

# BOARD OF MANAGEMENT



**Tuesday 15 March 2022 at 5.00pm in  
KC Café Bar, Kingsway Campus**

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## AGENDA

**1. WELCOME**

**2. APOLOGIES**

**3. DECLARATIONS OF INTEREST**

**4. MINUTE OF LAST MEETING – 14 DECEMBER 2021**

4.1	Adoption	Paper A for approval	AMc
4.2	Matters Arising	Paper B for information	

**5. STRATEGIC ITEMS**

5.1.	Strategic Projects Update	Paper C for information	SH
5.2.	Financial Strategy	Paper D for discussion	Exec.
5.3.	Strategic & COVID Risk Register	Paper E for information	ST
5.4.	Board Development Sessions	Verbal update	AMc

**6. STUDENTS' ASSOCIATION PRESENTATION**

Paper F for information	AM/ND
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**7. NATIONAL BARGAINING UPDATE**

Paper G for information	ST
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**8. PRINCIPAL'S REPORT**

Paper H for information	SH
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**9. FINANCE ITEMS**

9.1	Finance & Property Committee Cover	Paper I for information	JC
9.2	Budget Monitoring Report	Paper J for information	
9.3	Non-Competitive Awards Approval	Paper K for approval	
9.4	Financial Regulations Update	Paper L for approval	

**10. GOVERNANCE ITEMS**

10.1	Board Membership	Paper M for approval	ST
10.2	Revised Code of Conduct	Paper N for approval	ST
10.3	Board Self-Evaluation	Paper O for approval	ST
10.4	Board Metrics	Paper P for information	ST
10.5	2022/23 Board Meeting Dates	Paper Q for approval	ST

**11. COVID 19 UPDATE**

Verbal update	Exec
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**12. MINUTES OF COMMITTEE MEETINGS**

12.1	Learning, Teaching & Quality – 9 February 2022	Paper R for information	AMc
12.2	Human Resource & Development – 17 February 2022		
12.3	Finance & Property – 1 March 2022		
12.4	Audit & Risk – 8 March 2022 (verbal update)		

**13. CORRESPONDENCE**

Paper S for information	
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**14. ANY OTHER BUSINESS**

**15. DATE OF NEXT MEETING**

Tuesday 21 June 2022 at 5.00pm.

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**

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**MINUTE OF LAST MEETING –  
14 December 2021**

**PAPER A**

# BOARD OF MANAGEMENT

## Board of Management Meeting

### Tuesday 14 December 2021

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*Draft, confirmed by Chair*

**Minute of the meeting of the Board of Management of Dundee and Angus College held on Tuesday 14 December 2021 at 10.00am via MS Teams**

<b>PRESENT:</b>	A McCusker (Chair)	G Robertson
	S Hewitt	D Fordyce
	K Ditcham	K Keay
	H Honeyman	S Middleton
	T Pirie	S Mill
	S Stirling	A Monks
<b>IN ATTENDANCE:</b>	J Carnegie (Vice Principal)	
	S Taylor (Vice Principal/Secretary to the Board)	
	W Grace (Head of Estates)	T D'All (Principal's/Board Chair PA)

#### 1. WELCOME

A McCusker welcomed members of the Board to the meeting and apologised for the cancellation of the planned lunch and face-to-face meeting.

#### 2. APOLOGIES

Apologies were noted from N Dowie, B Carmichael, D Mackenzie, N Lowden, M Williamson, and J Grace

#### 3. DECLARATIONS OF INTEREST

G Robertson noted his role as Chair of the of the Board for Gardyne Theatre Limited.

#### 4. MINUTE OF LAST MEETING – 28 SEPTEMBER 2021

##### 4.1 Adoption

The Minute of the Board of Management meeting held on 28 September 2021 was signed and approved as an accurate record.

##### 4.2 Matters Arising

All matters arising had been closed out.

#### 5. STRATEGIC ITEMS

##### 5.1 Strategic Projects Update

S Hewitt highlighted the report provided to the last BOM noting that the Strategic Projects were progressing, but that in some areas the pace was slow due to factors outwith College control. The College was optimistic that they would pick up pace again in 2022 and should see significant progress.

S Hewitt also highlighted that two College posts would provide significant support for the range of projects, including Steph Thoms in her role as Director of Curriculum & Attainment and a new Senior Project Manager role supported through additional funding received.

S Hewitt provided an update on MSIP & TCD:

- MSIP – transformation of the Skills Academy is underway funded by MSIP & Scottish Government. Launch delayed due to ongoing roof work.
- Wider funding secured from: Seagreen - £300K; Matthew Trust - £100K
- The Project Manager Post will be funded for 3 years via Northwood Trust
- Progressing other funding bids/opportunities
- Progressing at pace on the curriculum planning as well as staff CPD.
- Strong / productive relationships with MSIP

S Hewitt noted that the TCD was a little more complicated:

- The TCEP project had met with some delays which had been out with college control. These had delayed securing Outline Business Case approval, although this was finally granted in September 2021 allowing the Full Business Case (FBC) to be progressed.

S Hewitt noted the minor risk due to some construction costs that we might be unable to clawback approx. £55K.

S Hewitt also noted that there was minimal risk outwith this and no staff costs were being incurred at present.

J Carnegie summarised the arrangements and timeline, advising that a meeting had taken place between the College, Dundee City Council, Angus Council and Tay Cities re FBC to be submitted to Scottish Government. This will be considered in January 2022 to decide whether the FBC should be submitted to the Management Group on 24 January 2022. Scottish Government will then send on to the UK Government on 18 March 2022 and at this point it will be approved or not.

J Carnegie confirmed that feedback would be available before going to the Management Group and it was hoped that any small changes required could be made before final submission. J Carnegie did however note that if the initial timeline was not met there was another meeting in June 2022.

J Carnegie highlighted the challenge if we don't spend the money in-year as it would then be reallocated to year 10 of the Deal and could be allocated to other projects.

J Carnegie noted the conversation at the recent Finance & Property Committee confirming the proper arrangements for the Procurement Process for the purchase and provision of equipment for the TCEP project

The Board of Management were asked to note the progress and issues along with possible timeline changes.

S Hewitt provided an update on the Biotech & SME projects reminding the Board that these projects were within the over Skills Projects 'pot'. The Outline Business Case (OBC) for each project had been re-written a number of times to reflect changing circumstances and skills development needs.



It was confirmed that D&A College was ready to meet the deadline submission date of January 2022.

S Hewitt noted the Shared Apprenticeship Scheme was progressing but was less pressing at this would progress as part of phase two of bids at a later date.

S Mill enquired about any risks within the Biotech project due to the links with other projects and institutions that may not progress or be approved. S Hewitt confirmed there were currently no issues around this and that, irrespective of other projects, there were strong and successful engagement and partnerships with both the James Hutton Institute and Universities.

The Board welcomed the update and approved the Skills SME & Biotech OBCs for submission.

## **5.2 D&A Draft Outcome Agreement (OA) 2021-2022**

S Taylor conveyed previous conversations with SFC around amending and streamline the OA process and confirmed that the draft document would be finalised by the end of January 2022. Another OA for 2022-2023 would likely be required relatively soon after that, but timescales were currently not known.

S Taylor noted that the OA give a good insight of what was happening across the College including the required measurement plan and technical details. This year's OA includes a Self-Evaluation Report looking back at 2020/2021. Overall student performance was really strong, and the evaluation give a clear outline of this.

S Mill noted he was happy with the content but highlighted disappointment that the document did not ask for coverage of financial performance or sustainability.

A McCusker noted progress in respect of gender balance and stated that it was hoped that this would progress much further through developments such as the MSIP Project.

S Middleton asked if "green net zero" could also be flagged up in Outcome 5 of the document. This would be updated.

The ROA document and evaluation were approved. **S Taylor to progress.**

## **5.3 Climate Emergency Action Plan (CEAP) – Board Actions**

B Grace provided an update around the CEAP and gave a presentation to Board members.

Small group discussion took place around the following questions:

- a) Are you able to commit to the College achieving Net Zero by 2040? If not, what information would you wish to be able to agree to this target?
- b) Are you comfortable with agreeing to engage with progressing the targets identified above, at the appropriate time, to meet the deadlines?
- c) The intention is to report on progress towards achieving the Climate Emergency Action plan at least annually within the Board cycle. Do you agree? As the actions are cross cutting there are two options; elements of the report are reported to the appropriate Committee OR progress is reported to the full Board. It is proposed that the Board receives progress updates. Do you agree?

Groups comments impacting on College activities were summarised as follows.

- Challenges associated with delivering net zero, and the potential need for significant investment in some facilities to do so, were noted
- The need for change was recognised, but why Scottish organisations were seeking to achieve this in advance of the 2045 target was less clear.
- It was recognised that some form of carbon offset would be required, which may also be costly to secure.
- The scope should cover all College activities, including Gardyne Theatre, but challenges in this were recognised
- National Procurement arrangements needed to be reviewed and updated to support more carbon neutral alternatives
- Education and embedding into college programmes and culture was a critical factor. This was already embedded in the 2025 strategy.
- Everyone across the College would need to contribute to achieve net zero.
- The Board should consider targets or markers in terms of the overall journey.

Overall, the Board recognised that the net zero target was challenging and aspirational but was one that they should commit to and focus on delivering.

It was highlighted that there was not currently a Strategic Risk that encompasses the Climate Emergency Response. It was agreed that this was something that should be included within the Risk Register for the next update. **S Taylor to progress**

Board members requested an update on CEAP be provided to each BOM as a Strategic Item, commencing from the June 2022 meeting. **S Taylor / J Carnegie to progress.**

## **6. STUDENTS' ASSOCIATION REPORT**

A Monks provided an update presentation from DASA highlighting:

- Class visits to encourage engagement and feedback were working well and helping to build relationships.
- New model developed to encourage engagement and new conversations with students.
- Class Rep Training has been completed.
- Using Service Design principles to make sessions fun and interactive with some great feedback.
- Department Reps have all undertaken their training.
- Feedback from the students' sessions – "what is strong & what is wrong" highlighted the staff enthusiasm. Remote Learning, however, continues to be an issue due to individual circumstance. Fully Remote Learning students are missing the social part of college life – social isolation.
- Connecting Scotland Applications – DASA had received more than 200 phone calls for assistance. Feedback indicated that this work had made a huge impact for students. It was hoped that this initiative would continue into 2022.
- SA Officers and Assistants still working hard including some social interaction with/for students and were making phone calls to students on various subjects including: COVID, travel cost, money, ICT devices etc. The Team hoped to offer the personal touch and had made approximately 1200 calls so far.

- Attendance campaign was working well with Sport and fitness offering free month passes. A follow up was planned in January 2022 with Hairdressing & Beauty Therapy department vouchers and the hope for a similar offer from the Hospitality Team (Café Bars and Training Restaurants) after that.
- Service Design Workshop to be held in Feb 2022 to inform the offer of more physical / wellbeing activities.
- Stop & Review – the Students President had attended a number of these meetings. Good opportunity to meet more academic staff and build relationships.
- Sustainability – Planning Service Design Event with the Climate Emergency Team and how to develop this partnership.
- Working with Hairdressing and Beauty Therapy Teams around greener salons and the development of the new space at Kingsway Campus.
- Mission Christmas – 6 days of volunteering (360 hours) with a good mix of students and staff involved.

S Stirling noted that there were more Chrome Books now available to be issued to students via the Connecting Scotland project.

Board members gave their thanks to the DASA Team for the inspiring work they undertake on behalf of D&A College students.

## **7. NATIONAL BARGAINING UPDATE**

S Taylor provided an update on National Bargaining noting that things are still under discussion re salary settlement for both Academic and Support Staff. The recent offer to Academic staff had been rejected.

S Taylor noted that the Job Evaluation arrangements were progressing slowly and that plans to progress changes to Employers Association had been discussed.

A McCusker noted the potential risk around the staff pay as current offers were in excess of public sector pay policy and were above the level planned for when budgeting.

## **8. PRINCIPAL'S REPORT**

S Hewitt noted the Principal's Report and the incredible amount of work being undertaken.

S Hewitt confirmed that student retention was similar to last year. However, retention across the College sector remained a major challenge, acknowledging why the work undertaken by DASA and others was so important.

## **9. FINANCE & ESTATES ITEMS**

### **9.1 Kingsway Campus Update**

J Carnegie noted that the Hairdressing & Beauty Therapy building was progressing to plan with completion scheduled for in late April 2022. J Carnegie noted the defect in the lecture theatre roof had now been removed and the new roof in place by the end of the year.

### **9.2 Non-Competitive Action Approval – TCEP Works**

J Carnegie noted this item had been discussed at the Finance & Property Committee on 7 December 2021 with updated comments from this discussion included in the paper.

Following discussion, the Board approved the Non-Competitive Action.

### **9.3 Annual Report from Audit & Risk Committee**

G Robertson highlighted the vibrant risk register and thanked members for the engagement via the individual Committees. It was noted that positive audit outcomes were received and the closing off action had been excellent.

The Board noted that risk discussion taking place at each Committee was working well.

The annual report was approved.

### **9.4 Audit Scotland Annual Report**

J Carnegie noted the very positive Audit Scotland Report with commendation for the governance arrangements in respect of the COVID Pandemic. Other recommendations to take forward related to the Financial Strategy and Estates Strategy, and Assets Register.

S Mill noted that the Finance & Property Committee were happy with the proposed way forward in respect of the recommendations and noted that comments around The Asset Register would not impact on the Financial Statements.

The Board of Management Approved the Audit Scotland Annual Report.

### **9.5 Financial statements for the year ended 31 July 2021**

J Carnegie confirmed the Financial Statement had been presented to Joint Audit & Risk and Finance & Property Committee on 7 December 2021 highlighting the cash-backed position of c. £2.6M.

J Carnegie noted that Audit Scotland had completed their intensive review of the accounts and had confirmed an unqualified opinion.

Board Members authorised for the Accounts to be signed off by A McCusker and S Hewitt. **J Carnegie to progress**

### **9.6 October 2021 Financial Forecast Return (FFR)**

J Carnegie confirmed the College completed 2 FFRs, with the second of these submitted in October 2021 following discussion at a special Finance & Property Committee meeting.

S Mill acknowledged the extraordinary meeting that took place on 19 October 2021 where the FFR document was reviewed, and an unamended version approved by the Committee.

The Board approved the FFR retrospectively.

## **10. HUMAN RESOURCE ITEMS**

### **10.1. Voluntary Severance Scheme Approval (VSS)**

S Taylor highlighted the VSS paper noting it was a Governance requirement for an VS scheme to be approved by the Board and the Scottish Funding Council.

Approval for the scheme currently operating would lapse on 31 December 2021 and the Board were asked to approve the reconfirming of the VS Scheme for a further 3 years – through until 31 December 2024.

It was confirmed that the terms of the scheme were unchanged and that these had been previously approved by the Board following agreement with the Chairs' Committee and unions.

S Taylor noted there was an approvals process that the College needed to go through with SFC but that no issues were expected with this.

The Board approved the VS scheme and reconfirming this with SFC until 2024.

**S Taylor to progress.**

## **11. GOVERNANCE ITEMS**

### **11.1. Exploring the Complexities of College Governance Report**

S Taylor summarised the background to the ESRC Project undertaken with Stirling University (looking at the process of decision making) which D&A College was involved. The Research Report and related recommendations were discussed, and it was agreed that these would inform future Board arrangements as appropriate.

### **11.2. Board Metrics**

The information within the Board Metrics documents was noted.

## **12. COVID 19 UPDATE**

S Hewitt acknowledged that it had been a difficult, challenging, but very successful year.

S Hewitt noted the amazing work being undertaken considering the College had been in Crisis Management for nearly 2 years.

S Hewitt stated that he was proud of everything achieved as a College and noted that thanks were due to staff, students, and the Board for this. It was noted that at the recent meeting with the SFC OA Team they had noted how remarkable the feedback received by the College and students had been. S Hewitt noted that this was only possible due to the hard work put in.

S Hewitt noted that Omicron had created additional challenges. However, planning was already in place (Plan B & C) in terms of reduced on campus delivery through to January 2022 and the College had reacted quickly and proportionately to this. This included balancing the risks around the new variant and the risks around wellbeing for staff and students.

S Hewitt intimated that there was a National Working Group looking at more flexibility around the Credit Target in light of COVID.

J Carnegie summarised the work being undertaken to maintain health and safety standards and to continue to reinforce mitigations with staff and students. It was noted that this was an on-going challenge and that in some cases this was impacting negatively on relationships between groups.

S Taylor highlighted the impact on student support with the demand being high around mental health & wellbeing as well as education loss and socialisation / interaction / behaviours. All of this was being picked up and a lot of support was being provided.

S Taylor noted that SQA decision tree assessing against course aims was under active consideration and may be needed if there were further restrictions in the new year.

S Taylor noted activities and support for students after the Christmas period, especially given the reduction in on-campus activity. This was traditionally a time when students might withdraw but there were plans in place to continue to contact and encourage students to return to their studies.

The Board welcomed the update and thanked staff and students for their hard work over the year.

### **13. MINUTES OF COMMITTEE MEETINGS**

Updates from the Committees were noted.

### **14. CORRESPONDENCE**

The list of recent correspondence was noted.

### **15. ANY OTHER BUSINESS**

A Monks took the opportunity to thank the Board for the personal support as well as their support for the DASA Team.

### **16. DATE OF NEXT MEETING**

Tuesday 15 March 2022 at 5.00pm via Teams

#### **Action Point Summary**

<b>Action</b>	<b>Responsibility</b>	<b>Date</b>
Final ROA to be progressed with updates as discussed.	S Taylor	31 January 2022
Climate Emergency Risk to be incorporated into the Strategic Risk Register.	S Taylor	8 March 2022
Climate Emergency Action Plan Update to be included under Strategic Projects as a standing BOM Agenda item.	S Taylor / J Carnegie	15 March 2022
Financial Statements to be signed and submitted.	J Carnegie	31 December 2021
Voluntary Severance Scheme approval to be sought from SFC.	S Taylor	31 January 2022

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**

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**MATTERS ARISING**

**PAPER B**

# BOARD OF MANAGEMENT

Tuesday 15 March 2022

## Matters Arising



### *Paper for information*

The following actions were noted from the Tuesday 14 December 2021 Board of Management Meeting

Agenda Item No	Action	Current status	Open / Closed
5.2	Final ROA to be progressed with updates as discussed. <b>S Taylor</b>	Updates completed and ROA signed off by SFC	Closed
5.3	Climate Emergency Risk to be incorporated into the Strategic Risk Register. <b>S Taylor</b>	Included in March 2022 Strategic Risk Register	Closed
5.3	Climate Emergency Action Plan Update to be included under Strategic Projects as a standing BOM Agenda item. <b>S Taylor / J Carnegie</b>	Will be incorporated within future agendas	Closed
9.5	Financial Statements to be signed and submitted. <b>J Carnegie</b>	Financial Statements signed electronically and provided to Audit Scotland	Closed
10.1	Voluntary Severance Scheme approval to be sought from SFC. <b>S Taylor</b>	Approval provided	Closed

**Author & Executive Sponsor:** Steve Taylor,  
Vice Principal – People & Performance



**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**

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**STRATEGIC ITEMS**

**5.1 Strategic Project Updates**

**PAPER C**

# BOARD OF MANAGEMENT

Tuesday 15 March 2022

## STRATEGIC PROJECTS UPDATE

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### *Paper for Information*

#### 1. Introduction

Following the full Strategic Projects report to the Board at the December 2021 meeting, this paper summarises recent developments.

#### 2. MISP Skills Academy

The physical work to transform the industrial site on the Innovation Park into the Skills Academy is now under way. The £2 m capital works are fully funded by MSIP and the Scottish Government. The capital works have been extended to cover more of the building fabric and this will delay the launch until August (previously April) 2022.

#### Trust Support

1. A successful bid to the Mathew Trust has brought in £100k to fund robotics lab equipment and procurement for this has commenced.
2. A bid to the Northwood Trust for revenue funding for three years was successful and the trust will pay £60k per year for three years to cover revenue costs in the form of a project manager role. A Senior Project Manager has now been recruited and joins the College 7 March 2022.
3. The Evelyn Glen Trust are also interested in funding aspects of the Skills Academy, and we are due to meet with them on the opening of the facility.

The curriculum workstreams and the Advisory Board are firmly in place and excellent progress has been made with partners in planning the range of activities required.

The final commercial arrangements are becoming clearer, with MSIP providing the capital costs, whilst the College will provide equipment, staffing, and will pay rates. These arrangements are designed to be cost neutral for the College the first three years.

This three-year period will allow the College to gauge the level of commercial and other income generating activity and other opportunities that the Academy can attract and develop a permanent business plan upon which long term arrangements can be based. Initial thinking around this is in terms of a joint venture, profit share arrangements or a form of customer / landlord relationship.

Final details are being worked on and it is proposed that these be reviewed by the Chair of the Board and chair of the finance and Property Committee before being signed off.

### 3. Tay City Deal Projects

As reported to the Board in September we are active as lead partners in four Tay City Deal projects with a total value of c£9m. Three of the projects are part of an overall £20m Skills bid and one is stand alone.

1. The stand-alone project is the Tay Cities Engineering Project (TCEP).
2. The Outline Business Case has now been approved for the overall £20m Skills Fund and we are progressing the project documentation for the projects that we lead. These are already well developed.
3. There is potential for another project, Shared Apprenticeships, which has been highlighted by Angus Council and there has been an initial meeting to discuss.

#### 3.1. Tay Cities Engineering Partnership (TCEP)

The TCEP project has met with numerous delays which have been out with College control. Outline Business Case was approved September 2021 and the Final Business Case has been submitted to both Governments and the Thematic Board and approved. This will be presented to the Management Group 24 February and Joint Committee for final approval 11 March 2022. An update on this will be provided at the Board meeting.

The TCEP project is a £3m project with £2m coming from Tay Cities Deal with objectives to:

1. Create a state-of-the-art EAM Centre of Excellence for training, demonstration, and product prototyping for use by Tay Cities Region companies.
2. Increase the uptake of companies using digital tech and advanced manufacturing techniques for design, prototyping and proof of concept and manufacturing process.
3. Increase productivity in the Tay Cities Region EAM sector
4. Increase awareness of career and employment opportunities in the EAM sector.

Delays in the OBC have created a number of project challenges including:

1. We cannot draw down funding until the FBC is signed off - although the agreed budget for this financial year can be claimed retrospectively for costs incurred.
2. There is a requirement to spend the budget within the fiscal year and with the delays this presents a number of challenges.
  - a. Project Manager Recruitment – this has not progressed due to the delay and £50k is allocated to this deliverable – this will, however, be countered by claiming existing staff costs directly related to the project.
  - b. Capital Procurement building refurbishment- the budgetary requirements for the fiscal year 2021-22 are set with £275k identified to support the Arbroath campus developments of the Engineering and Advanced Manufacture Centre that must be spent in this fiscal year.

This is on track although claim timelines are challenging with the claim to be submitted 18 March assuming approval by Joint Committee on 11 March.

- c. Capital Equipment for EAM Centre – Following legal advice the original project plan, to directly purchase all equipment from RAM Engineering/ETG has been investigated and the conclusion that this is not compliant, and procurement should follow normal procedures.

Procurement will take approximately 6 months and the PMO have been informed this will not progress in 2021/22. As is a standard approach with this situation funds have been allocated to year 10 of the overall Tay Cities project however we have requested this be carried over into 2022/23.

In terms of these issues, the following steps are being taken.

- Most of the building works are underway and are due to complete in March 2022
- The College has received assurances that proceeding with procurement in advance of FBC this fiscal year can be backdated to the beginning of the fiscal year and the in-year funding is committed and assured.
- The non-competitive award for the Supply and Installation of Wall Cladding was approved and commissioned.
- In terms of Capital Equipment, ETG had committed to showcasing £500k of equipment in the EAM Centre to be regularly updated – this may not be the case if they do not secure the procurement contract.

On a positive note, £300k funding has been secured from the Seagreen offshore Windfarm to support STEM activities in line with both TCEP and MSIP Skills Academy activities.

### **3.2. Bio Tech and SME Skills Projects.**

The projects under the £20m skills pot are dependent on the progress of the overall OBC for the Skills fund being approved. This has taken a lot longer than was previously anticipated, but the bid was approved in February 2022, and we can now progress to submitting our own projects for approval.

The individual project OBC's are all drafted and await the green light to proceed.

Copies of the Business cases for the BioTech Project and the SME Project were shared with Board members in December 2021 and are available through these links: [Biotech Project](#), [SME Project](#)

To support overall project planning, the decision was made to progress the Skills fund bids in two phases. One good piece of news is that our Bio Tech Skills and SME bids have both been selected to go forward in the first phase so will go in for consideration in March 2022. The Shared Apprenticeship bid will be in the second phase and is currently on hold until progress and timescales for stage two bids becomes clearer.

The delays in the overall Skills fund arrangements mean that it is becoming increasingly unlikely that we will receive any funding for the Bio Tech or SME projects until financial year 2022/2023. Whilst this is disappointing (as there is clear need for the work underpinned by the projects), there is no activity or expenditure in respect of these and there is no financial or reputational risk for the College or other partners.

