

Board of Management

Minutes

Meeting reference: Board2012-13/03

Date and time: Wednesday 20 March 2013 at 5.30pm

Location: Room 308

Members present: Mark Bell, Derek Forgan, Dolores Garden, Ian Jackson, Ian Marr, Ian Mathers, Xander McDade, John McDonald, Dr Thomas Moore, Alistair Napier.

Co opted: Dr Harold Gillespie

Apologies: Penny Brodie and Norman Wilson

In attendance: Susan Bald, Director of Human Resources and Communications
Kirstie Graham, Clerk to the Board
Margaret Munckton, Assistant Principal
Iain Neilson, Director of Finance and Resources
Pam Wilson, Learning and Teaching Director

By invitation: Eleanor Brown, Head of Curriculum, Health, Education & Social Care (*for item 6*)

Chair: Ian Mathers

Minute Taker: Kirstie Graham

Quorum: 8

Summary of Action Items			
Ref	Action	Responsibility	Time Line
8	The Board to write to James Fraser and Fiona Larg to state that the UHI Articles of Association should only modified to enable the new Court to be constituted. The new Court should develop new Articles and consult with academic partners to update Academic Partnership Agreements when the Post-16 Education (Scotland) Bill is more advanced.	Chair/Principal/ Clerk	End March 2013
	The Board to write to stakeholders highlighting the risk to FE provision in the Perth and Kinross hinterland under the proposed Post-16 Education (Scotland) Bill.	Chair/Principal/ Clerk	End March 2013

Item

1 Welcome and Apologies

Ian Mathers welcomed everyone to the meeting. He informed the Board that the chair, Penny Brodie, had been snowed in and had asked him to chair the meeting in her place.

Action

He welcomed Dolores Garden, who had been elected as the support staff member on the Board.

He also welcomed Eleanor Brown, who was invited to the meeting to speak to her paper on the Dementia Research Project.

Apologies were noted.

2 Additions

There were no additions to the agenda.

3 Declaration of Interest in any Agenda Item

There were no declarations of an outside interest in any agenda item.

4 Minutes of Meeting Held on Wednesday 19 December 2012

The minutes were approved as a correct record.

5 Matters Arising from Previous Minutes

Noted:

- The agreed actions taken since the last meeting;
- That the bid to SFC for funding for the Students' Association regionalisation project had been successful and £205K had been awarded for the project;
- That Sir Ian Wood had been appointed to lead the new Commission for Developing Scotland's Workforce. Further details on this would be uploaded onto the Board portal;
- The College had provided feedback on the draft UHI Research Strategy in early December 2012, but had received no further information.

6 Dementia Research Study Update

Eleanor Brown, Head of Curriculum, Health, Education & Social Care spoken to her paper concerning the dementia research project. As background, she explained that the core cultural purpose of establishing Alzheimer research in Perth was to investigate families affected by dementia within a rural context and this dates back to 2008. The focus is on a late onset family study and very little work is being done in this area.

It takes a long time secure ethics approval, but this has now been received and participants are being recruited and data collection has started.

There are challenges for Perth College in establishing credibility to undertake this research. Dr Maggie Robertson, who is carrying out the research study and Professor Lawrence Whalley have been speaking at various events to raise the profile of the research project, Perth College's profile and dementia research in general. Thanks were expressed to the Development Trust for its financial support for the project.

Board members asked a range of questions relating to the sustainability of the project, the use of donated funds and the interface with the Perth College curriculum.

Eleanor explained that Phase 1 of the project could be a stand alone piece of work and donations received for this will contribute to a worthwhile piece of research in its own right. Phase 1 should be completed by June 2014.

The findings from Phase 1 would inform the development of Phase 2, when it was hoped to recruit a PhD student. Phase 1 was a pure research project. Depending on the outcome, Phase 2 would be more action research based, exploring how to support people locally in order to live well with dementia.

The research will inform the College's health curriculum, with the findings embedded into the design and development of health and social care courses.

The Chair thanked Eleanor for her comprehensive report and wished the project well.

Eleanor Brown left the meeting at this point.

7 Students Association

The Chair informed the Committee that this was Xander McDade's final meeting as the student Board member. Xander would attend the June Board meeting as part of a hand over with his replacement. On behalf of the Board, the Chair recorded his thanks to Xander for all his work for the Students' Association and as a Board member.

