

Room 109  
Falkirk Campus 4.30pm (refreshments available from 4.00pm)

**AGENDA**

- 1 Declarations of interest
- 2 Apologies
- 3 Principals Report Ken Thomson  
  
(Elements of paper 3 are withheld from publication on the Forth Valley College website under Section 33 Commercial Interests and the Economy of the Freedom of Information (Scotland) Act 2002.)

**FOR APPROVAL**

- 4 Minutes of meeting of 10 December 2015  
  
(Elements of paper 4 are withheld from publication on the Forth Valley College website under Section 38 Personal Information of the Freedom of Information (Scotland) Act 2002.)
- 5 Matters Arising
  - a) B/15/009 External Audit Annual Report and Letter of Representation
  - b) B/15/010 Key Estates Issues and Strategic Options following completion of updated Full Business Case
  - c) B/15/015 Student Association Report
- 6 Minutes of Committee Meetings
 

• Falkirk Campus Project Board	9 February 2016
• Draft Strategic Development Committee	25 February 2016
• Audit Committee	10 March 2016
• Finance Committee	15 March 2016
- 7 Student Association Constitution Lorraine Simpson
- 8 Papers considered by Committees and recommended to Board of Management for Approval:
  - a) Resource Return 2015/16 Alison Stewart
  - b) Tuition Fees and Fee Waiver Policy 2016/17 David Allison

**FOR DISCUSSION**

- 9 Non-SFC Income (Presentation) Colette Filippi
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|----|---|------------------|
| 10 | Cyber Security (Presentation)   | Graeme Robertson |
| 11 | Education Scotland Review Feedback (Presentation)   | Fiona Brown      |
| 12 | Student Association Report  | Lorraine Simpson |
|    | (Elements of paper 12 are withheld from publication on the Forth Valley College website under Section 38 Personal Information of the Freedom of Information (Scotland) Act 2002.) |                  |
| 13 | Board Self Evaluation Activity (Verbal)   | Hugh Hall        |
| 14 | Review of Risk  |                  |
| 15 | Any other competent business  |                  |

**FOR INFORMATION**

College Department Update - (This paper is withheld from publication on the Forth Valley College website under Section 38 Personal Information of the Freedom of Information (Scotland) Act 2002.)  
Programme of Business

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**1. Purpose**

To present to the Board of Management the ninth Principal's report on activity undertaken since the last scheduled Board meeting in December 2015.

**2. Recommendation**

That the Board note and comment on the activity undertaken since December 2015.

**3. Key Highlights**

- 3.1 At the time of writing Education Scotland have just completed their week long review of Forth Valley College. 12 reviewers and two student reviewers undertook over 50 classroom observations, interviewed over three hundred students and met with employers, school leaders, Board members, staff and student groups, support staff, equalities team, SMT and the Principal. Feedback was undertaken by the Managing Inspector and his assistant every evening with myself and Fiona Brown, Associate Principal for Learning and Teaching. Feedback has been positive. Over the next three days the reviewer team will compile their reports and the Managing Inspector will report back to SMT and the Student President on Tuesday 22 March. Fiona Brown will report his findings to the Board next week.
- 3.2 The Board will be aware from correspondence sent out to all members and from the national news that the college are now involved in industrial action undertaken by EIS members of the teaching staff. The College are signatories to the NRPA for national bargaining and therefore subject to national negotiation. At the start of the year, following rejection of the 1% pay offer, which the support unions had accepted, the EIS national membership voted for industrial action on a 90% acceptance against a 56% turnout. All colleges were informed that strike action would take place on the 17th March and thereafter on the 22nd and 23rd March followed by three days a week, every week until July. Understanding the risk of industrial action, the college developed a comprehensive communications plan to ensure all staff, all students, our apprentices, employers, key stakeholders, politicians and local authority senior managers would be regularly communicated to through letter, email, and social media. Running up to the 17th March we took the decision to advise students not to come to college, that classes on the day would be cancelled and that LRC's would be available. We also informed students that bursary, childcare and EMA's would not be affected. I will update Board members of activity which may have taken place following publication of these papers. I would personally like to highlight the professionalism and efficiency of our Marketing and Communications Department and the support we have had from the Students Association. For information, 38% of lecturing staff were in College on the 17th.
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3.3 On a positive note and following publication of our draft FBC and discussions we've had with SFT and SFC, we received correspondence that the Deputy First Minister has agreed that the Forth Valley College project will now go ahead as a capital funded project. He noted that the decision affected only the Forth Valley College project and that discussions around the Fife College NPD project would continue as normal. We are now progressing decision on the Arts venue with Falkirk Council.

3.4 Finally, and keeping on the positive messages, the college has been shortlisted for three TES Awards to be announced at a reception at the Grosvenor Hotel in London on 22nd April. The three categories are in best learning and teaching, best employer engagement and best apprenticeship programme. We are delighted with the shortlisting and have agreed to take a table at the event with key staff and Alan Buchan from the Board. Hugh Hall and I have been invited as guests of TES.

#### **4. Local College News**

4.1 We have now completed the process for the Cultural Survey 2016 and are assessing the data. In all cases there has been a marked improvement from all questions when compared with 2013 data. Following completion of the report we will share the findings with the HR Committee and Board. We will also use the results to help direct our planning for the 2016/17 Operational Plan as well as identifying any quick wins.

4.2 Members of SMT and the Creative Learning Leadership Group took part in a workshop on design thinking led by Steelcase and with the Falkirk Campus staff accommodation and classroom layout in mind. These workshops will be repeated with other staff across the college.

4.3 Paul Sweeney from our Applied Sciences team was shortlisted for the Scottish Enterprise Life Science Award at the National Museum for Scotland for the category of Community Engagement.

4.4 Our Marketing and Communication team won a gold and bronze award at the recent College Development Network Marketing Awards.

4.5 We are currently hosting a Danish Lecturer, Carla Diskstra, who has a particular interest in Equalities and Assistive technology. Her visit rose after a successful Danish delegation last year.

4.6 I have signed an MOU with Galaxy Sports to allow our Sports students to be involved in all aspects of junior football coaching.

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**5. Networking**

- 5.1 I have been working with Sistema (Big Noise) in Stirling to establish rehearsal space for their older senior school musicians. We will be piloting a twilight booking from Easter onwards at the Stirling Campus.
- 5.2 I attended two Board meeting of the Historic Environment Scotland and have been elected Chair of the Staff Governance Committee.
- 5.3 As a Board member and Trustee of Jisc, I attended the March Board meeting in London.
- 5.4 I have met three times with the Student Association and, on their invitation, welcomed the new intake of class representatives before they undertook their training.
- 5.5 On behalf of College Principals Group, Mhairi Harrington, Principal of West Lothian College and I attended a meeting between SFC, SDS and Solace, to discuss future working.
- 5.6 I attended one meeting of the Chemical Sciences Scotland (CSS) Skills Group held at the Falkirk Campus. The college are working on transition training and HND developments with Heriot Watt University.
- 5.7 As a member of the CBI Scotland Council we met with the new Director General Carolyn Fairbairn at the headquarters of Standard Life before she met the First Minister and the DFM. I am also on the CBI Scotland Skills Group.
- 5.8 I attended Education Scotland's Employer reference Group and heard from SDS, CBI Scotland and the Federation of Small Businesses on skills in Scotland.
- 5.9 Dean Williams, Head of Electrical, Instrumentation and Chemical Engineering has been identified as our lead representative in the Oil and Gas Academy of Scotland (OGAS) – a collaboration between Aberdeen, Robert Gordon and Heriot Watt Universities and North East Scotland and Forth Valley Colleges.
- 5.10 I attended my second meeting of the joint SFC/SDS Skills Committee
- 5.11 I was invited, with Bob Armstrong, Head of Business, to the launch of Visit Scotland's #Scotland Spirit event at the National Museum of Scotland.

**6. Presentations**

- 6.1 I hosted a delegation of the Isle of Man Government at the Stirling Campus and presented on the role of a Regional College.
- 6.2 I co-chaired with Vice Chancellor Paul Lazell of Royal Holloway University, the annual Stakeholder Forum held at the Royal Society in London on behalf of Jisc.
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- 6.3 David Allison, Associate Principal for Information Systems and Communications and I presented to the SQA IT team on Forth Valley College systems and led a discussion on information management.
- 6.4 I hosted a delegation of Irish Government officials and Education Scotland personnel and presented on Forth Valley College.
- 6.5 Bob Armstrong and I presented and led tours of our Falkirk Campus for an evening event with the Bridge of Allan and Dunblane Rotary Club. This was their second visit to the College having been entertained at the Gallery Restaurant in March 2015 and then a tour of the Stirling campus.

### 7. Key Meetings

I undertook the following key meetings in the period 10 December 2015 to March 2016:

- 7.1 [REDACTED]
- 7.2 Paul Feldman, CEO Jisc, to discuss the opportunities with Jisc and the role of Jisc in Scotland.
- 7.3 [REDACTED]
- 7.4 [REDACTED]
- 7.5 Dr John Rogers, Director of Enterprise and Anne McColl, Assistant Director, University of Stirling with Colette Filippi to discuss further opportunities with Stirling University particularly in Digital industries.
- 7.6 Jisc regional director and executive team at a dinner in Edinburgh with other senior leaders from the College and University sectors to discuss opportunities and the role of Jisc in Scotland.
- 7.7 Mary Pitcaithly, CEO Falkirk Council at our Stirling Gallery Restaurant and tour to highlight opportunities with the new Falkirk campus.
- 7.8 Professor Nigel Seaton, Principal and Vice Chancellor of Abertay University and fellow Jisc Trustee, to identify synergies between the College and Abertay University. Meetings subsequently set up on Environmental Technology articulation.
- 7.9 Paul Little, Principal Glasgow City College and Laurence Howells, CEO SFC, to discuss future direction of Education Scotland frameworks for College Reviews and the role of Principals in an action learning steering group.
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7.10 Mark Simmers and John Purves, Celtic Renewables with Colette Filippi to identify future opportunities with Celtic Renewables as they potentially seek to establish a Biofuel Centre in Grangemouth.

7.11 Michael Yuille of Stirling Credit Union to establish a link with our Student Support team.

## 8. Colleges Scotland

8.1 In the three months since the last Board meeting I have attended three meetings of the College Principals Group; two meetings of the Colleges Scotland Finance and Funding Committee and one meeting of the Action learning Project board.

8.2 I have also been invited onto the new SFC College Innovation Group and have attended one meeting.

8.3 The Principal of North East Scotland College and I represented the College Principals Group at a strategic discussion with SFC and SDS to discuss Foundation Apprenticeships

## 9. Community Planning Partnership

9.1 Since the last Board meeting I have attended two meetings of the Falkirk Community Planning Leadership Board, attended two strategic workshops on developing the next round of Single Outcome Agreements

9.2 I have attended one meeting of the Stirling Community Planning Partnership, one as a City Commissioner at the Stirling City Commission and chaired one meeting of the Stirling Local Employability Partnership.

## 10. Financial Implications

None

## 11. Equalities

Assessment in Place? – Yes  No

If No, please explain why – This paper is an overview report only, there are no changes to College policy or practice involved.

Please summarise any positive/negative impacts (noting mitigating actions) – N/A

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12. Risk

Please indicate on the matrix below the risk score. Risk is scored against Impact and Likelihood as Very Low through to Very High.

	Likelihood	Impact
Very High		
High	X	X
Medium		
Low		
Very Low		

**Please describe any risks associated with this paper and associated mitigating actions –**

The national industrial action is identified in our risk register as a high risk and is reflected within this document.

**Risk Owner** – Ken Thomson

**Action Owner** – Ken Thomson

13. Other Implications –

Please indicate whether there are implications for the areas below.

**Communications** – Yes  No  **Health and Safety** – Yes  No

**Please provide a summary of these implications** – N/A

**Paper Author** – Ken Thomson

**SMT Owner** – Ken Thomson



**S1.18, Stirling Campus (commencing at 9.30am)**

Present: Mr Hugh Hall (Chair) (Except item B/14/041)  
Mr Andrew Carver  
Mrs Anne Mearns  
Dr Ken Thomson (Principal)  
Ms Lorraine Simpson (Student Union President)  
Ms Beth Hamilton  
Mr Ken Richardson  
Mr Nigel Scott  
Mr Liam McCabe  
Mrs Caryn Jack  
Ms Angela Winchester  
Mrs Lorna Dougall  
Mr Alan Buchan  
Mr Ralph Burns  
Ms Alison Stephen  
Mr Colin Alexander  
Mrs Fiona Campbell  
Mr Steven Tolson

Apologies: Mrs Anne Mearns

In Attendance: Mr David Allison, Associate Principal and Executive Director Information Systems  
Mrs Alison Stewart, Associate Principal and Executive Director of Finance  
Mr Tom Gorman, Associate Principal and Executive Director of Estates Developments  
Mrs Colette Filippi, Associate Principal and Executive Director Business Development  
Mr Andrew Lawson, Associate Principal and Executive Director HR and Operational Effectiveness  
Mrs Fiona Brown, Associate Principal and Executive Director, Learning and Teaching  
Mr Stephen Jarvie, Corporate Governance and Planning Officer  
Mr Andy Law, Reiach and Hall (for item B/15/014 only)  
Mr Kevin Laing, AECOM (for item B/15/014 only)

**B/15/001 Declarations of Interest**

Liam McCabe declared an interest owing to the links between the College and University of Stirling in relation to certain degree level courses and under the Scottish Funding Council (SFC) HEI funded activity.

**B/15/002 Principal's Report**

The Principal provided a report on his activities since the last meeting of the Board of Management. He highlighted the College's success in a number of awards ceremonies, paying particular note to Shannon White who won the SQA Star Award for Lifelong Learning.

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He summarised partnership activity that had been undertaken and informed members of his activity on a number of external committees and Boards.

The Chair noted that the Principal liaised with him on decisions to sit on external groups and that this activity tied into the overall strategic direction of the College.

The Principal informed members that, as requested by the Board, the College had been looking at the strategic vision for the College to 2022. SMT had created a SWOT analysis which was attached for information and he highlighted that a recent leadership group meeting had been facilitated by an illustrator, with the outcome available at the meeting for members to view.

He noted that the College was scheduled to have an Education Scotland review in March 2016.

- a) Members noted the content of the report
- b) Members requested that the Principal pass on their congratulations to Shannon White

**B/15/003 Minute of Board of Management Meeting of 25 June 2015**

The Minute of the meeting of 25 June 2015 was accepted as an accurate record.