It is simply a waiting game. The level of scrutiny by both Westminster and Scottish governments, the constant changing of processes and the bureaucracy around the Tay City Deal are very complex and are testing the patience of all of the participant organisations.

### **3.3. Shared Apprenticeship Scheme**

This project is being developed in partnership with Angus Council and will see the existing Angus Shared Apprenticeship Scheme (ASAP) extended beyond the boundaries of Angus and rolled out across the full Tay Cities Region. Presently the scheme relates mainly to apprenticeships in Construction, but it is expected that this will be expanded in other occupational areas such as Agriculture and Hospitality. A summary of the project is included in Appendix 2.

## **4. Approvals**

The Board is asked to:

- (i) Note progress being made in respect of the MSIP and Tay Cities Project.
- (ii) Approve arrangements for the MSIP financial arrangements to be signed off by the Principal following consideration by the chair of the board and Chair of the Finance and Property Committee.

## **5. Conclusions**

Significant work has been progressed for these projects and they offer a major opportunity for the College to be involved directly with employers and key stakeholders to respond to sector and regional developments that form part of new economic growth initiatives.

## **6. Link to Strategic Risk Register**

Information in this report is intended to provide Board members with reassurance that actions and activities are being progressed and addressed that support the mitigation of a range of risks identified within the Strategic Risk Register.

**Author** Grant Ritchie & Jim Brown, Project Leads  
**Executive Sponsor:** Simon Hewitt, Principal

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**

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**STRATEGIC ITEMS**

**5.2 Financial Strategy**

**PAPER D**

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**

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**STRATEGIC ITEMS**

**5.3 Strategic & COVID Risk Register**

**PAPER E**



# STRATEGIC RISK REGISTER

**2021 - 2022**

As at March 2022



<b>Post Holders</b>	ELT	Executive Leadership Team	Prin	Principal	<b>Score</b>	<b>Impact</b>	<b>Likelihood</b>
	SLT	Senior Leadership Team	DirC&A	Directors of Curriculum & Attainment	1	Routine	Remote
	Board	Board of Management	HoICT	Head of ICT	2	Minor	Unlikely
	VPP&P	Vice Principal People & Performance	HoE	Head of Estates	3	Significant	Possible
	VPCS	Vice Principal Corporate Services	Chair	Chair of the Board of Management	4	Major	Probable
	VPCA	Vice Principal Curriculum & Attainment			5	Critical	Very Likely

Risk Number & Committee	POTENTIAL CONTRIBUTING FACTORS				TREATMENT	POST MITIGATION EVALUATION				
	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Lead Responsibility
1	Strategic and Structural									
1.1 LT&Q	Failure of College strategy to meet the needs of the D&A Region and/or national priorities (eg Employability, DYW, attainment, articulation)	4	4	16	<ul style="list-style-type: none"><li>Robust strategic planning</li><li>Effective environmental scanning</li><li>Strong partnerships</li><li>Clear links between strategy and practice</li><li>Concerted demands for increased activity levels</li></ul>	4	2	8	<ul style="list-style-type: none"><li>Robust monitoring via ROA</li><li>Clear performance metrics</li><li>Amendment of strategic direction/ plans</li><li>Rolling curriculum review</li></ul>	Principal & Chair
1.2 Board	College may be disadvantaged by changes to either UK or Scottish Government policies	4	3	12	<ul style="list-style-type: none"><li>Effective environmental scanning</li><li>Negotiation/influence at national level</li></ul>	4	2	8	<ul style="list-style-type: none"><li>Review of changes and amendment of strategic direction/plans</li><li>Financial strategy sensitivities</li></ul>	Principal & Chair
1.3 Board	College disadvantaged by changes arising from UK leaving European Union	5	4	20	<ul style="list-style-type: none"><li>Negotiation/influence at national level</li><li>Review of activities/ projects</li><li>Responsiveness to new opportunities</li></ul>	5	2	10	<ul style="list-style-type: none"><li>Review of changes and amendment of strategic direction/plans/ curriculum</li><li>Financial strategy</li><li>Workforce planning</li><li>International strategy &amp; planning</li><li>Post Brexit planning</li></ul>	Principal

**Key to Risk Estimation/Score based on scale of 1 – 5 for impact/likelihood:** Green (1-8) = Minor Risk; Amber (9-15) = Significant Risk; Red (16-20) = Major Risk; Purple, (>21 - 25) = Fundamental Risk

<b>Post Holders</b>	ELT	Executive Leadership Team	Prin	Principal	<b>Score</b>	<b>Impact</b>	<b>Likelihood</b>
	SLT	Senior Leadership Team	DirC&A	Directors of Curriculum & Attainment	1	Routine	Remote
	Board	Board of Management	HoICT	Head of ICT	2	Minor	Unlikely
	VPP&P	Vice Principal People & Performance	HoE	Head of Estates	3	Significant	Possible
	VPCS	Vice Principal Corporate Services	Chair	Chair of the Board of Management	4	Major	Probable
	VPCA	Vice Principal Curriculum & Attainment			5	Critical	Very Likely

Risk Number & Committee	POTENTIAL CONTRIBUTING FACTORS				TREATMENT	POST MITIGATION EVALUATION				
	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Lead Responsibility
1	Strategic and Structural									
1.4 Board	Difficulties or over commitment arising within large scale/national College led initiatives or projects impact negatively on: <ul style="list-style-type: none"><li>Ability of the College to meet key regional strategies/objectives</li><li>Financial loss or unmanageable financial risk</li><li>Reputational loss</li></ul>	4	3	12	<ul style="list-style-type: none"><li>Effective project/activity management in place</li><li>Clear governance structures</li><li>Project/initiative finances clearly incorporated within College financial strategy and plans</li><li>End of project and exit/contingency planning</li></ul>	3	2	6	<ul style="list-style-type: none"><li>Regular project updates at Executive/Board level</li><li>Monitoring of project activities, plans and outcomes</li><li>Clear project Management arrangements in place</li><li>Budget reporting and management</li></ul>	Principal, VPC&A
1.5 Board	College disadvantaged as a result of changes arising from major national educational body reviews: SFC, SQA, EdS	4	4	16	<ul style="list-style-type: none"><li>Negotiation/influence at national level</li><li>Review of activities/ projects and response to new opportunities</li></ul>	4	1	4	<ul style="list-style-type: none"><li>Robust monitoring via ROA</li><li>Amendment of strategic direction/ plans</li><li>Rolling curriculum review</li></ul>	Principal

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Risk Number & Committee	POTENTIAL CONTRIBUTING FACTORS			TREATMENT		POST MITIGATION EVALUATION				
	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Lead Responsibility
1	Strategic and Structural									

1.6 Board	Failure of D&A plans and activities to deliver on required carbon reductions and sustainability actions necessary to meet national targets and achieve College climate emergency ambitions.	4	3	12	<ul style="list-style-type: none"> <li>Robust CEAP in place</li> <li>Multiple strands of activity/action</li> <li>Embedding sustainable practices in normal activity and ways of working</li> <li>Clear links between strategy and practice</li> <li>Planned investment in carbon reduction</li> <li>Sustainable procurement</li> </ul>	4	2	8	<ul style="list-style-type: none"> <li>Robust monitoring and reporting of CEAP at SLT and Board level</li> <li>Clear performance metrics</li> <li>Amendment of strategic direction/ plans</li> <li>Monitoring of scope 3 emissions</li> </ul>	VPCS, HoE
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Risk Number & Committee	POTENTIAL CONTRIBUTING FACTORS			TREATMENT		POST MITIGATION EVALUATION				
	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Responsibility
<b>2 Financial</b>										
<b>2.1 F&amp;P</b>	Change in SFC Funding Methodology and Allocation – Reduction in Funding	3	3	9	<ul style="list-style-type: none"> <li>Negotiation/influence at national level</li> <li>Contingency plans for reduced funding</li> </ul>	2	3	6	<ul style="list-style-type: none"> <li>Advance modelling of new funding methodologies and allocations</li> <li>Monitoring impact of changes</li> <li>Amendment of strategic or operational direction/plans</li> <li>Financial strategy sensitivities</li> </ul>	VPCS
<b>2.2 F&amp;P</b>	Failure to achieve institutional sustainability	5	4	20	<ul style="list-style-type: none"> <li>Protection of funding through dialogue with SFC</li> <li>Robust annual budget-setting and multi-year financial strategic planning</li> <li>Effective budgetary control</li> <li>Where required, swift action to implement savings</li> </ul>	4	3	12	<ul style="list-style-type: none"> <li>Monthly monitoring of budgets</li> <li>Regular review of financial strategy and non-core income sensitivity</li> <li>Detailed monitoring of savings programmes</li> </ul>	VPCS
<b>2.3 F&amp;P</b>	National outcomes on salaries and conditions of service outstrip ability to pay	4	4	16	<ul style="list-style-type: none"> <li>Influence within Employers Association</li> <li>Management of staffing expenditures</li> </ul>	4	3	12	<ul style="list-style-type: none"> <li>Expenditure modelling</li> <li>On-going discussions with staff</li> <li>Financial strategy sensitivities</li> <li>Workforce planning</li> </ul>	VPP&P, VPCS

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Risk Number & Committee	POTENTIAL CONTRIBUTING FACTORS				TREATMENT	POST MITIGATION EVALUATION				
	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Lead Responsibility
<b>2</b>	<b>Financial (cont)</b>									

<b>2.4</b> <b>A&amp;R</b>	Financial Fraud	4	3	12	<ul style="list-style-type: none"> <li>Strong financial controls: segregation of duties and review of transactions.</li> <li>Review of impact of any changes in structure or duties</li> <li>Whistleblowing arrangements</li> </ul>	3	2	6	<ul style="list-style-type: none"> <li>Continuous review of financial controls</li> <li>Internal Audit programme</li> </ul>	VPCS
<b>2.5</b> <b>F&amp;P</b>	D&A Foundation refuses/withholds funding for key College priorities	5	3	15	<ul style="list-style-type: none"> <li>On-going dialogue with Foundation Trustees</li> <li>Appropriate bid arrangements in place</li> </ul>	3	2	6	<ul style="list-style-type: none"> <li>Monitor and advise Board of Management</li> </ul>	Prin & VPCS
<b>2.6</b> <b>F&amp;P</b>	Demands of capital developments / maintenance impacts on financial sustainability or delivery of learning and/or services	3	2	6	<ul style="list-style-type: none"> <li>Multi-year estates strategy and capital planning</li> <li>Lobbying of SFC on capital and backlog maintenance funding</li> <li>Planning for D&amp;A Foundation bids</li> </ul>	2	2	4	<ul style="list-style-type: none"> <li>Monitoring of capital plans and expenditures</li> <li>Regular review of capital plans/timescales relative to funds</li> </ul>	VPCS

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Risk Number & Committee	POTENTIAL CONTRIBUTING FACTORS				TREATMENT	POST MITIGATION EVALUATION				
	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Lead Responsibility
3	People and Performance									
3.1 LT&Q	Failure to reach aspirational standards in learning, teaching and service delivery	4	3	12	<ul style="list-style-type: none"><li>• Clear quality arrangements and priority actions</li><li>• Continuous self-evaluation and action planning</li><li>• Rigorous CPD arrangements in place</li><li>• Regular classroom observation and learner feedback arrangements</li></ul>	3	2	6	<ul style="list-style-type: none"><li>• Comprehensive monitoring of key PIs and student/staff feedback</li><li>• Regular Stop and Review events</li><li>• External review and validation findings</li></ul>	VPC&A, VPP&P, DirC&A
3.2 LT&Q	Failure to achieve/maintain compliance arrangements, e.g. contracts; awarding bodies; audit.	4	3	12	<ul style="list-style-type: none"><li>• Robust strategic planning and monitoring</li><li>• Effective environmental scanning</li><li>• Strong partnerships</li><li>• Clear links between strategy and practice</li><li>• Concerted demands for increased activity levels</li></ul>	2	2	4	<ul style="list-style-type: none"><li>• Effective internal monitoring/review/verification arrangements</li><li>• External review findings</li></ul>	VPP&P, VPC&A
3.3 A&R	Legal actions; serious accident; incident or civil/criminal breach	4	5	20	<ul style="list-style-type: none"><li>• Adherence to legislative and good practice requirements</li><li>• Positive Union relations and staff communication</li><li>• Effective management development programmes</li></ul>	3	2	6	<ul style="list-style-type: none"><li>• Monitoring and reporting in key areas – eg H&amp;S, equalities, employee engagement</li><li>• Continuous professional development</li><li>• Internal audit programme</li><li>• Staff surveys</li></ul>	Prin, VPP&P, VPCS, HoE

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Risk Number & Committee	POTENTIAL CONTRIBUTING FACTORS			TREATMENT		POST MITIGATION EVALUATION				
	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Lead Responsibility
<b>3</b>	<b>People and Performance (cont.)</b>									
<b>3.4</b> <b>HR&amp;D</b>	Failure to meet the aspirational standards in respect of the health, safety, wellbeing and development of staff and students	3	4	12	<ul style="list-style-type: none"> <li>Clear and proactive approaches to managing and promoting health, safety and wellbeing</li> <li>Continuous self-evaluation and action planning</li> <li>Rigorous CPD arrangements in place</li> <li>Regular staff and learner feedback arrangements</li> </ul>	3	2	6	<ul style="list-style-type: none"> <li>Regular employee engagement monitoring</li> <li>Open communication with staff</li> <li>Comprehensive monitoring of key PIs and student/staff feedback</li> <li>Regular union/management dialogue</li> </ul>	VPP&P, VPCS
<b>3.5</b> <b>Board</b>	Reputational Risk – Loss of reputation with key stakeholders	4	3	12	<ul style="list-style-type: none"> <li>Marketing strategy</li> <li>Reputation plan</li> <li>Positive marketing approaches</li> </ul>	4	2	8	<ul style="list-style-type: none"> <li>Stakeholder engagement</li> <li>Social media monitoring arrangements</li> </ul>	VPC&A, DirC&A
<b>3.6</b> <b>HRD</b>	National bargaining outcomes impact adversely on College operations, activity and flexibility	4	4	16	<ul style="list-style-type: none"> <li>Influence within Employers Association</li> <li>Management of bargaining outcomes and implementation</li> </ul>	4	3	12	<ul style="list-style-type: none"> <li>Positive union relations and staff communication</li> <li>On-going discussions with staff</li> <li>Innovation in approaches</li> </ul>	VPP&P, VPC&A

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	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Lead Responsibility
<b>3</b>	<b>People and Performance (cont.)</b>									
<b>3.7</b> <b>HRD</b>	Industrial Relations Problems (including industrial action)	4	5	20	<ul style="list-style-type: none"> <li>Adherence to legislative and good practice requirements</li> <li>Positive Union relations and staff communication</li> <li>Effective management development programmes</li> <li>Industrial action continuity planning</li> </ul>	4	2	8	<ul style="list-style-type: none"> <li>Regular union/management dialogue</li> <li>Regular employee engagement monitoring</li> <li>Open communication with staff</li> <li>Industrial action continuity planning</li> </ul>	VPP&P
<b>3.8</b> <b>A&amp;R</b>	Breach of data security / data protection	5	4	20	<ul style="list-style-type: none"> <li>Effective management of GDPR compliance</li> <li>Mandatory staff CPD and awareness raising on data protection (relative to role)</li> </ul>	4	2	8	<ul style="list-style-type: none"> <li>Active data protection monitoring and auditing</li> <li>Effective information and data security policies in operation</li> <li>Regular data security monitoring/testing</li> <li>GDPR Action Plan</li> <li>Staff CPD</li> </ul>	VPC&A, HoICT
<b>3.9</b> <b>HRD</b>	Failure to meet Prevent and related obligations	5	3	15	<ul style="list-style-type: none"> <li>Prevent training</li> <li>Staff awareness and contingency planning</li> <li>Engagement/practice sharing with local agencies</li> </ul>	5	1	5	<ul style="list-style-type: none"> <li>Business Continuity Plan including scenario testing</li> <li>Information sharing with local agencies</li> </ul>	VPC&A, VPP&P

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Risk Number & Committee	POTENTIAL CONTRIBUTING FACTORS			TREATMENT		POST MITIGATION EVALUATION				
	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Lead Responsibility
<b>3</b>	<b>People and Performance (cont.)</b>									
<b>3.10 HRD</b>	College arrangements do not minimise risk associated with Modern Slavery	4	3	12	<ul style="list-style-type: none"> <li>Clear and compliant procurement arrangements and procedures</li> <li>Staff identity checking arrangements and use of PVG.</li> </ul>	4	1	4	<ul style="list-style-type: none"> <li>Annual procurement monitoring/reporting</li> <li>Regular employee engagement monitoring</li> <li>Open communication with staff</li> </ul>	VPC&A, VPP&P

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	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Responsibility
<b>4</b>	<b>Infrastructure</b>									

<b>4.1</b> <b>A&amp;R</b>	Disasters – eg Fire, MIS Failure, Failure of Emergency Procedures	5	4	20	<ul style="list-style-type: none"> <li>Sound systems of administration</li> <li>Clear fire and disaster recovery arrangements</li> <li>Staff CPD</li> </ul>	5	1	5	<ul style="list-style-type: none"> <li>Business Continuity Plan including scenario testing</li> </ul>	Principal & VPCS
<b>4.2</b> <b>F&amp;P</b>	Failure to achieve ambitions of Digital strategy; strategy and development is ineffective	4	3	12	<ul style="list-style-type: none"> <li>Planning, careful phasing of changes to processes and systems</li> <li>Effective management of ICT arrangements</li> <li>Clear investment plan</li> </ul>	4	2	8	<ul style="list-style-type: none"> <li>Regular review/reporting on milestones, systems effectiveness etc</li> <li>Regular CPD</li> </ul>	VPC&A, HoICT
<b>4.3</b> <b>A&amp;R</b>	Breach of ICT/Cyber security	4	3	12	<ul style="list-style-type: none"> <li>Effective management of ICT arrangements</li> <li>Active ICT/data security monitoring and cyber security policy</li> </ul>	4	2	8	<ul style="list-style-type: none"> <li>Staff CPD on cyber security issues</li> <li>Regular security monitoring/testing</li> <li>Cyber resilience plan</li> </ul>	VPC&A, HoICT
<b>4.4</b> <b>A&amp;R</b>	ICT infrastructure fails to support effective data security / data protection	5	3	15	<ul style="list-style-type: none"> <li>Effective infrastructure and systems design and implementation</li> <li>Effective management of ICT arrangements and GDPR compliance</li> </ul>	4	2	8	<ul style="list-style-type: none"> <li>Active data protection monitoring and auditing</li> <li>Effective information and data security policies in operation</li> <li>Regular data security monitoring/testing</li> </ul>	VPC&A, HoICT

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# STRATEGIC RISK REGISTER COVID 19 SPECIFIC MITIGATIONS

2021 - 2022

As at March 2022

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	Risks	Impact	Likelihood	Score	Additional COVID 19 Mitigation Actions	Impact	Likelihood	Score	Additional COVID 19 Monitoring	Lead Responsibility
1	Strategic and Structural									
1.1 LT&Q	Failure of College strategy to meet the needs of the D&A Region and/or national priorities (eg Employability, DYW, attainment, articulation)	4	4	16	<ul style="list-style-type: none"><li>Regular strategic analysis and assessment of need for change</li><li>Strong engagement with government and key partners – influencing national priorities</li><li>Clear prioritisation of activities</li><li>Focus on core business</li></ul>	4	3	12	<ul style="list-style-type: none"><li>Regular monitoring of recruitment, retention, ROA Outcomes and key strategic needs by SLT and reporting to Chairs</li><li>Amendment of strategic direction/ plans</li><li>Rolling curriculum, activity and priority review and implementation of new approaches/services where needed</li><li>Engagement with government and other partners</li></ul>	Principal & Chair
1.4 Board	Difficulties or over commitment arising within large scale/national College led initiatives or projects impact negatively on: <ul style="list-style-type: none"><li>Ability of the College to meet key regional strategies/objectives</li><li>Financial loss or unmanageable financial risk</li><li>Reputational loss</li></ul>	4	3	12	<ul style="list-style-type: none"><li>Clear prioritisation of activities</li><li>Effective project/activity management in place</li><li>Strong engagement with partners/funders</li><li>Clear governance structures</li><li>Project/initiative finances clearly understood and reviewed regularly</li><li>Project cessation, pausing or contingency planning in place</li></ul>	4	2	8	<ul style="list-style-type: none"><li>Regular project updates at Executive/Board level</li><li>Monitoring of project activities, plans and outcomes</li><li>Budget reporting and management</li></ul>	Principal, VPC&A

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	VPCS	Vice Principal Corporate Services	Chair	Chair of the Board of Management	4	Major	Probable
	VPCA	Vice Principal Curriculum & Attainment			5	Critical	Very Likely

Risk Number & Committee	POTENTIAL CONTRIBUTING FACTORS			TREATMENT		POST MITIGATION EVALUATION				
	Risks	Impact	Likelihood	Score	Additional COVID 19 Mitigation Actions	Impact	Likelihood	Score	Additional COVID 19 Monitoring	Lead Responsibility
<b>1</b>	<b>Strategic and Structural</b>									
<b>1.6 Board</b>	Post pandemic planning fails to meet the needs of the D&A Region and/or national priorities on economic and social recovery	4	3	12	<ul style="list-style-type: none"> <li>Regular strategic analysis and assessment of need for change</li> <li>Strong engagement with government and key partners – influencing national priorities</li> <li>Clear prioritisation of activities</li> <li>Focus on core business</li> <li>Revised economic and social recovery activities</li> </ul>	3	2	6	<ul style="list-style-type: none"> <li>Regular monitoring of new/updated activities and outcomes</li> <li>Amendment of strategic direction/ plans</li> <li>Rolling curriculum, activity and priority review and implementation of new approaches/services where needed</li> <li>Engagement with government and other partners</li> <li>Employer and Community engagement</li> </ul>	Principal

Key to Risk Estimation/Score based on scale of 1 – 5 for impact/likelihood: Green (1-8) = Minor Risk; Amber (9-15) = Significant Risk; Red (16-20) = Major Risk; Purple, (>21 - 25) = Fundamental Risk

<b>Post Holders</b>	ELT	Executive Leadership Team	Prin	Principal	<b>Score</b>	<b>Impact</b>	<b>Likelihood</b>
	SLT	Senior Leadership Team	DirC&A	Directors of Curriculum & Attainment	1	Routine	Remote
	Board	Board of Management	HoICT	Head of ICT	2	Minor	Unlikely
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	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Responsibility
<b>2</b>	<b>Financial</b>									
<b>2.2</b> <b>F&amp;P</b>	Failure to achieve institutional sustainability	5	4	20	<ul style="list-style-type: none"> <li>Protection of funding through dialogue with government, SFC and other funders</li> <li>Robust and effective budgetary control</li> <li>Where required, swift action to implement savings</li> <li>Increased focus on cash position</li> </ul>	4	2	8	<ul style="list-style-type: none"> <li>Monthly monitoring of budgets</li> <li>Engagement with government and other partners</li> <li>Detailed monitoring of income optimisation and savings programmes</li> </ul>	VPCS
<b>2.4</b> <b>A&amp;R</b>	Financial Fraud	4	3	12	<ul style="list-style-type: none"> <li>Revised financial controls: segregation of duties and review of transactions.</li> <li>Review of impact of changes in ways of working, authorisation arrangements</li> <li>Whistleblowing arrangements</li> </ul>	3	2	6	<ul style="list-style-type: none"> <li>Continuous review of financial controls and revised arrangements</li> </ul>	VPCS

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Risk Number & Committee	POTENTIAL CONTRIBUTING FACTORS			TREATMENT		POST MITIGATION EVALUATION				
	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Lead Responsibility
<b>3</b>	<b>People and Performance</b>									
<b>3.1</b> <b>LT&amp;Q</b>	Failure to reach aspirational standards in learning, teaching and service delivery	4	3	12	<ul style="list-style-type: none"> <li>• Clear input and engagement with revised quality arrangements and priority actions</li> <li>• Rigorous CPD arrangements in place to support new ways of working</li> <li>• Regular learner feedback and engagement arrangements</li> </ul>	3	2	6	<ul style="list-style-type: none"> <li>• Comprehensive monitoring of engagement of learners in learning (where possible)</li> <li>• Engagement with revised quality arrangements</li> <li>• Outcome monitoring</li> </ul>	VPC&A, VPP&P, DirC&A
<b>3.2</b> <b>LT&amp;Q</b>	Failure to achieve/maintain compliance arrangements, e.g. contracts; awarding bodies; audit.	4	3	12	<ul style="list-style-type: none"> <li>• Engagement and communication strategy with compliance bodies</li> <li>• Clear input and engagement with revised quality arrangements and priority actions</li> <li>• Prioritisation of activities/outcomes</li> </ul>	3	2	6	<ul style="list-style-type: none"> <li>• Effective internal monitoring/review/verification arrangements</li> <li>• Engagement with revised quality arrangements and contingency plans</li> <li>• Outcome monitoring/recording</li> </ul>	VPP&P, VPC&A

