(c) of 2005 Act
	Before giving directions , must consult the students' association of every college to which the direction relates	Section 23N(4)(c) of 2005 Act
	Before making a transfer requirement must consult the students' association of every college to which the requirement relates	Section 23O(3)(c) of 2005 Act
Scottish Ministers	Before making regulations (in relation to incorporated colleges, must consult the students' association of each college to which the regulations relate	Section 3(7)(c) of 1992 Act
	Before making an order to close or merge a college or designate it as a higher education institution , must consult the students' association of each such college	Section 5(1A)(b)(iv) of 1992 Act
	Before issuing appointments guidance to a regional college or a regional strategic body (in relation to appointments to an assigned incorporated college), must consult the relevant students' associations	Paragraph 3C(2)(d) of Schedule 2 to the 1992 Act
	Before making an order to designate a regional college , must consult the college's student's association	Section 7A(2)(c) of 2005 Act
	Before making an order to assign a college to a regional strategic body , must consult the students' associations of the colleges to which the order relates	Section 7C(6)(d) of 2005 Act
	Before making an order to modify some circumstances where college consent must be obtained before a regional strategic body can require a transfer , must consult the students' association of each college assigned to a regional strategic body to which the order relates	Section 23O(13)(d) of 2005 Act
SFC	When conducting a review of further and higher education , the SFC must consult the students' association of any post-16 education body to which the review relates	Section 14A(4)(d) of 2005 Act

INFORMAL CONSOLIDATION OF SECTION 22 OF EDUCATION ACT 1994, AS AMENDED (AS AT MARCH 2015)

Requirements to be observed in relation to students' unions

- (1) The governing body of every establishment to which this Part applies shall take such steps as are reasonably practicable to secure that a students' union for students at the establishment operates in a fair and democratic manner and is accountable for its finances.
- (2) The governing body shall in particular take such steps as are reasonably practicable to secure that the following requirements are observed by or in relation to any students' union for students at the establishment:
 - (a) the union should have a written constitution;
 - (b) the provisions of the constitution should be subject to the approval of the governing body and to review by that body at intervals of not more than five years;
 - (c) a student should have the right:
 - (i) not to be a Member of the union, or
 - (ii) in the case of a representative body which is not an association, to signify that he does not wish to be represented by it, and students who exercise that right should not be unfairly disadvantaged, with regard to the provision of services or otherwise, by reason of their having done so;
 - (d) appointment to major union offices should be by election in a secret ballot in which all Members are entitled to vote;
 - (e) the governing body should satisfy themselves that the elections are fairly and properly conducted;
 - (f) a person should not hold sabbatical union office, or paid elected union office, for more than two years in total at the establishment;
 - (g) the financial affairs of the union should be properly conducted and appropriate arrangements should exist for the approval of the union's budget, and the monitoring of its expenditure, by the governing body;
 - (h) financial reports of the union should be published annually or more frequently, and should be made available to the governing body and to all students, and each such report should contain, in particular—
 - (i) a list of the external organisations to which the union has made donations in the period to which the report relates, and
 - (ii) details of those donations.
 - (i) the procedure for allocating resources to groups or clubs should be fair and should be set down in writing and freely accessible to all students;
 - (j) if the union decides to affiliate to an external organisation, it should publish notice of its decision stating:
 - (i) the name of the organisation, and
 - (ii) details of any subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made, to the organisation, and any such notice should be made available to the governing body and to all students;

- (k) where the union is affiliated to any external organisations, a report should be published annually or more frequently containing—
 - (i) a list of the external organisations to which the union is currently affiliated, and
 - (ii) details of subscriptions or similar fees paid, or donations made, to such organisations in the past year (or since the last report), and such reports should be made available to the governing body and to all students;
 - (l) there should be procedures for the review of affiliations to external organisations under which—
 - (i) the current list of affiliations is submitted for approval by Members annually or more frequently, and
 - (ii) at such intervals of not more than a year as the governing body may determine, a requisition may be made by such proportion of Members (not exceeding 5 per cent.) as the governing body may determine, that the question of continued affiliation to any particular organisation be decided upon by a secret ballot in which all Members are entitled to vote.
 - (m) there should be a complaints procedure available to all students or groups of students who:
 - (i) are dissatisfied in their dealings with the union, or
 - (ii) claim to be unfairly disadvantaged by reason of their having exercised the right referred to in paragraph (c)(i) or (ii) above, which should include provision for an independent person appointed by the governing body to investigate and report on complaints;
 - (n) complaints should be dealt with promptly and fairly and where a complaint is upheld there should be an effective remedy.
- (3) The governing body of every establishment to which this Part applies shall for the purposes of this section prepare and issue, and when necessary revise, a code of practice as to the manner in which the requirements set out above are to be carried into effect in relation to any students' union for students at the establishment, setting out in relation to each of the requirements details of the arrangements made to secure its observance.
- (4) The governing body of every establishment to which this Part applies shall as regards any students' union for students at the establishment bring to the attention of all students, at least once a year:
 - (a) the code of practice currently in force under subsection (3),
 - (b) any restrictions imposed on the activities of the union by the law relating to charities, and
 - (c) where the establishment is one to which section 43 of the Education (No.2) Act 1986 applies (freedom of speech in universities and colleges), the provisions of that section, and of any code of practice issued under it, relevant to the activities or conduct of the union. [Note: does not apply in Scotland].
- (5) The governing body of every establishment to which this Part applies shall bring to the attention of all students, at least once a year, and shall include in any information which is generally made available to persons considering whether to become students at the establishment:
 - (a) information as to the right referred to in subsection (2)(c)(i) and (ii), and
 - (b) details of any arrangements it has made for services of a kind which a students union at the establishment provides for its Members to be provided for students who are not Members of the union.

- (6) In subsections (2), (4) and (5) the expression “all students” shall be construed as follows:
- (a) in relation to an association or body which is a students' union by virtue of section 20(1), the reference is to all students at the establishment;
 - (b) in relation to an association or body which is a students' union by virtue of section 20(2), the reference is to all undergraduate, or all graduate, students at the establishment or to all students at the hall of residence in question, as the case may be;
 - (c) in relation to an association or body which is students' union by virtue of section 20(3), the reference is to all the students who by virtue of section 20(1) or (2) are comprehended by that expression in relation to its constituent of affiliated associations or bodies.
- (7) In this section the expression “Members” in relation to a representative body which is not an association, means those whom it is the purpose of the union to represent, excluding any student who has exercised the right referred to in subsection (2)(c)(ii).
- (8) In subsection (2)(j) to (l) the references to affiliation to an external organisation, in relation to a students' union for students at an establishment, include any form of Membership of, or formal association with, an organisation whose purposes are not confined to purposes connected with that establishment.
- (9) Subsection (2)(d) and (1)(ii) (elections and affiliations requirements to hold secret ballot of all Members) do not apply in the case of an open or distance learning establishment, that is, an establishment where the students, or the great majority of them, are provided with materials for private study and are not required to attend the establishment to any significant extent or at all.



Appendix 2

STUDENT CODE OF CONDUCT

Students attending North East Scotland have a right to study and socialise in a safe, nonthreatening environment. This Code of Conduct forms part of your learning agreement with the College and sets out the standards of behaviour expected.

It is supported by our values which apply to everyone who comes to the College to learn or work.

Our Values include:

Commitment and Excellence

- Understanding and responding to the needs of our students

Empowerment and Engagement

- Creating an environment where innovation and creativity are encouraged and can flourish
- Giving recognition and praise

Respect and Diversity

- Valuing the experience and talent of all.
- Treating others with dignity and respect
- Creating an accessible, inclusive learning and working environment
- Being fair, open and transparent to ensure a culture of mutual trust and integrity.

The Principal has final responsibility for the maintenance of good conduct by students. However, it is the responsibility of all staff to take positive steps to help students abide by this Code of Conduct and its meaning will be explained to all students at induction or their first session. The Code of Conduct equally applies to any residential, study visits or work placements.

Failure to maintain the standards and behaviour set out in this code may lead to action under the Student Disciplinary Policy.

Expectations of Students

While attending College, it is expected that you will:

- Treat others with dignity and respect
- Report inappropriate and unsafe behaviour
- Behave in a respectful, professional and mature manner
- Take pride in the College – keep all areas clean, tidy and free from litter
- Attend all classes
- Be punctual for all classes and bring essential equipment
- Ensure that you meet agreed deadlines and submit work on time
- Participate in all learning activities
- Seek help when you need it and take up the support offered
- Pay fees promptly.

Definitions of Unacceptable Behaviour and Gross Misconduct

In general terms, any failure to meet the requirements of this Code of Conduct is unacceptable. The following are examples of what the College considers to be unacceptable behaviours and/or gross misconduct which may result in disciplinary action.

It is not intended that this is an exhaustive list of such behaviours.

Unacceptable Behaviour

- Instances of poor behaviours in class or in College
- Failure to follow reasonable instructions of staff
- Unacceptable language
- Deliberate and repeated failure to complete and submit work to deadline on a regular basis
- Poor timekeeping with no reasonable or appropriate explanation
- Breach of attendance guidelines
- Inappropriate use of computers or any other technological device
- Smoking, including e-cigarettes, anywhere other than in the designated area.

Gross Misconduct

This is behaviour so serious that it could result in exclusion from College (this list is not exhaustive)

- Bringing the College into disrepute
- Any form of bullying or discrimination
- Any form of physical, emotional or verbal threat
- Abusive, offensive, aggressive language or behaviour
- Any illegal/criminal activity whether carried out on College premises or not
- Participating in any way in actions which could reasonably be expected to be subject to provisions of counter-terrorism legislation
- Carrying of offensive weapons
- Actions that breach the College's Health and Safety Policy including wilful damage to property
- Drug, solvent or alcohol possession at College
- Deliberate acts of plagiarism or cheating
- Inappropriate use of IT including social media
- Use of mobile devices to record images/voice of anyone without their knowledge or permission

In certain circumstances, a student may be sent home at the discretion of the Faculty Manager. This is not a formal suspension but a short term step to allow consideration of whether further action is appropriate or not.

Where the unacceptable behaviour is of a more serious nature (eg gross misconduct) the Faculty Manager may issue a precautionary suspension as part of the formal disciplinary process.

Working Remotely

In addition to the examples provided, the following list provides examples of conduct the College considers to be unacceptable whilst working remotely. (not an exhaustive list):

- Deliberate and repeated failure to engage with online learning activities
- without reasons,
- Uploading & sharing inappropriate and offensive materials,
- Deliberately and repeatedly issuing inappropriate, offensive and/or illegal e-messages and materials,
- Deliberately trying to use another person's identity to relay messages,
- Attempting to hack into other accounts,
- Deliberately engaging in online activities that lead to the spread of computer viruses,
- Downloading original work of other students without consent,
- Deliberately breaking software licensing agreements,
- Wilful damage to College owned devices on loan to students,
- Sharing online details of other students without consent,
- Appearing online dressed inappropriately,
- Smoking (including e-cigarettes), drinking alcohol or taking drugs whilst online,
- Deliberately engaging in activity that is regarded to be cyberterrorism, cyberstalking or cyberbullying

Please refer to the Student Code of Conduct publication on MYNESCol for further details.

Support

If a student has any concerns, s/he should discuss them with their Guidance Tutor or subject lecturer in the first instance.

Further Information

Through Course Blackboards and Student Net, each student will have access to the following College policies:

- Acceptable Use Policy – Students
- Assessment & Verification Policy
- Bullying Policy
- Complaints Policy
- Student Code of Conduct
- Student Disciplinary Policy and Procedure
- Copyright for Students
- Data Protection for Students
- Environmental Policy Statement
- Environmental & Sustainability Policy
- Equality & Diversity Policy Staff and Students
- Information, Advice, Guidance & Support
- Social Media Guidelines
- Student Alcohol & Substance Misuse Policy
- Position statement on Extremism & Radicalisation.

APPENDIX 3

CLUBS AND SOCIETIES

General Aims

Clubs and Societies are in place so that you can get the most out of your time at College and to bring students from across the College together outside of classes to share and develop common interests. Being part of a club or society should be a positive experience for everyone involved and this policy and procedures document will provide guidelines to achieve this.

This Policy and Procedures covers information on how to set up a club or society and advice and rules about how they should operate. If at any stage you need further help or advice with this, you should contact your Students' Association Officers or the Student Engagement Coordinator.

Set up and Support

NESCol SA will offer support and direction to any students wishing to set up a club or society. NESCol SA staff will not be involved directly in the running or operation of a club or society.

A club or society will need to elect a Chair and Co-Chair to oversee responsibility of the club or society activities and Membership and this should be done at the first meeting of the group.

Membership

Any Members of a club or society must be an enrolled North East Scotland College student.

A club or society must operate fairly, Membership should be open to all students aged 16 years and over while keeping to stated maximum Membership.

Where a club or society supports or is involved in activities that are not in line with the values of NESCol SA and College's Visions and Values, in term of equality and diversity their application will not be supported by the College or NESCol SA.

Responsibilities

Due care should be given to College premises and property when being used by a club or society and both should be used only for the stated club or society purpose.

The Student Code Of Conduct will supply to all club and society Members. The Chair and Co-Chair of a club or society should ensure that Members behave appropriately. Any concerns about behaviours should be made known to NESCol SA staff.

The same behaviours should be expected where the group use external premises but meet as a College club or group.

Any breach of the Student Code of Conduct will be dealt with according to the College Disciplinary Procedures and may result in club or society Members being removed from the group.

Where it comes to the attention of NESCol SA staff that a club or society is not running according to its stated aims and objectives or is operating unfairly then the club would be temporarily suspended or disbanded. The decision for temporary suspension being at the discretion of NESCol SA, the decision to disband would be the decision made jointly by the College and NESCol SA.

Either Chair or/and Co-Chair need to be present at all meetings of the club or society.

Fees

NESCol SA should hold Membership fees securely, preferably with the Students' Association. Fees raised must be used for stated purpose only and agreed by Membership.

Initial Set-Up and Application

Interest in setting up a club or society should be expressed using the Clubs and Societies Application Form (CS1) and supported by five signatures of interest including the lead signature. This is to be returned to the NESCol SA Regional or Depute President.

NESCol SA will agree a club or society in principle, subject to the completion of a Group Agreement (CS3) and aims and objectives being shared.

A club or society must establish a group agreement from the beginning and should be clear about the purpose, aims and objectives. NESCol SA, on the campus at which the group is meeting, will hold a copy of this.

Structure and Tasks

For a club or society to run effectively, a Chair and Co-Chair, must lead it. The Chair or Co-Chair would be required to send the NESCol SA Regional or Depute President a brief update on group activities during each College block. They can get in touch with NESCol SA at any time if there are issues, concerns or need for guidance advice.

Accurate Membership lists must be kept and shared with NESCol SA when updated. Groups will be required to establish minimum and maximum group numbers. The minimum should not fall below 5. Should numbers fall below minimum, the Chair should contact NESCol SA. If numbers reach the stated maximum it is recommended that a waiting list be put in place. An attendance sheet should be kept at each meeting. All documentation relating to clubs can be held in Association Office but the preferred aim would be that a Microsoft Team space be created on Office 365 with SA staff access.