**B/15/004 Matters Arising**

- a) B/14/048 National Recognition Procedure Agreement

The Associate Principal and Executive Director HR and Operational Effectiveness updated members on the progress with the NRPA. He highlighted the current issues in relation to National Bargaining and highlighted that industrial action in relation to this was likely based on information from Unions.

The Principal informed members that the College had issued communications to staff to update them on the current situation.

- b) B/14/049 Heads of Terms – Falkirk Council Arts Centre

The Associate Principal and Executive Director of Estates Developments updated members on progress with the development of the Arts Centre. He highlighted ongoing positive meetings with Falkirk Council and Falkirk Community Trust senior staff and noted that the final decision will be made by Councillors in January 2016.

He highlighted that a review on seating capacity for the Arts Centre had been conducted by Falkirk Community Trust and it was concluded that a 500 seat venue was the most appropriate size.

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Members queried how, should the Arts Centre go ahead, the relationship would be managed between the College and the Council/Community Trust.

The Associate Principal and Executive Director of Estates Developments confirmed that the relationship, responsibilities and ownership of risk would be detailed in the contract governing the Arts Centre.

**B/15/005 Minutes and draft minutes of other Committee**

**a) Audit Committee - 27 August 2015**

The Chair of the Audit Committee highlighted that, owing to changes in the financial year end, the previous Internal Audit firms tenure had been extended. He noted that a comprehensive tendering exercise had been conducted and Scott Moncrieff appointed from August 2015.

He noted that members had also requested an assurance map to provide an overview of the variety of assurance mechanisms beyond internal and external audit.

The Board Chair requested that the assurance map be circulated to all members for information.

Members noted the content of the minute.

**b) Remuneration Committee – 27 August 2015**

Members noted the content of the minute.

**c) Strategic Development Committee – 10 September 2015**

Members noted the content of the minute.

**d) Finance Committee – 15 September 2015**

The Chair of the Finance Committee highlighted that the funding for the roles within the Student Association from SPARQS was coming to an end and that the Committee had requested that alternative sources of funding, including the Arm's Length Foundation, be examined to support the Student Association.

Members noted the content of the minute.

**e) Draft HR (Inc. Nomination) Committee – 10 November 2015**

Members noted the content of the minute.

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**f) Strategic Development Committee – 19 November 2015**

Members noted the content of the minute.

**g) Audit Committee – 1 December 2015**

Members noted the content of the minute.

**h) Finance Committee – 1 December 2015**

The Chair of the Finance Committee highlighted the downturn in commercial income levels.

The Associate Principal and Executive Director of Finance updated members on a downturn on budgeted contract levels relating to Oil and Gas. She highlighted that the Business Development Department have been identifying additional areas of activity and have also been working with the Communications and Marketing team to increase the visibility of commercial courses which has resulted in increased enrolments on these courses.

The Associate Principal and Executive Director Business Development reported that the predicted downturn had been substantially reduced and that her Department were working with the teaching Department Heads to showcase existing opportunities and identify new areas of activity.

The Board Chair noted that there was considerable experience on the Board in international and commercial fields and that this topic should form part of a Board strategic session in the new year.

The Chair of the Finance Committee also noted that the Committee had commended the Associate Principal and Executive Director of Finance and her team on producing the College accounts under challenging conditions.

Members noted the content of the minute.

**B/15/006 Annual Report to the Scottish Funding Council on Institution Led Review of Quality**

The Associate Principal and Executive Director, Learning and Teaching presented the annual report for member's approval.

She noted that, owing to Scottish Funding Council deadlines, a draft report had been submitted subject to full Board approval. The draft report had been reviewed and approved for submission by a sub-group of the Strategic Development Committee.

a) Members approved the report

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**B/15/007 Annual Report of the Audit Committee to the Board of Management**

The Chair of the Audit Committee presented the Committee's annual report to the Board. He covered the extension of the previous internal auditors and the appointment process for Scott Moncrieff who are now in place.

He noted that overall, there were no governance issues highlighted during the period and that the external auditors had not highlighted any issues.

a) Members approved the annual report

**B/15/008 Annual Report and Financial Statements**

The Associate Principal and Executive Director of Finance presented the Annual Report and Financial Statements for 2014/15 noting that, as had previously been indicated to members of the Finance Committee, the accounts were reporting a deficit of £2.9 million as a result of a number of significant non-cash adjustments that were deducted from the operating surplus of £1.6 million.

She discussed the largest of these adjustments which covered pension provision, loss on revaluation of assets and depreciation. In addition she highlighted a donation to the FVC Foundation of £1.1 million agreed by the Board at a previous meeting. She confirmed that arriving at a deficit position was likely to be common across the College sector this year due to similar adjustments being made at other Colleges.

She discussed the challenges posed in comparing this accounting period of 16 months with the previous period which covered 8 months owing to changes arising from Colleges reclassification as public bodies by the Office for National Statistics (ONS).

She also informed members that, owing to reporting a deficit, the College was technically in breach of the banking covenants with Barclays but she was optimistic that Barclays would understand of the situation as it had been last year.

a) Members approved the Annual Report and Financial Statements

**B/15/009 External Auditor Annual Report and Letter of Representation**

The Associate Principal and Executive Director of Finance presented the report from Henderson Loggie. She confirmed that it is a clean report and those adjustments identified were cumulatively below the materiality level.

The Chair informed members that, as a result of recent governance queries relating to the College sector, he had been asked to certify to Scottish Ministers that there were appropriate governance arrangements in place.

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He confirmed that a letter had been sent confirming this and that a copy would be circulated to members for information.

He also informed members that the Regional Chairs had agreed to bring forward the periodic independent evaluation of Board effectiveness and that this would be conducted before summer 2016. He noted that materials to support this activity were currently being developed and that the Audit Committee should take the lead on implementing this.

a) Members approved the report

**B/15/010**

**Key Estates Issues and Strategic Options following completion of updated Full Business Case**

The Chair of the Falkirk Campus Project Board presented a report to members outlining the current issues facing the project as a result of external factors including ESA10.

He discussed the options available to the College to mitigate the impact of the current situation and confirmed that the Falkirk Campus Project Board had recommended that the Board approve option 4)d)iii) within the paper as this would deliver the most benefit under the current circumstances and would not include abortive costs.

Members queried the period the proposed option would be in place for.

The Associate Principal and Executive Director of Estates Developments reported that it would be approximately 4 months. He also highlighted that the programme has the College issuing the OJEU tender in February 2016. Should this date be missed, there may be an impact on the end date of the project.

Members recommended that the College should raise this issue with Deputy First Minister and the Chair agreed that this would be taken forward.

The Chair noted that, should the outstanding issues be resolved in time, that there may need to be an extraordinary Board meeting at the end of January/early February to consider and approve the Full Business Case prior to the submission of the OJEU tender.

a) Members approved the recommendation as contained within the paper

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**B/15/011 Falkirk Community Planning Partnership Agreement**

The Principal presented the proposed agreement, noting that this had been fully considered and approved by the Strategic Development Committee.

He outlined the positive relationships the College has with all three local authority area Community Planning Partnerships and noted that this agreement would be a useful tool to ensure all participants contribute to the work of the partnerships.

Members queried whether the issue on quorum raised by the Strategic Development Committee had been passed onto the CPP. The Principal confirmed that this had been passed on and the quorum numbers increased.

a) Members approved the signing of the Falkirk Community Planning Partnership Agreement

**B/15/012 Protection of Children, Young People and Adults at Risk of Harm**

The Associate Principal and Executive Director HR and Operational Effectiveness presented the updated policy for approval. He informed members of the new approach to have this area along with Corporate Parenting and the College PREVENT activity under the Safeguarding headline.

He confirmed that staff development training would be put in place to ensure staff are up to date with the new policy and procedures.

The Chair asked whether there would be training available to Board members. The Associate Principal and Executive Director HR and Operational Effectiveness confirmed that a training session was scheduled for SMT and that an invite would be extended to the Board.

a) Members approved the policy document

**B/15/013 Remuneration – Principal and Senior Management Team**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



a) Members approved the recommendation within the paper

**B/15/014 Falkirk Campus Update (Presentation)**

Mr Andy Law, Reiach and Hall Architects, presented to members on the proposed design of the new Falkirk Campus.

He discussed the overall design philosophy of the building and highlighted the different areas within the overall design. He also demonstrated how the proposed Arts Centre development would fit into the overall campus design.

Members noted that the Arts Centre seemed very prominent in the design and noted that the College should ensure that signage is appropriate.

Members queried if, should the College not receive approval from Scottish Government to retain the receipt for the ground where the current Falkirk campus is based, there was room to reduce the size of the new campus but retain the quality of the building specification.

The Associate Principal and Executive Director of Estates Developments noted that the Full Business Case was being prepared to take into account a number of scenarios, of which this was one. He confirmed that additional scenario planning was underway to secure savings should they be necessary without compromising the student experience.

Members queried whether the design was future proofed and could be expanded upon at a future date.

Mr Law noted that the current design was not set up to have additional areas attached at a later date. The Associate Principal and Executive Director of Estates Developments noted that there was enough available land to allow for further development at a future date should it be required.

a) Members noted the content of the presentation

**B/15/015 Student Association Report**

The Student Association President provided an update on the work of the Association since the last meeting of the Board.

She highlighted the increased level of student representation this year, with 363 current class representatives and more anticipated following the January 2016 intake.



She reported on work to review the NUS framework and thanked the Board members involved for their support.

She highlighted that the current additional funding used to fund Student Association roles and noted that the Finance Committee had suggested approaching other sources of funding such as the Arm's Length Foundation. She confirmed that a business case was currently being developed.

a) Members noted the content of the report

**B/15/016      Review of Risk**

Members noted that industrial relations and College finances were two areas of risk.

Members recommended that communications be prepared in relation to the College financial position.

**B/15/017      Any other competent business**

None

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### Boardroom, Falkirk Campus (commencing at 4.30pm)

Present:	Ken Richardson	Forth Valley College Board Member (Chair)
	Bob Gill	Co-opted member
	Steven Tolson	Forth Valley College Board Member
	Ken Thomson	Principal
	Alison Stewart	AP and Executive Director Finance
	David Allison	AP and Executive Director of Information Services
	Tom Gorman	AP and Executive Director of Estates Development
	Lyndsay Condie	Communications and Marketing Manager
	Kerry Alexander	Scottish Futures Trust

In attendance:	Trevor Stone	AECOM
	Kevin Laing	AECOM
	Elaine Bell	Executive Office Assistant (Minute)

### FC/15/015 Apologies for Absence

Colin Alexander, Forth Valley College Board Member  
Claire Shiels, Head of Facilities, management and Health and Safety

### FC/15/016 Declarations of Interest

None.

### FC/15/017 Minute of Meeting of 3 December 2015

Agreed as an accurate record.

### FC/15/018 Matters Arising

#### a) FC/15/011 Key Estates Issues and Strategic Options following completion of updated Full Business Case

The Associate Principal and Executive Director of Estates Development updated members with progress to date since the last Falkirk Campus Project Board meeting. He reported on a significant amount of work carried out with Falkirk Council on the costing and area associated with the Arts Venue and the difficulty Falkirk Council had with meeting the budget for this project.

He explained the Arts Venue Business Case being prepared by Falkirk Council was still awaiting approval by Falkirk Council and commented that although hopeful this would be approved, the fall-back would involve a redesign of the building.

The Principal advised that dates on the delay to the approval by Falkirk Council had been made clear to the Council and that once ESA10 had been resolved

there would be 5 working days for the Council to confirm their involvement in the project. This timeline had suited everyone. The dates had only been allowed to slip because of the delay awaiting ESA 10 resolution. This slippage had given the Council more time to resolve funding issues and to strengthen the case that the Councillors will need to approve at a full Council meeting.

Scottish Futures Trust asked for clarification on the process for a decision from Falkirk Council and the Chair explained that it was difficult to predict the outcome when this was presented to a full council meeting.

The Associate Principal and Executive Director of Finance highlighted that the issue of VAT on the Arts Venue was still outstanding and would need to be resolved prior to the business case being submitted to the Council. She explained one option being considered was to sell the Arts Venue and land outright to Falkirk Council once it was built and asked SFT that under the NPD project would it be possible for an outright sale of the Arts Venue to be made to the Council? The Associate Principal and Executive Director Estates Development also advised that in theory from a technical perspective this could be achieved, but that the situation would be complex and require the detail to be considered by the technical team and Scottish Futures Trust before a decision was made.

The Associate Principal Executive Director Finance agreed to set up a meeting with Scottish Futures Trust, and the College's technical and financial advisors with regard to reviewing the five options being considered and, if possible, resolving the VAT issues and how such resolution would impact on the project.

### **b) FC/15/013 NFHC Monthly Progress Report**

The Associate Principal and Executive Director Estates Development updated members on progress to agree a mutually beneficial solution between the College and the owners of the mobile telecommunication mast at the Falkirk Campus. Discussions had been opened up and he indicated that there were possible solutions for the College and the owners to work together to resolve this issue. He advised however it was likely the College would be required to pay/compensate the telecoms company or provide for early relocation of the telecoms kit if a solution could be found.

FC/15/019

### **New Falkirk Campus – Draft Full Business Case**

The Associate Principal Executive Director of Estates Development advised members that 90% of the RIBA Stage 2 information had been incorporated into the FBC and when the outstanding ESA10, VAT issues and the Arts Venue were resolved these sections would require to be updated. He indicated this may cause a possible delay to the completion date of summer 2019.

The Chair asked if the College had a holding statement regarding the current project delays. The Principal confirmed that the College were looking at the end prize and not committing to a final completion date in their communications. The Communications and Marketing Manager replied some press coverage on the involvement of the College with the Falkirk Council Arts Venue had taken place with no media enquiries arising from this. She confirmed a process was in place to deal with any media enquires that may arise and agreed to notify Scottish Futures Trust if this should happen. It was agreed that the most likely source of enquiry as to project delays would be internal to the College and the Principal confirmed that current internal communication plans would address this issue.

The Associate Principal and Executive Director of Estates Development advised the OJEU Notice would be submitted as soon as possible after ESA10 had been resolved. Scottish Futures Trust replied that they were unable to provide a date when ESA10 would be resolved.

Members asked for information on risk management and the costs due to the time delay. The Associate Principal Executive Director of Estates Development advised tender inflation would likely increase costs and that the College would look at other sources to close that gap including discussions with Scottish Futures Trust.