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	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Lead Responsibility
<b>3</b>	<b>People and Performance (cont.)</b>									
<b>3.4</b> <b>HR&amp;D</b>	Failure to meet the aspirational standards in respect of the health, safety, wellbeing and development of staff and students	3	4	12	<ul style="list-style-type: none"> <li>• Clear and proactive approaches to supporting and promoting health, safety and wellbeing when WFH and/or on-site</li> <li>• Project 2020 developments and mitigations</li> <li>• Outbreak management plan</li> <li>• Enhanced awareness of challenges/support needs</li> <li>• Extensive CPD arrangements in place – Home Working Hub</li> <li>• Regular staff and learner feedback arrangements</li> </ul>	3	2	6	<ul style="list-style-type: none"> <li>• Regular employee engagement monitoring</li> <li>• Maintaining and reporting on physical distancing measures</li> <li>• Open communication with staff</li> <li>• Monitoring of formal and informal feedback – student and staff feedback</li> <li>• Regular union/management dialogue</li> </ul>	VPP&P, VPCS
<b>3.5</b> <b>Board</b>	Reputational Risk – Loss of reputation with key stakeholders	4	3	12	<ul style="list-style-type: none"> <li>• Marketing strategy</li> <li>• Reputation plan</li> <li>• Positive marketing approaches</li> <li>• Outbreak management communications plan</li> </ul>	3	2	6	<ul style="list-style-type: none"> <li>• Positive marketing plan</li> <li>• Regular stakeholder engagement</li> <li>• Social media engagement and monitoring arrangements</li> </ul>	Prin DirC&A

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	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Lead Responsibility
<b>3</b>	<b>People and Performance (cont.)</b>									
<b>3.7</b> <b>HRD</b>	Industrial Relations Problems (including industrial action)	4	5	20	<ul style="list-style-type: none"> <li>Adherence to legislative and good practice requirements</li> <li>Positive Union relations and staff communication</li> <li>Effective management engagement and support</li> </ul>	4	2	8	<ul style="list-style-type: none"> <li>Regular union/management dialogue</li> <li>Open communication with staff</li> <li>Effective management engagement and support</li> </ul>	VPP&P
<b>3.8</b> <b>A&amp;R</b>	Breach of data security / data protection	5	4	20	<ul style="list-style-type: none"> <li>Effective management of GDPR compliance</li> <li>Additional awareness raising of WFH risks</li> <li>Mandatory staff CPD and awareness raising on data protection (relative to role)</li> </ul>	4	2	8	<ul style="list-style-type: none"> <li>Active data protection awareness raising</li> <li>Effective information and data security policies in operation</li> <li>Regular data security monitoring/testing</li> <li>Staff CPD</li> </ul>	VPC&A, HoICT
<b>3.11</b> <b>HRD</b>	Significant or catastrophic Covid 19 outbreak/infection rate impacts on ability to deliver learning, teaching or other core services	4	3	12	<ul style="list-style-type: none"> <li>Clear scenario and contingency planning</li> <li>COVID 19 H&amp;S mitigations in place, monitored and adapted where required</li> <li>All appropriate government guidance followed</li> </ul>	3	1	3	<ul style="list-style-type: none"> <li>Monitoring of COVID 19 cases and absences</li> <li>Outbreak management arrangements</li> <li>Amendment to support prioritised services</li> </ul>	Principal VPC&A

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	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Lead Responsibility
<b>3</b>	<b>People and Performance (cont.)</b>									
<b>3.12 HRD</b>	Post pandemic ways of working and workforce planning fails to meet the needs of staff and College strategic/operational needs	4	3	12	<ul style="list-style-type: none"> <li>New ways of Working Workstream</li> <li>Updated and flexible Workforce planning</li> <li>Extensive engagement with unions / staff on future ways of working</li> <li>Monitoring and rapid action on staff turnover / recruitment</li> </ul>	3	2	6	<ul style="list-style-type: none"> <li>Regular monitoring and evaluation of new/updated ways of working, activities and outcomes</li> <li>Amendment of direction/ workforce plans</li> <li>Engagement with unions/staff</li> <li>Monitoring and rapid action on staff turnover / recruitment</li> </ul>	VPP&P VPC&A

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Risk Number & Committee	POTENTIAL CONTRIBUTING FACTORS				TREATMENT	POST MITIGATION EVALUATION				
	Risks	Impact	Likelihood	Score	Mitigation Actions	Impact	Likelihood	Score	Monitoring	Responsibility
4	Infrastructure									
4.3 A&R	Breach of ICT/Cyber security	4	3	12	<ul style="list-style-type: none"><li>Effective management of ICT arrangements</li><li>Active ICT/data security monitoring and cyber security policy</li><li>Additional awareness raising of WFH risks and COVID related ‘scams’</li></ul>	4	2	8	<ul style="list-style-type: none"><li>Staff awareness raising/CPD on cyber security issues</li><li>Regular security monitoring/testing</li><li>Cyber resilience plan</li></ul>	VPC&A, HoICT
4.5 LT&Q	ICT/Cyber failure significantly disrupts online learning, teaching or other core services	4	3	12	<ul style="list-style-type: none"><li>‘Cloud first’ strategy implementation for major services/systems</li><li>Clear and robust management of ICT systems</li></ul>	3	1	3	<ul style="list-style-type: none"><li>Systems monitoring</li><li>On-going cyber resilience and systems development</li></ul>	HoICT

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**



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**STUDENTS' ASSOCIATION PRESENTATION**

**PAPER F**



# Board of Management Update

Dundee & Angus College Students' Association

# REPRESENTATION

## STUDENT VOICE.

This year we decided to really make a push on the positive and promote the student voice across the College.

The appointment of the new Student Representation Assistant has provided us with the opportunity to really focus on increasing the voice of our students in a positive way!

Class Reps - **338 Student Representatives**  
Department Reps - **16 Student Representatives**

## STUDENT MEGAPHONE



## REP TASKS

- Gather feedback
- Collect Good News Stories
- Staff awards
- Share events



## WHAT HAVE WE DONE?



2 LIVE Q&A'S WITH EXEC



MONTHLY MEETINGS



CASH PHRASE



TWO STARS, ONE WISH & TWO  
HEARTS ONE WISH



# Class Rep Meetings– What are our students saying?

## Student Learning Experience Wheel

Overall feedback from reps;

- Students feel very supported from lecturers and most are going above and beyond for students making them feel welcomed and enjoy their learning experience
- Assessments are sometimes a bit overwhelming and feedback isn't always given in a timely manner, however, some lecturers have put a timeframe on their Teams channels and this is a great way for the students to know what to expect and relieves some anxieties
- Curriculum is relevant and engaging and the majority of students feel they are being given the right information and work to set them up for future courses/university or work
- Students are enjoying the on campus learning again and feel this is enhancing their learning experience. Being on campus makes them feel they are getting the most out of their course.
- Students feel they are being given the chance to speak up about their experiences and this is taken forward. They feel that can be honest and they will not be penalized for expressing what would make their learning journey better

# Apprentice Representations

To help the apprentices feel more part of the College we are hosting Apprentice feedback sessions to gather their feedback as its so important to hear their voices. Even they may not be a full time student we want to make sure they feel like the are included in wider College events. We have met with 15 groups so far between Arbroath and Kingsway campuses.





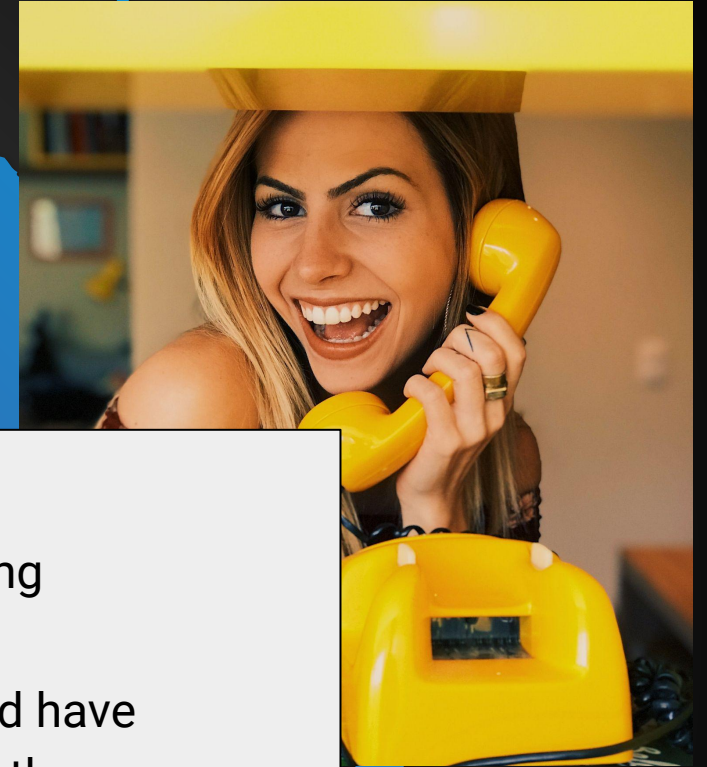
# Retention Calls...

Retention calls are still being carried out almost daily by Sarah and our three SA Assistants Colin, Crianne and Caitlin.

Approximately just under **3000** calls have been made since that start of the academic term 2021/2022 until February 2022 .



# Retention Calls...



Students not following the correct absence procedures or knowing what they are.

Some students have been struggling with their mental health and have been referred to Student Services. Other students have not liked the course that they are on and have been referred to guidance to see what is available.

Some students still do not have their funding in place or have needed financial help in certain aspects.

Students did not have adequate digital devices to interact with their online classes and were not attending - referred to Connecting Scotland Applications!

# Attend to Spend...

For the first 6 weeks of 2022 we have collaborated with the Hair, Beauty and Complementary Therapies department to offer a FREE treatment to the winner.

We are now working in partnership with Hospitality and Professional Cookery to offer out meal vouchers for our Taste Bars and Restaurants as prizes. Highlighting more great work from our students across the College.

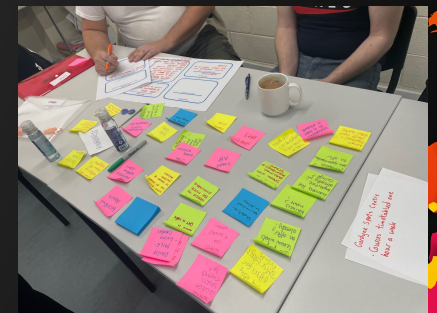
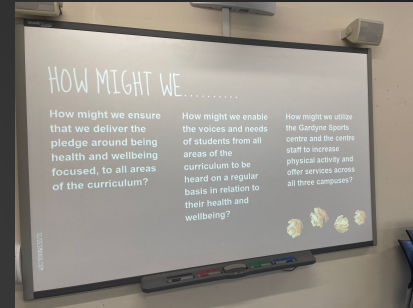




# Wellbeing Service Design Event

## Session One:

We had a small but mighty group of 15 for our initial session. Working in small groups of 3 with a academic staff, support staff and student so we had fair representation of all our D&A Family. In this session we worked in the first of the Service Design Double Diamond's "Discover & Define". Discussing what we already know about our Wellbeing and Activity offer at the College. The teams worked together to consider everything that encompass their theme, thinking of college life through the eyes of students and staff with Empathy Map. They also considered all the stakeholders they would need to involve in bring any ideas to life in the second session which is being held with a larger group on Friday 11th March.



# Your Year to be...

We had lots going on for our students who started their College journey or were returning to complete their courses in 2022. We have again gone back to the students to ask what they want to see for the rest of the year! This includes:

Breakfast Clubs  
DASABOX  
LGBTQIA+ Catch Ups  
Game Shows  
Cuppy & Chat's  
Quizzes  
WRAP Training - with Barry Carmichael  
Service Design Events  
Live Q&A's  
On campus catch up's (when we can)

your year...

**TO BE  
SOCIAL!**



# It is all about our students.....

## Cuppy & Chat's

A great way for our students to come and meet other students from across the College...  
86 Sessions and  
338 hours

## Game Shows

Lots of fun and games to be had at Colin's Game Show....  
28 Sessions and  
260 hours

## Bingo

Our Bingo sessions were popular with both Staff and Students during lockdown, we decided to do a couple more.....  
Over 20 prizes and  
110 students.

## Quizzes

In collaboration with our students we can have just about any theme on the Quiz night....  
26 Session and  
334 hours

## Social Media

2.6k Likes and  
25,166 content reach!  
(Sep - Jan; Up  
34.5%, new page  
visits 3.5K; up 92%)



# SUSTAINABILITY

- Collaboration with College Sustainability Group on CEAP and future goals.
- Service Design Workshop with SA Team, Jackie Beresford and the Climate Emergency Assistants
  - Food Insecurity group/Catering Review
- Ongoing collaboration with HBCT Department on creating more 'Green Salons'

# Celebrating Success!

## Education Scotland Visit

Our Team is delighted that our Retention Calls are going to be showcased as Highly Effective Practice by Education Scotland

## SPARQS Awards

Our Team won the Students' Association Led Initiative Award for our "*Discovering DASA*" submission for use of Service Design

## CDN Awards

We have been commended in the CDN Communications and Marketing Category



# Thank you!

Do you have any questions?



**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**

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**NATIONAL BARGAINING UPDATE**

**PAPER G**

# **BOARD OF MANAGEMENT**

## **Tuesday 15 March 2022**



### **National Bargaining Update**

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#### ***Paper for information***

#### **1. Introduction**

This paper summarises the current position and national disputes arising from the national bargaining processes in place for colleges.

#### **2 Academic Staff Negotiations**

National negotiations in respect of Academic staff pay/conditions arrangements for 2021/22 have stalled, with a final offer of £850 consolidated plus £150 non-consolidated) being rejected by the EIS/FELA national negotiating team.

The national disputes process has been enacted and dispute resolution meetings held, with no further agreement being possible.

Following on from this, and a consultative ballot, a statutory ballot on industrial action opens on 10 March 2022. This ballot is seeking approval for potential strike action and potential action short of strike action. It is anticipated that the outcome of the ballot will be known shortly after it closes on 31 March 2022.

#### **3 Support Staff Negotiations**

In respect of Support staff, the same salary offer has been made and rejected by the support unions (Unison, Unite and GMB). In addition to the salary elements, the support offer included proposed conditions arrangements as follows:

- The introduction of 2 career development days (14 hours) for support staff
- Carry forward of 5 days annual leave (and up to 10 days with manager approval)
- Green travel scheme plus mileage payment for cycling
- Commitments to further discussions and working groups around a range of terms and conditions developments, including the feasibility of a 4 day working week.

The national disputes process has been enacted, although a simple resolution to the dispute is not anticipated.

## **4 2021 Instructors Dispute**

Following resolution to the 2021 national dispute with academic staff surrounding the use of instructor roles, a further national dispute has been raised by support unions to the Employers Association as a result of the terms of the [national agreement reached with EIS/FELA](#).

Support unions are unhappy that the review process agreed as a resolution to the EIS/FELA dispute does not involve them in discussions around potential changes to the designation of instructors/trainers (who are support staff). Again, the national disputes process has been enacted and dispute resolution meetings will progress over the coming weeks.

## **5 National Job Evaluation**

Arrangements in respect of the national support staff Job Evaluation exercise continue to progress slowly, with a further update on this produced in December 2021. Details of work being undertaken is available on the NJNC website: <https://njncscotlandscolleges.ac.uk/job-eval-latest-news/>

It is understood that all D&A job roles within scope of the initial exercise have been scored, although no data on these will be released until evaluation of all job roles in scope for the whole sector have been completed.

Discussions are progressing nationally around arrangements for the increasing number of job roles that are new or updated since the project implementation date of September 2018.

Significant discussions are also yet to commence around the pay and grading elements of the project at college or national level.

## **6 Link to Strategic Risk Register**

Information in this report is intended to provide Board members with reassurance that actions and activities are being progressed and addressed that support the mitigation of the following risk within the Strategic Risk Register.

- 2.3 National outcomes on salaries and conditions of service outstrip ability to pay
- 3.6 National bargaining outcomes impact adversely on College operations, activity and flexibility
- 3.7 Industrial Relations Problems (including industrial action)

**Author and Executive Sponsor:** Steve Taylor, Vice Principal People and Performance

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**

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**PRINCIPAL'S REPORT**

**PAPER H**

# BOARD OF MANAGEMENT



**Tuesday 15 March 2022**

## **Principal's Report**

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### ***Paper for information***

#### **1. Introduction**

Whilst dealing with the impact of the COVID-19 pandemic has occupied a significant amount of time and energy, the Executive and Senior Leadership Team have tried, where possible, to ensure 'Business as Usual' in regards to the planning and implementation of a range of projects which will benefit our learners and region. The following paper summarises key projects and recent activities currently being progressed and have been aligned to the three core pillars of the new 2025 More Successful Students strategy (*Effective Partnerships, Future Focused & Thriving Community*).

#### **2. Recommendation**

Members are asked to note the contents of this paper for information.

#### **3. Effective Partnerships**

3.1. New Partnerships – New businesses on board as partners since December 2021:

- Tronius
- Zaptec
- Meptec
- Plug Life
- Interplex
- Greystone Energy
- NOV
- Imperium Experts
- E-Sports Scotland
- Embark

3.2. Transportation Scotland – The College are in talks with Transportation Scotland around the development of a skills portal that they are looking to roll out with local businesses across the transportation sector. After seeing D&A present at a recent event, Transportation Scotland were impressed by our industry led approach to adapting curriculum and would like to partner with us to roll this out.

3.3. Inward Investment – There is a strong pipeline of inward investment opportunities coming to our region over the next few months and all are looking at mass recruitment. As part of the inward investment group the College is working with them on a package to support mass recruitment and seamless learning journeys for their staff. Those involved have been highly impressed

with our tailored academy model offering.

- 3.4. Academies – Whilst the employability landscape continues to remain cluttered and confusing, the College is reviewing the most appropriate approach to our academy models. This will propose us stopping delivering generic academy models that we struggle to recruit for and instead delivering partnership academy that can see individuals go onto a number of different positive destinations.

The three current partners we are discussing this with are:

- ***Women's Business Station*** – Women's business station provides enterprise support to female led businesses and have recently launched their new aspiring women programme which is designed to take ethnic minority women to a new positive destination – enterprise, education or employment. We are currently working together to design a partnership academy that will see us bring practical and technical skills which will position the women much stronger as they leave the programme.
- ***The Circle*** – The Circle have teamed up with the Eden Project and have secured the Mac Club on MSIP Innovation Park to run a Green Social Enterprise Academy. The Circle specialise in supporting the start-up and growth of social enterprises, however the reality is that the conversion of placement to start up is low due to the complications and viability of some social enterprises. We are working together to create a partnership academy that will see The Circle deliver on enterprise and we will deliver on the technical skills require for the Green Sector so that at the end of the programme even if the individual no longer wishes to take forward their business idea they will be in a much stronger position to gain employment within the green skills sectors.
- ***Dundee United Community Trust*** – we continue to see young men released early from football contracts with no skills or other career options and so we are working with DUCT to create an academy where we can train the young people whilst they are with the club so that when they leave or if they don't make it to professional level they will leave with a wider skillset that will see them being more employable.

- 3.5. Esports – Progress continues with the development of both partnerships and curriculum within the Esports space. The College has recently signed an agreement with Esports Scotland which will see them based at our Gardyne Road Campus and will involve them supporting our staff and students to upskill, better understand the industry and help us design and implement the new curriculum in Esports. The College is also in conversation with British Esports on hosting the first ever *Esports in Education Conference* in Scotland on our Gardyne Campus in May 2022.

- 3.6. Hillcrest Futures – The College has been working in [partnership with Hillcrest Futures to deliver naloxone training](#) to staff first aiders and students who will progress to work in professions such as nursing, care, uniformed services and social services. This work attracted the interest of STV News who attended

the session and interviewed those delivering and involved in the training.

3.7. Dundee United Girls Academy – A global pandemic has been a huge challenge for sporting activities but it hasn't stopped a great [new partnership kicking off between the College and Dundee United Girls' Academy](#).

3.8. Crown Estate Scotland – Crown Estate Scotland and the College have [entered into a partnership to inspire people](#) of all ages to consider STEM (Science, Technology, Engineering and Mathematics) opportunities at clean growth enterprise hub, ZeroFour in Montrose. Both parties will focus on promoting and accelerating the development of the skills required to support the green energy sector, as well as highlighting suitable training and career prospects in other clean STEM enterprises.

#### 4. Future Focused

4.1. AY 21/22 Retention Update – A significant amount of work has gone into supporting our learners to stay over recent months with the challenges of the pandemic still felt within the student community. Retention continues to be a key priority for the College, ensuring every learner feels supported and can access their class materials remotely if required. The Help Point team have worked closely with the Student Association and Learner Engagement teams on retention exercises. Retention will be an on-going priority, and we know the whole sector is facing similar challenges which we continue to raise at Government level. Our current withdrawal figures (*as of 10<sup>th</sup> March*) are as follows:

All FE		All HE		Full Time FE		Full Time HE	
<i>Early</i>	<i>Further</i>	<i>Early</i>	<i>Further</i>	<i>Early</i>	<i>Further</i>	<i>Early</i>	<i>Further</i>
4.6%	10.6%	3.8%	11.2%	9.5%	19.1%	4.7%	13.7%

Work continues on both a college wide basis as well as a targeted basis to support teams and students in wider interventions and support.

Nationally, the College sits on the College Data Project working group in which sector wide trends on recruitment, retention and attainment are analysed and potential next steps identified.

4.2. HN Next Generation Update – The College chairs the SQA HN Next Generation implementation group. The Next Gen project has been established to re-evaluate and redesign the key HN qualification. SQA has requested applications for subjects in Phase 2 of the HN Next Gen development. The design rules are different from current practice and will include much more integration of learning and reduced assessment loads within the qualification structures. Following discussion with the teaching teams, the college is likely to submit applications for HN Sports and Fitness, HN Accounting and potentially HN Social Services (depending on confirmation that the revised HN will be accepted for registration by Scottish Social Services Council).



- 4.3. Forth Valley College Visit – Members of the Senior Leadership Team attended a visit to the new Forth Valley College Falkirk campus on 15<sup>th</sup> February 2022. This visit was to inspire thoughts and ideas regarding the next steps for the Kingsway Redevelopment Project. This visit was extremely beneficial and other visits are arranged for University West Scotland in May.s

## 5. Thriving Community

- 5.1. Student Survey – The Autumn Learner Survey received over 2800 responses and presented an overall satisfaction rate of 88% (4.4 out of 5) compared to 86% in 2020 and 83% in 2019. The question about Our Staff was the highest scoring with 92% satisfaction rate which demonstrates how much the students value the support they receive from the college staff. The final question which asks learners about one thing we could do better indicated that whilst some learners are enjoying online learning there is a significant number of students who want to be on campus. The survey provided valuable learner feedback for teams to reflect upon and support self-evaluation and in-year improvements.
- 5.2. Fair Work & Enterprise Board – The College hosted the first in-person Fair Work & Enterprise Board meeting in 2 years on 22<sup>nd</sup> February. Hosting this meeting gave the College the platform to present our ambitions for the future with key local figures, as well as showcase our facilities and amazing new training restaurant. This meeting has already instigated follow up conversations around the broader work we do as a college and how we can support the region with its wider objectives for growth.
- 5.3. Education Scotland Progress Visit – The College hosted Education Scotland from 15<sup>th</sup> to 17<sup>th</sup> February in which they resumed their normal work around review and scrutiny since the pandemic. The feedback presented to the senior team was extremely positive with a number of areas of excellent practice identified. The report of findings is being finalised and will be presented to the Board in due course.
- 5.4. Communities Service Design Event – The College ran a service design event on 4<sup>th</sup> March 2022 with local community partners to co-create how we work closer with our local community partners to better support the people within our region. We had over 20 local partners work with us to understand how we shape our community offer and support over the coming months and years. These partners included Tayside Council on Alcohol, CLD Angus & Dundee, Criminal Justice, Hillcrest Futures, Homestart Dundee, Project Scotland, Dundee & Arbroath Carers Centres, Helm Training, Discover Works Youth Employability Service, SDS, 16+ Youth Employability Team, Family Nurse Partnership, Action for Children, Barnardos, Hot Chocolate and Throughcare Aftercare Dundee.
- 5.5. Staff Pulse Survey – As we move into the next stages of living with COVID, the College are issuing a pulse survey in March 2022 to identify key areas of focus and support over the coming months as we prepare for more staff and

students returning on campus, but also to help us plan for our future beyond this academic year. This work will also link closely with the previously reported work on the Future Ways of Working project instigated in January 2022.

- 5.6. Scottish Apprenticeship Awards Success – The College’s Care team, comprising staff from both Health and Social Care and Children and Young People, [won the Innovation in Learning Provision Award](#) in the recent Scottish Apprenticeships Awards. This celebrates a learning provider who has developed new or innovative ways to support learning and skills development for apprentices.