Meeting Spaces and Times

A club and society must meet during the College working day, which is between 8.30am and 6pm Monday to Thursday and 8.30am and 4pm on Friday. They will not run beyond their stated meeting times.

The groups will operate in term-time only and will not have access to spaces on Training Days/ In-service or any other College closure days.

Club and society users will only access the allocated rooms during established times and should approach NESCol SA when any access is needed out with these times.

NESCol SA staff will work with the lead on identifying a suitable group meeting space and will contact Central Timetabling to book a suitable space.

The Chair or Co-Chair should notify NESCol SA when a booked room is not to be used. NESCol SA will then contact Timetabling so that others can access it.

Finances and Fees

A club or society may wish to charge a joining fee (records should be kept and money can be kept securely in the NESCol SA office). You will need to be clear what this have to be used for. A club or society will not charge Members for tuition or anything similar as these are interest groups and not classes.

Where a club or society requires equipment or needs to spend for initial set-up, application for financial support can be made to NESCol SA on the Club And Society Funding Application Form (CS2). Decisions on the allocation of funds will be at the discretion of the Students' Association and will depend on the budget available.

It is strongly advised that no financial commitments are made beyond the budgets held by any group. NESCol SA will not meet any financial liability.

Winding Down

A club or society should notify NESCol SA if there is an intention to discontinue the club or society.

Any remaining monies would be used to pay outstanding debts and then be re-distributed among Members.

NB. (at present, in NESCol, sports clubs are the remit of the Sport and Leisure sector and they should be approached for expression of interest in sport groups).

All forms referred to can be downloaded from or available from and should be returned to the NESCol SA Regional or Depute President, or the Student Engagement Co-Ordinator by email nescolsa@nescol.ac.uk

APPENDIX 4

DEFINITIONS AND INTERPRETATIONS

Affiliation - working closely with another organisation sometimes it may mean paying a fee to belong to another organisation. NESCol SA is affiliated to the National Union of Students (NUS)

Board or Regional Board - this is the College Board made up of College staff and advisers from outside of the College who oversee the direction and good practice of the College.

Executive – these are the Officers who are elected or appointed in October, volunteering in unpaid roles with NESCol SA. The Executive also includes the Presidents.

Governance – this is offering an organisation direction and advice

Quorum - the minimum number of people who have to be present at a meeting before the meeting can go ahead and decisions made can carried forward or be valid.

Returning Officer – this is a nominated person often from the National Union of Students who makes sure that our Elections are run fairly and correctly. The Deputy Returning Officer will be a Member of the College staff often the Student Engagement Co-ordinator.

Sabbatical Officer - Sabbatical means taking a year out to do something. In this case your Sabbatical officers are spending a paid year representing you in the NESCol SA. They are your Presidents.

Simple Majority – is calculated at 50 % + 1

Student Code of Conduct –the set of behaviours and standards that College expects from all students so that all students can have the best learning and wider student experience. NESCol SA expects that all Members respect the Student Code of Conduct.



Code of Practice

1.1 This Code of Practice is in accordance with the requirements of Chapter 30, Part II, Section 22(3) of the Education Act 1994 which requires that the College shall take such steps as reasonably practicable to ~~secure~~ ensure that the SA operates in a fair and democratic manner and is accountable for its finances. The Code of Practice should be read in conjunction with the Constitution and the Schedules.

Constitution

1.2 The SA shall have a written Constitution, approved by the ~~Regional Trustee Board~~ and reviewed by the Trustee Board at intervals of not more than five years. Any Significant amendments to the Constitution shall be approved by the Regional Board. Required updates to terminology will not require Board approval. ~~Trustee Board and subsequently, by the Board of Management of the College.~~

Elections

1.3 Appointment to major SA offices shall be done by the way of election in where the method is done by secret ballot in which all Members of the SA are entitled to vote, in accordance with the Constitution.

1.4 The SA shall agree the appointment of an independent Returning Officer to conduct the Elections and shall satisfy itself that the elections are done in a fair and appropriate manner and that the election was properly conducted.

Sabbatical Officers

1.5 No person shall hold a single Sabbatical Office position for more than two years in total.

Membership

1.6 All registered students of the College, over the age of 16, shall be Members of the SA unless they choose to relinquish their rights of membership in accordance with the opt-out regulations contained in ~~the Articles~~ Schedule 1. Members shall be informed annually by the College of the opting-out procedure and of the consequences of doing so. Any Members opting-out of the SA shall not be unfairly disadvantaged with regard to the provision of services or otherwise, by reason of their having done so.

1.7 The consequences of opting-out of membership shall be:

1.7.1 A student may not participate in any of the democratic processes of the SA.

1.7.2 A student shall not hold office in any club and society of the SA.

1.7.3 A student will not be represented by the SA.

Finances

1.8 The financial affairs of the SA shall be properly conducted in accordance with the Constitution and Schedules and will include appropriate arrangements for the approval of the SA budget and monitoring of expenditure by the College corporation.

1.9 The annual accounts of the SA shall be made available to the Regional Board's Curriculum & Quality Committee as part of the Committee's consideration of the SA's annual budget proposal and at other times at the Committee's request, ~~Trustee Board~~ and to all Sstudents.

Allocation of Resources to Clubs, Societies and Groups

1.10 The procedure for allocating resources to clubs, societies and groups shall be fair in accordance with the Constitution and shall be made available in writing to all students.

Affiliation to External Organisations

1.11 Any decision to affiliate to an external organisation shall be published, stating the name of the organisation and details of any subscription or similar fees paid or donations made to the organisation and any such notice shall be made available to all students. This should be in accordance with the Constitution.

1.12 The SA shall, on an annual basis, publish a list of subscriptions to which the SA is currently affiliated and details of subscriptions or similar fees paid or donations made to such an organisation in the past year, which shall be made available to all students, and the Regional Board's Curriculum & Quality Committee as part of the Committee's consideration of the SA's annual budget proposal~~Trustee Board~~.

1.13 The Regional Board's Curriculum & Quality Committee~~Trustee Board~~ shall approve annually the list of SA affiliations as part of the consideration of the SA's annual budget proposal. At least 100 Members of the SA may, at intervals of not less than one year, by a signed requisition delivered to the Sabbatical Officers, call for a secret ballot of all Members on the continuation of affiliation to a particular organisation.

Freedom of Speech

1.14 The SA and its Members are bound to observe the North East Scotland College Code of Practice in relation to freedom of speech as required by Section 43, Chapter 61, Part IV of the Education (No.2) Act 1986.



REGIONAL BOARD	
Meeting of 16 December 2020	
Title: Strategic Risk Register	
Author: Pauline May, Director of Strategy & Planning	Contributor(s): Executive Team, 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 the College's Strategic Risk Register.	
Linked to Strategic Goal: This Agenda Item relates to the achievement of all five Strategic Goals.	
Linked to Annual Priority:	
Executive Summary:	
<p>At the Board Meeting held in October 2020 Members were advised that the College's Strategic Risk Register would be submitted to the Meeting of 16 December 2020 for the Board to approve and readopt the document.</p> <p>Members will also recall that it had previously been reported that a risk management training session would be provided to both the Board and Leadership Team on 16 December 2020. However in order to ensure that the required time can be allocated to the session it has now been agreed that this training will be rescheduled for the new year.</p> <p>Attached as Appendix 1 is the latest version of the College's Strategic Risk Register. The document has been reviewed by the Executive and Leadership Teams following the Board's Strategy Event and has also been considered by the Audit & Risk Committee at its meeting on 02 December 2020.</p> <p>The following changes to the Register were highlighted at the latest meeting of the Audit & Risk Committee:</p> <ul style="list-style-type: none"> • A new risk, 2.2, relating to the potential impact of Brexit on the recruitment of the College's workforce has been added • Risk 5.7 has been reworded to reflect a change to the Flexible Workforce Development Fund and the risk scorings updated accordingly • Additional 'Further Actions' and 'Current Controls' have been added to a number of risks to ensure that the Register reflects current practice and new considerations. 	

At the Committee Meeting It was suggested that consideration should be given to the longer-term categorisation of COVID-19 related risks as some are likely to remain as general health and business development related risks for example. It was also noted that the upcoming risk management training session would support further consideration of how the College's key risks are recorded and managed.

The Register continues to be reviewed monthly by the Executive and Leadership Teams, and is a standing item at meetings of the Audit & Risk Committee.

Recommendation:

It is recommended that the Board consider, and if so minded, approval the College's Strategic Risk Register.

Previous Committee Recommendation/Approval (if applicable):

Audit & Risk Committee 02 December 2020

Equality Impact Assessment:

Positive Impact

Negative Impact

No Impact

Evidence:

NORTH EAST SCOTLAND COLLEGE STRATEGIC RISK REGISTER

Approved by: Regional Board
Last considered by Audit & Risk Committee: 02/12/20
Last reviewed by Leadership Team: 19/11/20

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	COVID-19	IF the future skills needs of the region are not clear THEN ensuring that the College's curriculum contributes to national and regional economic recovery will be challenging	VP C&Q	4	5	20	Engagement with SDS and industry partners, Use of available intelligence and data, Identification of NESCol Business Priorities - Curriculum, Participation in Regional Economic Strategy Group, ACC Socio Economic Rescue Plan, Regional Learning & Skills Partnership, Curriculum Quality & Student Support Committee, Campus Futures	3	5	15	2	2	4	Above Target	TREAT - Improved market intelligence and data sharing with partners, Refreshed curriculum planning process, New Stakeholder Engagement Plan, Continuation of Business Priorities work - Curriculum Area Recovery Plans, Course Discontinuance Criteria, Review College's strategy for distance learning	VP C&Q/Directors of Learning/Director of Business Development	Continuous	Regional Board, Curriculum & Quality Committee
1.2	COVID-19	IF the region continues to experience economic shocks and challenges due to the COVID-19 pandemic and oil & gas downturn THEN the College may face detrimental impacts on its functions and services	Leadership Team	4	4	16	External engagement activities, Scenario planning	4	4	16	4	2	8	Above Target	TREAT - Horizon scanning, Contingency planning, Leadership Team review of lessons learned to date, Curriculum portfolio review - increased flexibility, upskilling & retraining opportunities	Leadership Team	Continuous	Regional Board
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, retain and develop appropriately qualified staff, THEN this will adversely impact on the learner experience and the College's ability to deliver the curriculum of the future	Principal	3	4	12	People Strategy, Recruitment & Selection Policy, Strategy & Procedure, Induction arrangements, Organisational Development and Learning Technologies 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, Refreshed approaches to Workforce Planning and Talent Management.	Director of People Services	Continuous	Human Resources Committee
2.2	NEW	IF there is a No Deal Brexit THEN the free movement of the workforce could be prevented and the College may not be able to recruit to key roles	VP F&R/Director of People Services	3	3	9	Workforce planning, Talent management, Widening recruitment pools	4	3	12	4	3	12	On Target	TOLERATE - Monitoring of Home Office guidance	VP F&R/Director of People Services	Continuous	Regional Board, Human Resources Committee
2.3	↔	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	Organisational development and Learning Technologies activities, Staff consultation events, College meetings and briefings, All Staff Development Days, Regular LINC meetings, Continued commitment to IIP	3	3	9	2	2	4	Above Target	TREAT - Learning and development activities, Online Leadership Team Q&A sessions, Further enhancement of staff communication mechanisms	Principal	Continuous	Curriculum & Quality Committee, Human Resources Committee
2.4	↔	IF national collective bargaining agreements do not provide required flexibility THEN the College may not be able to meet delivery requirements in AY2020-21	Principal	3	4	12	Effective partnership working with local TU representatives, Engagement with Employers' Association	4	4	16	2	2	4	Above Target	TREAT - Implement temporary local agreements reached with LINC, Implement temporary arrangements for TU Nominees to attend Regional Board Meetings until new legislation is enacted, Enhanced Staff Communication Strategy	Principal with Director of People Services	Continuous	Regional Board, Human Resources Committee
2.5	COVID-19	IF Scottish Government guidance continues to advise for an extended period of time that staff should work from home where possible THEN staff morale, productivity and the quality of the learner experience may be negatively affected	Leadership Team	3	3	9	Extensive staff guidance, Home working procedures, Clear communication methods, College systems to support remote teaching and working, Health & Wellbeing Strategy & Plan, Effective staff consultation and feedback mechanisms, Employers' Association membership, Contributing to national working groups to influence national outcomes where possible	4	3	12	4	1	4	Above Target	TREAT - Revisit homeworking guidance, Consideration of working patterns, Consider potential longer term wellbeing issues	Leadership Team	31/10/2020	Human Resources Committee
2.6	COVID-19	IF there is increased uncertainty and stress due to remote working and teaching, and worries about job security THEN the College may have insufficient staffing levels impacting negatively on the learner experience	Director of People Services	4	4	16	Employee Assistance Programme, Peer Support Programme, Regular communications - emails and staff webinars, Homeworking procedures, Teaching Online @ NESCol Blackboard course	3	3	9	2	2	4	Above Target	TREAT - Issue second Staff Wellbeing Survey to identify any required improvement to staff information, guidance & support, Provision of virtual management skills training	Director of People Services	31/10/2020	Human Resources Committee
2.7	COVID-19	IF teaching staff are lacking in knowledge/experience/confidence to facilitate blended education for a prolonged duration THEN learner engagement and outcomes will be negatively affected	Director of People Services with VP C&Q and Directors of Learning	4	4	16	Curriculum Planning & Delivery Handbook, Staff training for blended delivery, Learning Technologies activities, Formal homeworking procedures, Health & Wellbeing Strategy and Plan	3	4	12	1	2	2	Above Target	TREAT - Ensure teaching staff complete Teaching Online @ NESCol Blackboard Course, Seek student feedback on learning experience (First Impressions Survey)	Directors of Learning, Director of Quality	31/07/2021	Curriculum & Quality Committee
2.8	↔	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, Learning & Development activities, Internal audits, Programme review, Student feedback	2	3	6	2	2	4	Above Target	TREAT - Implement refreshed approach to organisational development	Director of People Services with VP C&Q and Directors of Learning	Continuous	Curriculum & Quality Committee
2.9	↔	IF students do not engage with formal representation processes and activities THEN the learner voice will not be considered as part of the College's quality improvement agenda	Director of Learning (Enterprise, Innovation and Aberdeen Futures), Director of Quality	4	3	12	Student Engagement Action Group (SEAG), Student Engagement Framework, Student induction process, Student focus groups, Student surveys	3	3	9	2	3	4	Above Target	TREAT - Regular communications, SA Action Plan, Review student representation on College Action Teams	Director of Learning (Enterprise, Innovation and Aberdeen Futures)	Continuous	Curriculum & Quality Committee
2.10	↔	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	2	8	Financial and ET support to SA, Partnership Agreement, SA contributions at Board and Committee meetings and Board Strategy Events, Student Engagement Action Group (SEAG), Student Engagement Framework	3	2	6	2	2	4	Above Target	TREAT - Review of SA structure and purpose, Review College's representation models, SA Action Plan	Director of Learning (Enterprise, Innovation and Aberdeen Futures)	Continuous	Curriculum & Quality Committee

