

**NORTH EAST
SCOTLAND
COLLEGE**



**Board of Management
Meeting of 09 December 2013**



NOTICE OF MEETING

A meeting of the Board of Management will take place at 1330 hours on Monday, 09 December 2013 in Gate63 Training Restaurant at Aberdeen City Campus.

A buffet lunch will be available for attendees from 1245 hours in Room EG11.

MEMBERS OF THE BOARD OF MANAGEMENT

Ms. A Bell
Mr. D Cobban
Ms. S Cormack
Mr. B Dunn
Mr. D Duthie
Mr. I Gossip
Prof. J Harper
Ms. C Inglis
Mr. J McKendrick
Ms. D Michie
Mr. K Milroy (Chair)
Prof. M Melvin
Ms. A Simpson
Mr. A Smith
Mr. R Wallen
Mr. R Woods

OTHER INVITED PARTICIPANTS

Mr. B Cruickshank
Ms. J Fowlie
Ms. K Hilton
Mr. K Sime

IN ATTENDANCE

Dr. J Davidson, HMI
Ms. A MacDonald, Audit Scotland
Mr. R Scott, Vice Principal Finance
Mr. P Sherrington, Depute Principal

Ms. P May, Secretary to the Board of Management
Ms. P Kesson, Minute Secretary

Meeting of 09 December 2013

Agenda

1 Apologies for absence

2 Minutes of previous meeting

- 2.1 Minute of meeting of 04 November 2013 (paper enclosed)

3 Matters arising from previous meeting

- 3.1 To be raised at the meeting

4 Matters for decision

- 4.1 Annual Report by the Audit Committee to the Board of Management FY2012-13 – Banff & Buchan College (paper enclosed)
- 4.2 Auditor's Report and Financial Statements for Banff & Buchan College – year to 31 July 2013 (paper to follow)
- 4.3 Auditor's Report and Financial Statements for Aberdeen College – year to 31 July 2013 (paper to follow)
- 4.4 Internal Audit Service for the 8 months to 31 March 2014 (paper enclosed)

5 Matters for Discussion

- 5.1 Report of Annual Engagement Visit to Banff & Buchan College (paper enclosed)
- 5.2 Banff & Buchan College Annual Quality and One Year On Post-Education Scotland Review Report (paper enclosed)
- 5.3 Governance Manual (paper enclosed)
- 5.4 Draft Outcome Agreement 2014-17 (paper to follow)
- 5.5 Board of Management Planning Event (paper enclosed)
- 5.6 North East Scotland College Students' Association Draft Constitution (paper enclosed)
- 5.7 An Update on Potential Developments related to European Funding (paper enclosed)
- 5.8 Report by the Investment and Project Committee (paper enclosed)
- 5.9 Scheduling of Board Standard Committee Meetings (paper enclosed)

6 Summation of Business and Date of Next Meeting

Reserved Items of Business

7 Matters for decision

- 7.1 Reclassification of Colleges (paper enclosed)
- 7.2 Feasibility Study for Accommodation in Fraserburgh (paper enclosed)
- 7.3 Salary Conservation Policy (paper enclosed)
- 7.4 Report on Commercial Activities – report by Chair of Aberdeen Skills and Enterprise Training Ltd (paper enclosed)
- 7.5 Procurement of Contracted Services (paper enclosed)

8 Summation of Reserved Items of Business

Draft Minute of Meeting of 04 November 2013

The meeting commenced at 1330 hours.

PRESENT: A Bell, D Cobban, S Cormack, B Cruickshank, B Dunn, D Duthie, I Gossip, J Harper, K Hilton, C Inglis, J McKendrick, D Michie, K Milroy, M Melvin, K Sime, R Wallen, R Woods

IN ATTENDANCE: C Arnold (Burness Paull)- interim secretary to the Board

1. Apologies for Absence

1.1 Board Members

Apologies were received from A Simpson and A Smith.

1.2 Other Invited Participants

Apologies were received from J Fowle.

2. Introduction and welcome by the Chair

Mr Duthie issued a warm welcome to all present.

3. Record of previous meeting of Board of Aberdeen College

The draft Minute of Meeting held on 07 October 2013 was approved.

4. Matters arising from Minute of previous meeting of Board of Aberdeen College

There were no matters arising.

5. Matters for Approval

5.1 Board Appointments

Members considered the appointment of new Members and a Chair and Vice Chair for the Board.

The seven lay members of Aberdeen College Board had indicated their willingness to serve on the Board of the merged College:

- David Cobban
- Doug Duthie
- Ian Gossip
- John Harper
- Maureen Melvin
- Deirdre Michie
- Adrian Smith

Following discussions between the Regional Lead and existing Members of the Boards of Aberdeen College and Banff & Buchan College a number of lay members were identified to join the Board of the merged College. They were:

- Ann Bell
- Shona Cormack
- Caroline Inglis
- Ken Milroy
- Anne Simpson

It was also agreed that Ken Milroy should be invited to assume the role of Chair of North East Scotland College and that Doug Duthie should be invited to assume the role of Vice Chair.

Members noted the current legislation relating to College Boards of Management regarding staff and student representation on the Board.

It had been agreed that the existing four elected staff representatives could all attend meetings of the Board, with Brian Dunn and Rob Woods having full voting rights and that Kelly Hilton and Keith Sime would attend in a non-voting capacity.

It had also been agreed that Jamie McKendrick and Brian Cruickshank, current student representatives, would attend the meetings with only Jamie McKendrick having full voting rights.

After some discussion the Board:

1. Ratified the appointment of the additional Members of the Board;
2. Confirmed Ken Milroy as Chair of the Board;
3. Confirmed Doug Duthie as Vice Chair of the Board;
4. Approved the transitional arrangements relating to staff and student representation.

Ms Hilton agreed to step down from the Board and be replaced by Mr Woods.

Mr Duthie thanked Members of the former Aberdeen College and the former Banff & Buchan College Boards for the hard work and commitment shown in reaching the current position.

Mr Duthie thanked all staff of the two Colleges and gave special mention to Rhonda Fraser and her team for the excellent Vesting Day arrangements.

Mr Milroy assumed the position of Chair of the Board of North East Scotland College.

Mr Milroy said he was delighted to be the first Chair of the Board of NESCol and said it had been a pleasure and privilege to have worked with everyone over the past months. He paid tribute to all the hard work that had been carried out, culminating in the Vesting Day launch events at Fraserburgh and Aberdeen for stakeholders and the staff event held in the evening. He expressed the hope that the work carried out over the past eleven months would stand the College and the Board in good stead. Mr Milroy commented that the participation in the Board of those who are not full Members is welcomed and encouraged.

Ms Inglis joined the meeting at this time.

5.2 Approval of the name of North East Scotland College

The Board noted that in the Merger Proposal Document it was proposed that the College formed from the merger of Aberdeen College and Banff & Buchan College should be called North East Scotland College.

Members noted a letter from Michael Russell, Cabinet Secretary, giving approval for the use of the new name.

The Board formally adopted the name North East Scotland College.

5.3 Governance Manual for North East Scotland College

The Board considered the adoption of the Governance Manual for North East Scotland College.

Members noted that the Governance Workstream, in preparing the manual, had considered the governance arrangements that applied in the two separate Colleges in the region and the arrangements that would be appropriate for the single regional merged College. It was also noted that the Regional Partnership Board had considered and approved the draft manual.

Mr Milroy said that in matters of governance he would seek advice from the Funding Council and would not act without formal advice being available to the Board.

In response to a query from Ms Inglis on how health and safety matters raised by students or related to students are addressed, Principal Wallen commented that the College's Human Resources Committee takes into account both staff and students when acting on matters related to health and safety. He said that students are included in the membership of the Committee. After some discussion Mr Milroy said that the matter would be considered by the Board's Human Resources Committee at its meeting on 26 November to ensure from a governance perspective that the necessary arrangements are in place.

Mr Milroy suggested that consideration be given to changing the membership of the Investment & Project Committee as stated in the Governance Manual. Possible membership could be the Chair of the Board, the Vice Chair, and three other lay members. The Manual was adopted with this change.

It was agreed that the Governance Manual would be brought back to the next Board meeting in December 2013 for further consideration.

5.4 Board Secretary and Standards Officer

The Board considered arrangements for the roles of Board Secretary and Standards Officer.

Members noted that the Scottish Funding Council has advised that having a senior management member of staff undertaking the roles is no longer considered to be best practice. Mr Milroy informed Members that advice has been given that the two roles are better served by one individual.

The Board considered the various options identified in the paper.

Mr Milroy commented that a key role for the Board is planning and strategy. He said that in her role as Regional Planning Manager, Pauline May had supported the Board over the past 18 months and he considered that she would be the most obvious candidate for the post.

Mr Milroy provided information on how the role of Board Secretary was carried out in other colleges.

Principal Wallen noted that as there would be changes in governance next year and the situation would be reviewed in six months, he felt it was an opportune time to proceed with the role being undertaken by a non-senior management member.

After some discussion the Board agreed that the roles of Board Secretary and Standards Officer be combined and agreed that Ms May be offered the roles.

5.5 Composition of Standing Committees

The Board considered the composition of its Standing Committees.

It was noted that in preparation for the merger, the composition of the Standing Committees had been discussed by the Regional Lead and those lay members who were to be members of the North East Scotland Board.

Mr Milroy noted that membership of the Finance and General Purposes Committee did not include any members of the former Banff & Buchan College. No proposals were suggested for changes to the membership.

After some discussion the Board agreed to the proposed lay membership on the Standing Committees.

Staff and student representatives were requested to discuss and inform the Chair of which Committees on which they would wish to serve. Mr Milroy requested that this information be provided prior to the Committee meetings scheduled to take place on 26 November 2013.

5.6 Arrangements for board and Standing Committee Meetings

The Board considered dates for meetings of the Board of North East Scotland College and its Standing Committees.

It was noted that the dates had been proposed by the Regional Partnership Board at its meeting in September 2013 and circulated to prospective Board Members.

Principal Wallen said that there had been no negative feedback to the proposed dates. It was noted that a starting time of 1000 hours for the first scheduled Committee was reasonable given the distance some Members had to travel.

After some discussion the Board agreed the proposed dates for meetings of the Board and its Standing Committees.

5.7 Business of the Standing Committees

The Board considered arrangements for meetings of the Board's Standing Committees.

Information was provided on the role and key functions of the respective Committees.

Members noted the need to rationalise repetition of information across the Committees.

Professor Harper suggested that the Audit Committee needed to look at a broader remit which was more developmental instead of simply compliance.

Principal Wallen commented that regular reporting and input from the Students' Association would be an important part of the work of the Learning Teaching and Student Services Committee. He said that it was important to include both Aberdeen and Fraserburgh issues.

The proposed business of the Standing Committees was noted and it was agreed would be further considered at meetings of the Committees.

5.8 Arrangements for papers for the Board and its Standing Committees

The Board considered arrangements for papers for meetings of the Board and its Standing Committees.

It was agreed that papers will be issued electronically by email one week in advance of each meeting and that hard copies will follow thereafter to Members who wish them in that format.

Members were asked to inform Principal Wallen if they did not wish to be provided with a hard copy of papers.

5.9 Board of Management Visits 2013-14

The Board considered an approach to the establishment of visits by Members to College sites and facilities.

After some discussion the Board agreed the format of visits proposed in the paper.

In addition Ms Bell suggested that Members may find it useful to visit the College's partner Universities in Aberdeen.

Mr Cruickshank said he would welcome a meeting between Board Members and the Executive Officers of the Students' Association. Mr McKendrick echoed his comments.

5.10 Operational Objectives for the Board

The Board considered its operational objectives.

Members noted that, historically, a small number of objectives had been adopted by the Board of Management of Aberdeen College who had committed to these in the effective delivery of its strategic aims. These had been useful in the end-of-year self evaluation of Members.

Professor Harper commented that it was important to look into how the Board operates to reflect the key issues for the Board and how they are measured.

After some discussion the Board agreed to take forward the two operational objectives noted in the paper.

Mr Sherrington and Ms May joined the meeting at this point.

6. Matters for Discussion

6.1 Annual Engagement Visit to Banff & Buchan College

Ms Jan Davidson, HMI, had apologised for being unable to attend the meeting of the Board. It was anticipated that she would attend the meeting scheduled to take place in December 2013.

6.2 Record of previous Meeting of Banff & Buchan College Board of Management

Members considered the paper accompanying the record of meeting of Banff & Buchan College Board held on 9 October 2013 and confirmed the arrangements contained in the paper.

6.3 Aberdeen and Aberdeenshire Regional Partnership Board

Members noted the information contained in the record of meeting of the Regional Partnership Board held on 21 October 2013.

Mr Sime asked about the regionalisation risk register, and was advised that it would be combined and absorbed into a single risk register for North East Scotland College.

Mr Scott, Vice Principal Finance, joined the meeting at this time.

7. Matters for Decision

7.1 Strategic Planning and Outcome Agreement

The Board considered arrangements for strategic planning and for developing an outcome agreement for North East Scotland College.

Principal Wallen informed Members that Mr Sherrington had now assumed lead responsibility for the planning function. He said that the documents provided should be seen as work in progress.

Information was provided on the background to the strategic planning function required by the Scottish Funding Council; the current planning arrangements; key performance indicators; outcome agreement for 2014-15; and the Board of Management's annual planning event.

Mr Sherrington informed Members that the Regional Outcome Agreement will replace the Strategic Plan and that there is now an opportunity for the Board to take more control of what should be contained in the Outcome Agreement.

It was agreed that the Board should hold an annual planning event, and that in the current planning cycle it will take place in January or February 2014 with the purpose of discussing how to use the planning cycle across the College with one set of data for the Board to monitor and manage the process. It was noted that such events will, in future years, be held annually in October.

The event would provide an opportunity for the Board to review the Performance Indicators in the outcome progress table. These are the datasets which have to be provided on a regional basis.

Professor Harper commented that the set of PIs were very detailed and that it would be helpful to identify which are the really significant indicators.

Mr Milroy said it was an evolving picture and that the Board needed to set aside some time for strategic planning purposes. He said that it was important not to lose sight of the vision for the College.

Principal Wallen said that a more complete version of the draft Outcome Agreement would be issued to Members after the meeting and they were requested to give draft comments by 22 November. Comments made by the Funding Council would be considered at the Board meeting in December.

Members noted that the final draft Regional Outcome Agreement has to be submitted to the Funding Council by 13 December 2013.

Principal Wallen suggested that it would be beneficial to have external input to the Planning Event and said he would ascertain the availability of Sir Ian Wood and Professor von Prondzynski.

Mr Duthie commented that it would be useful to have a presentation from students on their vision for the future.

Ms May left the meeting at this point.

The Board adjourned for a short break.

7.2 North East Scotland Foundation for Further Education

The Board considered matters relating to the establishment of the North East Scotland College Foundation for Further Education.

Members noted that, following a decision by the Office for National Statistics to reclassify incorporated colleges in the United Kingdom as being central government bodies for budgeting and reporting purposes, the Finance and General Purposes Committee of the Aberdeen College Board of Management had considered and approved the establishment of a foundation.

A draft constitution had been drawn up by Burness Paul, the College's solicitors, and reviewed by Henderson Loggie, Chartered Accountants. Members also considered a comprehensive briefing paper provided by Mr Scott giving information on: the background; context; effects of reclassification; mitigation; proposed foundation; registration with the Office of the Scottish Charities Regulation (OSCR); operation of the foundation; and trustees.

At the invitation of the Chair, Mr Scott provided further contextual information on the establishment of a foundation.

Mr Scott said that in terms of control it would be an arms-length foundation as there needed to be an apparent distance between the foundation and the Board of Management. He informed Members that a Liaison Committee would be set up to undertake the work that will result in proposals coming forward to the full foundation.

Mr Milroy thanked Mr Scott for the speed at which he had taken his matter forward.

Professor Harper commented that the briefing paper was extremely helpful and asked if the Board had the power to pass monies to the foundation.

Mr Scott confirmed that the Further and Higher Education (Scotland) Act (1992) gave Boards the authority to make such payments. He said that throughout the process of establishing a foundation the Funding Council, Audit Scotland, Burness Paul and Henderson Loggie had all been kept fully informed of matters. He assured Members that what had been undertaken was within the authority of the Board of Management.