Members asked for an explanation on land valuation for the existing Falkirk Campus. The Associate Principal and Executive Director Estates Development replied he had received a market valuation from CBRE for the Falkirk Campus and this was included in the FBC. He added he felt this was a conservative valuation and anticipated the value would go significantly higher.

The Scottish Futures Trust commented that a more positive message on the general level of student experience in delivering this new facility should be incorporated into the FBC including community benefits. It was agreed this would be added to the FBC.

Members asked if the operating deficits in the FBC document were related to spending cash that had been put aside for depreciation and the Associate Principal Executive Director of Finance advised this was indeed the case that had been built into the FBC. However, it was still a 'moving feast' with SFC and the Scottish Government. Discussion followed on the governance process and the Arm's Length Foundation (ALF) and the need to make clear that ALF although independent is supportive of the overall project. It was agreed some additional text was required in the FBC relating to the Governance process for achieving funding from the ALF.

The Principal asked members to email the Associate Principal and Executive Director Estates Development if they have any specific points to raise on the FBC before the next meeting of the Falkirk Campus Project Board.

**FC/15/013      NFHC Monthly Progress Report**

Kevin Laing, Aecom, presented members with the latest version of the monthly report.

He reported to members the Risk Register had been updated and the Chair asked if there was anything to highlight. He replied that the progress on the determination of the Arts Centre and ESA10 would be monitored.

Scottish Futures Trust asked about the next stage of procurement and the Associate Principal and Executive Director Estates Development replied that while waiting on EAS10 to be resolved a limited number of procurement documents would be progressed with the design as it progressed to RIBA Stage 3.

**FC/15/021      Any other competent business**

The Chair commented due to the uncertainty around ESA10 and the Arts Venue the date of the next meeting would be advised when timescales became clearer.

**Boardroom, Falkirk Campus (commencing at 4.30pm)**

Present: Mrs Anne Mearns (Chair)  
Mrs Lorna Dougall  
Mr Andrew Carver  
Mrs Angela Winchester  
Mr Alan Buchan, Student Member

Apologies: Mrs Fiona Campbell  
Mrs Caryn Jack  
Mr Liam McCabe  
Ms Lorraine Simpson, Student Association President  
Ms Alison Stephen, Staff Member

In Attendance: Mr David Allison, Associate Principal and Executive Director Information Services and Communication  
Mr Kenny MacInnes, Head of Department Applied Science, Maths and Mechanical Engineering (for item S/15/020)  
Mrs Caroline Storey, Equalities Manager (for item S/15/032)  
Mr Stephen Jarvie, Corporate Governance and Planning Officer

**S/15/0027 Declarations of Interest**

None

**S/15/028 Minute of meeting held on 19 November 2015**

The Minute of the meeting of 19 November 2015 was accepted as an accurate record.

**S/15/029 Matters arising**

a) S/15/020 STEM Accreditation

The Chair noted that the committee has asked for information on a STEM roadmap and noted that this would be covered under item S/15/031

**S/15/030 Safeguarding Our Learning Community**

The Corporate Governance and Planning Officer gave a presentation on the College approach to Safeguarding Our Learning Community. He highlighted the recent revision to Child Protection procedures in College to maintain the relevance of our practices, the work undertaken with Who Cares? Scotland on Corporate Parenting training for SMT; and the College approach to its' duties under the PREVENT strand of the CONTEST anti-terror legislation.

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He noted that the College had seen an increase in mental health related disclosures and outlined work being undertaken to promote mental health advice and support between the Student Association and the Student Services department.

The Chair queried when professional outside support was brought in to deal with disclosures.

The Corporate Governance and Planning Officer confirmed that the staff who deal with disclosures are trained in what is within their capacity to support and when to refer to outside assistance. He highlighted the close links the College has with key external agencies and also noted that there was independent counselling services available to students who did not feel comfortable approaching College staff.

a) Members note the content of the report

**S/15/031**

**STEM Presentation**

The Head of Department Applied Science, Maths and Mechanical Engineering gave a presentation which traced STEM within the College from strategic level down to class delivery through the College curriculum planning process.

He demonstrated the extent to which STEM provision is embedded throughout all facets of College delivery and across all teaching departments.

Members welcomed the overview of STEM within the College and queried what the College's intended direction of travel was and any targets/milestones in place in regard to STEM.

The Head of Department Applied Science, Maths and Mechanical Engineering confirmed that this would need to be developed and highlighted the importance of links into Forth Valley Schools to ensure students enter the College with an appreciation of the impact of STEM on their chosen progression route.

He further noted that the College had allocated dedicated resource to further develop the College's STEM agenda.

a) Members noted the content of the presentation and requested that the Head of Department Applied Science, Maths and Mechanical Engineering be invited back to a future meeting to provide an update

**S/15/032**

**Equality and Diversity Update**

The Equalities Manager presented members with an update on College activity for the past year.

She highlighted an increase in transgender students and confirmed that additional protocols had been developed to support these individuals.

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Members commented that not all papers going to Board/Committees have EQIA information attached and queried who made this decision.

The Associate Principal and Executive Director Information Services and Communication confirmed that the papers authors, who were mainly SMT, had been trained by the Equalities Team to apply EQIA where applicable.

The Chair recommended that the Equalities Team review a sample of papers to ensure they agreed with the assessment of SMT on equalities impacts.

a) Members noted the content of the report

**S/15/033 Student Association Report**

Mr Alan Buchan presented the update on Student Association activity. He highlighted the recent successful 'refreshers' Fayres, and the continued high level of class rep activity.

a) Members noted the content of the report

**S/15/034 Outcome Agreement 2016-17**

The Associate Principal and Executive Director Information Services and Communication presented the latest draft of the document. He noted this could not move towards finalisation at this time as the College's indicative funding allocation had not yet been confirmed.

He reported on the links in with SFC who have viewed and commented on the first draft of the document.

a) Members noted the content of the report

**S/15/035 Operational Plan Monitoring**

The Associate Principal and Executive Director Information Services and Communication presented an update on progress against College operational targets. He highlighted two targets which were experiencing delays and explained the reasons behind this.

a) Members noted the content of the report

**S/15/036 Student Activity Report**

The Associate Principal and Executive Director Information Services and Communication presented members with an update on activity levels and

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highlighted the performance of the College compared to the rest of the sector for key KPI's.

Members queried the level of staff undertaking TQFE and requested that the College consider whether a target to improve these levels should be set.

a) Members noted the content of the report

**S/15/037 Review of Risk**

Risk was highlighted within individual papers.

**S/15/038 Any Other Competent Business**

None

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**Project Meeting Room, Falkirk Campus (commencing at 4.30pm)**

Present: Mrs Lorna Dougall (Chair)  
Mrs Beth Hamilton

In Attendance: Dr Ken Thomson, Principal  
Mr Stephen Jarvie, Corporate Governance and Planning Officer  
Mr Michael Smith, Scott Moncrieff  
Mr Gary Devlin, Scott Moncrieff

**A/15/016 Apologies for Absence**

Mr Colin Alexander  
Ms Angela Winchester

**A/15/017 Declarations of Interest**

None

**A/15/018 Minute of Audit Committee of 1 December 2015**

Due to the meeting not being quorate, the minutes were noted but not approved. Approval will be sought at the next meeting of the Committee.

**A/15/019 Matters Arising**

**a) A/14/013 Risk Management**

Members noted at the last meeting the potential for strike action as a result of an upcoming ballot with EIS. It was confirmed that an update would be provided under the Risk Management paper on the agenda.

**A/15/020 Presentation of Internal Audit Reports**

Mr Gary Devlin provided an overview of the recent audits, noting that these had been positive visits with very positive results. He also highlighted the high level of detail provided by College Management in response to the recommendations within the reports.

Mr Michael Smith presented each report in more detail.

He noted that the Financial Systems audit had not raised any significant issues and reported that the Health and Safety audit had found a robust framework for dealing with Health and Safety across the College.

a) Members noted the content of the two reports

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**A/15/021 Internal Audit Programme Progress Report**

Mr Michael Smith presented the report on progress against the agreed audit plan. He highlighted that this was the first such report and invited members to provide feedback on the content if they wished.

The Principal noted that this was a good monitoring mechanism for the College Internal Audit service and that he planned to share this wider with managers.

He also noted that discussions were ongoing regarding the arrangements for a Board risk workshop.

Members requested that a date be finalised and communicated for the risk workshop as soon as possible.

- a) Members noted the content of the report

**A/15/022 Progress Report on Audit Recommendations**

The Corporate Governance and Planning Officer presented an update on progress with agreed audit recommendations.

He highlighted four extensions to recommended completion dates and outlined the reasons for these.

Members queried whether the College had been too ambitious in setting the original completion dates. The Principal confirmed that, while the College had become better at setting these dates, further work could be done to ensure adequate time for completion is included.

- a) Members noted the content of the report

**A/15/023 Risk Management**

The Corporate Governance and Planning Officer presented members with the current Strategic Risk Register. He noted that there had been two new risks added to the register.

The Principal informed members that the risk relating to allocation levels stemmed from information available in the sector at the moment on potential changes to indicative allocation levels. He outlined the steps the College is taking to manage this risk.

The Principal also informed members of the strike action announced by EIS following the recent ballot of members. He highlighted that this was at a national level and

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outlined the work being carried out to prepare for the strike and the communications taking place both internally and externally.

Members queried what effect this strike would have on learning, teaching and commercial activity.

The Principal confirmed that the first strike day of 17 March would allow the College to gauge the impact on mainstream, evening and certain commercial/apprenticeship courses. He also noted that elements of commercial activity which are delivered by Business Development staff would not be affected.

- a) Members noted the content of the report

**A/15/024 Review of Risk**

No new risks were identified

**A/15/025 Any Other Competent Business**

None

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**Executive Office, Falkirk Campus (commencing at 4.30pm)**

Present: Mr Liam McCabe (Chair)  
Mr Ralph Burns  
Mr Andrew Carver  
Ms Caryn Jack

Apologies: Mr Ken Richardson

In Attendance: Mrs Alison Stewart, Associate Principal and Executive Director of Finance  
Mr Stephen Jarvie, Corporate Governance and Planning Officer  
Dr Ken Thomson, Principal  
Mr David Allison, Associate Principal and Executive Director Information Services  
Ms Louise Burnett, Finance Manager

**F/15/020 Declarations of Interest**

The Chair declared an interest owing to the links between the College and University of Stirling in relation to certain degree level courses and under the Scottish Funding Council (SFC) HEI funded activity.

**F/15/021 Minutes of Meeting held on 1 December 2015.**

The minutes of the meeting held on 1 December 2015 were approved.

**F/15/022 Matters Arising**

- a) F/15/014 Draft External Audit Annual Report to the Board of Management

The Chair noted that this had been amended before it was submitted to the Board in December 2015.

- b) F/15/016 FRS 102 Gap Analysis and Action Plan

The Associate Principal and Executive Director of Finance noted that members had requested that the work on FRS 102 implications be suitably resourced. She reported that this matter had not progressed owing to the resignation of the Senior Finance Manager and that a review of the staffing structure within Finance had been conducted and interviews scheduled to fill the vacant position.

She also confirmed that the recommendations on the implementation of on FRS 102 would be brought to the June meeting. Liam McCabe also offered support from his staff at University of Stirling who have undertaken much of the necessary preparatory work to implement the new standard and who would be happy to pass on their experience to benefit the College.

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**F/15/023 Tuition Fees and Fee Waiver Policy**

The Associate Principal and Executive Director Information Services presented the annual update to the College Tuition Fees and Fee Waiver Policy.

He noted that the Scottish Government set 84% of total fee levels and that the SQA had yet to confirm their revised fees. He explained the rationale for the changes outlined in the paper and noted the minor risk that the small increment in College controlled fees may make some College courses less attractive. He also highlighted that the increase matched previous year's increases and that these had not had a negative impact.

- a) Members approve the Tuition Fees and Fee Waiver Policy for recommendation to the Board

**F/15/024 Resource Return 2015/16**

The Associate Principal and Executive Director of Finance presented the 2015/16 resource return which is due for submission to SFC by 21 March. She highlighted the focus on the return as it ties into the SFC and Government year-end figures.

She outlined SFC guidance on the utilisation of *Net Depreciation* and the approach the College was taking. She also highlighted that it would be unlikely that the College would seek to make a donation to the Forth Valley College Foundation this year.

Members requested an update on the current situation with Barclays and the covenants on the loans the College has with Barclays. The Associate Principal and Executive Director of Finance confirmed that this was still with Barclays for review as their lead person has been on long term sick leave, but that she had received no indications of negative reactions to the breaching of the covenants. Members were reminded that the reclassification of colleges as public bodies means that in practical terms the compliance with covenants would be viewed in a more favourable light by third party lenders as Colleges would in effect be viewed as less of a risk. Barclays have stated that covenants are not applied to public sector bodies.

- a) Members noted the content of the report and appendices and approved the submission of the return to SFC.

**F/15/025 Forecast Outturn 2015/16 (February 2016)**

The Associate Principal and Executive Director of Finance presented the revised forecast outturn to members. She noted that the paper contained detail on variances to date but that overall the College was in a positive position with a rise in the projected surplus.

Members asked for detail on the 1% pay raise for lecturing staff. The Principal outlined the current position and the upcoming strike action by EIS members.

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Members requested further information on pension contributions. The Associate Principal and Executive Director of Finance outlined the triennial valuation process and reported on the current levels of pension contribution the College is required to make.

Members queried whether there were any indications of upcoming changes to pension contribution levels. The Associate Principal and Executive Director of Finance confirmed that there was no indication of this.

- a) Members noted the content of the report

**F/15/026 Review of Risk**

The Principal expanded further on the upcoming strike action and the measures that had been put in place by the College to mitigate this as much as possible. He also confirmed that this had been reported to the Audit Committee at their 10 March 2016 meeting.

The Associate Principal and Executive Director of Finance informed members that the College sector accounts would be laid before Parliament next week.

- a) Members noted the update on risks

**F/15/027 Any other competent business**

The Principal informed members that there may be movement in relation to the funding for the new Falkirk campus estate and that further information would be provided when it was available.

Members noted the update and requested, owing to the intended contribution to the new estate, that the Arm's Length Foundation be kept apprised of any changes.

The Associate Principal and Executive Director of Finance noted that members had requested the College to look into supporting staffing within the Student Association owing to the end of the SPARQS funding. She confirmed that, while the exact funding source was being evaluated, the College had made a firm commitment to fund the Student Association for the next year.

Members welcomed the update.

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**1. Purpose**

To present to members the updated Student Association Constitution for approval.

**2. Recommendation**

That members approve the attached Student Association Constitution.