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 C&Q/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 - refreshed Marketing & Communications Strategy, Maximise benefits from AGCC and SCDI membership and events, New Stakeholder Engagement Plan	VP C&Q/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 C&Q/Directors of Learning/Director of Business Development	4	3	12	Engagement with LAs, 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 C&Q/Directors of Learning/Director of Business Development	Continuous	Curriculum & Quality Committee									
3.3	↔	IF universities 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 C&Q/Directors of Learning/Director of Business Development	3	3	9	Articulation Agreements, TWO PLUS Alliance with RGU, Ongoing strategic dialogue	2	3	6	1	2	2	Above Target	TREAT - Establishment of Joint Planning & Delivery Board with RGU, Joint marketing campaigns, Enhance opportunities for articulation with universities out with the local region	VP C&Q/Directors of Learning/Director of Business Development	Continuous	Curriculum & Quality Committee									
3.4	↔	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 and experience a decrease in ESOL and nautical applications	Principal	2	5	10	Monitoring of Brexit developments, College's Brexit Action Log, Partnership working, Consideration of SFC and Colleges Scotland guidance, Lobbying of Government	4	3	12	3	2	6	Above Target	TOLERATE - Continue to monitor impacts of Brexit, Marketing campaign on the College's USP	Principal	30/09/2021	Regional Board, Curriculum & Quality Committee									
3.5	↔	IF national agencies seek to strengthen their influence over regional development priorities THEN the College may face increased bureaucracy, capacity pressures related to partnership working and requirements to respond to conflicting priorities	Executive Team	3	4	12	Engagement with national agencies, Reviews of policy changes, Reviews of key external reports and identification of potential impacts on the College	2	4	8	1	3	3	Above Target	TREAT - Strengthening of engagement with agencies - relationship management, sharing of data; challenging and 'push back' when required	Executive Team	Continuous	Regional Board									
4														Strategic Goal 4: Deliver an excellent learning environment and experience leading to successful outcomes for all learners. Risk Appetite - Cautious													
4.1	↔	IF the College does not have sufficient capacity to address the wide-ranging and complex needs of the student body, THEN the health and wellbeing of students will be negatively affected leading to diminished learner experiences and outcomes	VP C&Q/Directors of Learning/Director of Student Access & Information	4	4	16	Access & Inclusion Strategy, Whole-College Student Support Model, Student feedback, Staff training and upskilling, Regular review of policies and procedures, Use of Student Information Portal (SIP) and online referral systems, Promotion of Together All, Student Counselling Service, Signposting to external organisations, Wellbeing, Safeguarding & Support Plan, Framework for Supporting Successful Students	3	3	9	2	3	6	Above Target	TREAT - Review usage of Student Support Services and new online booking system, Monitor effectiveness of current remote student support model, Seek student wellbeing feedback	VP C&Q/Directors of Learning/Director of Student Access & Information	Continuous	Curriculum & Quality Committee									
4.2	↔	IF student outcomes do not improve as planned THEN the College's ability to achieve its SFC activity target will be reduced	Leadership Team	4	3	12	Effective student information, advice, guidance and support, Course design, Engaged and motivated staff, Appropriate staffing levels, Reporting and monitoring of KPIs (KPI Meetings), Improved credits forecasting model, Learning development activities, Framework for Supporting Successful Students, SFC funding to support digital provision	5	4	20	2	3	6	Above Target	TREAT - Additions to AY2020-21 curriculum offer to support regional reskilling & retraining needs - full-time late starts, new part-time courses Strengthen KPI monitoring and reporting process, Develop approaches to reducing early withdrawal.	Leadership Team	Continuous	Curriculum & Quality Committee									
4.3	↔	IF the SFC does not provide sufficient capital maintenance funding to maintain modern fit-for-purpose buildings, infrastructure and equipment, 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	Continuous	Finance & Resources Committee									
4.4	↔	IF an emergency/disaster/significant systems failure occurs THEN the learner experience, learner outcomes, and the generation of credits will be negatively impacted upon	Principal	3	5	15	Business Continuity Plan, Scenario and desktop exercises, Insurance on buildings and equipment, IT disaster recovery arrangements, College systems to support remote teaching and working	4	5	20	1	5	3	Above Target	TREAT - Refresh Business Continuity Plan and supporting documentation, Improve staff awareness of College Business Continuity Plan and emergency responses.	Principal	Continuous	Regional Board									
4.5	↔	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	3	Above Target	TREAT - Continue staff training and awareness raising.	VP F&R	Continuous	Regional Board									
4.6	COVID-19	IF the region experiences a second wave of the COVID-19 pandemic THEN the College may need to revert to a closed campus operating model negatively impacting on delivery of courses and the overall learner experience	Leadership Team	4	4	16	Scenario planning, Weekly Leadership Team meetings, Ongoing review of all available guidance, Refreshed approach to business continuity	3	3	9	3	2	6	Above Target	TREAT - Leadership Team review of lessons learned to date	Leadership Team	31/07/2021	Regional Board									
4.7	COVID-19	IF social distancing requirements are kept in place for an extended period of time THEN the College may not be able to complete delivery for all enrolled students	VP C&Q with Directors of Learning & Director of Business Development	4	5	20	Scenario planning, Ongoing monitoring processes, Ongoing review of available guidance, Risk assessments	4	3	12	4	2	8	Above Target	TREAT - Review of risk assessments and room capacities in line with updated guidance, Review of planned unit delivery and assessment schedule to prioritise key units	VP C&Q with Directors of Learning & Director of Business Development	31/07/2021	Regional Board, Curriculum & Quality Committee									
4.8	COVID-19	IF capacity limitations dictate that courses require content to be condensed and delivered online THEN this may lead to insufficient delivery time and de-motivated or anxious students	VP C&Q with Directors of Learning	5	4	20	Review of Programmes of Study prior to start of AY, Timetabled Academic Guidance, Student Support Services	4	3	12	3	2	6	Above Target	TREAT - Review of planned unit delivery and assessment schedule to prioritise key units, Student feedback	VP C&Q with Directors of Learning & Director of Business Development	31/07/2021	Curriculum & Quality Committee									
4.9	COVID-19	IF the College cannot guarantee the quality of the learning experience for certain cohorts (e.g. schools, FAs, regulated qualifications) THEN it may not be possible/ethical to deliver some courses	VP C&Q with Directors of Learning & Director of Business Development	4	4	16	Engagement with LAs, Schools Liaison Team, Scenario planning	3	4	12	2	2	4	Above Target	TREAT - Identification of alternative qualifications, Joint risk assessment with LAs	VP C&Q with Directors of Learning & Director of Business Development	31/07/2021	Curriculum & Quality Committee									
4.10	COVID-19	IF the College's blended delivery model is unattractive to some learners THEN a decrease in student retention and applications may be experienced	VP C&Q with Directors of Learning	3	4	12	Increased provision of academic guidance, Monitoring of online student attendance and engagement	3	4	12	2	2	4	Above Target	TREAT - Promotion of good news stories/case studies re: learner experience, Sharing of good practice across curriculum teams	Director of M&C, Directors of Learning, Director of Business Development, Director of Quality	30/09/2021	Regional Board, Curriculum & Quality Committee									
4.11	COVID-19	IF Scottish Government guidance does not enable on campus delivery of School Links provision THEN the College is unlikely to achieve its credits target and future enrolment pipelines may be adversely affected	VP C&Q with Directors of Learning & Director of Business Development	4	5	20	Engagement with LAs and headteachers, Schools Liaison Team	4	5	20	3	3	9	Above Target	TREAT - Joint risk assessment with LAs, Communications with school pupils and parents, Identification of additional credit generating activity	VP C&Q with Directors of Learning & Director of Business Development	31/07/2021	Regional Board, Curriculum & Quality Committee									

5														Strategic Goal 5: Optimise the use of our available resources to deliver financial and environmental sustainability. Risk Appetite - Averse													
5.1	↔	IF the College receives insufficient SFC income THEN the College's ability to achieve a balanced budget will be adversely affected and future credits targets may be reduced	Leadership Team		4	5	20	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		5	3	15	1	4	4	Above Target	TREAT - Contingency planning for the College failing to meet its credits target, Seek additional sources of funding, Develop approaches to reduce early withdrawal, Use of Voluntary Severance Scheme, Implementation of Staff Flexible Working, Recruitment Freeze	VP F&R	Continuous	Finance & Resources Committee, Curriculum & Quality Committee, Regional Board							
5.2	↔	IF staff pay awards require to be implemented for AY2020-21 THEN the College is unlikely to achieve a balanced budget	Leadership Team		4	5	20	Membership of Employers' Association, Engagement with SFC and Scottish Government		4	4	16	2	3	6	Above Target	TREAT - Planned reduction in staffing costs - permanent & temporary	Leadership Team	31/07/2021	Regional Board, Finance & Resources Committee							
5.3	↔	IF sufficient non-SFC income levels are not achieved THEN the College will not be able to financially invest in innovation, staff and facilities	VP F&R/VP C&Q/Director of Business Development		4	5	20	Business Development Strategy, Employer/client engagement, Save Well-Spend Well initiative		5	4	20	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 C&Q/Director of Business Development	Continuous	Finance & Resources Committee							
5.4	↔	IF regional demand reduces, THEN the credit target may not be achieved resulting in clawback and reduced funding in future years	Leadership Team		4	5	20	Marketing & Communications Strategy, Engagement with CPPs, schools and employers, Data analysis, Effective marketing		4	4	16	2	3	6	Above Target	TREAT - Contingency planning for the College failing to meet its credits target, Refreshed Marketing & Communications Strategy, Improved identification and use of market research and intelligence	VP F&R	Continuous	Curriculum & Quality Committee							
5.5	↔	IF candidate numbers are insufficient to meet SDS targets in relation to Modern Apprenticeships (MAs) and Foundation Apprenticeships (FAs), THEN the allocation of future places may be reduced	VP F&R/VP C&Q/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		4	4	16	2	3	6	Above Target	TREAT - Continue promotion of benefits of undertaking an FA to school pupils, parents & employers, Develop model with schools for co-creation of pathways, Lobbying senior LA partners re: need for closer alignment of FA provision, Continue to promote MA places with employers incl. access to existing FT student cohort who may have already completed parts of MA framework, Promote AAA opportunity as an added incentive to reduce impact of redundancies	VP F&R/VP C&Q/Director of Business Development	Continuous	Curriculum & Quality Committee							
5.6	COVID-19	IF challenges arise around the delivery of undelivered AY2019-20 and AY2020-21 FWDF activity THEN the College may be unable to retain FWDF funding and experience reputational damage with employers	Director of Business Development		4	4	16	Effective Marketing, Maintaining strong relationships with existing Apprenticeship Levy payers and identify new, Issue Associate Trainer tender to increase breadth of portfolio and capacity for delivery of commercial programmes		4	4	16	2	3	6	Above Target	TREAT - Sourcing of additional associate assessors, Increase business development resources to support increased employer engagement, Additional targeting of small businesses as now eligible for funding	Director of Business Development	31/07/2021	Regional Board, Finance & Resources Committee							
5.7	↑	IF the opening up of the Flexible Workforce Development Fund to private training providers leads to employers focusing on specialisms rather than general training THEN the College's customer list could diminish leading to increased competition for securing employers and related funding	Director of Business Development		5	3	15	Lobbying Scottish Government through Colleges Scotland & Business Development Directors Network, Portfolio reviews to ensure offer remains relevant, attractive and competitive to employers, Ongoing identification of new employers (incl. SMEs)		3	4	12	1	3	3	Above Target	TREAT - Employer Engagement Strategy, Sourcing of additional associate assessors, Seek to maintain consistent messaging across college sector to protect FWDF college funding	Director of Business Development	Continuous	Regional Board, Finance & Resources Committee							
6														Other. Risk Appetite - Avoid													
6.1	↔	IF staff do not adhere to key statutory obligations and legislative requirements, including the Equality Act 2010, Freedom of Information (Scotland) Act 2002, General Data Protection Regulation (GDPR) 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, SPSO & Scottish Information Commissioner)		4	2	8	1	4	4	Above Target	TOLERATE - Provide up-to-date staff training on legislative requirements and related College policies.	Executive Team	Continuous	Regional Board							
6.2	↔	IF the College fails to equality impact assess key decisions and policy changes THEN it may disadvantage those with certain protected characteristics and/or vulnerable groups and individuals and negatively affect the College's reputation regarding access and inclusion	Regional Board/ Executive Team/ Leadership Team		3	4	12	EIA standing item at Leadership meetings, EIA section of Board cover papers		2	4	8	1	4	4	Above Target	TREAT - Establish Equality Impact Assessment Review Group as sub-group of Equalities Committee	Director of Learning (Equalities, Analytics and Altens Futures)	31/07/2020	Regional Board							
6.3	↔	IF the College is the victim of a cyber attack THEN the College may experience IT systems outages and/or data security breaches, both resulting in significant business disruption	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		3	3	9	1	5	5	Above Target	TREAT - Complete work to improve IT business continuity and disaster recovery arrangements, Continue working with the HESTIS service to achieve the objectives set out in the Scottish Government Cyber Resilience Framework, Refreshed IT Security Policy with new supporting suite of sub-policies.	Director of IT & Technical Services	Continuous	Regional Board							
6.4	COVID-19	IF COVID-19 and the threat of a no-deal Brexit continue to affect supply the supply chain for equipment THEN the College's ability to procure the necessary equipment for successful delivery of services will be impacted	VP F&R		4	4	16	Working with sector colleagues, vendors, partners and procurement framework providers to understand risk and lead times for key equipment		4	3	12	3	2	6	Above Target	TREAT - Contingency planning, Review of suppliers to identify possible alternatives	VP F&R with relevant Leadership Team members	31/12/2020	Regional Board, Finance & Resources Committee							
6.5	↔	IF staff do not adhere to required data processing arrangements THEN the College may experience unavailability or loss of personal data, with potential for monetary fines of up to 4% of turnover, reputational damage and normal business processes being negatively impacted or ceasing altogether	VP F&R		4	4	16	DPO in place, DP and IT Security policy and procedures in place, GDPR action plan, Staff training		4	3	12	2	2	4	Above Target	TREAT - Complete work on the GDPR action plan; continue the rolling programme of staff training; contribute to the completion of actions to Achieve Cyber Essentials Plus Accreditation; complete data audit work to populate the Register of Processing Activity (RoPA); contribute to records management work (esp. retention and disposal of records)	Director of Student Access & Information	Continuous	Regional Board							
6.6	↔	IF the College experiences a number of positive COVID-19 cases, staff or students, THEN it may be required to operate a temporary closed campus model	Leadership Team		4	5	20	Clear guidance on symptoms, reporting procedures, required behaviours, Implementation of social distancing measures including reconfigured classrooms & public spaces and one way routes, Increased cleaning and hygiene practices, Campus Priority Plans		4	5	20	2	5	10	Above Target	TREAT - Reinforcement of required behaviours, Regular reviews of measures in place to identify any required improvements, Leadership Team review of lessons learned to date, Continue to build relationship with NHS Health Protection Team	Leadership Team	Continuous	Regional Board							
6.7	COVID-19	IF Scottish Government guidance continues to prevent the holding of on Campus meetings and events e.g. Open Days, Career Events THEN the College's ability to deliver key business as usual activities and the meeting of enrolment targets will be negatively impacted	Leadership Team		5	3	15	increased social media presence, press releases and news coverage		4	3	12	4	2	8	Above Target	TREAT - Develop programme of virtual open days and events, Create recorded material for input to schools career activity	Director of M&C	30/09/2021	Regional Board							

