

Stirling Campus, S1.19 4.30pm (refreshments available from 4.00pm)

**AGENDA**

	Type	Lead
1 Apologies and Declarations of interest	Discussion	Ross Martin
2 Minutes and Matters Arising of Meeting of 7 February 2019 (Elements of paper 2 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.)	Approval	Ross Martin
3 Minutes of Committee Meetings Learning & Student Experience – 21 February 2019 (Elements of this minute 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.) Falkirk Campus Project Board – 26 February 2019	Noting Noting	Anne Mearns Ken Richardson
4 Principal's Report (Elements of paper 4 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.)	Discussion	Ken Thomson
5 Student Association Report	Discussion	Liam Williams
<b>STRATEGIC PLAN IMPLEMENTATION</b>		
6 Public Sector Equality Duty (PSED) Interim Reporting 2019 (Elements of paper 6 are withheld from publication on the Forth Valley College website under Section 25 Information Otherwise Accessible of the Freedom of Information (Scotland) Act 2002 - <a href="https://www.forthvalley.ac.uk/about-us/">https://www.forthvalley.ac.uk/about-us/</a> )	Approval	Mhairi Shillinglaw
7 Falkirk Campus Project Report (To Follow)	Approval	Claire Shiels
8 Core Project in RAK (To Follow)	Approval	Alison Stewart
9 SFC Indicative Allocations 2019/20	Discussion	Alison Stewart
<b>OPERATIONAL OVERSIGHT</b>		
10 2017-2018 Sector and College Performance (Elements of paper 10 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.)	Discussion	David Allison

11 Employers Association/National Bargaining Discussion Andrew Lawson

**GOVERNANCE**

12 Outcome of consultation on College Governance Discussion Alison Stewart

13 Review of Risk Discussion All

14 Any other competent business Discussion All

**FOR NOTING**

15 Board Engagement Calendar

16 SFC No Deal Brexit Guidance

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**Stirling Campus (Commencing at 9.30am)**

Present: Mr Ross Martin (Chair)  
Mrs Anne Mearns (Vice Chair)  
Dr Ken Thomson  
Mr Liam Williams  
Mr Lindsay Graham  
Mrs Lorna Dougall  
Mrs Pamela Duncan  
Mr Davie Flynn  
Ms Beth Hamilton  
Mr Ken Richardson  
Mr Liam McCabe  
Mr Steven Tolson

Apologies: Mr Colin Alexander  
Mrs Fiona Campbell  
Mr Andrew Carver  
Mrs Trudi Craggs

In Attendance: Mr Andrew Lawson, Depute Principal and Chief Operating Officer (DPCOO)  
Mrs Fiona Brown, Vice Principal Learning and Quality (VPLQ)  
Mr David Allison, Vice Principal Information Systems and Communications (VPISC)  
Mrs Alison Stewart, Vice Principal Finance and Corporate Affairs (VPFACA)  
Mr Steven Torrie, Co-opted Member  
Mr Stephen Jarvie, Corporate Governance and Planning Officer and Deputy Board Secretary  
Mrs Diane Creed, Director Creative Industries, Hospitality & Tourism (DCHT) for item B/18/036 and B/18/037 only  
Mrs Jennifer Tempany, Director of Business Development (DBD) for B/18/020 only

**B/18/029 Apologies and Declarations of interest**

The apologies were noted and no declarations of interest were made

**B/18/030 Minutes and Matters Arising of Meeting of 6 December 2018**

The minutes of the meeting of 6 December 2018 were approved.

**Strike Action**

The DPCOO provided members with an update on the recent national strike action by EIS FELA members.

He noted that the proportion of lecturers who were out on the strike days at Forth Valley College was significantly lower than the sector average.

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He updated members on recent negotiations, noting that EIS FELA had walked out of the most recent talks. He also informed members that EIS FELA were also considering alternative action short of further strikes but that nothing had been agreed yet.

The Chair updated members on discussions at the Employers Association, the offers that had been made to EIS FELA to date; and their responses.

Members queried how the impact of the strikes on students was being managed. The DPCOO informed members that the lessons learned from previous strike action were being used to ensure any missed classes would be made up in time for students.