## **6. Link to Strategic Risk Register**

Information in this report is intended to provide Board members with reassurance that actions and activities are being progressed and addressed that support the mitigation of a range of risks identified within the Strategic Risk Register namely:

- 1.3 – College disadvantaged by changes arising from UK leaving European Union
- 1.4 – Difficulties or over commitment arising within large scale/national College led initiatives or projects
- 1.5 – College disadvantaged as a result of changes arising from major national educational body reviews: SFC, SQA, EdS
- 3.5 – Reputational Risk – Loss of reputation with key stakeholders

**Author & Executive Sponsor:** Simon Hewitt,  
Principal

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**



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**FINANCE ITEMS**

**9.1 Finance & Property Committee Cover**

**PAPER I**

# BOARD OF MANAGEMENT

15 March 2022



## Finance & Property Committee Financial Summary

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### *Papers for information*

#### 1. Introduction

The Chairs of the Board, Finance & Property and Audit & Risk Committee requested that the full Board had an awareness of the College's financial position.

#### 2. Process

The Budget Monitoring Report that is scrutinised by Finance & Property Committee will now be included within the papers presented to the Board for information. On occasion this may include other papers that are relevant to the financial position of the College.

Where papers are required to be considered and/or approved by the Board these will be identified as Board of Management papers, as opposed to a copy of the Finance & Property Committee papers. The College's Annual Budget, Financial Forecast Return and Statutory Annual Accounts are examples of papers that require full Board approval, and members will already be familiar with receiving these at relevant points throughout the year.

#### 3. Recommendations

Members are asked to note the:

- Budget Monitoring report – Paper J

Members are asked to approve the:

- Non-Competitive Awards – Paper K
- (minor) change to the Financial Regulations – Paper L

#### 4. Link to Strategic Risk Register

Consideration of the papers which the Board have been asked to approve will support the mitigation of the following risk identified within the Strategic Risk Register namely;

3.2 – failure to achieve/maintain compliance arrangements

**Executive Sponsor:** Jaki Carnegie, Vice Principal – Corporate Services

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**

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**FINANCE ITEMS**

**9.2 Budget Monitoring Report**

**PAPER I**

# BOARD OF MANAGEMENT

Tuesday 15 March 2022



## Management Accounts and Forecast

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### *Paper for information*

#### **1. Introduction**

This report brings to the Committee's attention the management accounts for Month 6 (November – January) which incorporates the budget that was approved in May 2021 together with management's latest forecast for the year. The final audited Outturn position for the year to July 2021 is also reported.

#### **2. Recommendation**

Members are asked to note the Month 6 position.

#### **3. Context**

The budget for 2021/22, approved by the Board in June 2021, was established amidst continued uncertainty of the impacts of COVID-19 and, in particular, the supply chain issues that had developed during 2020/21. The first quarterly forecast prepared for consideration by the Committee in December recognised expenditure, amounting to some £826K, which had unavoidably slipped into the current year. This helped transform a modest surplus into significant deficit and efforts commenced to identify actions to reduce this.

Whilst the effects of COVID-19 continue to be felt, the second quarters forecast benefits from greater clarity around many of the income streams. All major budget holders were asked to consider possible reductions in discretionary budgets and as a consequence certain specific cost savings have been secured and have been instrumental in improving the operating position before the introduction of voluntary severance costs. In some other respects costs have unavoidably risen, most notably from increased pay offers to staff under national bargaining arrangements.

Despite a concerted and sustained effort, the College, in common with many in the sector, has struggled with recruitment in a number of key areas and simultaneously witnessed higher attrition rates, particularly from those courses most effected by COVID-19 restrictions. This has had an obvious impact upon fee income but also jeopardises our ability to achieve our full credit targets. Whilst we strive to generate additional credits, we are currently projecting a shortfall from our enhanced target of 111,897.

This may prevent us from accessing non-core credits, including ESF, and could yet result in a funding clawback. The College along with the wider sector, through

representations made directly to The Scottish Funding Council and through Colleges Scotland, has asked that greater flexibility continue to be exercised within the current year and beyond. If SFC can provide the flexibilities requested it is possible that we can meet all targets and avoid clawback.

The Tay Cities Engineering Partnership (TCEP) has been all but formally approved. Scottish Government have accepted the latest iteration of the Full Business Case and the Management Group are expected to sign this off soon. Final approval will release income to cover management time incurred over the fiscal year, ending in March, previously not forecast. Work on the specialist facility at Arbroath has, at our risk, continued and costs incurred of £35K at Month 6, with a total commitment of £250K, including some in-house staff costs. We now feel sufficiently confident to recognise an appropriate contribution within this forecast.

An assessment of the risks from key areas continues to be provided in order to complement this commentary and to provide more details of specific mitigation and contingencies. Possible cash deviations are informed estimates in an effort to provide our best indication of likely impacts, both favourable and adverse.

#### 4. Summary of results

A **Cash-backed deficit of £810K** is forecast, an improvement of £44K upon the previous forecast and an operational improvement of £171K before allowing for a new VSS provision of £127K to secure savings next year. Management will continue to seek opportunities for further additional funding and efficiency savings to reduce the deficit position throughout the remainder of the year.

The actual cash-backed surplus for the first six months to 31 January is £361K, which produces a positive variance of £200K for the period from the last forecast. All significant variances have been considered in terms of profile deviations or potential trend.

Income and expenditure have been reduced for both the discontinuance of Developing Young Workforce (DYW), which moves to Dundee & Angus Chamber of Commerce on 1st April, and the cessation of the Erasmus+ DARE mobility project activities.

A summary of the main net movements from the previous forecast is given in the table below and explained in more detail within the relevant sections where necessary.

	£000s
<b>Deficit per previous forecast</b>	<b>(854)</b>
Managing Agents reduction	(130)
Erasmus – loss of contribution	(50)
Gardyne Sports Centre net contribution	60
Savings exercise reductions	390
Tay Cities Engineering Partnership	85
Additional Pay Award & NIC	(180)
Marketing investment	(70)
Other net movements	(61)
<b>Deficit this forecast</b>	<b>(810)</b>

## 5. Income

Total cash income forecast for 2021/22 has reduced by £265K to just under £44m, explained largely by the cessation of DYW at the College and recognition that there will be no further European funded mobility trips as previously noted. Combined, this removes income of £313K.

SFC Credit income remains unchanged for this forecast but is potentially subject to clawback as outlined above under current guidance and therefore presents risk. This extends to the additional credits provided this year for Deferred Students and Foundation Apprentices. We also continue to deliver credits under the YPG/NTTS programmes but may not be able to claim these without the further flexibilities requested being granted.

Delivery of SFC's FWDF remains challenging this year with activity rolling over from last year enhancing the forecast. Our forecast is unchanged and still considered achievable, with 35% being delivered in the first half of the year and a significant portion of the 2021/22 allocation amounting to circa £260K to be formally contracted for delivery by July.

Tuition fees have increased slightly in this forecast, mainly due to a rise in international fees. Confirmed full-time HE student numbers at the cut-off date for SAAS funding has validated our previous forecast. Commercial course income is currently behind target but we are strongly focused on achieving this and will ensure that adequate resources are available.

Non-core income has reduced by £404K. As noted above, this is largely explained by the reduction from cessation of activities, with corresponding cost savings, albeit not without some loss of contribution. A reduction in Managing Agent income, of £130K, is the other single most significant factor. It arises as a consequence of CITB income recognised in the previous year associated with deferred students. A prudent reassessment has been undertaken and a more robust process put in place to measure individual apprentice eligibility for payment. The COVID-19 legacy of deferring full milestone achievement will be with us for some years and as a consequence it is more difficult to fairly apportion income. Curriculum staff will also explore possible means of accelerating achievement in



an effort to improve upon the current position.

Catering & other income forecast rises by £127K and benefits from a second increase from Gardyne Sports Centre, as anticipated last quarter, of £109K, attracting increases in variable pay. The catering forecast itself is unchanged but football remains lower than anticipated and so will be challenging.

## **6. Pay Costs**

Total pay costs have risen by £220K to just over £34.6m. This includes a provision for voluntary severance payments of £127K which is likely to be incurred in July but will yield annual salary savings of £300K. It is anticipated that the VS scheme will be reopened and additional costs incurred in-year so further savings can be achieved for 2022/23 and beyond.

In other respects direct payroll costs have increased by a net £73K, however this is after absorbing additional costs of the latest pay offer made to both academic and support unions, adding £110K, together with additional national insurance contributions from April. The offers made by the Employer's Association have been rejected and consequently there is a risk that our increased provision remains inadequate.

Other significant movements have seen the reduction in part-time pay contingency of £100K and the removal of DYW costs post March of £48K

## **7. Non Pay Costs**

Total non-pay costs are forecast to reduce by £529K this quarter, with the removal of DYW and Erasmus contributing £277K in addition to specific reductions identified during a savings exercise, offset to some extent by some additional costs. The savings identified will not result in spend being reprofiled into 2022/23.

The one notable increase has been marketing, adding £70K to forecast in order to finance the recruitment campaigns for both this year's January intake and for next academic year.

ICT have given up the majority of the identified savings, with a net reduction off almost £200K + VAT. This was partly made possible by the continued supply chain issues already threatening deliveries by 31 July and smoothing out of the replacement cycle.

## **8. Subsidiary Company**

Although reporting a small deficit for the first six months, we remain reasonably confident that Gardyne Theatre Limited will achieve the break-even position originally budgeted. A bid for £19K has been submitted to Creative Scotland's Cancellation Fund for performances between November 2021 and March 2022.

## **9. Student Support Funding**

SFC have further enhanced allocations for both discretionary funding and digital inclusion, repurposing unspent student support funds.

## **10. Capital Expenditure**

Although there has been some movement in contingencies and compensation items, the Kingsway development continues to be forecast £8.229m, based upon the main contractor's latest assessment, and split between capital and revenue. A residual capital spend of £3.405m to project completion is estimated in the current year, with the ALF contributing £3.3m and the balance to be funded from SFC Capital & Maintenance grant. The revenue forecast continues to include an allowance for the refurbishment of the lecture theatre but this is now unlikely to be carried out under the existing contract and unlikely to be scheduled this year.

## **11. Cash Flow Forecast**

Although unaffected by the negligible movement in the operating result, it is possible that the negative working capital movement will be greater with the loss of both DYW and European funds, potentially reducing cash to circa £3.6m but still approx. £300K higher than originally budgeted and possibly erring on the side of prudence.

The Santander loan repayment of £457K was ultimately made in December. Cash held at 31 January was £6.7m of which £2.3m could be considered as specifically restricted, including surplus student support funds.

## **12. Conclusion**

Management is conscious of the need to pursue all possible means of improving upon the forecast presented, particularly given the heightened risks around credits and the lower levels of funding that SFC are now signalling for 2022/23.

## **13. Link to Strategic Risk Register**

This report supports in mitigation the following risk identified within the Strategic Risk Register namely;

2.2 – failure to achieve institutional sustainability

**Authors:** Brian Ferguson, Head of  
Finance Rhonda Bissett, Senior  
Management Accountant

**Executive Sponsor:** Jaki Carnegie, Vice Principal – Corporate Services

**Budget Monitoring Report & Forecast  
Outturn**

	2020/21	Month 6, January 2022			2021/22			
				Variance from Forecast	Original Annual Budget	Previous Forecast	Latest Forecast	Variance from previous forecast
	Actual	Forecast	Actual					
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
SFC Credit income	28,912	15,713	15,713	0	31,425	31,425	31,425	0
SFC ESF Credits	1,143	514	514	0	1,028	1,028	1,028	0
Other SFC grants	4,174	1,325	1,586	261	3,492	3,964	3,965	1
<b>SFC Total</b>	<b>34,229</b>	<b>17,552</b>	<b>17,813</b>	<b>261</b>	<b>35,945</b>	<b>36,417</b>	<b>36,418</b>	<b>1</b>
Tuition Fees	3,407	2,733	2,515	(218)	3,740	3,320	3,331	11
Non-Core income	3,544	1,173	1,094	(79)	2,648	3,048	2,644	(404)
Catering & other income	1,739	639	662	23	1,409	1,266	1,393	127
<b>Total Income</b>	<b>42,919</b>	<b>22,097</b>	<b>22,084</b>	<b>(13)</b>	<b>43,742</b>	<b>44,051</b>	<b>43,786</b>	<b>(265)</b>
Teaching Pay - established	15,628	8,255	8,234	21	16,395	16,684	16,702	(18)
Teaching Pay - variable	2,577	1,182	1,168	14	3,046	2,428	2,394	34
Invoiced Staff Costs	349	326	187	139	656	583	603	(20)
Teaching Support Pay	2,209	1,175	1,207	(32)	2,448	2,410	2,428	(18)
Support pay	10,984	5,799	5,870	(71)	11,415	11,829	11,900	(71)
Apprenticeship Levy	103	52	55	(3)	104	105	105	0
VS Scheme	255	0	0	0	0	0	127	(127)
Unfunded pension payments	396	199	195	4	398	398	398	0
<b>Total Pay Costs</b>	<b>32,501</b>	<b>16,988</b>	<b>16,916</b>	<b>72</b>	<b>34,462</b>	<b>34,437</b>	<b>34,657</b>	<b>(220)</b>
Staff related costs	193	151	123	28	343	339	293	46
Consumables & Equipment	921	897	778	119	1,518	1,684	1,627	57
Exam fees	707	322	330	(8)	898	883	882	1
Student related costs	163	288	145	143	477	488	260	228
Property cost	3,196	1,188	1,484	(296)	2,513	3,251	3,238	13
ICT & Telephony	1,394	1,251	973	278	1,630	1,947	1,752	195
Insurance	117	64	64	0	128	128	128	0
Marketing	48	51	102	(51)	67	68	135	(67)
Professional fees	180	40	53	(13)	107	107	116	(9)
General Overheads	228	125	164	(39)	261	267	255	12
Interest & Charges	182	65	61	4	130	130	130	0
VAT	936	506	521	(15)	993	1,176	1,123	53
<b>Total non-pay costs</b>	<b>8,265</b>	<b>4,948</b>	<b>4,798</b>	<b>150</b>	<b>9,065</b>	<b>10,468</b>	<b>9,939</b>	<b>529</b>
<b>Cash-backed surplus/(deficit)</b>	<b>2,153</b>	<b>161</b>	<b>370</b>	<b>209</b>	<b>215</b>	<b>(854)</b>	<b>(810)</b>	<b>44</b>
<b>Add: subsidiary profit/(loss)</b>	<b>2</b>	<b>0</b>	<b>(9)</b>	<b>(9)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Consolidated Cash-backed surplus/(deficit)</b>	<b>2,155</b>	<b>161</b>	<b>361</b>	<b>200</b>	<b>215</b>	<b>(854)</b>	<b>(810)</b>	<b>44</b>

	2020/21	2021/22			
	Actual	Actual January	Budget	Previous Forecast	Latest Forecast
	£000's	£000's	£000's	£000's	£000's
<b>Cash backed surplus/(deficit)</b>	<b>2,155</b>	<b>361</b>	<b>215</b>	<b>(854)</b>	<b>(810)</b>
Loan repayment	(457)	(457)	(457)	(457)	(457)
Capital Expenditure	(1,568)	(2,358)	(4,743)	(3,454)	(3,440)
Capital funding	1,568	2,358	4,743	3,454	3,440
Asset Disposals	11	0	0	0	
Working capital movements	386	949	(800)	(800)	(900)
<b>Net Movement in cash balances</b>	<b>2,095</b>	<b>853</b>	<b>(1,042)</b>	<b>(2,111)</b>	<b>(2,167)</b>
Opening cash balances	3,758	5,853	4,425	5,853	5,853
<b>Closing cash balances</b>	<b>5,853</b>	<b>6,706</b>	<b>3,383</b>	<b>3,742</b>	<b>3,686</b>

*Note*

We hold restricted cash funds, excluding normal working capital, of approx. £2.3m at 31 January.  
This includes surplus student support funds from all sources of approximately £1.1m

**Risk Assessment of key volatile areas**

Income/Expenditure Category	Latest Forecast £000's	Possible Cash Deviations		Controllable?	Adverse Risk Assessment			
		Favourable	Adverse		Likelihood	Impact	Overall	Comments and mitigation
		£000's	£000's		£000's	£000's	£000's	
SFC Credit income	31,425	-	850	Controllable in terms of activity delivered but subject to rules imposed by SFC and additional flexibilities requested by the sector.	Mid	High	High	As outlined in the commentary accompanying the forecast, flexibilities are required to protect and enhance core credits in order to retain full funding and access additional YPG/NTTF Credits. It is difficult to evaluate or quantify the potential adverse impact but for this purpose it is based upon 3,000 credits. The likelihood of a favourable outcome is unclear at this time.
SFC ESF Credits	1,028	-	400	Not beyond our own recruitment and retention.	Mid	Low	Mid	Whilst it is essential that the college secures sufficient eligible students, it is not possible to access this funding unless both core and ESF credit targets are met by both the college and the wider sector. Potentially all funding could be withdrawn but it is thought more likely that only 40% would be lost, given adverse deviation already assumed above.
Other SFC grants	3,965	100	200	Yes, however subject to market demand for FWDF training	Mid	Mid	Mid	Management is strongly focused upon FWDF delivery and making resources are available, however COVID has remained a constraining factor affecting customer demand and a significant portion of planned activity must still be contracted. Other elements within this category are largely matched with cost.
Tuition Fees	3,331	-	200	Yes, in terms of marketing, recruitment delivery and retention but limited influence over demand.	Mid	Mid	Low	Risk of a further shortfall in full-time HE was removed as we passed the cut-off date, however meeting part-time and commercial targets will be difficult despite enhanced marketing. Favourable deviation now appears unachievable at this stage.
Non-Core income	2,644	100	100	Partly; varies across such a disparate category.	Low	Low	Low	Apprenticeship income continues to suffer from COVID constraints and has again proved volatile. This quarters reduction reduces residual risk however. Movement in other elements are usually matched with cost and so net impact can be negligible.

Income/Expenditure Category	Latest Forecast £000's	Possible Cash Deviations		Controllable?	Adverse Risk Assessment			
		Favourable	Adverse		Likelihood	Impact	Overall	Comments and mitigation
		£000's	£000's		£000's	£000's	£000's	
Catering & other income	1,393	100	100	Yes, subject to Covid restrictions.	Low	Low	Low	Catering targets are demanding whilst we still experience limited footfall. Conversely, activity at the Sports Centre, the second largest element within this category, continues to recover.
Total Pay (exc. VSS & unfunded pensions)	34,132	100	200	Largely yes, subject to increased teaching demand and national agreements.	Mid	Low	Low	Limited contingencies and absence of a pay agreement for either academic or support staff amidst rising inflation presents risk of further increase.
VSS	127	-	200	Yes	High	Mid	Mid	It is very probably that the VS scheme will be reopened in order to target further savings. An acceptable cost is wholly dependant upon these savings and the possible adverse deviation cannot be an informed estimate.
Property cost	3,238	100	100	Yes, subject to inherent risks of the usual unpredictable factors.	Low	Low	Low	Whilst property budgets are well managed, there is always risk of unplanned expenditure, albeit this reduces as we progress through the year. Utility costs are a significant element and although these are rising globally forward purchasing has mitigated the risk of substantial increases for FY 22/23.
Non-pay costs excluding property	6,701	100	200	Yes, with limited exceptions.	Low	Low	Low	Stronger budget holder engagement and forecast reductions suggest that costs will not rise significantly in the absence of additional attributable funding not currently predicted.

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**



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**FINANCE ITEMS**

**9.3 Non-Competitive Award Approval**

**PAPER K**

# BOARD OF MANAGEMENT

Tuesday 15 March 2022



## Non-Competitive Awards: Approval to Proceed

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### *Paper for approval*

#### 1. Introduction

Finance & Property Committee members at their March 2022 meeting considered a procurement update. As part of this update they considered proposed Non-Competitive Awards. The Financial Regulations require Non-Competitive Awards over £25,000 to be approved by both the Board and SFC.

The Finance & Property Committee were content to support these Non-Competitive Awards being presented to the Board and SFC for approval.

(Note: there is a separate paper proposing a change to our Financial Regulations.)

#### 2. Recommendation

Members are asked to approve these Non-Competitive Awards.  
(SFC provided their authorisation to proceed on 7 March 2022.)

#### 3. Non-Competitive Awards

The following two Non-Competitive Awards are based on the Procurement (Scotland) Regulations 2016, Regulation 6 – Circumstances in which a contract can be awarded without competition, point (1) applies:

- (b) where the works, supplies or services can be supplied only by a particular economic operator for any of the following reasons—*
  - (ii) competition is absent for technical reasons;*
  - (iii) the protection of exclusive rights, including intellectual property rights; but only, in the case of paragraphs (ii) and (iii), where no reasonable alternative or substitute exists and the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement*
- (d) where the following conditions apply—*
  - (i) it is for new works, services or both, consisting of the repetition of similar works or services entrusted to the economic operator to which the contracting authority awarded an original contract, provided that such works or services are in conformity with the project for which the original contract was awarded;*



<b>Contract name</b>	<b>Virtual Reality – Wind Turbine Software/Technology</b>
Requester and Department	Strategic Projects
Supplier Name	Animmersion UK Ltd
Contract Value	£70,795 (excluding VAT)
Contract Period	One Off Purchase
Brief Description of Product or Service	<p>Building upon a contract originally awarded to Animmersion by Heriot Watt University (on behalf of The Great Exhibition of the North Partnership comprising of Herriot Watt University, the Offshore Wind Energy Catapult and Energy Skills Partnership), STEM funding has been secured from Seagreen Wind Energy Ltd to further develop Virtual Reality – Wind Turbine Technology/Software.</p> <p>Approval seeks supply of 12 Virtual Reality (VR) Headsets, preinstalled with remote management solution and VR wind turbine software.</p> <p><u>Supply:</u></p> <ul style="list-style-type: none"> <li>• 12 x Headsets Pico Neo 3</li> <li>• Remote Management Solution - Sure MDM (36-month support) includes 3 days of dedicated management</li> <li>• Software - Bespoke</li> </ul> <p><u>Training:</u></p> <ul style="list-style-type: none"> <li>• Half day onsite training session</li> <li>• Introduction and familiarisation of headsets and installed software</li> <li>• Headset usage, maintenance and troubleshooting</li> <li>• Various examples of VR software used in industry – demonstration only</li> </ul>
Justification for NCA	<p>To further develop the existing VR technology and software, beyond the original contract phases 1 and 2, a direct award to Animmersion is sought for the reasons that the current technology and software cannot be embraced by any other developer and is protected by a non-disclosure agreement (NDA). Final software Intellectual Property Rights (IPR) rests with Energy Skills Partnership but cannot be used without the consent of Offshore Renewable Energy Catapult who manage the original turbine CAD data IPR still owned by Samsung. ORE Catapult have given consent to the continued use of the IPR on the understanding that it is not to be shared outside the established NCA with Animmersion.</p>

	<p>Conducting a compliant procurement procedure would not only result in the earlier phases of the project being duplicated and incur additional financial and time costs but would almost certainly not be viable without the existing IPR. The original contract was directly awarded by Herriot Watt to Animmersion UK Ltd on the grounds of competition being absent for technical capabilities. Without conducting market research and engagement, it cannot be clarified as to whether new competition has entered the market since the original contract was awarded, however this seems irrelevant given the current IPR constraints.</p> <p>In accordance with the Financial Memorandum, SFC have been asked to approve this NCA.</p>
Approver	Strategic Project Manager

<b>Contract name</b>	<b>EV Automotive Training Kit</b>
Requester and Department	Engineering/Skills Academy
Supplier Name	Lucas-Nülle
Contract Value	Approx. £32,000 (excluding VAT) – 38,327 Euros quoted
Contract Period	One Off Purchase
Brief Description of Product or Service	<p>Car Train Kit for Hybrid and Electric Vehicles.</p> <p><u>Supply</u></p> <ul style="list-style-type: none"> <li>• IMI EV2.2: "Electric/Hybrid Vehicle Routine Maintenance" incl. EV3</li> <li>• Safety Zone for CarTrain/TruckTrain (Hybrid and Electric Vehicles)</li> <li>• Standard Group Lock Box for Lockout/Tagout (with 1 Padlock)</li> <li>• Composite Insulating Gloves, Class 0</li> <li>• Insulation tester (1000V/2GΩ, CAT III 1000V, CAT IV 600V)</li> </ul> <p><u>Recommended Additions</u></p> <ul style="list-style-type: none"> <li>• Charging Station for PEV and PHEV</li> <li>• Sideways training panel frame extension</li> <li>• Mobile InsTrain/CarTrain/TruckTrain experiment stand, SybaPro 1070x1350x700mm</li> </ul> <p><u>Accessories</u></p> <ul style="list-style-type: none"> <li>• CarTrain-Flight case</li> <li>• Foam insert for CarTrain- Flight case for -6X</li> </ul>
Justification for NCA	<p>Funded by Skills Development Scotland to support the establishment of the Skills Academy at MSIP, requiring funding be expended within the current fiscal year 2021/22 (although clarification is urgently sought from SDS and an extension may be requested),</p> <p>Two NCAs to Lucas-Nülle were granted at the December 2021 Finance and Property Committee for being a sole supplier of</p>

	<p>specialist product:</p> <ul style="list-style-type: none"> <li>• Computer-based training and experimentation system for vocational training and education;</li> <li>• Hybrid and electric vehicles training system.</li> </ul> <p>Notably ESP have already conducted various research exercises to understand market capabilities and identify suitable EV automotive training equipment.</p> <p>Research consisted of:</p> <ul style="list-style-type: none"> <li>• Desktop research including webinars</li> <li>• Contact with local dealerships</li> <li>• Engagement with industry specialists including Nissan, JLR, Toyota and Renault</li> <li>• A visit to World Skills in Birmingham</li> <li>• Consultation with IMIM, who signposted Lucas Nülle in Germany</li> </ul> <p>Based on the research methods employed above, it is understood that Lucas-Nülle are the only supplier capable of delivering this specialist equipment.</p>
Approver	Head of Sector/Strategic Project Manager

#### 4. Link to Strategic Risk Register

Consideration of this supports the mitigation of a range of risks identified within the Strategic Risk Register namely;

3.2 – Failure to achieve/maintain compliance arrangements

1.4 – Difficulties or over commitment arising within large scale/national College led initiatives or projects impact negatively on:

- Ability of the College to meet key regional strategies/objectives
- Financial loss or unmanageable financial risk
- Reputational loss

3.5 – Reputational Risk – Loss of reputation with key stakeholders

**Author:** Brian Ferguson, Head of Finance

**Executive Sponsor:** Jaki Carnegie, Vice Principal - Corporate Services

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**



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**FINANCE ITEMS**

**9.3 Financial Regulations Update**

**PAPER L**

# BOARD OF MANAGEMENT

15 March 2022



## Proposed Minor Change to Financial Regulations

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### *Paper for approval*

#### 1. Introduction

The Financial Regulations were reviewed and changes approved in September 2021. At the Finance & Property Committee meeting earlier in March it was agreed to seek approval to the Board for a minor change to the regulations, in respect of non-competitive actions.