Appetite						
	5					
	4					
	3					
	2					
Likelihood	1					
		1	2	3	4	
		Impact				



Likelihood	Impact	Risk Control
Almost 5 certain 80% +	5 Critical Substantial effect upon the objective, thus making it extremely difficult/costly to achieve	TERMINATE - Eliminates the risk completely
4 Very likely 60% - 80%	4 Significant Considerable effect on the objective, making it more difficult /costly to achieve	TRANSFER - Passes the Risk to a third party, who bears or shares the impact
3 Likely 40% - 60%	3 Moderate Evident and material effect on the objective, making it fully achievable only with some moderate additional difficulty or cost	TREAT - Containment. Reduces the likelihood and/or the impact. Contingent. Establishes a contingency to be enacted should the Risk happen
2 Unlikely 20% - 40%	2 Minor Small but noticeable effect on the objective, making it fully achievable but with some minor difficulty/cost	TOLERATE- Accept the Risk, subject to monitoring
Very 1 unlikely Less than 20%	1 Marginal Peripheral effect upon the objective, impacting only in minor way upon achievement	



REGIONAL BOARD	
Meeting of 16 December 2020	
Title: SFC Review Phase 1 – NESCol Response	
Author: Neil Cowie, Principal & Chief Executive	Contributor(s): Executive Team, 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 enable the Regional Board to consider a proposed response to the SFC in relation to Phase 1 of its Review on Coherence and Sustainability.	
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:	
At the Board's Strategy Event held in November 2020 a session was held on the findings of Phase 1 of the SFC Review - Coherence and Sustainability .	
The session focused on a presentation from the SFC Chief Executive, K Watt, followed by a Q&A session and was attended by the Regional Board and Executive and Leadership Team members. At the Event K Watt encouraged the College to submit feedback to the SFC on the Phase 1 Report,	
Attached as Appendix 1 is a proposed response to the SFC which has been drafted by members of the Executive and Leadership Teams in response to key themes highlighted in the Report.	
Recommendation:	
It is recommended that the Board consider, and if so minded, endorse the College's response to the Phase 1 Report prior to its submission to the SFC.	
Previous Committee Recommendation/Approval (if applicable):	
None	

Equality Impact Assessment:

Positive Impact

Negative Impact

No Impact

Evidence:

SFC REVIEW PHASE 1 FEEDBACK

INTRODUCTION

North East Scotland College (NESCol) welcomes the publication of the Report of Phase 1 of the SFC's Review "Coherence and Sustainability: A review of Scotland's Colleges and Universities".

The College is also appreciative of the opportunity to provide feedback on the Report and as such the following narrative has been prepared by the College's Executive and Leadership Teams, and has been **endorsed by the NESCol Regional Board**.

CHAPTER TWO

- **SFC Priorities over the 'Emergency Years'**

The College fully supports the SFC's identified priorities for the 'Emergency Years', understanding that first and foremost matters pertaining to public health and safety must take first priority. This said, if we are collectively and successfully to recover we need all to play our part in providing stability and sustainability, both socially and economically.

The College also recognises that we are working at 'two speeds', or by way of an alternative analogy, that we are simultaneously travelling on parallel tracks which will, at some point in the future, converge. For NESCol, one track represents our activities to address the consequences of the global pandemic and the other represents our longer term ambitions to successfully play our part in economic recovery, reform and prosperity.

For us, in the North East of Scotland, this is even more challenging as we are experiencing the 'double-whammy' of the global pandemic alongside the oil price crash that is decimating the region's oil and gas industry. Indeed, recent figures suggest that confirmed redundancies in Aberdeen City and Aberdeenshire currently represent 42% of the Scottish total.

Our national, regional and local responses to the global pandemic have shown both ourselves and our partners how inefficient we have been prior to the pandemic. We must learn lessons from this experience, take the opportunities available and evolve our future approaches in order that we provide stability and flexibility for our respective institutions and more targeted support for those we serve. The priorities identified within the Review report are good starting point for further detailed discussion on how colleges, universities and their partners respond to economic and societal need in the short, medium and longer term.

CHAPTER THREE

- **Theme One: Keeping the interest of current and future students, and equalities, at the heart of everything we do**

The interests of students and creating equality of opportunity continue to dominate the strategy and operation of North East Scotland College.

SFC REVIEW PHASE 1 FEEDBACK

Course design and review is central to provision of the right learning in the right places. In the current circumstances this is a shifting scene and so flexible and responsive planning is essential. To that end, the College is undertaking an extensive Business Priority review to ensure resources are directed towards the most relevant and successful subject areas in order that our students are provided with relevant skills and knowledge for careers in the changing world. Work with partners in local authorities and regional universities also ensures that flexible entry and exit points are available, providing a selection of learner journeys which enable wider access and equality of opportunity.

Whilst the College has always been sector-leading in its range and success with articulation links, the next phase of this development is now underway. In partnership with Robert Gordon University it is now sharing its plans to further integrate tertiary education in the region, including development of new regionally developed provision, closer collaboration with schools and joint marketing to ensure a coherent message to young people.

The College has embraced the opportunity resulting from lockdown and restricted Campus access to enhance its digital learning capacity for both students and staff. We were able to build on our strong digital infrastructure to ensure staff and students were well provisioned with the necessary resources and skills to enable learning to take place off Campus. The lessons learned from this phase are now being applied so that high standard blended learning can be provided widely in future to enhance flexibility and choice in how students attend and learn.

The importance of staff and student wellbeing has not been neglected during the changes, with teams developing innovative ways of interacting online to provide opportunities for informal connection and maintenance of a sense of belonging to the college community. Student support services have been adapted to allow students to access remotely or on Campus, again the provision of choice being important to ensure equality of access.

Feedback from students is being collated, and the potential limitations of undertaking collection online are being recognised. Means of contacting students who have dropped out since lockdown are also being explored, along with evaluation of key performance indicators by protected characteristic to seek evidence for any unequal impact of the COVID restrictions. All information is being collated and evaluated so that lessons can be learned quickly to allow for adaptive responses where indicated.

Student Association representatives have been working hard to adapt their means of working with the student population and have been taking advice from colleagues across the country.

- **Theme Two: Supporting the digital revolution for learners**

To continue to build on the advances made by both staff and students in the use of digital technology in learning and teaching NESCol proposes that consideration should be given to the following:

SFC REVIEW PHASE 1 FEEDBACK

National Online Academy or National Centre of Digital Learning & Teaching Excellence: For AY2020-21 NESCoL developed a Framework for Curriculum Delivery as well as a Handbook to support lecturers with remote delivery of teaching. Even with a sector wide approach to partnership working this was a significant piece of work that required time and resources. The development of a National Online Academy or National Centre of Digital Learning & Teaching Excellence that could provide centrally developed resources would definitely help to enhance the quality of the learner experience as well as enabling colleges to be much more responsive to the needs of the community and regional economic recovery.

Flexibility with Funding: Every college will have different requirements to enhance learning and teaching. Listed below are some examples of where flexibility in this area would enhance the offer of remote and digital learning:

- The current pandemic demonstrated that NESCol's Bring Your Own Device initiative is sector leading and enabled access for many learners that may otherwise have suffered as a result of digital poverty. However, the funding for FE Bursary study expense allowance is limited to a percentage of the total bursary spend, more flexibility with this budget would prevent digital poverty even further. NESCol has run a BYOD initiative for several years, for both FE and HE courses. Devices for FE students can be funded from Bursary where eligible and appropriate. This scheme is recognised as good practice, and a recent audit highlighted it as good value for money, however NESCol is also identified as one of the outlying colleges when comparing study costs - NESCol spends more than the sector average.
- The Scottish Government's Digital Inclusion Funding was ring fenced for hardware. NESCol had a greater requirement for software which the College was unable to use this funding for. NESCol had a greater requirement for a remote access solution allowing use of specialist classroom devices. Clarification had to be sought around use of funds for this purpose.
- Inform Framework providers to agree licencing models that are tailored for education. A current example is Adobe's position on whether the software license covers students using the programme remotely.

National Bargaining: The benefits and potential for expansion of blended learning approaches for learners is dependent on existing staff members' ability to adapt to new ways of working and this requires National Bargaining to generate more flexible terms and conditions/working practices than it has to date.

- **Theme Three: Towards an integrated, connected tertiary education and skills ecosystem for learners and employers**

At NESCol we agree wholeheartedly that a system-wide view of college and university provision, that takes into account the scope of the senior phase, is essential to enable the planning and design of an effective and seamless learner journey.

Despite best intentions, too much of what schools, colleges and universities currently deliver is planned in isolation, meaning that there is much duplication, overlap and competition unintentionally designed into the system.

SFC REVIEW PHASE 1 FEEDBACK

While colleges and universities are expected to undertake substantial consultation and engagement with industry to shape and evolve their curriculum offer, a school's portfolio is often dictated by teacher and resource availability rather than regional need.

As long as schools, colleges and universities continue to have rigid targets linked to recruitment, retention and performance that encourage each of them to focus on achieving their own KPIs individually, it will be very difficult to embed a shared curriculum across all three sectors.

To enable a truly innovative redesign of the current school, college and university landscape in each region, a genuine partnership between local authorities and FE and HE institutions must be established. If it is just left to each sector to own the development of their piece individually, we will just end up with a modified version of what we already have. Given their place sitting between school and university, colleges are well positioned to play a leading role in this work. We can see the opportunities in both directions. In simplifying, consolidating and streamlining the senior phase school offer and aligning timetables to enable more school pupils to undertake HN level qualifications while still at school, and in co-designing and co-delivering qualifications with university partners to share resources

What we really need is to be bold, to not be scared of questioning why we do what we do in schools, colleges and universities, and create the shared ambition to design a regional system that allows young people to undertake a programme of study that is not limited by institutional or funding boundaries.

- **Theme Four: Recognising college and universities as national assets and civic anchors**
NESCol welcomes the recognition that colleges are 'national assets' and 'civic anchors' with 'wide doors and deep reach'. They are institutions who support those who face particular disengagement and disadvantage and allow them the opportunity to truly fulfil their potential. Colleges are indeed more than a training provider and have a very long-established and successful track record in supporting those seeking to improve their, and their families, life chances. More so than ever, colleges and their established ways of supporting students, need to be recognised and prioritised to ensure that every opportunity is taken to maximise individual potential and regional economic growth.

This said, the college sector's message seems to be relatively unclear to many, particularly at a national and local government level. The college sector needs to do more to promote itself and its offer. It is clear, particularly during this past calendar year, that colleges need support to tell their story better. NESCol welcomes the input of SFC in supporting this endeavour.

- **Theme Five: Building long-term relationships with employers and industry**
North East Scotland College is the only college in the North East of Scotland and consequently, is a main point of contact for employers seeking training courses throughout the region.

SFC REVIEW PHASE 1 FEEDBACK

The College has introduced a Business Priorities exercise in 2020 to supplement its continuous curriculum planning process. These activities are informed by local and national priorities, labour market intelligence and analysis of key performance indicators. In essence curriculum teams are tasked to work with the Business Community and Development team, to ensure the offer is relevant to the regional context. Furthermore, the College aligns its provision with anticipated demand identified through Regional Skills Assessments from both Aberdeen City and Aberdeenshire. The aim is to ensure courses are as flexible and accessible as possible, for example full time, distance learning, part time, taster courses or have step-on, step off options.

The following highlights practices and initiatives to build and maintain long term relationships with industry:

- The College has a role in a variety of strategic partnerships across Aberdeen City and Aberdeenshire which promotes and protects opportunities for those wishing to up-skill and/or re-skill, particularly those from vulnerable groups.
 - NESCol has a dedicated Business and Community Development Team which is supported by Marketing and Finance Teams. It has a clear remit to increase its commercial activity and maintain its excellent links with employers, often tailoring training and course content for customers. It also completes tenders for Foundation and Modern Apprenticeships and supports the running of the Scottish Maritime Academy. The Business Development Strategy identifies a range of approaches to support the local economy and maintain longer term employer engagement, in partnership with curriculum teams. The College's part time guide offers a range of opportunities, many originating from requests from small to medium sized businesses in the region.
 - The successful roll out of the Flexible Workforce Development Fund, assists employers increase productivity and address skills gaps by supporting the training of their workforce.
 - The College has established a STEM Regional Partnership as required by the Scottish Government STEM Education and Skills Strategy. This will be supported by a regional STEM strategy to support the economic shift towards the new high-growth sectors (Energy Skills Transition).
 - The College has embedded enterprise opportunities throughout the curriculum such as client led briefs, work placement, work experience and volunteering and guest speakers from industry. Local small to medium sized business representatives are key to making these activities a success.
 - The College has a data system available to staff which collates a range of data relating to protected characteristics to inform enhancement and curriculum planning. This means that vulnerable groups can be identified by faculty, team and course so specific interventions can be anticipated and planned including support with careers and transitions.
- **Theme Six: Protecting and leveraging the excellence of our research and science base**
The College does not wish to submit in feedback in relation to this Theme.

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- **Theme Seven: Driving the innovation agenda**

NESCol is pleased to see Innovation featuring so prominently in the review and indeed being highlighted as a key theme (Theme 7). Colleges (along with Universities) are ideally placed to drive the innovation agenda in the tertiary sector and have demonstrated this over many years across all industry areas from Care, to Business to Engineering and we fully expect to be at the heart of the economic recovery in our region offering innovative practice and ideas to help new and existing businesses succeed. We work closely with agency partners, and specifically Elevator UK, to support business growth locally, but could do so more effectively with the changes that the SFC's review describes. The Cumberland Little Report recognises this and we are pleased to see this as an important point of reference within SFC's Phase 1 Review.

NESCol's close relationship with the Robert Gordon University has rightly been recognised as an example of good practice. In itself, we believe this relationship is innovative, but our optimism in what is developing, is even more exciting and specifically how we expect to work together regionally, nationally and internationally to support industry both indirectly in the provision of skilled and knowledgeable personnel, and directly through interventions funded by (for example) the Innovation Fund.

It is particularly pleasing to see comments relating to 'a rebalance towards colleges of historic investment patterns between colleges and universities'. Appropriate funding is critical to create the capacity which fuels innovation. Colleges often find themselves limited by the governance environment they operate within, where programme delivery is always the priority. Nevertheless, colleges are blessed with talented individuals with good ideas who often just need a little more time and space to bring these ideas to life. Time and space that the existing funding models unfortunately, can ill-afford.