It was agreed that the Foundation could operate on the basis of having seven members. It was noted that the majority would have to have no current involvement in the College, so that the foundation could be recognised as being "arms length".

Mr Milroy informed Members that the majority of four such individuals had indicated that they would be willing to be involved in the proposed foundation:

- George Watt, a former Chair of the Aberdeen College Board of Management
- Lynn Mcfarlan, former Chair of the Banff & Buchan College Board of Management
- Karen Stewart, former Member of Aberdeen College Board and ASET Board
- Alan Cameron, former Member of Aberdeen College Board and a former Chair of ASET

In addition Mr Milroy proposed that three current Board Members be identified who would be willing to join as Trustees. Ms Bell, Professor Melvin and Mr Cobban had indicated that if asked to do so they would be happy to undertake this role.

After some discussion the Board agreed to the proposed arrangements.

The Board agreed to proceed on this basis.

8. Matters for Information

8.1 College companies and College commercial activity

The Board considered a paper providing information on the College companies and the various kinds of commercial activity of North East Scotland College.

Mr Duthie and Mr Gossip declared an interest in the matter by virtue of their roles as Directors of Aberdeen Skills and Enterprise Training Limited (ASET).

Mr Sherrington informed Members that the dormant company of the former Banff & Buchan College had been wound up.

Members noted that ASET is now a wholly owned subsidiary of North East Scotland College, and that bSolutions will run commercial activity as part of the College.

Principal Wallen provided information on OGAS, a consortium of 5 independent bodies, of which North East Scotland College is one.

Mr Gossip and Mr Sherrington agreed to provide Members with information on ASET and bSolutions respectively.

Mr Milroy requested Mr Sherrington to have a broader look across the spectrum on how to take forward any future rationalisation.

It was agreed that this matter would be an item for discussion at the Board's planning event in January/February 2014.

Mr Sherrington and Mr Scott left the meeting at this time.

8.2 External Standards

The Board considered and noted a paper providing information on the actions taken by the College to maintain or regain the external quality standards held by Aberdeen College for North East Scotland College.

9. Summation of Business and date and time of next Meeting

The Secretary gave a summation of the business conducted. The next meeting of the Board of Management will take place on 9 December 2013.

Mr Cruickshank, Mr Dunn, Ms Hilton, Mr McKendrick, Mr Sime, and Mr Woods left the meeting at this time.

Ms Hay, Vice Principal, joined the meeting.

10. Reserved Items of Business

10.1 Recognition and Procedures Agreement

The Board considered the Recognition and Procedures Agreements for lecturing staff and support staff.

Information was provided on the implications of the merger on trade union recognition; the proposed recognition agreements; and consultation arrangements.

Ms Hay said that she had discussed the Agreements with Martin Rosner, Project Manager. She informed Members that it was intended to keep the committees very focussed but linked in to a consultation and information forum.

It was noted that there had been, and will continue to be, discussion at a national level relating to national pay bargaining.

The Board approved the draft Recognition and Procedures Agreements for lecturing and support staff of North East Scotland College.

10.2 Proposed Salary Conservation Arrangements

The Board considered a paper on proposed salary conservation arrangements for North East Scotland College.

Ms Hay informed Members that the arrangements will be necessary as new structures are put in place and become more important. She said the arrangements would be a benefit to some staff, particularly of the former Aberdeen College, where there had been a maximum of 2 years conservation. The former Banff & Buchan College had been reviewing their arrangements.

Ms Hay said that the approach of a maximum of three years based on people's service is a good compromise.

In response to a query from Ms Inglis, Ms Hay said that an impact assessment had not been carried out but that she would do this if the Board would wish this.

In response to a question from Ms Michie, Ms Hay said that no additional costs would be incurred. She said that, if in the process of restructuring, someone had to drop down to a post of a lower salary, their salary would be conserved for three years. Looking at the number of staff who are applying for voluntary service it would appear that there would not be a high number of people who need to have salaries conserved.

After some discussion the Board approved the proposed salary conservations arrangements.

10.3 Contract for Services between Aberdeen College and Protocol

The Board considered the contracting out of temporary lecturing services.

Information was provided on the use, by the former Aberdeen College, of a contract for temporary lecturing services with Protocol; agency workers; costs and benefits; quality assurance and quality improvement; and the options open to the Board. It was noted that the current contract between Aberdeen College and Protocol expires on 31 July 2014.

After some discussion the Board agreed to invite bids for the provision of services for the campuses which were previously part of Aberdeen College, with an option to extend to cover the Fraserburgh and Peterhead campuses if required.

The meeting concluded at 1612 hours.

Annual Report by the Audit Committee to the Board of Management FY 2012-13 - Banff & Buchan College

1. Introduction

- 1.1. The purpose of this paper is to enable the Board of Management to consider the Annual Report presented by the Audit Committee in respect of the former Banff & Buchan College.
- 1.2. The report covers the period 01 August 2012 to 31 July 2013.

2. Background

- 2.1. The Scottish Funding Council (SFC) has established a Financial Memorandum between the SFC and colleges. Compliance with the terms of the Financial Memorandum is a requirement of the conditions of grant set by the SFC.
- 2.2. The Financial Memorandum sets out a number of 'mandatory requirements' upon boards of management. The presentation by the Audit Committee of an annual report is part of the Board's arrangements for governance and oversight and also enables the Board to demonstrate compliance with the SFC's requirements.

3. Report presented by the Audit Committee

- 3.1. The Audit Committee presents to the Board of Management its annual report in respect of the former Banff & Buchan College, which is attached as an appendix 1 to this paper.
- 3.2. The Audit Committee, at its meeting on 26 November 2013, noted the satisfactory outcome of the audit work undertaken in the year and that the auditors' reports showed the strength of control systems.

4. Recommendation

- 4.1. It is recommended that the Board consider and, if so minded, adopt the Annual Report by the Audit Committee in respect of the former Banff & Buchan College given in the appendix to this paper.

Rob Wallen
Principal

Paul Sherrington
Depute Principal

Annual Report by the Audit Committee to the Board of Management for Banff and Buchan College Session 2012-13

1.0 INTRODUCTION

The Audit Committee is required, in accordance with Scottish Funding Council (SFC) guidance, to report annually to the Board of Management.

This report covers the 12 month financial year to 31st July 2013.

The committee has met three times relating to the year and minutes of those meetings have been presented to the Board. Following one of these meetings, a further meeting was held, between the committee members and the internal and external auditors with no officials in attendance.

2.0 FINANCIAL STATEMENTS

The only recent change in accounting policies was made in 2003-04 and relates to the pension schemes. Following a review of the Local Government Superannuation Scheme, and following the advice in a letter from the Funding Council, it was decided that the pension fund should be treated as a defined contribution scheme. This was on the basis that "All local government pension schemes in Scotland, with the exception of the Lothian scheme, appear broadly similar in that they operate with pooled assets, the same employer contribution rate for all members and there is no mechanism to vary the level of contribution. Also, while asset shares are being reported it seems they are estimated on a pro rata basis based on identifiable liabilities".

The activities reported on in the financial statements are for the 12 month period to the 31st July 2013. The comparative figures are for the 12 month period to 31st July 2012.

The College results show a planned deficit of £285,000 for the year, (deficit of £165,000 in the previous year). The deficit is a result of planned repairs to the roof and maintenance, both in the older part of the Fraserburgh campus. Reserves had been set aside for this work.

There was an overall 9.8% decrease in Recurrent Grant this year from the SFC, which is part of the cuts in funding to the FE sector. The cumulative Access funds, including Childcare, received during the year were £335,000 (£334,000 2011/12). Bursary funds amounted to £1,826,000 which is net of the £35,000 unspent from 2011/12 that was clawed back by the SFC (£1,855,000 2011/12), and EMA's £168,000 (£161,000 2011/12).

A significant level of grants, £876,000, have been rolled forward to meet the costs of transport upgrades; IT equipment and software; and, most significantly, the balance of the College 2012 estates project and our contribution towards the new premises at Ellon.

The staff analysis shown in the accounts is as required by company law and teaching staff allocation is as per the definition required by SFC. Staff numbers are also calculated according to SFC guidelines.

ANNUAL REPORT BY THE AUDIT COMMITTEE TO THE BOARD OF MANAGEMENT FOR BANFF AND BUCHAN COLLEGE SESSION 2012-13

The largest non-staff costs for the College, other than depreciation, is for the repairs and maintenance of the Peterhead Centre and to the roof of the old part of the main College building..

Land is the only part of the original estate left in the accounts at its Revaluation Value. The fixed asset additions during the year were £57,000 for equipment. The actual cost of the Peterhead centre was below the value accrued, £10,000 was derecognised.

Debtors referred to in note 12 of the accounts are analysed in the normal Companies Act format. Trade debtors relate primarily to amounts due from various companies for student fees. The increase in Accrued income was due to there being capital grants drawn down for the Welding project that were unpaid at the year end, £244,000. Other areas of accrued income were for ESF priority 5 £53,000; Voluntary severance £51,000; SDS £54,000.

Creditors are detailed in note 13 of the accounts and show a material decrease from last year of £416,000. Most of this relates to the usage of pre received income for planned estates maintenance; less accruals due to no holiday pay accrual nor accrual for the purchase of the Peterhead centre. These were offset by higher trade creditors due to payments due to contractors for work on the College roof.

Deferred Capital Grants are being released to the Income and Expenditure A/C in line with the College depreciation policy.

The report of the Board of Management highlights that the College's creditors were settled on an average 20.53 day cycle, compared to 27.26 days in the previous year.

The College continues to provide under FRS12 for long term pension provisions.

The Audit Committee formally recommends to the Board that the accounting policies on the accounts for the financial year ended 31st July 2013 be approved.

3.0 EXTERNAL AUDITORS MANAGEMENT LETTER

3.1 Audit Opinion

The auditors have issued an unqualified audit opinion for 2012/13.

The College has adopted FRS17 for pension funds and has accounted for the contributions to the schemes as if they were defined contribution schemes.

3.2 Form and Contents of 2012/13 Accounts

The format of the 2012/13 accounts is in line with current guidance given by the Scottish Funding Council.

4.0 INTERNAL AUDITORS ANNUAL REPORT

The purpose of Internal Audit is to provide the governing body with reasonable assurance that there are no major weaknesses or breakdowns in the whole system of internal controls. In conducting its work Internal Audit prepared a detailed internal

ANNUAL REPORT BY THE AUDIT COMMITTEE TO THE BOARD OF MANAGEMENT FOR BANFF AND BUCHAN COLLEGE SESSION 2012-13

audit plan. This plan was agreed with the Audit Committee prior to any Internal Audit assignments being conducted.

All internal audits undertaken during the 12 month financial year 2012/13, including follow-on in respect of audits from previous year, together with management responses and actions taken, enabled Internal Audit to provide the Audit Committee with the assurances they required.

A full copy of the Internal Auditor's Annual Report to the Board of Management is available on request from the Board Secretary.

5.0 VALUE FOR MONEY

The Audit Committee has reviewed arrangements for evaluating value for money in the College and considers these to be satisfactory.

Value for Money is constantly looked at by the College and Benchmarking exercises are conducted on a continuing basis. All major cost is reviewed against budget on an on-going basis.

6.0 CIRCULAR FE 1/98

The College continues to comply with Circulars 11/96 and 1/98 with regards to the composition and conduct of the Audit Committee.

6.1 PERFORMANCE

The Audit Committee are satisfied with the adequacy and effectiveness of the College's internal control systems, and of the efficiency of the Internal and External Audit procedures.

7.0 MARKET TESTING OF AUDIT SERVICE

The College market tested both the external and internal audit functions in 1997. The College external auditors were changed with effect from 1st August 2001 under instructions made by Audit Scotland.

Audit Scotland themselves commenced their 5 year assignment as external auditors of the College with the audit of the 2011-12 accounts.

The internal audit function was subject to formal tender for the year beginning 1st August 2010. Scott Moncrieff succeeded Henderson Loggie as internal auditors.

8.0 LOSSES AND SPECIAL PAYMENTS

All losses and special payments were duly considered and approved by the Committee and Board of Management. Where relevant the SFC were notified.

9.0 INTERNAL AUDIT PLAN

**ANNUAL REPORT BY THE AUDIT COMMITTEE TO THE BOARD OF
MANAGEMENT FOR BANFF AND BUCHAN COLLEGE
SESSION 2012-13**

Following discussions with the internal auditors and due to the merger on the 1st November 2013 of Aberdeen and Banff and Buchan Colleges no draft internal audit plan has been prepared for 2013/14.

The new Colleges Internal Audit Committee should discuss with its Internal Auditors the amount of audit cover and ask them to prepare an audit plan that would duly be considered by the Committee. The internal auditors should liaise closely with the external auditors to ensure an effective, economic and efficient use of audit resources is achieved.

The new College Committee will ensure that the internal audit plan for 2013/14 is carried out satisfactorily.

10.0 CONCLUSION

The Audit Committee are pleased to report to the Board that in their opinion the College has adequate internal controls, procedures and systems in place.

Signed.....
Chair, Audit Committee

Date

**Auditor's Report and Financial Statements for Banff & Buchan College
– year to 31 July 2013**

Paper to follow

**Auditor's Report and Financial Statements for Aberdeen College
– year to 31 July 2013**

Paper to follow

Internal Audit Service for the 8 months to 31 March 2014

1. Introduction

- 1.1. The purpose of this paper is to assist the Board of Management to consider the provision of an internal audit service in the current financial reporting period.
- 1.2. This matter was considered at the meeting of the Audit Committee and is now presented to the Board for decision in accordance with the terms of the Board's Governance Manual.

2. Consideration by the Audit Committee

- 2.1. The Audit Committee considered this matter at its meeting on 26 November 2013. The paper considered by the Committee is attached as appendix 1 to this report.
- 2.2. The Committee decided to recommend to the Board that Wylie and Bisset be appointed as internal audit service provider to North East Scotland College for the financial reporting period of the 8 months to 31 March 2014.

3. Recommendation

- 3.1. It recommended that the Board of Management consider the recommendation made by the Audit Committee on the appointment of an internal audit service provider.

Rob Wallen
Principal

Roddy Scott
Vice Principal Finance

AUDIT COMMITTEE

Meeting of 26 November 2013

Internal Audit Service for the 8 months to 31 March 2014

1. Introduction

- 1.1. The purpose of this paper is to assist the Committee to consider the provision of an internal audit service in the current financial reporting period.

2. Internal Audit Service

- 2.1. The Board of Management is required to obtain an internal audit service. Typically this service is procured from a professional accounting practice.
- 2.2. The Board of Management, Audit Scotland and other central authorities rely upon the programme of work undertaken by the internal audit service to provide assurance of the adequacy of the financial and operational control environment in the College.
- 2.3. The term of appointment of Wylie and Bisset, the current internal audit service provider, ended on 31 July 2013. There is a need to secure internal audit services for the current financial reporting period.

3. Context

- 3.1. One of the consequences of the reclassification of Scotland's further education colleges as 'public bodies' is that the financial reporting date for colleges moves from 31 July to 31 March.
- 3.2. In practical terms, this means that the next balance sheet reporting date for the Board of Management is 31 March 2014 and financial statements for the 8 months to 31 March 2014 shall require to be audited by Audit Scotland, the external auditor of the Board of Management. The external auditor will rely upon the internal auditor's programme of work in reaching its audit conclusions.
- 3.3. The impacts of reclassification of colleges are the subject of much discussion and, even at this late stage, many issues remain to be clarified. For example, it is not yet clear if the Scottish Government's Scottish Public Finance Manual shall apply in full to colleges. It is understood that the application of the Finance Manual might require significant changes in colleges' established financial procedures.
- 3.4. The formation of North East Scotland College from the merger of Aberdeen and Banff & Buchan Colleges has taken place during the 8-month reporting period. The role of the internal audit service is more important than ever during this time of transition.

4. Appointment of an Internal Audit Service Provider

- 4.1. It is reasonable to expect that the current uncertainties relating to reclassification shall be resolved by 01 April 2014.
- 4.2. It is proposed that, in the context of the uncertainties associated with reclassification of colleges, the Audit Committee makes an interim

appointment of an internal audit service provider for the 8-month period to 31 March 2014.