#### 2. Recommendation

Members are asked to discuss and approve the revised Financial Regulations.

#### 3. What is a Non-Competitive Action?

The College is required to comply with various forms of Procurement legislation as well as the wider principle of ensuring public funds are utilised appropriately in order to achieve value for money. Failure to follow a competitive, transparent and non-discriminatory process has the potential to breach legislation and exposes the College to risk. It is recognised that exceptional circumstances may arise where it is impossible or impractical to undertake a competitive procurement process such as obtaining quotes or tenders from multiple suppliers. This is known as a Non-Competitive Action (NCA).

Circumstances in which a contract can be awarded without competition are set out within [The Procurement \(Scotland\) Regulations 2016 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukdsi/2016/0052/eng/sched/1) Regulation 6 as undernoted:

- (1) A contracting authority may award a public contract without seeking offers in relation to the proposed contract—
- (a) where no tenders, no suitable tenders, no requests to participate or no suitable requests to participate have been submitted in response to the publication of a contract notice, provided that the initial conditions of the contract are not substantially altered;
  - (b) where the works, supplies or services can be supplied only by a particular economic operator for any of the following reasons—
    - (i) the aim of the procurement is the creation or acquisition of a unique work of art or artistic performance;
    - (ii) competition is absent for technical reasons;
    - (iii) the protection of exclusive rights, including intellectual property rights; but only, in the case of paragraphs (ii) and (iii), where no reasonable alternative or substitute exists and the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement;
  - (c) where (but only if it is strictly necessary) for reasons of extreme urgency brought

about by events unforeseeable by the contracting authority, the authority considers it must proceed to award a contract without delay.

(d) where the following conditions apply—

- (i) it is for new works, services or both, consisting of the repetition of similar works or services entrusted to the economic operator to which the contracting authority awarded an original contract, provided that such works or services are in conformity with the project for which the original contract was awarded;
- (ii) the project indicated the extent of possible additional works or services and the conditions under which they would be awarded;
- (iii) the possible use of this procedure was disclosed in the procurement documents and the total estimated cost of subsequent works or services was taken into consideration by the contracting authority when determining the estimated value for the purpose of applying section 3(1)(b) of the Act in relation to the original contract; and
- (iv) not more than three years has elapsed following the conclusion of the original contract.

(2) For the purposes of paragraph (1)(a)—

- (a) a tender shall be considered not to be suitable where it is irrelevant to the contract, being manifestly incapable, without substantial changes, of meeting the contracting authority's needs and requirements as specified in the procurement documents;
- (b) a request to participate shall be considered not to be suitable where the economic operator concerned—

- (i) has been or would be excluded under regulation 9; or
- (ii) does not meet the selection criteria.

(3) For the purposes of paragraph (1)(c), the circumstances invoked to justify extreme urgency must not, in any event, be attributable to the contracting authority.

(4) A contracting authority may award a public supply contract without seeking offers in relation to the proposed contract—

- (a) where the products involved are manufactured purely for the purpose of research, experimentation, study or development, but a contract awarded under this sub-paragraph shall not include quantity production to establish commercial viability or to recover research and development costs;
- (b) for additional deliveries by the original supplier which are intended either as a partial replacement of supplies or installations or as the extension of existing supplies or installations where a change of supplier would oblige the contracting authority to acquire supplies having different technical characteristics which would result in incompatibility or disproportionate technical difficulties in operation and maintenance;
- (c) for supplies quoted and purchased on a commodity market;
- (d) for the purchase of supplies on particularly advantageous terms, from either a supplier which is definitively winding up its business activities, or the liquidator in an insolvency procedure, an arrangement with creditors, or a similar procedure under national laws or regulations.

(5) For the purposes of paragraph (4)(b), the duration of such a contract, as well as that of recurrent contracts must not, save in exceptional circumstances, exceed three years.

(6) A contracting authority may award a public service contract without the publication of a contract notice where the contract concerned—

- (a) follows a design contest organised in accordance with the 2015 Regulations; and
- (b) is to be awarded, under the rules provided for in the design contest, to the winner or one of the winners of the design contest.

#### **4. Current Regulations**

The College's regulations advise that....

Any proposal to award a contract without competition (non-competitive action) must be approved in advance by the BOM prior to submission to the Council if it is over £25,000 and by the VP if it is under £25,000.

SFC's Financial Memorandum advise that approval must be sought from SFC for any non-competitive action over £25,000.

## **5. Why is a change proposed?**

The requirement for sound governance controls over any Non-Competitive Action is fully supported. The rationale for the change is:

- The Finance & Property Committee receive regular updates on procurement activity, including any activity where a Non-Competitive Action is being proposed. Members of this Committee are competent and familiar with all procurement activity and provide the oversight and scrutiny of procurement activity on behalf of the Board.
- The current process necessitates the Finance & Property Committee and then the Board to approve any Non-Competitive Action. This is a cumbersome and overly bureaucratic process.

## **6. What change is proposed?**

It is proposed that the College's Financial regulations are updated to enable the Finance & Property Committee to approve any Non-Competitive Action over £25,000 and less than £100,000, without the additional requirement for Board approval.

The requirement to seek SFC's approval for any Non-Competitive Action over £25,000 would remain as part of the governance process.

Note: SFC has been approached previously and was amenable to increasing the limit at which they require to approve any Non-Competitive Action. This change has not yet been actioned. If this change was made it is proposed that this would prompt a further review of delegated limits.

## **7. Link to Strategic Risk Register**

Consideration of this change will support the mitigation of the following risks identified within the Strategic Risk Register namely;

2.4 – financial fraud

3.2 – failure to achieve/maintain compliance arrangements

**Executive Sponsor:** Jaki Carnegie, Vice Principal – Corporate Services

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**



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**GOVERNANCE ITEMS**

**10.1 Board Membership**

**PAPER M**



# BOARD OF MANAGEMENT

Tuesday 15 March 2022



## Membership Update

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### *Paper for approval*

#### 1. Introduction

This paper summarises arrangements and requirements in respect of the membership of the Board of Management of Dundee and Angus College as a Regional College under the terms of the Post-16 Education (Scotland) Act 2013.

#### 2 Board of Management Membership

Under the terms of the Post-16 Education (Scotland) Act and the ministerial guidance on the recruitment of board members, the Board of Management must make appropriate arrangements for the recruitment of migrating and new members of the Board.

To operate within the terms of the legislation the Board of Management must include a **minimum of 15 members and a maximum of 18 members** (up to 12 of whom are classified as “ordinary members” recruited under the board arrangements). The College Board cannot operate legally with fewer than 15 members.

#### 3 Board Membership

Following the decision of Trisha Pirie to step down from the board a current vacancy exists.

As detailed previously, Steve Mill has signalled his desire to remain a board member for approximately 12 months, and a board vacancy existed following the resignation of Angela Wilson. Given this, recruitment is progressing for three vacancies.

#### 4 Committee Memberships

When Steve Mill steps down from the Board, a vacancy will arise for the role of Chair of the Finance and Property Committee. Nominations have been sought for this role and a nomination has been received for Donna Fordyce. Approval is sought for appointment of Donna Fordyce as Chair of the Finance and Property Committee when the vacancy arises.

Given the current funding challenges the Board Chair has sought to increase the number of accountancy qualified members of the Finance and Property Committee and it is planned that George Robertson re-join the committee with effect from April 2022.

With the move of George Robertson to the Finance and Property Committee, a vacancy will arise for the role of Chair of the Audit and Risk Committee. Nominations have been sought for this role and a nomination has been received for Helen Honeyman. Approval is sought for appointment of Helen Honeyman as Chair of the Audit and Risk Committee with effect from April 2022.

## **5 D&A Foundation Trustee**

As well as her board membership, Trisha Pirie was also the Board nominated trustee on the D&A Foundation. The D&A Foundation requested that a replacement nominee be confirmed in time for their AGM on 4 March 2022. To support this, Kirsty Keay has been asked to undertake this role.

## **6 Approvals**

In summary, approval is sought for the following appointments from start of April 2022:

- Appointment of Donna Fordyce as Chair of the Finance and Property Committee.
- Appointment of George Robertson as a member of the Finance and Property Committee.
- Appointment of Helen Honeyman as Chair of the Audit and Risk Committee.
- Confirmation of Kirsty Keay as Board nominated trustee on the D&A Foundation (NB approval of this nomination is a matter for the D&A Foundation).

**Author and Executive Sponsor:** Steve Taylor, Vice Principal People and Performance

## Board of Management Membership and Skills Mix as at March 2022

Name	Appointment	Member Until	Profession/Specialism
1. <b>Angela McCusker</b>	Regional Chair July 2014	Scottish Government Appointment until 31/07/2022	Business, Management, Finance
2. <b>Margo Williamson*</b>	June 2021	31/05/2025	Public Service Management, Education Management, Learning & Teaching
3. <b>Steven Mill*</b>	June 2021	31/05/2025	Finance, Public Service Management
4. <b>George Robertson</b>	March 2015	31/03/2023	Finance, Management
5. <b>Donna Fordyce</b>	April 2017	31/04/2025	Economic Development/ Enterprise, Fisheries, Retail Management
6. <b>Kirsty Keay*</b>	January 2019	31/12/2022	Commercial, Governance, HR, Third Sector Management
7. <b>Helen Honeyman*</b>	January 2019	31/12/2022	Risk, Governance, HR Management
8. <b>Neil Lowden*</b>	January 2019	31/12/2022	Educational Management, Learning & Teaching, Educational Policy
9. <b>Donald Mackenzie*</b>	April 2019	31/03/2023	HR & OD, Corporate Communications Management
10. <b>Kevin Ditcham*</b>	April 2021	31/03/2025	Community Learning & Engagement, Management, Third Sector
11. <b>Sally Middleton*</b>	June 2021	31/05/2025	HE Learning & Teaching, Management, Access, and Articulation
12. <b>Simon Hewitt</b>	August 2020	--	Principal
13. <b>Sam Stirling</b>	September 2019	31/09/2023	Non-Teaching Staff Member
14. <b>Barry Carmichael</b>	April 2019	31/03/2023	Teaching Staff Member
15. <b>Nicola Dowie</b>	August 2021	31/07/2022	Student Member
16. <b>Amy Monks</b>	August 2019	31/07/2022	Student Member
17. <b>Vacancy</b>			
18. <b>Vacancy</b>			

\* Eligible for reappointment

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**



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**GOVERNANCE ITEMS**

**10.2 Revised Code of Conduct**

**PAPER N**

# BOARD OF MANAGEMENT

## Tuesday 15 March 2022



### D&A Board Code of Conduct

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#### *Paper for approval*

#### **1. Introduction**

This paper summarises arrangements and requirements in relation to the adoption of a Code of Conduct for Board members at D&A College.

#### **2 Model Code of Conduct**

The Scottish Government, through Standards Commission for Scotland, requires that all public boards in Scotland adopt and operate a code of conduct for its board members.

This model code of conduct is developed by the Standards Commission and is periodically reviewed and updated. The most recent update of this code was concluded in December 2021, and public boards are asked to adopt any updates by June 2022. Public boards are not permitted to amend the terms or content of the model code prior to adoption.

The enclosed D&A Code of Conduct is identical to the model code and has been updated only in terms of the document format and D&A branding.

#### **3 Additional Guidance**

In addition to the model code of conduct, the Standards Commission has published a detailed guidance document on the application of the model code. This guidance is available [HERE](#).

The standards Commission has also published detailed guidance on the expectations of board members and the distinction between the strategic governance and operational management input for board members. This guidance is available [HERE](#).

Both of these documents provide significant detail and useful guidance in respect of the role and responsibilities of members of public boards and all D&A Board members are encouraged to read through these.

#### **4 Approvals**

In summary, approval is sought for the following:

- Adoption of the D&A Code of Conduct for Board Members (replacing the 2014 version).
- Noting of the additional guidance available.

## **5      Link to Strategic Risk Register**

Information in this report is intended to provide Board members with reassurance that actions and activities are being progressed and addressed that support the mitigation of the following risk within the Strategic Risk Register.

- 3.2    Failure to achieve/maintain compliance arrangements, e.g. contracts; awarding bodies; audit.

**Author and Executive Sponsor:** Steve Taylor, Vice Principal People and Performance



# **Code of Conduct for Members of the Board of Management of Dundee and Angus College**

**Approved by**

**Board of Management**

**Signature**

**Date**

**16 March 2022**

**Policy effective from**

**16 March 2022**

# CODE of CONDUCT for MEMBERS of the BOARD of MANAGEMENT of DUNDEE and ANGUS COLLEGE



Prepared by: S Taylor	Approved by: Board of Management	Revision Date: 16/03/2022
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# CODE of CONDUCT for MEMBERS of the BOARD of MANAGEMENT of DUNDEE and ANGUS COLLEGE



Prepared by: S Taylor

Approved by: Board of Management

Revision Date: 16/03/2022

## SECTION 1: INTRODUCTION TO THE CODE OF CONDUCT

- 1.1 This Code has been issued by the Scottish Ministers, with the approval of the Scottish Parliament, as required by the [Ethical Standards in Public Life etc. \(Scotland\) Act 2000 \(the "Act"\)](#).
- 1.2 The purpose of the Code is to set out the conduct expected of those who serve on the boards of public bodies in Scotland.
- 1.3 The Code has been developed in line with the nine key principles of public life in Scotland. The principles are listed in [Section 2](#) and set out how the provisions of the Code should be interpreted and applied in practice.

### My Responsibilities

- 1.4 I understand that the 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. I will always seek to meet those expectations by ensuring that I conduct myself in accordance with the Code.
- 1.5 I will comply with the substantive provisions of this Code, being sections 3 to 6 inclusive, in all situations and at all times where I am acting as a board member of my public body, have referred to myself as a board member or could objectively be considered to be acting as a board member.
- 1.6 I will comply with the substantive provisions of this Code, being sections 3 to 6 inclusive, in all my dealings with the public, employees and fellow board members, whether formal or informal.
- 1.7 I understand that it is my personal responsibility to be familiar with the provisions of this Code and that I must also comply with the law and my public body's rules, standing orders and regulations. I will also ensure that I am familiar with any guidance or advice notes issued by the Standards Commission for Scotland ("Standards Commission") and my public body, and endeavour to take part in any training offered on the Code.
- 1.8 I will not, at any time, advocate or encourage any action contrary to this Code.
- 1.9 I understand that no written information, whether in the Code itself or the associated Guidance or Advice Notes issued by the Standards Commission, can provide for all circumstances. If I am uncertain about how the Code applies, I will seek advice from the Standards Officer of my public body, failing whom the Chair or Chief Executive of my public body. I note that I may also choose to seek external legal advice on how to interpret the provisions of the Code.

# CODE of CONDUCT for MEMBERS of the BOARD of MANAGEMENT of DUNDEE and ANGUS COLLEGE



Prepared by: S Taylor

Approved by: Board of Management

Revision Date: 16/03/2022

## Enforcement

- 1.10 [Part 2 of the Act](#) sets out the provisions for dealing with alleged breaches of the Code, including the sanctions that can be applied if the Standards Commission finds that there has been a breach of the Code. More information on how complaints are dealt with and the sanctions available can be found at [Annex A](#).

# CODE of CONDUCT for MEMBERS of the BOARD of MANAGEMENT of DUNDEE and ANGUS COLLEGE



Prepared by: S Taylor	Approved by: Board of Management	Revision Date: 16/03/2022
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## SECTION 2: KEY PRINCIPLES OF THE MODEL CODE OF CONDUCT

- 2.1 The Code has been based on the following key principles of public life. I will behave in accordance with these principles and understand that they should be used for guidance and interpreting the provisions in the Code.
- 2.2 I note that a breach of one or more of the key principles does not in itself amount to a breach of the Code. I note that, for a breach of the Code to be found, there must also be a contravention of one or more of the provisions in sections 3 to 6 inclusive of the Code.

The key principles are:

### **Duty**

I have a duty to uphold the law and act in accordance with the law and the public trust placed in me. I have a duty to act in the interests of the public body of which I am a member and in accordance with the core functions and duties of that body.

### **Selflessness**

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

### **Integrity**

I must not place myself under any financial, or other, obligation to any individual or organisation that might reasonably be thought to influence me in the performance of my duties.

### **Objectivity**

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

### **Accountability and Stewardship**

I am accountable to the public for my decisions and actions. I have a duty to consider issues on their merits, taking account of the views of others and I must ensure that my public body uses its resources prudently and in accordance with the law.

### **Openness**

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

### **Honesty**

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

# CODE of CONDUCT for MEMBERS of the BOARD of MANAGEMENT of DUNDEE and ANGUS COLLEGE



Prepared by: S Taylor

Approved by: Board of Management

Revision Date: 16/03/2022

## **Leadership**

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

## **Respect**

I must respect all other board members and all employees of my public body and the role they play, treating them with courtesy at all times. Similarly, I must respect members of the public when performing my duties as a board member.

# CODE of CONDUCT for MEMBERS of the BOARD of MANAGEMENT of DUNDEE and ANGUS COLLEGE



Prepared by: S Taylor	Approved by: Board of Management	Revision Date: 16/03/2022 <sup>s</sup>
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## SECTION 3: GENERAL CONDUCT

### Respect and Courtesy

- 3.1 I will treat everyone with courtesy and respect. This includes in person, in writing, at meetings, when I am online and when I am using social media.
- 3.2 I will not discriminate unlawfully on the basis of race, age, sex, sexual orientation, gender reassignment, disability, religion or belief, marital status or pregnancy/maternity; I will advance equality of opportunity and seek to foster good relations between different people.
- 3.3 I will not engage in any conduct that could amount to bullying or harassment (which includes sexual harassment). I accept that such conduct is completely unacceptable and will be considered to be a breach of this Code.
- 3.4 I accept that disrespect, bullying and harassment can be:
  - a one-off incident,
  - part of a cumulative course of conduct; or
  - a pattern of behaviour.
- 3.5 I understand that how, and in what context, I exhibit certain behaviours can be as important as what I communicate, given that disrespect, bullying and harassment can be physical, verbal and non-verbal conduct.
- 3.6 I accept that it is my responsibility to understand what constitutes bullying and harassment and I will utilise resources, including the Standards Commission's guidance and advice notes, my public body's policies and training material (where appropriate) to ensure that my knowledge and understanding is up to date.
- 3.7 Except where it is written into my role as Board member, and / or at the invitation of the Chief Executive, I will not become involved in operational management of my public body. I acknowledge and understand that operational management is the responsibility of the Chief Executive and Executive Team.
- 3.8 I will not undermine any individual employee or group of employees, or raise concerns about their performance, conduct or capability in public. I will raise any concerns I have on such matters in private with senior management as appropriate.

# CODE of CONDUCT for MEMBERS of the BOARD of MANAGEMENT of DUNDEE and ANGUS COLLEGE



Prepared by: S Taylor	Approved by: Board of Management	Revision Date: 16/03/2022 <sup>s</sup>
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- 3.9 I will not take, or seek to take, unfair advantage of my position in my dealings with employees of my public body or bring any undue influence to bear on employees to take a certain action. I will not ask or direct employees to do something which I know, or should reasonably know, could compromise them or prevent them from undertaking their duties properly and appropriately.
- 3.10 I will respect and comply with rulings from the Chair during meetings of:  
  
my public body, its committees; and  
any outside organisations that I have been appointed or nominated to by my public body or on which I represent my public body.
- 3.11 I will respect the principle of collective decision-making and corporate responsibility. This means that once the Board has made a decision, I will support that decision, even if I did not agree with it or vote for it.

## Remuneration, Allowances and Expenses

- 3.12 I will comply with the rules, and the policies of my public body, on the payment of remuneration, allowances and expenses.

## Gifts and Hospitality

- 3.13 I understand that I may be offered gifts (including money raised via crowdfunding or sponsorship), hospitality, material benefits or services (“gift or hospitality”) that may be reasonably regarded by a member of the public with knowledge of the relevant facts as placing me under an improper obligation or being capable of influencing my judgement.
- 3.14 I will never ask for or seek any gift or hospitality.
- 3.15 I will refuse any gift or hospitality, unless it is:
- a) a minor item or token of modest intrinsic value offered on an infrequent basis;
  - b) a gift being offered to my public body;
  - c) hospitality which would reasonably be associated with my duties as a board member; or
  - d) hospitality which has been approved in advance by my public body.
- 3.16 I will consider whether there could be a reasonable perception that any gift or hospitality received by a person or body connected to me could or would influence my judgement.
- 3.17 I will not allow the promise of money or other financial advantage to induce me to act improperly in my role as a board member. I accept that the money or advantage (including any gift or hospitality) does not have to be given to me directly.

# CODE of CONDUCT for MEMBERS of the BOARD of MANAGEMENT of DUNDEE and ANGUS COLLEGE



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The offer of monies or advantages to others, including community groups, may amount to bribery, if the intention is to induce me to improperly perform a function.

- 3.18 I will never accept any gift or hospitality from any individual or applicant who is awaiting a decision from, or seeking to do business with, my public body.
- 3.19 If I consider that declining an offer of a gift would cause offence, I will accept it and hand it over to my public body at the earliest possible opportunity and ask for it to be registered.
- 3.20 I will promptly advise my public body's Standards Officer if I am offered (but refuse) any gift or hospitality of any significant value and / or if I am offered any gift or hospitality from the same source on a repeated basis, so that my public body can monitor this.
- 3.21 I will familiarise myself with the terms of the Bribery Act 2010, which provides for offences of bribing another person and offences relating to being bribed.

## Confidentiality

- 3.22 I will not disclose confidential information or information which should reasonably be regarded as being of a confidential or private nature, without the express consent of a person or body authorised to give such consent, or unless required to do so by law. I note that if I cannot obtain such express consent, I should assume it is not given.
- 3.23 I accept that confidential information can include discussions, documents, and information which is not yet public or never intended to be public, and information deemed confidential by statute.
- 3.24 I will only use confidential information to undertake my duties as a board member. I will not use it in any way for personal advantage or to discredit my public body (even if my personal view is that the information should be publicly available).
- 3.25 I note that these confidentiality requirements do not apply to protected whistleblowing disclosures made to the prescribed persons and bodies as identified in statute.

## Use of Public Body Resources

- 3.26 I will only use my public body's resources, including employee assistance, facilities, stationery and IT equipment, for carrying out duties on behalf of the public body, in accordance with its relevant policies.

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3.27 I will not use, or in any way enable others to use, my public body's resources:

- a) imprudently (without thinking about the implications or consequences);
- b) unlawfully;
- c) for any political activities or matters relating to these; or
- d) improperly.

## **Dealing with my Public Body and Preferential Treatment**

3.28 I will not use, or attempt to use, my position or influence as a board member to:

- a) improperly confer on or secure for myself, or others, an advantage;
- b) avoid a disadvantage for myself, or create a disadvantage for others or
- c) improperly seek preferential treatment or access for myself or others.

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

3.30 I will advise employees of any connection, as defined at Section 5, I may have to a matter, when seeking information or advice or responding to a request for information or advice from them.

## **Appointments to Outside Organisations**

3.31 If I am appointed, or nominated by my public body, as a member of another body or organisation, I will abide by the rules of conduct and will act in the best interests of that body or organisation while acting as a member of it. I will also continue to observe the rules of this Code when carrying out the duties of that body or organisation.

