



# REGIONAL BOARD MEETING

20 March 2024

Fraserburgh Board Room

Fraserburgh Campus



## REGIONAL BOARD

### NOTICE OF MEETING

There will be a meeting of the Regional Board of North East Scotland College on Wednesday 20 March 2024 in the Boardroom of FRASERBURGH Campus, Henderson Road, Fraserburgh at 1000 hours.

### AGENDA

Agenda Item		Paper
45-23	Apologies for Absence	
46-23	Declaration of Potential Conflicts of Interest in relation to any Agenda Items	
47-23	Minutes of Previous Meeting (13.12.23)	X
48-23	Matters Arising from the Previous Meeting (13.12.23)	X
	<b>Reserved Matters for Decision</b>	
49-23	Internal Audit Service	X
	<b>Reserved Matters for Discussion</b>	
50-23	Energy Transition and Skills Hub Update (S Grant to join meeting)	X
51-23	ASET Update <ul style="list-style-type: none"> <li>• Chair &amp; Governance (Verbal update – S Elston)</li> <li>• Finance (S Thompson)</li> </ul>	X
52-23	Voluntary Severance (VS) Scheme (K Donnelly to join meeting)	X
53-23	AY2024/25 Budget and Funding (S Thompson) - presentation	
	<b>Matters for Decision</b>	
54-23	Governance manual – annual review	X
55-23	Regional Board Succession/Officer Bearer positions	X
	<b>Matters for Discussion</b>	
56-23	Strategic Plan – next steps/timeline (R McGregor)	X
	<b>Reports to the Board</b>	
57-23	Report by the Regional Chair (Verbal Update)	
58-23	Report by the Principal	X
59-23	Report by Committee Chairs	X
	<b>Matters for Information</b>	
60-23	Strategic Risk Register	X
61-23	Opportunity Register	X
62-23	PREVENT Annual Report	X
63-23	College Enhancement Plan – Interim Review	X
	<b>Reserved Matters for Information</b>	
64-23	Credits Activity Update and Forecast (R Laird to join meeting)	X
	<b>Governance Matters for Information</b>	
65-23	Board Recruitment – Verbal Update (S Lawrance)	
66-23	<b>Any Other Business</b>	
	<b>Summation of Actions and date of next meeting</b>	

	Next meeting of the Regional Board will take place on Wednesday 19 June 2024, at 10am, held in City Campus Boardroom, Aberdeen.	
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**REGIONAL BOARD**

**NOTE OF MEETING**

**Draft** Minute of the meeting of the Regional Board of North East Scotland College, held on Wednesday 13 December 2023 at 1000 hours in M102, Altens Campus.

<b>Agenda Item</b>	<p><b>Present:</b>  Susan Elston (Regional Chair)  Neil Cowie  Jim Gifford  Bryan Hutcheson  Carrie Beaton  Sheena Ross  Caroline Laurenson  Iain Watt  Mark Fotheringham  Cindy Dempster  David Blackhall  Duncan Cockburn  Dave Anderson</p> <p><b>In attendance via Teams:</b>  Leona McDermid</p> <p><b>Trade Union Observer:</b>  Leanne Ross, Unison</p> <p><b>In attendance:</b>  Robin McGregor, Vice Principal, Curriculum &amp; Quality  Stuart Thompson, Vice Principal, Finance &amp; Resources  Susan Lawrance, Secretary to the Board  Karen Fraser, Minute Secretary</p> <p><b>Guest attendees:</b>  Atholl Menzies, ASET Chief Executive &amp; Executive Director (for Agenda Item 28-23)  Ian Gossip, ASET Interim Chair (for Agenda Item 28-23)  Anne MacDonald, Audit Scotland (for Agenda Item 30-23A, brought forward to be first Item discussed)  Susan Grant, Strategic Lead, Energy Transitions (for Agenda Item 32-23)  Kirsty Pettitt, Student Engagement and Wellbeing Manager (for Agenda Item 33-23)</p>
23-23	<p><b>Welcome</b>  Regional Chair S Elston welcomed all in-person and virtual attendees.</p>
30-23A (Item brought forward)	<p><b>Annual Audit Report 2022-23 External Audit – Audit Scotland</b></p>
	<p><b>Guest attendee A MacDonald left the meeting at 10:09am</b></p>
24-23	<p><b>Apologies for Absence</b>  Apologies were received in advance from G Watt and N McLennan.</p>

	S Elston greeted new members L Ross and C Laurenson.
25-23	<p><b>Declaration of any Potential Conflicts of Interest in relation to any Agenda Items</b></p> <p>L McDermid declared a potential conflict of interest by virtue of her position with Aberdeen Foyer.</p> <p>J Gifford declared a potential conflict of interest by virtue of his position with Aberdeenshire Council.</p> <p>S Lawrance declared a potential conflict of interest on behalf of L Ross by virtue of her position with Unison.</p>
26-23	<p><b>Minute of Previous Meeting (11.10.23)</b></p> <p>The Minute was approved as a true and accurate record.</p>
27-23	<p><b>Matters Arising from the Previous Meeting (11.10.23)</b></p> <p>Members noted that all matters arising had been addressed.</p> <p>It was confirmed that the issuing of invites to S Elston to attend Community Planning Partnership Aberdeenshire meetings is progressing.</p>
	<b>Guest attendees A Menzies and I Gossip joined the meeting at 10:15am</b>
	<b>Reserved Matters for Decision</b>
28-23	<b>ASET – Annual Report by the Chief Executive (Presentation)</b>
	<b>Guest attendees A Menzies and I Gossip left the meeting at 10:49am</b>
29-23	<b>ASET</b>

30-23	<b>Audited 2022-23 Financial Statements</b>
	<b>L Ross left the meeting at 12:15pm</b>
31-23	<b>Voluntary Severance (VS) Scheme</b>

	<b>L Ross re-joined the meeting at 12:22pm</b>
	<b>Guest attendee S Grant joined the meeting at 12:25pm</b>
	<b>Reserved Matters for Discussion</b>
32-23	<b>Energy Transition Skills Hub Update/Report</b>
	<b>Guest attendee S Grant left the meeting at 1:04pm</b>
	<b>Guest attendee K Pettitt joined the meeting at 1:04pm</b>
	<b>Matters for Decision</b>
33-23	<p><b>SA Partnership Agreement (K Pettitt)</b>  Guest attendee K Pettitt joined the meeting in order to present the updated Partnership Agreement, highlighting new projects focused on addressing the Cost of Living crisis. The work of the SA was commended by S Elston on behalf of the Regional Board.</p> <p><b>The Board approved and endorsed the SA Partnership Agreement.</b></p>
	<b>Guest attendee K Pettitt left the meeting at 1:06pm</b>
	<b>Matters for Discussion</b>
34-23	<p><b>Strategy Event – Next Steps</b>  Members referred to the event held on 22/11/23 and acknowledged the disappointment on the facilitation, but highlighted the quality of individual table discussions, observations of the day were shared and provision of likely feedback to SDA in the new year was detailed. A timeline for onward progression of the Strategic Plan will be presented at the Regional Board's 20/03/24 meeting.</p>
	<b>Reports to the Board</b>

35-23	<b>Report by the Regional Chair Including National Bargaining Update (S Elston)</b>
36-23	<b>Report by the Principal (N Cowie)</b> N Cowie highlighted the key takeaways from his submitted report. Congratulations on the CDN awards and commendations were expressed by members.
37-23	<b>Report by Committee Chairs</b> Members noted the Report by the Committee Chairs, with S Ross, J Gifford and B Hutcheson providing brief overviews of meeting content.  Members of the Audit and Risk Committee suggested that S Elston convey her dissatisfaction with the handling of the External Audit as undertaken by Audit Scotland.  As noted by members of the Curriculum and Quality Committee, the Student Support team and the Students Association were commended for work initiated and ongoing. Appreciation was expressed for the Business and Community Development Update presentation delivered by D Abernethy at the 30/11/23 meeting.
	<b>Matters for Information</b>
38-23	<b>Strategic Risk Register</b> S Thompson updated Members on changes applied to the SRR, following their approval at the Audit and Risk Committee Meeting of 29/11/23. The request to review the ETZ Risk was noted by S Thompson.
39-23	<b>Opportunity Register</b> It was confirmed to Members that work continues on the Register, the format of which is based on the SRR. Presentation at the Finance and Resource Committee meeting on 21/02/24 is anticipated.
40-23	<b>Health and Safety Update</b> S Thompson summarised the shared report, detailing a slight reduction in accident reporting for the period August – October 2023 when compared to the same period in the previous year and recognised that the data captured within the Annual Report and presented to Regional Board at the 11/10/23 meeting would have benefitted from being filtered.
41-23	<b>First Impressions Survey Results AY2023-24</b> Members were invited to digest the largely positive results from the Survey. Members noted the information provided, including feedback provided by ITTS in relation to the experienced Wi-Fi outage.
	<b>I Watt and S Thompson left the meeting at 1:33pm</b>
	<b>Reserved Matters for Information</b>
42-23	<b>Credits Activity Update and Forecast</b>
	<b>L Ross left the meeting at 1:34pm</b>
	<b>Governance Matters for Information</b>
43-23	<b>Governance Update (S Lawrance)</b>



	<b>NESCol and SA staff members left the meeting at 1:35pm</b>
	<b>Any Other Business</b>
	<b>Private Reserved Matters for Information</b>
44-23	<b>Principal's Performance Management Objectives</b>

**Actions from the Regional Board Meeting of 11 October 2023**

<b>Agenda Item</b>	<b>Action</b>	<b>Responsibility</b>	<b>Deadline</b>
31-23	<b>Voluntary Severance (VS Scheme):</b>		
32-33	<b>Energy Transition Skills Hub:</b>		



## Agenda Item 48-23

### REGIONAL BOARD

An update on matters arising from the meeting of the Regional Board of North East Scotland College held on Wednesday 13 December 2023

Agenda Item	
31-23	<b>Action: Voluntary Severance (VS Scheme):</b>
	<b>Status:</b>
32-23	<b>Action: Energy Transition Skills Hub:</b>
	<b>Status:</b>



**Agenda Item 54-23**

<b>REGIONAL BOARD</b>	
<b>Meeting of 20 March 2024</b>	
<b>Title: Governance Manual – Annual Review</b>	
<b>Author:</b> Susan Lawrance, Secretary to the Board	<b>Contributor(s):</b> Governance and Nominations Committee
<b>Type of Agenda Item:</b>	
<b>For Decision</b>	<input checked="" type="checkbox"/>
<b>For Discussion</b>	<input type="checkbox"/>
<b>For Information</b>	<input type="checkbox"/>
<b>Reserved Item of Business</b>	<input type="checkbox"/>
<p><b>Purpose:</b> To enable the Regional Board to consider, and if so minded approve, an updated version of its Governance Manual, which includes (as highlighted in Appendix 1):</p> <ul style="list-style-type: none"> <li>• A change to Board Membership numbers with the inclusion (as at February 2024) of two trade union nominated Board members (one EIS nomination and one UNISON nomination).</li> <li>• Minor amendments to Committee Terms of Reference (as agreed earlier in the current Academic Year) have also been reflected.</li> </ul>	
<b>Linked to Strategic Theme:</b>	
<b>4. Delivering Excellence and Innovation</b>	
<b>Linked to Strategic Risk(s):</b>	
n/a	
<b>Executive Summary:</b>	
In line with Good Governance the Regional Board are asked to annual review the Governance Manual. Attached as Appendix 1 is the updated Governance Manual with the minor amendment highlighted.	
<b>Recommendation:</b> It is recommended that the Board consider, and if so minded, approve the updated Manual.	
<b>Previous Committee Recommendation/Approval</b> (if applicable): Annual Review by Regional Board (March meeting).	

**Equality Impact Assessment:**

**Positive Impact**

**Negative Impact**

**No Impact**

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



## **REGIONAL BOARD**

# **GOVERNANCE MANUAL**

Version Date: **March 2024**  
Approved by Regional Board



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## 1. INTRODUCTION

- 1.1 This document sets out:
- The statutory and regulatory responsibilities underpinning the operation of the Regional Board of North East Scotland College
  - The Constitution and Standing Orders of the Board and its Committees
  - The Scheme of Delegation, including delegation to the Chair, Committees, the Principal and the Secretary to the Board
  - The Regional Board Code of Conduct
  - The Terms of Reference of the Board and its Committees.
- 1.2 This Manual is not intended to undermine or supersede the formal Instruments and Articles of Governance, under which the College has its charitable status. In the event of any conflict between the contents of this Manual and the Instruments and Articles, the Instruments and Articles take precedence. Any changes to those Instrument and Articles will, as appropriate, be reflected in the content of this Manual.
- 1.3 This Manual should be read in conjunction with the [Code of Good Governance for Scotland's Colleges](#) and the [Model Code of Conduct for Members of Devolved Public Bodies](#) ([standardscommissionscotland.org.uk](http://standardscommissionscotland.org.uk))

## 2. STATUTORY AND REGULATORY RESPONSIBILITIES

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

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

### **3. CONSTITUTION AND STANDING ORDERS**

#### **Executive Summary**

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

#### **Purpose and Powers**

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

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

3.9 The Board has powers to:

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

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

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

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

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

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

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

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

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

### **Appointment of Chair**

- 3.16 The Chair of the Regional Board (Appendix B) is appointed by Scottish Ministers.
- 3.17 The Chair holds and vacates office on such terms and conditions as the Scottish Ministers may determine.

### **Appointment of Vice Chairs**

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

### **Appointment of Equality and Diversity Champion**

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

## **Membership**

- 3.26 The Board shall consist of no fewer than 15-17 nor more than 18-20 members (Appendix E2). The Board shall comprise:
- a) a person appointed by the Scottish Ministers to chair meetings of the Board (the “chairing member”);
  - b) the principal of the college;
  - c) a person appointed by being elected by the teaching staff of the college from among their own number;
  - d) a person appointed by being elected by the non-teaching staff of the college from among their own number;
  - e) two persons appointed by being nominated by the Students’ Association of the college from among the students of the college; and
  - f) other members appointed by the Board.
  - g) two trade union nominees (one each from EIS and UNISON)

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

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

- 3.35 The Board may give consideration to the co-option of a Non-executive Member to Committee(s) following the conclusion of their term of office as a Non-executive Member. The co-option of these individuals would be sought to retain key knowledge and expertise to support the work of the Committee(s). The co-option would be for up to a maximum of 24 months, with a review to be held after 12 months, following support of the co-option by the Governance and Nominations Committee and approval by the Regional Board.

### **Terms and Tenure of Office**

- 3.36 A member of the Board (other than the Principal or Students' Association nomination) shall hold office for a period of four years.
- 3.37 Board members who have been absent without reasonable excuse from the Board for more than six months may, by resolution of the Board and notice in writing from the Chair, be removed from the Board.
- 3.38 Board members may not act as such unless and until he or she is eligible for appointment as a Board member in terms of Schedule 2 to the 1992 Act.
- 3.39 Individuals who are disqualified from being a charity trustee under Section 69 of the Charities and Trustee Investment (Scotland) Act 2005; or have failed to pass a PVG check are ineligible to be a Board Member.
- 3.40 Board members shall at all times comply with:
- any duties imposed on Board members in their capacity as charity trustees pursuant to section 66 of the Charities and Trustee Investment (Scotland) Act 2005;
  - any other legislation and/or statutory or regulatory guidance applicable to the College from time to time;
  - the terms of the Regional Board Code of Conduct;
  - the Code of Good Governance for Scotland's Colleges; and
  - the Model Code of Conduct for Members of Boards of Devolved Public Bodies (2021).

### **Meetings**

- 3.41 The Board shall hold as many Board and Committee meetings as may be necessary for the performance of its functions and at such times, places and frequency as the Board determines.
- 3.42 The Secretary to the Board shall produce an annual programme of meetings which shall be presented to the Board for approval.
- 3.43 Meetings of the Board shall be quorate if no less than one half of the members entitled to vote at such a meeting are present. Members participating are counted in the quorum in line with the following arrangements:
1. Board members participate in a meeting or part of a meeting when they can each communicate to the other members any information or opinions they have on any particular item of the business of the meeting.
  2. In determining whether members are participating in a meeting, it is irrelevant where any member is or how they communicate with each other.



3. If all the Committee members participating in a meeting are not in the same place, they may decide that the meeting is to be treated as taking place wherever any of them is.
- 3.44 If a quorum is not present, the Chair shall adjourn the meeting for 15 minutes and, after this time, if a quorum is still not present, the Chair shall have the power to decide to close the meeting or to take such items on the agenda that may require discussion on an advisory basis only, subject to a vote taken by the next quorate meeting of the Board.
- 3.45 The Chair shall be responsible for the general conduct of meetings and shall:
- preserve order and ensure every member has a fair hearing;
  - decide upon all matters of order, competency and relevancy; and
  - determine all questions of procedure in reference to which no express provision is made in legislation or under these Standing Orders.
- All business at Board and Committee meetings shall be conducted through the Chair by members indicating to the Chair that they wish to speak. The Chair shall be heard without interruption.
- 3.46 The ruling of the Chair on all matters within his/her jurisdiction as Chair is final.
- 3.47 If the Chair and both Vice Chairs are absent from any meeting of the Board, the Board members present shall choose one of their numbers to act as Chair for the meeting.
- 3.48 Notification to Board members of the time and place of the meeting and a copy of the agenda will be sent to Board members at least five working days in advance of the meeting, or if the meeting is convened at a shorter time, then at the time it is convened.
- 3.49 The order of business will be determined at the start of the meeting and will generally follow the format contained in the agenda accompanying the notice calling the meeting. Matters to be raised under Any Other Business should be notified to the Chair or the Secretary to the Board prior to the meeting. Any such matters may, subject to the approval of the Chair or a Vice Chair, be considered by the Board.
- 3.50 An Extraordinary Meeting of the Board or a Committee may be called on the instructions of the Chair or by agreement by a majority of Board members entitled to vote at such a meeting. If there are matters requiring urgent attention, notice will be given as soon as is reasonably practicable and giving no less than two working days' notice.
- 3.51 If any Board member disregards the authority of the Chair or displays obstructive or offensive conduct, that Board member may be suspended for the remainder of the meeting.
- 3.52 Subject at all times to its constitutional arrangements and the terms of the Standing Orders, the Board shall regulate its proceedings as it thinks fit. The Chair may from time to time, adopt, amend and/or replace any procedures of the Board in respect of the regulation of proceedings.



## **Attendance at Meetings**

- 3.53 The Secretary to the Board shall have oversight of all Board and Committee meetings in order to ensure meetings are conducted in accordance with legislation, terms and conditions of grant (including in relation to its Financial Memorandum, the Scottish Public Finance Manual, the Code of Good Governance for Scotland's Colleges and the Standards Commission for Scotland Model Code of Conduct for Members of Boards of Devolved Public Bodies (2021)), the Board's Scheme of Delegation and these Standing Orders, and in order to ensure a record is kept of proceedings.
- 3.54 It shall be a matter for the Board or Committee to determine which College employees (with the exception of the staff Board Members who shall be invited to attend all meetings of the Board and Committees they are a member of) or other individuals should be invited to attend any Board or Committee meeting or any part of it in an advisory capacity in order to ensure that the Board or Committee has the required advice to fulfil its functions. Where invited to do so by the Chair at the meeting, these employees or individuals may contribute to the discussion, but may not vote.
- 3.55 The Board may decide to meet privately without the Principal or any Executive Team members being present. In these circumstances the Secretary to the Board shall be present at the meeting unless requested by the Chair to leave. Where the Secretary to the Board is requested to leave, there must be a clear and specific reason for this recorded in the minutes and the Chair shall ensure that appropriate arrangements are made for recording the discussion and any decisions taken at the meeting in the minutes. Staff and student Board members are permitted to attend such meetings unless they have a conflict of interest in relation to the matter being discussed.

## **Agenda and Papers**

- 3.56 The Secretary to the Board in consultation with the Chair and Principal shall prepare the draft agenda. Other members may request for an item to be included on the agenda for discussion by submitting this to the Secretary to the Board no later than 10 working days in advance of the meeting (except in the case of an extraordinary meeting where only the urgent business notified at the time the meeting was requested will be placed on the agenda). The Secretary shall ensure that all items placed on the agenda fall within the remit of the Board or Committee.
- 3.57 All matters for consideration by the Board or Committee shall be clearly identified on the agenda as to whether it is for decision, discussion or for information purposes.

The order of business shall be:

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

- 3.58 Board and Committee papers may be submitted by the Chair, Vice Chairs, Principal, a member of the Executive Team or the Secretary to the Board. Others may also submit papers following agreement with the Chair.
- 3.59 The Secretary to the Board shall ensure the circulation of papers to Board or Committee members at least five working days prior to the meeting. Where this timescale is not possible, the Secretary to the Board shall advise members of this and advise of the reason for the delay and when papers might be expected.

### **Minutes**

- 3.60 After each Board or Committee meeting, the draft minutes shall, normally within ten working days, be submitted to the relevant Chair for consideration in the first instance. After consideration by the relevant Chair, the draft minutes shall be made available on the Regional Board Microsoft Teams area, normally within in ten working days, to all Board or Committee members. Draft minutes will then be submitted to the next meeting for approval. After the minutes have been approved as a correct record of the meeting to which they relate, subject to or without amendment, the relevant Chair shall sign them.
- 3.61 After the minutes have been approved, and before the next business on the agenda, any Board member may ask any question in regard to matters arising out of them. Questions shall be allowed for the purposes of information only.
- 3.62 All Committee minutes will be submitted to the Board for information and discussion at the next scheduled meeting of the Board regardless of whether the minutes are draft or have been approved by the Committee.

### **Quorum and Voting Rights**

- 3.63 The quorum for a meeting of the Board or Committee shall be no less than one half of the members entitled to vote at such a meeting.
- 3.64 If a meeting does not have a quorum of members present 15 minutes after its scheduled start time or falls below having a quorum of members present part way through, the Chair must either adjourn the meeting to a new date and time, or proceed with the agenda, ensuring that any decisions are taken by members at the next meeting of the Committee or Board, whichever is the sooner.
- 3.65 If the Chair of the Board or Committee is not present at any meeting, a Vice Chair shall assume that role. Where a Vice Chair is not available, members shall elect from amongst themselves a Board member who is entitled to vote as the Chair of that meeting.
- 3.66 A question on when a vote is required shall be determined by a majority of votes of the members of the Board present and voting on the question and, in the case of an equal division of votes, the Chair of the meeting shall have a second or casting vote.
- 3.67 Only matters identified on the agenda as requiring a decision shall, if consensus is not possible, be decided by vote.
- 3.68 In exceptional circumstances, such as for matters requiring urgent attention, and when the approval of the Board or Committee is required, decisions can be taken,

with the prior agreement of the Chair, by written procedure. That is, decisions can be taken without calling a physical meeting of the Board or Committee. In such circumstances for a decision to be deemed to be taken:

- The Secretary to the Board shall email all Board members outlining the decision required, together with relevant briefing information.
  - A quorum, as defined above, must have replied to the email.
  - The Secretary to the Board shall ensure that a deadline for response is clearly specified and Board members shall endeavour to respond within that timeframe.
  - Any decisions taken in this way shall be homologated at the next relevant meeting of the Board or Committee.
- 3.69 Where a proposal is amended, voting will take place on the amendment against the proposal, or the series of amendments, in the order of the last amendment first, until a single amendment is put against the proposal. Thereafter, voting will take place upon the proposal amended. All members have a single vote.
- 3.70 No-one shall be entitled to tender his or her dissent from any decision, except at the meeting at which it has been passed; but any member not present may at the next meeting have his or her dissent recorded.
- 3.71 No proposal nor any amendment to any such proposal, shall be moved if it involves a reconsideration of any question or proposal which has been decided or adopted by the Board at any time within the preceding six months unless:
- it is moved by the Chair
  - in addition to being signed by the mover, it is signed by at least one third of the total members of the Board.
- 3.72 In the case of an equality of votes at any meeting of the Board, or Committee, the Chair/Committee Chair or, in his/her absence, the Vice Chair/Committee Vice Chair shall have a second or casting vote.
- 3.73 In the absence of the Principal, the Chair will nominate a member of the College Executive Team to attend and speak at any meeting of the Board or its Committees. The nominee shall not be entitled to vote at any such meeting.
- 3.74 Staff and student members of the Board shall, unless invited to remain by the Chair, withdraw from any part of any meeting of the Board or its Committees at which the appointment, promotion, conduct, suspension, dismissal, retirement or terms and conditions of employment of any employee of the College is to be considered.
- 3.75 Meetings of the Board are not normally open to the public. At any meeting of the Board at which the College's Annual Report is presented, the Chair, with the consent of a majority of the Board members, may admit members of the public for that item.

### **Proceedings and Publication of Board Papers**

- 3.76 Meetings shall be minuted by the Secretary to the Board and/or nominated deputy.
- 3.77 The Board may regulate its own proceedings and those of any Committee appointed by it. The validity of any proceedings of the Board or of any Committee appointed by them shall not be affected by any defect in the appointment of any member of the Board - or any member of such Committee or by a vacancy amongst the members of the Board.