- 4.3. By making an interim appointment of an internal audit service provider at this time, the Board of Management retains the latitude to appoint an internal auditor from 01 April 2014 on terms that meet the requirements of operating as a 'public body'.
- 4.4. The term of appointment of Wylie and Bisset, the current internal audit service provider to Aberdeen College, ended on 31 July 2013. The previous Audit Committee had recorded its satisfaction with the service provided by the firm.
- 4.5. Wylie and Bisset has indicated that it is willing to provide internal audit services on the same fee rates as applied when it was appointed to the role in 2010.
- 4.6. The appointment of Wylie and Bisset on an interim basis provides a degree of continuity with respect to the firm's knowledge of the control environment in operation at the College. Wylie and Bisset can also bring to bear the experience that it has from serving as internal audit service provider to Edinburgh College, which was formed (by the merger of three colleges in Edinburgh) in October 2012.

5. Recommendation

- 5.1. It recommended that the Committee consider the information provided in this report and make recommendation to the Board of Management on the appointment of an internal audit service provider.

Rob Wallen
Principal

Roddy Scott
Vice Principal Finance

Report of Annual Engagement Visit to Banff & Buchan College

1. Introduction

- 1.1 The purpose of this paper is to allow the Board to consider the report of the Education Scotland Annual Engagement Visit to Banff & Buchan College held in October 2013.

2. Background

- 2.1 In January 2013, Banff & Buchan College became the first of Scotland's Colleges to be reviewed under Education Scotland's new Quality Framework. The subsequent Review Report was published in March 2013 and contained an overarching judgement of "limited effectiveness" and four main points for action.
- 2.2 Banff & Buchan College produced a detailed action plan to address the key issues raised in the Review Report, and in October 2013, at the College's request, Education Scotland conducted an Annual Engagement Visit to evaluate progress. A copy of Education Scotland's Report from their October 2013 visit is attached as appendix 1.

3. Recommendation

- 3.1 It is recommended that the Board consider the Report of the Annual Engagement Visit to Banff & Buchan College.

Paul Sherrington
Depute Principal

Annual engagement: main findings

Name of college: Banff and Buchan College

Date of visit: 10-11 October 2013

Contextual information:

The Board of Management has agreed that Banff and Buchan College will merge with Aberdeen College, with a vesting date of 1 November 2013. The merger process is proceeding to plan and college staff and managers are working well with their colleagues in Aberdeen College to finalise plans for merger.

The recently appointed principal designate of the new college is Rob Wallen, principal of Aberdeen College. The senior management team and College Board are in place and consultation is underway for the academic management structure. The new college has arrangements in place to negotiate the 3-year outcome agreement with the Regional Board.

Update on previous Education Scotland evaluative activities

Banff and Buchan College was externally reviewed by Education Scotland in January 2013. The outcome of the review was that:

The effectiveness of Banff and Buchan College's arrangements to maintain and enhance the quality of its provision and outcomes for learners and other stakeholders is limited.

Weaknesses were reported in *progress and outcomes for learners and leadership and quality culture*. The College had four main points for action.

- The college should improve success rates in programmes where they are low.
- Managers should fully develop arrangements for the effective evaluation of learning and teaching across the college.
- The college should ensure that support services teams engage in self-evaluation activities which lead to effective plans for improvement.
- Managers and staff should ensure self-evaluation activities are effective and they should fully evaluate the impact of actions to inform improvement.

Since the review, the college has prepared and successfully discharged an action plan to address the main points for action.

Learner Progress and Outcomes

College senior managers are aware of the issues around learner success and had put in place plans to address these over academic session 2012-13. The main themes in the college approach to addressing learner success have been risk-based and learner-centred. These have encouraged early intervention and helped ensure that fewer learners withdrew early or reached the end of their programme with partial success.

The college has taken fully into account the targets agreed under the Regional Outcome Agreement (ROA) for 2013-14 in its planning and delivery. These targets within the ROA for 2013-14 are incorporated into the planning for the merged college.

Early and further withdrawal trends

Early retention is strong across the college and an improvement on the 2011-12 sector performance levels in all delivery modes. In all delivery modes, early withdrawals have reduced in 2012-13, most notably in full-time HE where withdrawal levels have fallen by 5% points.

Further withdrawals for full-time FE have reduced steadily over a three year period and have improved significantly in 2012-13. These are now 3% better than the sector levels for 2011-12, having been below national sector performance in the previous two years.

In part-time FE, early withdrawal and further withdrawal rates remain low and have either improved or remained the same for 2012-13. In all cases, they are markedly ahead of the national sector performance levels. In full-time HE in the last three years, further withdrawals have also improved significantly and are currently 5 percentage points ahead of sector performance levels for 2011-12.

Successful outcome trends

In full-time FE, 72% of learners completed their programmes successfully in 2012-13. This is well above 2011-12 national sector performance and represents an increasing trend from 58% in 2010-11. A further 9% completed with partial success.

In full-time HE, 79% of learners completed their programme successfully. This represents an increasing trend from 57% in 2010-11, with a marked improvement in 2012-13, and is significantly above the national sector performance for 2011-12. A further 10% completed with partial success.

In part-time FE, 89% of learners completed their programme successfully. This represents an improving trend, from 73% in 2011-12. This is well above national sector performance for 2011-12. A further 8% completed with partial success.

In part-time HE, 89% of learners completed their programmes successfully. This represents an improving trend since 2010-11 and is significantly above national sector performance for 2011-12. A further 10% completed with partial success.

The percentage of learners completing with partial success has fallen steadily over the past three years in all modes of delivery, except part-time HE which experienced a slight rise in 2011-12 but fell considerably in 2012-13. This along with the reductions in early and further withdrawals has contributed to improved learner success.

The tables show the proportion of learners who completed their FE or HE programmes successfully, over the last four sessions. The performance indicators (PIs) discount those programmes not leading to a recognised qualification. The 2012-13 sector performance or high benchmarks are currently unavailable and references to national sector performance or benchmarks relate to 2011-12.

Full-time FE

	College			
	Early withdrawal	Further withdrawal	Partial Success	Completed successfully
2009-10	8%	21%	11%	60%
2010-11	5%	18%	19%	58%
2011-12	8%	20%	12%	61%
2012-13	6%	13%	9%	72%

	National sector performance			
	Early withdrawal	Further withdrawal	Partial Success	Completed successfully
2009-10	10%	18%	13%	60%
2010-11	10%	17%	11%	62%
2011-12	9%	16%	11%	64%

Full-time HE

	College			
	Early withdrawal	Further withdrawal	Partial Success	Completed successfully
2009-10	5%	16%	16%	63%
2010-11	6%	20%	17%	57%
2011-12	8%	15%	13%	64%
2012-13	3%	8%	10%	79%

	National sector performance			
	Early withdrawal	Further withdrawal	Partial Success	Completed successfully
2008-09	7%	14%	14%	64%
2009-10	7%	15%	14%	64%
2010-11	6%	14%	13%	67%
2011-12	6%	12%	12%	69%

Part-time FE

	College			
	Early withdrawal	Further withdrawal	Partial Success	Completed successfully
2009-10	1%	2%	15%	82%
2010-11	1%	3%	23%	73%
2011-12	2%	2%	11%	85%
2012-13	1%	2%	8%	89%

	National sector performance			
	Early withdrawal	Further withdrawal	Partial Success	Completed successfully
2008-09	4%	6%	13%	77%
2009-10	4%	7%	13%	76%
2010-11	4%	7%	12%	77%
2011-12	3%	6%	12%	79%

Part-time HE

	College			
	Early withdrawal	Further withdrawal	Partial Success	Completed successfully
2009-10	0	4%	19%	77%
2010-11	3%	7%	18%	72%
2011-12	1%	2%	19%	78%
2012-13	1%	1%	10%	89%

	National sector performance			
	Early withdrawal	Further withdrawal	Partial Success	Completed successfully
2008-09	5%	6%	15%	74%
2009-10	5%	6%	16%	73%
2010-11	4%	6%	15%	75%
2011-12	4%	6%	14%	75%

Summary of subject areas

Full-time FE

Student success rates have improved in 2012-13 in most full-time FE programmes. In many instances, the increases have been significant, bringing performance in to line with the highest performing colleges. Within the lowest performing full-time FE programme areas, the following increases have been recorded. For full-time FE programmes in Care, the success rate for 2011-12 was 57% and below the sector average. In 2012-13, the success rate has increased to 67%. In Computing and ICT, the success rate for 2011-12 was 45%, reflecting a declining trend since 2009-10. In 2012-13, the overall success rate has increased to 60%. Within Hairdressing, Beauty and Complementary Therapies, which represents 10% of college SUMS, the success rate for 2011-12 was 57%. This was 11 points below the sector average. In 2012-13, the overall success rate has increased to 72%. In Land-based industries, the success rate has improved from 41% to 61%.

Full-time HE

A similar picture emerges in full-time HE programmes. Within Business, Management and Administration, the overall success rate for full-time HE in 2011-12 was 57%, which was 9 percentage points below the sector average and 15 below the highest performing colleges. In 2012-13, the overall success rate has increased to 78%, bringing this in to line with the highest performing colleges. Within Nautical Studies, 54% completed successfully against a sector average of 69%. In 2012-13, the overall success rate has increased to 100%.

Within Engineering, success rates have improved in both FE and HE programmes. In full-time FE programmes, 75% of enrolled FE students completed successfully in 2012-13, a significant improvement of 18 percentage points from 57% in 2011-12. In full-time HE programmes, 70% of enrolled HE students completed successfully. This represents an improvement of 6% from 64% in 2011-12.

The college has put in place a greatly improved process for self-evaluation and reflection on PI data, focussing on predicted outcomes for individual learners. This supports well earlier intervention and provision of appropriate support where required. This approach has resulted in improvement in individual learner attainment, and PI values at programme and college level. The college has worked effectively to support improvements not only for programmes where success rates had been low, but also across the college, improving performance in programmes where rates had not been considered low. The *PI Predictor Tool* supports staff to identify 'at risk' learners and been instrumental in supporting staff to make improvements for learners. Staff in teaching departments have made use of the *PI predictor tool* to make confident interventions which have reduced early and further withdrawal and partial success.

Measures taken by teaching teams have included drawing up support plans for continuing learners and generally improving the referral process for learner support services; providing additional classes; and adjusting the curriculum. For example, within introductory hospitality programmes, a challenging one-year programme with high withdrawal rates and low attainment is now delivered successfully over two years.

The college has therefore addressed fully the main point for action, to improve success rates in programmes where they are low.

High quality learning

Banff and Buchan College has recently carried out a major refurbishment of its estate in Fraserburgh and Peterhead. Work continues on improving the environment for learners, particularly in the practical and workshop teaching areas. As part of this development, the college has made a significant investment in information and communications technology (ICT) for learning and teaching. The college has taken seriously its commitment to ICT in the classroom. Due to effective continuing professional development (CPD) in the use of new technologies, particularly in the use of *e-beam*, teaching staff are more engaged in this and teaching approaches have developed as a result.

Teaching staff and curriculum leaders are better informed at an earlier stage in the learner journey regarding predicted performance for individual learners because of revised procedures for quality improvement and effective use of the *PI predictor tool*. They now seek appropriate additional support for learning and learners where required. The regular and more systematic review of in-year retention and attainment data is successful in supporting action-planning for improvement. The layout of staff workrooms ensures greater sharing of information about learners and more effective support. Together, teaching staff have devised useful processes in sharing and recording concerns about individual learners. In addition, teaching teams use unit analysis positively to support curriculum design and delivery. This provides teaching teams with clear evidence of teaching practice improving.

Teaching teams employ self-evaluation regularly and consistently. They seek out feedback from learners, both formally through course meetings and informally following lessons, through such methods as *post-it* feedback. Action plans are monitored regularly as part of the quality improvement cycle and teaching teams receive practical support from senior managers. Teaching staff also share best practice in learning and teaching through delivering workshops to colleagues as part of the *FourYou* programme of CPD events. The college employs an effective system of classroom observations and a summary of issues arising from these is shared with the college *Professional Development Tutor*. This informs staff CPD very successfully.

The college has therefore successfully addressed the main point for action, that managers should fully develop arrangements for the effective evaluation of learning and teaching across the college.

Learner Engagement

The college has a range of appropriate measures in place to facilitate learner engagement, including *Student Liaison Panel* meetings with teaching staff and one-hour regular timetabled guidance opportunities. Learners also sit on *course meetings* and provide comments, including within discussions of PI information.

Teaching staff are well accustomed to the presence of learners at these meetings and welcome their suggestions and comments, most of which are positive and constructive. Together these provide learners with a good mix of opportunities to engage in both their own learning and the life and work of the college, and contribute to action-planning for improvement at individual, programme and college level.

The college has initiated a *peer led review* process that engages learners in gathering feedback from their peers, supported by the Student Engagement Officer and students' association. This approach has been introduced into a number of programme self-evaluation activities and has been well received by staff. The college has well-advanced plans to extend this across the college in 2013-14. Teaching staff support all learners to develop skills for self-evaluation, recognising the importance of these in progression, particularly to university education. Learners are encouraged to reflect on the structure of their programme and the necessity of certain subjects and levels, the progress made in essential skills, and wider achievement. In a few programmes, such self-evaluation has been facilitated through the inclusion of specific units. In other programmes, teaching staff have made use of *My World of Work*, embedding this into PLSPs. This has been useful for learners in reflecting on what they have achieved at college and incorporating this into a CV.

The Students' Association is also engaged in self-evaluation, considering the effectiveness of its activities and using feedback from college learners and their representatives to plan future activities. The student president and the *Student Engagement Officer* also have access to the feedback from learners through course reviews.

The college has a comprehensive system of elected class representatives that works well for learners. Learner reps are trained and are well supported by the college and learner feedback is valued. The training of class reps is also evaluated by the students' association and improvements made on the basis of learner comments. There is good communication with and between learner representatives and they make good use of social media. A dedicated *Facebook* page allows reps to exchange ideas and share concerns.

Learners have been well consulted over the plans for merger and feel that their concerns have been listened to and taken into account. Overall, the dialogue between learners and college management has been constructive and positive.

Quality culture

Senior staff have worked effectively to support the delivery of the college's action plan resulting from the last external review, and have facilitated a renewed emphasis on learners and learning as the core purpose of the college. There is now greater awareness and ownership of quality improvement across the college. Improved communication across all levels of staff is well supported by regular meetings of appropriate staff groupings, leading to earlier resolution of issues and joint problem-solving to improve services for learners. All curriculum and service areas produce action plans for improvement, based upon comprehensive self-evaluation. Staff

teams are able to track their actions and share progress widely with colleagues across the college via the *on-line staff repository*.

Senior managers have paid particular attention to developing the processes around learner support services, in particular the ways in which they link to what happens in the classroom. Progress has been achieved through professional dialogue and providing the resources by which self-evaluation can be achieved. Staff providing learner support services are now clear of the role that they play in the enhancing the learner experience and are actively engaged in quality groups in the college.

Actions for improvement are supported well through staff development activities that are in turn well informed by self-evaluation activities across the college. To improve access to staff development, the college recently introduced a programme of short CPD sessions aimed at all staff (*FourYou*). While many sessions have directly addressed learning and teaching approaches (e.g. *e-Beam*), many have considered wider issues. A very popular event that was well-attended by teaching and learner services staff was a session aimed at promoting positive learner behaviours.

With direction and support from the senior managers and the Board, a renewed focus on collective responsibility for learner success has encouraged a culture of shared ownership and accountability for quality improvement. This approach has been very effective in supporting staff to assist individual learners and signpost appropriate intervention where required. Learner retention and attainment has improved as a result. The '*classroom to boardroom*' philosophy adopted within the college has improved whole college awareness of key priorities and encouraged a collective responsibility for improvements in college performance. Cross-college professional dialogue has been facilitated effectively through sub-groups of the Board of Management and this has supported shared approaches to problem-solving and a strong focus on the learner experience.