**3. Background**

The Education Act 1994 requires the College to ensure that Student Association activity “operates in a fair and democratic manner and is accountable for its finances”.

Like many Colleges and Universities, the College manages this activity via the establishment of a formal constitution.

There is an established approval mechanism for implementing changes to the Student Association Constitution. Approval for changes must be approved by first the Student Council and then the Board of Management.

**4. Key Considerations**

The attached constitution document highlights the changes to the document using the track changes functionality.

The revisions to the constitution have also been supported by advice and guidance provided by NUS Scotland.

While the opportunity has been taken to review the whole constitution, the significant changes are as follows –

- Changes to the dates for election of the Student Association President and Vice Presidents. This change moves the date upon which elected officials take up office from August to June, allowing for a handover period and for newly elected officials to undertake key NUS training prior to the start of a new academic year
- Changes to the remits of some Student Association executive members to reflect the current division of tasks within the Student Association. In particular, the role of Campus President has been removed as Student Association officer now cover each campus on a rota basis. Feedback on this new approach has been positive.

The attached constitution document was taken to the last round of Student Council meetings and approval for the changes was secured.

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**5. Financial Implications**

**Please detail the financial implications of this item** – None. There are no direct costs associated with the changes to the constitution. As per standard practice, the annual budget for the Student Association is considered and approved by the Finance Committee.

**6. Equalities**

**Assessment in Place?** – Yes  No

**If No, please explain why** – The Student Constitution is in line with sector best practice and NUS advice. The processes used to advertise for Student Association officers is an open one and all students are encouraged to participate.

**Please summarise any positive/negative impacts (noting mitigating actions)** – Not Applicable

**7. Risk**

Please indicate on the matrix below the risk score. Risk is scored against Impact and Likelihood as Very Low through to Very High.

	Likelihood	Impact
Very High		
High		
Medium		
Low		
Very Low	X	X

**Please describe any risks associated with this paper and associated mitigating actions** – The changes to the constitution are being implemented to match best practice developed by the Student Association. Extensive consultation with key stakeholders has taken place throughout this process.

**Risk Owner** – Fiona Brown

**Action Owner** – Lorraine Simpson

**8. Other Implications –**

Please indicate whether there are implications for the areas below.

**Communications** – Yes  No

**Health and Safety** – Yes  No

**Please provide a summary of these implications** – Upon approval of the constitution, the revised document will be made available via the Student Association

**Paper Author** – Lorraine Simpson

**SMT Owner** – Fiona Brown

# FORTH VALLEY COLLEGE STUDENTS' ASSOCIATION

## Constitution

This Constitution shall take effect from ~~12 December 2013~~ 24<sup>th</sup> March 2016 and invalidates all former Constitutions of this Association.

Comment [LS1]: Pending Board Approval

This Constitution shall be subject to review by the Students' Association and the Board of Management of Forth Valley College at least every five years, in accordance with the Education Act 1994.

## **Introduction**

Part II of the Education Act 1994 requires institutions to *'take steps as are reasonably practicable to secure that any students' union for students at the establishment operates in a fair and democratic manner and is accountable for its finances.'*

The Board of Management of Forth Valley College recognises Forth Valley College Students' Association as a democratically run organisation, committed to service and representing the students of the College. The Board of Management of Forth Valley College will endeavour to ensure that the activities of the Association do not contravene the College's equal opportunities policy nor bring the College into disrepute.

The Constitution is a legal document that sets out the activities and procedures of the Students' Association.

It provides a framework for the operation of the Students' Association by:

- Defining what the Association can or cannot do.
- Indicating how the Executive Committee can act on behalf of Association members
- Outlining how Association members can air their concerns

The Constitution is made up of three sections:

### **Section 1 – The Articles**

This section defines the aims and objectives of the Association as well as setting out what can or cannot be done.

### **Section 2 – The Schedules**

This section gives further operational details in relation to how things get done.

### **Section 3 – The Appendices**

This section includes other regulations that the Association has to follow.

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## **1 Name and Status**

There shall be a Students' Association in the name of Forth Valley College Students' Association (for the rest of the document the organisation will be referred to as 'the Association')

## **2 Aims and Objectives**

- To promote the general interests of its members
- To advance the education of its members
- To act as a recognised channel of communication between Students and the College and other relevant bodies.
- To promote the general welfare interests of its members.
- To promote, encourage and co-ordinate students societies, sports and social activities.

## **3 Membership of the Association**

All students who are registered at the college, over the age of 16, shall be members of the Association unless they have decided to relinquish their membership in accordance with Appendix Two (Opting Out) of this Constitution.

Any sabbatical officer shall be a full member of the Association.

Registered students of the College under the age of 16 shall not be members of the Association but may participate in certain activities, as agreed by the Executive Committee and any forum for students under the age of 16 and approved by the Student Representative Council. Students under the age of 16 will not be granted an NUS card or a card bearing the NUS logo.

All members shall be entitled to use the facilities of the Association and take part in its educational, social, sporting and cultural activities. Members shall be allowed to speak and vote at Association meetings, to nominate, to stand and to vote in Association elections, and to hold office in societies.

## **4 Student Representative Council**

The Student Representative Council shall be the supreme decision making body of the Association, except for a decision that is made in a referendum. It shall also raise issues that are of concern to its members to appropriate members of College staff.

The membership of the Student Representative Council shall be made up of the Executive Committee and the Class Representatives.

The functions of the Student Representative Council shall be to:

- Set the policy of the Association
- Amend the constitution as appropriate, subject to the approval of the Board of Management.
- Instruct and hold accountable the Executive Committee on their work
- Monitor and discuss the events and decisions of the formal College decision making bodies and to raise concerns of members to the appropriate members of staff.

- Elect delegates to appropriate NUS conferences and councils.
- Approve reports from Committees, Working Groups and the Executive Committee.
- Approve financial reports from the Executive Committee

~~The first meeting of the Student Representative Council shall be held in February and shall be chaired by the Student President. This meeting shall also:~~

An ordinary Association meeting shall be called at least once per term by the Student President. The meeting shall also:

- Have an SMT member present
- Learner Engagement Agenda
- Overview of Student Union Association Activity

~~An ordinary Association meeting shall be called at least once per term by the Student President.~~

An emergency Student Representative Council meeting may be called to discuss a particular issue.

All Student Representative Council meetings shall be conducted in accordance with Schedule Three (Meeting Regulations) of this Constitution.

## 5 Executive Committee

The Executive Committee of the Association shall run the Association on a day-to-day basis in accordance with the terms of this Constitution, relevant legislation and the decisions that have been made by the Student Representative Council and by referendum.

The Executive Committee shall be made up of the following Association officers, elected by a secret ballot that is open to all members of the Association:

- The Student President
- ~~The Vice President(s) (to represent appropriate campuses)~~
- The Secretary
- The Treasurer
- ~~The Equalities & Diversities Officer~~
- The Welfare Officer
- ~~The Lesbian, Gay, Bisexual and Transgender Officer~~
- ~~The NUS Officer~~
- ~~The Merchandise Officer~~
- ~~The PR & Events Officer~~
- The Executive Officer(s)
- VP Health, Well Being & Sports Officer
- ~~Excellence in Learning Officer~~ VP Education & Learner Engagement Officer

In some instances, the Executive Committee officer roles may be combined, with one officer undertaking two or more roles.

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Comment [LS2]: Jean- would you like these to be Angela? yes

Comment [LS3]: Covered under President remit

Comment [LS4]: Voluntary role I would say this was for all of the team

Comment [LS5]: This will be a group role for the exec team

Comment [LS6]: This is under Lynne's remit as a staff member

The appointment of all Executive Committee members will be subject to satisfactory Disclosure Scotland checks.

The Student President shall be elected in ~~May~~April of each year in accordance with the regulations contained in Schedule One (Election Regulations) of this Constitution.

The Student President will be in post from 1 ~~June~~August of that year to ~~1 June~~31 July of the following year.

The Executive Committee officers shall be elected by secret ballot ~~by 31 October at this time also.-~~

The Executive Committee officers will serve as members of the Executive Committee from ~~October that year to 31 July~~1 June that year to 1 June of the following year.

The role of the Executive Committee shall be to:

- Carry out the decisions made by the Student Representative Council and by referendum
- Act in the absence of the Student Representative Council
- Act as a channel of communication between members of the Association, the Senior Management Team, the Board of Management and other relevant organisations.
- Be responsible for the direction of the Association, as driven by student need.
- Establish working groups, where relevant, and to receive any reports from working groups
- Liaise with and offer relevant support to any forum for students under the age of 16
- Fulfil specific responsibilities in accordance with Schedule Five (Job Descriptions) of this Constitution

Executive Committee meetings shall be called by the Student President and shall be held at least once every month. Further meetings may be called by a written request of a majority of Committee members to the Student President. The chair will be the Student President or his/her nominee. The chair may vote only in the event of a tie.

Executive Committee meetings shall only take place if there is at least 50% of serving Executive Committee members present throughout the meeting.

Any member of the Executive Committee who fails to attend three consecutive meetings of the Executive Committee or Student Representative Council without giving apologies to the Student President and does not provide satisfactory reason acceptable to the Executive Committee, shall be considered to have resigned.

The Student President may hold a sabbatical post. No member shall be eligible to stand for and serve more than two sabbatical terms of office.

## **6 Representation on the Board of Management**

Under the Post-16 Education (Scotland) Act 2013, the Board of Management shall have two student members.

The first student member shall be the Student Association Union President.

The second student member shall be a member of the Executive Committee as decided by a confidential ballot of all Executive Committee members at the start of each academic year. The ballot will be conducted by the Student Services Manager or his/her nominated representative. In the event of a tie, the final decision will rest with the Student Association Union President.

## **7 Societies**

Societies may be recognised by the Student Representative Council provided that they meet the requirements set out in Schedule Two (Societies) of this Constitution and do not breach the Association's aims and objectives.

## **8 Affiliations to External Organisations**

Any proposal to affiliate to an external organisation shall be approved by the Student Representative Council.

The College and members of the Association shall be informed of all new affiliations to external organisations. The notice shall include the name of the organisation being affiliated to and the affiliation or subscription fee to be paid.

Details of all affiliations to external organisations, including the names of the organisations and each affiliation fee paid, shall be included in the Association's annual report which shall be made available to all members of the Association and to the Board of Management.

In the event of an objection to a current affiliation to any particular external organisation; this must be presented to the Student President at the Student council meeting, where a vote will be taken with a majority of at least 2/3 out of 100 students. Where the majority rules, a referendum shall be held.

## **9 Complaints Procedure**

Complaints about an individual officer, the Executive Committee or any member of the Student Representative Council shall be dealt with under the complaints procedure contained in Appendix Three (Code of Practice) of this Constitution.



## 10 Association Finance

The Association shall receive an allocation of funds from the College to support its aims and objectives. ~~The Director of Finance and Corporate Services~~ The Associate Principal and Executive Director of Finance (hereafter referred to as DeFCS APEDoF) shall recommend this annual allocation of funding for approval to the Board of Management at the last Board meeting of the financial year. The ~~DeFCS APEDoF~~ recommendation will be made after presentation of the Association's estimates for the forthcoming academic year to the Finance Committee.

A copy of the Association's budget shall be made available to all students.

The financial year of the Association shall run from 1 August to 31 July. The organisation of the Association's finances and systems of control shall be contained in Schedule Four (Finance Regulations) of this Constitution.

## 11 Minutes

At all meetings of the Association, minutes shall be taken which shall be circulated, and any necessary corrections made, at the next appropriate meeting. Confirmed minutes shall be filed and made available to all students and to the Clerk to the Board of Management.

A copy of the Constitution, including any amendments ~~and~~ and a copy of the annual report and any plans for the Association's activities, including the budget, shall be made available to all students and to the Clerk to the Board of Management.

All meetings of the Association shall be considered open to all members of the Association. However, the members of the meeting may vote to hold a specific meeting or an item of a meeting as a closed session.

The regulations for the organisation of Association Meetings shall be contained in Schedule Three (Meeting Regulations) of this Constitution.

## 12 Amending the Constitution

The Student Representative Council shall be the only body permitted to amend the constitution. All amendments will be subject to the approval of the Board of Management of Forth Valley College before they can be implemented.

All amendments to the Constitution shall require the support of a minimum of two-thirds of the members present and entitled to a vote at a quorate meeting of the Student Representative Council.

The Constitution shall be reviewed by the Association at least every 5 years from the date of the current document's implementation and any changes approved by the Board of Management before they can be implemented.

### 13 Indemnity

Every Executive Officer and person approved to make decisions on behalf of the Association shall be entitled to be indemnified out of the assets of the Association against all losses or liability which she/he may incur in or about the execution of his or her office or otherwise in relation thereto; and no officer, appointee or member of staff shall be liable for any loss, damage or misfortune which may happen to or be incurred by the Association in the execution of the duties of his or her office or in relation thereto; provided that nothing in this clause shall affect their liability for the consequences of any negligent or unlawful act on their part.

### 14 Referendum

A referendum, in which all members will be allowed to vote, shall be held on any issue, if the Student Representative Council decides by a two thirds majority to call a referendum. The Student President shall call a referendum if the Student Representative Council is handed a petition detailing the issue and containing the name, course, matriculation card number and signature of at least 200 students who are members.

The Clerk to the Board of Management shall be responsible for deciding the wording of the question on the referendum ballot paper.

The referendum shall be supervised by the Clerk to the Board of Management. Polling stations shall be open for 5 College days.

The arrangements for postal voting shall be the same as those for an election, as in Schedule One (Election Regulations) of this Constitution.

The result of a referendum will take priority over any existing Association policy on the same issue.

### 15 Code of Conduct

The Executive Committee shall draw up a code of conduct, which shall be approved and amended from time to time by the Student Representative Council.

All members of the Association shall be required to adhere to this code, particularly when on Association premises, or attending events organised by the Association or its societies.

The code of conduct may include restrictions up to and including the unlimited suspension of any or all of the rights of Association membership.

## **16 Interpretation**

In the event of a challenge to the interpretation of any part of this Constitution, the ruling of the Student President shall be sought.

In the event of a challenge to the Student President's ruling, following legal advice, the decision shall be taken to the Student Representative Council.

If a member of the Association remains dissatisfied with the ruling of the Student Representative Council, he/she may appeal to the College Clerk to the Board of Management. The ruling of the College Clerk to the Board of Management shall be final.

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**SCHEDULES**

## Schedule One: Election Regulations

This Schedule outlines what to do for all elections for all positions in the Association. It also outlines the procedure to follow if a vacancy occurs in any position.