Where colleges have benefitted from additional funding in the past (Knowledge Transfer Fund), the short term nature of the funding has had a limiting effect on the opportunity. This in turn has created a cautious college sector which is less prepared to develop the innovative environments which the nation needs to support economic recovery and success. Joined up national investment over a longer term would certainly support more strategic planning and would allow creative thinking to move from simply surviving to thinking, innovating and creating. Longer term solutions are needed and we welcome this suggestion. Maintaining Innovation Funding over a longer period is an important part of this and will undoubtedly reap more and more significant benefits.

Innovation is also being seen in the delivery of the Flexible Workforce Development Fund. NESCol has never turned away a client, nor had to direct a client to another college for a programme it could not deliver itself – demonstrating the breadth of skills and knowledge which is available. However to some extent, the future offer is limited by the allocation of funds towards delivery rather than development. We believe this stifles innovation and it would benefit both colleges and industry greatly, if rules could be relaxed to allow a small proportion of the funding to go towards development.

SFC REVIEW PHASE 1 FEEDBACK

- **Theme Eight: Enhancing collaboration**

Through our work with RGU to develop demand-led, aligned and sustainable learner pathways, as communicated to the SFC via the paper recently co-authored by both institutions, we have shown our commitment to developing sustainable and integrated tertiary education and innovation within our region.

We will continue to progress and evolve this work whilst simultaneously working with other regional HE partners, including the University of Aberdeen, to develop other key collaborative initiatives including those focused on energy transition, regional economic recovery and digital innovation.

- **Theme Nine: Making the most of the sector's global connections**

Whilst we believe that the priority for NESCol should be focusing on supporting the recovery, growth and development of the North East of Scotland we are mindful that key to this will be attracting inward investment and migration from out with Scotland and the UK to support the region's ambitions for economic, cultural and social development.

We agree that to achieve this colleges should work together to build the global networks and partnerships that will be key to ensuring future growth and prosperity of the sector. Furthermore, we agree that by establishing close working practices with local HEIs (as described earlier) we will be able to reach new markets and global networks far more effectively than we could do on our own.

It takes significant investment for institutions to commit to expanding internationally, be it online or via satellite campuses, and it is important that Colleges ensure that they are making best use of public funding when developing and delivering activity of this nature. We believe it is therefore essential that colleges adopt a collaborative approach to activity planning so as to avoid unnecessary competition or duplication of effort, and that regional/specialist activity is best delivered where that expertise and industry experience already exists.

- **Theme Ten: Financial sustainability and funding**

NESCol recognises the issues identified in the analysis of the current operating and regulatory environment and broadly supports the actions outlined in the Report.

We support the principle of formula-funded activity, but any such system must also recognise individual institutional characteristics. It must also be fair and transparent across the tertiary education sector. The current formula-funded element of college grant-in-aid has lost any element of transparency as adjustments at regional and college level have been made over the years. Institutional funding should have a base element, recognising that costs are driven not only by student numbers but by geography and the level of dispersal of estates.

The report rightly recognises the disparity of funding levels across the tertiary sector for the provision of SCQF levels and NESCol believes that this should be harmonised.

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Funding needs to be consistent and planned. While any additional funding is welcomed, it is far less impactful to have many small pots of money with rigorous strings attached. A better solution is to provide a single funding envelope to deliver agreed outcomes.

Further flexibility would be enabled if the regulatory framework colleges operate under were re-assessed, principally by changing the status and control of colleges to allow ONS to reconsider classification as public bodies. This would enable the creation of reserves to support large-scale business development and estates projects, and allow better capability to deliver on government policy objectives.

CHAPTER FOUR

- **A renewed SFC Framework**

NESCol supports the suggestion that the SFC's future work could be grounded in a revised, renewed and integrated framework. For colleges, any framework would have to be based on two fundamental tenets: i. ensuring organisational and financial sustainability and ii. producing the best possible experiences and outcomes for students and stakeholders.

This said, the College will – with the above prerequisites in mind - gladly support SFC to shape and form a revised framework which focuses on the four themes identified within the Phase 1 Review report i.e. those of investment, quality, accountability and insight. Further comment on some of the specific areas under SFC's consideration is provided below. This said, the College is generally supportive of several areas which could be included within a renewed framework.

Funding: The College is supportive of reducing the complexity of funding models and seeks to ensure that those controlling the purse strings do so together, with a greater degree of alignment and a greater emphasis on reducing bureaucracy. For colleges and universities, the ability to plan over the longer term has become an even greater imperative. Therefore any concession that could be made to extend funding allocations to beyond the one year model would be greatly welcomed.

Similarly, any opportunity to simplify the overly bureaucratic and time-consuming SDS commissioning model would similarly be welcomed. Such a move, coupled with a closer working arrangement between SFC and SDS, would likely assist in providing far greater alignment between national agencies, tertiary educators and regional partners; alignment which will likely lead to a more coherent and cohesive response to current, emerging and future economic and skills needs.

Consequently, the College welcomes further discussion on the streamlining of funding mechanisms and the possibility of one education budget providing greater flexibility within, and across, regions and the tertiary sector.

Finally, further consideration of parity of investment at HE levels between colleges and universities is also welcomed. There is no justification for continuing the inequity that exists between institutions when delivering at SCQF levels 7 and 8.

SFC REVIEW PHASE 1 FEEDBACK

Outcome agreements and quality improvement: The College supports a move towards simplifying the outcome agreement process; a process which should help to deliver outcome and impacts based on meaningful intelligence and realistic targets. Such agreements should be aligned to learner progression and success outcomes. In addition, outcome agreements should be grounded in regional priorities in order to facilitate greater economic recovery, reform and prosperity.

The College questions the 'value-added' of Education Scotland's approach, over many years, to quality improvement within the college and schools sectors. Whilst the review of such activity has been deferred to Phase Two of the SFC's Review, we would welcome further input into this aspect of the Review. A change of approach is required which ensures that any regulatory input works more effectively at a regional level - across all educational provision - and that it genuinely adds value by assisting the delivery of better outcomes and experiences for those the school, college and university sectors serve.

Transformation Investment Funds: The College supports the creation of a Transformation Fund to enable schools and tertiary-sector institutions to adjust their operating models and explore options for the future. The acknowledgement from SFC of the well-established NESCol/RGU partnership as one which has the potential to deliver much of what the Review may be seeking is appreciated, as would any additional funds to support this progressive approach to better integrating school, college and university activity.

- **Towards an Integrated Investment, Quality and Accountability Framework**

NESCol supports this. The Report notes significant advantages for learners, business and country as a whole. To ensure this integration, it is necessary to consider all of the resources used to provide the service as a whole. In particular, funding across local authorities, colleges and universities is widely disparate despite, in many ways, providing similar outputs. As far as learners are concerned, they need to be able to engage with learning in the right way for them, whatever the institution. Any need to repeat SCQF levels needs to be removed, unless beneficial to the learner.

Resources should be targeted to encourage collaboration but not simply for collaboration's sake. Again, the learner should be at the centre, rather than institutional or sectoral efficiency.

The system must recognise that a simple target of student numbers in one area is not necessarily appropriate, and needs to be able to shift resource across regions, institutions, or between colleges, universities and local authorities, depending on where need can best be met.

- **Investing in the coherent provision of learning & teaching**

We agree that it makes sense to utilise a demographic funding model that makes explicit use of key demographic data to inform a regional needs-led approach however, by setting institution-specific activity targets for key such groups, it can put us in direct competition with our HE partners, particularly in areas such as student recruitment from MD 10 postcode areas. A more shared and joined-up regional approach to outcome planning would be desirable here.

SFC REVIEW PHASE 1 FEEDBACK

We also feel strongly that more needs to be done to address the issue of funding coherent provision within the senior phase. Currently there is often too much incentive for schools to retain pupils on a full time basis even when the better option for the pupil would be to leave school and come to college.

Whilst these pupils can choose from a modest school-college portfolio comprising Foundation Apprenticeships and specialist Highers, they cannot typically choose to undertake a substantial college qualification, such as an HNC or HND, even though such a qualification could enable advanced entry to a full time college or university course. It would be exciting to see if a new senior phase funding model and shared senior phase school-college timetable could be developed to enable a blended senior phase "Student" experience where a 5th or 6th year pupil can be study school and college curriculum concurrently with the funding following the student, being "spent" at the relevant institution depending on their chosen programme of study.

We also agree that it would be desirable if volume targets and funding allocations for vocational delivery, such as Modern and Foundation Apprenticeships were consolidated along with all other SFC funding arrangements and timelines. Not only would this make it much easier for colleges to plan activity year to year, as funding announcements would be better aligned to established planning cycles, but by removing the need to submit "bids" to SDS for places/funding a significant amount of staff resource would be freed up to focus on improving outcomes and experiences for students.

- **Developing a national outcome and impact framework**

The proposed move to focus Outcome Agreements on four key areas of impact (three relevant to colleges) is welcomed. Moving away from the production of what has been in past years been a lengthy, descriptive document attempting to address a long list of priority areas to a document which will be more focused with clear sections should aid the understanding and meaningfulness of the document by a number of audiences – boards, staff, students and the public. NESCol will shortly commence the process of developing its next Strategic Plan and the proposed categories of outcomes will be helpful to consider in terms of aligning our key strategic documents.

The proposal that Outcome Agreements can be adaptable for use by "more integrated tertiary partnerships" reflects an ambition currently being discussed by the College and RGU as part of newly established arrangements to strengthen the relationship between the two institutions to develop demand-led, aligned and sustainable learner pathways.

A refreshed process for the setting and reporting of progress against targets is also welcomed. The College initiated conversations as part of the AY2020-21 Outcome Agreement Process to rebase its targets to ensure they are meaningful and reflect regional circumstances and realistic College ambitions.

- **Agencies and Government working together**

The College strongly supports the ambition to evolve more aligned and cohesive partnership working arrangements between key agencies at national and regional levels. Whilst regional partnerships are enhancing their activities to ensure that a more

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cohesive and aligned approach to economic recovery, reform and sustainability is achieved, national agencies and government need to do likewise.

Understanding that the resource available is somewhat limited, SFC representation is needed so that a greater understanding and coherence is brought to bear at a regional level. In addition, more aligned and inclusive partnership working would likely elicit increased understanding, better partnership working, less bureaucracy, improved targeting of public funds and significantly better outcomes.

- **Supporting change: a transformational investment fund**

NESCol agrees that an investment fund is necessary to ensure colleges can respond to changes in the economy, demography or policy and to ensure they can re-model their business in the light of critical impacts such as COVID-19. The list of activities that could be supported noted in the report could be enhanced by the inclusion of support for projects to support the journey to “Net Zero Carbon”.

CONCLUSION

As voiced when the Chief Executive of the SFC attended the College’s recent Regional Board Strategy Event, the College is very supportive of the direction of travel and appetite for change expressed by both the SFC and the sector throughout the Review Report.

NESCol acknowledges the current significant uncertainty across the sector related to the impact of the COVID-19 pandemic and views working in partnership with the SFC as critical to support national and regional economic recovery and planning for the future. As such the College is keen to participate in further Review consultation activities, and is supportive of regional conversations in addition to ongoing engagement as part of the Outcome Agreement process.



REGIONAL BOARD		
Meeting of 16 December 2020		
Title: Strategic Plan		
Presenter: Neil Cowie, Principal & Chief Executive	Author: Pauline May, Director of Strategy & Planning	Contributor(s): Executive Team, Leadership Team
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 provide the Regional Board with information relating to progress against the College's Strategic Plan 2018-20, and proposals regarding the development of the College's next Strategic Plan.		
Linked to Strategic Goal:		
Linked to Annual Priority:		
Executive Summary: At the recent Regional Board Strategy Event held in November 2020, a discussion was held on the College's next Strategic Plan given that the current Plan concludes at the end of July 2021. It had previously been proposed that the development of the College's next Strategic Plan should be delayed given the current circumstances and that an interim document be developed for AY2021-22. However, following further consideration at the Strategy Event it was agreed that a new Strategic Plan/Document should be prepared with reference to the 'Emergency Years', removing the need for an interim document.		
Key Considerations Following the Strategy Event the Executive and Leadership Teams held initial discussions on the development of the College's next Strategic Plan/Document. The following highlights a number of key considerations to progress its development: <ul style="list-style-type: none"> Title – consider if the Document continues to be referred to as a Plan or is renamed e.g. Statement of Ambition 		

- Duration of Plan/Document – previously this has always been three academic years, should this be extended ?
- Context – needs to reflect the 'Emergency years', SFC Review, Cumberford-Little Report etc
- Vision and Values - review and consider if a Mission Statement is also needed
- Strategic Themes and Goals – initial thoughts are that these still remain relevant but some wording may need refreshed
- Measuring Success – to be improved with a review of current KSIs, clearer links to the SFC's new Outcome & Improvement Framework, and regular progress reporting
- Supporting Strategies – review impact to date of current Strategies, remove 'Supporting' and increase visibility, consider if new Strategies are required, rework or remove existing Strategies, consider how the Strategies can be used to further drive improvements, consider how pervasive priorities are addressed in the Strategies e.g. sustainability and net zero, digital
- New Supporting Documents – in addition to Strategies
- Stakeholder Consultation – consider timing, approach and use of existing mechanisms and networks.

Strategic Objectives 2018-21

The Executive and Leadership Teams agreed that a helpful starting point for developing the College's next document was to review progress against the College's current Strategic Plan. As such, a progress review against the College's Strategic Objectives for 2018-21 has been undertaken and is attached as Appendix 1. As part of the preparation of the new document consideration will be given to the need to retain or refresh some of the existing Objectives, in addition to the identification of new Objectives.

Timeline

A detailed timeline for the development of the next Strategic Plan/Document will be prepared, it is however planned that the College's new Strategic Plan/Document will be presented to the Regional Board for approval and adoption at its meeting scheduled for 23 June 2021. A key aspect of the timeline in terms of Board input will be the Strategy Event currently planned for April 2021.

Recommendation: It is recommended that the Board note the information provided.