3.32 I accept that if I am a director or trustee (or equivalent) of a company or a charity, I will be responsible for identifying, and taking advice on, any conflicts of interest that may arise between the company or charity and my public body.



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## SECTION 4: REGISTRATION OF INTERESTS

- 4.1 The following paragraphs set out what I have to register when I am appointed and whenever my circumstances change. The register covers my current term of appointment.
- 4.2 I understand that regulations made by the Scottish Ministers describe the detail and timescale for registering interests; including a requirement that a board member must register their registrable interests within one month of becoming a board member, and register any changes to those interests within one month of those changes having occurred.
- 4.3 The interests which I am required to register are those set out in the following paragraphs. Other than as required by paragraph 4.23, I understand it is not necessary to register the interests of my spouse or cohabitee.

### Category One: Remuneration

- 4.4 I will register any work for which I receive, or expect to receive, payment. I have a registrable interest where I receive remuneration by virtue of being:
- a) employed;
  - b) self-employed;
  - c) the holder of an office;
  - d) a director of an undertaking;
  - e) a partner in a firm;
  - f) appointed or nominated by my public body to another body; or
  - g) engaged in a trade, profession or vocation or any other work.
- 4.5 I understand that in relation to 4.4 above, the amount of remuneration does not require to be registered. I understand that any remuneration received as a board member of this specific public body does not have to be registered.
- 4.6 I understand that 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, "Other Roles".
- 4.7 I must register any allowances I receive in relation to membership of any organisation under Category One.
- 4.8 When registering employment as an employee, I must give the full name of the employer, the nature of its business, and the nature of the post I hold in the organisation.

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- 4.9 When registering remuneration from the categories listed in paragraph 4.4 (b) to (g) above, I must provide the full name and give details of the nature of the business, organisation, undertaking, partnership or other body, as appropriate. I recognise that some other employments may be incompatible with my role as board member of my public body in terms of paragraph 6.7 of this Code.
- 4.10 Where I otherwise undertake a trade, profession or vocation, or any other work, the detail to be given is the nature of the work and how often it is undertaken.
- 4.11 When registering a directorship, it is necessary to provide the registered name and registered number of the undertaking in which the directorship is held and provide information about the nature of its business.
- 4.12 I understand that registration of a pension is not required as this falls outside the scope of the category.

## Category Two: Other Roles

- 4.13 I will register any unremunerated directorships where the body in question is a subsidiary or parent company of an undertaking in which I hold a remunerated directorship.
- 4.14 I will register the registered name and registered number 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 I am a director and from which I receive remuneration.

## Category Three: Contracts

- 4.15 I have a registerable interest where I (or a firm in which I am a partner, or an undertaking in which I am a director or in which I have shares of a value as described in paragraph 4.19 below) have made a contract with my public body:
- a) under which goods or services are to be provided, or works are to be executed; and
  - b) which has not been fully discharged.
- 4.16 I will register a description of the contract, including its duration, but excluding the value.

## Category Four: Election Expenses

- 4.17 If I have been elected to my public body, then I will register a description of, and statement of, any assistance towards election expenses relating to election to my public body.

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## Category Five: Houses, Land and Buildings

- 4.18 I have a registrable interest where I 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 my public body.
- 4.19 I accept that, when deciding whether or not I need to register any interest I have in houses, land or buildings, the test to be applied is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as being so significant that it could potentially affect my responsibilities to my public body and to the public, or could influence my actions, speeches or decision-making.

## Category Six: Interest in Shares and Securities

- 4.20 I have a registerable interest where:
- a) I own or have an interest in more than 1% of the issued share capital of the company or other body; or
  - b) Where, at the relevant date, the market value of any shares and securities (in any one specific company or body) that I own or have an interest in is greater than £25,000.

## Category Seven: Gifts and Hospitality

- 4.21 I understand the requirements of paragraphs 3.13 to 3.21 regarding gifts and hospitality. As I will not accept any gifts or hospitality, other than under the limited circumstances allowed, I understand there is no longer the need to register any.

## Category Eight: Non-Financial Interests

- 4.22 I may also have other interests and I understand it is equally important that relevant interests such as membership or holding office in other public bodies, companies, clubs, societies and organisations such as trades unions and voluntary organisations, are registered and described. In this context, I understand non-financial interests are those which members of the public with knowledge of the relevant facts might reasonably think could influence my actions, speeches, votes or decision-making in my public body (this includes its Committees and memberships of other organisations to which I have been appointed or nominated by my public body).

## Category Nine: Close Family Members

- 4.23 I will register the interests of any close family member who has transactions with my public body or is likely to have transactions or do business with it.

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## SECTION 5: DECLARATION OF INTERESTS

### Stage 1: Connections

- 5.1 For each particular matter I am involved in as a board member, I will first consider whether I have a connection to that matter.
- 5.2 I understand that a connection is any link between the matter being considered and me, or a person or body I am associated with. This could be a family relationship or a social or professional contact.
- 5.3 A connection includes anything that I have registered as an interest.
- 5.4 A connection does not include being a member of a body to which I have been appointed or nominated by my public body as a representative of my public body, unless:
  - a) The matter being considered by my public body is quasi-judicial or regulatory; or
  - b) I have a personal conflict by reason of my actions, my connections or my legal obligations.

### Stage 2: Interest

- 5.5 I understand my 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 my connection to a particular matter as being so significant that it would be considered as being likely to influence the discussion or decision-making.

### Stage 3: Participation

- 5.6 I will declare my interest as early as possible in meetings. I will not remain in the meeting nor participate in any way in those parts of meetings where I have declared an interest.
- 5.7 I will consider whether it is appropriate for transparency reasons to state publicly where I have a connection, which I do not consider amounts to an interest.
- 5.8 I note that I can apply to the Standards Commission and ask it to grant a dispensation to allow me to take part in the discussion and decision-making on a matter where I would otherwise have to declare an interest and withdraw (as a result of having a connection to the matter that would fall within the objective test). I note that such an application must be made in advance of any meetings where the dispensation is sought and that I cannot take part in any discussion or decision-making on the matter in question unless, and until, the application is granted.

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- 5.9 I note that public confidence in a public body is damaged by the perception that decisions taken by that body are substantially influenced by factors other than the public interest. I will not accept a role or appointment if doing so means I will have to declare interests frequently at meetings in respect of my role as a board member. Similarly, if any appointment or nomination to another body would give rise to objective concern because of my existing personal involvement or affiliations, I will not accept the appointment or nomination.

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## SECTION 6: LOBBYING AND ACCESS

- 6.1 I understand that a wide range of people will seek access to me as a board member and will try to lobby me, including individuals, organisations and companies. I must distinguish between:
- a) any role I have in dealing with enquiries from the public;
  - b) any community engagement where I am working with individuals and organisations to encourage their participation and involvement, and;
  - c) lobbying, which is where I am approached by any individual or organisation who is seeking to influence me for financial gain or advantage, particularly those who are seeking to do business with my public body (for example contracts/procurement).
- 6.2 In deciding whether, and if so how, to respond to such lobbying, I will always have regard to the objective test, which is whether a member of the public, with knowledge of the relevant facts, would reasonably regard my conduct as being likely to influence my, or my public body's, decision-making role.
- 6.3 I will not, in relation to contact with any person or organisation that lobbies, do anything which contravenes this Code or any other relevant rule of my public body or any statutory provision.
- 6.4 I will not, in relation to contact with any person or organisation that lobbies, act in any way which could bring discredit upon my public body.
- 6.5 If I have concerns about the approach or methods used by any person or organisation in their contacts with me, I will seek the guidance of the Chair, Chief Executive or Standards Officer of my public body.
- 6.6 The public must be assured that no person or organisation will gain better access to, or treatment by, me as a result of employing a company or individual to lobby on a fee basis on their behalf. I will 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 I accord any other person or organisation who lobbies or approaches me. I will ensure that those lobbying on a fee basis on behalf of clients are not given to understand that preferential access or treatment, compared to that accorded to any other person or organisation, might be forthcoming.
- 6.7 Before taking any action as a result of being lobbied, I will seek to satisfy myself about the identity of the person or organisation that is lobbying and the motive for lobbying. I understand I 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 I understand the basis on which I am being lobbied in order to ensure that any action taken in connection with the lobbyist complies with the

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standards set out in this Code and the [Lobbying \(Scotland\) Act 2016](#).

6.8 I will not accept any paid work:

- a) which would involve me 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 my public body and its members. This does not prohibit me from being remunerated for activity which may arise because of, or relate to, membership of my public body, such as journalism or broadcasting, or involvement in representative or presentational work, such as participation in delegations, conferences or other events.

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## ANNEXES

### ANNEX A: BREACHES OF THE CODE

#### Introduction

1. [The Ethical Standards in Public Life etc. \(Scotland\) Act 2000](#) ("the Act") provided for a framework to encourage and, where necessary, enforce high ethical standards in public life.
2. The Act provided for the introduction of new codes of conduct for local authority councillors and members of relevant public bodies, imposing on councils and relevant public bodies a duty to help their members comply with the relevant code.
3. The Act and the subsequent Scottish Parliamentary Commissions and Commissioners etc. Act 2010 established the [Standards Commission for Scotland](#) ("Standards Commission") and the post of [Commissioner for Ethical Standards in Public Life in Scotland](#) ("ESC").
4. The Standards Commission and ESC are separate and independent, each with distinct functions. Complaints of breaches of a public body's Code of Conduct are investigated by the ESC and adjudicated upon by the Standards Commission.
5. The first Model Code of Conduct came into force in 2002. The Code has since been reviewed and re-issued in 2014. The 2021 Code has been issued by the Scottish Ministers following consultation, and with the approval of the Scottish Parliament, as required by the Act.

#### Investigation of Complaints

6. The ESC is responsible for investigating complaints about members of devolved public bodies. It is not, however, mandatory to report a complaint about a potential breach of the Code to the ESC. It may be more appropriate in some circumstances for attempts to be made to resolve the matter informally at a local level.
7. On conclusion of the investigation, the ESC will send a report to the Standards Commission.

#### Hearings

8. On receipt of a report from the ESC, the Standards Commission can choose to:
  - Do nothing;
  - Direct the ESC to carry out further investigations; or
  - Hold a Hearing.



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9. Hearings are held (usually in public) to determine whether the member concerned has breached their public body's Code of Conduct. The Hearing Panel comprises of three members of the Standards Commission. The ESC will present evidence and/or make submissions at the Hearing about the investigation and any conclusions as to whether the member has contravened the Code. The member is entitled to attend or be represented at the Hearing and can also present evidence and make submissions. Both parties can call witnesses. Once it has heard all the evidence and submissions, the Hearing Panel will make a determination about whether or not it is satisfied, on the balance of probabilities, that there has been a contravention of the Code by the member. If the Hearing Panel decides that a member has breached their public body's Code, it is obliged to impose a sanction.

## Sanctions

10. The sanctions that can be imposed following a finding of a breach of the Code are as follows:
- **Censure:** A censure is a formal record of the Standards Commission's severe and public disapproval of the member concerned.
  - **Suspension:** This can be a full or partial suspension (for up to one year). A full suspension means that the member is suspended from attending all meetings of the public body. Partial suspension means that the member is suspended from attending some of the meetings of the public body. The Commission can direct that any remuneration or allowance the member receives as a result of their membership of the public body be reduced or not paid during a period of suspension.
  - **Disqualification:** Disqualification means that the member is removed from membership of the body and disqualified (for a period not exceeding five years), from membership of the body. Where a member is also a member of another devolved public body (as defined in the Act), the Commission may also remove or disqualify that person in respect of that membership. Full details of the sanctions are set out in section 19 of the Act.

## Interim Suspensions

11. Section 21 of the Act provides the Standards Commission with the power to impose an interim suspension on a member on receipt of an interim report from the ESC about an ongoing investigation. In making a decision about whether or not to impose an interim suspension, a Panel comprising of three Members of the Standards Commission will review the interim report and any representations received from the member and will consider whether it is satisfied:
- That the further conduct of the ESC's investigation is likely to be prejudiced if such an action is not taken (for example if there are concerns that the member may try to interfere with evidence or witnesses); or

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- That it is otherwise in the public interest to take such a measure. A policy outlining how the Standards Commission makes any decision under Section 21 and the procedures it will follow in doing so, should any such a report be received from the ESC can be found [here](#).

12. The decision to impose an interim suspension is not, and should not be seen as, a finding on the merits of any complaint or the validity of any allegations against a member of a devolved public body, nor should it be viewed as a disciplinary measure.

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## ANNEX B: DEFINITIONS

**“Bullying”** is inappropriate and unwelcome behaviour which is offensive and intimidating, and which makes an individual or group feel undermined, humiliated or insulted.

**“Chair”** includes Board Convener or any other individual discharging a similar function to that of a Chair or Convener under alternative decision-making structures.

**“Code”** is the code of conduct for members of your devolved public body, which is based on the Model Code of Conduct for members of devolved public bodies in Scotland.

**“Cohabitee”** includes any person who is living with you in a relationship similar to that of a partner, civil partner, or spouse.

**“Confidential Information”** includes:

- any information passed on to the public body by a Government department (even if it is not clearly marked as confidential) which does not allow the disclosure of that information to the public;
- information of which the law prohibits disclosure (under statute or by the order of a Court);
- any legal advice provided to the public body; or
- any other information which would reasonably be considered a breach of confidence should it be made public.

**“Election expenses”** means expenses incurred, whether before, during or after the election, on account of, or in respect of, the conduct or management of the election.

**“Employee”** includes individuals employed:

- directly by the public body;
- as contractors by the public body, or
- by a contractor to work on the public body’s premises.

**“Gifts”** a gift can include any item or service received free of charge, or which may be offered or promised at a discounted rate or on terms not available to the general public. Gifts include benefits such as relief from indebtedness, loan concessions, or provision of property, services or facilities at a cost below that generally charged to members of the public. It can also include gifts received directly or gifts received by any company in which the recipient holds a controlling interest in, or by a partnership of which the recipient is a partner.

**“Harassment”** is any unwelcome behaviour or conduct which makes someone feel offended, humiliated, intimidated, frightened and / or uncomfortable. Harassment can be experienced directly or indirectly and can occur as an isolated incident or as a course of persistent behaviour.

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**“Hospitality”** includes the offer or promise of food, drink, accommodation, entertainment or the opportunity to attend any cultural or sporting event on terms not available to the general public.

**“Relevant Date”** Where a board member had an interest in shares at the date on which the member was appointed as a member, the relevant date is – (a) that date; and (b) the 5th April immediately following that date and in each succeeding year, where the interest is retained on that 5th April.

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

**“Remuneration”** includes any salary, wage, share of profits, fee, other monetary benefit or benefit in kind.

**“Securities”** a security is a certificate or other financial instrument that has monetary value and can be traded. Securities includes equity and debt securities, such as stocks bonds and debentures.

**“Undertaking”** means:

- a) a body corporate or partnership; or
- b) an unincorporated association carrying on a trade or business, with or without a view to a profit.

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**



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**GOVERNANCE ITEMS**

**10.3 Board Self-Evaluation**

**PAPER O**

# **BOARD OF MANAGEMENT**

## **Tuesday 15 March 2022**



### **Board Evaluation Proposals**

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#### ***Paper for approval***

#### **1 Introduction**

This paper summarises arrangements proposed in respect of the evaluation of Board effectiveness.

#### **2 Board of Management Evaluation**

The Code of Good Governance for Colleges in Scotland outlines the following requirement for Boards of Management.

The board must keep its effectiveness under annual review and have in place a robust self-evaluation process. There should also be an externally facilitated evaluation of its effectiveness at least every three years.

The approach adopted in respect of the evaluation of the effectiveness of the operation of the Board meets all of the above requirements.

#### **3 Evaluative Approach**

The evaluation approach undertaken previously is comprehensive and has encompassed three specific streams of work as outlined below. This work has been undertaken relative to the key components of the Code of Good Governance and the self-evaluation framework adopted by the Board.

- A periodic survey of Board members to provide baseline information and feedback on Board effectiveness and the effectiveness of Board and Committee Chairs.
- A periodic detailed self-evaluation report completed through the Chairs Committee, facilitated by the Board Secretary and Quality Manager.
- An triennial externally facilitated review of Board effectiveness (undertaken in 2020)

To support Board effectiveness and compliance with governance requirements it is proposed that the Board survey be re-run and Chairs self-evaluation be undertaken over the coming weeks, with the evaluative report and updated board development plan arising from this work being presented to the June 2022 meeting.

## **4 Approval**

Board members are asked to consider and approve the proposed evaluation steps as outlined above.

### **Link to Strategic Risk Register**

Information in this report is intended to provide Board members with reassurance that actions and activities are being progressed and addressed that support the mitigation of a range of risks identified within the Strategic Risk Register namely;

- 3.2 Failure to achieve/maintain compliance arrangements, e.g. contracts; awarding bodies; audit.

**Author & Executive Sponsor:** Steve Taylor, Vice Principal People and Performance



## BOARD OF MANAGEMENT SELF-EVALUATION INDICATORS

### 1. The constitution, composition and operation of the Board of Management meets all governance, management and legal requirements.

- The membership of the Board reflects local and national requirements, professional specialisms, and diversities.
- The recruitment, induction, development and support of Board members is effective in meeting Board needs.
- Professional support provided by others is effective in supporting the Board in the discharge of its duties.
- The knowledge and capacity of Board members is developed in line with college and governance needs.
- Board members meet the governance and public standards demands placed upon them.
- The Board offers a positive and constructive challenge to the Principal and other senior staff.
- Student and staff contributions are evident and valuable.
- Corporate social responsibility obligations are achieved.
- The Board has a positive profile at a College, national and local level.

### 2. Strategic Planning activities ensure that the College has a clear vision and aspiration to meet the education and training needs of local and national stakeholders.

- Strategic planning arrangements firmly involve and engage Board members within the strategic planning requirements of the College.
- Strategic plans are effective in meeting the aspirations of the Board and local/ national stakeholders.
- High level College vision and strategic plans inform operational activities and outcomes.
- Strategic plans and aspirations promote long-term sustainability.

### 3. Outcome Agreement arrangements ensure that strategic visions, aims and plans are fully and efficiently achieved.

- Board members actively influence the ROA process.
- Outcome agreement plans are clearly linked to Board strategic vision.
- Outcomes are effective in meeting the aspirations of the Board and local/ national stakeholders.
- The achievement of Board aspirations and strategies in outcomes is evident and well reported.

### 4. The Board ensures that high quality learning, teaching and support services are provided. (To be evaluated by LT&Q Committee).

- Board operation involves and engages Board members in understanding, overseeing and ensuring high quality learning, teaching, and support services across the College.
- Board members receive appropriate briefings on quality framework and reporting requirements, and receive specific and accurate information on outcomes and evaluations relative to these requirements.
- Committee reporting arrangements are effective in ensuring that Board members understand and can contribute fully to quality strategies, plans, developments and outcomes.
- High (and improving) standards of student attainment and retention are evident.



**5. The Board ensures that College finances and facilities are well planned, managed, controlled and reported upon. (To be evaluated by F&P Committee).**

- The planning of finances in support of College activities is effective and accurate.
- The planning and development of the College estate is effective.
- Reporting arrangements ensure that Board members understand and contribute fully to College financial planning and monitoring activities.
- Financial strategies and sustainability is achieved.

**6. The Board ensures that College staff are effectively recruited, managed, developed and supported. (To be evaluated by HR&D Committee).**

- The strategic, operational and legislative obligations of the Board as an employer are fully and appropriately discharged.
- Board members are well informed of staffing issues, requirements, policies and approaches and have appropriate opportunities to understand and contribute fully to the leadership and development of these.
- Committee reporting arrangements are effective in ensuring that Board members understand and can contribute fully to HR strategy, developments and enhancements.
- The positive promotion of equality and diversity is evident.
- Health and safety arrangements are effectively managed and implemented.

**7. The Board ensures that ethical standards are met and that arrangements for the control and audit of College activities - including the effective management of risk – operate effectively. (To be evaluated by Audit Committee).**

- Transparency in Board activities is evident and good ethical standards maintained.
- The Board discharges fully all necessary audit and reporting responsibilities.
- Board members are well informed of audit requirements and outcomes and have appropriate opportunities to understand and contribute fully to the review and development of these.
- Committee reporting arrangements are effective in ensuring that Board members understand and can contribute fully to College audit matters.
- Appropriate risk management is evident in respect of: key strategic and operational developments; national and government policy; finances and financial management; IT systems and services; staffing matters; educational/service equality; reputation/PR; and security, health and safety, and facilities.

**8. Chair arrangements support effective Board operations and deliver high standards of governance and success for the College.**

- Board and Committee agendas and activities are appropriate to Board, College and governance needs.
- Board and Committee meetings are managed appropriately - chairing and time management skills are evident.
- Board and Committee discussions and outcomes are relevant and appropriate
- Committees offer an appropriate balance of support and challenge for senior staff.

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**



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**GOVERNANCE ITEMS**

**10.4 Board Metrics**

**PAPER P**

# BOARD OF MANAGEMENT

Tuesday 15 March 2022

## Board Metrics



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### *Paper for information*

#### **1 Introduction**

This paper outlines a series of standardised Board Metrics as discussed and agreed at previous meetings.

#### **2 Board Metrics Report**

To ensure that there is clear visibility of data and progress the following series of clear metrics is produced for consideration at each Board meeting. These metrics link together a number of data sources into a single high level Board report to provide high level indications of College performance. The further detail in each case should rest with the relevant Committee or be part of the operational activities of the College. In this way, the metric report should supplement, rather than replace, the range of current information provided to the Board and its Committees.

#### **3 Link to Strategic Risk Register**

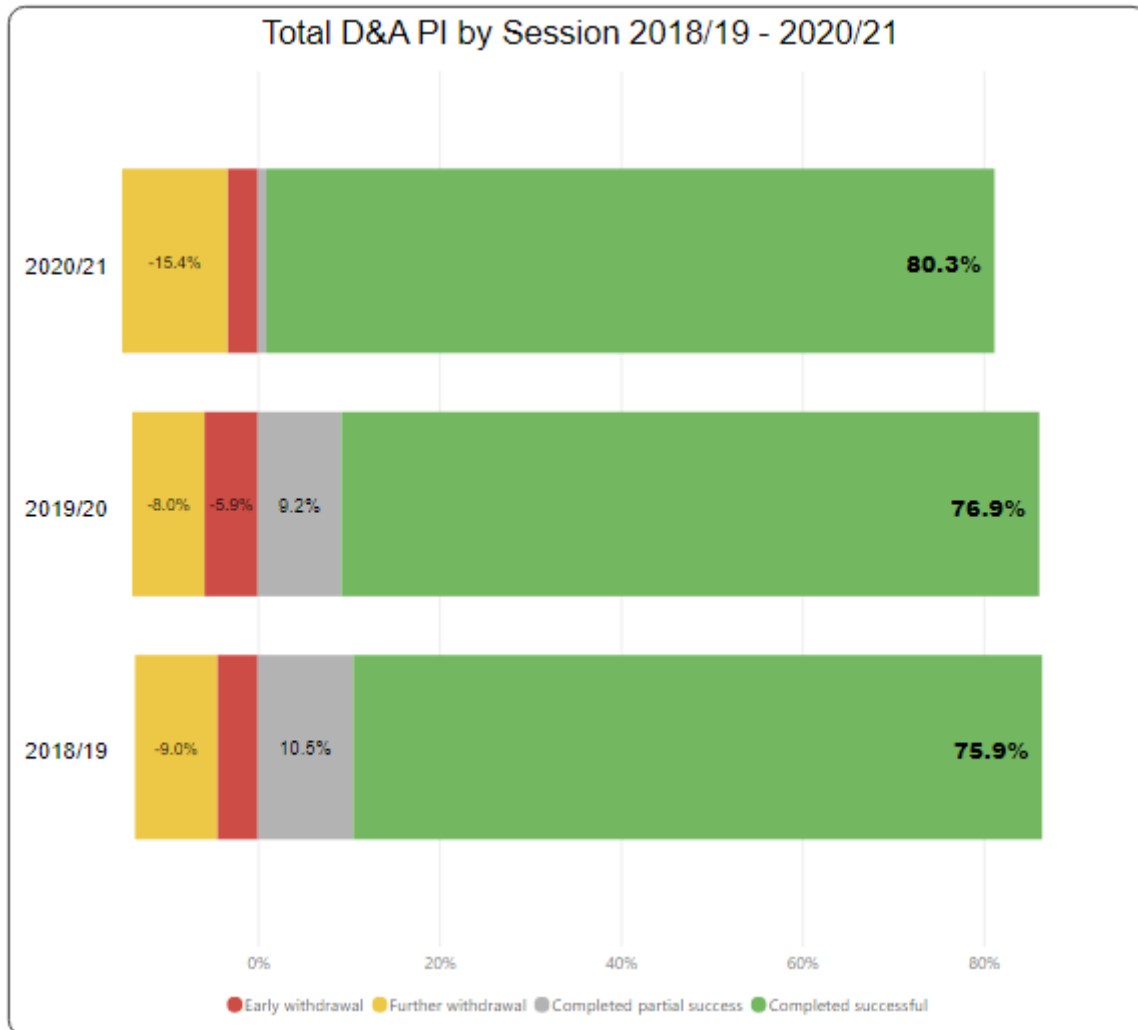
Information in this report is intended to provide Board members with reassurance that actions and activities are being progressed and addressed that support the mitigation of a range of risks identified within the Strategic Risk Register as follows.