- 3.78 The Board shall make available on the College website or for inspection at the principal office of the College, at all reasonable times, for anyone who wishes to inspect them, copies of the documents to which this sub paragraph applies:
- the agenda for any meeting of the Board or any Board Committee;
  - the draft minutes of any such meeting as approved by the Chair of the meeting;
  - the minutes of such meeting as agreed by the Board or as the case may be, the Committee; and
  - any report or document considered by such meeting.
- 3.79 There may be excluded from any item required to be made available under paragraph 3.78 above, any material relating to:
- a named person employed at or proposed to be employed at the College
  - a named student at, or candidate for admission to, the College
  - information relating to any particular applicant for, or recipient or former recipient of, any service provided by the College
  - information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the College
  - information relating to the financial or business affairs of any particular person (other than the College)
  - the amount of any expenditure proposed to be incurred by the College under any particular contract for the acquisition of property or the supply of goods or services
  - any terms proposed or to be proposed by or to the College in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services
  - the identity of the College as the person offering any particular tender for a contract for the supply of goods or services
  - information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the College and employees of the College
  - any instructions to counsel and any opinion of counsel (whether or now in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:
    - a) any legal proceedings by or against the College, or
    - b) the determination of any matter affecting the College (whether, in either case, proceedings have been commenced or are in contemplation)
  - any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
  - the identity of a protected informant.

### **Committees**

- 3.80 The Board shall appoint such Committees, as it considers necessary.
- 3.81 The Board, unless resolved otherwise, will establish, as a minimum, the following Committees:
- Audit and Risk Committee
  - Curriculum and Quality Committee
  - Finance and Resources Committee
  - Human Resources Committee
  - Remuneration Committee
  - Governance and Nominations Committee
  - Chairs Committee.

- 3.82 The Chair of the Board and the Principal may attend any meetings of any Committee (other than the Audit and Risk Committee, which they may only attend by invitation) but may not vote unless they are members of the Committee.
- 3.83 Committees may include persons who are not Board members but such persons will not be entitled to vote at meetings of the Committee.
- 3.84 The Standing Orders of the Board shall also be the Standing Orders of its Committees.
- 3.85 Committees shall determine or advise the Board on any matters which the Board remits to them.
- 3.86 The Chairs of Committees can request support to undertake the role from the Chair of the Regional Board and from other Committee Chairs. Support in relation to items of Committee business is also available from relevant members of the College's Executive Team.
- 3.87 Terms of Reference for the Committees can be found in Section 6 of this Manual, and detail:
- Membership
  - Quorum
  - Remit
  - Frequency of Meetings.
- 3.88 Each Committee shall review its remit annually and shall submit any proposed changes to the Board for approval.

### **Board Members' Interests**

- 3.89 Board members may not take or hold any interest in any property held or used for the purpose of the College.
- 3.90 A Board member who has any financial or material interest in:
- the supply of work or goods to or for the purpose of the College;
  - any contract or proposed contract concerning the College; or
  - any other matter relating to the College

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

- 3.91 In accordance with the terms of the Ethical Standards in Public Life Etc. (Scotland) Act 2000, a Register of Interests will be maintained by the Secretary to the Board. Such Register of Interests shall be available for inspection at all reasonable times at

the principal office of the College or as otherwise required by the Standards Commission for Scotland.

- 3.92 There will be a biannual review of the Register of Interests but, notwithstanding the annual review, it is the responsibility of members of the Board to declare all relevant information and to promptly notify any changes.
- 3.93 Guidance to Board members is provided in the Code of Conduct and Register of Interests sections of this manual.

### **Confidentiality of Information**

- 3.94 Any information received or obtained by any person in connection with his/her functions as a Board member, or a member of any Committee, shall be treated as confidential to the Board or that Committee.
- 3.95 Papers and reports shall not be divulged or disclosed to anyone prior to meetings of the Board or its Committees. Papers, discussion and decisions agreed by the Board and its Committees to be confidential shall be separately minuted and shall not be made available to anyone other than members of the Board and the Secretary to the Board.
- 3.96 In particular, but without limitation, Board members must treat the following information as confidential and must not divulge or disclose any such information to any third party:
- personal information held about individuals;
  - information relating to a person who is, has been, or is likely to be a student of the College;
  - matters related to or concerned with legal disputes or actions concerning the College;
  - any information the disclosure of which is prohibited by anything in any enactment (including, but not limited to, the 1992 Act and any enactment contained in a subordinate instrument) or rule of law;
  - matters relating to the business of the College, its transactions and financial affairs;
  - matters relating to the business of the College's funders, partners, contractors and other third parties with which the College has or may have business or commercial relationships; and
  - matters which are identified by the Board as being confidential or which, given their nature, may be regarded as being confidential to the College.

### **Suspension and Review of Standing Orders**

- 3.97 Any one or more provisions of the Standing Orders may be suspended, except where such suspension might lead to an action contrary to law, provided that at least two thirds of the members present entitled to vote agree to such a motion.
- 3.98 The Board shall, at least once every three years, review the Standing Orders in order to determine whether any amendments and/ or additions should be made thereto.

## **4. SCHEME OF DELEGATION**

### **Preamble**

- 4.1 In accordance with paragraph 12(4) of the Further and Higher Education (Scotland) Act 1992 (“the 1992 Act”) a board may delegate the performance of any of their functions to their chair, to any Committee appointed by them or to any member of their staff.
- 4.2 In accordance with paragraph C.8 of the Code of Good Governance for Scotland’s Colleges (“the Code”) delegation of responsibilities from, and matters reserved to, the Board and its Committee must be clarified through a Scheme of Delegation including the functions delegated by the Board to the Chair, Committees, the Principal and the Secretary to the Board.

### **Authority Reserved to the Regional Board**

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

### **Delegation to Committees**

- 4.4 In accordance with paragraph 13 of Schedule 2 to the 1992 Act, the Board may establish Committees for any purpose and any such Committee may appoint Sub Committees.
- 4.5 In accordance with paragraph C.8 of the Code, the minimum Committees required are Audit, Remuneration, Finance and Nominations/Appointments.
- 4.6 Each Committee and Sub Committee shall have a clearly defined remit which shall set out the duties and responsibilities delegated. The remit must be approved by the



Board. The Committee may suggest amendments to the remit, but any amendments must be approved by the Board before they are implemented.

- 4.7 The Board may delegate functions to a specific Committee and this shall be clearly detailed within the minutes of the appropriate meeting.
- 4.8 If a matter arises which, in the judgement of the Regional Chair, requires urgent attention or decision, the Regional Board has authorised the delegation of its authority to the Chairs Committee. This delegation is subject to all Board Members being advised of the convening of the Chairs Committee prior to the holding of the meeting, and minutes of its meetings being made available to all Board Members.
- 4.9 The Board reserves the right to review the Committees required and the authority delegated to them as and when it deems it appropriate to do so.
- 4.10 The minutes of each Committee meeting will be submitted to the Board for information at the next appropriate meeting. In addition, the Committee Chair shall give an update to the Board on key issues where requested to do so.

#### **Delegation to Chair of the Regional Board**

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



## **Delegation to the Principal**

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

4.13 The Principal has delegated authority to:

### **General Management**

- as appropriate, take such measures as may be required in emergencies, subject to advising the Chair where possible and homologation at the appropriate Committee or to the Board as soon as possible thereafter, on any items for which approval of the Committee or the Board would normally be necessary.
- facilitate the management of the College and its provision of services within the framework determined by the College's Strategic Plan and Regional Outcome Agreement, the approved budget, and any other policies and strategies determined by the Board.
- consult on behalf of the Board with representatives from key organisations, local and national, about the priorities contained within the College's Strategic Plan and Regional Outcome Agreement prior to final approval by the Board.
- respond on behalf of the Board to consultative documents that may be sent to the College by the Scottish Government, the Scottish Funding Council or other external agencies.
- incur expenditure in making visits and the provision of reasonable hospitality to representatives of other Colleges, organisations and companies, taking into account the principles of the Bribery Act 2010.
- give a direction in special circumstances that any member of staff shall not exercise a delegated function.
- take out membership of and attend meetings of outside bodies and professional associations where it is compatible with the duties of Principal and in the interests of the College to do so.
- authorise the issue of press releases for publication and broadcasting on behalf of the College.
- authorise the publication of any document on behalf of the College.
- engage the services of outside persons, firms or organisations and enter into contracts and sign all deeds and other documents binding the Board for all purposes except those where the power to engage such services is delegated to a Committee or is reserved to the Board.

- raise funds for and supply them to any of the activities which the Board has power to undertake.
- provide courses as required by outside agencies and negotiate appropriate charges for these.
- determine the dates of the College holidays and other details of the College's academic calendar.
- appoint a senior member of staff to deputise for the Principal during periods of planned absence.

### **Staff Management**

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

## **Student Management**

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

## **Property Management**

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

## **Financial Management**

- take personal responsibility for ensuring the proper and effective operation of financial, planning and management controls, and for giving effect to the Board's policies for securing the efficient, economical and effective management of all the College's income, assets and expenditure. This includes agreeing Board approved budgetary limits.
- act at all times in compliance with the Financial Memorandum, Conditions of Grant, Scottish Public Finance Manual and to follow the College's Financial Regulations, taking particular account of the delegated financial limits.

- enter into and negotiate contracts and other binding arrangements for the supply of goods and services (whether bought, leased, hired or otherwise acquired) to the College or to authorise another to enter into such contracts up to a value of the relevant EU Procurement threshold or Board approved budgetary limits and all in accordance with the College's financial regulations.
- terminate contracts, when it is in the best interests of the College to do so.
- check the financial standing of potential contractors.
- dispose of assets up to the value of the delegated financial limit as set out in the Finance Regulations and in line with the requirements of the Scottish Public Finance Manual.
- administer any educational endowment which transferred to and vested in the Board in terms of Section 19(1) of the 1992 Act.
- take out any necessary insurances to protect the interests of the College.
- settle any claims whether or not such claims are insured or whether or not a court action has been raised.
- spend public funds only for the purposes for which they were given and in accordance with any terms and conditions attached to them.
- arrange for the presentation to the Board for approval an Annual Budget of income and expenditure, including revenue and capital, and to give regular updates on income and expenditure account, balance sheet and cash flow statement.
- arrange for the preparation, audit and presentation to the Board of Accounts following the end of each financial year in compliance with the requirements of the Accounts Direction and encompassing Audit Scotland and the Scottish Funding Council instruction.
- report to the Scottish Funding Council should the Board adopt a policy or commission an action which is incompatible with the terms of the Financial Memorandum or the Scottish Public Finance Manual, or which would infringe on the requirements of propriety or regularity, and report to the Board in writing on such matters being considered and advise the Board that, should it wish to choose to continue with the policy or action, then as Accounting Officer he or she must report the Board's intentions to the Scottish Funding Council in writing.

### **Absence of the Principal**

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

## **Delegation to the Secretary to the Board**

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

## **Absence of the Secretary to the Board**

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

## **5. EVALUATION**

- 5.1 The following evaluation activities for the Board and its Committees are designed to be both reflective and forward looking.
- 5.2 The Board will undertake an annual self-evaluation, which will include a review of its effectiveness against the Code of Good Governance for Scotland's Colleges and the development of an action plan for improvement.
- 5.3 Each Board Committee will undertake an annual self-evaluation reflecting upon performance against remit and the provision of Executive support which will feed into the Board's annual self-evaluation.
- 5.4 The Board will evaluate, on an annual basis, the effectiveness of the Chair. This process will be led by the Senior Independent Member and will provide all Board Members with an opportunity to comment on the Chair's performance through the use of an anonymous online questionnaire. The Principal will also be asked to provide a commentary on the effectiveness of their relationship with the Chair.
- 5.5 In line with the Code of Good Governance for Scotland's College, the Chair will also be evaluated by the Scottish Government.
- 5.6 The Chair will conduct annual one to one meetings with each Board member to discuss performance and training and development needs. Members who hold the office of Committee Chair will also be evaluated on this role at this time including the observations of Committee Members in relation to Chairs' performance through the use of an anonymous online questionnaire.

- 5.7 The Governance and Nominations Committee, on behalf of the Board, will evaluate, on an annual basis, the effectiveness of the Secretary to the Board. This process will be led by the Chair.
- 5.8 An annual Chairs Meeting will be held at the end of each academic year which will provide key evidence for the Board and Committee self-evaluations and related action plans for areas of development.
- 5.9 The Board's evaluation processes will take into account the "Guidance Notes for Boards in the College Sector: A Board Development Framework" and the Standards Commission for Scotland Model Code of Conduct (2021) and sector good practice the Board becomes aware of.
- 5.10 The Board will ensure that an externally facilitated evaluation of its effectiveness is undertaken at least every three years.

## **6. REGIONAL BOARD CODE OF CONDUCT**

### **Introduction to the Code of Conduct**

- 6.1 The Scottish public has a high expectation of those who serve on the boards of public bodies and the way in which they should conduct themselves in undertaking their duties for the public body. You, as a member of the Regional Board of North East Scotland College must meet those expectations by ensuring that your conduct is above reproach.
- 6.2 The Ethical Standards in Public Life etc. (Scotland) Act 2000 provides for new Codes of Conduct for local authority councillors and members of relevant public bodies; imposes on councils and relevant public bodies a duty to help their members to comply with the relevant code; and establishes a Standards Commission for Scotland to oversee the new framework and deal with alleged breaches of the codes. Refer to the [Model Code of Conduct for Members of Devolved Public Bodies \(standardscommissionscotland.org.uk\)](https://standardscommissionscotland.org.uk)
- 6.3 As a member of the Regional Board, it is your responsibility to make sure that you are familiar with, and that your actions comply with, the provisions of this Code of Conduct.

### **Guidance on the Code of Conduct**

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

## **Enforcement**

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

## **Key Principles of the Code of Conduct**

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

### **Duty**

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

### **Selflessness**

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

### **Integrity**

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

### **Objectivity**

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

### **Accountability and Stewardship**

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

### **Openness**

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

### **Honesty**

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

### **Leadership**

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



## **Respect**

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

## **General Conduct**

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

### **Conduct at Meetings**

You must respect the chair, your colleagues and employees of the public body in meetings. You must comply with rulings from the chair in the conduct of the business of these meetings and respect the principle of collective decision-making and corporate responsibility, meaning that once the Board has made a decision you will support that decision, even if you do not agree with it or vote for it.

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

#### **Respect and Courtesy**

You will treat everyone with courtesy and respect, including in person, in writing, at meetings and when online and using social media.

You will not discriminate unlawfully on the basis of race, age, sex, sexual orientation, gender reassignment, disability, religion or belief, marital status or pregnancy/maternity and will advance equality of opportunity and seek to foster good relationships between different people.

You will not engage in any conduct that could amount to bullying or harassment (which includes sexual harassment). You will accept that such conduct is completely unacceptable and will be considered to be a breach of the Code.

You accept that disrespect, bullying and harassment can be regarded as a one-off incident, part of a cumulative course of conduct or a pattern of behaviour.

You understand that how, and in what context, you exhibit certain behaviours can be as important as what you communicate, given that disrespect, bullying and harassment can be physical, verbal and non-verbal.

You accept that it is your responsibility to understand what constitutes bullying and harassment and will utilise resources, to ensure that your knowledge and understanding is up to ensure.

Except where written into your role as Board Member, and/or at the invitation of the Chief Executive, you will not become involved in the operational management of the public body, and acknowledge and understand that operational management is the responsibility of the Chief Executive and Executive Team.



You will not undermine any individual employee or group of employees, or raise concerns about their performance, conduct or capability in public. You will raise any concerns on such matters in private with any member of the Executive Team and/or the Regional Chair as appropriate.

You will not take, or seek to take, unfair advantage of your position in dealings with employees of the public body, or bring any undue influence to bear on employees to take a certain action. You will not ask or direct employees to do something which you know, or should reasonably know, could compromise them or prevent them from undertaking their duties properly and appropriately.

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

### **Remuneration, Allowances and Expenses**

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

### **Gifts and Hospitality**

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

You must never ask for gifts or hospitality.

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

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

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

You must not accept repeated hospitality or repeated gifts from the same source and must promptly advise the public body so that it can monitor this.

If you consider that declining an offer of a gift would cause offence you should accept it and hand it over to the public body at the earliest possible opportunity for it to be registered.

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

### **Confidentiality Requirements**

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

It is unacceptable to disclose any information to which you have privileged access, for example derived from a confidential document, without the express consent of a person or body authorised to give such consent, or unless required to do so by law. If you cannot obtain such express consent you will assume it is not given and will not disclose confidential information or information which should reasonably be regarded as being of a confidential or private nature, either orally or in writing.

In the case of other documents and information, you are requested to exercise your judgement as to what should or should not be made available to outside bodies or individuals. In any event, such information should never be used for the purposes of personal or financial gain, or for political purposes or used in such a way as to bring the public body into disrepute.

You note that these confidentiality requirements do not apply to protected whistleblowing disclosures as identified in statute.

### **Use of Public Body Facilities**

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

You will not use, or in any way enable others to use, the public body resources imprudently (without thinking about the implications or consequences); unlawfully; for any political activities or matters relating to these; or improperly.

### **Preferential Treatment**

You will not use, or attempt to use, your position or influence as a Board Member to improperly confer on or secure for yourself, or others, an advantage; avoid a disadvantage for yourself or create a disadvantage for others; or improperly seek preferential treatment or access for yourself or others.

You will avoid any action which could lead members of the public to believe that preferential treatment or access is being sought.

You will advise employees of any connection you may have to a matter when seeking information or advice or responding to a request for information or advice from them.

### **Appointment to Partner Organisations**

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

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

## 7. BOARD AND COMMITTEE TERMS OF REFERENCE

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

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

## COMMITTEE TERMS OF REFERENCE

AUDIT AND RISK COMMITTEE	
1.1	<p><b>Membership</b> A minimum of 6 Members, one of whom shall be appointed Committee Chair.</p> <p>The internal audit service provider and representatives of the external auditor will be expected to attend meetings of the Audit and Risk Committee and to be provided with the agenda and papers for meetings.</p>
1.2	<p><b>Quorum</b> No less than one half of the members entitled to vote.</p>
1.3	<p><b>Remit</b></p> <p><b>General</b> The Audit and Risk Committee shall make its recommendations to the Regional Board as appropriate. The Committee shall make its decisions and report these to the Regional Board. The Audit and Risk Committee shall observe the Standing Orders in all its business.</p> <p>The Audit and Risk Committee is established in accordance with the Financial Memorandum between the Scottish Funding Council (SFC) and the Regional Board of North East Scotland College.</p> <p>The Audit and Risk Committee is an advisory body with no executive powers, and will adopt and ensure compliance with Audit Scotland's Code of Audit Practice.</p> <p><b>Specific Duties</b> The following provides a summary of the main duties of the Audit and Risk Committee:</p> <p><b>Internal Control</b></p> <ul style="list-style-type: none"> <li>Reviewing and advising the Regional Board of the Internal Audit Services (IAS) and the external auditor's assessment of the effectiveness of the College's financial and other internal control systems, including controls specifically to prevent or detect fraud or other irregularities as well as those for securing economy, efficiency and effectiveness reviewing and advising the Regional Board on its compliance with corporate governance requirements and good practice guidance.</li> </ul> <p><b>Internal Audit</b></p> <ul style="list-style-type: none"> <li>Advising the Regional Board on the selection, appointment or reappointment and remuneration, or removal of the IAS provider where the service is contracted-out;</li> <li>Advising the Regional Board on the terms of reference for the IAS; reviewing the scope, efficiency and effectiveness of the work of internal audit, considering the adequacy of the resourcing of internal audit and advising the Regional Board on these matters;</li> <li>Advising the Regional Board of the Audit and Risk Committee's approval of the basis for and the results of the internal audit planning process;</li> <li>Reviewing the IAS's monitoring of management action on the implementation of agreed recommendations reports in internal audit assignment reports and internal audit annual reports;</li> </ul>

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

#### **External Audit**

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

#### **Value for Money**

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

#### **Risk Management**

- Reviewing the Risk Management Policy, ahead of its consideration by the Regional Board; and
- The Committee will be responsible for satisfying itself that risks are being managed and will seek assurance on the adequacy of their management, including from Internal and External Auditors and the Executive Team.

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



<b>CURRICULUM AND QUALITY COMMITTEE</b>	
<b>1.1</b>	<p><b>Membership</b> A minimum of 5 Members, one of whom shall be appointed as Committee Chair Principal Up to two Staff and up to two Student Board Members</p>
<b>1.2</b>	<p><b>Quorum</b> No less than one half of the members entitled to vote.</p>
<b>1.3</b>	<p><b>Remit</b></p> <p><b>General</b> The Committee shall make its recommendations to the Regional Board as appropriate. The Committee shall make its decisions and report these to the Regional Board. The Committee shall observe the Standing Orders in all its business.</p> <p><b>Specific Duties</b> The Committee has overall responsibility for maintaining a strategic overview of the College's curriculum offer and its development, and monitoring the quality of the student experience. The Curriculum &amp; Quality Committee shall:</p> <ul style="list-style-type: none"> <li>• Provide critical strategic direction and support for the College's improvement agenda;</li> <li>• Maintain oversight of the College's approach to curriculum planning, review and development;</li> <li>• Ensure that the College undertakes effective external engagement with key stakeholders to support evidence based approaches to curriculum and quality related developments;</li> <li>• Monitor key College student activity, student outcome and quality related performance indicators, including the consideration of national benchmarking data where available;</li> <li>• Ensure that appropriate mechanisms are in place for the effective oversight of the quality and inclusivity of the learning experience in the College;</li> <li>• Monitor progress against the College's Enhancement Plan;</li> <li>• Support meaningful ongoing engagement and dialogue with students, the Students' Association and, as appropriate, staff in relation to the quality of the student experience;</li> <li>• Consider the results of key student surveys and monitor related action plans that impact on the quality of learners' experience;</li> <li>• Ensure that learners are effectively supported to achieve the best possible outcomes;</li> <li>• Support and monitor the implementation of the Partnership Agreement between the College and the Students' Association;</li> <li>• Consider <b>and approve</b> the <b>recommended</b> Students' Association annual budget proposal ahead of its inclusion in the College's draft annual budget;</li> <li>• Review, approve and monitor the implementation of the College's Business Development, Learning &amp; Teaching, and Marketing &amp; Communication Strategies;</li> <li>• Receive, as appropriate, reports from the Curriculum, Quality &amp; Student Support Committee, Student Engagement Action Group, and Equalities Committee; and</li> <li>• Ensure that, on behalf of the Regional Board, the College is addressing relevant national and regional economic, education, and skills related strategies, policies and priorities, including those local to College Campuses.</li> </ul>

1.4	<p><b>Meetings</b></p> <p>The Curriculum &amp; Quality Committee will normally meet at least three times per year.</p>
1.5	<p><b>Management Support</b></p> <p>The following members of the Executive and Leadership Teams provide objective, specialist advice to support the Committee to discharge its remit:</p> <ul style="list-style-type: none"> <li>• Vice Principal – Curriculum &amp; Quality</li> <li>• Associate Vice Principals</li> <li>• Director of Business Development</li> <li>• Director of Quality</li> </ul>

<b>FINANCE AND RESOURCES COMMITTEE</b>	
<b>1.1</b>	<p><b>Membership</b> A minimum of 6 Members, one of whom shall be appointed as Committee Chair Principal One Staff and one Student Member</p> <p>The Chair of the Finance and Resources Committee is precluded from serving on the Audit and Risk Committee.</p>
<b>1.2</b>	<p><b>Quorum</b> No less than one half of the members entitled to vote.</p>
<b>1.3</b>	<p><b>Remit</b></p> <p><b>General</b> The Committee shall make its recommendations to the Regional Board as appropriate. The Committee shall make its decisions and report these to the Regional Board. The Committee shall observe the Standing Orders in all its business.</p> <p><b>Specific Duties</b> The Committee has overall responsibility (within the Financial Memorandum between the College and the Scottish Funding Council (SFC)) for the direction and oversight of the College's financial affairs. The Finance and Resources Committee shall:</p> <ul style="list-style-type: none"> <li>• Monitor the College's financial position;</li> <li>• Review and monitor the Colleges' key financial performance indicators, student funding performance indicators, and student activity performance indicators;</li> <li>• Monitor performance against specific targets relating to the generation of commercial income as defined by the College;</li> <li>• Consider and recommend the College budget for the following financial year to the Regional Board;</li> <li>• Consider the College's annual financial performance through the Annual Financial Statements;</li> <li>• In conjunction with the Audit &amp; Risk Committee, consider and approve the College's annual financial statements and the external auditor's report prior to submission to the Regional Board;</li> <li>• Consider the proposed SFC Financial Forecast Return (FFR) and make recommendations to the Regional Board;</li> <li>• Review, on behalf of the Regional Board, long term financial plans and consider a range of strategic financial scenarios as presented by the College Management;</li> <li>• Approve and review the College's Finance Strategy;</li> <li>• Maintain a continuous review of the College's Financial Regulations, through the Vice Principal – Finance and Resources, and advise the Regional Board of any additions or changes necessary;</li> <li>• Approve annually, all course fees (other than those fixed by statutory regulations);</li> <li>• Approve fee waivers on behalf of the Regional Board;</li> <li>• Approve the write-off of individual bad debts in excess of £3,000;</li> <li>• Oversee cash management and the Scottish Government Banking Service;</li> <li>• Agree and monitor the College's insurance arrangements;</li> <li>• Approve the award of contracts with a value of £100,000 to £249,999;</li> <li>• Consider and monitor the College's Estates Strategy (including capital proposals and major capital works) making recommendations to the Regional Board as appropriate;</li> </ul>