Support services are now actively engaged in self-evaluation and are working effectively to support action-planning for improvement. With senior managers, learner services staff have agreed and instituted a template for self-evaluation based on the Education Scotland framework. The college has established a *Support Team Leaders Quality Forum* and *Student Services Forum* that parallel the quality arrangements within the curriculum teams. Self-evaluation activities have been thorough and included feedback from learners (including through *peer led review*) and from teaching teams. The learner support services staff now view their role in terms of supporting the learner experience and they understand the significant part that they play in improving success for learners. One outcome is that support staff work more collaboratively with teaching staff. A very positive example arose from the realisation that administering the *Get Ready for Work* programme had left a positive legacy in terms of learner support. Staff had developed support skills and constructive relationships with external organisations. They have been able to share the lessons learned from this programme and the good practice more widely within the college to benefit other vulnerable learners. Staff can identify changes made to services as a result which have had a direct and positive impact on learners, for example, improved referral processes, changes to induction and welcome days, and better data management and use.

The learner support services staff are also playing a key role in developing learners' employability. Staff are working constructively with Skills Development Scotland to develop and evaluate *My World of Work* as a tool for college learners. Along with the jobs notice board, this reinforces employment as a goal for learners.

The college has therefore successfully addressed the main point for action, that support services teams engage in self-evaluation activities which lead to effective plans for improvement. The college has also made satisfactory progress against the main point for action, that managers and staff should ensure self-evaluation activities are effective and they should fully evaluate the impact of actions to inform improvement.

Examples of excellent practice

None submitted

**College HMI
Jan Davidson**

**Date
22 October 2013**

Banff & Buchan College Annual Quality and One Year On Post Education Scotland Review Report

1. Introduction

- 1.1 The purpose of this paper is to allow the Board to consider the Banff & Buchan College Annual Quality and One Year On Post Education Scotland Review Report.

2. Background

- 2.1 The SFC require the College to submit the Annual Quality Report by the end of December 2013, and the One Year On Post Education Scotland Review Report by mid-January 2014. In order to avoid unnecessary repetition the reports have been combined.
- 2.2 Subsequent to the completion of this report a letter was received by the Principal from the SFC's Assistant Director (Learning, Government and Sustainability). The communication indicated that a Banff & Buchan College 'One Year On' Report would no longer be required by the SFC. However, as this report had already been completed and had been subsumed within the Banff & Buchan College Annual Quality Report it is recommended that the document, subject to approval, is sent to the SFC as originally proposed.
- 2.4 A copy of the Report is attached as appendix 1.
- 2.3 It is proposed that the Report is approved on behalf of the Board by Mr Milroy and Mr Sherrington.

3. Recommendation

- 3.1 It is recommended that the Board consider, and if so minded approve, the Banff & Buchan College Annual Quality and One Year On Post Education Scotland Review Report.

Paul Sherrington
Depute Principal

Agenda Item 5.2 Appendix 1 appears under separate cover

Governance Manual

1. Introduction

- 1.1 The purpose of this paper is to allow the Board to consider the Governance Manual for the College.

2. Background

- 2.1 At its meeting on 04 November 2013 the Board adopted the Governance Manual that had been approved by the Regional Partnership Board, with minor amendments.
- 2.2 Subsequently, at the meeting of the Audit Committee on 26 November 2013, a further minor change was proposed.

3. Revised Governance Manual

- 3.1 Attached as appendix 1 is a copy of the Governance Manual with the changes agreed at the meeting of 04 November incorporated, and with the further proposed changes marked.

4. Recommendation

- 4.1 It is recommended that the Board consider the Governance Manual for North East Scotland College.

Rob Wallen
Principal

Agenda Item 5.3 Appendix 1 appears under separate cover

Draft Outcome Agreement 2014-17

Paper to follow

(Following a meeting with Ken Rutherford and Greg Anderson from the SFC on 18 November, additional information has been received about the requirements of this document and as such further work is being undertaken. Board Members will be provided with Paper 5.4 and relevant accompanying appendices in advance of the Board Meeting on 09 December 2013.)

Board of Management Planning Event

1. Introduction

- 1.1 The purpose of this paper is to allow the Board to consider the proposed programme for the Board's Planning Event.

2. Background

- 2.1 At the Board Meeting on 04 November 2013 it was agreed that a planning event should be held in January/February 2014 to provide the Board with an opportunity to discuss the strategic planning process and vision for the new College.

3. Proposed Programme

- 3.1 Attached as appendix 1 is a proposed programme for the Planning Event, based on the theme of 'North East Scotland College in 2017'.

4. Recommendation

- 4.1 It is recommended that the Board consider the proposed programme for the Planning Event.

Rob Wallen
Principal

Paul Sherrington
Depute Principal

Board of Management Planning Event 2014
Proposed Programme

Board Members will be offered a tour of RGU's Riverside East Building prior to the Planning Event

Date: Friday 31 January & Saturday 01 February 2014
Event Venue: RGU Faculty of Health & Social Care
Dinner and Accommodation: Ardoe House hotel

Friday 31 January 2014

Lunch: 1230 hours
Event begins: 1330 hours
Event ends: 1700 hours
Dinner: 1900 hours

Saturday 01 February 2014

Event begins: 0945 hours
Event ends: 1230 hours

Agenda

Theme: North East Scotland College in 2017

Session 1: Context and Review

Including:

- Regionalisation and the developing role of Regional Leads
- Government and NESC's ambitions for the North East
- The Wood Commission and workforce development
- Skills and training linked to welfare reform in an independent Scotland
- Current demographic trends and economy of the North East
- Progress against 2013-14 Outcome Agreement.

Speaker(s) (TBC)

- Sir Ian Wood (the Wood Commission and perceptions of the role of colleges in educating the young workforce)
- Professor Ferdinand von Prondzynski (the University perspective).

Session 2: Our ambitions for NESC 2017 – A steer for a three year Outcome Agreement

- Group discussions on high level outcomes and planning priorities related to key SFC planning themes
- Presentation from Students' Association (SA's perspective of priorities for the future).

Session 3: The Outcome Agreement, College Planning and the Role of the Board

Including:

- The planning cycle and links with other critical College activity
- Board engagement and monitoring of the Outcome Agreement
- Critical KPIs
- Developing College Strategies
- Working with the SFC.

Session 4: Commercial Activity

- Presentation from ASET's Chief Executive & Executive Director on ASET 's strategy and performance
- Presentation from Depute Principal on non-ASET Commercial Activity.

Session 5: NESC Estates Strategy

Discussion on next steps.

Session 4: Conclusions

Discussion and reflection.

North East Scotland College Students' Association Draft Constitution

1. Introduction

- 1.1 The purpose of this paper is to allow the Board to consider the draft constitution for the Students' Association.

2. Background

- 2.1 Separate Students' Associations existed for Aberdeen College and Banff & Buchan College.
- 2.2 Work has been undertaken to establish the best arrangements for a single Students' Association for North East Scotland College.
- 2.3 It is a requirement of the 1994 Education Act that the Constitution of a Students' Association is subject to approval and periodic review by the College's governing body.

3. Draft Constitution

- 3.1 Attached as appendix 1 is a draft Constitution prepared by the two Associations in consultation with the Sparqs initiative. Also attached are a number of schedules that have been drafted to date. These refer to:
 - Students' Association Structure (attached as appendix 2)
 - Student Officer Roles (attached as appendix 3)
 - Election Regulations (attached as appendix 4).
- 3.2 Further schedules are also being developed for:
 - Trustee Membership and Procedures
 - Financial Regulations
 - Clubs and Societies
 - Code of Conduct
 - Complaint Procedure.
- 3.3 The model proposed for the Association involves a single sabbatical Regional President who will be responsible for the overall strategic direction and for representation on a regional level.
- 3.4 It also involves two separate sabbatical "Area Presidents" – one serving students of the Fraserburgh and Peterhead campuses (and related learning centres) and one serving students of the various Aberdeen campuses – each with responsibility for activities in their respective areas.
- 3.5 It is understood that the Students' Association would also propose to appoint a Development Manager to support the development of the Students' Association.
- 3.6 Transitional funding has been allocated for the short term by the Scottish Funding Council to help aid the creation of the single regional Students' Association. This funding is sufficiently generous to fund the cost of sabbatical posts within the Association, and possibly a post of Development Manager. For the longer term, of course, such a structure would be dependent on either a continuation of dedicated funding from the SFC, or the generation of revenue by the Association, or the allocation of funding by the Board of Management.

4.0 Recommendation

- 4.1 It is recommended that the Board of Management:
 - 4.1.1 consider the draft constitution;
 - 4.1.2 agree that the draft constitution be referred to the College's legal advisers to ensure that it is compliant with legislation; and
 - 4.1.3 comment on the schedules drafted to date and the other proposed schedules.

Rob Wallen
Principal

Frank Hughes
Vice Principal Student Services

Constitution

of

North East Scotland College Students' Association

We (North East Scotland College Students' Association) are a students' association within the meaning of the Education Act 1994. We act as a voice for our members and are devoted to their educational interests and welfare. North East Scotland College provides us with funds to help us meet our objects as set out below.

1. Objects (aims)

We aim to advance the education of students at North East Scotland College for the public benefit by:

- a To advance the education of its members and students of the college as a whole.
- b To represent the interests of its members and act as a channel of communication in dealing with the college and other bodies.
- c. To promote the general welfare of the students, and improve their conditions of life by coordinating and promoting participation in intellectual, social and other activities.
- d. To promote, encourage and co-ordinate societies and sports clubs.

Charity law gives a wide meaning to education and does not limit it to education by a teacher in a classroom, playground or sports field. This is what we mean by 'advancing the education of students' through (a), (b) and (c) (d) in the Objects (aims).

2. Powers

So that we can carry out our objects, we have the power to:

- (a) provide and promote activities, services and facilities for our members;
- (b) raise funds and receive grants and donations;
- (c) trade while we are carrying out any of our objects and carry on any other trade which is not expected to lead to taxable profits; and
- (d) do anything which is lawful to achieve our objects.

3. Money and property

3.1 Our money and property must only be used to help us carry out our objects.

3.2 Trustees cannot receive any money or property from us except:

- (a) their reasonable out-of-pocket expenses;
- (b) payments made to any trustee under clause 18; and

- (c) reasonable payment to a sabbatical trustee for any services they have provided to us (including services provided under a contract of employment with us) as long as the trustee follows clause 9.12 (Conflicts of interest) in relation to any decisions regarding the payment, and less than half of the trustees receive such a payment in any financial year.

4. Members

4.1 Our members are:

- (a) all students aged 16 and over who are registered at North East Scotland College and have not opted out of membership of our association; and
- (b) our sabbatical officers.

4.2 You cannot transfer your membership to someone else. Your membership will automatically end if:

- (a) in the instance of death;
- (b) you stop being a student, or in the case of a sabbatical officer, your student status with the college is withdrawn in line with the college's processes;
- (c) you give us written notice that you do not want to be a member, in line with the schedules; or
- (d) in the case of members who are not sabbatical trustees, a decision is made to remove you from membership under the code of conduct.

4.3 The Trustee Board will set up and monitor a 'code of conduct' that all members must keep to, including when members are involved in activities or at events that are run or organised by the association.

The code of conduct may include action if you break the code of conduct, including suspending or removing any or all of your rights and privileges of membership (including holding office).

4.4 Members can use the association's facilities and take part in the association's educational, social, sporting and cultural activities. Members can speak and vote at our meetings, nominate other members, stand and vote in our elections, and hold office in clubs and societies. Members are also entitled to the benefits set out in North East Scotland College's code of practice.

4.5 Registered students of North East Scotland College under the age of 16 shall not be members of our association, but may take part in certain activities, as agreed by the Regional or Area Executive Committees and any forum for students under the age of 16 and approved by the Student Council. Students under the age of 16 will not be given an NUS card or a card bearing the NUS logo.

5. Referendums

5.1 A referendum, in which all members will be allowed to vote, may be called on any issue by:

- (a) a majority vote of at least two thirds of the Regional Executive Committee; or

- (b) the Regional Student President if he or she receives a petition setting out the issue and the name, course, Student ID number and signature of at least 200 members.

5.2 Policy set by a referendum can overturn policy set by the members at the AGM or by the Student Council.

5.3 We will hold referendums in line with the schedules.

6. Annual general meeting (AGM)

6.1 The Association will hold an AGM once in each calendar year.

6.2 The Association will give members and the trustees at least 14 days' notice of the place, day and time of the meeting and details of the agenda.

6.3 There must be at least 50 members present at an AGM.

6.4 The chairperson of the AGM will be elected by the Regional Student Executive at the first meeting of the Regional Executive Committee in the Academic Year. This person will also chair any Emergency General Meetings that are called.

6.5 Every member will have one vote and decisions will be made on a simple majority unless this constitution says otherwise.

6.6 The Trustees may call a general meeting at any time. The Trustees shall call a general meeting on receiving a requisition to that effect, signed by at least 100 Members who have the right to attend and vote at general meetings, or on receiving a motion passed by one of the Area Student Representative Councils.

7. Elections

7.1 In line with the Education Act 1994, all office holders will be elected by a secret ballot of our members.

7.2 Two student members of college board will be elected by and from our members in line with a process set out in the schedules and they will sit on the corporation of North East Scotland College. These student members will be the Regional Student President and the Area President who studied at a different Area from the Regional Student President.

8. The Executive Committees

8.1 The Regional Executive Committee

8.1.1 Members of the Regional Executive Committee will include the Regional President, the two area Presidents, and the members of both the 'South Area' and 'North Area' campuses who are elected in line with clause 7 and the schedules.

8.1.2 The Regional Executive Committee will be chaired by the Regional President.

8.1.3 The Regional Executive Committee will be responsible for the overall strategic direction of the Association.

8.2 The Area Executive Committee

8.2.1 Members of the Area Executive Committees will be elected in line with clause 7 and the schedules.

8.2.2 The Area Executive Committees will be responsible for the activities of the association in their area.

8.2.3 The Area Executive Committees will be chaired by their respective Area President

8.3 The Executive Committees will meet in line with the schedules.

8.4 The sabbatical officers will enter into a contract of employment with the association. The term of office, duties and how we will pay each sabbatical officer will be set out in the schedules.

8.5 Executive Officers will no longer be officers if:

- (a) they resign by giving us notice;
- (b) they fail to go to two executive meetings in a row without sending apologies; or
- (c) a motion of no confidence in the officer is passed by a 66% majority in a vote of their Area's Student Representative Council.
- (d) In the case of the Regional President: if a motion of no confidence is passed by a 66% majority of an Emergency General Meeting

Because holding office is a privilege of membership, executive officers can also have the office removed under the code of conduct.

9. Trustees

9.1 The trustees are responsible for overseeing the way the association is managed, and the governance (having proper arrangements in place for overseeing what we do), budget and strategy.

9.2 The trustees can override any decision or policy made by the members at an AGM or referendum, by the Area Student Representative Councils or by the Regional Executive Committee which:

- (a) has or may have serious financial effects for the association;
- (b) is or may be against the law or contravenes the constitution; or
- (c) in the opinion of the Trustees is seriously damaging to the Association or its members.

9.3 The trustees will be:

- (a) The Regional Student President and the two full time Area Presidents from the Regional Executive Committee and
- (b) not more than 5 other trustees who will be appointed by the Regional Executive Committee. This should include 3 persons who are not students at the College and up to 2 lay students.

- 9.4 A trustee will no longer be a trustee if:
- (a) they are a sabbatical trustee and they stop being an employee of the association.
 - (b) they resign by giving us notice in writing (but only if there are sufficient trustees remaining in office to manage the association when the notice of resignation takes effect);
 - (c) they fail to attend two trustee meetings in a row without sending apologies and the trustees decide that they should be removed for this reason; or
 - (d) a motion of no confidence in the trustee is passed by a 66% majority at an AGM or EGM

9.5 If a trustee resigns, is disqualified or is removed from office, a new trustee will be appointed in line with the schedules.

Trustees' meetings

- 9.6 The trustees must hold at least four meetings each year.
- 9.7 A meeting of the Trustees must be called by the Regional Student President if requested to do so by two Trustees. At least seven days' notice will normally be given for a trustees' meeting. Shorter notice can be given if all the trustees agree or if a meeting needs to be held urgently and so it is not possible to give seven days' notice.
- 9.8 At least four trustees must be present at trustees' meetings to be able to make decisions.
- 9.9 The President will be the chairperson of the trustees. If he or she is not available, the trustees at the meeting will appoint another trustee to act as chairperson.
- 9.10 The trustees will make decisions by a majority vote. If there is an equal number of votes on an issue, the chairperson will have a casting vote on top of any other vote they may have.
- 9.11 A trustees' meeting may be held by phone or by any other electronic or virtual means agreed by the trustees.