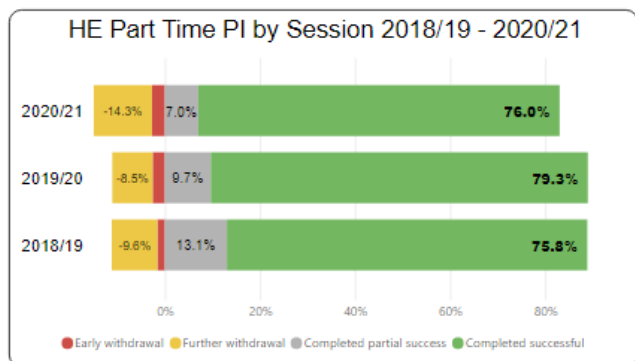
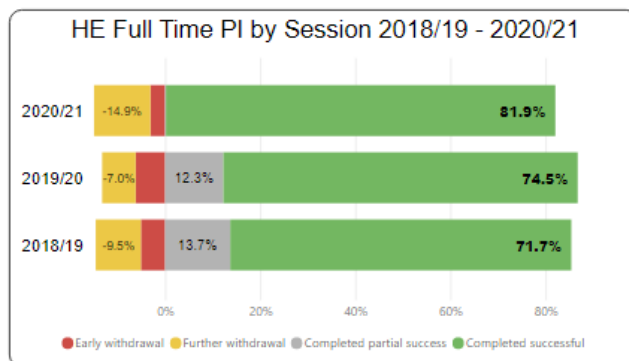
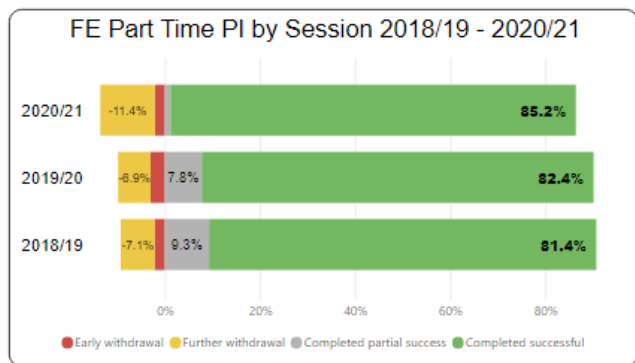
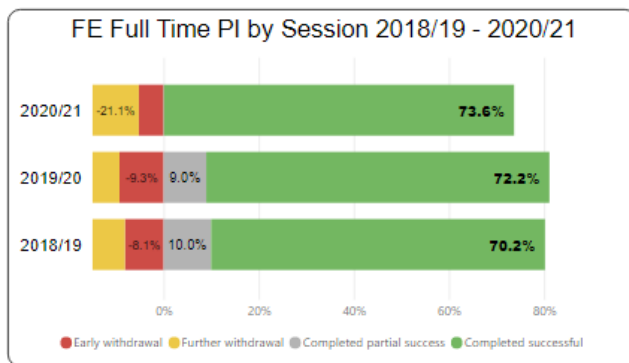
- 1.1 – Failure of College strategy to meet the needs of the D&A Region and/or national priorities (e.g., Employability, DYW, attainment, articulation)
- 2.2 – Failure to achieve institutional sustainability
- 3.1 – Failure to reach aspirational standards in learning, teaching and service delivery
- 3.3 – Legal actions; serious accident; incident or civil/criminal breach
- 3.4 – failure to meet aspirational standards in respect of the health, safety, wellbeing and development of staff and students

**Author** Colin Lynagh, Business Intelligence Officer  
**Executive Sponsor:** Steve Taylor, Vice Principal People and Performance

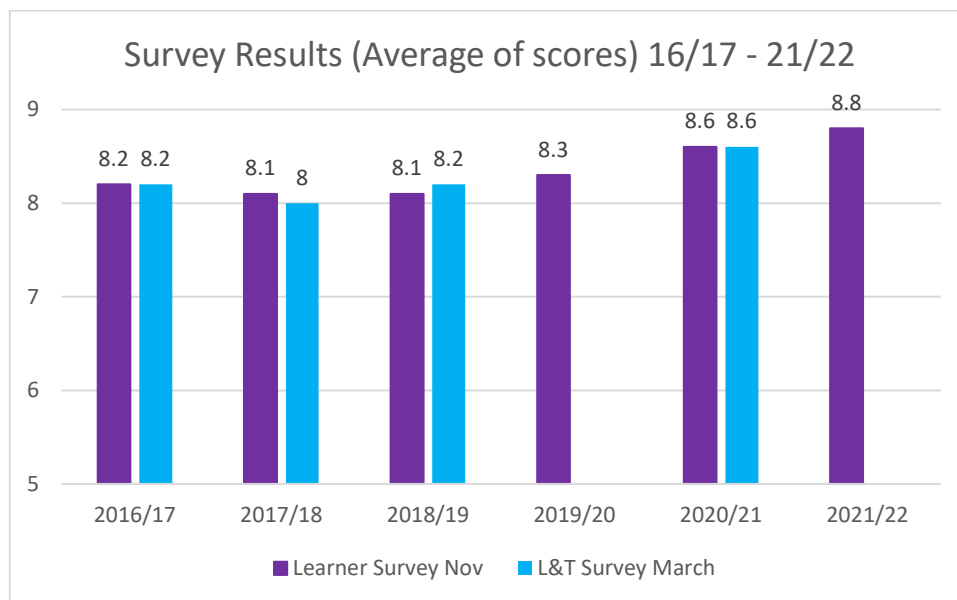
## Performance Indicators

All data outlined below is up to date and final.





## Student Survey Results

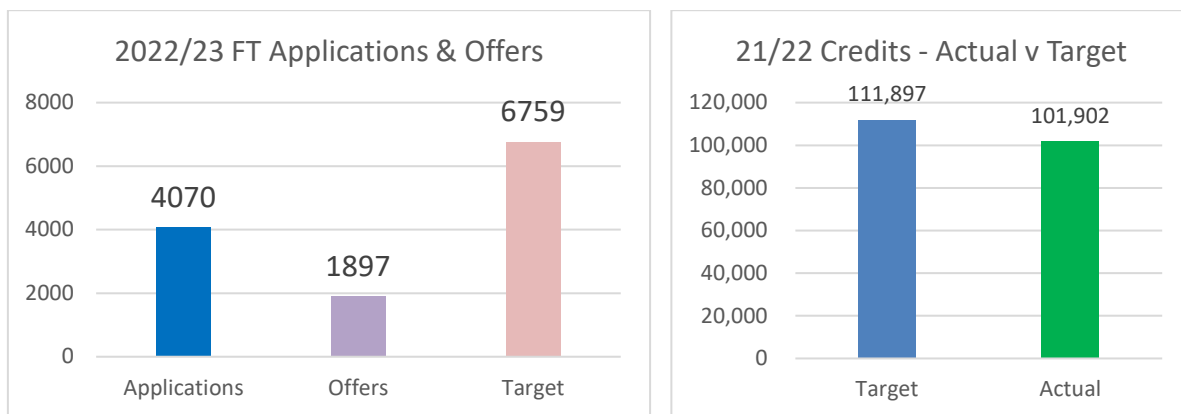


Note: The 2019/20 L&T Survey was not completed. The Learner Survey is now scored out of 5 but the results are scaled up to be consistent with prior years. The overall 2020/21 November survey score was 8.8 (4.4 out of 5).

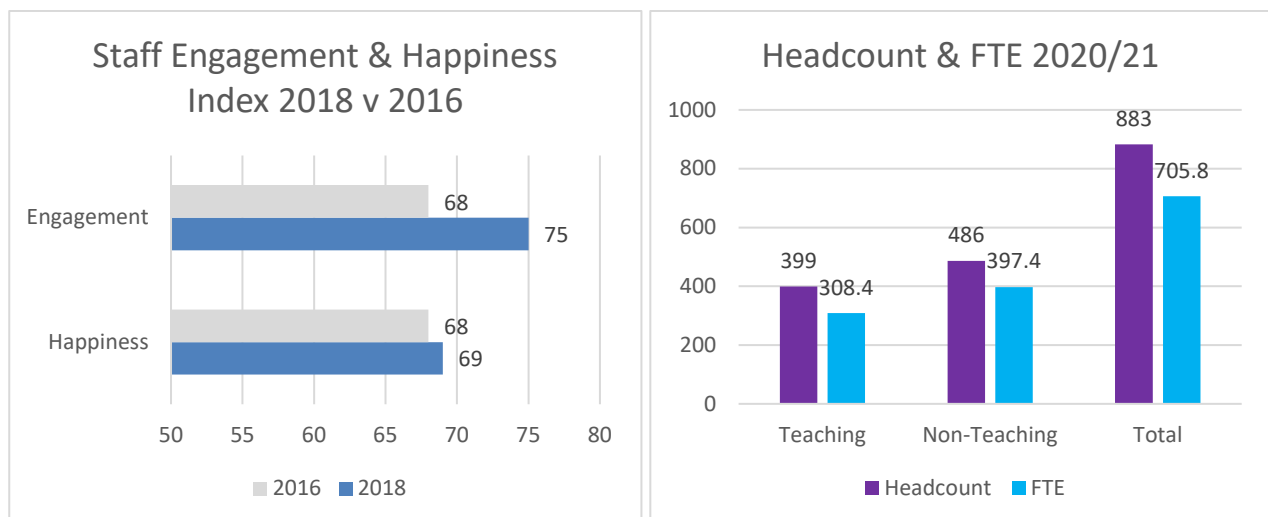
## SFC Student Satisfaction & Engagement Survey – Positive response rate

	D&A	National
Overall Satisfaction 2017/18	90.4%	83.6%
Overall Satisfaction 2018/19	91.4%	86.9%
Overall Satisfaction 2020/21	92.4%	85.9%

Note: The 2019/20 SFC Student Satisfaction and Engagement Survey was not completed

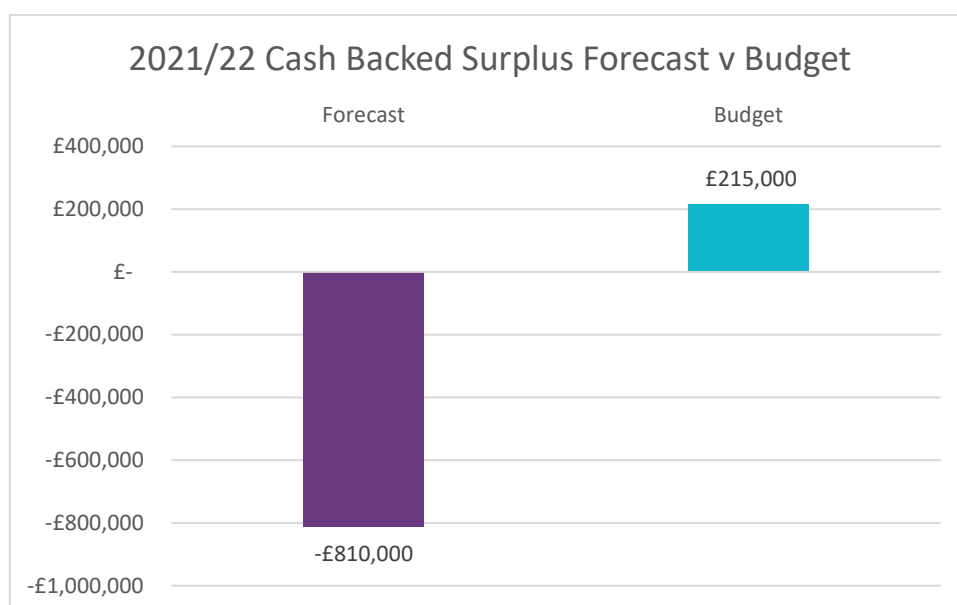


## Staff – Engagement and Happiness Index, FTE & Headcount and Absence



	Staff Absence Rolling Year to 31/01/22	Staff Absence Rolling Year to 27/10/21
Average working days lost per headcount	6.90 days	4.31 days
Working time lost	2.22%	1.67%
Comparison with sector/national rates		
UK All Sector rate (CIPD 2016)	3.3%	
UK Public Sector rate (Unison 2016)	3.4%	

## Finance – Surplus/Deficit v Planned Budget out-turn



	2021/22	2020/21
RIDDOR – Reportable Accidents	6	3

2021/22	Completed	Planned
Audits Completed v Planned	2	6

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**



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**GOVERNANCE ITEMS**

**10.5 2022/23 Board Meeting Dates**

**PAPER Q**



**BOARD OF MANAGEMENT**  
**Tuesday 15 March 2022**



**2022/2023 Board and Committee Meeting Dates**

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*Paper for approval*

BOARD/COMMITTEE	DATE FOR ON SITE	DATE FOR VIRTUAL
Board of Management - 5.00pm	Tuesday 27 September 2022 Tuesday 14 March 2023	Tuesday 13 December 2022 Tuesday 20 June 2023
Learning, Teaching and Quality Committee – 5.00pm	Wednesday 31 August 2022 Wednesday 8 February 2023	Wednesday 2 November 2022 Wednesday 26 April 2023
Human Resources and Development Committee – 5.00pm	Thursday 15 September 2022 Thursday 16 February 2023	Thursday 10 November 2022 Thursday 4 May 2023
Finance and Property Committee – 5.00pm	Tuesday 6 September 2022 Tuesday 28 February 2023	Tuesday 6 December 2022 – JOINT with A&R  Tuesday 30 May 2023
Audit and Risk Committee – 5.00pm	Tuesday 20 September 2022 Tuesday 7 March 2023	Tuesday 6 December 2022 – JOINT with F&P  Tuesday 6 June 2023
Chairs Committee	Minimum 2 times a year	

Other Dates:

**Board of Management Strategic Planning Days - TBC**

**Board of Management Dinner - TBC**

**Graduation Ceremony - TBC**

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**



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**MINUTES OF COMMITTEE MEETINGS**

**PAPER R**

**12.1 Learning, Teaching & Quality – 09/02/22**

**12.2 Human Resources & Development – 17/02/2022**

**12.3 Finance & Property – 01/03/2022**

# BOARD OF MANAGEMENT

## Learning, Teaching and Quality Committee Wednesday 9 February 2022



### *Draft Confirmed by Chair*

Minute of the Learning, Teaching and Quality Committee meeting held on Wednesday 9 February 2022 at 5.00pm via Microsoft Teams.

<b>PRESENT:</b>	M Williamson (Chair)	A McCusker
	G Robertson	S Hewitt
	K Ditcham	S Stirling
	N Dowie	H Honeyman
	S Middleton	N Lowden
	A Monks	S Mill
	MC McNally	B Carmichael

**IN ATTENDANCE:** S Taylor (Vice Principal / Secretary to the Board)  
J Grace (Vice Principal Curriculum & Attainment)  
J Roscoe (Director of Curriculum & Attainment)  
S Toms (Director of Curriculum & Attainment)  
T D'All (PA to Principal & BOM Chair)  
L Louch (Sector Development Lead) J Oliver (Head of Curriculum & Quality)

### 1. WELCOME

M Williamson welcomed Committee members, welcomed S Toms (Director of Curriculum and Attainment) to her first meeting also welcomed James Oliver (Head of Curriculum & Quality) and Laura Louch (Sector Development Lead) who are presenting on Digital and Cyber Developments.

### 2. APOLOGIES

Apologies were received from J Carnegie.

### 3. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 4. MINUTE OF THE PREVIOUS MEETING

The minute of the meeting held on Wednesday 3 November 2021 was approved as an accurate record.

### 5. MATTERS ARISING

All Matters Arising were closed off.

## 6. CURRICULUM REPORT – DIGITAL AND CYBER DEVELOPMENTS

S Hewitt introduced the Digital and Cyber Developments update, summarising key national developments. S Hewitt was 1 of 2 Lead Principals for Digital Tech and over the last 3 – 6 months have focused on 5 key priorities:

- COVID
- Digital Poverty
- Raising Awareness of the College Sector
- Understanding the College Sector Role
- Help the Sector to Upskill & Reskill

The Launch of the Future Technology Partnership in November 2021, chaired by Kate Forbes, was noted. This group had a remit to focus on the Technology Sector with College Development Network (CDN) looking at Digital Skills for the Sector.

S Hewitt stated that various reviews had been undertaken around digital skills needs and that there were great opportunities for our staff and our communities in terms of digital developments, but that there was also a lack of understanding of what the college sector did in terms of supporting digital & technical skills development.

The need to make a concerted effort to be at the table of various groups and reviews being undertaken was noted and S Hewitt identified and confirmed work being progressed to achieve this.

The need to support the uptake of digital subjects within schools and through school / college partnerships was stressed and S Hewitt noted that the sector was now actively promoting this key area to help plug the gaps in young people studying digital and IT subjects.

J Oliver and L Louch showcased some of the digital and IT projects undertaken by D&A College providing an overview on a Cyber Project and Esports Dundee.

### Cyber Security Project

J Oliver summarised the collaboration with Skills Development Scotland (SDS) aimed at embedding Cyber Security into course content for non-computing students through Cyber Security Fundamentals SQA certified programmes.

This had been delivered in bitesize chunks and within the vocational context for the students (in Social Science). J Oliver noted that much of this was sociological in nature, rather than technical and highlighted that the project had been supported by on-going reflection during delivery. It was noted that so far 89 students had engaged with the course, 35 from existing classes as a part of their course framework and 49 from other promotional work.

J Oliver noted that positive and constructive feedback had been received so far, with no significant negatives and 90% (4.5 from 5) satisfaction.

L Louch highlighted that the 2nd Phase of the project, requested by SDS, would extend the work to other colleges across Scotland, with the content delivered in any/all curriculum areas.

Best practice throughout delivery had been shared via MS Teams and meetings held once a month to support developments/enhancements. It was noted that the next stage of the work would be the further bid to SDS to embed Cyber Security Fundamentals in every college with opportunities also now arising to roll this out to businesses and schools.

## ESport Dundee

L Louch explained the role of the College and the potential for D&A College Students in respect of the Esports Arena development in Dundee, due to open in 2025.

L Louch noted that D&A College and Abertay University would provide education pathways in partnership with the Arena and noted that the College was designing a suite of courses where students would learn and gain experience whilst working in Esports.

It was noted that competitive gaming sports was huge worldwide, with audiences of over 9 million and prizes as big \$74.2M. Marketing revenue was also growing quickly with opportunities for sponsorship and merchandising expanding. L Louch noted that Esports would also feature as part of the Commonwealth Games this year.

While not as big in Scotland the new Esports Arena in Dundee would be the first registered Esports venue of its type in the UK & Ireland and would drive interest and demand in Esports.

L Louch noted that D&A College were partners with Esports Scotland and working on a range of initiatives. Event and experiences for students before the Arena opened and connections with schools were also being planned. It was noted that D&A were the only college in Scotland to have this type of partnership.

J Oliver highlighted various events developed to expand awareness of Esports and the opportunities this would bring including:

- Online awareness in March 2022 (Esports Scotland will lead). Workshops on setting up Esports Groups.
- April / May – Senior School pupils and Colleges Students competition
- SEL-5 Tournament – November 2022 hosted in Gardyne Theatre with various collaborations and curriculum areas including marketing & event, arts & design.

J Oliver highlighted that D&A College were looking at a range of avenues with BTech Esports Qualifications but noted that these did not cover Level 7 & 8, but work was progressing to create new HN qualifications in Esports.

L Louch noted that the Esports developments covered many different areas and curriculum specialism including: computing, media, web development, hosting, journalism, broadcasting / TV, photography etc. Future opportunities for students included placements and work opportunities, apprenticeships, schools / college events, face to face meets and safe spaces for coaching etc.

J Grace noted that the curriculum review currently being undertaken would raise awareness of these opportunities and ensure that future curriculum offers link into the new opportunities arising.

K Ditcham asked if there were concerns around health and wellbeing in terms of Esports activity. J Oliver noted how important it was having good conduct online and to get in early to work with young people re professionalism in Esports. L Louch noted Esports Scotland were aware of this as a requirement and have a community to monitor poor behaviour and support wellbeing. J Oliver noted that Esports was much more about managing, organising and setting up events, including the development of promotion, marketing, and administration rather than specifically online gaming.

S Middleton enquired about the bigger picture for example promotion to parents and key influencers of young people who may be wary about a focus on online gaming.

J Oliver highlighted the qualifications were not just around game playing but selling Esports holistically – event organisation, project management, personal skills and selling a range of activities - which were lacking in traditional computing style courses and would need to be promoted and explained as developments progressed.

Committee members thanked J Oliver and L Louch for their input and noted how useful it was to understand better the scale and range of opportunities available through the Esports developments.

## **7. STUDENTS ASSOCIATION REPORT**

A Monks and N Dowie presented the report provided to the Committee.

A Monks summarised the report highlighting there were 338 class reps and 16 department reps now in place with great representation across the board and safe spaces for discussions through Miro boards for each department (to gather and collate feedback and other information).

N Dowie noted that the 3 Student Association Assistants were working hard, reaching out to students on a peer-to-peer level to check in with students that had missed classes, provide a friendly contact, and signpost and refer on to support as needed.

A Monks noted the continuation of the Attend to Spend project highlighting future plans to expand the offer to include vouchers to use in Hospitality and Hair, Beauty and Complimentary Therapies.

M Williamson congratulated the team on the number of reps involved and noting that the peer-to-peer conversations were a really positive development which would have a great impact on student retention.

H Honeyman noted the evolution of DASA over the last few years acknowledging the energy and passion of the team – huge thank you!

S Taylor noted that the peer-to-peer calls by DASA would also be highlighted as sector leading practice to Education Scotland during the Progress Visit taking place on 15 & 16 February 2022.

S Hewitt noted wider challenges highlighted around retention and noted that the CDN Research Centre were carrying out work from across the Sector looking at why students had not been able to engage. The report from this work would aid discussion at a national level.

## **8. LEARNER SATISFACTION SURVEY – NOVEMBER 2021**

S Taylor highlighted the positive student survey feedback report with good levels of engagement and satisfaction. The number of students taking part in the survey was similar to previous years, with overall satisfaction improved and averaging 88% (4.4 out of 5).

S Taylor noted that the report was a high-level summary and that a detailed breakdown of results at course stream / level is provided to the teams for review and action, with outcomes from this discussed as apart of Stop & Review discussions.

J Grace highlighted comments / themes and actions around the loss of personal connections due to online learning and COVID restrictions, alongside some confusion and negative feedback arising from the use of multiple platforms for learning/assessment.

A McCusker said well done on the feedback results achieved, especially given the impact of COVID and the need for various restrictions to be put in place.

## 9. VP CURRICULUM & ATTAINMENT REPORT

J Grace summarised the report provided highlighting the on-going disruption to the learning experience, particularly in terms of the impact of Omicron before and after Christmas.

J Grace noted the positive outcome from the British Council Inspection and the huge amount of work undertaken to support this. This feedback and inspection outcome were noted.

The College has been successful in 3 out of 4 bids to pilot next generation HN qualifications (HN NextGen). This meant that we could shape the qualifications of the future and have staff involved in the development.

It was noted that recruitment & retention remained as big challenges and a top priority. This included intensive work to achieve credit targets and a focus on the experience on campus for our students.

J Roscoe provided a brief overview of the work of the Learning Experience Group and the Senior Phase Community of Practice Group. The remit, scope and purpose of the Learning Experience Group was to work collaboratively, enhance teaching practice and student-centred learning. The Senior Phase Community of Practice pulled together all those teaching on schools' programmes to share collective skills, experience, concerns and challenges.

S Taylor noted that the Education Scotland Progress Visit would take place (online) between 15 and 17 February 2022 with a team of 3 HMle, 3 Associate Assessors and one Student team member involved. They would meet with c. 90 staff & students over the 3-day period and verbal feedback would be provided on 17 February with a formal report coming to the June Board of Management Meeting.

M Williamson asked about recruitment retention on a national level and if the College would see national figures. J Grace confirmed we do but these were always a bit out of date, but that feedback from other colleges revealed a similar picture and similar concerns.

J Grace noted that funding challenges may arise if previously withdrawn students (due to COVID) decide to come back to college as they will have used a year of their funding.

A McCusker enquired about the curriculum review and asked about plans to bring details of planned changes etc to the Committee. J Grace noted that the timeline supported initial plans to be provided by teams by the end of March 2022, with work then required to review and refine the various proposals into a clearer plan. It was noted that the challenge was around the activity target to be met if funding is reduced and it was noted that this could only be sustainable if the target is reduced like in 2011.

J Grace noted that the overall approach to prioritise curriculum changes would be on what was right for students and what was right for the local economy, communities and progression into employment or on to further study.