### 1.1. Returning Officer

1.1.1. The Returning Officer, who shall not be a full member of the Association, shall be the Clerk to the Board of Management or his or her representative. The Returning Officer shall be responsible for the good conduct and administration of all Association elections and shall have the sole interpretation of the election regulations. The Returning Officer may appoint assistants to support him/her in undertaking these duties.

### 1.2. When Elections Should Happen

1.2.1. The Returning Officer shall ensure that the election of the Student President takes place during ~~April-May~~ of each year. Once elected, the Student President shall take office from ~~1-August.June.~~

1.2.2. The Student President shall ensure that election of the Executive Committee also takes place ~~before the end of October in May~~ each year. Once elected, the members of the Executive Committee shall take office with immediate effect.

1.2.3. The dates of elections for Executive Committee members, a copy of the election timetable and a copy of the election regulations shall be posted on the Association notice boards at least 21 College days before the elections.

### 1.3. Standing for Election

1.3.1. The members of the Executive Committee shall be:

1.3.1.1. the Student President

~~1.3.1.2. the Vice President(s) (to represent appropriate campuses)~~

~~1.3.1.3.1.3.1.2~~ the Secretary

~~1.3.1.4.1.3.1.3~~ the Treasurer

~~1.3.1.5. the Equalities & Diversities Officer~~

~~1.3.1.6.1.3.1.4~~ the Welfare Officer

~~1.3.1.7. the Lesbian, Gay, Bisexual & Transgender Officer~~

~~1.3.1.8. the NUS Officer~~

~~1.3.1.9. the Merchandise Officer~~

~~1.3.1.10. the PR & Events Officer~~

1.3.1.5. the Executive Officer(s)

1.3.1.6. VP Health, Well Being & Sport

1.3.1.11.1.3.1.7. VP Education & Learner Engagement

Comment [LS7]: Covered under President remit

Comment [LS8]: Exec team to manage as a whole

Comment [LS9]: Covered by staff member

1.3.2. All members of the Association are eligible to stand for any of the following Executive Committee positions

1.3.2.1. the Student President

1.3.2.2. the Secretary

1.3.2.3. the Treasurer

~~1.3.2.4. the Equalities & Diversities Officer~~

~~1.3.2.5. the NUS Officer~~

~~1.3.2.6. the Merchandise Officer~~

~~1.3.2.7. the PR & Events Officer~~

~~1.3.2.4. the Executive Officer(s)~~

~~1.3.2.5. VP Health, Well Being & Sport~~

~~1.3.2.8. 1.3.2.6. VP Education & Learner Engagement~~

~~1.3.3. Only members of the Association registered at a specific campus shall be eligible to stand for any of the following Executive Committee positions:~~

~~1.3.3.1. the Vice President(s) (to represent appropriate campuses)~~

~~1.3.4. 1.3.3. Only members of the Association who have self defined as Lesbian, Gay, Bisexual or Transgender will be eligible to stand for the Lesbian, Gay, Bisexual or Transgender Officer Executive Committee position.~~

~~1.3.5. 1.3.4. Reopen nominations (RON) shall be a candidate in all Association elections.~~

~~1.3.6. 1.3.5. Nomination forms will be available from the Returning Officer or his or her representative and shall be available from the College main reception (including the main reception at campuses), the Student President, the Student Development Centre and Student Association Union fifteen College days before the election. The nomination form shall contain a copy of the description of the role of each position in the election.~~

~~1.3.7. 1.3.6. Members of the Association may stand for election upon completion of a nomination form signed by the candidate and at least one proposer and one seconder.~~

~~1.3.8. 1.3.7. Nomination forms must reach the Returning Officer or his or her representative not later than 5.00pm on the day, twelve College days before the date of the commencement of the ballot.~~

#### **1.4. Publicity About the Election**

1.4.1. The Returning Officer shall produce a list of candidates (together with the proposer and seconder), which shall be displayed on the Association notice boards within 48 hours of the close of nominations.

1.4.2. Candidates may produce a supporting statement, which must be handed in with the completed nomination form.

1.4.3. On receipt of a valid nomination form the Returning Officer or his or her representative shall provide the candidate with an election campaign pack.

1.4.4. The contents of the election campaign pack shall be determined by the Returning Officer in conjunction with the Executive Committee.

## 1.5. Campaigning

1.5.1. Candidates may commence campaigning at the close of nominations

1.5.2. A 'question time' session may be held on at least one main campus, at a time and date to be determined by the Returning Officer. Any candidate absent from question time without apologies to the Returning Officer shall be deemed to have withdrawn from the election. The length of speeches and responses by candidates to questions shall be determined by the Returning Officer who shall also appoint a chair.

1.5.3. Candidates cannot use any communication materials that are not sanctioned by the election campaign pack.

1.5.4. There shall be no campaigning within the same room as any ballot box.

1.5.5. The Returning Officer shall publicise the location and arrangements of the question times and voting stations, together with a list of candidates and manifestos, ten college days before voting.

## 1.6. Voting Procedures

1.6.1. The Returning Officer shall ensure that all members of the Association have access to vote no matter their place or time of study.

~~1.6.2. All members of the Association shall be able to vote for the positions as outlined in clause 1.3 except the Vice Presidents who shall be elected by the members registered at the campus they represent.~~

~~1.6.3.~~ 1.6.2. All members of the Association may vote on production of a current matriculation card or appropriate identification as decided by the Returning Officer.

~~1.6.4.~~ 1.6.3. A voting paper will be issued to each voter.

~~1.6.5.~~ 1.6.4. Votes will be cast in sealed ballot boxes. Voting papers shall bear the name of each candidate and the office being contested. There will be a facility for reopening nominations as outlined in clause 1.3.

~~1.6.6.~~ 1.6.5. Voting shall be by secret ballot.

~~4.6.7.1.6.6.~~ A postal vote shall be granted to any full member of the Association who is unable to exercise their right to vote in person.

~~4.6.8.1.6.7.~~ The Returning Officer shall publicise the arrangements for postal voting at the time of close of nominations.

~~4.6.9.1.6.8.~~ The members must inform the Returning Officer in writing, at least four College days before the beginning of voting, that they wish to vote by post.

~~4.6.10.1.6.9.~~ Postal votes will be accepted up until the close of ballot boxes, at the end of the voting period.

### **1.7. Counting and Declaring Votes**

1.7.1. The Returning Officer shall inform the candidates of the time and venue of the count. The candidate or their appointed representative may, if they so wish, attend the counting of the votes as observers only.

1.7.2. The Returning Officer may be assisted in the count by a number of individuals appointed by her or him.

1.7.3. Once the votes have been counted they should be kept for a period of six months in case of appeals against the result.

1.7.4. Results of the elections shall be declared by the Returning Officer when the count for each post has been completed and any complaint has been resolved to the satisfaction of the Returning Officer.

1.7.5. A list of successful candidates will normally be posted at each campus within one College day of the declaration of results. The Returning Officer should send a copy of the result to the Association, the Senior Management Team, the Clerk to the Board of Management and the College library.

1.7.6. The results will become official 48 hours after they have been posted provided that no complaint has been lodged with the Returning Officer within 48 hours. In the event of a complaint being received by the Returning Officer the results shall be suspended until the complaint has been resolved.

### **1.8. Complaints**

1.8.1. Any challenge or complaint concerning the administration and good conduct of the election will be heard and determined by the Returning Officer within 48 hours of such a complaint being lodged by any full member or the candidate or their nominee.

1.8.2. Any complaint against the conduct or administration of the election should be received by the Returning Officer before the start of the count.



- 1.8.3. A challenge or complaint during or following the count, must only relate to the conduct of the count, and be lodged with the Returning Officer who shall resolve the complaint within 48 hours of it being lodged.
- 1.8.4. In determining a resolution to the complaint, the Returning Officer after hearing all the appropriate evidence may not uphold the complaint; or may halt elections for a specific post(s) or disqualify specified candidate(s) if, in their view, a candidate(s) has breached election regulations. The ruling of the Returning Officer on any complaint shall be final, subject only to a successful appeal to the DoFCS, in accordance with clause 3.9.4 of the complaints procedure, contained within the Code of Practice (Appendix Three) of this Constitution.

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## **Schedule Two: Societies**

There shall be societies of the Association.

### **2.1 Setting up a Society**

2.1.1 No society may receive funds from the Association or use Association facilities without recognition in each academic year by the Student Representative Council.

2.1.2 No society will be recognised if its objects conflict with those of the Association. However, this restriction shall not be interpreted so as to prevent the establishment of political, religious or ethnically based societies.

### **2.2 Money for Societies**

2.2.1 The Student Representative Council shall meet and allocate funds. Allocation will be made on the basis of the level of activity in the society; the number of members it has and special equipment and travel considerations. A contingency fund shall be set aside, the value of which shall be determined by the Student Representative Council. The Student Representative Council decision shall be final.

2.2.2 The allocations shall be approved at the first meeting of the Student Representative Council of the new academic year.

2.2.3 Societies may be given a budget by the Budget Holder. Any request for expenditure must be approved in advance by the Budget Holder.

### **2.3 Responsibilities of Societies**

2.3.1 No-one from a society may commit the society or the Association to any expenditure without prior authorisation through the Association's budgetary control system.

2.3.2 The society shall be responsible for promoting itself during induction week to encourage new membership.

2.3.3 The Budget Holder will submit an income/expenditure sheet to the Executive Committee at the end of each term, following a request from the Budget Holder.

2.3.4 The society shall not hold its own bank account and all its finance will be administered through the Association budget.

2.3.5 The society shall hold no funds whatsoever outside the Association accounts.

2.3.6 The Events Officer of the society shall be responsible for the smooth running of any social events and activities and shall be responsible for convening of general meetings.

2.3.7 The Executive Team shall be responsible for publicising general meetings, providing agendas and taking minutes of the meetings.

2.3.8 The Budget Holder shall be responsible for ensuring that all expenditure is legitimate and that it does not exceed the society allocation for that year.

The Budget Holder shall also ensure that an accurate list of all equipment purchased is kept and all equipment is returned to the Association at the end of the academic year.

2.3.9 The BUDGET HOLDER shall ensure that all income received by the society is paid directly into the Association account and that no funds received by the society are withheld.

2.3.10 The Budget Holder shall ensure that an income and expenditure account for the previous academic year is presented to the annual general meeting of the Association.

2.3.11 Failure to abide by these regulations and the Constitution may result in suspension of the society by the Executive Committee.

### **Schedule Three: Meeting Regulations**

Meeting regulations shall apply in full to all Association meetings. They shall apply to all Committee meetings of the Association in terms of conduct of meetings.

#### **3.1 Student Representative Council**

3.1.1 The business of the Student Representative Council shall take into account all college and association business.

#### **3.2 Who can attend Student Representative Council Meetings?**

3.2.1 All Class Representatives (see clause 5.2 of the Constitution) will be expected to attend all meetings of the Student Representative Council. Any member of the Student Representative Council who fails to attend three consecutive meetings without giving apologies to the chair, and does not provide satisfactory reasons acceptable to the Student Representative Council, shall be considered to have resigned.

3.2.2 Any full member of the Association may attend Student Representative Council meetings in accordance with clause 3.4 of the Constitution. All other students can attend the meeting as an observer.

3.2.3 A member of SMT will be invited to attend all meetings.

#### **3.3 Who May Speak at Student Representative Council Meetings?**

3.3.1 Any Class Representative may speak at Student Representative Council meetings

3.3.2 Any full member of the Association may attend meetings and speak with the permission of the meeting. Members of the College Senior Management Team may attend and speak at the College business part of the meeting but will not be entitled to speak or attend the Association business part of the meeting unless expressly requested by the meeting. Any other individual may attend and speak as a guest, if invited to do so by either the Student Representative Council or the Executive Committee.

3.3.3 Any member wishing to speak must raise their hand. The chair of the meeting shall decide the order of speaking.

#### **3.4 Who May Vote at Student Representative Council Meetings?**

3.4.1 Only members of the Student Representative Council who are present at the meeting may vote.

3.4.2 The chair of the Student Representative Council may not vote unless the vote is tied, in which case they may have the casting vote.

### **3.5 How To Get Things Done**

- 3.5.1 All items for debate shall be submitted to the Student President five College days before the meeting.
- 3.5.2 The Student President shall be responsible for the publication of details of all Student Representative Council meetings ten College days before the meeting on all Association notice boards and available Association publications.
- 3.5.3 Proposals of changes to debates may be submitted by any full member of the Association. The changes require the signatures of at least two members and shall be submitted to the Student President two College days before the start of the meeting.

### **3.6 Who Runs the Meeting?**

3.6.1 The Student President, in consultation with the Secretary, shall be responsible for the agenda and publicising the meeting.

3.6.2 The Student President shall chair the meeting.

3.6.3 In the event of any situation arising not being covered by meeting regulations then the Student President shall rule on the procedure to be adopted. Such ruling shall be subject to the approval of the Student Representative Council.

3.6.4 In the event of the Student President being in conflict or alleged to be in conflict with the item under discussion, the chair should be resigned for the duration of the item under discussion to the Vice President.

### **3.7 What is discussed at Meetings?**

3.7.1 The agenda of meetings shall normally be taken in the following order:

3.7.2 College Business:

- Welcome from the chair
- Checking the minutes of the previous meeting for accuracy
- Matters arising from the minutes of the last meeting
- Reports from the Senior Management Team & Executive Committee
- Reports from the Board of Management
- Other Reports
- Executive question time
- Debates
- Discussion groups
- Any other business

3.7.3 The meeting will have the right to table the following items collectively as a consent agenda provided that written reports and minutes are distributed in advance:

- Checking the minutes of the previous meeting for accuracy
- Matters arising from the minutes of the last meeting
- Reports from the Executive Committee
- Reports from the Board of Management

3.7.4 Any member may request that any item be discussed in full, provided that notice is given in advance of the meeting.

3.7.5 All debates shall be run as follows:

- The proposer of the debate shall make a speech
- Any changes to the debate will be raised in accordance with clause 3.8 of these regulations

- The chair will invite a speech against the debate
- The chair shall balance the number of speeches for and against the debate
- The chair shall invite any questions and statements relating to the debate
- The proposer of the debate shall have the right to sum up
- The vote shall be taken.

### **3.8 Changes to the Debate**

3.8.1 Changes to the debate shall run as follows:

- Any changes to the debate will be raised after the proposer has spoken
- The chair shall invite and take a speech against the changes
- The chair shall attempt to balance the number of speeches for and against the changes.
- The chair shall leave time for questions and statements before the vote
- When all changes have been voted upon, the main debate shall be discussed and voted upon.