Previous Committee Recommendation/Approval (if applicable):
None

Equality Impact Assessment:

Positive Impact

Negative Impact

No Impact

Evidence:

STRATEGIC PLAN 2018-21

STRATEGIC GOAL 1			
Strategic Objective		Progress Update	RAG Status
<p>1.1 Build a portfolio of courses which:</p> <ul style="list-style-type: none"> o provides efficient and effective pathways for learners which lead to positive destinations in further study, higher education and employment o is accessible, inclusive and appropriate for individual need providing learners with the best chance of success o offers innovative and flexible modes of study o tackles gender imbalance and challenges stereotypes o is designed to provide a digitally capable, skilled and qualified regional workforce meeting the needs of existing and emerging businesses o supports inclusive growth, builds community capacity and reduces inequality o widens access to learning for under-represented 	Robin	<p>Plans to revise the curriculum planning and development process were derailed with the occurrence of COVID-19 however, the requirement to shift all teams online in March presented the College with a unique opportunity to expedite the development of innovative approaches to online and blended delivery.</p> <p>Detailed guidance was created that outlined a new, collaborative approach to curriculum design and online delivery, and all teams were supported to roll out this approach across all curriculum areas.</p> <p>All staff were provided with opportunities to undertake training across a range of e-learning and digital capability related topics and data from the Learning Technologies Team shows that a vast number of staff engaged with this training and that the skill set of teaching and support staff has taken a large step forward over the past 6 months.</p> <p>Once AY2019-20 was completed focus shifted to modifying the curriculum portfolio in light of the changes to course/training/skills demand that have occurred within the region because of the COVID-19 pandemic. A large-scale review is now underway to create a three-year curriculum roadmap that will ensure that NESCol's full-time and part-time course portfolio is employer-informed, co-designed with key HE and third sector partners, and meets the need of all stakeholders in the North East.</p> <p>In addition to prioritising the development of a portfolio that is skills-focused, the curriculum business priority review will also ensure the creation of a portfolio of qualifications and courses that address the</p>	

STRATEGIC OBJECTIVES 2018-21 – PROGRESS UPDATE

<p>groups, particularly those from areas of deprivation and those who are care experienced or disabled.</p>		<p>other key priorities including, student co-creation, gender balance, equalities issues and widening access.</p> <p>This will be enabled through the development of a new Learning and Teaching Strategy that puts co-design and universal design for learning at the centre of our approach.</p>	
<p>1.2 Provide information, advice, guidance and support to students to enable them to choose and access the most appropriate qualifications</p>	<p>Alesia & Linda</p>	<p>Information, advice and guidance is available to prospective applicants via the College's new website. Information on our portfolio of courses, especially new additions, is reviewed by our Student Admissions & Funding Team to ensure that accurate guidance is passed on to prospective applicants. Where additional support requirements are identified as part of the application process, applicants are referred to the Student Advice and Support Team for a Learning Needs Assessment appointment.</p> <p>A range of workshops are delivered as part of 'keep warm' activities such as funding and study skills workshops. In addition, pre-enrolment activities to support preparation for study prior to enrolment include initiatives such as <i>Ready, Steady, Study</i>. Previously delivered for August start courses, this is being expanded to January intakes as well. Bespoke sessions can also be commissioned for other courses starting at different times throughout the year.</p> <p>As part of the AY2021-22 admissions and recruitment process a collated communication plan is being pulled together to allow for a more targeted and cohesive approach to prospective students and applicants.</p> <p>In addition to new applicants to the College, the Student Advice Centre Teams also work very closely with curriculum teams to support progression within NESCol by delivering application, funding and support workshops. Feedback from focus groups, peer-led reviews, compliments and complaints is gathered to shape future activities.</p>	

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<p>1.3 Build on the unique and distinctive strengths of our main campus locations to provide relevant and valuable learning opportunities by...</p>			
<ul style="list-style-type: none"> ○ Delivering a plan for NESCol at Fraserburgh Campus which: <ul style="list-style-type: none"> ▪ Grows demand for locally based programmes through community engagement, schools liaison and employer engagement ▪ Improves outcomes for learners through the provision of accessible and appropriate programmes and dedicated campus-based student support ▪ Optimises the use of the STEM facilities 	<p>Alesia</p>	<p>A Fraserburgh Management Group was established at the start of AY2018-19. This group continues to meet on a monthly basis, setting the direction and priorities for the campus through a campus enhancement plan which is supported by Faculty and Curriculum enhancement plans. The enhancement plan is focused around three key priorities:</p> <ul style="list-style-type: none"> - Staff and campus - Schools liaison - Community and stakeholder engagement. <p>It was essential to develop a collaborative management team to ensure consistency and continuity and develop a new campus culture. Support from all staff on campus was achieved through a campus based approach to planning and improving quality, with the two faculties working in partnership in all aspects. Regular Campus-Catch ups with the Director of Learning as well as Campus Update sessions by the Heads of Faculty created a clear, transparent and open approach to staff communication which was very well received. This also included close collaboration with the Student Advice and Support Team to set up initiatives such as UCAS week, supporting positive transitions, and local campus events.</p> <p>Working with curriculum teams some programmes of study were altered to reflect local demand and new programmes were introduced. The majority of these new programmes were part-time evening classes and schools provision, and AY2020-21 also saw the introduction of new HN provision in Care, Sport and Business. This work continues as part of the Business Priority Planning exercise.</p>	

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		<p>Starting in AY2018-19 it was essential to promote the message that the Fraserburgh Campus was open for business and build up local relationships. This was especially important with regard to schools which are an essential pipeline for future applicants to the campus. Although the school-links offer was strong and well-established, a gap was identified in general promotion of the College offer to those not engaged in school-links provision, as well as parents, guardians and teachers. A small working group with Marketing & Communications colleagues and the Heads of Faculty was established and the outcome was the creation of a marketing programme dedicated to schools activity, <i>Next Steps</i>.</p> <p>There was a re-design of the Open Day in November 2018 to include a full schools programme throughout the day with a general session open to the public in the evening. Over 200 school pupils from all feeder schools participated and feedback was extremely positive. In AY2019-20 the event format was repeated although refined, and school participation doubled with approximately 400 school pupils taking part. This success expanded to 'Discover/Explore' sessions offered in May/June for senior phase pupils. In AY2018-19 around 450 sessions were offered and this more than doubled to 1,000 session in AY2019-20. Unfortunately due to lockdown the sessions could not take place.</p> <p>The Open Day re-design also supported the ambition to enhance community and stakeholder engagement. Hosting events has been a big part of this activity and has supported engagement with local community and business groups. A variety of Enterprise related events also provided opportunity to showcase the campus facilities and engage with a variety of stakeholders, including local Universities, the local Enterprise Hub and school pupils and teachers via Elevator UK to name a few examples.</p>	
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STRATEGIC OBJECTIVES 2018-21 – PROGRESS UPDATE

		Full details of activities, outcomes and impacts can be found in the Fraserburgh Campus Enhancement Plans for AY2018-19, AY2019-20 and AY2020-21.	
<ul style="list-style-type: none"> o Delivering a plan for NESCol at Aberdeen City Campus which: <ul style="list-style-type: none"> ▪ Builds our reputation as pivotal to the renaissance agenda for Aberdeen delivering skills in new and emerging industries ▪ Creates a culture of creativity, innovation and dynamism optimising the use of our excellent specialist facilities 	Susan B	<p>The College's approach to curriculum planning has ensured that, by working as an effective partner, our graduates are work ready to support jobs growth throughout the City.</p> <p>The City Campus Action Group met during AY2018-19 to advance a range of engagement initiatives with internal and external partners. These events helped raise the profile of the College, our facilities and our willingness to be creative in our partnership working.</p> <p>In 2020, the College embarked on a Business Priorities exercise which is designed to maximise opportunities whilst prioritising sustainability and income generation.</p> <p>The City Campus is centrally positioned in the heart of the City and is well equipped with state of the art facilities across a range of subject areas such as kitchens, design studios, computer and scientific labs, sports facilities, theatres, sound production studios and hair and beauty salons etc. In addition to this, additional work has added to the City's appeal as a first destination point for students. Of particular note has been the re-decoration of the South Block Top Floor which now provides a fresh, modern well equipped learning environment for digital artists. The College has invested in a Commercial Salon space in Hair & Beauty and re-kitted the Photography Studios. All this, and plans for further re-design, ensures that the City Campus supports skills development now and remains focused on the future.</p>	
<ul style="list-style-type: none"> o Delivering a plan for NESCol at Altens Campus which: <ul style="list-style-type: none"> ▪ Builds the Centre's reputation as the key 	Susan G	Work has taken place to extend the course portfolio and extend external partnership working to raise the profile of the Campus and its facilities. Much of the work is still ongoing and will now include	

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<p>provider in the City of Engineering and Construction education and skills</p> <ul style="list-style-type: none"> ▪ Develops increased links with employers, supporting businesses and growing our commercial offer ▪ Drives successful outcomes for all learners, at all levels of study 		<p>partnerships to develop the Energy Transition Skills agenda for the region.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • New provision in Engineering Systems and Workshop Skills added to portfolio • Hosted First Lego League tournaments for 9-16 year olds on Campus with external company sponsorship for some teams and in partnership with OGTC • Ran 2 week long STEM Club courses for 9-12 years olds • Appointment of External Liaison Co-ordinator Post to improve employer engagement • Working with ESP partners to identify future needs, arrange staff CPD and procure equipment • Approval gained to offer additional commercial courses in automotive (MOT tester training and Electric Vehicles) • Working with Aberdeen City Council to develop awareness and training in hydrogen powered vehicles • Contributed to development of new PDAs in engineering in collaboration with ESP. • 	
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STRATEGIC GOAL 2			
Strategic Objective		Progress Update	RAG Status
2.1 Build a staff team who are creative, confident and highly motivated	Neil	The advent of the global pandemic has accelerated the development of a more cohesive set of working practices for the Leadership Team; a team who have proven to be highly effective in negotiating the challenges created by COVID-19. Consistently, levels of creativity, motivation and confidence within the Leadership Team have increased throughout this year and members of it are keen to ensure that similar approaches are developed further across the wider College team.	

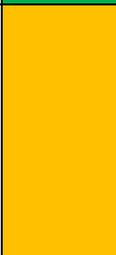
STRATEGIC OBJECTIVES 2018-21 – PROGRESS UPDATE

		<p>Accordingly, the Leadership Team intends to progress College-wide approaches in relation to agreed and expected leadership behaviours. In addition, it is intended that a review of the College's workforce planning arrangements and a possible restructure of management positions will take place in the New Year. Consequently, it is anticipated that these activities will also help to develop the ambition for a better, shared, cohesive and successful team ethos across the organisation.</p>	
2.2 Discover and develop talent in our workforce	Kimra	<p>iCon is currently being refreshed to improve the performance review process and support the development of staff. One of the main aims of the review is ensure that the skills and talents of College staff are aligned to support the delivery of the Strategic Plan and that all staff are clear on what part they have in achieving the goal of being the 'Best College by 2026'.</p> <p>A Workforce Planning Framework has been drafted and will be implemented in 2021 to ensure the College has the skills and talent within its workforce to meet the aims and objectives of the Strategic Plan.</p>	
2.3 Provide support, development and opportunity to our staff through a refreshed and prioritised approach to organisational development supporting our strategic goals	Kimra	<p>The restructuring of the former Organisational Development and Quality Teams was implemented following the 2019 October Break. The restructure streamlined compliance training for lecturers such as TQFE through the Quality Team and brought Learning Technologies under Learning & Development (L&D). The aim of the restructure was to identify, prioritise and deliver a corporate training plan that supports the College in delivering identified strategic objectives. During the COVID 19 pandemics the focus of the L&D Team has been to deliver the online training programme for lecturing staff. Further work on developing the corporate training plan is still required.</p>	
2.4 Create a positive and supportive culture based on	Neil	<p>Various initiatives and approaches have assisted the progression of College culture; a culture that is fit for purpose and fit for the future. For example, the Campus Futures initiative has seen the empowerment of a</p>	

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<p>respect, trust, engagement and clarity of shared purpose</p>		<p>highly effective Fraserburgh Campus Management Team which has delivered improved outcomes in relation to schools and employer engagement. There is, however, further work required to see similar successes in the College's Aberdeen centres.</p> <p>In addition, the activities of the College's Equalities Committee have led to the promotion of the College's RESPECT Campaign which has aimed to ensure that the culture of the College advances diversity, inclusion, progression and success. Work to evaluate the full impact of this Campaign has still to be undertaken.</p> <p>Whilst considerable progress has been made in fulfilling this particular strategic objective, work continues to evolve the College's culture, engagement activities, wellbeing initiatives and communication approaches in line with the ambitions and aspirations of the Executive and Leadership Teams.</p>	
<p>2.5 Build digital skills and capacity in our learners and in our staff</p>	<p>Robin & Kimra</p>	<p>An online training programme was created for teaching staff and designed to help them develop their own skills in teaching online. A considerable amount of work went into creating a programme which aimed to mirror good practice, improve staff knowledge and understanding of effective online teaching and provide opportunities to broaden their skills and confidence in using a range of tools and technologies. A large part of the programme was designed to raise staff awareness of the importance of creating inclusive programmes and materials.</p> <p>Need an objective that build on this progress and increases capacity across all staff further – particularly in vocational areas.</p> <p>We should consider expanding this out to include meta-skills and specifically instructional and universal design skills of teaching staff (i.e applying their digital skills in a teaching context further).</p>	

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<p>2.6 Build 21st century enterprise, employability and entrepreneurship skills in our learners ensuring that they are fully prepared for the world of work</p>	<p>Susan B</p>	<p>An Academic and Personal Skills Development unit has been introduced across all FE programmes.</p> <p>The College is looking to pilot new HN next generation qualification which will put meta-skills development at the heart of the qualification.</p> <p>Strengthened partnership working with RGU will enable the creation of bespoke HN level qualifications as an alternative to SQA options.</p>	
<p>2.7 Deliver strong and collective leadership and management throughout the organisation by encouraging collaboration, developing leadership roles and building skills</p>	<p>Neil</p>	<p>See response to 2.1</p>	
<p>2.8 Provide the highest standards of governance for the College through the high quality operation of a skilled and diverse Regional Board</p>	<p>Pauline</p>	<p>In February 2019 the College's Internal Auditors undertook an audit of Corporate Governance. The purpose of the audit was to ensure that the College's governance arrangements were adequate. The audit also sought to provide assurance to the Board, via the Audit & Risk Committee, that the arrangements in place are fit for purpose and in line with the Code of Good Governance for Scottish Colleges. The overall conclusion of the audit was a grading of 'strong', confirming that "controls satisfactory, no major weaknesses found". No recommendations were identified. Seventeen areas where the College is operating effectively and following good practice were highlighted.</p> <p>To demonstrate its commitment to maintaining the highest standards of governance, the Board's Governance Steering Group continues to meet. The Group undertakes a key role in monitoring compliance with the Code of Good Governance for Scotland's Colleges and considering implications of any legislative changes. The Group also helps to ensure that the Board remains fully effective by considering and</p>	

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		<p>recommending the implementation of any guidance or best practice that is issued to the sector.</p> <p>In order to ensure that the Board continues to operate in line with the requirements of the Code of Good Governance for Scotland's College, the Audit & Risk annually consider a report providing information on Board activities and behaviours to demonstrate compliance against each of the Code's individual criteria.</p> <p>In June 2021, the Board adopted a new Skills Matrix to evaluate the skills and knowledge of current Board Members. The Matrix provides a heat map against both generic skills that all Board Members should have, and additional skills that individual Members should have, which bring balance to the Board.</p> <p>The Board's diversity is considered as part of its recruitment and succession planning arrangements. Since June 2016 the Board has appointed one of its Members as its Equality & Diversity Champion.</p> <p>The Board will commence its next recruitment process for new Members in January 2021 which will be informed by all of the above. The Board will also ensure that its second External Effectiveness Review is completed by April 2021.</p>	
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STRATEGIC GOAL 3			
Strategic Objective		Progress Update	RAG Status
3.1 Work with Community Planning Partners to deliver on key priorities in Aberdeen and Aberdeenshire	Robin, Duncan, Pauline	The College is represented on the following: <ul style="list-style-type: none"> • Community Planning Aberdeen Board and Management Group • Community Planning Aberdeen - Integrated Children Services Board • Community Planning Aberdeen - Aberdeen Prospers 	