J Grace confirmed that an update on the curriculum review would be brought to the next meeting. This would include plans for changes in 2022/23, 2023/24 & 2024/25. **J Grace to progress.**

## 10. STRATEGIC RISK REGISTER

S Taylor said (reflecting on the earlier conversations around the recruitment numbers) that there was an increased risk around meeting the regional priorities, resulting in a proposed change in scoring for Risk 1.1. This was agreed and the Committee approved the update of the Strategic Risk Register.

## **11. LT & Q Metrics**

S Taylor highlighted the usual Metrics for noting.

## **12. COVID 19 UPDATE ON LEARNING, TEACHING & ENGAGEMENT OF LEARNERS**

S Hewitt intimated that the shift in the narrative around COVID 19 at a national level was both positive and negative as we could see progress being made, but Colleges remained under stricter guidance. Updated college and university guidance had been expected to be made available in January 2022, but this had been put on hold due to the new Strategic Framework expected in February 2022.

The college was starting to plan for the return to fewer (or no) restrictions, particularly in terms of planning and timetabling for 2022/23. This would be developed around a revised plan once the new national strategy was known.

S Hewitt noted that there were several challenges with new ways of working (such as making Teams calls in a traditional working spaces) and stated that this would need a transition period to allow for change and adaptations to take place.

J Grace acknowledge the College was still trying to manage COVID with the current restrictions and for those outside the organisation to understand that colleges had a different set of guidance to the outside world.

Developments in terms of the Ways of Working project and plans for significant student engagement in future working were noted.

## **13. DATE OF NEXT MEETING - Wednesday 27 April 2022**

### **Action Point Summary**

<b>Action</b>	<b>Responsibility</b>	<b>Date</b>
Report to the Committee on Curriculum Review progress/outcomes	J Grace	27 April 2022



# BOARD OF MANAGEMENT

## Human Resources and Development



### Committee Thursday 17 February 2022

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#### Draft confirmed by Chair

Minute of the Human Resources and Development Committee meeting held on Thursday 17 February 2022 at 5.00pm via Teams.

<b>PRESENT:</b>	D Mackenzie S Hewitt S Stirling	D Fordyce K Keay B Carmichael
<b>IN ATTENDANCE:</b>	S Taylor (Vice Principal) J Carnegie (Vice Principal) K Buchan (HR Manager)	A Mawhirt (Head of People & OD) J Grace (Vice Principal) T D'All (PA to Principal & BOM Chair)

#### AGENDA

**1. WELCOME**

D Mackenzie welcomed members to the meeting.

**2. APOLOGIES**

Apologies were noted from D Fordyce and B Grace.

**3. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**4. MINUTE OF THE PREVIOUS MEETING – 11 November 2021**

Minute of the previous meeting was approved as an accurate record.

**5. MATTERS ARISING**

There were no matters arising.

**6. 2022 – 2024 WORKFORCE PLAN**

A Mawhirt set out the update on the Workforce Plan noting changes in the College Sector National Bargaining and teacher training (benchmark qualification).

A Mawhirt highlighted the main areas and themes: staff profile, digital, wellbeing, noting difficulty in getting staff out to industry.

A Mawhirt also noted Strategic Projects and other influencers including STEM, Esports, MSIP, and the Climate Emergency.

A Mawhirt intimated that staff turnover is still relatively low and the Staff mix between academic and support remained similar to previous at 50 / 50.

K Buchan summarised support provided in respect of mental health and wellbeing and noted that the People Team were focused on conversations with Heads of Department around their mental health and that of their teams. A cross college working group working with staff and students was looking at resources to improve people's wellbeing. Wellbeing Champions form part of the Wellbeing Strategy, with trusted colleagues and a variety of support on offer.

S Taylor noted the previous discussions at the Committee and stated that the updated plan was a distillation of the key things going on in the College / region and the staff changes, and development needed to support these changes.

The integration between the range of College strategies was noted, and S Taylor highlighted that discussions were planned with the Finance & Property Committee on the Finance Strategy, and work would shortly commence to update the Learner Experience Strategy, all of which would align with the workforce plan.

K Keay congratulated the Team on the plan and asked how progress on this would be identified/confirmed.

A Mawhirt noted that many of the metrics were already highlighted in the HR Metrics report.

On the Leadership Development, A Mawhirt confirmed that since the academic restructure the group was progressing well in their new roll. Focusing on the community element; cross-college pollination of ideas and support for one another. Staff have indicated this is how they would like to spend their time.

A Mawhirt confirmed a particular programme for Curriculum Quality Leaders (QCL) which broadly looks at people management and to get access to different opportunity – soft skills / meta skills.

In respect of reporting back, S Taylor suggested that an update report be brought back to the Committee approximately 12 months on (March 2023). This was agreed. **S Taylor to progress.**

S Hewitt noted the Workforce Plan will move and shift over the coming months due to the challenges we face and emerging opportunities.

A Mawhirt highlighted the Climate Emergency Action Plan and noted that various elements in terms of staff development and cultural awareness would interlink with the workforce plan and highlighted that there were also links via the recent Future WOW (Ways of Working) event and developments.

The updated Workforce Plan was welcomed.

## **7. VP PEOPLE AND PERFORMANCE REPORT**

S Taylor highlighted the Voluntary Severance Scheme (VSS) that closed at the end of the last calendar year. Applications were being progressed with a number in a position to approve and will report back on progress at the next meeting.

S Taylor noted the National Bargaining position with a national dispute by EIS in respect of the salary offer made. National discussions were continuing with an indicative ballot for industrial action opened. Support staff had not confirmed if their offer has been accepted.

S Taylor highlighted the National Job Evaluation process noting issues still to be agreed around the implementation.

S Taylor noted the promotion of Lee Lappin and the recruitment of Darren Burns as new Head of Sector with both settling into their new roles well.

S Taylor highlighted college awards success with the Holyrood Scottish Public Service Award for Sustainability and 'Lockdown Legend' Sophie Mitchell as Colleague of the year at the College Development Network Awards.

A Mawhirt highlighted the well-received Leadership Development Forum (LDF) that took place in January with John Alexander, Leader of Dundee City Council, as a speaker and the intention to seek other speakers for future events. In addition, the LDF group discussed their own wellbeing, need to connect with one another on a social and work-related basis to continue building excellent working relationships, as well as general feedback on the format of LDF meetings. Feedback captured was being written into plans for future sessions and additional support for the LDF group.

S Taylor noted the 'Last Hour of 2021 Appeal' where a significant number of staff donated their last hour of pay from 2021 to support four charities chosen by our Students Association, our Staff Association, our Trade Unions, and our Senior Leadership Team. The appeal raised £4,500 in total splitting this equally (£1,125 each) between the following four charities: Chest Heart and Stroke Scotland; Feeling Strong; Maggie's Centre Dundee; and Dundee and Angus Women's Rape and Sexual Assault Centre. S Taylor noted that the 'last hour' approach was a very simple and effective way to raise money for charity.

The update was noted.

## **8. FUTURE WAYS OF WORKING**

J Carnegie explained the "Future WOW" project and engagement with students and staff around what D&A would look like after COVID using Services Design principles. There were 380 members of staff who took part in the event with 15,000 comments via electronic post-its. Discussion themes included: Community & Culture; Working and Learning Spaces; Student Experience.

J Carnegie stated that the Team were now looking at scheduling a student event as well as a stakeholder event – shape what the future will be. We are currently in the "user research" phase to be followed by co-creation and co-design. The project would progress incrementally, with ideas being tested and implemented as work developed over the coming year.

## **9. NATIONAL BARGAINING UPDATE**

The update was covered in the VP People & Performance Report (Item 7).

## **10. STRATEGIC RISK REGISTER**

S Taylor noted no proposed changes for the allocated risk for this committee. However, there was a reduction proposed in the likelihood of a significant COVID outbreak due to the level of vaccination.

This paper was approved by the Committee.

## **11. HR METRICS**

The HR Metrics were noted by the Committee.

D Mackenzie asked about the completion rates for mandatory Training & Development (such as GDPR, Display Screen Equipment and Safeguarding). A Mawhirt noted that it was almost impossible to achieve 100% completion given staff absence, turnover etc and that figures above 80% were accepted as strong levels of coverage. A Mawhirt noted that for some areas (e.g., Display Screen training) not every member of staff would be required to complete the training.

## **12. COVID 19 UPDATE ON HEALTH & SAFETY, LEADERSHIP, WAYS OF WORKING & COMMUNICATION**

S Taylor confirmed the College was waiting for the revised Scottish government strategy to inform the steps required around future COVID-19 planning.

J Carnegie stated that the College was still working with face coverings and 1 metre distance on campus but hoped that the expected national guidance would provide a much nicer environment for students and staff to be.

S Taylor noted that the current guidance meant that the College was still working under Level 0 guidance but with hopes for a big shift to planning over the coming weeks/months to return to something close to normality for the next academic year. It was noted that this clarity was important in terms of supporting clear messaging and timetabling.

S Hewitt acknowledged that the College was entering another transitional phase – trying to find our feet and engage staff in how we transition back. S Hewitt noted that staff were looking for a clear approach and steer and that conversations were taking place with teams.

S Taylor noted that there would be some challenges around the return to on campus working, but that these would be picked up and discussed in a supportive way.

S Hewitt stated that most staff and students seemed to have come full circle, from initially liking working from home to now wanting to be back on campus.

## **13. MEETING MINUTES/UPDATES**

The minutes of the JCF and Healthy, Safety and Wellbeing Committee meeting were noted.

## **14. DATE OF NEXT MEETING – Thursday 5 May 2022**

### **Action Point Summary**

<b>Action</b>	<b>Responsibility</b>	<b>Date</b>
Progress update on Workforce Plan to be provided	S Taylor / A Mawhirt	16 February 2023

# BOARD OF MANAGEMENT

## Finance & Property Committee

Tuesday 1 March 2022 at 5.00pm  
Microsoft Teams Meeting

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### *Draft confirmed by Chair*

Minute of the Finance and Property Committee meeting held on Tuesday 1 March at 5.00pm via MS Teams

<b>PRESENT:</b>	S Mill (Chair)	D Fordyce
	A McCusker	D Mackenzie
	S Hewitt	S Stirling
<b>IN ATTENDANCE:</b>	G Robertson (Chair Audit & Risk Committee)	
	J Grace (Vice Principal)	T D'All (Principal's/Board Chair PA)
	J Carnegie (Vice Principal)	B Ferguson (Head of Finance)
	S Taylor (Vice Principal)	A Ross (Head of ICT)
	B Grace (Head of Estates)	

#### 1. WELCOME

D Fordyce welcomed everyone to the meeting, noting that she was chairing in her role as Committee Vice Chair.

#### 2. APOLOGIES

Apologies were received from B Carmichael, N Lowden, and K Ditcham.

#### 3. DECLARATIONS OF INTEREST

There were no declarations of interest.

#### 4. MINUTES OF PREVIOUS MEETING

The minute of the Finance and Property Committee meeting held on 7 December 2021 was approved as an accurate record.

#### 5. MATTERS ARISING

J Carnegie confirmed all Matters Arising were closed off except:

- Services Design Academy Business Plan will come to the May 2022 Finance & Property Committee.
- Programme of proposed "shovel ready" projects were being prepare but would depend on funding.
- MSIP Launch was delayed until August 2022.
- Following a recent visit to the new Forth Valley College campus, options were being reconsidered for the Kingsway STEM Centre.

## **6. FINANCE**

### **6.1 Budget Monitoring Report and Update**

B Ferguson noted Q2 Forecast was improved, with the deficit of £810K an improvement of £44K from the previous forecast and an operational improvement of £171K before allowing for Voluntary Severance Scheme (VSS) provision of £127K to secure savings for 2022/23.

Management was conscious of the need to pursue all possible means of improving upon the forecast presented, particularly given the heightened risks around credits and the lower levels of funding that SFC were signalling for 2022/23. B Ferguson noted that any potential clawback would impact substantially and highlighted the ongoing lobbying of SFC.

B Ferguson noted non-pay costs were forecast to reduce by £529K this quarter, with the removal of DYW and Erasmus contributing £277K in addition to specific reductions identified during a savings exercise, offset to some extent by some additional costs. It was confirmed that the savings identified would not result in spend being reprofiled into 2022/23.

The increase in marketing expenditures, adding £70K to forecast, were noted in order to finance the recruitment campaigns for both this year's January intake and for next academic year.

ICT had given up the majority of the identified savings, with a net reduction off almost £200K + VAT. This was partly made possible by the continued supply chain issues already threatening deliveries by 31 July and a smoothing out of the replacement cycle.

B Ferguson noted that the Pay Award, which was already above the level budgeted for, had been rejected a statutory ballot for action likely.

S Hewitt intimated that the position of the College Sector and D&A College should be clearer towards the end of March on flexibilities around credits and 2022/23 funding.

### **6.2 Financial Strategy Update**

S Hewitt noted that the first iteration of the Draft Financial Strategy was presented to the Finance & Property Committee in September 2021. This paper updated the initial strategy presented and, within the appendices, encompasses assumptions, actions, and a high-level worst-case scenario (without mitigation).

S Hewitt stated that the projected funding settlement for 2022/23 could be the biggest challenge faced by the College, with an initial forecast of:

- flat cash and loss of COVID funding = real term cut c.£2.2M
- inflation costs adding to this
- potential industrial action by Academic & Support staff
- Transfer to Permanency impacts on staffing flexibility
- potential Funding Clawback from SFC
- decline in recruitment
- increase in student support needs
- a staff base that is tired – gone through some many difficulties over the last few years

S Hewitt noted the need to remind SFC on the “flexibilities” written by the College and the need to review the Funding Model. The College was also awaiting confirmations around Foundation Apprenticeships (FA) and Young Person's Guarantee / Flexible Workforce Development Fund (FWDF) although these were all short-term fixes.

J Carnegie highlighted the recommendations included in the paper, which would be considered

at the end of the discussion.

S Hewitt noted that D&A College's Curriculum was the key element and with a full team now in place we were in a position to move forward with the Curriculum Review.

J Grace highlighted the College's curriculum in relation to the Finance & Property Committee noting that a full review of the curriculum was being undertaken. This had not been done since 2017/18. The intention was to look at the whole portfolio on offer with the exercise being completed by the end of May 2022. This would include looking at opportunities for the region and involve stakeholders. The review would also identify areas in decline as well as new developments. Some areas were stable, but curriculum would need to be reviewed to maintain relevance and take advantage of new opportunities.

J Grace noted work that was ongoing to ensure efficiency of delivery across the College e.g., weekly contract, class sizes, focus on retention and credit generation.

J Grace noted the decline in Higher Education (HE) fees and the renewed focus on articulation routes to support HE numbers through longer term engagement with stakeholder.

In-year action was being taken as and when required, due to demand. As a part of this, J Grace confirmed the decision to not renew the lease on Forfar Centre.

J Grace confirmed the focus was also on "non-core" activity and maximising contracts with managing agents and maximisation of MA and FA activities and milestones.

J Grace highlighted that the College did not yet know what the 2022/23 credit target would be so there were challenges when requiring to make changes to the curriculum.

J Grace noted that Local Authorities had provided some information on why the numbers of school pupils applying to college had declined. The information was giving greater depth of understanding to what this meant for our engagement with schools.

S Hewitt stated that a national campaign by Colleges Development Network (CDN) was planned to help to improve awareness of the sector and uptake of places.

S Mill, reflecting on the figures presented in the appendixes, noted that the worst-case scenario could in fact be worse given the position in respect of national bargaining and noted that a 7% to 11% reduction in funding required a fundamental shift in delivery – cost cutting.

S Hewitt agreed with S Mill's point and noted concern that the fundamentals of the funding methodology were broken and noted that something more significant needed to happen at a national level.

A McCusker asked what lobbying the Team required for herself and S Hewitt to undertake?

S Hewitt confirmed that the College was pursuing other sources of income and grants from trusts as well as partnerships, however, difficult decisions around a tight budget line will need to be considered.

S Hewitt noted that SFC had asked the sector about solutions and what were the changes and flexibilities needed. D&A had been clear around the current ask and S Hewitt stated that we also needed to be looking at longer term flexibilities and that the discussions needed to also move on to future years – short/medium/long term.

S Taylor highlighted the need to review support activities and inputs to deliver a sustainable financial position and summarised the key needs around workforce planning.

S Taylor stated that there were some signs of shift since the paper was prepared with further

changes anticipated before SFC comes back with the indicative allocation and credit targets. It was noted that when previous cuts had been experienced, SFC also reduced the credit targets for colleges, but had targeted specific areas of activity. Once we had some clarity around the indicative funding and credit targets, that would allow curriculum planning to be finalised and the knock-on impact on support needs to be determined. Overall student numbers would also have an impact on the volume of services offered. It was anticipated that the potential removal of funding around additional support (mental health) would have an impact, but that this was a challenge given the significant increase in needs being experienced.

S Taylor noted that timescales and key steps were known in terms of reacting to the funding settlement and that these would progress in consultation with unions and staff once the indicative allocations, and any related conditions and credit impacts were known (in late March).

S Hewitt noted that the Financial Strategy was not all about taking out. It was also an opportunity to step back to look at what needed to be prioritised and invested in - balancing priorities / de-priorities. It was also an opportunity to look forward a number of years and what type of College we want to become.

J Carnegie noted that initial discussions around potential next steps / phases had been limited to the Senior Leadership Team and progressing these would need to be well managed and handled sensitively. It was noted that information had been provided to staff

Given that the appendix summarised a range of speculative worst-case assumptions based on information that was (as yet) unknown it was agreed that the appendix was not suitable for publishing at this point in time. It was confirmed that known scenario would be available once actual credit targets and funding was announced by SFC.

The Committee reviewed and agreed the recommendations highlighted in the Financial Strategy Update.

## **7. ESTATES UPDATE**

B Grace highlighted progress on the Kingsway Campus Project noting the Hair, Beauty & Complimentary Therapy facility was to be handed over by Robertson Construction on 8 April 2022 (on-time). Equipment to kit out the new facility was starting to be delivered and work was progressing well.

B Grace confirmed plans for renovation of the Kingsway Campus Lecture Theatre were also progressing.

B Grace noted the Tay Cities Deal (TCD) Advanced Manufacture Project was on time and coming together – great transformation and looks fantastic.

B Grace also noted the awards success with the Holyrood Scottish Public Service Award for Sustainability.

S Mill congratulated the Team on the award and asked if the Committee members could be given a tour of the new Hair, Beauty & Complimentary Therapy facility. B Grace noted that this was possible, and he would arrange a suitable time. **B Grace to progress.**

J Grace noted that plans were also being progressed for formal openings of the new TCD Advance Manufacturing facility and the new Hair, Beauty & Complimentary facilities. Details would be confirmed in due course.

## **8. PROCUREMENT UPDATE**



B Ferguson explained the Procurement Update highlighting section B requiring approval, included a list of contracts (Advanced Manufacturing & Engineering facility Equipment and Insurance) where the aggregated spend over the contract term is likely to exceed £100K (inclusive of non-recoverable VAT) including call-off contracts under Framework Agreements let by other authorities, such as APUC, Scottish Procurement and Crown Commercial Services.

B Ferguson noted challenges around insurance procurement as it was likely that only 2 organisations, out of a possible 5, would provide quotations. Discussion took place around the various options available, and the Committee gave approval to investigate and benchmark other insurance options. **B Ferguson to progress.**

B Ferguson noted the non-competitive actions, that required both SFC and Board approval, in respect of Energy Skills Partnership purchases where suppliers were limited due to the unusual cutting-edge technologies used. These requests were agreed for progression to the board for approval. **J Carnegie to progress.**

Arrangements around approval for non-competitive actions of this type were discussed and it was suggested that (up to a specific threshold) these could be managed under delegated authority through the VP Corporate Services and Finance and Property Committee without referral on to the full Board. It was noted that this would require an update to the Financial Regulations and it was agreed that this be considered for approval by the Board **J Carnegie to progress.**

Arrangements for the embedding of climate emergency good practice within procurement were discussed and J Carnegie highlighted that the Scottish Government had advised that changes to procurement legislation would support this.

The recommendations in the Procurement Update were approved by the Committee.

## **9. CLIMATE EMERGENCY ACTION PLAN UPDATE**

B Grace highlighted the newly launched Climate Emergency Action Plan noting that regular updates would be brought to the Committee. The action plan, and progress being made were noted.

## **10. VP CORPORATE SERVICES REPORT**

J Carnegie noted the VP Corporate Services Report was for information.

## **11. COVID-19 UPDATE**

B Grace noted that the College was moving into a different phase and provided a brief update that reflected the new Scottish Government strategy of low, medium, & high risk. Face coverings would no longer be required from 21 March, and the College would transition into the new arrangements between 21 March and the return from the Easter holidays (18 April 2022). The College would maintain enhanced cleaning and maintain hand sanitisers along with promoting good hand and respiratory hygiene. Continued CO2 air monitoring would also take place, with details shared with staff.

B Grace noted work being progressed to support hybrid working and staff returning to campus. This included returning communal facilities back to their normal layouts and getting existing workrooms ready (ensuring chair and monitors etc are in place) as well as creating 3 new shared working areas / hot desking – one for each campus.

A Ross updated the Committee on the 248 long term loan of laptops and Chromebooks along with the 276 from the Lapsafe lockers on campus. Connecting Scotland had provided c.400

devices and broadband connections and SFC had released another £234,000 of digital poverty funds. The College was looking at how best to use this funding.

A Ross noted that supply issues continued to be a problem but noted that HP were addressing this for colleges and universities.

The update, and continued work to support students and staff was welcomed.

## **12. STRATEGIC RISK & COVID REGISTER (Extracts for FPC)**

S Taylor intimated there was changes proposed to the Finance and Property risk measures.

S Taylor noted that discussions had been held around the Institutional Sustainability Risk, with no change made at the current time but this would be kept under close review as indicative funding and any resulting plans progressed.

This approach was agreed.

## **13. AOCB**

A McCusker noted that while S Mill does not leave the Board until the end of the Academic Year this was the last Finance & Property Committee he would be attending. A McCusker thanked S Mill for all his hard work over the last number of years.

## **14. DATE OF NEXT MEETING – Tuesday 31 May 2022, 5.00pm, via MS Teams**

### **Action Point Summary**

<b>Action</b>	<b>Responsibility</b>	<b>Date</b>
Tour of the new Hair, Beauty & Complimentary Therapy facilities to be arranged for FPC/BOM	B Grace	21 June 2022
Insurance procurement options to be reviewed	B Ferguson	31 May 2022
Progress non-competitive awards for approval to Board	J Carnegie	15 March 2022
Update to Financial Regulations on non-competitive award arrangements to be proposed to the Board for approval	J Carnegie	15 March 2022

**BOARD OF MANAGEMENT**

**Tuesday 15 March 2021**



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**SFC CORRESPONDENCE**

**PAPER S**

# BOARD OF MANAGEMENT

## Tuesday 15 March 2022



### Correspondence – SFC Communications

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#### *Paper for information*

Reports and Publications Listing	
<b>In-year redistribution of student support funds 2021-22</b>  <b>Announcement:</b> <a href="#">SFC/AN/01/2022</a> <b>Issue Date:</b> 14/02/2022	Announcement of in-year redistribution of student support funding to colleges for AY 2021-22; detailing the recovery of unspent funds from 2020-21 and reallocation of funding for 2021-22.
<b>College Student Satisfaction Survey Guidance 2021-22</b>  <b>Guidance:</b> <a href="#">SFC/GD/01/2022</a> <b>Issue Date:</b> 01/02/2022	Guidance notes for the completion of the College Student Satisfaction and Engagement Survey: Academic year 2021-22.
<b>College mid-year financial forecast return 2021-22</b>  <b>Call for Information:</b> <a href="#">SFC/CI/01/2022</a> <b>Issue Date:</b> 28/01/2022	This Call for Information requests colleges / Regional Strategic Bodies to provide an updated financial forecast return for Academic Year 2021-22.
<b>College Statistics 2020-21</b>  <b>Statistical publication:</b> <a href="#">SFC/ST/01/2022</a> <b>Issue Date:</b> 25/01/2022	This publication provides an overview of college sector statistics from 2011-12 to 2020-21.
<b>College Leaver Destinations Guidance 2020-21</b>  <b>Guidance:</b> <a href="#">SFC/GD/29/2021</a> <b>Issue Date:</b> 16/12/2021	Guidance notes and code lists for completion of First Destination of College Leavers data: Academic Year 2020-21 student cohort.
<b>Early Statistics and Early Access Returns 2021-22</b>  <b>Guidance:</b> <a href="#">SFC/GD/28/2021</a> <b>Issue Date:</b> 07/12/2021	These notes of guidance explain the information to be collected in SFC's Early Statistics and Early Access Returns for 2021-22.

<b>Outcome Agreements</b>	<p>Outcome Agreements set out what colleges and universities plan to deliver in return for their funding from us. <a href="#">SFC Outcome Agreement Managers</a> work with institutions to develop their Outcome Agreements.</p>
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Further details on the above Communications can be accessed via:

<http://www.sfc.ac.uk/publications-statistics/sector-communications.aspx>

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