### **3.9 General rules**

3.9.1 Every debate shall have a proposer and a seconder

3.9.2 Any motion may only be withdrawn with the consent of the meeting

3.9.3 Debates shall require a simple majority to be decided except where otherwise specified in the Constitution

3.9.4 Emergency debates may only be discussed if they deal with matters that have arisen since the date for submission of dates, and if a two thirds majority vote for the discussion of this debate. The debate should be submitted in writing to the chair before the start of the meeting.

## Schedule Four: Finance Regulations

### 4.1 Budget

4.1.1 There shall be a budget within the College system, held in the name of the Association. There shall be two signatories to request payment:

- Student Services Manager
- The Student Liaison Officer

4.1.2 Requests for payment shall be signed by the Student Services Manager **and** the Student Liaison Officer (SLO), and cheques must then be signed by a member of the Senior Management Team.

4.1.3 Any expenditure over £1,000 limit must be agreed by a member of Senior Management Team.

### 4.2 Remuneration

4.2.1 The President shall have a paid position, as approved by the Finance Committee.

4.2.2 The President shall be paid a standard ~~rate of £10.00 per hour annual fee,~~ and shall work ~~10-30~~ contracted hours per week.

4.2.3 This rate of pay is the standard agreed rates for the post as recommended by NUS and following consultation with other SLOs from colleges of equivalent standard to the operations at FVSU.

### 4.3 Collection of Money

4.3.1 The collection of all money due to the Association shall be the joint responsibility of the Student Liaison Officer and Student Services Manager. The College shall be notified promptly of all money due to or owed by the Association.

### 4.4 Contracts

4.4.1 No financial agreement (eg a leasing contract) may be entered into which involves a financial commitment beyond the term of office of the Student Representative Council and/or exceeds a total value of £250 unless authority is given by the Student Representative Council.

4.4.2 All contracts shall have two signatories. Contracts shall normally be signed by the Student President and the Student Liaison Officer. Any contracts exceeding a value of £250 shall be signed by the President **and** the ~~DeFCS~~ APEDoF or her/his delegated authority.



4.4.3 No contract should be signed without the approval by the Senior Management Team.

#### **4.5 Budgets and Financial Statements**

4.5.1 Draft budgets shall be drawn up for all areas of proposed expenditure in April for the financial year ahead. These areas shall be determined by the Executive Committee, before final approval by the Finance Committee, and submission to the ~~DoFGS~~ APEDoF, via the Clerk to the Board of Management, for approval by the Board of Management.

4.5.2 The President will receive monthly budget reports from Finance Services, and will make these available to the Student Representative Council.

#### **4.6 Events**

4.6.1 All events undertaken or provided by the Association must be costed and budgets prepared.

4.6.2 Annually, the PR & Events Officer, in consultation with the Student President and the SLO and under the direction of the Student Representative Council, shall draw up a proposed Student Events budget, subject to ratification by the Executive Committee. This shall form the basis of all social activities expenditure.

4.6.3 Records of all expenditure for social events shall be kept. The President shall advise the Executive Committee and the ~~DoFGS~~ APEDoF when the limits laid down in the budget set are likely to be exceeded. The PR & Events Officer is responsible, under the direction of the Executive Committee, for ensuring that agreed budgets are not exceeded, unless the necessary approval has been given before the proposed expenditure.

#### **4.7 Donations**

4.7.1 The Association shall not make donations or affiliations to any organisation outside the aims and objectives of the Association. The Association may allow for its facilities to be used for special events which raise money for a specific charity or cause. Only the net profit from such events may be passed to the charity.

#### **4.8 Age Limit**

4.8.1 Any member of the Executive Committee under the age of 18 shall not sign any contract or financial agreement, authorise any expenditure, take responsibility for any budget, sign cheques or make any financial decisions.

## Schedule Five: Job Descriptions

### 5.1 Presidents Remit

#### 5.1.1 The President Shall:

- Be the main representative of the students' AssociationUnion.
- Attend the Board of Management, Strategic Development Committee and other relevant college committees, and report back to the students AssociationUnion.
- Lead delegations to conferences and meetings to external bodies.
- Liaise with the National Union of Students
- Meet the college management regularly and report back to the Students' AssociationUnion
- Encourage Forth Valley College students to join and get involved in the Students' AssociationUnion.
- Ensure the Student' AssociationUnion works as a motivated team and encourage executive committee members to work to the best of their ability.
- Draft the Student AssociationUnion annual budget, and monitor the expenditure in conjunction with the Treasurer and the Student Liaison Officer.
- In conjunction with the Treasurer, ensure that all financial transactions are legitimate, and that the necessary paper work and receipts are kept for all transactions.
- Ensure that the Students' AssociationUnion accounts are audited annually, and that these are presented to the Board of Management.
- Be the official spokesperson of the Student AssociationUnion to the media and other external bodies.
- ~~Update the Student AssociationUnion website with relevant information efficiently~~
- Co-ordinate the Student AssociationUnion's work in relation to the College's quality assurance process.
- Assist with main office duties and administration
- Be responsible for any other duties as decided by the executive committee.
- ~~Work 40-30~~ office hours a week.

Comment [LS10]: We do not have a website

The President shall also hold responsibility for the role of Equality and Diversity Officer. They will, as part of this role:

- Act as a contact to learners who would like to discuss their additional support needs to a fellow learner, respecting their confidentiality at all times.
- Represent students with additional support needs at appropriate Learning Development Meetings and Cross College Committees.
- Work with the Learning Development Section to promote the Learning Development Service to learners.

- Establish and maintain contact with internal services and external organisations who work on Equality and Diversity issues.
- Work with the Learning Development Section to raise awareness of issues that learners with additional support needs encounter in College.
- Raise awareness of Equality and Diversity issues and services to learners across campuses.
- Liaise with LGBT Officer and PR/Events Officer to organise events relevant to the role.
- Present relevant reports to the executive committee and any other college committee.
- Attend any relevant training or conferences
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## ~~5.2 Vice President Remit~~

### ~~5.2.1 The Vice President shall:~~

- ~~• Assist the president in organising and supervising all activities of the Student Association/union~~
- ~~• Assume the duties of the President in the event of his/her absence~~
- ~~• Share duty rota across campuses with president~~
- ~~• Attend the relevant college committees, and report back to the students Association/union.~~
- ~~• Liaise with the National Union of Students~~
- ~~• Encourage Forth Valley College students to join and get involved in the Students' Association/Union.~~
- ~~• Assist the President in ensuring the Student Association/Union works as a motivated team and encourage executive committee members to work to the best of their ability.~~
- ~~• Be responsible for the production of the Fusion Magazine, the student Association/union newsletter.~~
- ~~• Co ordinate the Student Association/Union's work in relation to the College's quality assurance process.~~
- ~~• Update the Student Association/Union website with relevant information efficiently~~
- ~~• Be responsible for any other duties as decided by the executive committee.~~
- ~~• Assist with main office duties and administration~~

## ~~5.3 Equalities & Diversities Officer Remit~~

### ~~5.3.1 The E&D Officer shall:~~

- ~~• Act as a contact to learners who would like to discuss their additional support needs to a fellow learner, respecting their confidentiality at all times.~~
- ~~• Represent students with additional support needs at appropriate Learning Development Meetings and Cross College Committees.~~
- ~~• Work with the Learning Development Section to promote the Learning Development Service to learners.~~
- ~~• Establish and maintain contact with internal services and external organisations who work on Equality and Diversity issues.~~
- ~~• Work with the Learning Development Section to raise awareness of issues that learners with additional support needs encounter in College.~~
- ~~• Raise awareness of Equality and Diversity issues and services to learners across campuses.~~
- ~~• Liaise with LGBT Officer and PR/Events Officer to organise events relevant to the role.~~
- ~~• Present relevant reports to the executive committee and any other college committee.~~
- ~~• Attend any relevant training or conferences~~

- ~~Collate information on events and activities for the Student Magazine and Student Association Union website.~~

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### **LGBT Officer Role**

5.3.25.1.2 The LGBT ~~Officer~~ role shall:

- Ensure that lesbian, gay, bisexual and transgender student's views and opinions are reflected throughout the Student Association'~~Unions~~ work.
- Provide an LGBT perspective on all matters concerning the ~~union~~-Student Association and college to ensure that there is a regular forum for LGBT students to meet and organise social and educational events.
- Attend LGBT training events and conferences in conjunction with the LGBT campaign.
- Promote the positive involvement of LGBT students in all areas of the Student Association~~union~~'s activities.
- Represent the views of LGBT students to the ~~union~~-Student Association and college.
- Prepare relevant reports for the executive committee and any other college committee.
- Collate information on events and activities for the Student Magazine and Student Association~~Union~~ website.
- Attend relevant conferences and courses on behalf of the Student Association~~Union~~ within remit.

This role will be filled by the Executive Team as a whole. Each member will have responsibility for LGBT promotions, campaigns and events.

### **5.45.2 PR & Events Officer Member**

5.4.15.2.1 The PR & Events ~~Officer~~ member shall:

- Communicate and assist with the executive team, Student Liaison Officer and President in raising awareness of events and activities organised by the Student Association~~Union~~.
- Promote activities by designing and displaying promotional material, etc.
- Advise and assist any member of the executive team in their written methods of communication.
- Use initiative to promote the Student magazine, website and the NUS extra card and include this in your PTS&R.
- Collate information on events and activities for the Student magazine and Student Association ~~Union~~ website.
- Establish contacts with local businesses and newspapers to enhance the profile of the Student Association~~Union~~.
- A notice board will be allocated to provide a picture and short remit of each officer on the executive team as soon as the team are established.
- Attend relevant conferences and courses on behalf of the Student Association~~Union~~

The PR & Events member will be fulfilled by a member of staff supporting the Executive Team.

### **5.55.3 Vice President Health, Wellbeing & Sport~~Sports & Wellbeing~~ Officer**

5.5.15.3.1 The ~~Sports & Wellbeing Officer~~ VP Health, Well Being & Sport Officer shall:

- Liaise with the Student Liaison Officer and President in organising events and raising awareness of events and activities organised by the Student ~~Association~~ Union.
- Establish and maintain contact with relevant clubs, societies and organisations to the advantages of Forth Valley College students.
- Establish and maintain contact with other officers in other colleges and universities.
- Promote activities by designing and displaying promotional material etc.
- Liaise with the ~~SU~~ SA team on final decisions such as venues, entertainment, catering etc.
- Use initiative to promote any events through the Student newsletter, website etc.
- Collate information on events and activities and submit for approval for the Student Newsletter and Student ~~Association~~ Union website.
- Present relevant reports to the executive committee.
- Attend relevant conferences and courses on behalf of the Student Association Union
- Provide presentations and workshops for students on Health and Well-being issues
- Engage with externals partners to launch campaigns beneficial to student health and well-being.
- Have a key role in gathering evidence and writing the Healthy Body, Healthy Mind Report
- Share duty rota across campuses with president
- Assist with main office duties and administration
- Work 25 office hours per week

### **5.4 Vice President Education & Learner Engagement**

5.4.1 The VP Education & Learner Engagement shall:

- Engage with Curriculum & Quality and Curriculum Managers with detailed knowledge of student engagement issues, with particular reference to representation, feedback and engaging students in their curriculum.
- Maintain a general understanding of FVC Learner Engagement Policy, monitor and evidence outcomes
- Provide presentations and reports on aspects of student engagement for various college committees.
- Provide presentations and workshops for students on student engagement issues.
- Work with the Curriculum & Quality and Student Association to develop ideas for partnership projects with other organisations

- Co-ordinate resources, staff and materials of partnership projects and internal and external events as required

Work towards the achievement of organisational goals and quality standards in accordance with FVC Strategic Plan

- Share duty rota across campuses with president
- Assist with main office duties and administration
- Work 25 office hours per week

## **5.6 Entertainments Officer**

5.6.1 The Entertainments Officer shall:

- ~~Liaise with the Student Liaison Officer and President in organising events. Liaise with SU Treasurer to ensure that all sales, pricing etc is correct and auditable and assist with the executive team, Student Liaison Officer and President in raising awareness of events and activities organised by the Student Association Union.~~
- ~~Establish and maintain contact with relevant clubs, societies and organisations to the advantage of Forth Valley College students.~~
- ~~Establish and maintain contact with other officers in other colleges and universities.~~
- ~~Promote activities by designing and displaying promotional material etc.~~
- ~~Liaise with the SU team on final decisions such as venues, entertainment, catering etc.~~
- ~~Use initiative to promote any events through the Student magazine, website etc.~~
- ~~Collate information on events and activities and submit for approval for the Student magazine and Student Association Union website.~~
- ~~Present relevant reports to the executive committee.~~
- ~~Attend relevant conferences and courses on behalf of the Student Association Union within your remit.~~



#### 5.75.4 Welfare Officer

5.7.15.4.1 The Welfare Officer shall

- Liaise with the finance department over the criteria and distribution of the hardship fund.
- Establish and maintain contact with internal services and external organisations who work on welfare issues.
- Raise awareness of welfare issues and services to students across campuses.
- Maintain and order stocks of information leaflets etc relevant to welfare issues. Distribute this general welfare information to students.
- Consult with Student Services and relevant staff regularly, to find out what problems students are having in college and take account of these when campaign planning.
- Present relevant reports to the executive committee and any other college committee.
- Deal with but not counsel, students who have welfare problems, respecting their confidentiality at all times.
- Where relevant direct and guide students to appropriate college staff or external organisations.
- Attend any relevant training or conferences for welfare officers
- Collate information on events and activities for the Student Newsletter and Student ~~Association~~ Union website.

This is a voluntary role and is optional to be filled.

#### 5.85.5 Executive Team

5.8.15.5.1 As part of the Executive team, Officers must:

- Commit to doing 2 hours a week in the ~~SU~~ SA-Office
- When working with the Student ~~Association~~ Union, may be privy to confidential information. Confidentiality must not be breached, if it is it they will be asked to resign from the executive team.
- Attend executive meetings on a monthly basis (if 3 consecutive meetings are missed without special circumstances, Officers will be asked to resign)
- Commit fully to remit and follow PTS & R
- Carry out chosen office hours on a weekly basis. ~~The SU team rely on Officers to monitor the common room whilst doing their office hours.~~ If an Exec Officer needs to cancel or reschedule, they must let the SLO or President know 24 hours in advance to allow time to provide alternative cover.
- Adopt good practice. When using the telephone or greeting clients remember that they are representing the ~~SU~~ SA team who want to provide excellent customer care.
- Read and abide the notices on Office Safety and Health & Safety for computer users.