Conflicts of interest

9.12 Whenever a matter is to be discussed at a meeting or decided in line with clause 9.11 and a trustee has a personal interest, they must declare their interest. If there is a clear conflict of interest, they will have to leave the meeting while the matter is being discussed and will not be able to vote on the matter.

10. The Student Representative Council

- 10.1 The Student Council is responsible for:
- (a) helping the Executive Committees carry out their work and holding them accountable;
 - (b) setting the association's policy (which can be overturned at an AGM or referendum);

- (c) making and amending the schedules jointly with the trustees in line with clause 15; and
- (d) acting as a consultation forum for raising matters with North East Scotland College.

10.2 The membership and procedures of the Student Representative Council will be set out in the schedules.

11. Being affiliated to other organisations

11.1 Any proposal to affiliate to another organisation must be approved by the members at an AGM or by a referendum.

11.2 We will tell inform our members and North and East Scotland College about all new links to other organisations, including the name of the organisation and the fee to be paid.

11.3 We will include details of all links to other organisations, including the names of the organisations and each fee paid, in our annual report. Our annual report is available to all our members and to North and East Scotland College.

11.4 If our members want to object to a current link to any particular organisation, they must present a petition, signed by at least 200 members, to the Regional President. We will call a referendum on the issue and hold it in line with the schedules. We cannot hold another referendum about the same matter in the same academic year.

12. Clubs and societies

Clubs and societies may be recognised by the Area or Regional Executive Committees, as relevant, as long as they meet the requirements set out in the schedules and are in line with the associations' objects.

13. Complaints procedure

If we receive any complaints about an individual officer, the Executive Committee or any member of the Student Council, we will deal with these under the complaints procedure set out in the schedules.

14. Finance

14.1 In order to allow the association to carry out its objects, appropriate and sustainable funding will be determined through negotiation with North East Scotland College.

14.2 The association will prepare annual accounts to meet statutory requirements

14.3 The association's money and property must only be used to help us carry out its objects

15. Schedules

The trustees and the Student Representative Council will jointly make or amend schedules relating to how the association is run, as long as these schedules are consistent with this constitution.

16. Minutes

The trustees will keep minutes of every meeting and all resolutions of the members and the trustees. Minutes shall be kept of Regional and Area Executive Committee meetings, Student Representative Council Meetings, and General Meetings.

17. Accounts and reports

The trustees will keep to the Education Act 1994 and the Charities and Trustee Investment (Scotland) Act 2005 in relation to keeping financial records and auditing or examining accounts.

18. Protection against liability

Every trustee will be, and all other officer or auditor of the association may be, covered against any liability they face in defending any proceedings, whether civil or criminal, in which judgment is given in their favour or in which they are acquitted, or in connection with any application in which the court finds they have not been negligent, not failed to carry out their duties or not broken trust in relation to our work, and against all costs, charges, losses, expenses or liabilities they face in carrying out their duties.

19. Winding up

If the association is wound up, any money or property remaining after all our debts have been paid will belong to and be held by North East Scotland College in trust for the purposes of a students' association that represents the students of North and East Scotland College.

20. Amendments to the constitution

- 20.1 The trustees and Board of Management of North and East Scotland College will review this constitution, initially three years and then every five years from the date of this constitution.
- 20.2 No amendment will be made to this constitution which would mean that the association is no longer a charity.
- 20.3 We must get written permission from the Office of the Scottish Charity Regulator (OSCR) before we make any amendment to clause 1 (Objects), change our name, or start winding up or amalgamating with another association.
- 20.4 The constitution can only be amended by a resolution passed at a Student Representative Council meeting by at least [two thirds] of those present and entitled to vote, as long as North East Scotland College approves the amendments.

21. Interpretation

- 21.1 If anyone challenges any part of this constitution, we will ask our Regional President to make a decision.
- 21.2 If the Regional President's decision is challenged, following legal advice, we will ask the Student Councils to make a decision.
- 21.3 If a member of our association is not satisfied with this decision, or the Student Council's rulings do not agree, they may appeal to the Board of Trustees. To

avoid conflict of interest the Regional President will not be present, and the Trustees will appoint a deputy chair from among themselves.

- 21.4 If a member of our association is not satisfied with the Board of Trustees decision they may appeal to the College Board of Management, whose decision will be final.

North and East Scotland College Students' Association Schedules

Structure

1. Students' Association Areas

For the purposes of the students' association, North East Scotland College will be divided into two areas hereafter referred to as 'North Area' and 'South Area.' North Area will be comprised of the following campuses **[list of campuses and learning centres formerly part of Banff and Buchan]**. South Area will be comprised of the following campuses **[list of campuses formerly part of Aberdeen]**.

2. The Regional Student President

- 2.1 The Regional President of the Students' Association will be elected by all members of the Association in accordance with the regulations set out in the Election Regulations Schedule.
- 2.2 The Regional President will be elected in May of each academic year. The will serve as Regional President from the 1st of July of that year to the 31st of June of the next.
- 2.3 A successful candidate will be employed as 'Regional Student President Elect' for the month of June as a period of handover.
- 2.4 The role of Regional President will be full time paid.
- 2.5 The Regional President will carry out duties as outlined in Schedule: Role Descriptions
- 2.6 The Regional President will take all steps that are reasonably practicable to split their time between the North and South Areas.

3. The Area Presidents

- 3.1 Two Area Presidents will be elected, one from each area. Any student registered at a North Area campus is eligible to stand for North Area President, and any student registered at a South Area campus is eligible to stand for South Area Vice President.
- 3.2 The Area Presidents will be elected in accordance with the regulations set out in the Elections Schedule
- 3.3 The Area Presidents will be elected in May of each academic year. The will serve as Area Presidents from the 1st of July of that year to the 31st of June of the next.
- 3.4 The successful candidates will be employed as 'Area Presidents Elect' for the month of June as a period of handover.
- 3.5 The role of Area President will be full time paid.
- 3.6 The Area Presidents will carry out duties as outlined in Schedule: Role Descriptions
- 3.7 The Area Presidents will endeavour to visit each learning centre in their area.

4. Student Board Members

- 4.1 The Regional Student President will serve as a Student Board Member on the Regional College Board
- 4.2 The role of the second student board member will be filled by the President of the Area where the Regional President was not registered as a student at the time of their election. Hereafter, when referring to this person in their role as a board member as opposed to Area Vice President they will be referred to as the Second Student Member of College Board. (Didn't like the word Governor)

5. The Regional Executive Committee

- 5.1 The Regional Executive Committee (hereafter referred to as The REC) will have a membership made up of the members of the two Area Executive Committees who are elected in line with clause 6, and the Regional President, who is elected in line with clause 1.
- 5.2 The REC will be chaired by the Regional President, who will be deputised by the Second Student Governor.
- 5.3 The Regional President will have the casting vote.
- 5.4 A meeting of the REC will be held at least once every two months
- 5.5 The quorate required for a REC meeting will be **9**.
- 5.6 The REC will run our association on a day-to-day basis in line with the constitution and its schedules, any relevant legislation and any decisions the members make at an AGM or referendum, or decisions made by the Student Council or the trustees.
- 5.7 The REC's responsibilities will include but not be limited to:
 - (a) Creating and renewing the Students' Association **3** year Strategic Plan
 - (b) Creating the yearly Plan of Work
 - (c) Electing the chair of the General Meeting at the first REC meeting of the Academic Year
 - (d) Forming a Finance sub-committee responsible for managing a budget in accordance with the Finance Regulations
 - (e) Preparing reports on regional activity for consideration by the Student Councils
 - (f) Preparing an annual report in the final term of the Academic Year detailing the activities of the Association for presentation to the College Board
 - (g) Preparing and renewing a Code of Conduct for approval by the Student Councils
 - (h) Agreeing and managing regional level activities, services, and campaigns
 - (i) Being responsible for communication between the membership and college management and governors.

6. The Area Student Executive Committees

- 6.1 The Area Executive Committees will be made up of the Area President plus six other executive officers elected in line with the election schedules.
- 6.2 Each Area Exec Committee will be chaired by their respective Area President
- 6.3 Meetings of the Area Executive Committees will be held as necessary but at least one per month.
- 6.4 The Area Executive Committee will run the local activities, services, and representative structures of the association on a day-to-day basis in line with the constitution and its schedules, any relevant legislation and any decisions the members make at an AGM or referendum, decisions made by the Student Representative Council or the trustees, or regional strategy agreed by the REC.
- 6.5 The Local Area Exec's responsibilities shall include but not be limited to:
 - (a) Creating a local yearly plan of work
 - (b) Preparing reports for the Local Student Council
 - (c) Agreeing and managing local level activities, services, and campaigns
 - (d) Being responsible for communication between the membership and local area college management
 - (e) Keeping Student Board Members and committee members informed of local issues.

7. The Student Representative Council

- 7.1 The Student Representative Council is the collective name used within the constitution for the two bodies hereafter referred to as North Area Student Representative Council North Area and South Area Student Representative Council.
- 7.2 All Student Course Reps will be eligible to sit on their Area's SRC. Every rep who attends a meeting will have a vote at that meeting.
- 7.3 The Local Area President and Local Exec members will be eligible to sit on their Area's SRC. Every officer who attends the meeting will have a vote at that meeting.
- 7.4 The quorate for a meeting will be 30.
- 7.5 The SRC Chair and Depute Chair elected in line with clause 7.10 will be expected to attend all meetings of their Area SRC. If they fail to attend three consecutive meetings without giving apologies, and do not provide satisfactory reasons acceptable to SRC, they shall be considered to have resigned and a new Chair or Depute elected. .
- 7.6 Any full member of SRC may speak at Student Council. Any full member of the association may attend SRC and speak with the permission of the meeting.
- 7.7 The Regional President may attend and speak at both SRCs.
- 7.8 Members of one Area SRC may attend and speak, but not vote, at the other SRC.
- 7.9 Only members of the SRC who are present at the meeting may vote.

Meetings

- 7.10 Each Area SRC will meet as necessary but at least one every three months.
- 7.11 The Area President, with support from the Regional Student President, shall be responsible for the agenda and publicising the meeting.
- 7.12 The Regional Student President shall take the chair of the first meeting of the academic year. There shall be an election for a chairperson and a deputy chairperson at this meeting.
- 7.13 Any policy which has a regional impact must be passed by both SRCs. The REC will have the final ruling on what is 'area specific' or 'regional specific.'
- 7.14 Where one SRC passes a regional policy but the other does not, the Regional President will call a meeting with the SRC Chairs plus two members from each SRC. If a resolution is not reached at this meeting, the Regional Executive Committee will have the decision.
- 7.15 The SRC's responsibilities shall include but not be limited to:

Regional Responsibilities

- (a) Ratifying the Association's Regional Strategic Plan, and any amendments.
- (b) Ratifying the Association's yearly Regional Plan of Work, and any amendments.
- (c) Setting Regional policy and priorities
- (d) Receiving reports from the REC and holding them, and the sabbatical officers, to account through questions and debate.
- (e) Receiving a quarterly report from the Trustees
- (f) Approving expenditure against the Association's Regional budget, as set out in the Finance Regulations Schedule
- (g) Make, repeal and amend the Schedules jointly with the Trustees
- (h) Raise and debate any matters, associated with either education or other college issues, relating to members as students of the regional college

Local Responsibilities

- (a) Setting local policy and priorities
- (b) Receiving reports from their Local Area Executive Committee and holding them to account through questions and debate.
- (c) Approving expenditure against the Association's Local budget, as set out in the Finance Regulations Schedule
- (d) Raise and debate any matters, associated with either education or other college issues, relating to members as students of the Area

8. Annual General Meeting (AGM)

- 8.1 We will hold an AGM once in each calendar year
- 8.2 We will give members and the trustees at least 14 days notice on the place, day and time of the meeting and details of the agenda.
- 8.3 There must be at least 50 members present at an AGM.

- 8.4 The chairperson of the AGM will be elected by the Regional Executive Committee from among their members at their first meeting of the year.
- 8.5 Every member will have one vote and decisions will be made on a simple majority unless this constitution says otherwise.
- 8.6 The AGM will be held at such time and place as The REC think suitable to enable the maximum number of members to attend. The REC will take all steps as are reasonably possible to put in place measures to enable members who are unable to travel to the AGM to attend virtually.
- 8.7 The AGM will hold Presidents, Executives, and Council to account, and will have the power to overturn policy set by the Student Representative Councils.

DRAFT

Schedule: Office Role Descriptions

This schedule sets out the roles of responsibilities of the elected officers of NESCoISA.

Sabbatical Officers Role Descriptions

REGIONAL PRESIDENT

The Regional President is responsible for representing all student members to the regional college. They will have overall leadership of the students' association and work to ensure that it offers consistent value and services to all members.

- Be the prime representative of the Association and seek to involve as many students in the Association as possible.
- Attend the Regional College Board as a full member, and all other agreed regional Boards and Committees. Gather evidenced student views through the SA representative structures to take to those meetings, and feed results back to the Regional Student Executive and all members.
- Chair the Regional Student Executive Committee and ensure that regional decisions made are implemented. Have the casting vote.
- In the case that policy is hung between the Councils, convene and chair a meeting to resolve the issue.
- Lead delegations to NUS and NUS(Scotland) conferences and events as appropriate and report back to the Association Executive and the wider student body
- Ensure the Finance Regulations are followed.
- Be the prime representative of the Association to liaise with the Regional College on matters affecting students
- Prepare regular reports on own activities and REC activities for SRC meetings and Trustee Meetings.
- Chair the first meeting of the Student Representative Councils and endeavour to attend all subsequent meetings
- Be a member of the Trustee Board
- Attend in house and NUS training

- Ensure that the Association complies its legal obligations and maintains records in relation to the administration and adherence to the Constitution and the Schedules.
- Support the other elected officers to carry out their duties in the best interests of the student body
- Act reasonably and prudently in all matters and promote the best interests of the Association and the wider student body

2. THE AREA PRESIDENTS

- Be responsible for the day-to-day direction of the Association in their Area in line with the Association's strategy and plan of work, regional policies, local policies set by SRC, Trustee Board and constitution.
- Co-ordinate the Associations services and campaigns in their Area and work with the Regional Executive Committee, and Regional President, to do the same for the wider College.
- Chair the Area Student Executive Committee and ensure local and regional decisions are implemented.
- When as a student at the Area other than the one where the President was registered, attend the Regional College Board as the Second Student Board Member.
- Attend all other college committees as agreed. Feed results back to the Regional Executive and all members.
- Actively seek student feedback on issues which affect their experience as students, gather evidence, and represent the best interests of all students to the College at all times
- Deputise for the President as required.
- Prepare regular reports on own activities and Area Executive Committee activities for SRC meetings, REC meetings, and Trustee Meetings.
- Liaise directly with Association executives or course representative to gain information and to follow up any local issues pertinent to

students. Raise regional issues, or local issues with a regional element, with the REC and Regional President.

- Carry out other duties as laid down by the executive committee and Student Representative Council
- Ensure the Finance Regulations are followed.
- Be a member of the Trustee Board.
- Attend in-house and NUS training
- Support the other elected officers to carry out their duties in the best interests of the student body
- Act reasonably and prudently in all matters and promote the best interests of the Association and the wider student body

Draft role descriptions for additional Area Exec Members

Officer responsible for Education

Who shall be a member of the executive committee, shall:

- in conjunction with the president be responsible for dealing with students' concerns, aspirations and problems in relation to their courses
- in conjunction with the Welfare Officer role meet with the college for the purposes of monitoring and review of the Student Partnership Agreements, complaints, equal opportunities and disciplinary procedures
- meet with departmental heads to develop and maintain a system for the election of course representatives.
- arrange training for course representatives in conjunction with sparqs and the appropriate association and/or college support staff.
- maintain contact with course representatives over the year and represent their views and concerns to the college through the academic board and other appropriate forums
- be a member of the academic board and any other relevant bodies established by the college

- present relevant reports to the executive committee
- carry out other duties as laid down by the executive committee and association council
- be a member of association council, and present relevant reports
- act reasonably and prudently in all matters, and in the best interests of the association
- liaise with the relevant college senior manager to monitor the implementation of the college student engagement strategy

Officer responsible for Welfare

Who shall be a member of the executive committee, shall:

- liaise with the college over the criteria and distribution of the access and hardship funds
- in conjunction with the Education officer role meet with the college for the purposes of monitoring and review of the Student Partnership Agreements, complaints, equal opportunities and disciplinary procedures
- establish, and maintain, contact with and provide information from groups and organisations which work on welfare issues; maintain and order stocks of information as required
- establish an enquiry service, and advertise its availability on each of the sites
- deal with, but not counsel, students who have welfare problems, respecting confidentiality at all times
- when necessary, refer students to the college counsellors or other relevant organisations
- attend any relevant training/briefing days for association welfare officers
- liaise with the Education officer role on the welfare strategy in the college
- campaign on, and raise awareness of, welfare issues as agreed by the executive committee e.g. debt, safe sex,

drug/alcohol abuse, zero tolerance etc; distribute general welfare information

- meet with the student support services section and, when necessary, college management to assure the quality of services provided by the college to students
- consult student services regularly to find out what problems students are having in college and take account of these when campaign planning
- present relevant reports to the executive committee
- carry out other duties as laid down by the executive committee and student representative council.
- be a member of student representative council and present relevant reports
- act reasonably and prudently in all matters, and in the best interests of the association

Officer Responsible for Activities

Who shall be a member of the executive committee, shall:

- arrange a freshers fair at the beginning of the academic year and a refresher's fair in January
- develop and promote opportunities to set up new clubs, societies and sports teams
- liaise with appropriate bodies outside college for promotion and sponsorship of clubs and societies
- ensure that all association resources are fairly allocated to all clubs and societies
- present relevant reports to the executive committee
- carry out other duties as laid down by the executive committee and association council
- be a member of student representative council and present relevant reports
- act reasonably and prudently in all matters, and in the best interests of the association

- Work closely with the finance officer in preparing budgets for clubs and societies
- be responsible for the association volunteering strategy and liaise with the college as appropriate

Officer Responsibilities for Communications

- be responsible for any newspaper or student magazine content
- be responsible for communications strategy with students
- Work with other exec officers to present coherent message across the Areas and region
- Be responsible for keeping area members up to date with regional students' association activity
- present relevant reports to the executive committee
- carry out other duties as laid down by the executive committee and association council
- be a member of student representative council and present relevant reports
- act reasonably and prudently in all matters, and in the best interests of the association

Officer Responsibilities for Events

- Be responsible for freshers week events, in conjunction with Activities role
- Be responsible for co-ordinating events with other executive officers and student bodies, for example Healthy Mind and Body week with welfare and activities
- Be responsible for events that support community development, such as Christmas party, end of year celebrations,
- present relevant reports to the executive committee
- carry out other duties as laid down by the executive committee and association council
- be a member of student representative council and present relevant reports

- act reasonably and prudently in all matters, and in the best interests of the association

Officer Responsibilities for Equality and Diversity

- Be responsible for liberation campaigns as defined by the membership
- Be responsible for co-ordinating promotion of equality and diversity with other executive officers, in the students' association and college.
- Be responsible for supporting liberation campaigns elected leaders
- Work with the sabbatical officers that sit on relevant college committees to engage with college's equality and diversity strategies.
- present relevant reports to the executive committee
- carry out other duties as laid down by the executive committee and association council
- be a member of student representative council and present relevant reports
- act reasonably and prudently in all matters, and in the best interests of the association

STUDENTS' ASSOCIATION

ELECTION REGULATIONS

1 GENERAL

- 1.1 The elections of the Regional President and Area Presidents (together being the "Sabbatical Officers") and any other elected officers of the Association ("Elections") shall be carried out in accordance with these regulations (the "Regulations").
- 1.2 The Association's staff or College staff ceded to the Association shall implement the Election process ("the Association's administrative staff"). Current elected officers shall not be involved in the management or administration of the election, except in its promotion.
- 1.3 The Elections shall be by secret ballot of all Ordinary Members of the Association. The voting system used shall be Alternative Transferable Voting, with all candidates ranked in order of preference.
- 1.4 In addition to the Regulations, the Association shall be obligated to comply with;
 - 1.4.1 The College rules, regulations and policies (including but not limited to IT, Health and Safety, bullying and harassment etc).
 - 1.4.2 Association rules, regulations and policies.
 - 1.4.3. The laws of Scotland.

Is there a college wide policy on bullying?
- 1.5 Elections for the Sabbatical Officers and other members of the Area Executive Committees will be held in May of each year.

2 THE RETURNING OFFICER

- 2.1 A returning officer for the Elections ("Returning Officer") shall be appointed by the Regional Executive Committee and shall not be a member of the Association a member of staff of the Association or a staff member of the College.
- 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.
- 2.3 The Association's administrative staff shall, in acting on behalf of the Returning Officer, carry out the following functions:

- 2.3.1 oversee the procedure for the acceptance of nominations and the determination and publication of valid nominations;
- 2.3.2 fix the date of the Elections which will be then ratified by the Executive Board, the publication of the notices giving information about the date of the Elections, and the arrangements for the Elections;
- 2.3.3 supervise and conduct the count; and
- 2.3.4 oversee the announcement of the result.

3 NOMINATIONS

3.1 Eligibility for the elections shall be as follows:

3.1.1 Each Ordinary Member shall be eligible to stand as a candidate for the Regional President.

3.1.2 Each Ordinary Member registered at one of the South Area Campuses shall be eligible to stand for South Area President, or as a member of the South Local Area Executive Committee

3.1.3 Each Ordinary Member registered at one of the North Area Campuses shall be eligible to stand for North Area President, or as a member of the North Local Area Executive Committee

3.2 A candidates may only stand for election for one officer post within the Student Association election.

3.3 The Association administration staff will post a notice on the Association's [method to be confirmed] at least eight days of College term-time before the date on which nominations open stating the;

3.3.1 period for nominations,

3.3.2 posts for which nominations can be made,

3.3.3 places from which nomination forms can be obtained and

3.3.4 places to which completed nomination forms must be returned.

3.4 Candidates are encouraged but not required to submit a manifesto alongside their completed nomination form. All manifestos received will be collated and published by the Association.

3.5 On closing of the nominations, the Association administrative staff will inspect all nominations and manifestos and verify that they comply with the Regulations. Any points of conflict or ambiguity will be clarified with the Returning Officer.

3.6 The Association administrative staff will draw up a list of candidates after the close of the nominations and will post a notice on the Association [method to be determined] as soon as is reasonably practicable stating the date of the Election and the arrangements for voting.

3.7 Where appropriate the Returning Officer may allow electronic voting to take place in tandem with or instead of manual voting procedures.

3.8 The Returning Officer and the Association's administrative staff shall, as soon as reasonably practicable following the publishing of the notice in terms of Clause 3.6, arrange a meeting at which they shall brief the candidates on the Election process and procedure. All candidates will be afforded an opportunity to ask questions relating to the Election at the end of the briefing.

3.9 If a candidate is unable to attend the Candidate Briefing due to a reason acceptable to the Returning Officer, the Returning Officer will take all practicable steps to give them the opportunity to access the same materials.

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

4 CAMPAIGNING

4.1 As soon as is reasonably practicable following the close of the nominations, a list of valid nominations and manifestos will be published by the Association. [method to be determined]

4.2 The campaigning period shall commence at the end of the candidates' briefing at a time announced by the Returning Officer and shall end at the close of voting.

4.3 Any coverage of the Elections by the Association by whatever means or media shall be fair and balanced providing equal exposure to all candidates, as far as reasonably practicable.

4.4 Each candidate may receive a small budget from the Association for canvassing materials and no other monies shall be spent on canvassing by the candidate. Finances shall be confirmed at the candidates' briefing.

4.5 No offensive or derogatory election material shall be produced during the campaign by any candidate.

4.6 The Returning Officer and Association's administrative staff reserve the right to remove any election material which in their reasonable opinion is inappropriate.

- 4.7 "Hustings" shall be held at a designated time following the candidates' briefing and shall be chaired by a nominee of the Returning Officer.
- 4.8 Each candidate is encouraged to attend "Hustings".
- 4.9 Candidates' travel to and from the "Hustings" locations will be paid for by the college in order to ensure all candidates have the opportunity to take part in "Hustings."
- 4.9 Candidates should only do what others have had the opportunity to do
- 4.10 Association resources must not be used to promote a particular candidate's campaign.
- 4.11 If they are unclear how a rule applies in a particular situation candidates are expected to request clarification from the Returning Officer before acting.
- 4.12 College and Association Staff must not show preference or support for a particular candidate.

5 ELECTION

- 5.1 The Elections shall be held no later than the final Friday in May of each academic year.
- 5.3 In such cases, any further election(s) must take place by the third Thursday in November of the relevant year. The same procedure for nominations and campaigning shall apply as set out in Clauses 3 and 4 of these regulations except for the timing restrictions which shall be decided at the sole discretion of the Returning Officer.

6 VOTING

- 6.1 The responsibility for ensuring that voting is conducted in accordance with the provisions of this Clause 6 shall rest solely with the Returning Officer.
- 6.2 Voting shall take place at the appropriate voting stations or electronically at times to be determined by the Returning Officer.
- 6.3 The location and arrangements of voting stations and the list of candidates shall be publicised by the Association as an absolute minimum as soon as is reasonably practicable.
- 6.4 All Ordinary Members may vote for the post of Regional President.
- 6.5 Students registered at a campus within one of the Students' Association Areas may vote for the Vice President and other Officer roles which will serve that Area.
- 6.6 Ordinary Members of the Association may vote upon the production of a valid Student ID showing their campus, or via valid electronic access. [to be decided]

- 6.7 Votes shall be cast in sealed ballot boxes, or by electronic means where appropriate. All paper voting slips issued shall be placed in the sealed ballot box at the time of voting whether used or not.
- 6.8 Ballot papers shall bear the name of each candidate, the position being contested and a suitable space for indicating the voting preference of the voter.
- 6.9 Voting shall be carried out by one of two means:
- 6.9.1 Placing all, or some, of the candidates in the voter's numerical preference, with '1' being first preference;
- 6.10 Where a number of vacancies exist on one ballot paper, each voter may only vote for the number of vacancies which exist. Ballot papers shall bear a brief description of the voting procedure.
- 6.11 There shall be an option on the ballot paper entitled "Re-Open Nominations" ("RON").
- 6.11.1 RON, for the purposes of the count, shall be treated as a candidate, though it will not be allowed a publicity budget as allowed to the other candidates in the Election in terms of Clause 4.4.
- 6.11.2 If RON wins the Election, then the Election shall be re-run at a date to be determined by the Returning Officer.
- 6.11.3 In the event of a re-run of the Election RON shall appear as an option on the ballot paper.
- 6.12 In all non-electronic elections, adjustments shall be made to ensure no voter shall be disenfranchised.
- 6.13 Candidates and their supporters should not be in the immediate vicinity of a voter when they are in the act of casting their vote.

7 ADMINISTRATION

[investigating whether all elections could be run electronically]

- 7.1 The Returning Officer and the senior member of the Association's administrative staff shall administer the count.
- 7.2 Candidates are not allowed to present at the count, but may appoint a scrutiner on their behalf.
- 7.3 Where appropriate, in the circumstances of any particular Election, the Returning Officer and the Association's administrative staff shall be entitled to appoint polling officers and counters.

- 7.4 On opening the ballot boxes, the Returning Officer will instruct all appointed counters to examine the voting papers.
- 7.5 Voting papers will be declared spoiled by the Returning Officer if they consider that:
- 7.5.1 the paper has clearly been defaced/vandalised; or
 - 7.5.2 there is no clear indication of preference for any candidate; or
 - 7.5.3 the paper has not been stamped by the polling officer; or
 - 7.5.4 the paper is not authentic.
- 7.6 A quota will be calculated as follows:
- 7.6.1 the quota will be determined by dividing the total number of valid votes, having taken into account Clause 7.5, by the number of positions available (plus one)
 - 7.6.2 in the event the quota contains a decimal it may be rounded up or down as the Returning Officer sees appropriate.
- 7.7 If the candidate reaches the quota on the first count then they will be deemed to be elected to that post.
- 7.8 If no candidate has yet reached the quota, the votes shall be redistributed in accordance with Electoral Reform Society Scotland's and NUS Scotland's guidance.
- 7.9 In the event that the paper ballot count results there are fewer than five votes of a difference, there shall be an automatic recount of any paper ballots.
- 7.10 In the event of a tie at the exhaustion of all transferable votes the candidate with the highest number of first preferences shall be deemed the winner. If these are tied a coin toss shall decide the Election outcome.
- 7.11 The Returning Officer shall be responsible for announcing and publicising the results of the Election both by way of the Association website and by any other reasonable means or media he shall deem appropriate.
- 7.12 The results will become official 48 hours after they have been posted provided that no complaint has been lodged with the returning officer within 48 hours. In the event of a complaint being received by the returning officer the results shall be suspended until the complaint has been resolved.

8 CANDIDATES

- 8.1 Candidates already in office shall be given the same privileges and restrictions as the other candidates in the Election.

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

9 TENURE OF OFFICE

9.1 The tenure of office for the Sabbatical Officers shall be a 12-month period commencing 1st July in the same year as the election from which they were elected to that post.

9.2 Incoming officers not already in office shall have a one-month handover and training period prior to start of tenure.

9.3 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.

9.4 The maximum period of office of Sabbatical Officer which may be held by an individual candidate is two tenures.

9.5 There shall be no restriction on the number of times that other officers of the Association may stand for re-election.

9.6 An officer may not run for re-election of any position if they have held that named position for a period up to 2 years.

10 COMPLAINTS AND APPEALS

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

10.1.1 no one involved in a candidate's campaign shall be involved in the appeals procedure;

10.1.2 formal complaints must be submitted in writing with any supporting evidence to the Returning Officer.

10.1.3 the Returning Officer reserves the right to investigate any unsound activity and make any rulings which are fair and reasonable in all the circumstances.

10.1.4 the Returning Officer shall investigate any formal complaint within the terms of Clause 10.1.2 and decide what action shall be taken, including but not limited to the disqualification of any candidate concerned, or the annulment of the relevant election.

10.2 Any complaint against the conduct or administration of the election should be received by the returning officer before the start of the count.

- 10.3 A challenge or complaint during or following the count, must only relate to the conduct of the count, and be lodged with the returning officer who shall resolve the complaint within 48 hours of it being lodged.
- 10.2 The ruling of the returning officer on any complaint shall be final, subject only to a successful appeal in writing to {Chair or Secretary to the Board – to be decided}
- 10.3 Options open to the {_____} include but are not limited to;
- 10.3.1 upholding or dismissing the appeal;
 - 10.3.2 request a re-running of the election;
 - 10.3.3 any other reasonable request.

DRAFT

An Update on Potential Developments Related to European Funding

1. Introduction

- 1.1 The purpose of this paper is to update the Board on two recent opportunities relating to European Funding.

2. Background

2.1 Additional European Social Fund SUMs

- The SFC has for the last two years managed a Scotland wide European Social Fund (ESF) project "Skills for a Competitive Workforce". This project has provided additional resource to colleges to support individuals through the stages of the "employability pipeline".
- European Structural Funds are coming to the end of their current budgetary period (2014) and as is often the case with ESF, underspends have been identified.
- The SFC are currently preparing a bid to recycle underspends and have asked colleges whether they have the capacity to deliver additional activity.
- The additional resource (should the bid be successful) for North East Scotland College is £916,954.
- For this additional resource the College would need to deliver an additional 4,600 wSUMs. To deliver this additional activity the College would need to identify appropriate programmes and partners, and resource it accordingly.
- As is the case with all ESF projects there are regulations and restrictions that apply to the use of the funds.
- The College has responded positively and awaits an update from the SFC.
- If the project is successful the additional activity will be for this current academic year and academic year 2014-15.

3. On-going Dialogue with West of Scotland Colleges' Partnership (WoSCoP)

- 3.1 WoSCoP's principal activity is to support its member colleges in identifying, accessing and managing grant funding from the European Union, and other sources.
- 3.2 WoSCoP's aim is to become a national resource for colleges and WoSCoP staff have met with the Regional Leads to discuss this ambition.
- 3.3 In recent conversation with the College, opportunities have been identified to support the strategic aims of the College by developing bids for European Funding, and in particular a bid relating to encouraging mobility of individuals from other parts of Scotland to the North East of Scotland.
- 3.4 The bid would target the next round of EU Structural Funds 2014-20.
- 3.5 The bid would pay the right group of people to develop a fully thought out programme of training and support for students from other areas of Scotland to participate in training at North East Scotland College and to enter the employment market in the North East (particularly for renewables). Initially the bid would be for the design and development of the programme and also the creation of a further bid for three years' worth of funding to actually run the project.
- 3.6 The deadline for applications for the design element is 15 January 2014. This is obviously extremely challenging but if the College wants to proceed the deadline needs to be met.
- 3.7 The immediate next steps are for WoSCoP staff to run workshops with College staff to create a bid.

4. Risks and Opportunities

4.1 The major risk associated with accepting the additional wSUMs (as described in section one) is that the College fails to hit the agreed target and does not realise the full value of the additional resource. This risk will be minimised if the College:

- works in partnership to identify beneficiaries;
- identifies sufficient resource to deliver and manage the project;
- ensures that claims against expenditure are supported by transparent and where appropriate separate records; and
- ring-fences any additional allocation of funding for the purpose of delivering additional activity so that if the additional activity is not delivered, the funds remain unused and could be repaid with no negative impact on College finances.

4.2 The risks associated with the development of a bid to support training for those outwith the region are more difficult to quantify as the project has not yet been scoped. However it should be noted that if the College agrees to move forward it will deliver a high profile project that could strengthen the reputation of the College but requires leadership and commitment from the Board and senior managers. This could be distracting at a time of significant organisational change. The risk will be minimised if the College:

- Takes small steps;
- Chooses the right partners; and
- Identifies sufficient resource to deliver and manage the project.

5. Recommendation

5.1 It is recommended that the Board discuss the contents of this paper.

Rob Wallen
Principal

Paul Sherrington
Depute Principal

Report by the Investment and Project Committee

1. Introduction

- 1.1 The purpose of this paper is to assist the Board to consider the work of the Investment and Project Committee.

2. Background

- 2.1 The Investment and Project Committee has been delegated authority and responsibility for the fulfilment of the Board's Estates Development Strategy.
- 2.2 The Committee is required, under its terms of reference, to report to meetings of the Finance and General Purposes Committee and the Board of Management on the business that it conducts.

3. Business Conducted by the Committee

- 3.1 Since the last meeting of the Board of Management, the Committee has met on one occasion – on 26 November 2013.
- 3.2 The business conducted at this meeting was concerned with monitoring progress of works to over-clad and re-roof the Tower and East Blocks at Aberdeen City Campus.
- 3.3 Mr Milroy will provide an oral report to this meeting on the business conducted at the meeting of the Committee.
- 3.4 The next meeting of the Committee is scheduled to take place on 21 January 2013.

4. Recommendation

- 4.1 It is recommended that the Board consider the information provided on the work of the Investment and Project Committee.

Rob Wallen
Principal

Scheduling of Board Committee Meetings

1. Introduction

- 1.1 The purpose of this paper is to allow the Board to consider the scheduling of future meetings of the Board Standing Committees.

2. Background

- 2.1 At its meeting on 04 November 2013 the Board considered arrangements for the initial series of Board Committee meetings on 26 November 2013.
- 2.2 The arrangement established included a start to the earliest meeting at 10 am to allow for the fact that some attendees may have some distance to travel to attend the meeting (e.g. from the Buchan area).

3. Scheduling of meetings on 21 January 2014

- 3.1 Now that the composition of the various Standing Committees has been established it is possible to reconsider arrangements.
- 3.2 The composition of the Finance & General Purposes Committee and the Investment & Project Committee is such that there is no participant who is resident in the Buchan area.
- 3.3 As such an alternative sequence has been established for the 21 January 2014 series of meetings:

9.00 am	Finance & General Purposes Committee
10.00 am	Investment & Project Committee
10.30 am	HR Committee
11.30 am	Audit Committee
12.45 pm	Lunch
1.30 pm	Learning & Teaching and Student Services Committee

- 3.4 This alternative may be deemed to be suitable for adoption as the standard model; alternatively another sequence may be considered more suitable.

4. Recommendation

- 4.1 It is recommended that the Board considers arrangements for the scheduling of future meetings of the Board Standing Committees.

Rob Wallen
Principal

Reserved Item of Business Reclassification of Colleges

1. Introduction

- 1.1. The purpose of this report is to provide information to the Board on the implications of the reclassification of colleges as central government bodies.

2. Background

- 2.1. In 2010 the Office for National Statistics, part of HM Treasury, announced its decision to reclassify incorporated colleges in the United Kingdom as being 'central government bodies' for financial budgeting and reporting purposes. It was in May 2013 that the consequences of that decision became evident when the Scottish Government announced that reclassification would take effect from 01 April 2014.
- 2.2. The Board of Management, at previous meetings, has received and considered information on the consequences of reclassification and the mitigating actions taken and planned at local and national levels.

3. Current Position

- 3.1. In recent weeks assurances have been given by Scottish Ministers that it is their intention that the control requirements imposed on public bodies shall not be applied in full to colleges.
- 3.2. However, officials of the Scottish Government and Scottish Funding Council have recently briefed colleges' finance staff that colleges must prepare and implement full compliance with the Scottish Government's Scottish Public Sector Finance Manual. This course of action appears, on the face of it, to run counter to the assurances given by Ministers.
- 3.3. Officials have established a training programme to support colleges' preparations and to explain the new financial reporting requirements upon colleges from 01 April 2014. (It is understood that training/briefing events might also be made available to members of boards of management.)
- 3.4. The requirements of the Scottish Government's Scottish Public Finance Manual include:
 - 3.4.1. a prohibition on carrying insurance (other than where a business case can be made for doing so);
 - 3.4.2. a prohibition on placing funds on deposit;
 - 3.4.3. a prohibition on borrowing;
 - 3.4.4. reprofiling payment of government grants to reduce the rate at which cash flows to colleges;
 - 3.4.5. restriction of college month-end operating cash holdings to 20 days net spending; and
 - 3.4.6. reducing limits of authority for colleges to 'write-off' uncollectable debts.

4. Financial Reporting Arrangements

- 4.1. An aspect of current preparatory work, which is of particular relevance, is to establish the changes that reclassification will bring to the financial reporting arrangements of colleges.
- 4.2. At present, boards of management are required to prepare annual audited financial statements that show a 'true and fair' view of institutions' financial positions in accordance with the Statement of Recommended Practice (SORP) for UK further and higher education institutions. Reclassification brings additional reporting requirements. As 'public bodies', colleges will be required to follow the Scottish Government's Financial Reporting Manual (FReM). In some respects the requirements of the SORP and the FReM are contradictory.

- 4.3. An emerging issue is the revision of the current SORP, which will change in 2015-16. The new SORP has yet to be finalised. It is likely that it will differ from the FReM (albeit in difference respects to the current SORP). The accounting treatments that colleges will be required to follow could differ significantly from those that apply today. It should be noted that the SORP applies to all colleges and universities in the United Kingdom and that only colleges in Scotland and Northern Ireland are classed as 'public bodies'.
- 4.4. The College has volunteered to act as a pilot institution and the financial statements of Aberdeen College for 2012 are being used to provide the FE sector with an exemplar of the accounting treatments to be followed where the current SORP and the FReM differ. A subsequent stage of work will take place once the terms of the new SORP are finalised. By volunteering to be the pilot institution, the College will be well placed to see clearly the impact of changed accounting treatments on the reported financial position.

5. Current Position

- 5.1. It is less than four months until reclassification takes effect and much remains unclear. North East Scotland College is well placed with respect to those matters that are within its control and mitigating actions continue to be pursued. Risks to the College arise from those matters where control lies outwith the College.

6. Recommendation

- 6.1. It is recommended that the Committee note the information provided in this paper.

Rob Wallen
Principal

Roddy Scott
Vice Principal Finance

Reserved Item of Business

Feasibility Study for Student Accommodation in Fraserburgh

1. Introduction

- 1.1 The purpose of this paper is to update the Board on the feasibility study into student accommodation in Fraserburgh.

2. Background

- 2.1 To coincide with a visit to Fraserburgh in September 2013 the First Minister for Scotland, Alex Salmond MSP, spoke to the Principals of Aberdeen College and Banff & Buchan College and outlined a proposal regarding student accommodation.
- 2.2 The proposal was to build student accommodation in Fraserburgh, targeted at those wishing to come to the North East of Scotland to take advantage of regional specialisms, especially training for the energy and maritime sectors. It was noted that the investment in the Oil and Gas Academy for Scotland should create opportunities for students from outwith the region.
- 2.3 It was agreed that the first stage would be to complete a short feasibility study and that the study would:
 - be funded by the SFC;
 - be managed by the Principal of Banff & Buchan College; and
 - attempt to answer some fundamental questions but especially, is there a demand, where should it be built, what would it look like and how much would it cost.
- 2.4 The Principals were told (by the First Minister) that should the study recommend building student accommodation, the capital costs would be found by the Scottish Government, and not from North East Scotland College funds.

3. Issues and Next Steps

- 3.1 The feasibility study is complete and a copy is attached as appendix 1.
- 3.2 The study suggests that:
 - there is evidence of demand for accommodation in Fraserburgh;
 - it should be built next to the Fraserburgh campus;
 - it should be a partnership between the College and a "service manager" who would manage the accommodation; and
 - further work is required to create a detailed scheme design and a detailed business case.
- 3.3 At this time the issue of the capital build cost remains unresolved. However the SFC has indicated that they will not fund student accommodation.
- 3.4 If additional funds to cover the capital costs of building the facility are made available, this proposal could proceed as a separate project; however if additional funds to cover the capital costs of building the facility are not guaranteed this project would need to be considered as part of the wider Estates Strategy for the new College, alongside other pressing demands on the College's limited available resources.
- 3.5 It is understood that Scottish Government officials are awaiting receipt of this feasibility study report.

4. Recommendations to the Board

- 4.1 It is recommended that the Board discuss the contents of this paper and consider the appropriate next steps.

Rob Wallen
Principal

Paul Sherrington
Depute Principal

Agenda Item 7.2 Appendix 1 appears under separate cover

Reserved Item of Business Salary Conservation Policy

1 Introduction

- 1.1 The purpose of this paper is to provide the Board with an opportunity to consider the Salary Conservation Policy.

2 Background

- 2.1 At its meeting on 04 November 2013 the Board agreed a Salary Conservation Policy. A copy of the Policy as agreed is attached at appendix 1.

3 Staff Consultation

- 3.1 Consultation meetings were held (separately) with the staff representatives on the LJNCs in Fraserburgh and in Aberdeen. A copy was also sent to the two unions recognised in the former Aberdeen College but not represented on the LJNC (GMB and Unite).
- 3.2 A number of issues were raised. These are listed in appendix 2 along with the management response.
- 3.3 There are essentially three points on which the Board may be minded to suggest amending the Policy.
- 3.4 The first (in point 2) relates to the suggestion that in the case of all staff conservation should be for three years, irrespective of length of service. This is very unlikely to impact on many people, if any, and the cost of making this change will be small or nothing.
- 3.5 The second (in point 5) relates to making it clear that where training is necessary it will be provided.
- 3.6 The third (in point 6) relates to the management of trial periods when a person is redeployed.

4 Proposed revisions to the Salary Conservation Policy

- 4.1 Attached as appendix 3 is a revised version of the Salary Conservation Policy which reflects the three issues raised by staff. The amended areas are highlighted in yellow.

5 Recommendation

- 5.1 It is recommended that the Board consider the proposed revision to the Salary Conservation Policy.

Rob Wallen
Principal

As agreed by NESC Board 04 November 2013

NORTH EAST SCOTLAND COLLEGE

SALARY CONSERVATION

1. Following the matching across process, it may only be possible to offer a post where the salary/grade is lower than your current post.
2. In these circumstances, your salary will be protected for a limited period based upon your length of service at the College as follows:

Less than one year	Six months' protection
More than one but less than three years	One year's protection
More than three but less than five years	Two years' protection
Five years or more	Three years' protection

3. Salary conservation will take effect from when the new structure comes into being. During the period of salary conservation, no incremental or annual pay increases will be awarded unless the salary for the new job catches up.
4. Only your salary will be subject to conservation for the period specified. Except where specifically agreed otherwise, all other terms and conditions of employment relating to the new post will apply immediately you commence employment in the new post.
5. Retraining for staff who accept suitable alternative employment will be considered in appropriate cases. The extent to which this can be provided will be determined by the needs of the College.
6. In line with statutory requirements, redeployment to an alternative post will be subject to a trial period of at least four weeks in order to allow both you and the relevant manager to decide whether or not the new arrangement is suitable. This trial period may be extended in certain circumstances.
7. Your continuous service will remain unaffected by these arrangements.

Agenda Item 7.3
Appendix 2

	Comments received	Management response
1	<p>Unison Regional Organiser If contracts under the old staffing structure are to be terminated lawfully, the college must take care to ensure that "matching" decisions comply with the ETO provisions of TUPE and that they fall within the band of reasonable responses open to an employer in a post-transfer restructuring exercise. All displaced employees should have access to individual consultation along with an opportunity to be considered for redeployment within the new structure in jobs with comparable pay and status.</p> <p>EIS Fraserburgh All displaced staff should be considered for redeployment within the new structure in jobs with comparable pay and status.</p>	<p>We recognise the importance of ensuring that the College acts lawfully and that displaced employees should have access to individual consultation along with an opportunity to be considered for redeployment within the new structure in jobs with comparable pay and status.</p> <p>This scheme comes into operation where, under the structure, a comparable offer cannot be made.</p> <p>The College is also mindful that, in some cases, similar posts across the merged College are graded differently and this is an issue that can only be resolved through job evaluation.</p>
2	<p>Unison Regional Organiser We are not convinced by the rationale behind the way in which pay protection varies with service. For example, short service employees may have recently joined the college on the basis of the reasonable expectation that their starting salary was secure. Given the comparatively small number of people affected and the mixed gender profile of the staff group likely to receive protection, we do not perceive there to be a risk of challenge to pay protection. We would, therefore, expect all staff in detriment to be protected for three years.</p> <p>EIS Fraserburgh All staff accepted the contract based on the salary they were offered. Therefore, all staff</p>	<p>It is very common for salary conservation schemes to have varying periods of protection based on length of service.</p> <p>We recognise, however, that only a relatively small number of staff have less than five years' service and, in turn, only a few of these might be affected.</p> <p>We are, therefore, prepared to recommend to the Board that all staff receive three years' protection.</p>

	<p>should be entitled to the three years “protection” as otherwise it could become discrimination.</p>	
3	<p>Unison Regional Organiser We accept that in terms of salary, this should be protected on a mark time basis unless or until the revised salary exceeds the protected salary. However, we insist that beneath the headline "protected salary", the staff should progress through the grade on the same basis as colleagues notwithstanding the fact that <i>this</i> may have no immediate effect on take home pay.</p> <p>EIS Fraserburgh Staff should progress through the pay scale just as other colleagues. Even though this may have no immediate effect on their take home pay.</p> <p>Unison Aberdeen Another point requiring clarification is the fact that no incremental or annual pay increases would be awarded to those in conserved pay.</p>	<p>The conserved salary will not be subject to an annual incremental progress nor to annual pay awards. The individual will “mark time” as noted by the Unison Regional Official.</p> <p>However after the end of the period of conservation the individual will move onto the salary for the substantive post as it is at that time – ie after whatever annual pay increases have been implemented during the three year period.</p> <p>As it is intended that the individual who accepts a post at a lower grade will be placed at the top of the scale for that post, the issue of annual incremental progression will not be relevant.</p> <p>(On a separate note, the wording of this paragraph was slightly changed in the version approved by the Board and we understand that some union/staff representatives might have inadvertently received an earlier version. The version with the correct wording was subsequently issued to staff representatives.)</p>
4	<p>Unison Regional Organiser We accept that additional payments rendered obsolete by the new work arrangement shall cease and that pay protection applies to salary. However, where the new work arrangement attracts new additional payments through revised terms and conditions, these shall be paid over and above the protected basic.</p> <p>EIS Fraserburgh Require further discussion/ clarification about this statement. Any new work arrangements that has additional payments due to revised terms and conditions should be paid over and above</p>	<p>We do not consider it appropriate to pay any additional payments in addition to the protected salary.</p> <p>If any particular issues arise, which could result in the member of staff being worse off on the conserved salary than he/she would be on the salary for the new post plus any additional payments applicable to the post, we would look at them on an individual basis.</p> <p>While salary is conserved, other terms and conditions would be as applicable to the new post.</p>

	<p>the protected basic. Unison Aberdeen If salary is conserved And annual leave, what other terms and conditions could possibly be affected by the new contract?</p>	
5	<p>Unison Regional Organiser All staff shall receive training that is required for the performance of the new contract. This assessment shall have regard to the needs of both the college and the postholder.</p> <p>EIS Fraserburgh 'Appropriate cases' and 'the need of the college' are not acceptable. All staff should receive training that may be required for a new post/contract and should also meet the needs of the individual as well as the college.</p> <p>Unison Aberdeen Another point requiring clarification is that training would only be considered for those being redeployed..... if the job was offered to someone knowing that training would be required, why would they be offered the post if training was not guaranteed?</p>	<p>We will therefore propose to the Board that we amend this paragraph to read:</p> <p>"Appropriate retraining will be provided for staff who accept suitable alternative employment"</p>
6	<p>Unison Regional Organiser We do not accept item six. The statutory provisions in relation to trial periods do not entitle the service manager to veto redeployment in a redundancy situation. In any event, this is a post transfer restructure under guidance from The Scottish Government which contains a no compulsory redundancy policy. Managerial veto would contradict that provision.</p> <p>EIS Fraserburgh This statement is completely unacceptable. To leave a member of staff 'hanging on' and a 'relevant manager' being allowed to make decisions about their life/future is dreadful and unfair.</p> <p>TUPE rights apply. As does the continuous service provisions of the Employment Rights Act 1996.</p> <p>Unison Aberdeen</p>	<p>This paragraph is in line with the legal requirements for a trial period in redundancy situations.</p> <p>However, the trial period will be extended where it is appropriate to do so.</p> <p>In the unlikely event that College management feel after a trial period that it is not suitable alternative employment, there will, of course, be discussions with the member of staff and further attempts to seek suitable alternative employment. The employee does of course have the right of appeal in such cases and will not lose his/her entitlement to a severance payment.</p> <p>We will therefore propose to the Board that that the wording of this section of the document be amended to:</p>

	<p>Another point requiring clarification is that if redeployed, the relevant manager could decide whether the arrangement was suitable. The trial period could be extended “in certain circumstances” – what circumstances?</p> <p>Also, a trial period of at least 4 weeks – this ... was not enough to make any judgment.</p>	<p>“In line with statutory requirements, redeployment to an alternative post will be subject to a trial period of at least four weeks in order to allow both you and the College to decide whether or not the new arrangement is suitable. This trial period may be extended in certain circumstances.</p> <p>In the event that the alternative employment is not regarded as suitable, there will be further discussions with the person affected and further attempts to seek suitable alternative employment. He/she will not lose his/her entitlement to be considered for voluntary severance.”</p>
7	<p>Unison Regional Organiser The combined effect of the TUPE regulations and the continuous service provisions of the Employment Rights Act 1996 require that continuity is preserved.</p> <p>EIS Aberdeen Continuity must be preserved</p>	<p>Agreed. This is what paragraph 7 says.</p>

**DRAFT revised version 131126 for consideration by Board of Management on
09 December 2013**

NORTH EAST SCOTLAND COLLEGE

SALARY CONSERVATION

1. Following the matching across process, it may only be possible to offer a post where the salary/grade is lower than your current post.
2. In these circumstances, your salary will be protected for three years.
3. Salary conservation will take effect from when the new structure comes into being. During the period of salary conservation, no incremental or annual pay increases will be awarded unless the salary for the new job catches up.
4. Only your salary will be subject to conservation for the period specified. Except where specifically agreed otherwise, all other terms and conditions of employment relating to the new post will apply immediately you commence employment in the new post.
5. Appropriate retraining will be provided for staff who accept suitable alternative employment.
6. In line with statutory requirements, redeployment to an alternative post will be subject to a trial period of at least four weeks in order to allow both you and the College to decide whether or not the new arrangement is suitable. This trial period may be extended in certain circumstances.

In the event that the alternative employment is not regarded as suitable, there will be further discussions with the person affected and further attempts to seek suitable alternative employment. He/she will not lose his/her entitlement to be considered for voluntary severance.

7. Your continuous service will remain unaffected by these arrangements.

**Reserved Item of Business
Report on Commercial Activities
– Report by Chair of Aberdeen Skills and Enterprise Training Ltd**

1. Introduction

- 1.1. The purpose of this paper is to provide information to the Board on the activities of Aberdeen Skills and Enterprise Training Limited (ASET), a wholly owned subsidiary of North East Scotland College.
- 1.2. The majority of members of the Board of ASET are also members of the Board of North East Scotland College.

2. Background

- 2.1. The Board has set the requirement that reports by the Chair of the Company's Board of Directors would be accompanied by a brief written report providing commentary on the Company's activities and summary information on the company's financial performance.

3. Reports on Activities

- 3.1. A further report on activities and financial performance is attached as appendix 1 to this paper.

4. Recommendation

- 4.1. It is recommended that the Board note the information provided by the Chair of the Board of Directors of Aberdeen Skills and Enterprise Training Limited.

Rob Wallen
Principal



REPORT ON COMMERCIAL ACTIVITIES AND FINANCIAL RESULTS FOR QUARTER 1 OF FINANCIAL YEAR 2013/14 AND (3 MONTHS AUGUST 2013 – OCTOBER 2013)

This paper provides the Board of Management of Aberdeen College with a commentary on the trading activities and financial performance of the Q1 of Financial Year 2013 (with a comparison of actual compared with budget for the 8 months to March 2014 following the change in the end of the financial period to March) of the subsidiary company Aberdeen Skills and Enterprise Training Ltd during the current trading period.

In summary the company has continued to trade strongly in Quarter 1 of the Financial Period 2013/14. The financial results for the period show record sales and profit levels being achieved.

The training portfolio is designed to meet the actual needs of the oil and gas industry and is based on three market segments:

- The Upstream Oil and Gas Industry Technician Training Scheme (UOGITTS) sponsored by OPITO and ECITB
- Over 60 ASET Short Technical courses
 - Oil & Gas Technician Training
 - Electrical and Ex Hazardous Areas
 - Emergency Response
 - Marine and Radiotelephony
 - Assessor and Verifier Training courses
- Long Courses, sponsored by overseas companies and Governments. These are typically from 6 months up to 18 months duration

ASET serves three main oil and gas markets:

- North Sea
- The UK Continental Shelf, and
- International Oil & Gas markets

ASET's business model is almost entirely based on attracting delegates to ASET International Oil & Gas Training Academy in Aberdeen. Over the last 12 months the company has welcomed delegates from over 80 overseas countries, with an average of 200 delegates attending ASET training courses every working day.

ASET continues to compete pro actively in its target markets and to tender for appropriate contracts which are within the company's capabilities. The period between submission and contracts being awarded can be subject to a lengthy negotiation period.

In the international market ASET has been contracted to deliver skills training for delegates from Nigeria and Equatorial Guinea for programmes planned to commence in March 2014.

FINANCIAL PERFORMANCE

FY 2013-2014 Qtr 1 as at 31 October 2013	Quarter 1 £'000 3 months	Year to Date £'000 3 months	Original Budget £'000 8 months
Sales	1,930	1,930	4,080
Direct Costs	884	884	2,337
Gross Margin	1,046	1,046	1,743
Indirect Costs	267	267	749
Other Income	2	2	8
Net Operating Profit	781	781	1,002

The sales for the three month period Quarter 1 Financial Year 2013/14 arise from our continuing operations and do not include any "one off" sales or recoveries.

As can be seen from the above table, trading experienced in Q1 of 2013/14 achieved 78% of the 8 month budget projection.

The results of firm negotiation on sales, efficient course delivery allied to close operational cost controls, have achieved net profit to sales percentage of 40%.

The company's sales are well spread across the training portfolio with our debtors being actively managed to ensure payment is achieved within contracted terms. We have experienced no need to provide or write off any debt in the trading period.

OPERATIONAL MATTERS

UKBA

Sponsor Licence Visit / Audit

The UKBA Compliance Team visited ASET on 18th June 2013 to audit ASET's compliance with the sponsoring duties and immigration legislation under its Tier 4 Sponsor Licence.

ASET was fully compliant with its sponsorship responsibilities and the company's systems were fully in place to record the obligations required of a Tier 4 Sponsor. ASET's licence as a Tier 4 Sponsor was renewed on 27th June 2013 for a further 4 year period.

Following the renewal of ASET's Licence as a Tier 4 Sponsor, the UKBA confirmed on 3rd October 2013 that ASET's Highly Trusted Status was renewed until 29th September 2014.

Skills Shortage

OPITO has set out its strategy for industry collaboration in its development of a research strategy and methodology to identify the detailed nature of the reported skills shortage facing the North Sea Oil & Gas Industry.

OPITO has issued the following statement:

Skill shortages have been identified as one of the biggest challenges facing the industry. This survey will provide the definitive source of industry recognised information on the size and demographics of the labour market from across the sector and partner organisations to ensure better understanding of the workforce profile.

As a member of the Oil and Gas LMI steering group - we are working closely with Aberdeen & Grampian Chamber of Commerce, Decom North Sea, ECITB, Energy North, IADC - North Sea Chapter, OCA, Oil & Gas UK and Subsea UK to create a robust and reliable study that will give greater clarity of specific gaps and allow the industry to target activities to address them to meet the long term demand for a skilled workforce.

Specifically, this research will:

- Look at previous and existing, relevant industry research and summarise the rationale for this study
- Profile the oil and gas industry, look at the skills throughout the current workforce and the different roles that exist
- Identify key industry influences moving forward including external factors as well as structural changes
- Allow a skills forecast to be produced which will meet the potential of our industry in the future

This significant research will be shared across the industry and with education providers, government agencies, other industry bodies and stakeholders to help ensure our current and future workforce has the necessary skills to fulfil the potential of the UK's most prosperous industrial sector.

Accommodation

ASET is experiencing a sustained high demand for Oil and Gas Technician training both for UK and overseas clients.

As a result of the increased demand, ASET has agreed the lease of Clinterty Centre from Aberdeen College for a three year period. The result of this is that the company's capacity to accommodate trainees has doubled. ASET now has at Clinterty Centre:

- 10 classrooms
- Mechanical Workshop
- Two Electrical Workshops
- PLC Workshop

Each Workshop provides an individual work station for trainees.

Altens Centre:

- 10 classrooms
- Mechanical Workshop
- Electrical Workshop
- High Voltage Switchgear
- Emergency Response
- Ex Hazardous Area Centre
- Abcol Oil & Gas Production Training Platform

North East Scotland College has been granted planning permission for the development of unused area of Block A. ASET will retain only the locker accommodation in Block A and is planning to lease a further Electrical Workshop at FG22 at the Aberdeen Altens Campus following the development of Block A.

Awards

The ASET Chief Executive and Miss. Kelly Louise Ackers, Client Relations Manager, attended the highly prestigious Star Awards Ceremony in Glasgow on Friday, 8th November 2013. There was a high level of entry both from UK and International training providers for this category and ASET was shortlisted with an International Exploration and Production Company for this Award.

The ASET Chief Executive was both delighted and honoured to accept the Star Award on behalf of the ASET International Oil & Gas Training Academy.

The Award was presented by Miss. Kaye Adams, BBC Scotland and Mr. John McMorris, SQA Business Development Director.

The SQA Chief Executive Dr. Janet Brown said the following in her closing speech:

“Scottish education and training is full of inspirational stories and magnificent achievements from students and centres. The response to our invitation for nominations was phenomenal – selecting finalists in each category was very difficult. To all who were entered, and particularly to those who made it through to

the awards ceremony, well done. You represent the absolute best of Scotland and should take enormous pride in your achievements."

Winning this prestigious Award underpins the success which the ASET International Oil & Gas Academy has achieved since its opening two years ago.

External Audits

In the first quarter of financial year 2013/14, ASET has been audited by ECITB on Safety Passport, City & Guilds Systems audit and OPITO for Emergency Response. ASET was fully compliant in all aspects of ECITB and City & Guilds audits. For Emergency Response there were a number of minor administrative and practical issues which have been fully addressed.

Health & Safety and Premises

ASET has maintained the reduction in accidents achieved in the previous year, with five accidents reported, none of which resulted in lost time for the individual or the company.

Corporate Manslaughter / Corporate Homicide Act 2007

The ASET Directors receive quarterly presentations from the ASET Human Resources Manager on the Corporate Manslaughter Act and any reported pending changes to the Act. There are no issues to be reported.

Anti-Bribery and Anti-Corruption

All new clients are required to formally confirm their adherence to the UK Bribery Act 2010. The company regularly reviews its procedures and records related to the Bribery Act.

The ASET Directors receive regular reports on the company's compliance to the agreed procedures. There are no issues to report.

Reserved Item of Business Procurement of Contracted Services

1. Introduction

- 1.1. The purpose of this paper is to assist the Board of Management to consider matters related to the procurement of a number of contracted services.

2. Catering and Cleaning Services

- 2.1. North East Scotland College has three contracts in place for the supply of catering services. These are with: Aramark, in respect of campuses in Aberdeen; Sodexo, in respect of the Fraserburgh Campus; and Symposium, in respect of the Scottish Maritime Centre at Peterhead. The contract for the Fraserburgh Campus also includes the provision of cleaning services.
- 2.2. Contracts for services in Aberdeen and Fraserburgh expire on 31 July 2014.
- 2.3. It is planned to begin the procurement process to establish new contracts in December and to complete the process by the end of April 2014.
- 2.4. The Board's approval is requested to invite tenders for catering services from 01 August 2014 on the basis of two lots (lot 1 being Aberdeen and lot 2 being Fraserburgh) for a contract term of three years with an option, exercisable at the College's sole discretion, to extend the contract for a further term of two years.
- 2.5. The Board's approval is requested to invite tenders for cleaning services in Fraserburgh for a contract period of one year (to 31 July 2015) to bring the contract period into line with the end of the contract period for cleaning services in Aberdeen.

3. Facilities Management Services

- 3.1. North East Scotland College has contracted with Mitie Technical Facilities Management Ltd for the provision of facilities management services at campuses in Aberdeen and Inverurie. The contract ends on 31 July 2015. At merger, College staff provided facilities management services at Fraserburgh and Peterhead.
- 3.2. The review of the structure of facilities management services across all College campuses has been completed. A new post of Health and Safety Co-ordinator shall be created and the post of Facilities Manager removed from the structure at Fraserburgh. Other Facilities staff at the Fraserburgh Campus will continue to carry out their roles (under different line management arrangements).
- 3.3. The inclusion of Fraserburgh and Peterhead campuses in the facilities management contract with Mitie TFM would strengthen the facilities management service at those locations. The service provided to the College by Mitie TFM has proved to be highly effective.
- 3.4. The Board's approval is sought to include all of the College's campuses in the scope of the established service provided by Mitie TFM.

4. Security Guarding Services

- 4.1. North East Scotland College has contracted with ISS Facilities Services Ltd for the provision of security guarding at campuses in Aberdeen and Inverurie. The contract ends on 31 July 2016.
- 4.2. At the beginning of this academic year, Banff & Buchan College engaged ISS FS to provide security guarding services, on a pilot basis, at Fraserburgh. This pilot has proved to be successful. These services were provided under the same contractual terms as the existing contract (established by Aberdeen College in July 2013).
- 4.3. The outcome of the pilot has been assessed and it is recommended that security guarding services should continue.
- 4.4. The Board's approval is sought to include the Fraserburgh Campus in the scope of the established service provided by ISS FS.

5. Recommendation

- 5.1. It is recommended that the Board of Management:
 - 5.1.1. note the information provided in this paper;
 - 5.1.2. in relation to catering and cleaning services, approve the proposals set out in 2.4 and 2.5 above;
 - 5.1.3. in relation to facilities management services, approve the proposals set out in 3.4 above;
 - 5.1.4. in relation to security guarding services, approve the proposals set out in 4.4 above.

Rob Wallen
Principal

Roddy Scott
Vice Principal Finance