	<ul style="list-style-type: none"> <li>• Ensure that the College’s existing buildings and estates comply with statutory and regulatory requirements, are maintained to an appropriate standard and remain fit for purpose; and</li> <li>• Approve any new aspect of business, or proposed establishment of a company or joint venture, which requires an investment in buildings, resources or staff time of more than £100,000.</li> </ul>
1.4	<p><b>Meetings</b> The Finance and Resources Committee will normally meet at least three times per year.</p>

<b>HUMAN RESOURCES COMMITTEE</b>	
<b>1.1</b>	<p><b>Membership</b> A minimum of 5 Members, one of whom shall be appointed Committee Chair Principal One Staff and one Student Board Member</p>
<b>1.2</b>	<p><b>Quorum</b> No less than one half of the members entitled to vote.</p>
<b>1.3</b>	<p><b>Remit</b></p> <p><b>General</b> The Committee shall make its recommendations to the Regional Board as appropriate. The Committee shall make its decisions and report these to the Regional Board. The Committee shall observe the Standing Orders in all its business.</p> <p><b>Specific Duties</b> The Committee has overall responsibility for the direction and oversight of all human resource matters relating to the function of the Regional Board as employer of the College's staff. The Human Resources Committee shall:</p> <ul style="list-style-type: none"> <li>• Monitor the implementation of the College's People Strategy;</li> <li>• Monitor key performance indicators with regard to People Services objectives and College staff through the consideration of key management information reports;</li> <li>• Monitor staff-related equality data;</li> <li>• Ensure that the College maintains positive employer relations through the implementation of its approach to employee engagement;</li> <li>• Ensure that the College promotes the physical and mental health and wellbeing of its staff;</li> <li>• Maintain oversight of Learning &amp; Development, including health and wellbeing and Learning Technologies, activities within the College;</li> <li>• Approve the College's annual Equal Pay Statement and Policy, Occupational Segregation and Gender Pay Gap Reports;</li> <li>• Approve College HR policies and procedures as appropriate;</li> <li>• Monitor progress against the People Services Enhancement Plan;</li> <li>• Undertake appropriate monitoring to ensure that the College meets all legislative duties in relation to human resources;</li> <li>• Monitor progress against the implementation of the outcomes of National Collective Bargaining; and</li> <li>• Receive regular updates on Local Joint Negotiating Committee meetings.</li> </ul>
<b>1.4</b>	<p><b>Meetings</b> The Human Resources Committee will normally meet <del>twice</del> <b>three times</b> per year.</p>
<b>1.5</b>	<p><b>Management Support</b> The following member of the Leadership Team provides objective, specialist advice to support the Committee to discharge its remit:</p> <ul style="list-style-type: none"> <li>• Director of People Services</li> </ul>

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

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

<b>GOVERNANCE AND NOMINATIONS COMMITTEE</b>	
<b>1.1</b>	<p><b>Membership</b></p> <p>Chair of Regional Board, who shall serve as Committee Chair  Vice Chair(s) of Regional Board  Chair of the Finance and Resources Committee  Chair of the Curriculum and Quality Committee  Chair of the Human Resources Committee  Equality and Diversity Champion  Senior Independent Member  Principal and Chief Executive</p>
<b>1.2</b>	<p><b>Quorum</b>                    3 members</p>
<b>1.3</b>	<p><b>Remit</b></p> <p>The Governance and Nominations Committee will support the Regional Board in maintaining high standards of governance. The Committee shall</p> <ul style="list-style-type: none"> <li>• Consider and recommend amendments to the Regional Board’s Governance Manual;</li> <li>• Ensure that the Regional Board complies with the Code of Good Governance for Scotland’s Colleges;</li> <li>• Consider implications of legislative charges and advise the Regional Board accordingly;</li> <li>• Provide a forum to consider any governance issues that arise centrally or in other college regions and any possible related implications or considerations for the Regional Board of North East Scotland College;</li> <li>• Consider the Board’s succession planning arrangements;</li> <li>• Support the process by which Regional Board Members are recruited, selected, and recommended for appointment;</li> <li>• Support the process by which individuals, including Non-executive Members at the end of their term of office, are co-opted to Board Committees;</li> <li>• Advise the Regional Board on matters relating to the appointment of the Chairs, Vice Chairs and membership of the Board’s Committees; and</li> <li>• Where the Regional Board so determines, provide assistance in identifying, selecting and recommending candidates for appointment to senior staff positions in the College, and to senior positions in College subsidiaries or any other body to which the College is entitled to make appointments.</li> </ul>
<b>1.4</b>	<p><b>Meetings</b></p> <p>The Governance and Nominations Committee will meet a minimum of four times during each academic year, with meetings scheduled to be held ahead of each meeting of the Regional Board.</p>



## 8. COLLEGE COMPANIES

### **Aberdeen Skills and Enterprise Training (ASET)**

- 8.1 The College's Regional Board is also required to approve the Memorandum of Understanding between the College and ASET, the Policy on the Appointment of Directors of ASET, any amendments to ASET's Articles of Association, and the appointment of external auditors of ASET.
- 8.2 As the Company's sole shareholder, the College's Regional Board is invited to attend and vote at any general meeting of the Company. The Regional Board may wish to nominate a representative to attend this meeting on behalf of all Members.

### **Clinterty Estates Limited (CEL)**

- 8.3 As the Company's sole shareholder, the College's Regional Board is invited to attend and vote at any general meeting of the Company. The Regional Board may wish to nominate a representative to attend this meeting on behalf of all Members.

## APPENDIX A

### **SANCTIONS AVAILABLE TO THE STANDARDS COMMISSION FOR BREACH OF THE CODE**

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

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

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

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

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

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

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

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

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

## APPENDIX B

### REGIONAL CHAIR ROLE DESCRIPTION

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

##### **Functions**

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

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

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

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

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

## APPENDIX C

### **SENIOR INDEPENDENT MEMBER ROLE DESCRIPTION**

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

- a) Leading the annual appraisal of the Board Chair, including ensuring
  - i. All Board Members and the Principal have an opportunity to express their views on the Chair's performance over the last year and areas for development over the coming 12 months
  - ii. The Chair is given the opportunity to understand and discuss the collective views with the SIM
  - iii. An annual development plan is agreed with the Chair and the SIM ensures the Board is informed of its content
  - iv. If required, the SIM facilitates the provision of information from the appraisal process to the Chair's appointing body (Scottish Government or the Regional Strategic Body).
  
- b) Intervening with the Chair, on behalf of the Board, if Board members, the Board Secretary or senior staff are concerned that the Chair's actions are undermining good standards of corporate governance and the maintenance of collective responsibility, including if the Chair
  - i. Is unable to fulfil the responsibilities set out in the letter of appointment
  - ii. Fails to make pertinent information available to the Board as a whole
  - iii. Undermines the collective responsibility of the Board as a whole
  - iv. Acts in a manner which brings the Board into disrepute, including failing to address personal conflicts of interest
  - v. Is unable to work with the Principal to ensure that the staff of the organisation provide the Board with the service required, including adequate sources of information and assurance and delivery of performance.
  
- c) Acting as a sounding board for the Chair in pursuit of good standards of corporate governance and collective responsibility.

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

## **APPENDIX D**

### **EQUALITY AND DIVERSITY CHAMPION ROLE DESCRIPTION**

#### **Key Objectives**

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

#### **Main Tasks**

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

#### **Desired Attributes**

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

## **APPENDIX E**

### **COMMITTEE CHAIR ROLE DESCRIPTION**

The role of a Committee Chair is to:

- Provide strong leadership to ensure that the Committee's work effectively supports the College's strategic ambitions
- Encourage equality of participation from all Committee Members at meetings, ensuring there is sufficient time to debate key issues
- Ensure that all issues are properly discussed and that the Committee's decision making process is conducted in an informed and rigorous manner
- Ensure that the Committee challenges the Executive/Leadership Team constructively when required
- Ensure the Committee's decisions and actions are clear and agreed at the conclusion of each meeting
- Ensure Committee Members accept collective responsibility for the Committee's decisions
- Update the Regional Board at its meetings on the decisions and work of the Committee
- Contribute to the work of the Chairs Committee as delegated and required by the Regional Board
- Approve Committee meeting Agendas and draft Minutes of meetings
- Support the induction process for new Committee Members.

## APPENDIX F

### **REGIONAL BOARD MEMBER ROLE DESCRIPTION**

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

##### **Duties of the Board**

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

##### **Role of a Board Member**

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

## APPENDIX G

### **PRINCIPAL AND CHIEF EXECUTIVE ROLE DESCRIPTION**

Specifically in relation to the Regional Board:

- Support the Regional Board and its Committees in delivering the College's strategic ambitions
- Be the lead advisor to the Regional Board, promoting the highest standards of governance in the College's affairs
- Ensure the Regional Chair is appraised of key developments regarding the College and its operating environment
- Work with the Regional Chair and Secretary to the Board to ensure sound governance of the College and its activities
- Contribute to the provision of supporting information at meetings in aid of Regional Board and Committee decision making processes and to ensure Members have a comprehensive understanding of the College's activities and operating environment
- Ensure the Executive and Leadership Teams provide the required level and detail of support and guidance to the Regional Board and its Committees
- Communicate key decisions of the Regional Board and its Committees, with support from the Secretary to the Board, to the Executive and Leadership Teams
- Ensure the Executive and Leadership Teams are provided with clear direction and instruction from the Regional Board and its Committees when required
- Present a 'Report by a Principal' at each meeting of the Regional Board on current issues and key priorities and challenges
- Update Board Members on progression of the Principal's Performance Management Objectives as they relate to the improvement activities of the College.



## APPENDIX H

### SECRETARY TO THE BOARD ROLE DESCRIPTION

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

##### **Job Purpose**

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

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

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

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

##### **Key Responsibilities**

###### **Advisory**

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

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

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

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

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

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

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

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

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

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

### **Board Appointments**

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

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

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

Prepare and issue terms of appointment for all Board members.

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

### **Induction, Training and Development**

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

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

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

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

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

### **Conduct of Board Meetings**

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

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

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

Support the Board in undertaking its annual review of effectiveness.

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

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

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

### **Standards Officer**

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

### **General**

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

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



**GOOD PRACTICE GUIDANCE FOR THE ELECTION OF STAFF MEMBERS TO BOARDS**

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

**Election Rules**

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

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

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

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

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

Good Governance Steering Group  
June 2016

## APPENDIX J

### REGISTER OF INTERESTS FORM

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

## APPENDIX K

### **REGISTER OF INTERESTS - GUIDELINES**

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

The Regulations<sup>1</sup> as amended describe the detail and timescale for registering interests. It is your personal responsibility to comply with these regulations and you should review regularly and at least once a year your personal circumstances. **Annex B** contains key definitions and explanatory notes to help you decide what is required when registering your interests under any particular category. The interests which require to be registered are those set out in the following paragraphs and relate to you. It is not necessary to register the interests of your spouse or cohabitee.

#### **Category One: Remuneration**

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

- employed;
- self-employed;
- the holder of an office;
- a director of an undertaking;
- a partner in a firm;
- appointed or nominated by my public body to another body; or
- undertaking a trade, profession or vocation or any other work.

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

If a position is not remunerated it does not need to be registered under this category. However, unremunerated directorships may need to be registered under Category Two: Related Undertakings.

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

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

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

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

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



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

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

### **Category Two: Related Undertakings**

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

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

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

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

### **Category Three: Contracts**

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

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

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

### **Category Four: Houses, Land and Buildings**

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

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

### **Category Five: Interest in Shares and Securities**

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

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

- (ii) greater than £25,000.

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

### **Category Six: Gifts and Hospitality**

You must register the details of any gifts or hospitality received within your current term of office. This record will be available for public inspection. It is not however necessary to record any gifts or hospitality as described on page 30 of this Manual.

### **Category Seven: Non-Financial Interests**

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

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

### **Category Eight: Close Family Members**

You will register the interests of any close family members who have transactions with the College or is/are likely to have transactions or do business with it.

## **DECLARATION OF INTERESTS**

### **General**

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

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

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

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

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

## **Connection**

Board members should consider whether you have a connection to a matter, and understand that a connection is any link between the matter being considered and yourself, or a person or body associated with you. This could be a family relationship or a social or professional contact.

The connection includes anything you have registered as an interest. A connection is an interest that requires to be declared where the objective test is met – that is where a member of the public with knowledge of the relevant facts would reasonably regard your connection to a particular matter as being so significant that it would be considered as being likely to influence the discussion or decision-making.

You will consider whether it is appropriate for transparency reasons to state publicly where you have a connection, which you do not consider amounts to an interest.

## **Interests which Require Declaration**

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

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

## **Your Financial Interests**

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

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

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

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

## **Your Non-Financial Interests**

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

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

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

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

## **The Financial Interests of Other Persons**

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

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

- (i) a spouse, a civil partner or a co-habitee;
- (ii) a close relative, close friend or close associate;
- (iii) an employer or a partner in a firm;

- (iv) a body (or subsidiary or parent of a body) of which you are a remunerated member or director;
- (v) a person from whom you have received a registerable gift or registerable hospitality;
- (vi) a person from whom you have received registerable expenses.

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

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

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

### **The Non-Financial Interests of Other Persons**

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

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

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

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

### **Making a Declaration**

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

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

remain in the meeting nor participate in any way in those parts of the meeting where an interest has been declared.

### **Frequent Declarations of Interest**

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

### **Dispensations**

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

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

## **LOBBYING AND ACCESS TO MEMBERS OF PUBLIC BODIES**

### **Introduction**

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

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

### **Rules and Guidance**

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

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

The public must be assured that no person or organisation will gain better access to or treatment by, you as a result of employing a company or individual to lobby on a fee basis on

their behalf. You must not, therefore, offer or accord any preferential access or treatment to those lobbying on a fee basis on behalf of clients compared with that which you accord any other person or organisation who lobbies or approaches you. Nor should those lobbying on a fee basis on behalf of clients be given to understand that preferential access or treatment, compared to that accorded to any other person or organisation, might be forthcoming from another member of the public body.

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

You should not accept any paid work:-

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

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



## APPENDIX L

### ANTI-BRIBERY AND CORRUPTION STATEMENT

#### Introduction

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

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

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

#### Scope

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

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

#### The Statement

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

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

#### Responsibility

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

N Cowie  
Principal and Chief Executive  
North East Scotland College



## APPENDIX M

### GLOSSARY OF TERMS

In this document the following definitions shall apply:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## APPENDIX N

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

#### **Purpose**

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

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

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

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

#### **2. ‘Core’ functions of a board**

2.1 What might be considered as ‘core’ functions<sup>2</sup> of a board are set out in section 12 of the 1992 Act (see **Appendix 1**).

#### **3. Delegation, constitution and proceedings of the board**

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

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

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

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

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<sup>2</sup> This is simply a convenient term to use. There is no hierarchy of function.

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

#### 4. Other Key Legislative Provisions

##### *Regional colleges: functions*

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

##### *Assigned colleges: information and directions*

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

##### *Board failure/mismanagement*

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

##### *Code of Governance*

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

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

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

##### *Equality*

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

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

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

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

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

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

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

### *Charity*

4.9 Every board is a charitable body under the Charities and Trustee Investment (Scotland) Act 2005. As such it is regulated by the Office of the Scottish Charity Regulator and board members have duties under section 66 of that Act to act in the charity’s interest, subject to obeying other laws. It is a legal requirement that a board complies with directions from its regional strategic body and, as such, compliance with directions would not compromise individual board members in their capacity as charity trustees<sup>5</sup>.

4.10 [The Charity Test \(Specified Bodies\) \(Scotland\) Order 2008](#) (as amended) disapplies the Ministerial control aspect of the charity test in section 7 of the Act in relation to the boards of management of colleges listed in the Schedule to that Order<sup>6</sup>. Ministerial controls do not therefore disbar such colleges from being charities.

### *Ethical Standards*

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

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

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

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

### *Protection of Vulnerable Groups (PVG) Scheme*

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

### *Scottish Public Services Ombudsman*

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

### *Freedom of Information*

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

### *Auditor General for Scotland*

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

### *Academic Freedom*

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

#### 26 Academic freedom

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

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

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

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

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

(a) hold and express opinion;

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

(c) present controversial or unpopular points of view.

## APPENDIX 1

### SECTION 12 OF THE 1992 ACT (AS AMENDED)

#### BOARDS OF MANAGEMENT

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

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

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

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

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

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

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

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

(f) to supply goods and services;

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*References to:*

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

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

## APPENDIX 2

### SCHEDULE 2 TO THE 1992 ACT

#### CONSTITUTION AND PROCEEDINGS OF BOARDS OF MANAGEMENT

##### Status

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

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

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

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

##### Membership

3. (1) The board of a regional college is to consist of no fewer than 15-17 nor more than 18-20 members.

(2) The board is to be comprised of—

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

(b) the principal of the college;

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

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

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

(f) other members appointed by the board.

(g) two trade union nominees (one each from EIS and UNISON)

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

(a) the chairing member; and

(b) the Scottish Ministers.

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

- (a) a member of the Scottish Parliament;
- (b) a member of the House of Lords;
- (c) a member of the House of Commons; or
- (d) a member of the European Parliament,

but such a person may otherwise be appointed as a member of the board<sup>9</sup>.

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

(2) The board is to be comprised of -

- (a) a person appointed by the regional strategic body to chair meetings of the board (the “chairing member”);
- (b) the principal of the college;
- (c) a person appointed by being elected by the teaching staff of the college from among their own number;
- (d) a person appointed by being elected by the non-teaching staff of the college from among their own number;
- (e) two persons appointed by being nominated by the students’ association of the college from among the students of the college; and
- (f) other members appointed by the regional strategic body.

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

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

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

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

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

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

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

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

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

### **Qualifications and tenure of office**

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

- (a) if appointed in pursuance of paragraph 3(2) (a) as the chairing member of the board of a regional college, holds and vacates office on such terms and conditions as the Scottish Ministers may determine;
- (b) if appointed in pursuance of paragraph 3(2) (c) to (f) as a member of the board of a regional college, holds and vacates office on such terms and conditions as the board may determine;
- (c) if appointed in pursuance of paragraph 3A (2) (a) or (c) to (f) as a member of the board of a college which is not a regional college, holds and vacates office on such terms as the regional strategic body may determine; and
- (d) is, on ceasing to hold office, eligible for re-appointment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) is an undischarged bankrupt; or

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

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

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

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

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

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

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

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

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

(a) the member—

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

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

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

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

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

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

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

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

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

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

(4) Where a member removed under sub-paragraph (3) was appointed under paragraph 3(2) (f) or 3A (2) (a) or (f), the Scottish Ministers may appoint another person in place of the removed member<sup>10</sup>.

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

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

### **Proceedings**

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

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

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

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

(a) the agenda for any meeting of the board or of any committee of theirs;

(b) the draft minutes of any such meeting as approved by the chairman of the meeting;

(c) the minutes of such meeting as agreed by the board or, as the case may be, committee; and

(d) any report or other document considered by such meeting.

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

(a) an employee, former employee or applicant for employment in relation to the college;

(b) a person who is, has been, or is likely to be a student of the college;

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



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

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

## **Committees**

13. (1) The board may establish committees for any purpose and any such committee may appoint sub-committees.
- (2) Such committees may include persons who are not members of the board; but such persons shall not be entitled to vote at meetings of a committee.
- (3) The principal of the college shall be entitled to attend and speak at any meeting of a committee of the board; but he shall be entitled to vote at such meeting only if he is a member of such committee.
- (4) The board may pay to the members of such committees (whether or not they are also members of the board) such allowances and expenses as they may determine; and any allowances and expenses to be paid by virtue of this sub-paragraph shall be calculated by reference to such criteria as the Secretary of State may determine.
- (5) Any reference in this Schedule to a committee of the board shall include a reference to any sub-committee appointed by such committee.

## **Staff**

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

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

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

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

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

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

as they think fit.

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

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

## Accounts

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

## Execution of documents

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

## Provision of services

21. The Local Authorities (Goods and Services) Act 1970 (supply of goods and services by local authorities to certain public bodies) shall have effect as if the board were a public body within the meaning of that Act.

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

[Note: In relation to the paragraph 18, the Scottish Ministers have by order changed the financial year of boards. Boards have a financial year of 1 August to 31 July<sup>11</sup>.

This Appendix does not reflect changes made to Schedule 2 to the 1992 Act by the [Lanarkshire Colleges Order 2014](#) in relation to New College Lanarkshire, as the changes are in relation to only that college.]

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<sup>11</sup>[http://www.sfc.ac.uk/web/FILES/Guidance\\_college\\_reclassification/Colleges\\_of\\_Further\\_Education\\_Order\\_2015.pdf](http://www.sfc.ac.uk/web/FILES/Guidance_college_reclassification/Colleges_of_Further_Education_Order_2015.pdf)

## **APPENDIX 3**

### **SECTION 23A – 23D OF THE 2005 ACT**

#### **REGIONAL COLLEGES: FUNCTIONS**

##### **Regional colleges: general duty**

23A (1) It is the duty of a regional college to exercise its functions with a view to securing the coherent provision of a high quality of fundable further education and fundable higher education in the locality of the regional college.

(2) In doing so, the regional college must have regard to any fundable further education and fundable higher education provided by other post-16 education bodies in the locality of the regional college.

##### **Regional colleges: planning, consultation and collaboration**

23B (1) A regional college must plan for -

(a) how it proposes to provide fundable further education and fundable higher education; and

(b) how it intends to exercise its other functions.

(2) When making plans, a regional college must have regard to the importance of ensuring that funds made available to it under section 12 are used as economically, efficiently and effectively as possible.

(3) A regional college must, where it considers it appropriate to do so in the exercise of its functions, consult -

(a) the representatives of any trade union which it recognises or which otherwise appears to it to be representative of its staff;

(b) its students' association;

(c) the local authority for the area in which the regional college is situated;

(d) the governing body of any other post-16 education body which provides fundable further education or fundable higher education in the locality of the regional college;

(e) any other regional college or regional strategic body whom it considers likely to have an interest in the matter concerned;

(f) any person who appears to it to be representative of employers in the locality of the regional college;

(g) any person who appears to it to be representative of the interests of any sector for which the regional college provides specialist education or training;

(h) The Open University;

(i) The Skills Development Scotland Co. Limited;

(j) the Scottish Qualifications Authority; and

(k) Scottish Enterprise or Highlands and Islands Enterprise (as appropriate).

(4) Any particular requirement for consultation imposed on a regional college by virtue of this or any other enactment is without prejudice to subsection (3).

(5) A regional college must, so far as is consistent with the proper exercise of its functions, seek to secure the collaboration with the regional college of the following persons -

(a) the representatives of any trade union which the regional college recognises or which otherwise appears to it to be representative of its staff;

(b) the regional college's students' association;

(c) the local authority for the area in which the regional college is situated;

(d) the governing body of any other post-16 education body which provides fundable further education or fundable higher education in the locality of the regional college;

(e) any other regional college or regional strategic body whom it considers it appropriate to collaborate with;

(f) The Open University;

(g) The Skills Development Scotland Co. Limited;

(h) the Scottish Qualifications Authority; and

(i) Scottish Enterprise or Highlands and Islands Enterprise (as appropriate).

(6) The Scottish Ministers may by order modify subsection (3) or (5) by -

(a) adding or removing persons, or types of persons, to which those provisions apply; or

(b) varying the description of any such person or type of person.

(7) But such an order may not modify paragraph (a) or (b) of subsection (3).

### **Regional colleges: improvement of economic and social well-being**

23C (1) A regional college is to exercise its functions with a view to improving the economic and social well-being of the locality of the regional college.

(2) In doing so, the regional college is to have regard to -

(a) social and economic regeneration needs in the locality; and

(b) social cohesion and social inclusion issues in the locality.

(3) For the purposes of subsection (2) (a), "needs" means needs which appear to the regional college -

(a) to exist for the time being or be likely to exist in the future; and

(b) to be capable of being addressed (wholly or partly) by the provision of fundable further education or fundable higher education.

(4) For the purposes of subsection (2) (b), “issues” means issues which appear to the regional college -

(a) to exist for the time being or be likely to exist in the future; and

(b) to be capable of being addressed (wholly or partly) by the provision of fundable further education or fundable higher education.

### **Regional college to have regard to particular matters**

23D (1) In exercising its functions, a regional college is to have regard to—

(a) skills needs in the locality of the regional college;

(b) issues affecting the economy of the locality of the regional college;

(c) social and cultural issues in the locality of the regional college; and

(d) the needs and issues in relation to Scotland identified by the Council for the purposes of section 20(1).