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**APPENDICES**

## **Appendix One: Opting Out**

- 1.1 Every student shall be able to relinquish their right of membership of the Association
- 1.2 A student who opts out of the Association shall not be able to participate in the democratic and decision-making function of the Association. This includes not being able to stand for any officer or representative position, including society or committee members, as contained in the Constitution.
- 1.3 A student who opts out of the Association shall continue to have the right to attend Association run events and participate in the activities of societies.
- 1.4 A student wishing to opt out must indicate this within six weeks of the start of their course by writing to the Student Liaison Officer
- 1.5 A student who has opted out who wishes to become a member of the Association shall notify the Student Liaison Officer in writing. The Clerk shall then inform the Student President. If the application falls within twenty college days of nominations opening for an Association election, the student will not be eligible to take up the full privileges of membership until the nomination period has closed.

## **Appendix Two: Disciplinary Procedures**

- 2.1 Societies and members of the Association shall be expected to abide by this Constitution at all times, as well as the Association's equal opportunities policy.
- 2.2 The Association's disciplinary policy has authority over any premises managed by the Association, any Association activities, including the activities of any Association society, or any misconduct which takes place outside Association premises but is connected with the Association and is likely to affect the reputation of the Association.
- 2.3 If a student or society is deemed to have breached the rules of the Association their conduct shall be examined by a panel of three Executive Committee members known as the disciplinary committee.
- 2.4 The disciplinary committee shall be convened within seven college days of the alleged offence occurring. The student shall be given written notification of the time, date and place of the hearing, together with written notification of the alleged breach, at least three days before the hearing.
- 2.5 In cases involving the misuse of Association facilities or resources or behaviour likely to cause potential danger or offence to students, staff or other persons, the student or society may be suspended from the use of particular Association facilities or resources until the disciplinary committee has reached a decision.
- 2.6 No person shall sit on the Association disciplinary or appeals committees if they are a witness, potential witness, the complainant or directly connected with the student or society whom the allegations are against.
- 2.7 The person bringing the allegation or his/her representative shall call witnesses to give evidence as appropriate. They shall ask questions of the witnesses. The student or his/her representative may also ask questions of the witnesses.
- 2.8 The student or his/her representative may call their own witnesses to give evidence and present any relevant documents to the panel. They may ask questions of the witnesses. The person bringing the allegation or his/her representative may also ask questions of the witnesses.
- 2.9 The committee may ask questions of any witnesses, the person bringing the allegation or their representative, the student or club or society or their representative.
- 2.10 The disciplinary committee shall then deliberate on the matter and decide on the appropriate action to be taken. The committee shall base its decision on evidence presented and examined in the presence of the person bringing the allegation and the student or society whom the allegation is against. Evidence of any earlier misconduct shall not be presented until after the decision has been reached on the facts of the case, but then may be admitted and considered in deciding on any

punishment. The ultimate sanction shall be the suspension of Association membership for a period of time.

2.11 The Association disciplinary committee may refer any matter to the college disciplinary committee, via the Student Services Manager.

2.12 The disciplinary committee must inform the person of their right of appeal and that any appeal should be made in writing to the chair of the Student Representative Council within five College days.

2.13 If the student is unhappy they may appeal to an appeals committee made up of three students appointed by the Student Representative Council and agreed by the Student President. The student shall be notified in writing and at least five College days in advance of the meeting.

2.14 The appeals committee shall hear the reason for the appeal and the rationale behind the original decision. They shall also hear any new evidence that has emerged since the disciplinary meeting. The matter shall be put to the vote and the decision shall be final.

2.15 The hearing shall normally take place in private. However the subjects of any allegation may request that the hearing is held in public. A record shall be kept for use in any appeal. The decision of the disciplinary or appeals committee will be posted on an Association notice board if requested by the subject.

2.16 The Executive Committee officers may be removed from office by:

2.16.1 A two-thirds majority vote at a quorate meeting of the Student Representative Council

2.16.2 A referendum of the members of the association

2.16.3 A breach of the College disciplinary regulations on the grounds of gross misconduct resulting in exclusion from the College.

2.17 Class representatives can be removed from office by:

2.17.1 A two-thirds majority vote at a quorate meeting of the Student Representative Council.

2.17.2 A breach of the College disciplinary regulations on the grounds of gross misconduct resulting in exclusion from the College.

2.18 The regulations for the ballot to remove a member of the executive from Office shall be determined by the Returning Officer, within the limits of this Constitution.

2.19 Any member of the Student Representative Council or any other committee who has been absent from at least three successive ordinary meetings, without submitting apologies to the chair of the meeting, shall automatically be deemed to no longer hold office.

2.20 Any resignation must be in writing to the chair of the Student Representative Council. Resignations shall take effect immediately, and be reported to the Student Representative Council.

2.21 In the case of any vacancy arising a by-election shall be held in accordance with Schedule One (Election Regulations) of this Constitution.

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### **Appendix Three: Students' Association Code of Practice**

This code of practice is approved by the Board of Management in accordance with the requirements of clause 22(3) of the Education Act 1994 which requires that the Board of Management shall take such steps as are reasonably practicable to secure that the Association operates in a fair and democratic manner and is accountable for its finances. The code of practice should be read in conjunction with the Constitution.

#### **3.1 Constitution**

3.1.1 The Association shall have a written Constitution, approved by the Board of Management and reviewed by the Executive Committee at intervals of not more than five years. Any amendments to the Constitution shall be approved by the Board of Management.

#### **3.2 Elections**

3.2.1 Appointment to Executive Committee offices shall be by election in a secret ballot in which all members of the Association are entitled to vote, in accordance with clause 5 and Schedule One (Election Regulations) of the Constitution.

3.2.2 The Board of Management shall agree the appointment of an independent Returning Officer to conduct the elections and shall satisfy itself that the elections to Executive Committee offices are fairly and properly conducted.

#### **3.3 Sabbatical Officers**

3.3.1 No person shall hold sabbatical Association office, or paid elected Association office, for more than two years in total.

#### **3.4 Membership**

3.4.1 All registered students of the College, over the age of 16, shall be members of the Association unless they choose to relinquish their rights of membership in accordance with the opt-out regulations contained in Appendix One of the Constitution. Students shall be informed annually by the College of the opting-out procedure and of the consequences of so doing. A student opting-out of the Association shall not be unfairly disadvantaged with regard to the provision of services or otherwise, by reason of their having done so.

3.4.2 The consequences of opting out of membership shall be:

3.4.3 A student may not participate in any of the democratic processes of the Association

3.4.4 A student shall not hold office in any society of the Association

3.4.5 A student will not be represented by the Association.



### **3.5 Finances**

3.5.1 The financial affairs of the Association shall be properly conducted in accordance with clause 10 and Schedule Four (Financial Regulations) of the Constitution and include appropriate arrangements for the approval of the Association's budget and the monitoring of expenditure by the Association.

3.5.2 The annual accounts of the Association shall be made available to the Board of Management and to all students within one month of the financial year end.

### **3.6 Allocation of Resources to Societies and Groups**

3.6.1 The procedure for allocating resources to societies and groups shall be fair in accordance with clause 7 and Schedule Two (Clubs and Societies) of the Constitution.

### **3.7 Affiliation to External Organisations**

3.7.1 Any decision to affiliate to an external organisation shall be published, stating the name of the organisation and details of any subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made to the organisation and any such notice shall be made available to all students, in accordance with clause 8 of the Constitution.

3.7.2 The Association shall, on an annual basis, publish a list of the external organisations to which the Association is currently affiliated and details of subscriptions or similar fees paid or donations made to such organisations in the past year, which shall be made available to the College and to all students.

3.7.3 The Student Representative Council shall approve annually the list of affiliations. At least 200 members of the Association may, at intervals of not less than one year, by a signed requisition delivered to the president, call for a secret ballot of all members on the continuation of affiliation to a particular organisation in accordance with clause 8.4 of the Constitution.

### **3.8 Freedom of Speech**

3.8.1 The Association and its members are bound to observe the College's code of practice in relation to freedom of speech as required by section 43 of the Education (no.2) Act of 1986.

### **3.9 Complaints**

3.9.1 The following complaints procedure shall be made available to all students or groups of students who are dissatisfied in their dealings with the Association or claim to be unfairly disadvantaged by reason of their having exercised their right to opt out of membership of the Association.

- 3.9.2 Any complaint about the Association shall be addressed to the Student President. In any circumstances where the complaint relates to the Student president, it shall be addressed to the Treasurer.
- 3.9.3 The student president shall make a written reply within ten college days.
- 3.9.4 If the complainant is not satisfied with the response they may appeal to the Clerk to the Board of Management. The Complaint will then be handled in line with the College complaints handling scheme.
- 3.9.5 Members who complain will also be referred to the mechanisms in this Constitution to remove officers and change the policy of the Association if applicable.

### 1. Purpose

To inform members of the position relating to the Q4/2 Resource Return for 2015/16 which was to be submitted to SFC on 21 March 2016.

### 2. Recommendation

That members note the content of this paper and approve the submitted Resource Return to SFC.

### 3. Background

From 1 April 2014 Further Education Colleges in Scotland were reclassified as Arm's Length Public Bodies. As such they are now treated as part of central government for financial budgeting and reporting purposes. FVC is therefore now required to control its expenditure so that it does not exceed pre-set Government budget cover limits. It should be noted that the College is no longer able to accumulate reserves or hold significant cash balances.

Scottish Government accounts are prepared on a fiscal year basis of 1 April to 31 March, while Colleges accounts are prepared on a financial year basis of 1 August to 31 July. In order to meet the government's accounting requirements Colleges are now required to submit a "Resource Return" on a fiscal year basis under government accounting rules.

### 4. Net depreciation

For 2015/16 the sector has been allocated cash resource cover for "net depreciation" which if utilised/spent this cash this would result in an operating deficit in a College's Income & Expenditure Account. However, not using the available cash budget would result in an underspend against resource budget and a build-up of 'frozen' cash equivalent to net depreciation, which would not be acceptable. FVC's net depreciation charge at 31 March 2016 is £612k.

In January 2016 SFC have confirmed 3 options to ensure surplus cash arising from "net depreciation" does not get frozen in College accounts and that the cash should be utilised for;

- Student support
- Repayment of loan debt capital
- 1% pay increase

Once these priorities have been met, other calls on remaining funds will be considered on a case by case basis.

Student Support: Forth Valley College believes its allocation for AY 2015/16 is not sufficient to cover its Student Support costs for the year and is forecasting that at July 2016 the deficit is £30k.

Repayment of loan debt capital: Forth Valley College has a Term Loan Facility with Barclay's Bank. The amount due to be repaid in the year to March 2016 is £143k.

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1% pay increase: This has already been factored in the budget and is affordable from the College's operating surplus.

FVC have received confirmation from SFC that it can utilise its net depreciation to support the development of a new Falkirk campus. As these costs will be in excess of the available net depreciation the remainder will be funded by in year surplus and a grant from Forth Valley College Foundation.

## 5. Resource Return

The Resource Return is attached at Appendix 1. The forecast shows a Revenue Resource underspend of £143k which is equivalent to the value of loan repayments which although utilises cash does not score against the Resource budget. The Capital Resource is forecast to be fully utilised. Net depreciation has been applied to fund New Falkirk Campus project costs.

## 6. Financial Implications

If the College is not allowed to utilise the net depreciation to support the new Falkirk Campus this could result in a deficit of £3m in the overall project funding. However by utilising the net depreciation cash this will eliminate the surplus cash the college has generated in the year to 31 March 2016 and will result in the College reporting an operating deficit at both 31 March 16, the government accounting year end, and 31 July 2016, the College's financial year end.

## 7. Equalities

Assessment in Place? – Yes  No

An equalities assessment is not applicable given the subject matter of the paper.

## 8. Risk

Please indicate on the matrix below the risk score. Risk is scored against Impact and Likelihood as Very Low through to Very High.

	Likelihood	Impact
Very High		
High		x
Medium		
Low	x	
Very Low		

There is a risk that if the College does not spend the surplus cash generated from the treatment of net depreciation it will not fully spend its resource budget. This in turn could result in the cash being frozen and possibly reductions in future budgets. SFC approval now received to utilise net depreciation for estates costs.

Risk Owner – Alison Stewart

Action Owner - Alison Stewart

9. Other Implications –

Please indicate whether there are implications for the areas below.

Communications – Yes  No

Health and Safety – Yes  No

Paper Author – Alison Stewart

SMT Owner – Alison Stewart

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Appendix 1

Resource Return 2015/16				
		Budget	Q4.2 Forecast	Variance
		£000	£000	
<b>Income</b>				
SFC Grant Cash		21151	21257	-106
FE/HE Childcare		487	589	-102
Student Support: Bursary		2937	2683	254
Student Support: Discretionary		261	261	0
Profit or (loss) on disposal of non current asset		0	0	0
Other Income		10195	9995	200
UHI HE Funding (UHI colleges only)		0	0	0
<b>Total Income</b>		<b>35031</b>	<b>34784</b>	<b>247</b>
<b>Expenditure</b>				
Wages and salaries	RDEL	23199	23055	-144
(Gross) Operating costs	RDEL	7409	7613	204
FE/HE Childcare	RDEL	487	590	103
Student Support: Bursary	RDEL	3095	3131	36
Student Support: Discretionary	RDEL	263	241	-22
Bad Debt	RDEL	15	10	-5
Utilisation of pre 31 March provisions (negative)	RDEL	0	0	0
Donation to ALF	RDEL	0	0	0
<b>Total Expenditure</b>		<b>34468</b>	<b>34640</b>	<b>172</b>
<b>Under/(overspend) on Resource Budget</b>	<b>RDEL</b>	<b>563</b>	<b>144</b>	<b>419</b>
<b>Capital DEL</b>				
SFC Capital Grants (negative)	CDEL	-305	-305	0
Income from disposal of non current assets (negative)	CDEL	0	0	0
Other external income (negative)	CDEL	0	0	0
Receipt from ALF (negative)	CDEL	0	0	0
Capital additions to non-current assets	CDEL	305	305	0
<b>Under/(overspend) on Resource Budget</b>	<b>CDEL</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Ring Fenced RDEL</b>				
Depreciation		2422	2322	-100
Deferred Capital Grant Release (negative)		-1754	-1710	44
Amortisation	Ring-fenced RDEL	0	0	0
Impairment (where not classed as AME)	Ring-fenced RDEL	0	0	0
<b>Total Ring Fenced RDEL</b>	<b>Non Cash Resource</b>	<b>668</b>	<b>612</b>	<b>-56</b>

**1. Purpose**

To seek approval of the level of tuition fees and fee waiver policy for Session 2016/17 from members. The College's Finance Committee are recommending Board approval.