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		<ul style="list-style-type: none"> • Aberdeenshire Community Planning Board • Aberdeenshire Community Planning - Tackling Poverty & Inequalities • Aberdeenshire Community Planning Partnership – Connected & Cohesive Communities • Aberdeenshire Employability Partnership • Aberdeen City Care Experienced Champions Board • Aberdeenshire Corporate Parenting Steering Group • PREVENT and CONTEST Multi-agency Groups • Aberdeen City Attainment & Progression to Adulthood Group. <p>The College is a key partner for the delivery of Aberdeen City Council's Socio Economic Rescue Plan in response to the effects of the COVID-19 pandemic on the region. The College has been identified as a Lead or Joint Lead against four key actions in the Plan. The College is also involved in the delivery of a number of actions contained in LOIPS for both local authorities.</p> <p>We are also working closely with SDS, the SFC and ONE on a range of projects and initiatives aimed at developing the economic and social capital of the region including the Energy Transitions skills academy and various schools/children/young people and digital literacies initiatives.</p>	
<p>3.2 Work with regional economic development bodies to support the delivery of the Regional Economic Strategy and drive regional prosperity</p>	<p>Neil</p>	<p>The College's role regionally has strengthened over the lifetime of this Strategic Plan. NESCol now plays a significant role within the Regional Economic Strategy Group and is the only local tertiary sector provider at its meetings. In addition, the College and has been involved centrally in the delivery of both the Regional Economic Strategy (RES) Action Plan and associated Regional Skills Strategy Action Plan.</p> <p>Currently, the College continues to influence the work of the RESG and has been involved in developing a 'refresh' strategic position for the RES in order to address the immediate and longer-term economic challenges created by the global coronavirus pandemic.</p>	

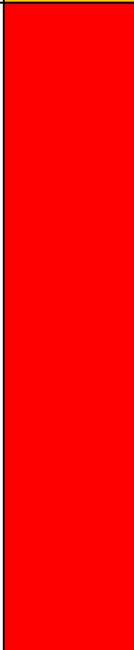
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		<p>The Principal also represents the College on the Opportunity North East (ONE) Energy Board and Aberdeen City Council's Transformation Management Group. Consequently, the College is positioned well to ensure that it plays a significant part in the evolution of the region's skills agenda as partners seek to address the nation's NET Zero 2045 ambitions as well as the region's commitments to transition the economy from oil and gas to energy.</p>	
<p>3.3 Work with the North East Learning and Skills Partnership to deliver the Regional Skills Strategy, developing individuals with the skills to meet the needs and aspirations of our region</p>	Neil	<p>The College now co-chairs with Skills Development Scotland (SDS) the Regional Learning and Skills Partnership (RLSP). This entity was established with the approval of the Regional Economic Strategy Group and is charged with the delivery and implementation of the Regional Skills Strategy.</p> <p>The work of the RLSP was suspended during 2020 in order that partner organisations, mainly the region's education providers, were able to focus on the emerging difficulties created by the global pandemic. At the time of writing, discussions are due to take place between the College and SDS which aim to ensure that the RLSP remit, terms of reference, membership and the skills strategy itself adequately reflect what is needed to shape both the region's economic recovery and reform.</p>	
<p>3.4 Work with our local schools in Aberdeen and Aberdeenshire to deliver regional plans for Developing the Young Workforce</p>	Robin	<p>Close working partnership established with both local authorities and partners schools which has stood the College in good stead for what has been a particularly challenging year.</p> <p>There is a need to review and refresh the school link offer in response to the COVID-19 pandemic – many school links qualifications are vulnerable to COVID restrictions. This is being addressed via the Business Priorities planning project.</p> <p>A project is underway with ACC to review and innovate the senior phase. It is widely acknowledged (e.g. via the sustainability SFC report)</p>	

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		that there is too much duplication and not enough flexibility within the senior phase – the creation of an integrated school-college senior phase offer should be our next big priority and this will require both local authorities to work together and us to lead it.	
3.5 Work with schools to develop and deliver effective learning pathways and learner journeys for our young people	Robin	See 3.4 above.	
3.6 Work with Robert Gordon University (RGU), University of Aberdeen and other university partners to widen access, improve articulation and increase the efficiency and effectiveness of the learner journey	Robin	<p>In AY2019-20 NESCol and RGU co-created a paper that sets out the proposed intensification of partnership arrangements between the College and Robert Gordon University (RGU), to ensure the establishment of an industry, and student-led sustainable skills infrastructure within the North East that is agile and responsive to the challenges currently facing the region, and opportunities of the future.</p> <p>This intensification - which builds on 20 years of joint working - will see RGU and NESCol remain fully independent but work in close in partnership, removing competition to deliver demand-led, skills aligned and sustainable learner pathways.</p> <p>Intensifying this partnership now will enable NESCol and RGU to engage ambitiously to support Scotland's education-led economic recovery, bringing expertise in advanced partnering with employers, substantial experience of work-based learning and commitment to learners of all ages.</p> <p>The partnership will focus on both ends of the learner journey and will address themes such as curriculum portfolio design and delivery, enhanced articulation and widening access.</p> <p>The progression of this initiative should be a big priority for us with tangible targets regarding progress agreed between both institutions</p>	

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<p>3.7 Build and develop the TWO Plus Alliance with RGU to promote innovation, widen opportunity, improve access and develop entrepreneurship</p>	<p>Neil</p>	<p>Work on building, developing and enhancing the relationship between RGU and the College has been accelerated during this calendar year. The institutions have now developed, through the creation of a Joint Implementation and Delivery Board (and associated Joint Implementation and Delivery Group) a proposal which will see various initiatives established which will deliver better progression pathways; responses to emerging and future skills needs of the region; more efficient, targeted and shared curriculum planning, design and delivery and better student and stakeholder experiences.</p> <p>The proposal has been shared with, and has been well received by, the SFC's Board of Management and Leadership Team. Accordingly, it is hoped that the partnership will be able to access, from SFC, transformation funds in the New Year that will further accelerate its activities.</p>	
<p>3.8 Develop a new approach to employer engagement which promotes College opportunities, delivers meaningful work placements and supports innovation in our local businesses</p>	<p>Alesia, Susan B, Susan G, Duncan, Paul (M&C)</p>	<p>Employer engagement was improving until we went into lockdown. From that point, we have focused much more internally and, in most cases, employers have done the same. There are signs of improvement now, but these are negatively impacted by redundancies in key sectors including oil and gas, hospitality and retail. Phase 2 of FWDF will introduce us to new customers and help establish new relationships. It is quite likely that these will be across different curriculum areas and that will also be helpful.</p> <p>There are various funding initiatives which should help to stimulate employment opportunities and therefore employer engagement and we will be preparing ourselves to exploit these opportunities.</p> <p>The current Business Priorities exercise also reflects on employer engagement and will feature prominently in our future plans.</p> <p>Work placements are another casualty of the COVID-19 pandemic with most businesses restricting access or working remotely. As such, we</p>	

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		have had to work with awarding bodies to establish alternative assessment options for students and pupils until employer confidence grows.	
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STRATEGIC GOAL 4			
Strategic Objective		Progress Update	RAG Status
4.1 Deliver outstanding learning and teaching which is exciting, innovative and relevant and which delivers success for learners	Robin	<p>The COVID-19 pandemic has dramatically changed the way we teach at NESCol. Despite the challenges that all staff and students have faced with the switch to online delivery many staff have engaged well with training and support that has been offered to them and embraced the use of new and innovative pedagogies.</p> <p>The use of digital tools and technologies such as TEAMS, Collaborate, Wakelet and Turnitin has skyrocketed across the curriculum and many students are now benefiting from being able to access a rich blend of synchronous and asynchronous learning & teaching activities and resources online via our VLE, Blackboard.</p> <p>There are still however many staff who still need to develop their confidence and skills further to truly thrive in the blended and online world. Furthermore we still have significant progress to make in ensuring that all of our qualifications and teaching materials are sufficiently modern and high quality, and designed to be as accessible and inclusive as possible. To address this and the previous staff skills issue, we must ensure that our new strategy, and supporting learning and teaching strategy address both the issues of pedagogy development, and instructional design/Universal design for learning.</p> <p>We need to formalise the curriculum planning framework, building on the work that was undertaken during the summer and integrate our new approach to self-evaluation and enhancement planning.</p>	

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4.2 Increase the number of learners achieving successful outcomes and positive destinations	Gill		Early Withdrawal			Further Withdrawal			Partial Success			Complete Success		
			2017-18	2018-19	2019-20	2017-18	2018-19	2019-20	2017-18	2018-19	2019-20	2017-18	2018-19	2019-20
		Full Time FE	8.10%	8.44%	9.19%	14.80%	15.71%	12.90%	10.28%	10.63%	14.58%	66.81%	65.22%	63.85%
		Part Time FE	1.82%	1.71%	1.97%	3.46%	1.96%	2.64%	30.49%	22.33%	15.22%	64.22%	74.00%	80.16%
		Full Time HE	4.03%	5.25%	4.73%	12.09%	12.60%	9.46%	9.61%	9.74%	15.22%	74.27%	72.41%	70.59%
Part Time HE	0.87%	0.87%	1.30%	3.97%	2.62%	0.91%	16.76%	25.68%	36.21%	78.39%	70.82%	61.60%		
<p>Early withdrawals remained fairly consistent with previous years. Full time FE saw an increase of 0.75% in comparison to AY2018-19, and although 4.19% above the internal early withdrawal target of 5%, did not impact on the overall College 3.69% early withdrawal outcome.</p> <p>63.85% of our FE full-time students successfully completed their course which is 1.37% lower than AY2018-19. 80.16% of our FE part-time students successfully completed their course, which is 6.16% higher than AY2018-19.</p> <p>70.59% of our HE full-time students successfully completed their course, which is 1.82% lower than AY2018-19. 61.60% of our HE part-time students successfully completed their course, which is 9.22% lower than AY2018-19.</p> <p><i>*some deferrals may still be processed which will potentially increase some outcomes</i></p>														
		Further Withdrawal		Partial Success		Complete Success								
		18-19	19-20	18-19	19-20	18-19	19-20	18-19	19-20					
Declared Disability		5.02%	6.52%	13.21%	13.77%	78.92%	75.67%							
No Disability Disclosed		5.46%	4.75%	17.73%	15.20%	73.74%	76.75%							
Mental Health Condition		12.35%	12.27%	23.10%	25.85%	56.81%	52.93%							

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		<p>The further withdrawal rate for students with a declared disability remains higher than for those without, 6.5% compared with 4.8% respectively. Those declaring a mental health condition have a higher rate of 12.3%. The outcomes for students with a declared disability is marginally lower than for those without, complete success 75.7% compared with 76.8% respectively. Those declaring a mental health condition however have a significantly lower complete success rate of 53.0%, a significant 28% lower and so still remain our most vulnerable group.</p> <p>In comparison with the previous academic year there was marginal differences in further withdrawal. The complete success for students with no disclosed disability is 3% higher than last year however 3.2% lower for students with a declared disability and 3.88% lower for students declaring a mental health condition. The impact of the COVID-19 pandemic could have contributory factors to the outcomes but more analysis would have to be completed to verify if this is the case.</p> <p>Data continues to be developed on Power BI to ensure reporting is maximised and reports easily exported to facilitate effective outcome analysis. The data presented represented the current College position and comparative data for the previous two Academic Years - 2017-18 and 2018-19.</p> <p>The College internal and external publication will be developed when the SFC publish sector data. This will then be reviewed to benchmark outcomes with other colleges.</p>	
<p>4.3 Encourage a strong student voice, listening and responding to feedback from learners leading to quality improvement</p>	<p>Susan B, Gill</p>	<p>Participation in the Student Engagement Action Group (SEAG) promotes regular engagement with staff, the Quality Team, students and the Students' Association. A range of agenda items shape improvements and actions are agreed and reviewed, this ensures work moves forward to shape improvement.</p> <p>The College captures student feedback through a range of formal activities:</p> <ul style="list-style-type: none"> • Themed focus groups <ul style="list-style-type: none"> ○ Induction ○ Learning & Teaching ○ Student Support ○ Students' Association <p>Actions arising from the focus groups are time bound and all 'persons responsible' for the actions provide a response which is then sent by the Quality Team to the student group. This ensures all</p>	

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		<p>students are informed of the progress made, or actions which will be taken, based on their feedback. This all assists in the improvements to service.</p> <ul style="list-style-type: none"> • The First Impression Survey data is a measure of initial satisfaction of college induction and services. • The Student Satisfaction & Engagement Survey is a measure of satisfaction on college services and experiences nearing the end of their course of study. <p>Satisfaction outcomes are shared with curriculum and support teams and action plans then developed to address any levels of low satisfaction within a service. Survey outcomes are also included in the self-evaluation process and teams identify improvements taken to address low satisfaction.</p>	
4.4 Deliver support to our students which enables them to build resilience, access their learning, develop their learning skills and achieve success	Alesia	<p>The new Whole-College Support Model saw the establishment of the Student Advice and Support Team and the Academic Tutor role undertaken by Lecturing staff. The Academic Tutor role is now well-established and has been further embedded into curriculum delivery through the development and inclusion of a new 3-credit Academic and Personal Skills Development unit in all FE programmes at level 4, 5 and 6.</p> <p>As a result of COVID-19 and the requirement for remote service delivery, the Student Advice and Support Team has developed a new model of delivery to allow a responsive approach to curriculum and student demand, and a more creative and proactive approach to student engagement and support provision through initiatives and events. The Student Advice Centre Teams have also developed a more collaborative approach, with the consolidation of existing frameworks into one Framework for Supporting Successful Students. This framework covers Academic Tutoring, Student Support, Safeguarding and Mental Health, Student Funding and Attendance and Engagement Monitoring.</p>	
4.5 Provide student support services which offer financial, welfare and well-being	Linda	<p>The above-mentioned Framework for Supporting Successful Students details the support provided by the Student Advice Centre Teams.</p> <p>Financial support is managed by the Student Admissions & Funding Team. Team members have expanded their knowledge of the various eligibility rules, policies and procedures so that queries can be triaged at the Student Advice Centre. Information provided on our website and student</p>	