Xander spoke to his paper, which outlined recent Students' Association activity, including:

- Developing a Students Association Vision and Strategic Plan. This had been to the Engagement Committee and following further consultation would come to the Board in June

- The work of the Student Representative Council
- Elections and Handover
- OBI Awards. This was a cross College initiative involving staff and students that it was hoped would be an annual event
- Health and Equality Week
- NUS Conferences
- Regionalisation of Students' Associations

Xander reported that he had recently been elected to the NUS Scottish Executive Committee. The Chair expressed congratulations on this appointment on behalf of the Board.

8 **Post 16 Education (Scotland) Bill, Regionalisation and UHI Articles of Association**

Dr Moore reported that the Scottish Government Education Committee's report on Stage 1 of the Post-16 Education (Scotland) Bill had been published that day and would be uploaded onto the Board portal. The Education Committee had requested clarification of a number of areas and it seemed likely that the Bill would be subject to amendment during Stage 2.

UHI had prepared draft Articles of Association. Fiona Larg, Chief Operating Officer, had claimed that it was necessary to progress these as the Scottish Government and SFC had instructed the University to progress 'as if' the Post-16 Bill was approved in its current form.

There were two issues in relation to the proposed new Articles of Association: it was now apparent that the Post-16 Bill was likely to be subject to significant amendment and potential delay; the Capita report had recommended a new Court was constituted and it would be appropriate for the new Court to consider revised UHI Articles, as it would be the body charged with governing the University.

Perth College, Moray College and Colleges Scotland had jointly funded advice from Brodies LLP on the proposed new Articles, alongside the UHI Working Group Report, Post-16 Bill and Academic Partnership Agreement. This had confirmed that the Academic Partnership Agreement was the contractual link between the University and the academic partners. The current agreement dated from March 1999, therefore these agreements should be renegotiated and approved between the academic partners and the newly constituted University Court as part of the process for agreeing new Articles.

The proposed new Articles had highlighted risks to FE provision in the Perth and Kinross hinterland under the proposed Post-16 Bill in its current format as safeguards in the shape of delegated

powers to the FE Regional Board were not recognised or put in place. The Board might therefore wish to highlight these risks to relevant stakeholders, including the Cabinet Secretary, Education and Culture Committee, Perth and Kinross Council, CPP, MPs, MSPs and MEPs.

There followed a detailed and wide ranging discussion in which it was recognised that the Board had an accountability for learners in the College and for local stakeholders needs.

It was also noted that it would be useful to have the support of the other two major Colleges, Inverness and Moray, but that this should not delay any action.

Agreed:

- The Board will write to James Fraser and Fiona Larg to recommend that the Articles of Association are only modified to enable the new Court to be constituted. The new Court can then develop new Articles to take into account the Post-16 Education (Scotland) Bill when it has reached at least Stage 3 of the legislative process. The new Court should also consult with academic partners to update the existing Academic Partnership Agreements as referenced within the Articles.
- The Board will write to stakeholders highlighting the risk to FE provision in the Perth and Kinross hinterland under the proposed Post-16 Education (Scotland) Bill.

PB/TJM/KG

PB/TJM/KG

9 **Equality Report and Mainstreaming Plan**

Susan Bald reported that in response to the Equality Act 2010, the Scottish Government had set specific equality duties for public bodies. These included the publication of an Equality Report and Mainstreaming Plan by 30 April 2013.

The Board considered the Equality Report 2013-17, which reported on how the College is currently embedding equality and diversity and what further work is required.

This was currently subject to internal and external consultation and the consultation process would conclude the end of March. The report and action plan would then be signed off by the Board Chair for publication by the deadline. Helen Leitch, Equality and Diversity Advisor, would attend the Board CPD evening on Wednesday 8 May 2013, to inform the whole Board of the actions to be undertaken as part of embedding equality and diversity, from Board level downwards and across the whole organisation.

The Board commended the comprehensive report and expressed its support for embedding the principles of equality and diversity in

the College.

10 **Chair's Report**

Ian Mathers did not have report to make.

11 **Principal's Remarks**

Dr Moore reported that the FE Regional Outcome Agreement for 2013/14 was nearly completed. This was due for submission to SFC by the deadline of 31 March 2013. The Scottish Government had announced a lesser reduction in budget cuts to further education and the criteria on which was to be distributed was still awaited, therefore the outcome agreement cannot yet be finalised. When the draft final outcome agreement is available it will be require approval by Chair's action, to meet the SFC deadline.

The HE Regional Outcome Agreement 2013/14 does not have the same hard deadlines. Work is ongoing to identify some key themes across FE and HE to join up the two outcome agreements.

A draft HE Outcome Agreement had been circulated by Fiona Larg and Margaret Munckton had provided detailed and thorough feedback. There was no feedback at that time from the other academic partners.

On 14 November 2012, the Principal had received a 'local outcome agreement' from Fiona Larg for his signature. He had responded to this, requesting some amendments. A response to this was still awaited.

Dr Moore noted that the key measurements for the distribution of funding in the future would be quality and achievement of the award for which the student matriculated coupled with student retention. As funding was now on a regional basis, 'weaknesses' in other academic partners will impact on the funding coming into individual partner Colleges. It was therefore legitimate to have concerns about the engagement and performance of other academic partner Principals and Chairs with the process.

12 **Balanced Scorecard**

Noted: the complete Balanced Scorecard, giving the College's actual performance against the Key Performance Indicators for 2011-12.

13 **Board membership**

The Chair's Committee had agreed to extend Board appointments, where necessary, pending the new Post-16 Bill, which may require the Board to be reconstituted.

Agreed:

- To reappoint Norman Wilson for a further four year term, with effect from 20 March 2013
- To appoint Dolores Garden and Dr Harold Gillespie as Board members, for an initial four year term, with effect from 20 March 2013.

14 **Financial Regulations Update**

Iain Neilson reported that the College's current Financial Regulations were approved by the Board of Management on 5 October 2011.

The Information Services and Procurement Director, Dawne Hodgkinson, has updated the section on Tenders and Quotations in the Procurement section of the document. Amendments were also required to the document to reflect the change in the SMT roles/titles and some committee title changes.

Agreed: To approve the updated Financial Regulations

15 **Minutes of Standing Committees**

15.1 Audit Committee – 5 March 2013

Approved:

- Minutes of the meeting held on 5 March 2013
- Health and Safety Policy – December 2012

15.2 Finance and General Purposes Committee – 20 February 2013

Approved: Minutes of the meeting held on 20 February 2013

15.3 Strategy & Futures Committee - 19 February 2013

Approved: Minutes of the meeting held on 19 February 2013

15.4 Engagement Committee – 14 March 2013

Approved: Minutes of the meeting held on 14 March 2013

15.5 AST Board of Directors - 11 February 2013

Approved: Minutes of the meeting held on 11 February 2013

15.6 Chairs' Committee – 19 December 2012

Approved:

- Minutes of the meeting held on 19 December 2012
- Remuneration Committee report

16 Date and time of Next Meetings

- Wednesday 8 May 2013 at 5.30pm - optional training evening.
- Wednesday 26 June 2103 at 5.30pm – Board meeting.

17 Documents uploaded onto Board Portal

Noted: documents uploaded onto the portal since the last Board meeting, as follows:

- Perth College's Financial Regulations – update with tracked changes
- Commission for Developing Scotland's Young Workforce – membership and terms of reference
- Scotland's Colleges Newsletter: Governing in a Regional Structure, Issues 9, 10 & 11
- Regional Outcome Agreement 2012/13 – Update
- Regional Outcome Agreement – SFC Measurement Framework 2013/14
- Post 16 Education (Scotland) Bill – Written Evidence
- UHI Research Working Party Report – December 2012

Information recorded in College minutes are subject to release under the Freedom of Information (Scotland) Act 2002 (FOI(S)A). Certain exemptions apply: financial information relating to procurement items still under tender, legal advice from College lawyers, items related to national security.

Notes taken to help record minutes are also subject to Freedom of Information requests, and should be destroyed as soon as minutes are approved.

Status of Minutes**Open** ☒ **Closed** ☐

An **open** item is one over which there would be no issues for the College in releasing the information to the public in response to a freedom of information request.

A **closed** item is one that contains information that could be withheld from release to the public because an exemption under the Freedom of Information (Scotland) Act 2002 applies.

The College may also be asked for information contained in minutes about living individuals, under the terms of the Data Protection Act 1988. It is important that fact, rather than opinion, is recorded.

Do the minutes contain items which may be contentious under the terms of the Data Protection Act 1988? Yes ☐ No ☒