(2) In exercising its functions, a regional college is to have regard to the desirability of the achieving of sustainable development.

(3) In exercising its functions, a regional college is to have regard to the—

(a) United Kingdom context; and

(b) international context,

in which it carries on its activities.

(4) In exercising its functions, a regional college is to have regard to the educational and related needs (including support needs) of persons who are, and the likely educational and related needs (including support needs) of persons who might wish to become, students of the college.

(5) In exercising its functions, a regional college is to have regard to the desirability of enabling, encouraging and improving participation in fundable further education and fundable higher education by persons belonging to any socio-economic group which the regional college reasonably considers to be under-represented in such education.

(6) For the purposes of subsection (1) (a), “skills needs” means any requirement or desirability for skills or knowledge which appears to the regional college –

(a) to exist for the time being or be likely to exist in the future; and

(b) to be capable of being addressed (wholly or partly) by the provision of fundable further education or fundable higher education.

(7) For the purposes of subsection (1) (b) and (c), “issues” means issues which appear to the regional college -

(a) to exist for the time being or be likely to exist in the future; and

(b) to be capable of being addressed (wholly or partly) by the provision of fundable further education or fundable higher education.

(8) For the purposes of subsection (5), a socio-economic group is to be treated as under-represented in fundable further education or fundable higher education if participation in such education by persons in that group is disproportionately low.

(9) A regional college may take into account any social or economic characteristics which it considers appropriate when determining which groups are to constitute “socio-economic groups” for the purposes of subsection (5).



(10) A regional college is to have regard to the under-represented socio-economic groups identified by the Council for the purposes of section 20(4A) when determining

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(a) which groups are to constitute “socio-economic groups” for the purposes of subsection (5); and

(b) whether a socio-economic group so determined is under-represented in fundable further education or fundable higher education.

*References to “the Council” are references to the Scottish Funding Council*

## APPENDIX 4

### SECTION 23N OF THE 2005 ACT

#### ASSIGNED COLLEGES: INFORMATION AND DIRECTIONS

23N (1) A regional strategic body's colleges must provide the regional strategic body with such information as it may reasonably require for the purposes of or in connection with the exercise of any of its functions.

(2) A regional strategic body may give such directions to its colleges, or to any of them, as it considers appropriate.

(3) Directions given under this section may be of a general or specific character.

(4) Before giving directions under this section, a regional strategic body must consult -

(a) any college to which the proposed directions relate;

(b) the representatives of any trade union recognised by such a college or which otherwise appears to the regional strategic body to be representative of its staff; and

(c) the students' association of every such college.

(5) A college must comply with directions given to it under this section.

(6) Directions given under this section may be varied or revoked.

(7) Nothing in this section allows a regional strategic body -

(a) to give directions in relation to the transfer of any staff, property, rights, liabilities or obligations<sup>12</sup>; or

(b) to give directions to a college whose governing body is not a board of management established in pursuance of Part 1 of the 1992 Act.

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<sup>12</sup> This reflects the provision as amended by the [Post-16 Education \(Scotland\) Act 2013 \(Modification of Legislation\) Order 2015, SSI 2015/153](#)

## APPENDIX 5

### SECTION 24 OF THE 1992 ACT

#### MISMANAGEMENT BY BOARDS

24 (1) This section applies where -

(a) it appears to the Scottish Ministers that the board of management of any college of further education -

(i) have committed or are committing a serious breach of any term or condition of a grant made to them under section 12 or 12B of the Further and Higher Education (Scotland) Act 2005 (“the 2005 Act”);

(ii) have committed or are committing repeated breaches of such terms or conditions;

(iii) have failed, or are failing, to provide or secure the provision of education of such standard as the Scottish Ministers consider appropriate;

(iv) have failed, or are failing, to discharge any of their duties properly; or

(v) have mismanaged, or are mismanaging, their financial or other affairs; or

(b) the Council has informed the Scottish Ministers that a college of further education whose board of management is established in pursuance of this Part is not, or is no longer, a body for which there are suitable provisions, procedures and arrangements of the type described by or under section 7(2) of the 2005 Act.

(2) Where this section applies, the Scottish Ministers may by order—

(a) remove any or all of the members of the board (other than the principal of the college); and

(b) where a removed member was appointed under paragraph 3(2) (a) or (f) or 3A (2) (a) or (f) of Schedule 2, appoint another person in place of the removed member.

(3) Before making an order under subsection (2) (a), the Scottish Ministers must consult the Council.

(4) The Scottish Ministers must give notice of exercise of the power of removal conferred by subsection (2) (a) to the board and the member.

(5) An appointment made under subsection (2) (b) has effect as if made under the provision of Schedule 2 under which the removed member was appointed.

*References to “the Council” are references to Scottish Funding Council*



**Agenda Item 55-23**

<b>REGIONAL BOARD</b> <b>Meeting of 20 March 2024</b>	
<b>Title:</b> Succession Planning – Office Bearers Appointment	
<b>Author:</b> Susan Lawrance, Board Secretary	<b>Contributor(s):</b> Governance and Nominations Committee
<b>Type of Agenda Item:</b> <b>For Decision</b> <input checked="" type="checkbox"/> <b>For Discussion</b> <input type="checkbox"/> <b>For Information</b> <input type="checkbox"/> <b>Reserved Item of Business</b> <input type="checkbox"/>	
<p><b>Purpose:</b> To enable the Regional Board to consider in line with the Succession Planning Policy approved at June 2023 Regional Board meeting, various Office Bearer positions,</p> <p><b>Vice Chair Position:</b> Members are asked to note Leona McDermid has intimated her willingness to continue as Vice Chair and Senior Independent Member. The Governance and Nominations Committee ask members to consider, and if so minded, approve their recommendation to have Jim Gifford become the Second Vice Chair.</p> <p><b>Equalities and Diversity Champion:</b> Susan Elston has remained as E&amp;D Champion for a number of years, previously as Chair of HR Committee and now as Regional Chair. The Governance and Nominations Committee ask members to consider, and if so minded, approve their recommendation to have Caroline Laurenson become the E&amp;D Champion.</p> <p>Members are invited to discuss and consider key roles within the Board at their annual one-to-one development meetings with the Regional Chair.</p>	
<b>Linked to Strategic Theme:</b> <b>2. Empowering People</b>	
<b>Linked to Strategic Risk(s):</b> n/a	
<b>Executive Summary:</b> In line with the Regional Board's Succession Planning Policy members are asked for their endorsement of:	

- L McDermid continuation as Vice Chair and Senior Independent Person.
- J Gifford appointment as the second Vice Chair
- C Laurenson appointment as the new Equality and Diversity Champion.

**Recommendation:** It is recommended that the Regional Board consider, and if so minded, approve the changes to Regional Board Office Bearers.

**Previous Committee Recommendation/Approval** (if applicable):

**Equality Impact Assessment:**

**Positive Impact**

**Negative Impact**

**No Impact**

**Evidence:**



REGIONAL BOARD	
Meeting of 20 March 2024	
<b>Title:</b> NESCol Strategic Plan – Timeline	
<b>Author:</b> Robin McGregor	<b>Contributor(s):</b>
<b>Type of Agenda Item:</b>	
<b>For Decision</b>	<input type="checkbox"/>
<b>For Discussion</b>	<input checked="" type="checkbox"/>
<b>For Information</b>	<input type="checkbox"/>
<b>Reserved Item of Business</b>	<input type="checkbox"/>
<b>Purpose:</b> To provide the Regional Board with an overview of the approach that will be used to create the new College Strategic Plan	
<b>Linked to Strategic Theme:</b> ALL	
Choose an item.	
<b>Linked to Strategic Risk(s):</b>	
<b>Executive Summary:</b>	
The paper provides an overview of the project approach that will be used to deliver the new Strategic Plan for Easter 2025	
<b>Recommendation:</b> It is recommended that the Committee notes the content of this paper and approves the proposed approach and timeline	
<b>Previous Recommendation/Approval</b> (if applicable):	
<b>Equality Impact Assessment:</b>	
<b>Positive Impact</b>	<input checked="" type="checkbox"/>
<b>Negative Impact</b>	<input type="checkbox"/>
<b>No Impact</b>	<input type="checkbox"/>
<b>Evidence:</b>	

- **Introduction**

The purpose of this project is to develop a revised Strategic Plan for the College via an approach that ensures maximum engagement and participation from key stakeholders in the design and development process.

The new plan will be delivered for December 2024 and will be current for a period of five years.

- **Planned Approach**

The new plan will be developed internally with project management provided by Vice Principal Robin McGregor. Overall project direction will be led by a steering board comprising the College Executive Team and select members of the Leadership Team.

Updates on progress will be provided to the Regional Board via relevant committee and full board meetings.

Key staff will be recruited and trained as facilitators to help support the delivery of stakeholder engagement sessions.

It is anticipated that the project will undertake the following phases:

- 1. Identification and Clarification of Mandates**

Desk-based process to determine all essential formal and informal obligations placed on the college that determine strategic direction.

- 2. Development and Clarification of Mission and Values**

Undertake primary research via consultation with internal and external stakeholders to define the core values that drive the College and raison d'être. These are the principles and beliefs that shape our culture, decisions, and actions. Data will be gathered via a combination of survey and online/in-person workshops.

- 3. Situation Analysis**

A mix of desk-based (SWOT, PESTLE etc.) and primary research processes to determine where we currently are as a college and how we can improve. Will comprise a range of activities aimed at evaluating internal and external environments. Will require a number of workshops with staff and key stakeholders and will draw heavily on research already undertaken e.g. employee voice survey etc.

- 4. Strategic Issue Identification**

This phase will seek to identify the fundamental policy questions, challenges or conflicts that affect the College's ability to deliver its mandates, mission, values, operations, users, products, and service. Via small-group workshops, long-term goals aligned to the new vision will be created along with specific, measurable objectives that support each goal. A timeline for achieving objectives and metrics for tracking progress will also be created at this stage.

- 5. Strategy and Sub-strategy Development**

This phase will adopt a design thinking approach to identify the key thematic priorities that will underpin the final strategic plan. Once a draft vision and strategic direction have been formed, the group will engage further with stakeholders and senior leadership to refine the aims and objectives. Engagement will be carried out via established meetings and committees and further input from stakeholders gathered via more holistic processes including surveys and focus groups. Required sub-strategies, KPIs, outcomes, and deliverables will also be identified and developed at this stage. Leadership of the sub-strategy development will be delegated to key members of the Leadership team as the need arises.

#### **6. Monitoring and Evaluation**

During this phase a framework for monitoring progress and evaluating the impact and effectiveness of the new plan will be created. The framework will encompass KPIs designed to track success and enable interactive refinement. It will also include an ongoing review schedule to assess performance and address any deviations from the original plan.

#### **7. Draft Publication, Validation and Refinement**

Once a final draft plan has been created it will require sense checking with several trusted colleagues and partner agencies.

At this stage we need to consider the format of the Strategic Plan. How can we create something that is engaging and useable yet easy to update, and accessible for a wide range of stakeholders.

#### **8. Final Publication and Launch**

It is often said that your strategy is only as good as your ability to articulate it. This phase will seek to ensure that an effective plan for communicating the new strategic plan to all stakeholders is created. Using a variety of different media formats, we will launch the strategy to much fanfare across a range of media formats. This phase will also focus on establishing mechanisms for obtaining feedback and engaging stakeholders throughout the implementation phase.

#### **9. Anchor the Strategy in Corporate Culture**

The new plan will have to compete with numerous other important and high-profile messages and strategy documents; therefore it is essential that we communicate it frequently and powerfully and embed it in everything that we do. We will devise a year-long programme of events aimed at bedding in the strategy and will seek to undertake formal evaluation of this process at the end of this period.

- **Planned Objectives**

The new strategic plan will achieve the following objectives:

- 1. Enhance Clarity of Direction:** Clearly articulating NESCol's mission, vision, and values, providing a sense of purpose and strategic direction for all stakeholders.



2. **Drive Continuous Improvement:** Foster a culture of continuous improvement by regularly reviewing and updating the strategic plan based on lessons learned, feedback, and changes in the business environment.
3. **Enable Effective Goal Setting:** Establishing specific, measurable, achievable, relevant, and time-bound (SMART) goals that align with the College's mission and vision.
4. **Support Targeted Resource Allocation:** Identifying and allocating resources (financial, human, technological, etc.) in alignment with ongoing service improvement and efficiency agenda.
5. **Improve Competitive Advantage:** Developing strategies to gain a competitive advantage in an ever-changing college-sector, whether through innovation, adaptation, differentiation, or other means.
6. **Support Business Agility:** Enabling NESCoI to further adapt to changing market conditions, emerging opportunities, and potential threats.
7. **Improve Alignment and Integration:** Ensuring enhanced co-work of college sectors, teams, and functions within the organisation to work cohesively towards our common goals.
8. **Enhance Measurement and Evaluation:** Defining key performance indicators (KPIs) and metrics to measure progress towards strategic objectives, enabling regular evaluation and redirection of strategies as required.
9. **Prioritise staff and Student Health and Wellbeing:** making a positive difference to the lives of all staff and students so they can experience positive mental, physical and social health and achieve their full potential as successful and confident individuals.
10. **Enhance Stakeholder Partnerships:** Engaging stakeholders, including employees, customers, shareholders, and the community, to gain buy-in and support for the strategic plan.
11. **Support Progressive Employer Practices:** Crafting an inclusive culture that recognises creativity, innovation, and a sense of belonging, and establishes employment practices on the underpinning attributes of fairness, inclusivity, agility, productivity, and sustainability.

- **Summary of Constraints**

One of the biggest challenges of this project will be ensuring that all key stakeholders, and specifically college staff and students, are able to engage meaningfully in the consultation and design process.

The College and its Regional Board are committed to working with all staff and students to support open and transparent co-design of the new strategy, but this will require precise planning and the ring-fencing of time to guarantee that everyone is afforded the opportunity to participate.

Not only will this be time intensive, but it will be resource intensive too. A commitment to deliver multiple face-to-face workshops will require a team of suitable staff to be trained in the delivery of “design thinking” techniques, and time in people’s timetables and diaries to be ring fenced.

It is likely that some external facilitation resource will be required, at least in the early stages, perhaps by an organisation such as CDN and this will incur cost.

- **Project Team Structure and Role Descriptions**

The project will be managed internally by Vice Principal Robin McGregor under the direction of a project steering board comprising:

- Neil Cowie - Principal

- Stuart Thomson – Vice Principal
- Paul Smith - Director of Marketing and Communications
- Kimra Donnelly – Director of People Services

A project delivery team, accountable to the steering board, will also be formed comprising a range of college managers, staff, and student representatives to act as the operational management group for the project. Membership will include

- Select Leadership Team members
- Robert Laird – Head of Planning and Academic Partnerships
- Teaching staff reps x 3
- Support staff reps x 3
- Student reps x 1

- **Communications Plan**

Formal project meeting minutes will be prepared and circulated to all project stakeholders after these meetings. A formal project board review meeting will be held on a monthly basis.

The initial project plan has been completed and will be updated regularly during the project. Work breakdown structures will be maintained and raised as work orders when appropriate. Some form of responsibility matrix will be maintained (e.g. RACI) to ensure ownership of all major project tasks. This will be supplemented by a resource plan showing dates and resources required for activities.

Risks and issues logs will be maintained on at least a monthly basis with major issues or risks raised directly with the project board.

Monthly status updates will be issued. This will summarise work just completed, issues arising and upcoming work and milestones.

Major milestones and consultation opportunities will also be communicated via COLIN and the Principal's update.

- **Project Plan & Timeline**

The key activities and dates in the project plan are shown in the table below:

Activity	Start Date	End Date
Recruit project delivery team	March 24	April 24
Complete identification of mandates and outline scope	April 24	April 24
Undertake consultation - mission, vision and values	April 24	June 24
Complete mission, vision, and values	June 24	July 24
Undertake consultation - current internal/external position	May 24	July 24
Complete analysis of current position	May 24	July 24
Complete strategic issues identification	May 24	July 24
Undertake strategy development	July 24	Nov 24
Identify required sub strategies and allocate work	July 24	July 24

packages		
Complete first draft of Strategic plan	Nov 24	Nov 24
Validation and refinement	Nov 24	Jan 25
Complete draft sub-strategies	Feb 25	Feb 25
Final plan sign off by Regional Board	March 25	March 25
Publication of strategic plan	April 25	April 25
Launch of strategy	April 25	April 25
Plan and deliver bedding in activities	April 25	April 26
Undertake year one evaluation	March 26	April 26
Project closure	April 26	April 26

- **Risks**

Risk	Likelihood	Impact	Rating
Lack of engagement from key internal stakeholders in consultation process	2	4	8
Lack of engagement from key external stakeholders in consultation process	2	4	8
The risk that the project's scope will expand beyond its original boundaries, leading to increased costs, delays, and resource constraints.	1	3	3
Poorly defined or ambiguous project objectives leading to misunderstandings, misalignment, and ultimately project failure.	1	4	4
Inadequate management processes resulting in resistance to change, low engagement, or disruptions to project progress.	1	4	4
Unrealistic timelines, poor scheduling, or unexpected delays impacting on project milestones, deadlines, and overall project success.	2	4	8
Key personnel changes, impacting on project direction, decision-making, and team dynamics.	2	3	6
Ineffective communication channels, lack of transparency, or misunderstandings among team	2	4	8

members leading to misalignment, conflicts, and decreased productivity.			
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**Likelihood 1 – 5**  
**Severity 1- 5**

- **Quality and Change Management**

The project will be managed in line with established NESCol project management governance standards and approval process. Delivery of the final strategic plan will be approved by the Regional Board. The project will follow the standard project lifecycle in use by NESCol teams based on a light-touch PRINCE2 approach.

The Project Manager will coordinate the delivery of project documentation deliverables including:

1. Project Initiation Document
2. Project Plan
3. Work Breakdown Structure/Work Packages
4. Risks and Issues Logs
5. Lessons Learned Log
6. Resource Plan
7. Meeting Minutes
8. Project Closure Report

The Project Board will review project status, deliverables and stage tolerances (i.e. what is acceptable to the college in terms of cost, time and quality). The Project Board will sign-off the Project Closure Report.

Any major change to the project scope falling outside the agreed contingency levels will be approved by the Project Board and require signed approval before being included in the scope and being added into a revised project plan.

Should any exceptional situation arise, this will be reported immediately to the Program Board for action.

- **Closure and Evaluation**

The project closure phase will:

1. Ensure that all project documentation is finalised, including project plans, schedules, reports, and any other relevant documentation.
2. Confirm that all project deliverables have been completed to the satisfaction of the stakeholders and obtain formal acceptance of the deliverables.
3. Release project resources such as team members, equipment, and facilities, ensuring that they are appropriately reassigned or released from the project.

4. **Financial Closure:** Complete all financial activities related to the project, including budget reconciliation, final payments to vendors or contractors, and closure of financial accounts associated with the project.
5. **Lessons Learned:** Conduct a lessons learned session to gather feedback from team members and stakeholders about what went well during the project, what could have been improved, and any recommendations for future projects.
6. **Closure Report:** Prepare a project closure report summarizing the project's objectives, outcomes, deliverables, lessons learned, and any remaining issues or risks.
7. **Stakeholder Communication:** Communicate the closure of the project to all relevant stakeholders, including team members, clients, sponsors, and other affected parties.
8. **Archiving:** Ensure that all project documentation, including plans, reports, and other artifacts, is properly archived for future reference and audit purposes.
9. **Celebration and Recognition:** Take the opportunity to celebrate the successful completion of the project and recognise the contributions of team members and stakeholders.
10. **Contract Closure:** If applicable, formally close out any contracts or agreements associated with the project, ensuring that all contractual obligations have been met.

**REGIONAL BOARD**  
**Meeting of 20 March 2024**

**REPORT BY THE PRINCIPAL**

The purpose of this report is to provide the Regional Board with information relating to the period immediately prior to the Board Meeting; information which may have relevance, significance, priority or challenge for future College activity.

**1 Update on stakeholder and media responses to NESCol Stakeholder Briefing**

Towards the end of January, the College issued a Stakeholder Briefing to partners, employers and politicians detailing our response to the Scottish Government's Draft Budget and the withdrawal of the Flexible Workforce Development Fund (FWDF).

The primary purpose of the Briefing was to highlight the damaging impact the Scottish Government's proposals would have, if adopted, on the College Sector, our own College, our students, our region and the employers and communities whom we serve.

In providing appropriate context, the Briefing contained reference to:

- The challenges facing us in this academic year and next.
- The extent of the funding cuts, i.e. a £32.7million reduction (down to £643m) in revenue funding for the country's colleges for 2024/25 – a cut of around 5% and closer to a 9% real terms reduction.
- The impacts of inflation and rising costs.
- Continuing national pay negotiations and industrial action.
- Reports from SFC suggesting that 68% of colleges were forecasting a budget deficit for 2024-25 and that the draft budget announcement was likely to exacerbate the position for NESCol and for all colleges.
- The mitigations we, at NESCol, were already working on to reduce the anticipated funding gap.
- The likely impacts on student numbers; student support and to student outcomes.
- The likely impacts on regional employers.

As a consequence of the issuing of this Briefing, the response and support that we have received has been considerable. Significant media, stakeholder and political interest and concern has been generated and is summarised below:

- Press and Journal front page – 26 January.
- BBC, STV and Original 106 TV and radio interviews – 26 January.
- Support from Aberdeen and Grampian Chamber of Commerce, culminating in a letter being sent from the Chamber to Shona Robison, Deputy First Minister.
- Significant levels of response, support and concern from Aberdeen City and Aberdeenshire Councillors.
- Various meetings with Aberdeen City and Aberdeenshire Senior Officers.

- Meeting with Kirsty Blackman MP – 14 February.
- Concern and support from Shell (Prosper Annual Lecture and Dinner – 15 February + follow up meeting – 28 February).
- Meeting with MSPs Jackie Dunbar and Audrey Nicholl – 16 + 19<sup>th</sup> February.

Beyond these contacts, further opportunities have arisen to communicate the College and wider sector's funding outlook and concerns. These have included:

- RGU/NESCol-hosted fringe event at the Conservative Party Conference – 28 February.
- A meeting with Andy Brown (CEO - ECITB) – 29 February.
- A meeting with Scot Gov Minister Gillian Martin MSP – 8 March.
- A meeting with Scot Gov Minister Graeme Dey MSP – 11 March.

At the time of writing this report, there has been further interest indicated from the P&J and a request has been made for an interview for the 'Stooshie' podcast.

Whilst the Scottish Government's budget has now been approved, the College still awaits confirmation of its final allocation from SFC. This is likely to appear on or around 28 March and after our March Regional Board meeting.

This said, an extraordinary meeting of the Colleges Principals' Group took place on Tuesday 12 March whereby the Chief Executive of the SFC and her senior team provided an updated position on the budget and how this is likely to impact the college sector. The recommendations presented to CPG were done so with the caveat that budget recommendations had still to be approved by the SFC's Board, who are due to convene on Friday 15 March.

A further, verbal update will be given by the Principal and Vice Principal – Finance and Resources at our forthcoming Regional Board meeting; an update that will provide Board members with additional information on the impact of on-going engagement, the lessons learned from this and the potential impact that the SFC latest announcements will likely have on our own allocation, financial position and sustainability planning.

**2 Regional Economic Partnership (REP)**

The Scottish Government Regional Economic Policy Advisory Group (REPAG) Review 2022 made a series of recommendations to enhance regional economic planning and development. The Review also sought to encourage Regional Economic Partnerships (REP) to become more autonomous and to take greater responsibility for overseeing regional delivery of projects and policy relating to national and regional economic priorities and funding streams.

As a consequence of this review, it was proposed that a new regional economic partnership model be developed within the North East of Scotland. Such a move would build on the success of the regional partnership between the public and private sector, Aberdeen City Council, Aberdeenshire Council and Opportunity North East and the Aberdeen City Region Deal. The formation of the new regional economic partnership was agreed as part of the approval

of a revised Regional Economic Strategy by Aberdeen City Council, Aberdeenshire Council and ONE in October 2023.

The purpose of the REP is to provide stronger 'place-based' focus for regional working by coalescing around the regional economic strategy and related policy areas.

Consequently, it is intended that the new Regional Economic Partnership (REP) will:

- Provide leadership on matters of strategic importance to the regional economy (by locally elected leaders, industry, business, education and 'third' sectors).
- Provide oversight on activities that transform opportunities for communities in the region.
- Ensure that the North East maintains and offers a competitive business environment.
- Provide effective governance for delivering the ambitions of the Regional Economic Strategy.
- Develop the relationship with the UK and Scottish Governments and their agencies so that the North East maximises its contribution to UK and Scottish economic growth targets, and
- Ensure resources are in place to enable effective implementation of the RES.

It is proposed that the new REP will operate within the terms of reference detailed below:

- Provide leadership, direction and influence on the Regional Economic Strategy Investment plans for the region and the two governments.
- Advise on development of responses to the commitments by the two governments and make recommendations on the prioritisation of resources.
- Review business cases for activities funded by both Governments.
- Recommend for approval overall programme funding for regional interventions that may be funded by the two governments, including Shared Prosperity Funding, Just Transition Funding or other funding to be granted to support strategic economic development in the region; and recommend for approval match funding by the REP members where this relates to programme funding already committed and approved by the relevant REP members (e.g. the Councils, SE or ONE).
- Make recommendations to the REP Membership on strategic economic, policy plans or consultations for the region.
- Maintain oversight on the implementation of regional projects in the RES.
- Receive updates from the governments and provide feedback on the implementation of funded activities, and any economic or infrastructure priorities in the RES.
- Appoint representatives of the new member organisations to an expanded REP.

REP membership now comprises of the members of the ONE Board, with the inclusion of additional members reflecting the wider remit of the new Regional Economic Strategy. Membership includes:



	<p>ONE Chair  ONE Chief Executive  ONE Food, Drink &amp; Agri Chair  ONE Life Sciences Chair  ONE Digital Tech Chair  VisitAberdeenshire Chair  University of Aberdeen Principal  Robert Gordon University Principal  NESCol Principal  Aberdeen City Council Co-Leader  Aberdeenshire Council Leader  Aberdeen and Grampian Chamber of Commerce Chief Executive  Aberdeen Harbour Board Chief Executive  Industry/Energy/Scottish Enterprise and Third Sector representatives.</p>
<p><b>3</b></p>	<p><b>Regional Economic Strategy (RES)</b></p> <p>As noted above, a revised RES for the North East of Scotland was finally approved in October 2023 and at the end of February 2024 it was officially launched.</p> <p>The revised RES, the first since 2016, sets out a long-term plan for North East Scotland to transform its economy over and beyond the next decade. However, it has been recognised that the domestic and global context within which the North East's economy operates has changed significantly since 2016. The impact of the climate emergency is now realised, and the North East's responsibility to decarbonise at pace and play a leading role in a just transition to net zero is essential. Other factors including the UK's exit from the European Union and the global pandemic have also changed the way the North East operates and plans for future economic change and prosperity.</p> <p>The vision contained within the RES seeks to develop a regional economy that enables the North East region and those living, working and learning within it to thrive. It also emphasises the desire to lead a just transition for energy, diversify the NE economy, enable entrepreneurship and innovation, and deliver a wellbeing economy.</p> <p>In terms of developing a just transition to net zero the strategy seeks to:</p> <ul style="list-style-type: none"> <li>• increase investment in renewable energy sources and energy efficiency.</li> <li>• Invest in reskilling and upskilling workers.</li> <li>• Provide faster access to grid connections and approval processes for offshore wind.</li> <li>• Put commercial frameworks in place for hydrogen production and picking up the pace on support for CCS projects.</li> </ul> <p>And as well as identifying energy as a priority area of development, the strategy also identifies other priority sectors and areas of activity including food and drink, tourism, life sciences, digital and transport, infrastructure, creative industries, Community Planning and Health &amp; Social Care.</p> <p>Accompanying the RES is a Regional Strategy Plan which seeks to reduce employer skills gaps and workforce challenges; increase net zero accreditations</p>

for businesses; increase tourist visitor footfall; reduce poverty; increase qualification levels and build a stronger cultural identity.

Further updates on the College's contribution to this work will be provided to the Regional Board as and when appropriate. A digital version of the revised RES can be accessed through the link provided below:

<https://investaberdeen.co.uk/uploads/Regional%20Economic%20Strategy%202035%20FINAL.pdf>

#### **4 Quality Assurance Agency (QAA)**

On Wednesday 6 March a meeting between representatives of the College's Principals' Group (CPG) and The Quality Assurance Agency for Higher Education (QAA) was held. The meeting allowed QAA to consult with College Principals on the progress to date of a new quality assurance and enhancement model for the College Sector. A considerable amount of work had already been undertaken by QAA on this project and other representatives from the Sector had already been heavily involved.

Whilst many options had been tabled, QAA was keen to explore and test one review option that best reflected what was deemed to be the most workable.

In summary, it has been proposed that there would be quality review approach which, when concluded, would report a single view expressed as one of the following 'effectiveness' judgements:

- The college is effective in managing academic standards, enhancing the quality of the learning experience and enabling student success.
- The college is effective in managing academic standards, enhancing the quality of the learning experience and enabling student success in respect of (to be derived from a list of various options) but partially effective in respect of (to be derived from a list of various options components).
- The college is not effective in managing academic standards, enhancing the quality of the learning experience and enabling student success.

In addition, it has been proposed that future college review activities and reporting would be based on four key themes, namely:

- Excellence in Learning, Teaching and Assessment
- Supporting Student Success
- Enhancement and Quality Culture
- Student Engagement and Partnership

QAA indicated that two additional themes, namely data evidence and externality, would be underpinning those noted above.

Whilst there was some degree of consensus on the appropriateness of this as an option, several Principals indicated their disappointment at how similar this looked to review frameworks previously implemented by Education Scotland. Further, those Principals also expressed concerns that working with such frameworks had made little difference to the quality approaches of college sector and the success outcomes of students. Suffice to say, these Principals were critical of the lack of imagination and innovation within the proposal.

	<p>Consequently, QAA volunteered to rethink the approach and to consult further with CPG at the beginning of May.</p> <p>This is somewhat of a concern as QAA is intending to finalise, communicate launch and implement the new review approach at the beginning of AY2024-25. This will ultimately lead to all colleges being subject to a rolling quality review programme from August 2024 onwards.</p> <p>Further updates will be provided to the Regional Board as and when further information on the progress of this activity becomes available.</p>
<p><b>5</b></p>	<p><b>External engagements/selected key meetings and events attended since the previous Regional Board meeting:</b></p> <ul style="list-style-type: none"> <li>• ACC MATMG Meeting – 17 January 2024</li> <li>• College Alliance International Conference (Manchester) - 23/24 January 2024</li> <li>• DYWNE Board Meeting – 25 January 2024</li> <li>• Various meetings/interviews with media (BBC/STV/Original 106) – 26 January 2024</li> <li>• College Principals' Group Meeting – 30 January 2024</li> <li>• Meeting with Paul Macari (Aberdeenshire Council) – 2 February 2024</li> <li>• College Employers Scotland Meeting – 6 February 2024</li> <li>• Regional Board Development Day – 7 February 2024</li> <li>• Meeting with SDA (Dundee and Angus College) – 9 February 2024</li> <li>• Meeting with Kirsty Blackman MP – 14 February 2024</li> <li>• Buchan Railway Feasibility Study Meeting – 14 February 2024</li> <li>• NE Regional Economic Partnership Meeting – 15 February 2024</li> <li>• Prosper Annual Lecture and Dinner – 15 February 2024</li> <li>• Meeting with Jackie Dunbar MSP – 16 February 2024</li> <li>• Meeting with Audrey Nicholl MSP – 19 February 2024</li> <li>• Psychological Safety and Wellbeing Training – 22 February 2024</li> <li>• Meeting with ASET Chair Designate, John Reid – 27 February 2024</li> <li>• RGU-NESCol Pre-meeting re. Conservative Party Conference Fringe Event – 28 February 2024</li> <li>• Meeting with Jennifer MacDonald (Shell) – 28 February 2024</li> <li>• Meeting with Andy Brown (ECITB) – 29 February 2024</li> <li>• Meeting with TQFE Participants – 29 February 2024</li> <li>• Exhibition Opening Aberdeen Art Gallery – 29 February 2024</li> <li>• Conservative Party Conference Fringe Event – 1 March 2024</li> <li>• CPG Meeting with QAA – 6 March 2024</li> <li>• AGCC Business Breakfast (Spring Budget) – 7 March 2024</li> <li>• Meeting with Tom Hall (Colleges Scotland) – 8 March 2024</li> <li>• Meeting with Scot Gov Minister Gillian Martin MSP – 8 March 2024</li> <li>• Meeting with Scot Gov Minister Graeme Dey MSP – 11 March 2024</li> <li>• Extraordinary CPG Meeting with SFC – 12 March 2024</li> <li>• Director of Business Services Interview Panel (Aberdeenshire Council) – 15 March 2024</li> <li>• Official Opening of ORE Catapult's Floating Wind Innovation Centre – 18 March 2024</li> <li>• P&amp;J 'Stooshie' Podcast – 18 March 2024</li> <li>• Chairs and Principal's Meeting + CPG Meeting – 19 March 2024</li> </ul>



**REGIONAL BOARD**  
**Meeting of 20 March 2024**

**REPORT BY COMMITTEE CHAIRS**

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

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

Members are asked to note the new Channel No. 8 within Regional Board Team space – Board and Committee Action Log where actions from all Board and Committee meetings, along with Action updates can be found.

<b>1</b>	<p>The following meetings have been held since the last meeting of the Regional Board:</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <tr style="background-color: #d3d3d3;"> <th style="width: 60%;"></th> <th style="width: 40%;"></th> </tr> <tr> <td>HR Committee</td> <td>31 January 2024</td> </tr> <tr> <td>Curriculum and Quality Committee</td> <td>14 February 2024</td> </tr> <tr> <td>Finance and Resource Committee</td> <td>21 February 2024</td> </tr> <tr> <td>Audit and Risk Committee</td> <td>23 February 2024</td> </tr> </table> <p>Copies of the draft minutes from the above meetings are available in the Minutes Channel of the Regional Board Team space.</p>			HR Committee	31 January 2024	Curriculum and Quality Committee	14 February 2024	Finance and Resource Committee	21 February 2024	Audit and Risk Committee	23 February 2024
HR Committee	31 January 2024										
Curriculum and Quality Committee	14 February 2024										
Finance and Resource Committee	21 February 2024										
Audit and Risk Committee	23 February 2024										

<b>2</b>	<p><b>HR Committee – 31 January 2024</b></p> <p><b>Summary of key business:</b></p> <ul style="list-style-type: none"> <li>Equal Pay Policy and Statement Annual Review</li> <li>People Services Enhancement Plan</li> <li>People Services Equalities Action Plan</li> <li>Learning and Development (Incl Libraries) Introduction</li> <li>National Collective Bargaining</li> <li>Voluntary Severance Scheme</li> </ul> <p><b>Agreed Actions:</b></p> <ul style="list-style-type: none"> <li>Internal Audits to be considered to support Employee Voice data.</li> <li>Consideration of Committee feedback to be included in new Action Plan for AY2024/25.</li> </ul>
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<b>3</b>	<p><b>Curriculum and Quality Committee – 14 February 2024</b></p> <p><b>Summary of key business:</b></p> <ul style="list-style-type: none"> <li>Overview of activity and credits position</li> <li>AY24/25 applications</li> <li>SFC Pathfinder projects</li> <li>Student Support Activity</li> <li>Students' Association Activity</li> <li>Quality Enhancement Initiatives</li> </ul> <p><b>Agreed Actions:</b></p>
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	<ul style="list-style-type: none"> <li>• Further drilling down of applications data, including HE, FE split and demographic details to be included (where possible).</li> <li>• Aberdeen City Council Demographic Report to be shared with Committee.</li> </ul>
<b>4</b>	<p><b>Finance and Resource Committee – 21 February 2024</b></p> <p><b>Summary of Key Business:</b></p> <ul style="list-style-type: none"> <li>• AY23/24 Budget update</li> <li>• AY24/25 Budget assumptions</li> <li>• ASET Financial Update</li> <li>• Opportunities Register</li> <li>• Environmental and Sustainability Report</li> <li>• Credits and Enrolments Update</li> <li>• Estate Strategy Annual Report</li> <li>• IT Strategy Annual Report</li> <li>• Procurement Annual Report</li> <li>• Nursery Provision at Fraserburgh</li> </ul> <p><b>Agreed Actions:</b></p> <ul style="list-style-type: none"> <li>• Detailed Budget plans to be presented to next Meeting (AY23/24 and AY24/25)</li> <li>• ASET Financial Information update to be provided to Regional Board.</li> <li>• ASET Chair to be invited to June Regional Board Meeting to present ASET Strategic Plan.</li> <li>• Opportunities and Strategic Risk Register to become standing Agenda items at Regional Board Meetings.</li> <li>• Clinterty: Update to be provided to Regional Board at March Meeting.</li> <li>• Nursery Provision: Update on preferred options for AY24/25 to be presented to next Committee.</li> </ul>
<b>5</b>	<p><b>Audit and Risk Committee – 23 February 2024</b></p> <p><b>Summary of Key Business:</b></p> <ul style="list-style-type: none"> <li>• Strategic Risk Register</li> <li>• Internal Audit Plan</li> <li>• Internal Audit Tender</li> <li>• External Audit Plan</li> </ul> <p><b>Agree Actions:</b></p> <ul style="list-style-type: none"> <li>• Amendments to SSR to be made for next meeting.</li> <li>• Internal Audit tender recommendation to be presented to March Regional Board.</li> <li>• External audit plan to be reviewed at next meeting.</li> </ul>



<b>REGIONAL BOARD</b> <b>Meeting of 20 March 2024</b>	
<b>Title:</b> Strategic Risk Register update	
<b>Author:</b> S Thompson, Vice Principal – Finance and Resources	<b>Contributor(s):</b> Leadership Team
<b>Type of Agenda Item:</b> For Decision <input type="checkbox"/> For Discussion <input type="checkbox"/> For Information <input checked="" type="checkbox"/> Reserved Item of Business <input type="checkbox"/>	
<b>Purpose:</b> To update the Board on the recommended updates to the strategic risk register.	
<b>Linked to Strategic Theme:</b> <b>5. Leading Sustainability</b>	
<b>Linked to Strategic Risk(s):</b> n/a	
<b>Executive Summary:</b> The attached strategic risk register was discussed and agreed by the College Leadership Team and the Audit & Risk Committee.	
<b>Main Points</b> <ul style="list-style-type: none"> <li>• Changes to the previous risk scores are highlighted in yellow.</li> <li>• No additional risk identified.</li> <li>• Risk mitigations are included for the changes and red risks.</li> <li>• Each risk is now owned by a member of the College Executive Team.</li> <li>• The College Leadership Team continue to review the strategic risk register once a month and incorporate any relevant changes.</li> <li>• The next review will include risk scoring guidance.</li> </ul>	
<b>Changes</b> The recommended changes are mainly increases to the risk scores resulting from the increased funding and financial challenges. The level of uncertainty has also increased. The following changes reflect that there is only minimal opportunity to increase or implement additional short term mitigations.	

- 1.1 Failure to deliver future skills needs of the region & contributing to regional and national economic growth
  - Current 4x4 from 3x4
  - Target 3x3 from 2x3
- 1.2 Financial pressures causing continued staff reductions negatively impacting on training provision; quality assurance; assessing,
  - Current 4x3 from 3x3
- 2.1 Unable to recruit, retain and develop appropriately qualified staff, adversely impacting on the learner experience, curriculum delivery and development
  - Current 4x3 from 3x3
- 5.1 Funding and increasing cost pressures will reduce the College's ability to achieve a balanced budget and challenge future sustainability
  - Current 5x5 from 5x4
- 5.2 If the College fails to achieve planned activity targets then the SFC may clawback funding increasing the financial sustainability challenge
  - Current 2x3 from 3x3
- 5.3 IF ASET do not grow at sufficient rates THEN gift aid will not meet budgeted levels.
  - Current 4x4 from 4x3

**Recommendation:** Note the changes to the risks and risk scores.

**Previous Committee Recommendation/Approval** (if applicable): n/a

**Equality Impact Assessment:**

**Positive Impact**

**Negative Impact**

**No Impact**

**Evidence:**

# NORTH EAST SCOTLAND COLLEGE STRATEGIC RISK REGISTER

Ref	Objectives and Risks	Risk Owner	Current Likelihood (1 - 5)	Current Impact (1 - 5)	Current Rating (max=25)	Target Likelihood (1 - 5)	Target Impact (1 - 5)	Target Total (max=25)
<b>1</b>	<b>Strategic Goal 1: Deliver high quality, accessible and inclusive learning and training opportunities, which transform lives and which support the economic and social development of our region. Risk Appetite - <span style="color: red;">Cautious</span></b>							
1.1	Failure to deliver future skills needs of the region & contributing to regional and national economic growth	VP C&Q	4	4	16	3	3	9
1.2	Financial pressures causing continued staff reductions negatively impacting on training provision; quality assurance; assessing.	VP C&Q	4	3	12	2	3	6
1.3	Financial pressures may cause reduced curriculum range, choice and opportunity to the region.	VP C&Q	4	3	12	2	3	6
<b>2</b>	<b>Strategic Goal 2: Develop the skills, talents and potential of all of the people who come to college either to learn or to work. Risk Appetite - <span style="color: red;">Cautious</span></b>							
2.1	Unable to recruit, retain and develop appropriately qualified staff, adversely impacting on the learner experience, curriculum delivery and development	Principal	4	3	12	2	2	4
2.2	If the College fails to adapt quickly and flexibly to changing demands, may not meet delivery targets for AY 2023-24	VP C&Q	4	4	16	2	2	4
2.3	If the college fails to improve attainment within identified areas of curriculum then fewer students will go on to positive destinations within work or HE.	VP C&Q	3	3	9	1	2	2
<b>3</b>	<b>Strategic Goal 3: Work with our partners to deliver positive and sustainable change for the individuals, communities and businesses in our region. Risk Appetite - <span style="color: red;">Open</span></b>							
3.1	If the College does not successfully engage with employers and other key stakeholders, THEN we will not be able to identify and meet their needs	VP C&Q	3	3	9	2	2	4
3.2	If the College does not work closely with Local Authorities and Schools, THEN effective learner pathways will not be delivered throughout the region	VP C&Q	3	3	9	1	3	3
3.3	If competitions between the College and University sector continues to intensify then FT HE student recruitment will be negatively impacted	VP C&Q	4	4	16	3	2	6
<b>4</b>	<b>Strategic Goal 4: Deliver an excellent learning environment and experience leading to successful outcomes for all learners. Risk Appetite - <span style="color: red;">Cautious</span></b>							
4.1	If the SFC fails to provide adequate funding for counsellors and other targeted health and wellbeing support then student outcomes and experiences will decline.	VP C&Q	3	4	12	2	3	6
4.2	IF student outcomes do not improve where required, then reputation and future student recruitment may be negatively impacted.	VP C&Q	3	3	9	2	3	6
4.3	Insufficient funding to maintain modern fit-for-purpose buildings, infrastructure and equipment negatively impacting the quality of the student experience	VP F&R	3	4	12	2	3	6
<b>5</b>	<b>Strategic Goal 5: Optimise the use of our available resources to deliver financial and environmental sustainability. Risk Appetite - <span style="color: red;">Averse</span></b>							
5.1	Funding and increasing cost pressures will reduce the College's ability to achieve a balanced budget and challenge future sustainability	VP F&R	5	5	25	3	4	12
5.2	If the College fails to achieve planned activity targets then the SFC may clawback funding increasing the financial sustainability challenge	VP C&Q	2	3	6	2	3	6
5.3	IF ASET do not grow at sufficient rates THEN gift aid will not meet budgeted levels.	VP F&R	4	4	16	3	2	6
<b>6</b>	<b>Other. Risk Appetite - <span style="color: red;">Averse</span></b>							
6.1	IF staff do not adhere to key statutory obligations and legislative requirements THEN the College may face significant financial penalties and/or reputational damage may occur	Principal	3	3	9	1	3	3
6.2	IF the College is the victim of a cyber attack THEN the College may experience IT systems outages and/or data security breaches, both resulting in significant business disruption	VP F&R	2	4	8	2	3	6
6.3	New Energy Transition Skills Hub does not meet the College or economic needs and is not financial sustainable	VP F&R	4	4	16	2	3	6

  PROPOSED SCORE CHANGES

**SCORES** 0-8 9-19 >19



## NORTH EAST SCOTLAND COLLEGE STRATEGIC RISK REGISTER

Ref	Objectives and Risks	Risk Owner	Current Likelihood (1 - 5)	Current Impact (1 - 5)	Current Rating (max=25)	Target Likelihood (1 - 5)	Target Impact (1 - 5)	Target Total (max=25)
1.1	Failure to deliver future skills needs of the region & contributing to regional and national economic growth	VP C&Q	4	4	16	2	3	6

### MITIGATIONS

- Engagement with SDS and industry partners
- Identification of NESCol Business Priorities - Curriculum, Participation in Regional Economic Strategy Group, ACC Socio Economic Rescue Plan, Regional Learning & Skills Partnership
- Planning and recommendations from Curriculum Quality & Student Support Committees
- Campus Futures group aligning planning and facility requirements
- Improved market intelligence and data sharing with partners
- Ongoing industry-informed curriculum planning process
- New high-level Stakeholder Engagement Plan
- Continuation of Business Priorities work - Curriculum Area Recovery Plans, Course Discontinuance Criteria
- College approach to part time and distance learning to be reviewed as part of the BCD review
- Work of NESA and other college-partnerships to shape key demand areas.
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## NORTH EAST SCOTLAND COLLEGE STRATEGIC RISK REGISTER

Ref	Objectives and Risks	Risk Owner	Current Likelihood (1 - 5)	Current Impact (1 - 5)	Current Rating (max=25)	Target Likelihood (1 - 5)	Target Impact (1 - 5)	Target Total (max=25)
1.2	Financial pressures causing continued staff reductions negatively impacting on training provision; quality assurance; assessing.	VP C&Q	4	3	12	2	3	6

### MITIGATIONS

- Planning and recommendations from Curriculum Quality & Student Support Committees
- Monitor & review the Finance Strategy
- Scenario planning in partnership with L&D and People Services Teams to support workforce planning
- Horizon scanning and futures strategising
- Ongoing curriculum portfolio review - increased flexibility, upskilling & retraining opportunities
- External engagement activities to ensure staff
- Creation of new Curriculum Strategy to shape future delivery models
- Review of student records and associated systems and process to enhance efficiency and reduce manual processing
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## NORTH EAST SCOTLAND COLLEGE STRATEGIC RISK REGISTER

Ref	Objectives and Risks	Risk Owner	Current Likelihood (1 - 5)	Current Impact (1 - 5)	Current Rating (max=25)	Target Likelihood (1 - 5)	Target Impact (1 - 5)	Target Total (max=25)
2.1	Unable to recruit, retain and develop appropriately qualified staff, adversely impacting on the learner experience, curriculum delivery and development	Principal	4	3	12	2	2	4

### MITIGATIONS

- Review & monitor People Strategy
- Recruitment & Selection Policy, Strategy & Procedure
- Induction arrangements continually reviewed and enhanced
- Organisational Development and Learning Technologies activities
- Implement refreshed approach to organisational development,
- Continue to promote College successes through proactive marketing and PR campaigns to increase attractiveness to employers,
- Refreshed approaches to Workforce Planning and Talent Management.
- Closer co-ordination in business planning processes to target resources and improve staff utilisation
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## NORTH EAST SCOTLAND COLLEGE STRATEGIC RISK REGISTER

Ref	Objectives and Risks	Risk Owner	Current Likelihood (1 - 5)	Current Impact (1 - 5)	Current Rating (max=25)	Target Likelihood (1 - 5)	Target Impact (1 - 5)	Target Total (max=25)
5.1	Funding and increasing cost pressures will reduce the College's ability to achieve a balanced budget and challenge future sustainability	VP F&R	5	5	25	3	4	12

### MITIGATIONS

-	Monitor & review the Finance Strategy
-	Agree annual budget & longer term planning with Leadership Team & Board
-	Review & report on financial performance to the Leadership Team & Board
-	Work with CPG, College Scotland & SFC to lobby for additional sector funding
-	Communicate significant financial challenges to Leadership Team, staff & students
-	Agree plan to grow non SFC income & reduce costs
-	Review & monitor workforce planning
-	All staffing changes reviewed & approved by the Executive Team
-	Cost modelling of curriculum delivery
-	Monitor & update income generation opportunity register
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## NORTH EAST SCOTLAND COLLEGE STRATEGIC RISK REGISTER

Ref	Objectives and Risks	Risk Owner	Current Likelihood (1 - 5)	Current Impact (1 - 5)	Current Rating (max=25)	Target Likelihood (1 - 5)	Target Impact (1 - 5)	Target Total (max=25)
5.3	IF ASET do not grow at sufficient rates THEN gift aid will not meet budgeted levels.	VP F&R	4	4	16	3	2	6

### MITIGATIONS

- VP Finance & Resources appointed as ASET Director
- Review & update the MOU & Articles of Association
- Board to approve new ASET chair
- Review & monitor ASET Business Strategy
- Encourage exploring new markets
- Review & monitor ASET financial performance
- Report ASET financial performance to the Executive Team & Board
- Board approve all expenditure over £25,000
- Agree cost recharges for use of College facilities & services
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REGIONAL BOARD	
Meeting of 20 March 2024	
<b>Title:</b> PREVENT update	
<b>Author:</b> Alesia du Plessis (Associate Vice Principal Curriculum and Student Experience)	<b>Contributor(s):</b>
<b>Type of Agenda Item:</b>	
<b>For Decision</b>	<input type="checkbox"/>
<b>For Discussion</b>	<input type="checkbox"/>
<b>For Information</b>	<input checked="" type="checkbox"/>
<b>Reserved Item of Business</b>	<input type="checkbox"/>
<b>Purpose:</b> To provide the Regional Board with information on work undertaken in the College to meet its responsibilities regarding the Prevent Duty.	
<b>Linked to Strategic Theme:</b>	
1. Being Agile and Responsive	
<b>Linked to Strategic Risk(s):</b>	
6.1 If staff do not adhere to key statutory obligations and legislative requirements then the College may face significant financial penalties and/or reputational damage may occur.	
<b>Executive Summary:</b>	
This update sets out the background, prevent duty guidance, the College's approach and the current position, and provides a Position Statement as at March 2023 on context, external speakers and events, leadership, staff training, safety online, welfare and pastoral care, monitoring and enforcement and continuing actions.	
<b>Recommendation:</b> It is recommended that the Committee note the content of this update.	
<b>Previous Committee Recommendation/Approval</b> (if applicable):	
<b>Equality Impact Assessment:</b>	
<b>Positive Impact</b>	<input checked="" type="checkbox"/>

**Negative Impact**

**No Impact**

**Evidence:** As per Safeguarding EIA.



## **The Prevent Duty**

### **Introduction**

The Counter-Terrorism and Security Act (CTSA) 2015 placed a legal requirement upon North East Scotland College to "have due regard to the need to prevent people from being drawn into terrorism", which became effective on 21 September 2015. This is known as 'the Prevent Duty'.

The purpose of this report is to provide information to the Regional Board on work undertaken by the College to meet its responsibilities relating to the Prevent Duty.

### **Background**

The College has well-established arrangements, which have been reported to and considered by the Regional Board.

Information was first provided to the Regional Board at a meeting in December 2014, where Police Scotland provided a presentation on 'CONTEST', the Government's counter-terrorism strategy.

There are 4 strands to CONTEST, these are:

1. PREVENT - to stop people becoming terrorists or supporting violent extremism;
2. PURSUE - to stop terrorist attacks through disruption, investigation and detection;
3. PREPARE - where an attack cannot be stopped, to mitigate its impact;
4. PROTECT - to strengthen against terrorist attack, including borders, utilities, transport infrastructure and crowded places.

CONTEST delivery groups have been established across Scotland on the basis of one group for each division of Police Scotland. Organisations participating in these groups include: colleges, universities, NHS Boards, local authorities, Police Scotland, Scottish Fire and Rescue Service and Scottish Prison Service.

The College is a member of the CONTEST group for North East Scotland, which encompasses the areas of Aberdeen City, Aberdeenshire and Moray Councils. The CONTEST group meets quarterly; meetings are chaired and facilitated by Police Scotland. Vice Principal Finance and Resources represents NESCol on the local CONEST group.

### **Prevent Duty Guidance**

The Scottish Government issued guidance in March 2015 that is to be followed by public authorities that fall within the scope of the Act.

There are general duties which apply to each public authority including:

1. having mechanisms for understanding the risk of radicalisation;
2. ensuring staff understand the risk and building the capabilities to deal with it;
3. communicating and promoting the importance of the duty;
4. ensuring staff implement the duty effectively;
5. linking in to the single national strategic lead for Prevent in the sector, institution or organisation;
6. demonstrating evidence of productive co-operation in local CONTEST and Prevent delivery arrangements;
7. providing frontline staff who engage with the public with an understanding of what radicalisation means and why people may be vulnerable to it;
8. informing staff of the measures that are available to prevent people from becoming drawn into terrorism and how to access support for people who may be being exploited by radicalising influences;
9. providing appropriate training for staff involved in the implementation of the Prevent Duty.

The Scottish Government has provided guidance on the specific duties placed upon colleges. These duties are summarised under the headings of:

1. external speakers and events;
2. leadership;
3. staff training;
4. safety on-line;
5. welfare and pastoral care; and
6. monitoring and enforcement.

A statement of the actions taken by the College to fulfil these specific duties is given at the end of this document.

Police Scotland has confirmed to the College that we are seen as an exemplar of good practice in addressing both general and specific Prevent duties;

### **The College's Approach**

The College has shared its policies, procedures, self-assessment materials and position statement on radicalisation with members of CONTEST groups. Close co-operation between public authorities has been a feature of the work of the CONTEST groups.

The College's approach is based on treating 'radicalisation' as a 'vulnerability' and embedding the Prevent Duty in day-to-day operations as part of 'safeguarding' procedures, which are in place to protect young people and vulnerable adults.

Information has been provided to the Regional Board at previous meetings on the actions taken by the College to ensure compliance with the Prevent Duty and demonstrate that best-practice guidelines were being followed.

### **Current Position**

In Scotland, Prevent delivery is overseen and supported by the Safeguarding and Vulnerability Team (SVT) at the Scottish Government. The College has a role to play in building resilience against being drawn into extremism and terrorism at a local level and in helping to safeguard individuals vulnerable to radicalisation. To ensure the review of delivery in Scotland effectively, identifying areas of good practice and providing the opportunity for targeted support and continuous improvement across sectors, the SVT have developed a renewed Prevent assurance process for all statutory sectors in Scotland in conjunction with strategic sector leads and in agreement with the Home Office. This is to allow them to:

- Empower sectors and increase confidence in delivery
- Improve understanding of the local and national Prevent landscape in Scotland
- Improve feedback to sectors
- Provide improved and targeted support to sectors
- Improve SG and HO senior oversight and understanding of Prevent delivery
- Improve Prevent delivery in Scotland

The College has completed the self-assessment tool based on the key principles of the Prevent Duty Guidance as part of preparation for completing the Prevent Annual Assurance Return (PAAR). This has been shared through the Multi-Agency PREVENT Delivery Group attended by the Associate Vice Principal Curriculum and Student Experience, who is also the College's Single Point of Contact (SPOC) for Prevent.

The College's policies and procedures in relation to the Prevent Duty have been reviewed and updated (minor changes have been made, which reflect changes in staffing structures and responsibilities).

In the past year, the College has not been involved in any PREVENT cases.

### **Recommendation**

It is recommended that the Regional Board note the information provided in this report.

Alesia du Plessis

Associate Vice Principal: Curriculum and Student Experience

## **Prevent Duty: Position Statement – March 2024**

### **Context**

- Scottish Government guidance on the Prevent duty for further education colleges was issued on 21 September 2015. These guidance documents were updated on 10 April 2019, 21 April 2021 and again 31 December 2023; college policies and processes reviewed to ensure alignment.
- This document measures progress and recent development in the areas noted in the guidance.

### **External Speakers and Events**

- Procedure for approval of ‘external speakers’ is available to all staff via COLin and now includes virtual as well as on campus visits – anyone booking a campus space via COLin is requested to confirm the completion and approval of this form as part of the booking process.
- Procedures for approval of letting College premises are available via COLin.
- Terms of an information sharing protocol relating to Prevent have been agreed with Police Scotland, signing version awaited from Police Scotland – there has been some delay in this due to COVID but now being revisited.

### **Leadership**

- The Regional Board has received briefings on Contest and the Prevent Duty.
- Senior manager appointed as point of contact (Associate Vice Principal Curriculum and Student Experience).
- College Prevent Group established to co-ordinate arrangements within the College (Vice Principal Finance, Associate Vice Principal Curriculum and Student Experience, Learning and Information Manager).
- ASET Chief Executive briefed and ASET has implemented variant of College action plan.
- SPOC attends Regional Multi-Agency PREVENT group comprising SPOCs from all public bodies and universities.
- The Associate Vice Principal Curriculum and Student Experience and Head of Student Support and Engagement attends the College Development Network (CDN) Safeguarding Forum – regular updates from sector Prevent lead.

### **Staff Training**

- All new staff provided with Prevent training during induction – this is now an online module. Refresher training also available – working with Learning and Information Manager on including this in annual training schedules.
- All staff required to undergo Safeguarding training and complete a refresher every 3 years – Prevent is managed day-to-day via established Safeguarding mechanisms.
- Training materials currently under review and update to reflecting changing nature of threats e.g. increasing prominence of right-wing extremism.
- Mandatory PREVENT update rolled out in AY23/24.

### Safety online

- Acceptable Use Policies for students and staff address the 'Prevent Duty'. This was updated in October 2022 and is due for review April 2025.
- IT systems require users to confirm agreement to relevant Acceptable Use Policy. Summary version has been developed and made more visible to users.
- Web filtering software operates to prevent access to inappropriate content (as defined in Acceptable Use Policies).
- Audit log of attempts to access blocked sites reviewed by the Safeguarding Team in collaboration with People Services and IT teams.

### Welfare and pastoral care

- Statement on radicalisation has been adopted.
- Academic Tutors and Students Advice and Support team provide front line advice and pastoral support.
- "Report and Support" online support and safeguarding system enables easier direct, and now anonymous, referral – picked up almost instantly by Safeguarding team.
- Contemplation Rooms have been refurbished at all campuses and are overseen by the Student Engagement and Wellbeing Manager.
- Safeguarding policies and procedures were reviewed and updated in March 2023.
- Referral process has been established with Police Scotland.

### Monitoring and enforcement

- NESCol actions benchmarked using self-assessment toolkits.
- Grampian multi-agency Prevent Delivery Group established (NHS Grampian leading on this) and endorsed by local Community Planning Partnerships and the Grampian Local Resilience Partnership – attended by NESCol SPOC.
- NESCol SPOC has signed up to Prevent Scotland Knowledge Hub forum.

### Actions

- Continue to review arrangements against Prevent self-assessment toolkits.
- Continue to review Counter Terrorism Protective Security Advice self-assessment.
- Continue programme of staff training, updating materials as required
- Continue to reinforce safeguarding and safety advice to students and staff.
- Information Sharing Protocol relating to Prevent to be signed (final version to come from Police Scotland).



REGIONAL BOARD	
Meeting of 20 March 2024	
<b>Title:</b> College Level Enhancement Plan – Interim Review	
<b>Author:</b> Leadership Team Members	<b>Contributor(s):</b> Leadership Team Members
<b>Type of Agenda Item:</b> For Decision <input type="checkbox"/> For Discussion <input type="checkbox"/> For Information <input checked="" type="checkbox"/> Reserved Item of Business <input type="checkbox"/>	
<b>Purpose:</b> To enable the Regional Board to consider the College’s interim update on the progress made against areas for development in the College’s AY 2023-24 enhancement plan.	
<b>Linked to Strategic Theme:</b> <b>4. Delivering Excellence and Innovation</b>	
<b>Linked to Strategic Risk(s):</b>  <p>The current Quality Framework, '<u>How good is our college?</u>', is designed to support and enable colleges to evaluate the quality of provision and services alongside reporting on progress in relation to Regional Outcome Agreements (ROA). The Framework is structured around four high-level principles - Leadership and Quality Culture, Delivery of Learning and Services to Support Learning, Outcomes and Impact, and Capacity for Improvement. The Framework provides a structure for evaluation and enhancement, and allows colleges to identify what is working well and what needs to improve.</p> <p>The College was required to provide the Scottish Funding Council with a factual report, to be submitted with our AY 2023-24 Outcome Agreement (OA) that comprised of up to six pages of self-evaluation against the commitments we made in the OA. The report was not published and institutions were encouraged to reflect on how well the commitments were delivered, to identify highlights and challenges from AY 2022-23 and to identify any areas for improvement and consider outcomes for all learners. Colleges were required to report</p>	

on the impact that the COVID-19 pandemic, the ongoing recovery, and the current economic pressure has had on achievement of these milestones and commitments.

The Enhancement Plan contains areas for development and actions for improvement, which address all aspects of the Quality Framework.

The College identified 19 areas for development across the AY 2022-23 SFC's Outcome and Impact Framework outlined in the College Level Enhancement Plan. The enhancement plan contains reference to progress against key aspects of the Regional Outcome Agreement commitments, Strategic and Equalities Outcomes.

**Recommendation:**

It is recommended that the Regional Board note the progress to date on the interim review of the College Level Enhancement Plan.

**Previous Committee Recommendation/Approval (if applicable):**

N/A

**Equality Impact Assessment:**

**Positive Impact**     

**Negative Impact**     

**No Impact**     

**Evidence**

NORTH EAST  
SCOTLAND  
COLLEGE



COLLEGE LEVEL

EVALUATIVE REPORT

AY 2022-23

& AY 2023-24 ENHANCEMENT PLAN





## introduction

North East Scotland College (NESCol) is committed to continuous quality improvement. The College recognises that the management of quality is the shared responsibility of every member of staff, with quality improvement processes supported by the collaborative working of cross-College teams. The College serves an extensive geographical area, with three main campuses – two in Aberdeen and one in Fraserburgh and a presence in regional centres.

This report fulfils the SFC requirement of college reporting on qualitative and quantitative progress, including specific reference to published milestones and commitments made in the AY 2022-23 Outcome Agreement. The report evaluates the impact that the COVID-19 pandemic, the ongoing recovery, and what the current economic pressure has had on achievement of these milestones and commitments. Areas for improvement identified are outlined in the College's enhancement plan, which is added as an appendix to this report.



# OUTCOMES *for* STUDENTS

## FAIR ACCESS AND TRANSITIONS

The approach implemented for care experienced students in AY 2021-22 was extended to student carers and estranged students thus removed barriers from students belonging to these groups. The number of students declaring to be care-experienced reduced overall in 2022-23 especially in HE. There is no obvious reason for this, although the quality of data collected is improving, so the actual number of students declaring to be care experienced is more accurate. The increase in the amount of Student Support Funds available to full-time care experienced students enabled more to come to college and complete their course.

Removing barriers to course applications and continuing to build relationships with Local Authority schools ensured that students from SIMD10 gained a place at NESCol and continued to have a positive impact. This extended NESCol's reach in the most deprived areas in the region, raising aspirations and helping those students to contribute to the economic growth of the region.

Demand from senior phase age pupils rose significantly in 2022-23. The removal of COVID-19 restrictions, and expanded on campus activity contributed greatly to this.

### **Refer to Core National Measures Table 1 – (Refer to table 1 - appendix 1)**

NESCol delivered 129,566 credits against an overall target of 128,812, however the Foundation Apprenticeships (FA) target of 2,313 credits was not achieved, due to lack of demand and competition from Local Authorities also offering FAs within schools.

- The percentage of credits delivered to SIMD10 continues to rise.
- The percentage of credits delivered to care experienced students decreased this year, however the number of FE students in receipt of care experienced Bursary has increased.
- DYW Senior phase age pupils significantly increased significantly. The removal of COVID-19 restrictions and increased on campus attendance has supported this.
- Articulation - no data for 2022-23 available.

## HIGH QUALITY LEARNING, TEACHING AND SUPPORT

On the whole, academic session 2022-23 was much more aligned with pre-COVID delivery as there were no longer requirements to restrict class sizes or the enhanced level of blended learning. Whilst this was positive and provided opportunity for reflection on the best mode of delivery to support positive student outcomes, the legacy impact of 'lost learning' was still very prevalent. Following review of student outcomes, lower level courses, particularly SCQF 4 or comparable, were timetabled to be on campus more regularly if not full time, and some HN groups which were fully online were timetabled to be on campus at least one day per week. Many teams planned dedicated transition events to try to combat this issue and identify early on, any additional support that may be required. This worked particularly well in the Sports team in City Campus where student outcomes reflect the success of the progress. This will be replicated in other areas following sharing of good practice with other teams.

The College continues to receive high levels of satisfaction as reflected in the outcomes of the College's Student Satisfaction and Engagement Survey. The participation rates increased from the previous year for both FE (8.3%) and HE (1.8%) students with both student categories achieving a high level of satisfaction, 96.7% for FE and 91.0% for HE. The response rate was significantly higher than the sector average for both FE (14.4%) and HE (20.4%), and the satisfaction rate for both FE (2.1%) and HE (0.9%) were higher than the sector average. ***(Refer to table 3 appendix - 1)***





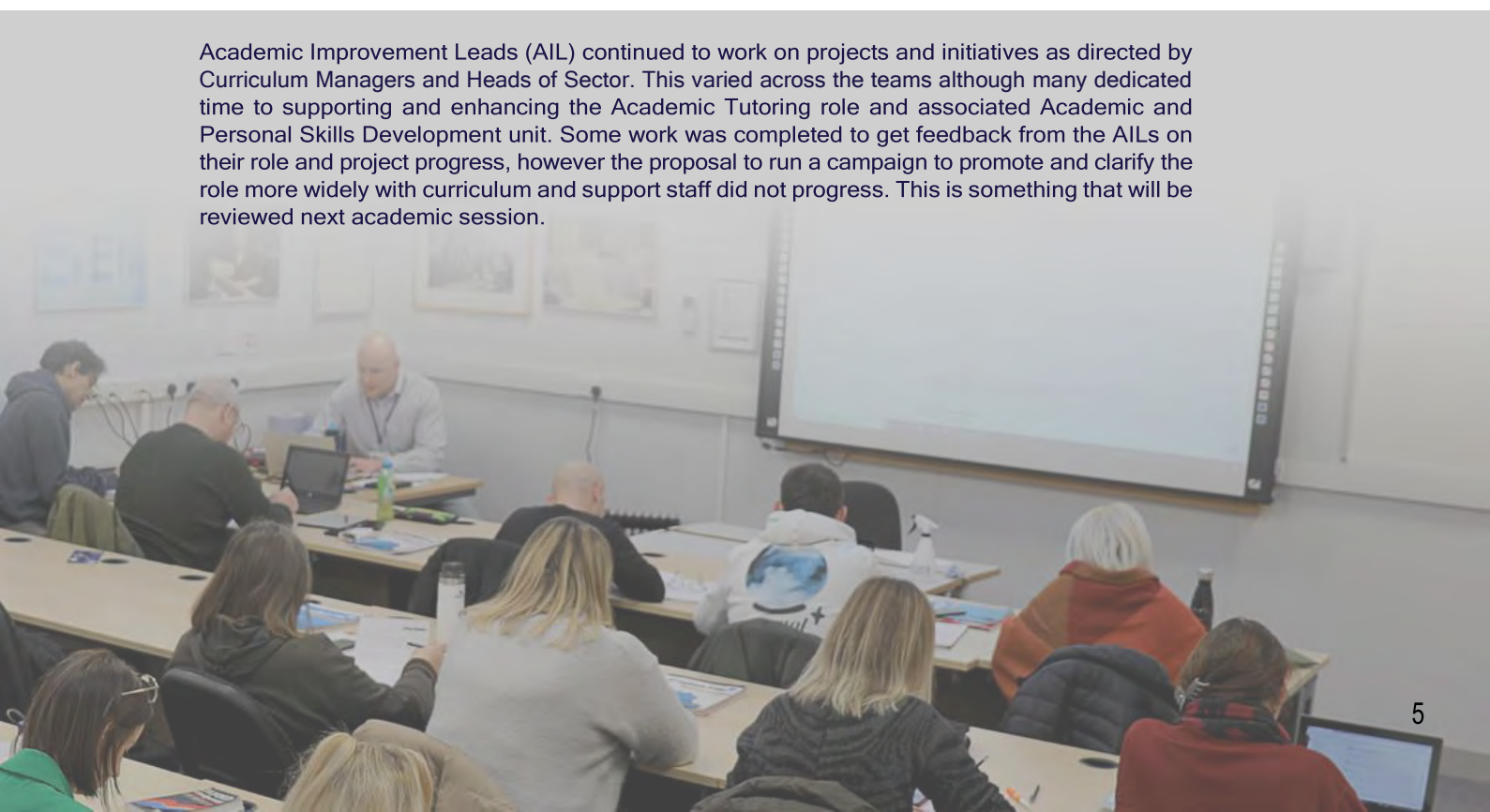
The Spotlight Review initiative was launched in October 2022 and was delivered in three stages. Associate Vice Principals worked with Heads of Sector to identify the curriculum teams that required focused support and intervention, to address particular areas of concern where outcomes have been persistently poor. Courses in Hair, Beauty, Sport, Uniformed Services, Hospitality, Social Sciences, Childcare, Engineering, Construction, Computing and Business Professions were selected and Curriculum Managers led the reviews with support from Associate Vice Principals, Heads of Sector, Quality and Student Support teams. Meetings will be held in September 2023 to review progress of the reviews and to decide which ones can be closed off, with actions included in team enhancement plans, and which ones will need to continue, progressing to phase 2 of the process. Guidance and information on the process was made available to all staff via the staff intranet. Quality assurance and enhancement activities were aligned with the Spotlight Reviews to focus on supporting those teams through lesson observations, focus groups and internal audits.

The Learning Technologies team continued to run regular webinars and training sessions whilst also working directly with some curriculum teams to upskill staff and explore new technologies and tools to enhance the learning experience. This work will continue, especially related to the move to a new VLE in AY 2024-25.

Numbers of FT HE enrolments continued to decline, influenced by increased access to university places and reduced success in FE courses resulting in fewer progressing students. There is still a small selection of student outcomes to be processed, however complete success for FT HE has improved by 1.72% to 66.40% whilst complete success for FT FE has improved by 6.62% to 63.50%. The main factor in this improvement has been the focus on improving partial success particularly for FT FE learners, which has decreased by 6.57% to 13.30%. Partial success rates was the main improvement point highlighted as part of the Education Scotland Progress Visit in March 2023 and featured heavily as part of the Spotlight Review process as well as in team enhancement plans. Student outcomes for PT courses unfortunately did not show the same levels of improvement. For PT FE complete success remained consistent with the previous year with a slight increase of 0.32% to 87.83% and for PT HE there was a more significant decrease of 7.61% to 75.06%. A significant contributing factor to the decrease is the Routes to Higher course which has now been removed from the portfolio following a declining trend in success.

**(Refer to table 3 - appendix 1)**

Academic Improvement Leads (AIL) continued to work on projects and initiatives as directed by Curriculum Managers and Heads of Sector. This varied across the teams although many dedicated time to supporting and enhancing the Academic Tutoring role and associated Academic and Personal Skills Development unit. Some work was completed to get feedback from the AILs on their role and project progress, however the proposal to run a campaign to promote and clarify the role more widely with curriculum and support staff did not progress. This is something that will be reviewed next academic session.



## PARTNERSHIP, PARTICIPATION AND STUDENT EXPERIENCE

The College continues to work in partnership with the Students' Association to offer a range of mechanisms to support effective student partnership. As outlined in the Student Partnership Agreement, the priority projects are delivered by a lead from the Student's Association and a lead from NESCol, with regular updates on progress provided at the Student Engagement Action Group (SEAG). One of these projects is The Student Pantry. The City and Fraserburgh Campuses Student Pantries launched in December 2022 with Altens Campus following shortly after in February 2023. Each pantry was stocked with a variety of ambient food items and toiletries which were purchased via the NESCol Students' Association budget.

Free period products, condoms and oral hygiene items were provided by NHS Public Health and donations were accepted from the public, members of staff and local businesses. As of July 2023, 2270 items were distributed to students including tinned and jarred foods, cupboard items and toiletry items. In addition to The Student Pantry, to further support with the cost of living crises, partnership with Community Food Initiatives North East (CFINE) at City Campus resulted in the launch of the Pop Up Pantry where over 314kg of fresh fruit and vegetables were made available to staff and students. The Students' Association also aim to replicate this at Fraserburgh and Altens Campuses.

Free Student Breakfasts, another major initiative for AY 2022-23 were launched on 5 December 2023 at all three main campuses in partnership with the catering company Inspire who provided the service at cost price. For an hour each morning students were able to help themselves to free tea, toast and porridge. By the end of the academic session, 3085 free breakfasts were provided and the initiative was expanded to also cover the College's Scottish Maritime Academy with the provision of breakfast bars and instant porridge pots. This successful initiative will continue in AY 2023-24.

Opportunities for students to take responsibility for their learning and contribute to a successful learning and teaching experience, as well as providing feedback to influence change took place through class rep meetings, Course Committee Meetings, Peer Led Reviews as well as feedback shared through the Students' Association. The College continues to work closely in partnership with sparqs and NUS Scotland who support the training and induction of sabbatical officers and class reps.





A total of 450 students elected to represent their classes in the Students' Association in 2022-23. Class Reps were invited to take part in online and in person training with sparqs and 81 students completed the training. The format of monthly meetings was altered to be more conversational rather than overly formal. In addition, various food items were offered at the meetings which created an incentive for attendance. For the next academic session there will be an enhanced certification system so class reps can be recognised for their level of contribution.

A big success was the increased engagement at Altens Campus with consistent attendance of 4-6 class reps at each meeting. Previously there was little to no attendance. City Campus had 15-25 class reps in attendance and Fraserburgh Campus had 6-12 class reps in attendance. These figures now provide a good baseline from which to further increase engagement to ensure good representation of the student voice. Following a series of consultation activities with students, staff and stakeholders, work was completed on the Students' Association Strategy and this was approved by the Regional Board in June 2023.