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<p>support enabling learners to stay on their programmes and achieve success</p>		<p>intranet has been refined and expanded to ensure that it is available to all students, especially as many of them are not accessing our Student Advice Centres on campus.</p> <p>Wellbeing support is also available via the Student Mental Health and Wellbeing Toolkit which was updated for AY2020-21. In addition to the previously set up referrals, a new wellbeing support referral has also been introduced this session. This service, alongside the Safeguarding and Mental Health First Aid provision is also now supported by a new Counselling service and access to Togetherall, both introduced in 2020. Togetherall provides online mental health and wellbeing support and is available out-of-hours, whereas the services provided directly by the Student Advice and Support Team are available during College hours. Students are also now able to book appointments with members of the teams working within the Student Advice Centre via an online link.</p> <p>The Student Support Coordinators regularly meet with Curriculum Managers to discuss support available to at-risk students and in particular Care Experienced students. Work is ongoing to complete system cleansing at an earlier date and to set up regular meetings at the start of the academic year to ensure curriculum teams are well aware of both the support available to them and their students, and to discuss needs assessments, alternative assessment arrangements and any other student support requirements.</p> <p>Development of SIP, a student support dashboard, is ongoing but has and will improve the administrative elements relating to student support referrals and follow up which will improve the experience for both staff and students. SIP will also provide information on bursary funding which has been difficult to surface and share in the past.</p>	
<p>4.6 Drive continuous quality improvement through a strong culture of self-evaluation and</p>	<p>Gill</p>	<p>The short life working group was suspended due to the COVID-19 pandemic to allow key priorities to be completed for AY2019-20. This group has now resumed and the work will continue to establish a potential future model.</p> <p>Curriculum and support staff continue to develop and review their enhancement plans to ensure self-evaluation and enhancement planning remains a key focus whilst the new formal self-evaluation model is developed.</p>	

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enhancement planning			
4.7 Be recognised as a college, which delivers excellence across all of our courses and services building a reputation as the premier provider of education and skills in the region	Neil	<p>(See 3.1/3.2) Over the duration of this Strategic Plan the College's has increasingly positioned itself centrally within the region and delivers many successful educational and skills-related programmes through its various centres. It is increasingly responsive to stakeholder need and will, through the development of a stakeholder strategy, become more agile and adaptive to the needs of those it works with and for.</p> <p>Recent examples of its responsiveness include its work in delivering the Flexible Workforce Development Fund, its schools' activity, particularly through the Fraserburgh Campus and the College's on-going activity with partners involved in the Aberdeen City Council Socio-Economic Rescue Plan.</p> <p>Whilst the College seeks to become a truly excellence educational institution, published KPI data shows that it has still a significant way to go before it can truly be recognised a 'premier provider' of education and skills.</p>	
4.8 Provide modern, fit-for-purpose buildings and facilities for learning, studying and socialising	Pete	<p>Following SFC's decision not to provide financial support for the College's Estates Masterplan, we have undertaken a programme of refurbishment. With the most significant maintenance backlog being at Aberdeen City Campus, most of the investment has been focussed there, but there has also been work undertaken at all other sites. Major projects are listed below.</p> <p>At City Campus, projects have included:</p> <ul style="list-style-type: none"> • In 2018, the refurbishment of teaching space on the 5th and 6th floors of the Tower and creation of a new Student Advice Centre; • In 2019, and in response to priorities identified as part of the City Futures workstream, the creation in the South Block of 7 new, double-sized teaching spaces for graphic design, digital animation and media. We also created new staff workrooms, meeting rooms, offices and student social and informal learning space; and • In 2020, again in response to feedback from the City Futures workstream, we have progressed Phase 2 of the works to create a more coherent layout for curriculum delivery, including creating new photographic studios in the South Block. In the Basement, we have improved and expanded the space for Hair and Beauty, including creation of a new commercially-focused salon, with staff workrooms also relocated to be near the salons. 	

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		<p>At Altens Campus, we have, so far, focused on improving the external environment, and also, in 2019, completely refitted the Hazardous Areas Training Workshop.</p> <p>At Fraserburgh Campus, the Fujitsu-sponsored Digital Innovation Centre was brought into use in 2018.</p> <p>The constraints of the current operating environment as a public body mean that future developments are wholly dependent on continued levels of estates capital funding from SFC</p>	
<p>4.9 Deliver an ICT service which is accessible, functional and which provides seamless support for our Digital Strategy</p>	<p>Paul (IT)</p>	<p>The transition from an externally managed IT support service to primarily in-house support services has been largely successful in delivering our desired strategic objectives. In-house services are very accessible and working without the constraints of a contract with a third party supplier has meant we can be far more flexible and adaptable to the needs of our customers and any changing circumstances.</p> <p>We have high customer satisfaction scores and strong audit results have been returned for the IT Operations service. We have had a successful partnership with Esteem/ROC who have been used to monitor and support some of our infrastructure and core systems. Moving forward the in-house team will take on a number of these support tasks reducing our reliance on this support contract. Within IT Operations there is some work to be done to ensure the correct balance of resources available across front line support and system support and maintenance.</p> <p>Excellent progress has been made against the Scottish Government Public Sector Action Plan for Cyber Resilience and we have aligned our plans with the new Public Sector Cyber Resilience Framework. The appointment of an internal Information Security Lead working with our CISO-Share partner HEFESTIS has proved to be a successful model in this area.</p> <p>The introduction of an IT project management framework has assisted with managing a large portfolio of projects. A better understanding of our development team capacity is needed ensure that large scale in-house developments can be planned and resourced effectively.</p>	

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		<p>The service has handled recent challenges presented by the COVID-19 crisis admirably with swift transition to a virtual or hybrid model supporting home working, virtual learning and now a blended learning approach. The service will have to remain flexible and adaptable as we move forward with many aspects of blended learning being retained. The service we proved will be driven by the needs of our curriculum areas and other support departments.</p>	
<p>4.10 Create an approach to equality and diversity which ensures success for all learners regardless of background or experience and maintains a culture of respect and opportunity for all</p>	<p>Susan G</p>	<p>An equalities data dashboard has been set up to allow live data access to all staff. This means that they have the opportunity to monitor and evaluate their equalities performance and add appropriate actions to their enhancement plans.</p> <p>A whole-College data report has also been developed to provide evidence to inform priority areas for action e.g. disability attainment, particularly for those with mental health conditions.</p> <p>The Equalities Committee has been proactive in addressing the lack of diversity in College Committees and has co-opted new volunteers to assist its work. The Committee has also set up a subgroup to promote further the RESPECT Campaign first introduced in AY2019-20. "Equally Safe" has been incorporated and in AY2020-21 this will also feature our commitment to anti-racism. A second subgroup has been set up to review the effectiveness of equality impact assessment and will undertake further actions to support this function and assist with mainstreaming equalities across all College departments. A third subgroup has been set up with a particular focus on the impact of the COVID-19 pandemic on students and particular groups. The work of these groups will also feed into the general duty for mainstreaming equalities.</p> <p>Feedback from complaints, focus groups and surveys is also considered by the Committee to inform actions for improvement.</p>	

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STRATEGIC GOAL 5			
Strategic Objective		Progress Update	RAG Status
5.1 Through the delivery of our Outcome Agreement seek to achieve sustainable levels of funding in support of our core activities from the Scottish Funding Council (SFC)	Pete	In both AY2018-19 and AY2019-20, following lower-than-expected enrolments, the College negotiated reductions in its Credit target and the associated income; however, it has continued to set balanced budgets throughout the period affected by the COVID-19 pandemic. We expect to meet our Credit target in AY2020-21. The College will also see a reduction in its Credit target in AY2022-23 and has budgeted accordingly. The College has maintained discussions with SFC throughout the period of the Strategic Plan, to ensure core funding and activity is maintained.	
5.2 Increase the income we earn from the commercialisation of our courses	Duncan	<p>The Flexible Workforce Development Fund (FWDF) continues to dominate our commercial income strategy. AY2019-20 has seen a downturn in commercial income as a result of the COVID-19 pandemic and the impact it has had on employers in the region. As a result, we are still working on the delivery of AY2019-20 FWDF activity and will be for some time. This creates a bit of a log jam when added to the AY2020-21 fund and the new phase 2 fund. To address this, we are looking at business development manpower and tendering for more Associate Trainers to help increase capacity. Building space is likely to be the next challenge although remote delivery takes place where possible.</p> <p>We have also streamlined our part-time offer, removing leisure courses to ensure our campus is not over stretched. Instead we focused the part time offer on courses with employability value. However opportunity even for these programmes has been limited and impacted by consumer confidence to come together in groups.</p>	
5.3 Deliver efficiencies in the operation of our business year on year to allow financial	Jim, Muir	We have three alterations to business process that will streamline what we do and improve in year reporting and control.	

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headroom for investment in innovation, staff and facilities		<ul style="list-style-type: none"> • 2018-19 and 2019-20: Adopted and embeded new software, depm, that has improved the time taken to upload budgets to our ledger, amend those budgets and improve reporting. • 2019-20 and 2020-21: Working on a new system to provide the College with its own online payment portal with 24/7 access. • 2019-20 and 2020-21: P2Pay system to be introduced which will improve budget control over our purchase order processing, and ultimately allow us to improve our management accounts reporting by giving us data on orders that are committed. This will materially enhance our budget monitoring reports. <p>Real financial headroom will come from savings to existing budgets.</p>	
5.4 Use technology and digital skills to develop efficient and flexible models of curriculum delivery and to streamline business processes and systems	Alesia, Susan B, Susan G, Kimra, Paul (IT)	<p>All curriculum teams have had to rapidly develop skills in remote delivery following the lockdown imposed as a result of the COVID-19 pandemic in March 2020. This has proved a very effective catalyst in materials development and, more particularly, in online assessment. Since August 2020 and the adoption of a blended learning model, this has developed further and curriculum staff have been supported in delivering courses in accordance with the provided blended learning framework.</p> <p>ITTS have been supportive in providing the necessary hardware and infrastructure to enable all staff and students to access digital learning and training has been provided to teaching staff on online delivery. These developments and ongoing learning associated with these delivery models are identifying good practice and the lessons learned at present will ensure learning and teaching will be significantly changed in subsequent years.</p>	
5.5 Fully utilise the financial resources available to us and produce annually a balanced budget position	Pete	In June 2019, the College set a balanced 5-year financial plan which would have seen it reduce reliance on SFC funding, while utilising commercial income to support innovation and developments. The COVID-19 pandemic has meant this was revised to a 3-year plan in June	

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		2020, with little flexibility and significant efficiencies needed in order reach a sustainable position.	
5.6 Continue to reduce the College's environmental impact through outstanding environmental sustainability performance maintaining compliance with BSI 14001 and 50001, striving to meet College targets for carbon reduction	Pete	Carbon reduction targets in the Carbon Management Plan have been achieved, with a 28% reduction in CO2 emissions since AY2015-16. BSI 14001 and 50001 accreditation have been maintained.	
5.7 Embed sustainability in the College culture involving staff and making it core to our structures, decision making and operational processes	Pete	<p>The College constituted a Sustainability Committee in AY2019-20, with representatives from students, curriculum and support staff, external contractors and management. Due to the COVID-19 pandemic, impact was limited; however, it will be continued in AY2020-21.</p> <p>The United Nations Sustainable Development Goals (SDGs) are now considered as part of self-evaluation for faculties and support services and the College is a signatory to the SDG Accord, reporting annually on progress.</p>	



REGIONAL BOARD	
Meeting of 16 December 2020	
Title: Interim Outcome Agreement AY2020-21	
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 provide the Regional Board with information relating to key aspects of the Outcome Agreement process during AY2020-21.	
Linked to Strategic Goal:	
Linked to Annual Priority:	
Executive Summary: On 01 December 2020 the SFC published Guidance for Interim Outcome Agreements for Colleges and Universities AY2020-21 . As referred to by the SFC Chief Executive at the recent Regional Board Strategy Event, an interim approach to the Outcome Agreement (OA) process is to be adopted during AY2020-21. The Guidance also provides some information on the direction of travel for future OA processes: <ul style="list-style-type: none"> • “a more meaningful, outcome focused, streamlined approach to accountability and reporting” • “a move away from excessive reporting, particularly if the information is available elsewhere” • “shorter OAs focused on key priorities and commitments”. The following summarises what has been requested from colleges:	
Self-evaluation for AY2019-20 As EREPs were not required this year, this has been requested to provide the SFC with an understanding of the scale of the impact of the pandemic on progress and expected delivery against AY2019-20 Outcome Agreement targets. The College is required to submit a brief factual report of no more than 6 pages. The report is to provide narrative on: <ul style="list-style-type: none"> • Reflection on statistical/performance data for AY2019-20 	

- Qualitative and quantitative progress, including impact that the COVID-19 pandemic has had on achievement of milestones and commitments
- Reporting on the assessed impact of lockdown from March 2020 on the remaining part of the academic year and key issues arising
- Reporting on early mitigations in place to address challenges moving into AY2020-21.

Interim OA for AY2020-21

Members may recall that due to the COVID-19 pandemic the OA process for AY2020-21 was not completed, with the SFC advising in June 2020 that, for AY2020-21, they would not ask governing bodies to sign off OAs and would not publish them on their website. The recently published Guidance however details a revised approach to the adoption of Interim OAs for AY2020-21.

Colleges are now required to prepare an Interim OA of no more than 15 pages in length:

Narrative is to be included to provide ongoing commitment/statement of intent for the delivery of key sector priorities and outcomes for students, for research, for economic recovery and social renewal and for responsive and collaborative institutions.

The priority list to be addressed in the Interim OA is:

- Fair access and transitions
- Quality learning and teaching
- Learning with impact – students are equipped and ready to take up appropriate employment in the future
- Student participation and engagement in their educational experience
- Equalities and inclusion
- High quality research and innovation
- Meeting future skills needs, including upskilling and reskilling
- Responding to the climate emergency.

In particular colleges are asked to comment on:

- the contribution the College will make to support economic recovery and social renewal and the expected impact of these contributions
- how the College plans to ensure the health and wellbeing of students and staff
- how the College has responded to the immediate challenges of the current emergency.

The table of National Measures that colleges are required to report on has been reduced to 8 (with subsets beneath each):

- Credits
- SIMD10
- Care Experienced
- Senior Phase
- Achievement
- Articulation
- Learner Destinations
- Student Satisfaction

Colleges are not required to set targets for AY2020-21 against the National Measures, but the SFC is asking for a commitment to maintain, wherever possible, the levels of performance as in the AY2018-19 baselines.

Deadlines

20 January 2021	Submission of Self-evaluation of AY2019-20
29 January 2021	Submission of Interim OA for AY2020-21
March 2021	SFC to publish Interim AY2020-21 OAs

The Executive Team are due to hold an Outcome Agreement meeting with NESCol's OA Manager on 15 December 2020. An update on discussion held will be provided on 16 December 2020. The Guidance notes that there may be some flexibility with deadlines if needed, the Executive Team plan to discuss this with NESCol's OA Manager at this meeting.

Outcome Agreement AY2021-22

The Guidance also provides some information regarding the development of colleges' Outcome Agreements for AY2021-22 as part of the new Outcome & Impact Framework that the SFC refers to in their Phase 1 Review Report:

Deadlines

March 2021	SFC to publish Outcome & Impact Framework for AY2021-22
May 2021	Submission of Draft NESCol Outcome & Impact Framework for AY2021-22
June 2021	Submission of Final NESCol Outcome & Impact Framework for AY2021-22
July 2021	SFC to publish Outcome & Impact Agreements for AY2021-22

Recommendation: It is recommended that the Board note the information provided.

Previous Committee Recommendation/Approval (if applicable):
None

Equality Impact Assessment:

Positive Impact

Negative Impact

No Impact

Evidence: