

Board of Management

Minutes

Meeting reference: Board2014-15/04

Date and time: Wednesday 17 June 2015 at 5.30pm

Location: Room 308

Members present: Mike Baxter, Mark Bell, John Dare, Sam Finlayson, Derek Forgan, Harold Gillespie, Ian Jackson David Littlejohn, John McDonald, Ian Mathers, Margaret Munckton, Grant Myles, Alistair Napier, Norman Wilson

Apologies: Susan Bald, Dolores Garden, Fiona Shepherd

In attendance: Dawne Hodgkinson, Acting Director of Corporate Services
Jackie Mackenzie, Director of Finance
Pam Wilson, Vice Principal, Academic
Jenny Simmonds, Clerk to the Board

Chair: Grant Myles

Minute Taker: Jenny Simmonds

Quorum: 8

Summary of Action Items			
Ref	Action	Responsibility	Time Line
5	PCSA paper and revised Constitution to be presented to October Board	Pam Wilson	24 Sept 2015, 28 Oct 2105
5	Chair to write to members of SLWG	Chair	July/Aug 2015
5	Student Support Funding paper to be presented to F&GP and October	SMT	14 & 28 October 2015
8	Sign up to the voluntary National Recognition and Procedures Agreement 2015-16.	Principal	asap
9	The Board to write to UHI Court noting its position in relation to the FM, presenting its alternative FM and requesting a timescale for the development of the APA	Chair	asap
9	The Board to write to the SFC noting its position in relation to the FM, presenting its alternative FM and requesting Perth College maintains its Fundable Body Status.	Chair	asap
9	Perth College Senior Management Team to write to UHI Executive Office noting the Board position and offer to engage in discussions to further develop the APA and FM	SMT	asap
12	ICT Shared Services update to be presented to October Board	Margaret Munckton	28 October 2015

Item

Action



1 **Welcome and Apologies**

Grant Myles welcomed everyone to the meeting and noted that a starring system was being used with only starred items for discussion.

He welcomed John Dare to his first Board meeting and congratulated John and Samantha on their success in the recent student elections.

Apologies were noted.

2 **Additions**

Enc 15 Board Member Attendance at Meeting 2014-15 was added to the agenda and tabled.

Tabled

Enc 6 - Academy of Sport and Wellbeing

The Audit Committee minutes of 24 March 2015
The Chairs' Committee minutes of 12 March 2015

3 **Declaration of Interest in any Agenda Item**

There were no declarations of a conflict of interest in any agenda item.

4 **Minutes of Meeting held on Wednesday 25 March 201**

The minutes were approved as a correct record

5 **Actions arising**

The actions taken following the last meeting were noted.

6 PCSA paper and revised Constitution to be presented to June Board

Action: Ongoing. A paper will be presented to the October Board.
Draft key principles to be discussed under Agenda item 17.3.

8 The Board to write to UHI Court re the Financial Memorandum

Action: Completed. Letters of April 2015 and 11 June 2015 refer.

8 Perth College SMT to write to UHI EO re the Financial Memorandum

Action: Completed

9 Reconvene SLWG to review and take forward actions arising from the Away day and first meeting

Action: Ongoing. Chair to write to members of SLWG over the summer to take forward and refer outcome back to the Committees and Board at beginning of academic year.

10 Confirmation of UHISSA Ltd's structure is appropriate re VAT Group/Cost Sharing Group.

Action: Update under Agenda item 12

10 Student Support Requirement paper to be presented to June Board

Action: The Finance and General Purposes Committee on Weds 3 June approved that the outturn of the College Group, including AST, for the financial year end 31 July 2015 will be a deficit of £300k on the basis that it reflects the underfunding of Student Support Funds. The College will know by the end of June if it will receive any redistributed money.

A Review Group comprising Scottish Government, Students Award Agency for Scotland, SFC and Colleges Scotland has been set up to consider student support funding. A paper on this will be presented to the F&GP and Board in October.

11 Convene Chair and Board member meetings

Action: Completed

12 To check wording of para 27 of Equality Mainstreaming report for clarity.

Action: Completed

6 6.1 Students' Association Update

Grant Myles congratulated both John Dare and Sam Finlayson on their election as President and Vice President of Engagement and Education respectively of the Students' Association.

Margaret Munckton was very supportive of the new Students' Association Committee which will help to ensure continuity in the handover and set up of the new Association. It is also very encouraging they will help with the organisation of Freshers week.

The new Committee would like to get some of the clubs and societies up and running over the summer to be ready for Freshers Week and the new academic year.

Both International and AST students will be invited to be involved in Freshers week and in student induction.

7 Balanced Scorecard

Pam Wilson spoke to this paper noting that it is rather historic as it presents the overall contribution to the Highlands and Islands Region Outcome Agreement for 2013-14 and we are now moving into 2015-16.

The report demonstrates that Perth College contributes highly to both FE and HE targets and outcomes and continues to do. The Board considered this a very positive report with Perth College contributing very positively to the overall UHI ROA.

There are other initiatives and proposals being considered currently which could help in assessing and defining individual Colleges' specific performance both within the ROA and independently:

- i) Data Information Sharing Forum 2015-16;
- ii) Potential for academic partner peer review; and
- iii) Local Outcome Agreements.

The UHI FERB will also be looking at the ROA and drilling down to assess individual College contributions to the whole.

8 National Regional and Procedures Agreement 2015-16 and NJNC Update

The Board discussed the National Regional and Procedures Agreement 2015-16 and its implications for the college sector. By signing the NRPA, each employer is agreeing to voluntarily enter into national bargaining and agreeing to the mechanism through which national agreements can be reached.

The NRPA has been developed by the college sector itself and so has influenced its development.

If the Board do not agree to approve the NRPA national bargaining will be imposed through statute or through instruction from the Scottish Funding Council.

The Board are aware that by signing up to national bargaining the College and Board will lose direct control over the staffing costs, a major element of the College cost base.

Approved:

The Board agreed to sign up to the voluntary National Regional and Procedures Agreement 2015-16.

9 Financial Memorandum between UHI and Perth College and Academic Partnership Agreement

Approved:

The Board of Management **agreed** the following:

The Board do not consider it appropriate to sign off the current draft Financial Memorandum (FM) until the Board concerns with the proposals relating to the Arms Length Foundations (ALF) are either resolved satisfactorily or removed entirely from the FM;

The Board will agree to sign off an alternative version of the FM which resolves the ALF position to the Board's satisfaction and present this version to UHI and the SFC;

This alternative version of the FM is agreed on the basis that the Board reserves the right to revisit the terms of the FM after the Academic Partnership Agreement (APA) has been produced. The terms of the APA may have a material impact on the FM which may require amendments to the FM to be considered;

The Board agreed Chairs action could be taken if required to agree a revised version of the FM before the next Board;

The Board is disappointed that the APA is not yet available to be considered alongside the FM. The Board considers that as the APA is the primary document of agreement between the academic partners, it should have been available prior to being asked to agree to the FM;

The Board to write to UHI Court noting its position in relation to the Financial Memorandum and the Academic Partnership Agreement and requesting a view on the status of the APA and a timescale for its development. This communication is to contain a copy of our revised FM;

The Board to write to the SFC noting its position in relation to the Financial Memorandum (enclosing our revised FM) and requesting Perth College maintains its Fundable Body Status until the necessary agreements are agreed and in place;

The Principal to write to UHI Executive Office (with a copy of our revised FM) noting the Board position and offer to engage in discussions to further develop the APA and FM.

10 **Leadership Roles for Academic Partner Principals**

Approved:

The Board approved in principle their support for the Principal applying for secondment opportunities under the proposals for enhancing the formal roles that AP Principals put forward to HEPPRC.

If the Principal does apply for any opportunity, the Board will consider any capacity issues and evaluate the risk to the College. A backfill plan

for covering the absence of the Principal is to be presented to the Chairs and Remuneration Committee and the Board.

11 Academy of Sport and Wellbeing

Jackie Mackenzie updated Board members on the outcome of the tender process for the Academy of Sport and Wellbeing and the issues arising.

Two tenders were received and considered against each other and against the previous estimated costs for the project.

There was a substantial cost difference between the two tenders received and both tenders were above the previously approved capital budget of £6.5m.

During discussion the Board agreed that the project specifications should not be revised down to work within the originally agreed budget as this would compromise both the overall strategic aims of the project and the intended use and benefits of the facility.

Due diligence had been undertaken previously to inspect work carried out by the preferred contractor on projects of a similar nature and scale. Staff were satisfied with the quality of this work.

The project management, reporting and control mechanisms of the project will rest with the Capital Projects Committee.

Approved:

- i. The Board approved Dixons Contractors as the preferred bidder subject to the conclusion of satisfactory tender negotiations, a Performance Guarantee Bond being put in place and the appropriate financial and legal processes being completed;
- ii. The Board approved a capital funding ceiling of £7.5 million with the caveat that efforts are maintained to explore and potentially secure other funding opportunities;

12 ICT Shared Services

Margaret Munckton advised the Board the launch date for the new service has been deferred until 1 December 2015 due to the uncertainties around costs and timescales for USSL's admission into the Local Government Pension Scheme. Dawne Hodgkinson, Acting Director of Corporate Services, will meet with staff affected to explain the situation.

An update will be presented to the October Board meeting.

13 Board Reappointment and recruitment

Grant Myles updated Board member of the recent round of Board interviews.

14 **Chair's Report**

Grant Myles, Chair, updated the Board on some of his recent activity on behalf of the Board. He had attended the FERB meeting where there had been discussion of the role of FERB in relation to UHI Court.

He was also attending by vc a meeting of the Chairs of the academic partners to discuss the RPA.

15 **Principal's Update**

Margaret Munckton opened her update by noting that the FE prize giving had been an excellent occasion and had gone very well.

Other items noted included:

- i. The Principal had presented evidence on behalf of the College sector to two Parliamentary Committees, the Public Audit Committee and the External relations Committee.
- ii. The College has concerns at the potential loss of the College's Highly Trusted Status which could lead to the return home of overseas students. Pete Wishart, MP is currently engaged with this issue
- iii. 46 students will graduate from Perth College in China in November
- iv. John Swinney, MSP, has agreed to cut the turf at the start of the ASW build.

17 **17.1 Audit Committee – 24 March and 19 May 2015**

The minutes of the Audit Committees of both 24 March and 19 May 2015 were presented to the June Board meeting for approval.

Approved: Minutes of the meeting held on 24 March and 19 May 2015

17.2 Academic Affairs Committee 26 May 2015

Approved: Minutes of the meeting held on 26 May 2015

17.3 Engagement Committee - 28 May 2015

As agreed at the previous Board, the Constitution of the Students' Association had been varied to enable the student elections take place. A fully revised Constitution noting all the changes made to be presented to

the Board in October.

An interim arrangement for the line management of the Student President is to be discussed and agreed to operate until the Board Committee structure is in place.

Approved: Minutes of the meeting held on 28 May 2015

17.4 The Capital Projects Committee – 3 June 2015

Approved: Minutes of the meeting held on 3 June 2015

17.5 Finance and General Purposes Committee – 3 June 2015

Ian Mathers congratulated staff on their hard work and commitment over the previous year in getting to grips with operating within the new ONS financial context. Staff have had to deal with a range of complex issues and are to be congratulated on their achievements.

Approved: Minutes of the meeting on 3 June 2015

17.6 AST Board of Directors – 23 April 2015

Margaret Munckton reported that the Board had asked both the Scottish Government and JNC for clarification of whether the College will be required to comply with national bargaining for AST staff.

Approved: Minutes of the meeting on 23 April 2015

18 Date and time of next meeting

Members were asked to note the proposed schedule of meetings for 2015-16.

The next meeting will be **Wednesday 28 October 2015 at 5.30pm**

Tab Enc 15 Board Member Attendance at Meeting 2014-15.

led

Noted.

15 Review of Meeting

Members agreed the meeting would have been even better if it had not been quite so long. It was acknowledged however that the meeting had covered a lot of very relevant issues.

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 ☒