# learning with impact

The Student Advice and Support Team continued to offer support in AY 2022-23 with a series of events delivered to support transitions. UCAS & Transitions Week took place between 7th and 11th November 2022. In person sessions were offered at all campuses. Whilst there was a decrease in participation by 2.62% with 223 students participating in the event, there was good representation from local and national organisations like The Robert Gordon University, University of Aberdeen, Student Awards Agency Scotland (SAAS) and Skills Development Scotland (SDS). Student feedback was very positive with the event scoring 4.6 out of 5 in the post-event survey. NESCol's Higher National student number was down by approximately 15% in 2022, which may have been the reason for the decrease in participation. It should be noted that in 2022-23, enhanced partnership working with local universities made opportunities to plan transitions much easier for students. Weekly drop-in sessions with local universities were available on campus, which may also have reduced participation in the college event due to the support already in place.

The Head of Planning and Academic Partnerships worked very closely with university partners, in particular The Robert Gordon University as part of SFC Pathfinder projects. There was effective planning of subject level review meetings to support collaborative working on articulation arrangements and transition activities, and new articulation agreements were signed off with the inclusion of HN Next Gen courses for the first time. Work is ongoing with a focus on new learner pathways and opportunities to enhance the student experience when progressing to Higher Education. This includes development of integrated teaching opportunities for HN students, working with RGU's admissions team to sign post to NESCol and analysis of attrition data combined with a student leaver survey to promote either reverse articulation or support to another positive destination such as a college course or employment.

Employability, Enterprise and Careers Month took place in March 2023 which was another core transition support event. A return to face to face Careers Fairs proved very popular with students, staff and stakeholders alike. Each campus delivered its own Careers Fair and uptake was very good, with the highest engagement at Altens Campus where timetabled slots were given to Academic Staff. This allowed for a steady stream of students to attend the event. Sadly, the City Campus event had to be rescheduled due to unexpected facilities issues caused by adverse weather. The rescheduling meant that a large number of employers had to withdraw from the rescheduled date due to other commitments. This negatively impacted the range of employers and industries attending at City Campus, however it is estimated that at least 300 students attended across the events offered and the success is reflected in the feedback score of 4.36/5 from the post event survey which was completed by 147 participants.

NESCol had a slightly higher percentage of College leavers in AY2020-21 compared to the sector, with 31.9% leavers for SCQF levels 1-6 compared to 29.5% at sector level, and a significantly higher percentage of leavers, 87.7%, for SCQF levels 7+ compared to 68.4% at sector level. For SCQF levels 7+ leaver data was a lower percentage with 36.3% going into work compared to 40.6% at sector level. 58.6% of NESCol's students progressed to HEI study compared to 51.5% at sector level, and those listed as unemployed were below the sector level by 2.2%. The data at SCQF levels 1-6, of those leavers, NESCol data demonstrates a buoyant employment market with those going into work at 70.0% compared to 59.7% at sector level, and for those listed as unemployed only 8.9% compared to 12.8% at sector level. There is less of a contrast between NESCol and sector data for HIE progression compared to AY2020-21. NESCol has seen a decrease in progression rates at 14.1% compared to 16.5% in AY2020-21, but the sector level has maintained a similar progression rate from 19.8% in AY2020-21 to 18.4%.  
**(Refer to images 1 & 2 - appendix 1)**



# equalities and inclusion

In AY 2022-23 the College continued to make good progress in developing its priority equality outcomes and provided a through update on progress made in The Public Sector Equality Duty Report (2023 Interim Report) published in April 2023. Good progress was made in addressing the attainment gap for those students with a declared disability with 5.1% more full-time students successfully completing their course in 2022-23 compared to the previous year.

The College Equalities Committee considered the outcomes of the SFC's "Tackling Persistent Inequalities" report and took steps to consider how these issues could be actioned. Many of these national equality outcomes aligned with existing College priorities, such as those to improve outcomes for young students, to ensure all students feel safe and supported and those to help address retention and attainment within disabled populations. Dedicated initiatives to address these actions were tackled via the work of the Equalities committee and via the College Spotlight review process.

The College Respect subgroup co-ordinated activity on the selected themes for the year. These were sustainability; anti-racism and celebrating neurodiversity. A range of activities and materials were developed to promote the themes.

The College continued to be very proactive in addressing digital poverty with 237 loan laptops and 103 dongles issued to support digital access out with College on top of the 774 devices issued to support the annual College Bring Your Own Device (BYOD) scheme. Additional funding through Connecting Scotland also allowed investment in 117 iPads and 4G dongles to assist those struggling with internet access. These actions helped to ensure equality of access to learning for all students.

College staff in curriculum, community and support teams worked closely with a range of external partners to support integration and opportunity for refugees and asylum seekers arriving in the region. In AY 2022-23 the College delivered ESOL training to over 900 Ukrainian refugees and further work was carried out to support unaccompanied school-age refugees and asylum seekers.





# economic recovery *and* social renewal

## RESPONSIVE INSTITUTIONS/ FAIR WORK

NESCol sought to continue the Foyer Families projects delivered through the strong partnership with Aberdeen Foyer and additional funding from Tackling Child Poverty. This funding enabled five cohorts to be delivered across the academic year with Tackling Child Poverty specifically enabling two cohorts with 27 candidates benefitting from the training.

NESCol's Project Search programme helped 11 candidates with learning difficulties to access new employability opportunities in a variety of internships with some having since secured permanent employment. The programme brings together resources from University of Aberdeen, NESCol, Values Into Action Scotland (VIAS), Aberdeenshire Council and Aberdeen City Council and demonstrates an impressive 68% success rates of Project Search graduates securing long terms employment for candidates with a disability. This is nearly 10 times the average employment rate for those with a learning disability who do not enter any type of post-school programme. Since the programme began, nearly 80 young people have achieved employment in a variety of organisations across the North-East of Scotland.

NESCol's Flexible Workforce Development Funding (FWDF) was cut by approximately 40% despite being almost fully allocated in AY 2021-22 and its announcement was delayed by six months until January 2023. Despite this, employer demand saw the fund fully allocated within a matter of weeks and the majority of delivery complete within the academic year. In total, NESCol secured FWDF contractual activity to the value of £1.136m which included an additional £72k as a result of unmet demand. Almost 3,000 employed candidates were upskilled as a result of this funding in AY 2022-23.



Modern Apprenticeship training is where NESCol has seen a marked increase in activity with demand far exceeding the initial 151 contract places NESCol was initially awarded by SDS in April 2023. This was subsequently increased to 204 places with 138 expected to be filled in Engineering alone. This has placed significant pressure on academic teams who support the first three years of the apprenticeship journey, but we recognise the essential role that apprentices play in the current and future economic landscape in our region.

National Energy Skills Accelerator (NESA) and Energy Transition Zone (ETZ) activity continue to grow with pathfinder funding creating funded places for candidates interested in pursuing renewables opportunities, providing NESCol with approximately £280k of new income. NESCol continues to support and work closely with both bodies in a strategic and operational sense to ensure the maximum mutual benefit.

People Services carried out an all staff survey in June/July 2023 to try to determine if and why there are different reasons for men and women working different modes of working patterns, e.g. full-time, part-time or term-time. The survey sought feedback on different jobs at different levels and if there were any perceived barriers to progressing to different types and levels of posts. The results of the survey are currently being analysed.

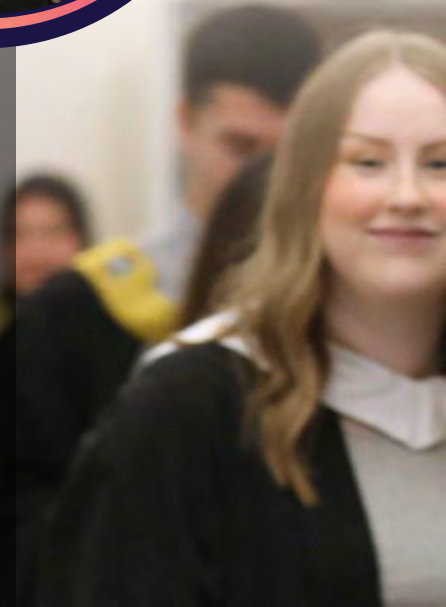


## CONFIDENT AND HIGHLY CAPABLE WORK-READY - GRADUATES

NESCol are acutely aware that technological, societal and environmental innovations and disruptions are rapidly transforming a wide range of industries across the world. These changes are being felt particularly within the North East of Scotland where a combination of Brexit, COVID and the increasingly urgent need to transition our society away from oil and gas to green and renewable sources is fundamentally changing the economic and social landscape.

NESCol understands the importance of delivering a curriculum that is employer-informed and explicitly designed to address the unique needs and skills demands of the region, ensuring a pipeline of high quality, technically skilled graduates, who possess a broad schema of essential knowledge and understanding. One of the defining characteristics of the student experience at North East Scotland College is the way that qualifications are designed and delivered to place the development of essential domain, core and higher-order “meta” skills front and centre.

The provision of effective careers guidance is a key priority of the NESCol curriculum and academic teams worked closely with professional support colleagues and partners from organisations including the Students’ Association, DYW NE and SDS to embed effective careers-related activities into day-to-day learning and teaching and wider student life.





All qualifications at NESCol are designed with substantial employer input and industry insight, and are shaped further via close partnership work with our students. By engaging directly and working closely with key regional stakeholders the College ensured that all students were provided with opportunities to develop their work-readiness via regular access to work-placement, work-experience, simulated industry environments and practical hands-on learning using industry-standard equipment and resources. We believe strongly in the vital role of hands-on learning, and the value provided by expert direct instruction and time spent engaged in deliberate practice enabled via placement and on-campus attendance. This philosophy has strengthened following the COVID-19 pandemic and associated campus/workplace lockdowns where the lack of access to campuses, peers, college staff and the workplaces has had a detrimental impact on the student experience.

NESCol has been at the leading edge of digital learning within the College Sector for over 10 years. Because of this early commitment to digital learning NESCol was particularly well placed to respond to the pressures of the COVID pandemic. Through our BYOD and Digital Futures initiatives, the college had already made considerable investment in our IT infrastructure, student access to devices, online resources and in the digital capabilities of our staff and students

NESCol actively promoted the message that digital skills are the essential underpinning skills for the current and future world of work and through our approach to course design have taken steps to ensure that the development of high-level digital skills is integral to and embedded within every course that the college offers.

Use of tools such as the JISC digital capabilities model and the CDN Digital Standards for Lecturers in Scotland's Colleges have enabled us to ensure that all students were supported to develop key capabilities that will enable them to work, communicate, create and collaborate safely and confidently online.



## KNOWLEDGE EXCHANGE AND INNOVATION



In academic year 2022-23 NESCol worked highly effectively with partners from across the business, third sector, and tertiary education sectors to support strategic and operational knowledge exchange, best practice sharing and innovation. Through our work as Chair of the NE Regional Learning and Skills Partnership, as a work stream lead within the SFC Pathfinder Project and as a founding member of the National Energy Skills Accelerator, the College played a leading role in driving developments across the education and skills landscape within the region and nationally.

In 2022-23 NESCol were actively involved in the wide-scale educational reform work going on across the country and have been active contributors to a number of key initiatives including the Haywood and Withers reviews, the Scottish Government Purpose and Principals work and numerous initiatives linked to the SFC Coherence and Sustainability review.

NESCol Staff demonstrated ongoing willingness and enthusiasm to engage with local and national groups, including the Scottish Government, Scottish Funding Council, QAA, Education Scotland and Colleges Scotland to influence and co-design national strategies, policies and procedures aimed at supporting the sector (and society more widely).

Through national entities such as the College Principal's group, Curriculum Vice Principal's group, the Quality Manager's group and the Business Development Director's group, members of the NESCol Leadership team play a leading role in sharing good practice and shaping the national approach taken by the SQA, SFC and Scottish Government.

## collaboration

Whilst the North East of Scotland continues to face significant and unique challenges because of the current economic landscape and associated cost-of-living crisis, the region is uniquely placed to play a key role in supporting Scotland's future economic prosperity. This is in part because of the strong partnerships that exist within the region.

Throughout 2022-23 the College worked very closely with our local authority, third sector and national skills agency partners to address and respond to the skills and training needs of the region via involvement with a wide range of key regional economic, community and skills groups.

The College co-chairs the Regional Skills Partnership and is working closely with private sector catalysts, "Opportunity North East" and "Energy Transition Zone" to ensure that NESCol graduates possess the range of industry knowledge, skills and experience so vital in supporting economic recovery within the region and across the country. Via this partnership the College has been successful in securing c. £6m of investment from the Scottish Government, ETZ and Shell to enable the creation of a new Energy Transition Skill Hub adjacent to Altens campus. This facility is scheduled to open in September 24.

A key output of this work has been the ongoing development of the National Energy Skills Accelerator (NESA), our formal partnership between the College, Robert Gordon University (RGU), University of Aberdeen, SDS and Energy Transition Zone Ltd (ETZ) which aims to provide the energy industry with a clear gateway to access bespoke qualifications, training and skills development, and the research and development expertise required to train workers for the energy transition.

Work is progressing delivering the SFC Pathfinder and Scottish Government Just Transition Fund objectives NESAs responsibility for.

Throughout the last year the College has also continued to intensify and develop its relationship with the RGU via the SFCs Pathfinder project. This initiative has been effective in accelerating a joint approach to skills, provision planning and development between the two institutions to deliver pathways for learners, which respond to changing skills needs.

In addition, throughout AY 2022-22 the College continued to collaborate effectively with Aberdeen City and Aberdeenshire local authorities across a range of key essential themes including child services, education, economic recovery and health and wellbeing. As part of this work NESCol has been leading on a third strand of the SFC's NE Regional Pathfinder focusing on enhancing provision across the region's senior phase.



# climate emergency

## Renewable Energy

Throughout 2022-23 the College installed a total of 2898 Solar PV Panels throughout four campuses. Readings will be generated and made accessible to lecturers and marketing and communications through multiuser access. This project is in line with the Scottish Governments decarbonisation plans.

## Carbon Reduction

Two campuses have benefited from full LED lighting upgrades to comply with the decarbonisation of our estates.

## Carbon Reduction

As part of the Scottish Government decarbonisation plans, funding has been secured, and work has commenced on the South Block Glazing project in our city campus. The entire South Block will have its glazing upgraded. This project will completely future proof the College's City Campus as it will complement and finalise the initial recladding project. The online sustainability training course has been developed in partnership with Learning for Sustainability Scotland and we will roll out as part of the staff mandatory training.

NESCol were working to meet the requirements of the Deposit and Return Scheme for Scotland Regulations 2020. It was however announced that the scheme has now been delayed until March 2024. Reverse Vending Machines have been purchased but cannot be used until the infrastructure is in place to support storage and uplifts of waste. The College are in a position to move forward with this as soon as uplift arrangements are in place.







## FAIR ACCESS AND TRANSITION

**Table 1 – Core National Measure**

Core National Measures	2020-21	2021-22	2022-23
Credits delivered	133,121	131,758	129,566
% credits delivered to SIMD10	1.78%	3.10%	3.14%
% credits delivered to care-experienced students	6.41%	6.64%	5.30%
DYW - no. of senior phase age pupils on vocational qualifications delivered by colleges	566	591	702
Articulation - advanced standing from college level to degree level study	394	364	Not yet available

## HIGH QUALITY LEARNING, TEACHING AND SUPPORT

**Table 2 - College Student Outcome Data**

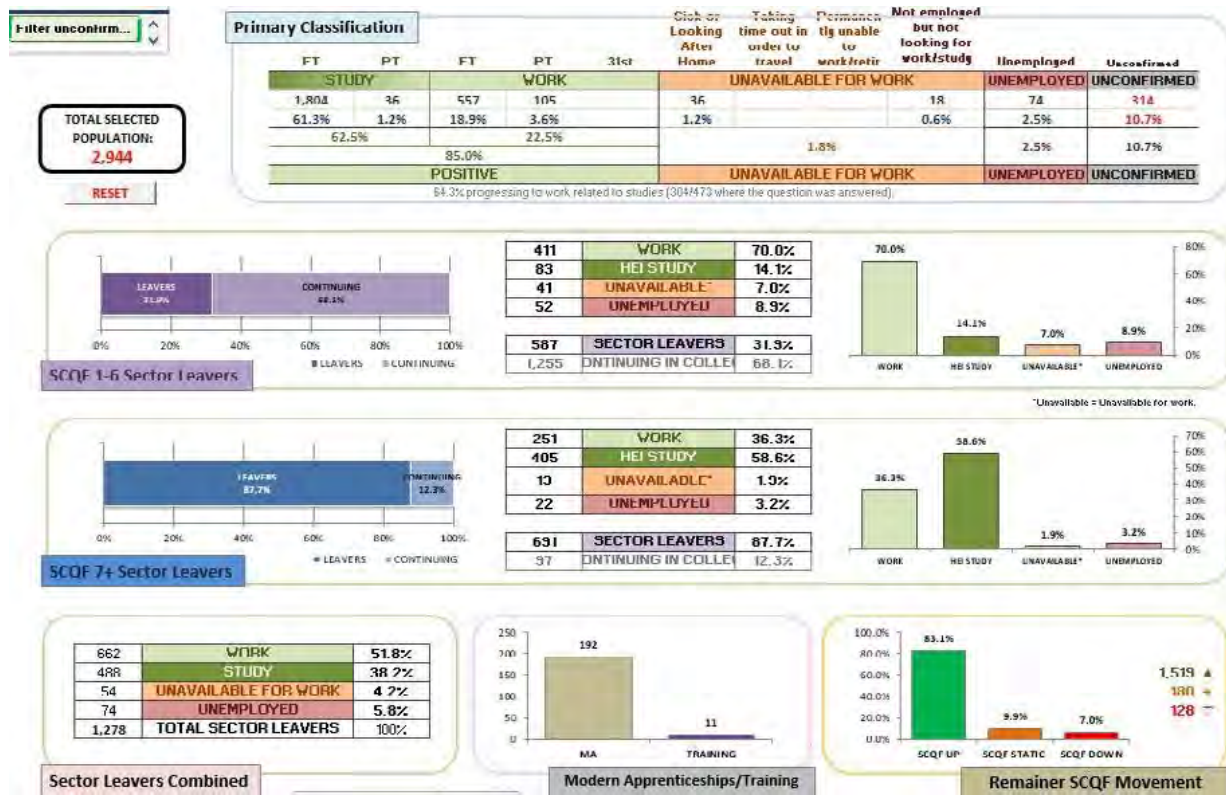
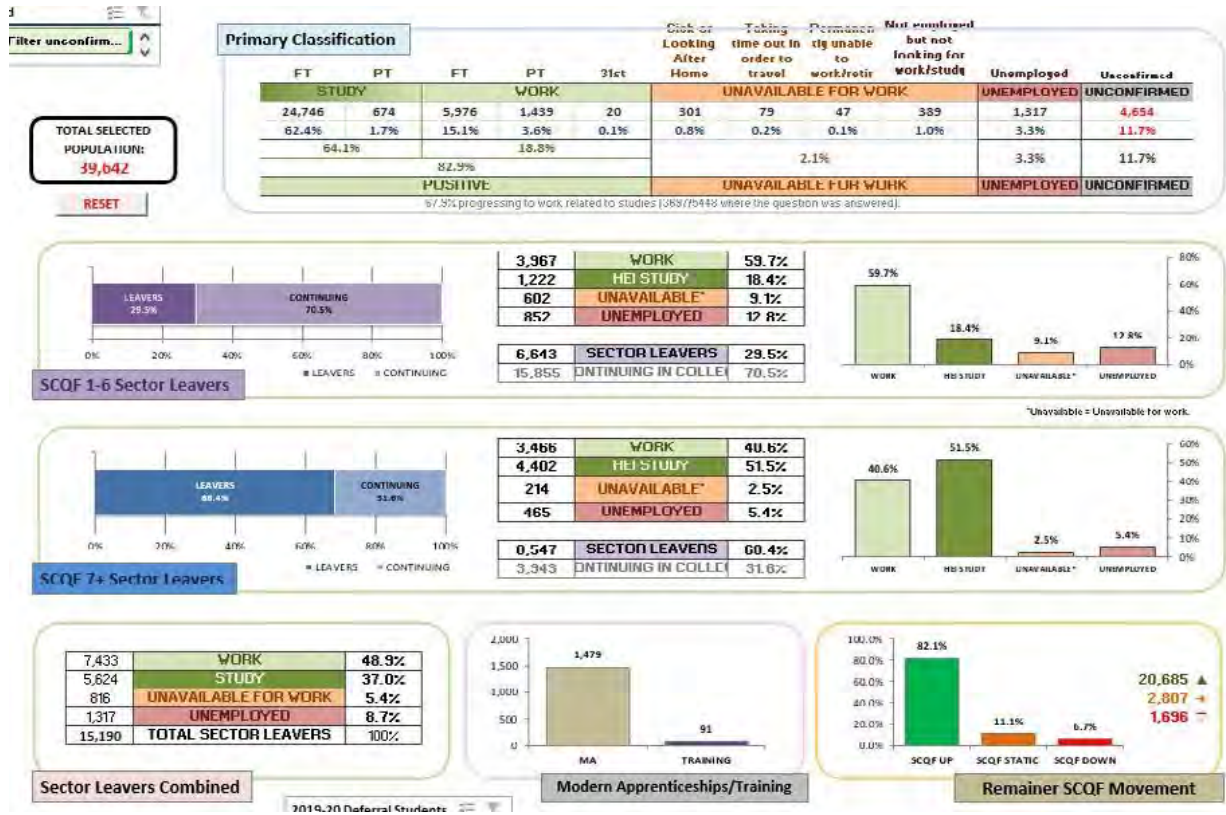
The self-evaluation data for AY 2020-21 and AY 2021-22 is SFC published data for enrolment, partial and complete success. The unpublished AY 2022-23 data was taken from Power Bi, the College's internal data platform and includes enrolments for fundable courses and qualifications.

NESCol	Number Enrolled			Withdrawal			Partial Success			Complete Success		
	20-21	20-22	20-23	20-21	20-22	20-23	20-21	20-22	20-23	20-21	20-22	20-23
FT FE	3,842	3,846	4,195	23.8%	22.9%	23.2%	20.1%	20.3%	13.6%	56.2%	56.8%	63.3%
PT FE	6,609	4,158	16,732	4.9%	8.3%	4.08%	23.5%	15.2%	8.4%	71.6%	76.6%	87.6%
FT HE	2,584	2,268	2,006	14.9%	20.1%	17.9%	14.2%	15.4%	15.3%	70.9%	64.6%	67.0%
PT HE	656	675	441	2.1%	2.1%	1.8%	14.6%	15.0%	25.6%	83.2%	83.0%	72.7%

NESCol	Further Education		Higher Education	
	Response Rate	Satisfaction Rate	Response Rate	Satisfaction Rate
2020-21	65.2%	91.8%	59.2%	86.6%
2021-22	65.0%	95.8%	56.5%	89.2%
2022-23	73.3%	96.7%	69.2%	91.0%
Scotland	Response Rate	Satisfaction Rate	Response Rate	Satisfaction Rate
2020-21	44.0%	88.6%	42.3%	80.3%
2021-22	47.2%	92.7%	36.6%	85.7%
2022-23	58.9%	94.6%	48.8%	89.1%

# LEARNING WITH IMPACT

Image 1 - Sector Level College Leaver Destination Data AY 2021-22





In identifying the actions, it is important to ensure that they address a specific area for improvement and are designed to positively impact on service delivery. The actions should be SMART - specific, measurable, achievable, realistic and time bound – and should seek to address any areas for improvement identified in commentaries

**Please reference each Developmental Driver using the following coding:**

**Area for Improvement** (from the self-evaluation) – Reference back to OurEvaluation (e.g. AI - 2)

**Strategic Objective** - Reference number from the **Strategic Plan** (e.g. SO1.1)

**Supporting Strategy** - Reference relevant **Supporting Strategies**

Reference to **Education Scotland Quality Framework** How Good Is Our College?  
(E.g. HGIOC 2.4)

Reference risk from **Strategic Risk Register** (e.g. R2.1)

Reference the **Equality Outcomes** and/or Equality Enhancement Plan (EO)

The enhancement plan will be formally reviewed to capture progress in February 2023 and end of year progress review in October 2023.