**2. Recommendation**

That members approve the proposed tuitions fees and fee waiver policy for Session 2016/17.

**3. Background**

The Board of Management has responsibility for determining tuition fees. It is a condition of grant that no fees should normally be charged to home (Scotland) or EU students studying full-time in Scottish further education colleges and the notional fees are set by Scottish Government and published through SFC and the Students Awards Agency for Scotland (SAAS) for these students. These fees have yet to be set, therefore approval of tuition fees will be subject to any changes made to nationally set fees. SFC publishes its Fee waiver grant policy annually, with the latest available policy published for Session 2015/16. Approval of the fee waiver policy will be subject to any changes made to the national policy for Session 2016/17.

**4. Key Considerations**

**Tuition Fees**

It has been confirmed that there are no changes from Scottish Government to the notional fees for Session 2016/17, and as such full time fees remain the same as for 2015/16, which are as follows:

Full time FE: £1,008

Full time HE (HNC/D): £1,285

Full time Degree: £1,820

It should be noted that in Session 2016/17 it is forecast that 84% of all tuition fees received by the College from mainstream provision will come from full time learners.

SQA fees are a large determinant when setting part time fees. SQA fees for Session 2016/17 have not been released, and no commitment has been made by SQA to the likely timing of this release, or to the likelihood of the value of their fees for next session. SQA hasn't increased fees for the last 5 sessions, and will push to increase its fees for 2016/17, although in recent years Scottish Government has asked SQA to maintain the level of fees, however it's possible that SQA fees for next session may rise.

The Bank of England in its February Inflation Report stated that CPI inflation was tracking at 0.2%, which was below its target of 2%, but it is forecasting that inflation will rise above this target within its 2 year forecast period, and rise beyond this. A comparison of our fees against

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neighbouring colleges has been undertaken, and our fees for the current session are largely on par with other colleges. With possible SQA increases in mind, and with recognition that the majority of our costs are continuing to rise, it is proposed that the College uplifts unit fees for HE, FE and Degree by £5. As such the proposal is that the part time FE fee rises to £115 per credit, with the part time HE fee rising to £130 per credit, and the degree rate per subject rising to £205 per credit. This only applies to part time degree students of whom there are very few (none last session).

It's proposed that the fee for ECDL remains the same, to remain competitive with neighbouring Colleges, and to encourage growth in a revitalised qualification from British Computer Society. It's proposed that the National Qualification fee (National 4, National 5 and Higher) will increase from £330 to £345, to reflect the increase in the FE rate per credit.

Andrew Campbell, the College's International Manager, has researched fees currently being charged by other Colleges and Universities. As a result, it's proposed that fees for International and Rest of the UK remain the same for Session 2016/17. These fees are competitive compared with the average costs in the University sector, and are comparable with other College International fees. These fees are for students enrolling on mainstream courses, and as background, the college enrolled 2 international students on mainstream courses in Session 2015/16. Bespoke international provision would be priced on an individual contract basis.

It's proposed that re-sit examination fees are not increased. The volume of re-sits is relatively low and the fee reflects administration staff cost.

For any evening courses which fall out-with our standard pricing structure for FE and HE credits, fees will be set on a course by course or contract basis, with course fee/contract price being established through our established costing model.

The net impact of all of these uplifts, based on forecasted activity levels, would be the generation of approximately £15K of additional income.

#### **National Fee Waiver**

National Fee Waiver Policy has remained relatively unchanged since Session 2012/13, with the exception of updates to reflect changes to benefit schemes and increases in the threshold levels for means-tested fee-waiver, however the College's Fee Waiver policy will be adapted should there be any changes to the National Policy, once published. As such, there are no significant changes to this part of the College's fee waiver policy.

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**Local Fee Waiver**

There are also no significant changes proposed to local fee waiver policy. Although not part of our local fee waiver policy as an additional benefit to staff where places remain available on courses not eligible for fee waiver (commercial and enhanced fee courses) just prior to courses commencing, these places have been advertised to staff.

**5. Financial Implications**

**Please detail the financial implications of this item** – If approved, based on estimated activity levels it is forecasted that there will be an increase of £15K in tuition fees received in Session 2016/17 compared to Session 2015/16.

**6. Equalities**

Assessment in Place? – Yes  No

If No, please explain why – N/A

Please summarise any positive/negative impacts (noting mitigating actions) –

**7. Risk**

Please indicate on the matrix below the risk score. Risk is scored against Impact and Likelihood as Very Low through to Very High.

	Likelihood	Impact
Very High		
High		
Medium		
Low	X	X
Very Low		

**Please describe any risks associated with this paper and associated mitigating actions** – There is a risk that increasing our part time fees by more than the current rate of inflation may make our courses less attractive, however our research informs that our fees are comparable to other colleges.

**Risk Owner** – David Allison

**Action Owner** – Pamela Duncan

8. Other Implications –

Please indicate whether there are implications for the areas below.

Communications – Yes  No

Health and Safety – Yes  No

**Please provide a summary of these implications** – Once approved, our tuition fees and fee waiver policy require to be published, and communicated internally to appropriate staff.

**Paper Author** – Pamela Duncan/David Allison

**SMT Owner** – David Allison

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### TUITION FEES 2016/17

	2015/16	2016/17	Note
	£	£	
<b>Full-time HE (HNC/HND) Courses</b>	1,285	1,285	
<b>Full-time Degree Courses</b>	1,820	1,820	
<b>Full-time FE (non-advanced) Courses</b>	1,008	1,008	
<b>Part-time Courses</b>			
Further Education - rate per credit	110	115	
Higher Education - rate per credit	125	130	
Evening – rate per course	Priced per course	Priced per course	a
Degree – rate per subject	200	205	
ECDL	360	360	
ECDL rate per module	60	60	
ECDL Advanced per module	105	105	
National 4/National 5/New Higher	330	345	
<b>Full-time International Students/RUK</b>			
Higher Education	6,000	6,000	b
Higher Education - rate per credit	425	425	
Degree	8,000	8,000	b
Further Education	5,000	5,000	b

#### Notes

- a) evening courses will be priced on a course by course basis, where delivery is outwith standard FE/HE delivery.
- b) a non-refundable deposit of 50% of total fee required to secure a place, with remainder due prior to Confirmation of Acceptance to Study (CAS) being issued this is required to allow the applicant to apply for a Tier 4 Visa.

#### Examination Fees

Degree (re-sits)	£50 per subject/unit
ECDL Advanced (re-examination)	£25 per module
ECDL Advanced Mock Test	£20 per test
ECDL (re-examination)	£20 per module
ECDL Mock Test	£15 per test

**Forth Valley College**  
**Fee Waiver Policy 2016/17**

All Students wishing to apply to have their fees waived must complete a fee waiver application form and provide satisfactory proof of eligibility. Students studying on a part-time HE course can be funded through fee waiver to a maximum of 9 credits. Students studying on a part-time FE course can be funded through fee waiver to a maximum of 12 hours per week.

**A Under National Policy**

For qualifying courses<sup>a)</sup> tuition fees (including SQA registration and examination fees) will be waived for eligible students in the following categories.

Further education (FE) students following full-time non-advanced courses for which Credits can be claimed.

Students who were classified as full-time under the previous definition but who are classified as part-time under the new definition <sup>b)</sup>.

1. FE students on courses classified in programme group 18 – Special Programmes.
2. Students on part-time courses for which Credits can be claimed who meet the following criteria:

i) The student/student's family<sup>c)</sup> are in receipt of:

- Income Support\*, or
- Working Tax Credit, or
- Pension Credit, or
- Housing Benefit, or
- Income Related Employment and Support Allowance (ESA)\*, or
- Income-based Job Seekers Allowance\*
- Universal credit (which was introduced from November 2013 will be phased in over the coming years to replace the benefits listed above).

**\*(evidence must be dated within 3 months)**

or

ii) The student is in receipt of:

- Carer's Allowance (or carers who have an 'underlying entitlement' to Carer's Allowance but gave up the allowance to, for example, claim their pension), or
- Disability Living Allowance, or
- Severe Disablement Allowance, or
- Attendance Allowance, or
- Incapacity Benefit, or
- Contributory Employment and Support Allowance (ESA)\* (this also includes people whose contributory ESA has ended due to the time-limiting nature of this benefit, but who remain entitled to NI credits for incapacity.)
- Personal Independence Payment.

**\*(evidence must be dated within 3 months)**

or

iii) Where the student is a home or privately educated school pupil

or

- iv) where the taxable income of the student's family<sup>c)</sup> in the previous financial tax year (2015-16) is equal to or less than (see table below):

Student Circumstances	Household Income	Evidence Required
households with only one person	£8,282	Council Tax Notice, P60 or last 3 months payslips
households consisting of a couple without children	£12,395	Council Tax Notice, P60 or last 3 months payslips
households with dependent children /adults living in parental home	£18,977	Child Benefit or Child Tax Credit letter, P60 or last 3 months payslips

In such cases, the burden of proof is on the student to satisfy the college with evidence of their low income. Where there has been a material reduction in income from the previous financial tax year, the taxable income of the student's family<sup>c)</sup> in the current financial tax year can be assessed.

or

- v) The student is a person, or the spouse or child of a person, who is an asylum seeker living in Scotland (as defined in section 18 of the Nationality, Immigration and Asylum Act 2002), which can be accessed at [http://www.opsi.gov.uk/acts/acts2002/ukpga\\_20020041\\_en\\_3#pt2-pb2-l1q18](http://www.opsi.gov.uk/acts/acts2002/ukpga_20020041_en_3#pt2-pb2-l1q18)

or

- vi) The student is in the care of a local authority and is living in a foster home or children's home, regardless of the age of that student.

3. State school pupils undertaking college activities that form part of their school-based curriculum.

4. A college will be able to use fee waiver grant in respect of the activity of a student only if they meet all the relevant criteria of the fee waiver grant policy and:

- i) That person falls within the definition of eligibility in Schedule 2 of *The Education (Access Funds)(Scotland) Determination 2013*. Please pay particular regard to paragraphs 8 and 10 in part 2 of schedule 2 which relate to fee only awards. The current regulations are available at: [http://www.sfc.ac.uk/web/FILES/Funding Streams Student Support/The Education Access Funds Scotland Direction Determination 2009.pdf](http://www.sfc.ac.uk/web/FILES/Funding%20Streams%20Student%20Support/The%20Education%20Access%20Funds%20Scotland%20Direction%20Determination%202009.pdf)

or

- ii) The student is a person, or the spouse or child of a person, who is an asylum seeker living in Scotland on either a full-time English for Speakers of Other Languages (ESOL) course or a part-time non-advanced or advanced course,

or

- iii) The student is a child of an asylum seeker or a young asylum seeker person on a full-time non-advanced course (excludes ESOL) and meets the criteria outlined in paragraph 5,

or

- iv) The student is a non-asylum seeker living in Scotland on a part-time ESOL course and the student's main purpose for being in the European Union is not to receive education (note that these students are still subject to the requirements as stated in paragraph 2).

5. The criteria referred to in paragraph 4 (iii) are that the student's asylum application (their own or their family's application) must have been made prior to the end of 2006, and the student:
  - i) Is resident in Scotland on 1 August, 1 January, 1 April or 1 July closest to the beginning of the first term of the person's course
  - ii) Has been resident in Scotland for a minimum period of three years
  - iii) Was under 18 years old on the date when the application for asylum was made (the application must have been made prior to 1 December 2006), and
  - iv) Is under 25 years old on 1 August, 1 January, 1 April or 1 July closest to the beginning of the first term of the person's course.
6. This will apply to those students starting a new course or those continuing on a course. These criteria ensure that we meet our obligations under the United Nations Convention on the Rights of the Child.
7. Colleges cannot use fee waiver grant for a student being supported by an Individual Learning Account (ILA) grant.

**B Under College Policy**

- For qualifying courses<sup>b)</sup> tuition fees (including SQA registrations and examination fees) will be waived for students in categories 7 through 11. Students under 18 years of age on date of enrolment should be assessed on parental income if not a school pupil **or** in full time Further Education.
8. Full-time students from Forth Valley College undertaking a flexible learning course or a part-time day course (excluding Full Cost Recovery and leisure courses).
  9. Students sponsored by sportscotland Institute of Sport's programme for elite athletes.
  10. College Staff (including retired staff) and their immediate family (spouse, partner and children under 18 years of age) and Board members undertaking a part-time/evening course (excluding Full Cost Recovery and leisure courses).
  11. School pupils where college activity does not form part of their school-based curriculum.
  12. College discretion (individual students or groups of students)<sup>d)</sup>

## Notes

- a) Full-time non-advanced (FE) courses and part-time FE and HE courses for which Credits can be claimed. Excludes certain specialised courses for which a higher fee is charged.
- b) The previous definition of full-time may be found in the 2004/05 SUMs guidance (circular FE/26/2004). Credit guidance: 2015-16 student activity data guidance for colleges provides the current definition of full-time and part-time.
- c) Family means:
  - A married or unmarried couple or;
  - A couple in a civil partnership or;
  - A married or unmarried couple in a civil partnership and any child or young person who is a member of the same household and the responsibility of either or both members of the couple as described above or;
  - A person who is not a member of a married or unmarried couple or civil partnership (this will usually be a lone parent) and any child or young person who is a member of the same household and the responsibility of that person.
- d) For use on an individual basis in the interest of good customer care. Such cases to be approved by a member of the Senior Management Team.

If there is any doubt about the interpretation of the National Policy, reference should be made to SFC Circular Fee Waiver Grant Policy 2015/16 dated 5 June 2015 and accompanying guidance.

If the student's status changes during their period of study, the student will be eligible for fee waiver if they satisfy the eligibility rates on the "required date for funding" for the course.

June-16

**FOR APPROVAL**

Minutes of Previous Meeting	✓
Budget 2016/17	✓
Foundation Annual Plan AY 16/17	✓
Treasury Management Strategy 2016/17	✓

**FOR DISCUSSION**

Committee Minutes (Various)	✓
Equalities update	✓
Student Union Update	✓
Review of Risk	✓
Risk Register	✓
Online Portal for Schools	✓
AOCB	✓

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