## Outcomes for Students - Fair access and transitions

No.	Area for Development (Developmental Driver)	Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code															
1.	Increase participation by students from deprived areas	Improve aspirations of those living in deprived areas	<ol style="list-style-type: none"> <li>1. Ensure students from SIMD10 are offered a place on a suitable course, work with schools situated in deprived areas.</li> <li>2. Curriculum and support teams to work together to ensure students are supported through their studies.</li> </ol>	June 2024	A1 SO2 Environmental & Social Sustainability Strategy E04															
<b>Progress to date interim evaluation - February 2024</b> (Director of Student Access & Information)		The College Student Admissions & Interview Procedure guarantees that any applicant from an SIMD postcode is interviewed regardless of whether they meet the entry requirements for the course applied for, with the aim of providing them with a suitable place at college. For 2023/24 targeted marketing activity continued to be delivered to SIMD10 areas, including our Schools-College Partnership Team attending events at local authority schools who have catchment areas including SIMD10 postcodes. Sadly, the number of enrolments from SIMD10 areas (see table below) decreased this year. NESCol revamped the induction activities and the feedback from students via surveys and focus groups has been very favourable. This has contributed to a huge improvement in retention rates for SIMD10 students.																		
		<table border="1"> <thead> <tr> <th>Academic Year</th> <th>Enrolments FT</th> <th>Early withdrawal</th> <th>Enrolments PT</th> <th>Early withdrawal</th> </tr> </thead> <tbody> <tr> <td>2022/23</td> <td>182</td> <td>9.34%</td> <td>428</td> <td>2.57%</td> </tr> <tr> <td>2023/24</td> <td>160</td> <td>3.13%</td> <td>273</td> <td>1.83%</td> </tr> </tbody> </table>				Academic Year	Enrolments FT	Early withdrawal	Enrolments PT	Early withdrawal	2022/23	182	9.34%	428	2.57%	2023/24	160	3.13%	273	1.83%
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2023/24	160	3.13%	273	1.83%																

Area for Development (Developmental Driver)		Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code															
2.	Increase numbers of care experienced students enrolling at College	Improve opportunities for Care Experienced students	<ol style="list-style-type: none"> <li>1. Student Advice Centre teams to work with Marketing and curriculum teams to expand reach of College.</li> <li>2. Teams to work together to support CE students to increase success rates.</li> </ol>	June 2024	A2  SO2  Environmental & Social Sustainability Strategy															
<b>Progress to date interim evaluation - February 2024</b>  (Director of Student Access & Information)		<p>Bespoke support and a peer-led group continue to be offered by the Student Advice &amp; Support team to care-experienced students, this has formed a community within college students.</p> <p>The number of students declaring that they have a care experienced background has reduced this year. While this is disappointing, we feel our data is more accurate in comparison to previous years. We reviewed and amended the wording of our declaration question on our application and enrolment forms to reduce the number of students misinterpreting the question. NESCol also revamped the induction activities and feedback from students has been very positive. This has contributed to a huge improvement in our early withdrawal rates which will hopefully lead to improved success rates for these learners.</p> <table border="1"> <thead> <tr> <th>Academic Year</th> <th>Enrolments FT</th> <th>Early withdrawal</th> <th>Enrolments PT</th> <th>Early withdrawal</th> </tr> </thead> <tbody> <tr> <td>2022/23</td> <td>370</td> <td>9.46%</td> <td>396</td> <td>3.54%</td> </tr> <tr> <td>2023/24</td> <td>326</td> <td>5.52%</td> <td>222</td> <td>1.80%</td> </tr> </tbody> </table>				Academic Year	Enrolments FT	Early withdrawal	Enrolments PT	Early withdrawal	2022/23	370	9.46%	396	3.54%	2023/24	326	5.52%	222	1.80%
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**Outcomes for Students - High quality learning, teaching and support**

Area for Development (Developmental Driver)		Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code
3.	Student retention and attainment.	To create more consistency across all curricular teams to support measuring the effectiveness of the post.	1. Clarify Academic Improvement Lead role and lead responsibilities.	June 2024	SO 4.1, 4.2 and 4.6 HGIOC 2.3
<b>Progress to date interim evaluation - February 2024</b>  (Associate Vice Principals: Curriculum & Student Experience/STEM Futures and Just Transitions)		For AY 2023-24 the Academic Improvement Lead (AIL) Forum was re-launched, led by the Associate Vice Principals (AVPs). To create more consistency for the role, all AILs were given two projects for the year – 1. Academic Tutoring Lead and 2. Quality Lead. In partnership with Quality, a series of training sessions were delivered to support AILs with their Quality Lead role. At the end of January an AIL Forum Sharing Practice event took place to reflect on the year to date, including role and lead responsibilities, and to share good practice. Following this event the AILs have set up their own discussion group to share ideas and create a community to support each other. Initial feedback from the event was very positive with a request to run more sessions like this in the current year. Action points identified, such as managing inconsistencies in support approaches from Curriculum Managers are being taken forward and discussed at both Curriculum Manager and Head of Sector Forums.			
Area for Development (Developmental Driver)		Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code
4.	Student retention and attainment.	To improve student outcomes and experience	1. Review Spotlight Review progress and select teams to progress to phase 2 or new teams to include for AY 2023-24.	October 2023	SO 4.1, 4.2 and 4.6 HGIOC 2.3
<b>Progress to date interim evaluation - February 2024</b>  (Associate Vice Principals: Curriculum & Student Experience/STEM Futures and Just Transitions)		<p>The reasons for poor academic performance within a curriculum team can be complex and multifaceted, and in some cases, it may not be possible for all teams involved in a Spotlight Review to turnaround performance of their area sufficiently within one academic year. If a team's Key Performance Indicators (KPIs) continue to decline or plateau, or other aspects of departmental performance is deemed to have not made sufficient progress within the year following involvement in a Spotlight Review, the team may be required to participate in a Phase 2 Spotlight Review the following year. This will allow for further analysis of performance and will provide the team with ongoing enhanced support to ensure that positive impact made from year one can be consolidated and further action taken where necessary to address any outstanding or newly emerged issues.</p> <p>A phase 2 Spotlight Review will also include an objective assessment of the affected curriculum area's ability to improve and the ongoing viability of the programme/course in question. If, after two years of Spotlight focus, there is not sufficient improvement made in performance, action may be taken to cease delivery of the affected course and reallocate the credits to another area of priority and growth where student performance has been demonstrated to be positive. With SFC funding now effectively ring-fencing the number of full-time places that the College can offer at a level below that of regional demand, we cannot afford to allocate credits to areas that are delivering poor outcomes and experiences to students. Instead, we will use them to support additional places in areas where demand is high and outcomes for students are positive.</p> <p>For AY 2023-24 Hospitality, Social Sciences, Business Professions and Advanced Engineering teams are progressing to phase 2 Spotlight Review. These teams are working through their actions plans and are due to provide progress updates at the Curriculum, Quality and Student Support Committee meetings in March, April and June.</p>			



## Outcomes for Students - Partnership, participation and student experience

Area for Development (Developmental Driver)		Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code
5.	Student engagement and partnership	Further develop engagement with class reps to ensure student voice is represented.	1. Introduce enhanced certification system for class reps.	November 2023	SO 2.2, 2.3, 2.4, 2.5 SO 3.8 SO 4.5, 4.9 HGIOC 2.6, 3.1, 3.2
<b>Progress to date interim evaluation - February 2024</b> (Associate Vice Principal: Curriculum & Student Experience)		This year the Students' Association have introduced a tiered Class Rep Certificate system which recognises and celebrates each Class Reps commitment to their role. We now offer Bronze (Complete all training & Attend 1 Class Rep meeting), Silver (Complete all training& attend 2 Class Rep meetings), Gold (Complete all training& attend 3 Class Rep Meetings) and Excellence certificates (Complete all training, attend 3 Class Rep Meetings & volunteer with the Students' Association.)  In addition, for those under the age of 26 there will also be an offer to register their volunteering hours with the Saltire Awards which is a Scottish Government volunteering recognition scheme. For those over the age of 26 any additional volunteering hours will be highlighted in their Class Rep certificate.			
Area for Development (Developmental Driver)		Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code
6.	Change approach to class rep engagement.  (carried forward from 2022-23)	To strengthen student voice.	1. Consider changes to meeting set up and class rep involvement in committees and/or action groups.	June 2024	AI HGIOC 2.6, 3.1, 3.2 SO2.2, 2.3, 2.4, 2.5 SO3.8 SO4.5, 4.9
<b>Progress to date interim evaluation - February 2024</b> (Associate Vice Principal: Curriculum & Student Experience)		A regular Online Class Rep meeting has been introduced alongside on Campus meetings to offer more opportunity for Class Reps to engage in the Class Rep system. In addition work is also currently ongoing on the development of an online feedback form that all students can use to submit feedback if they are not able to engage with their class rep, or if they would like to submit feedback in between meetings.			

## Outcomes for Students - Learning with impact

Area for Development (Developmental Driver)	Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code
7. Further enhance partnership working as part of Enterprise, Employability and Careers Month.	To maximise stall holder representation and student participation at the events.	1. Replicate planning approach utilised at Altens Campus.	March 2024	SO 1.1, 1.2 SO 2.2, 2.3, 2.4, 2.6 SO 3.1, 3.2, 3.3, 3.5, 3.6
<b>Progress to date interim evaluation - February 2024</b> (Associate Vice Principal: Curriculum & Student Experience)		Planning is underway for Enterprise, Employability and Careers Month at NESCol. The Student Support Manager who previously led on the Altens Campus approach is taking a leading role for events across all campuses with 'save the date' promotion currently being shared.		

## Outcomes for Students - Equalities and inclusion

Area for Development (Developmental Driver)	Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code
8. Deliver revised equalities outcomes as outlined in 2023 interim report.	Improve access and inclusion	1. See the Public-Sector Equality-Duty-2023 Interim Report.	June 24	EO
<b>Progress to date interim evaluation - February 2024</b> (Vice Principal: Curriculum & Quality)		The Equalities Committee has been re-branded as the Equalities and Wellbeing Committee, incorporating the Wellbeing Matters and Respect groups which were previously stand-alone. Three sub-groups have been established with specific responsibility for the revised equalities outcomes and the Equalities and Wellbeing Committee is in the process of creating an overarching action plan. A representative from the Scottish Funding Council has been invited to the Equalities and Wellbeing Committee meeting in February 2024 to provide an update on the support available with reference to the new equalities outcomes.		
Area for Development (Developmental Driver)	Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code
9. Support need for increased numbers of trauma-experienced students.  (carried forward from 2022-23)	Staff better equipped to support trauma-experienced students.	1. Work with partners to provide training for staff members most frequently working with trauma-experienced students.	June 2024	EO4 HGI0C 3.1, 3.2 SO3.1
<b>Progress to date interim evaluation - February 2024</b> (Vice Principal: Curriculum & Quality)		Three staff members from the Student Support and Engagement teams are undertaking training as part of NESCol's participation in the College Development Network's Trauma Informed Practice project. In addition, training sessions have been set up for members of the Student Advice and Support Team, Safeguarding Team and all Curriculum Managers as part of a rolling training programme to support NESCol's ambitions of becoming a Trauma Informed organisation.		



Outcomes for Economic Recovery and Social Renewal - Responsive institutions/ Fair work					
Area for Development (Developmental Driver)		Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code
10.	Review MA activity to identify opportunities to improve MA performance to meet SDS requirements.	Improved numbers of MAs completing their MA journeys successfully.	1. Work with internal and external stakeholders to identify process improvements and best practice and implement at NESCol.	June 2024	S.O.3.6, S.O.5,2 BD Strategy
<b>Progress to date interim evaluation - February 2024</b> (Director of Business Development)		There has been steady improvement over the past five reporting periods from 60% achievement rate in period five (August 23) to 71.9% in period nine (December 2023). Outcomes are based on candidates leaving their MA programme without completing the qualification and typically as a result of dismissal or resignation (rather than MA programme delivery). However we are able to influence this performance by implementing more robust entry requirements or by introducing other measures which ensure a commitment to the programme before commencing a candidate and this seems to be strengthening the position.			
Area for Development (Developmental Driver)		Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code
11.	Reduce gender pay gap	Reduction in gender pay gap has	1. All staff survey regarding underlying causes of the gender pay gap has been carried and is currently being analysed.  2. Once survey analysis has been completed, focus groups will be held to further explore issues identified.	October 2023  January 2024	EO 1
<b>Progress to date interim evaluation - February 2024</b> (Director of People Services)		The analysis of the gender pay gap survey is now complete and focus groups have been held in Fraserburgh and City campuses. This information along with the survey results is now being used to create an outcome report and action plan to share with the Leadership Team in March 2024.			
Outcomes for Economic Recovery and Social Renewal - Confident and highly capable – work ready – graduates					
Area for Development (Developmental Driver)		Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver
12.	Plan and Deliver new Energy Transition Skills Hub.	Increase training capacity and improve access to facilities to support the just transition to net zero.	1. Build and open new skills hub. 2. Devise and develop new curriculum. 3. Launch mobile-hub.	August 24	Scot Gov NSET
<b>Progress to date interim evaluation - February 2024</b> (Vice Principal: Curriculum & Quality)		The College and ETZ have developed Heads of Terms and the respective legal teams are working on the draft lease agreement for the new facility. A project board comprising ETZ & Shell UK representatives, College Senior Management and Regional Board members has been formed and has met once. Just Transition funding has been extended with a full expenditure deadline of 31 <sup>st</sup> March 2025.  Tender packages for the building renovation and associated M&E works have been issued and received. There is a Shared concern with the cost of the tender responses. Value engineering will not reduce the cost back to the budget so scope, specification and timing of building work needs to be examined with variety of options. College reps will be involved in developing and also assessing options. Phased deliver is an option if additional funding can be secured e.g. from the Investment Zone initiative. Depending on the outcome of this activity the anticipated opening date has slipped to early 2025.			

Area for Development (Developmental Driver)		Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver
13.	Deliver outcomes of SFC Pathfinder projects.	Improve senior phase – college integration and college-RGU working practices.	1. See Pathfinder Project summaries	June 24	SFC Pathfinder
<p><b>Progress to date interim evaluation - February 2024</b> (Vice Principal: Curriculum &amp; Quality)</p>		<p><b>Enhancing the Senior Phase</b> A Regional Strategic Working Group was established, with clear terms of reference. It was important to set the right conditions for engagement (representatives with good knowledge, passion for change, and authority to make changes). Existing data sharing agreements are under review to ensure that they are appropriate for this group. Through two further tests of change, work is taking place to build trust in this new form of partnership. It is hoped that the strategic group will be a legacy of the project.</p> <p>Short-Life Working Groups (SWLG) have been set up to deliver the tests of change. The Strategic Working Group has not only focused on the tests of change within the scope of the proposal. For example, the College shared a partnership working approach with Aberdeenshire Council to support unaccompanied asylum-seeking children in Fraserburgh/Peterhead area, as part of the school-links offer, and it was agreed that a similar approach would be welcome in the City. This is being progressed.</p> <p>The HNC Offer for S6 has been extended to the region for AY 2024-25, with 80 places, over three frameworks – HNC Business, HNC Technologies in Business and HNC Mechanical Engineering.</p> <p>A winter leaver programme that is practical and provides suitable qualifications for progression to employment or higher-level study has been launched – induction is set for June 2024, followed by a number of summer “touchpoints”, leading to a full-time programme from August to December. SDS and DYWNE have been involved in the development of the programme – providing career management input and employer engagement.</p> <p><b>Strategic Partnership with RGU</b> To support the development of this project, two working groups have been established. The strategic working group comprises key individuals from both institutions who have experience in curriculum planning, development and implementation. The Project Co-ordinator has also set up an operational working group, bringing together individuals from both institution who are responsible for marketing and student recruitment to ensure clarity of messaging around pathways within the region. A more joined up approach to pathway promotion at large scale recruitment events, such as RGU’s ‘Access To’ programme, has been implemented.</p> <p>There has been a review of the current articulation agreements to confirm their continuation, and looked to identify potential for new pathways or gaps within the provision. In the majority of cases, it was useful to share frameworks across institutions to identify where there may be alignment.</p> <p>In addition to the development of new provision, the following takeaways have been highlighted to support the student experience and enhance transition:</p> <ul style="list-style-type: none"> <li>• Integrated teaching opportunities</li> <li>• A method for recording students’ skills developments</li> <li>• Analysis of attrition data</li> <li>• Closer working relationships with admissions departments</li> <li>• Development of a Joint Offer Letter for students on the Additional Funded Places Scheme</li> </ul> <p>In terms of measuring success, it is hoped to evidence a broader portfolio of progression pathways for learners in the region, not limited to traditional articulation routes. This could include a broader range of meaningful pathways, including progression from Level 6 to first year; SWAP or HNC to Allied Health Profession courses; progression via the apprenticeship family, and potentially providing opportunities to better utilise RGUFlex, the flexible studies framework. Discussions have also taken place across the two institutions regarding the course development of a level 9 top-up degree in Light and Sound Production; with additional input and support from industry experts. A number of new articulation routes have been agreed and formalised, including four new pathways from HN Next Gen qualifications.</p>			

### Outcomes for Economic Recovery and Social Renewal - Knowledge exchange and innovation

Area for Development (Developmental Driver)		Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code
14.	Continue to build reach and impact of College's role within NESAs partnership.	Provide commercial, schools and 3 <sup>rd</sup> sector partners with one-stop-shop for energy skills training and consultancy.	<ol style="list-style-type: none"> <li>1. See detailed NESAs plans linked to SFC Pathfinder project.</li> <li>2. See detailed NESAs plans linked to Just Transition Fund.</li> </ol>	June 24	SG JTF, SFC Pathfinder
<b>Progress to date interim evaluation - February 2024</b> (Vice Principal: Curriculum & Quality)		Significant progress has been made by the NESAs team in the past year in the development and support of skills for the transition. Via the NESAs Just Transition Project over 650 people will have been provided access to free training linked to energy transitions by NESAs partners on over 35 courses. In February 24 NESAs launched its new Future Energy Skills report which provides valuable insight into the future skills needs of the North East and beyond. The NESAs SFC Pathfinder progress has also made excellent progress with the NESAs energy careers pathway tool (working title) due to be launched this spring. Case study videos are also now in production to promote the work done as part of the project.			

### Outcomes for Economic Recovery and Social Renewal - Collaboration

Area for Development (Developmental Driver)		Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code
15.	Undertake review of NESCol Business and Community Development Team.	Ensure shape and size fit for future.	<ol style="list-style-type: none"> <li>1. Review team structure.</li> <li>2. Consult with partners.</li> <li>3. Review market, demographics etc.</li> </ol>	April 24	SO 1.1, 5.2
<b>Progress to date interim evaluation - February 2024</b> (Vice Principal: Curriculum & Quality)		The Business and Community Development review is ongoing with SWOT analysis complete and reviews of colleges across the four nations now complete. Proposed structures and cost impacts are now being developed for review team approval on 29 February and Exec Team approval on 12 March. The business environment continues to evolve rapidly at the same time with the removal of FWDF and the opportunity presented by Modern Apprenticeship demand.			

Outcomes for Economic Recovery and Social Renewal - Climate emergency					
Area for Development (Developmental Driver)		Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code
16.	<p>Continue to update the College's Carbon Management Plan in line with new projects and funding.</p> <p>(Vice Principal: Finance &amp; Resources)</p>	<p>The College's first Carbon Management Plan covered the period 2015 to 2020, and saw the College achieve a 33% reduction in CO2 emissions from a baseline set on 2010-11. The current plan, covering the period 2020- 25, has an even more ambitious target, with the aim being to achieve a 50% reduction in CO2 emissions from a 2018-19 baseline. This ambition will enable the College to make significant progress towards a target of Net Zero by 2035 and it again identifies North East Scotland as a leader in both the education sector and the North East Scotland economy.</p> <p>NESCol has now committed to set a target to reduce its total annual carbon footprint to 1,691 tCO2e, a 50% reduction from 3,382 tCO2e, the 2018/19 baseline year, by the end of financial year 2025 (based on current emission factors at the time of writing).</p>	<ol style="list-style-type: none"> <li>1. To continue to prioritise funding and projects which will decarbonise our estate and lead to further carbon reductions.</li> <li>2. Further reductions will be achieved through a range of projects including energy, fleet and awareness raising initiatives.</li> <li>3. Progress towards new target- to reduce carbon emissions by 50% by 2025 from a 2018/19 baseline: <ul style="list-style-type: none"> <li>• 2018/19 - 3382</li> <li>• 2021/22 - 1963</li> <li>• 42% reduction</li> <li>• 2018/19 - 3382</li> <li>• 2022/23 - 1838</li> <li>• 46% reduction</li> </ul> </li> </ol>	2025	SO 5.
<p><b>Progress to date interim evaluation - February 2024</b></p> <p>(Vice Principal: Finance &amp; Resources)</p>		<p>The College currently have two large scale Carbon Reduction Projects running. The South Block Curtain Wall Glazing Project is underway and due for completion in March 2024 and the South Block Glazing Project is due for completion in October 2024. Both will lead to significant carbon reductions.</p> <p>NESCol continues to develop projects that will enable reduction in our overall energy usage. The most recent completed project was the Fraserburgh LED lighting project. The College's fleet continue to be hybrid and electric vehicles and Energy awareness raising initiatives are being promoted through our Sustainability Committee.</p> <p>Successful external bsi audits, auditing our bsISO14001:2015 accreditation, have been extremely successful demonstrating ongoing continual improvement whilst meeting the College's set targets and objectives. No non-conformities or observations have been noted throughout the assessments including a recent full recertification audit on the 5<sup>th</sup> and 6<sup>th</sup> February 2024. The College is still on track to meet our 2025 50% reduction.</p>			

Area for Development (Developmental Driver)		Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code
17.	To continue to seek to achieve funding in support of our core activities.	Secure funding to enable NESCol to decarbonise estates to help meet Scottish Government targets.	<ol style="list-style-type: none"> <li>1. Strive to secure funding for an Altens Campus Project that will upgrade the cladding, glazing and heat emitters. In addition to this funding will be sourced for an entire upgrade of the College's Building Management System (BMS).</li> <li>2. Concentrate on the infrastructure of our estates and then build our projects on from this.</li> </ol>	2025	SO 5.1
<b>Progress to date interim evaluation - February 2024</b> (Vice Principal: Finance & Resources)		Further funding applications have been submitted for Cladding, Glazing and Heat Emitters at Altens Campus and an upgrade of the Colleges BMS at all campuses. The funding applied for is part of the Scottish Central Government Energy Efficiency Grant Scheme 2021-2026. The College are currently awaiting the outcome of these submissions.  The College are currently working on two decarbonisation projects at City Campus focusing on the infrastructure of our estate. These projects are a South Block Glazing Project and a Curtain Wall Glazing project also within the South Block.			
Area for Development (Developmental Driver)		Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code
18.	Through working in partnership with Energy Transition Zone (ETZ) ltd. and key industry partners we are creating a new Skills Hub as part of the ETZ Masterplan for Aberdeen. The college will continue to maximise income from commercialisation and other opportunities through this project.	The Hub will be a net zero exemplar in terms of the building configuration and will use modular accommodation to provide the onsite teaching and social spaces and be used to promote the principles of circular economy construction.	<ol style="list-style-type: none"> <li>1. The funding award will serve as a catalyst for the ambitions of the College and our regional infrastructure required to underpin the opportunities presented by energy transition.</li> <li>2. Utilising dilapidated industrial space in proximity to the college campus will allow a wider array of courses linked to net zero for both full-time and part time students. If successful this could be rolled out across Scotland.</li> </ol>	August 2024	SO 5.2
<b>Progress to date interim evaluation - February 2024</b> (Vice Principal: Finance & Resources)		<ul style="list-style-type: none"> <li>• The College has appointed a dedicated member of staff to lead on the project planning.</li> <li>• A team of college staff meet monthly supported external specialists to discuss planning, progress and updates from the ETZ team.</li> <li>• A project board comprising the main stakeholders oversee the project delivery.</li> <li>• The site has been purchased and planning permission progressing.</li> <li>• The project funding has been secured and extended to 31<sup>st</sup> March 2025.</li> <li>• Promotion vehicle purchased and currently being enhanced.</li> <li>• Building tenders completed and accessed during January 2024.</li> <li>• Physical work not due to be start until April / May 2024.</li> <li>• The project is progressing however is behind schedule with the expected handover now January 2025.</li> <li>• In parallel curriculum planning and facility requirement discussions are continuing.</li> <li>• Discussions are continuing with potential partners and sponsors.</li> <li>• The new facility Energy Transition Skills Hub (ETSH) will support the regional and economic training requirements.</li> <li>• The training will deliver new or enhanced skills enabling new employment opportunities.</li> </ul>			

Area for Development (Developmental Driver)		Impact (intended difference to be made)	Planned Actions for Improvement	Deadline	Developmental Driver Code
19.	Sustainability Training for staff. (carried forward from 2022-23)	Raise awareness of Climate emergency.	1. Roll out Sustainability Training for Staff.	February 2024	SO 5.7,5.8 Sustainability Strategy
<b>Progress to date interim evaluation - February 2024</b>  (Vice Principal: Finance & Resources)		The College have worked with Learning for Sustainability Scotland to develop an online course that will be rolled out as part of the Mandatory Staff Training. Work is being undertaken to integrate it into Brightspace. The purpose of the short self-guided online course is to: <ul style="list-style-type: none"> <li>• Support all college staff in their understanding of sustainability</li> <li>• Encourage personal staff action in relation to sustainability</li> <li>• Encourage further engagement with sustainability processes and projects at the college</li> </ul> Upon completion of the course staff will be able to: <ul style="list-style-type: none"> <li>• Understand the importance of sustainability on personal, college and global levels</li> <li>• Recognise the key global challenges facing the world today in the context of the UN Sustainable Development Goals</li> <li>• Consider how we can all contribute to change</li> <li>• Identify actions that they can take to live and work more sustainably.</li> </ul>			