The Principal informed members that, while the College had cancelled classes on the first strike day, on the second there had been a fuller timetable in place, with additional skills classes offered to cover where lecturers were not available.

#### **Regional Economic Partnerships**

The Chair provided members with an overview of developments at Scottish Government level for more regional based economic partnerships with greater private sector involvement.

He also updated members on progress with the Stirling and Clackmannanshire city deal and development of the Falkirk deal.

As these items are developing, it was agreed that this should form a standing agenda item for the Board of Management.

#### **B/18/031 Minutes of Committee Meetings**

##### **Finance Committee 4 December 2018**

The Chair of the Finance Committee noted that most points had been covered verbally at the previous meeting and noted that the updated banking covenants were being considered at this meeting.

##### **Audit Committee 4 December 2018**

The Chair of the Audit Committee noted that the business of the Committee had been covered verbally at the previous meeting.

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**B/18/032 Principal's Report**

The Principal provided members with an update on his activities since the December Board of Management meeting.

[REDACTED]

He highlighted a recent MOU which had been signed with Systema for Raploch to introduce more articulation routes into College.

He informed members that the most recent staff cultural survey had been completed and a report would be taken to the HR Committee once it was ready. He highlighted significantly increased levels of participation by staff with over 500 responses to the survey.

The Chair noted that he had a real sense of pride in the progress being made by the College and the range of activities underway, which continues to compare favourably across the sector.

Members queried the deficit highlighted in the report as part of the 5 year FFR and asked whether this applied to the first year or was it over the 5 year period.

The Principal confirmed that this was for the first year and that work was well underway looking at ways in which this can be reduced and managed. Further information will be brought to the Board in due course.

a) Members noted the content of the report

**B/18/033 Student Association Report and Student Association Constitution**

The Forth Valley Student Association (FVSA) President provided members with an update of FVSA activity since the last meeting of the Committee.

He highlighted the increased level of engagement between students and the FVSA, with a doubling of the amount of events for student this year.

He noted that, included with the paper, was a draft partnership agreement which had been developed between FVSA and the College. He highlighted that the final agreement would also include introductory sections from himself and the Principal.

Members welcomed the creation of the partnership agreement and asked what the Board's role would be in ensuring that the agreement was delivered on.

The FVSA President noted that there were associated targets with the agreement which would be monitored.

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The Vice Chair noted that progress on this should be brought to the Learning & Student Experience Committee and that the Committee would bring any relevant issues to the attention of the Board where necessary.

The FVSA President informed members that the FVSA had been nominated in 6 categories for the NUS Scotland awards and that they should receive an update on the status of these nominations in March 2019.

He also provided an overview of recent health and mental health related events which had occurred across the campuses which had been well attended.

The President informed members that the Student Council had approved a number of minor amendments to the FVSA Constitution. He outlined the changes and requested approval for the changes.

Members welcomed the update, congratulated the President and FVSA Team on their efforts to date and noted the content of the paper

a) Members approved the changes to the FVSA constitution

#### **STRATEGIC PLAN IMPLEMENTATION**

##### **B/18/034 Creative Industries, Hospitality & Tourism (Presentation)**

The Principal introduced Diane Creed, Director of Creative Industries, Hospitality and Tourism (DCHT). He noted that she had been unable to present on her areas with the other Directors at the Board Strategic Session in September 2018 and had been invited to the meeting to provide members with an overview.

The DCHT provided members with an overview of her area noting that, on a cursory examination, the Department appears to be a bit of a strange hybrid across academic and support areas. She confirmed however that the Department worked well together, with a large degree of interdependencies developed since its creation.

She provided members with an overview of her priorities for 2019/20, noting both challenges and opportunities that had been identified.

Board members welcomed the overview, commending the DCHT on the variety of opportunities in place for students.

Members asked the DCHT to outline the single largest challenge faced by her Department. She noted that the main challenge was attracting applicants given recent changes which meant that pupils were spending longer at school and due to some universities lowering entrance requirements

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She highlighted work that the Department were doing in conjunction with schools to both raise the profile of the College and to inform teachers about what the College offers.

Members also noted the significant contribution of the Department to the College's evening programme success.

a) Members noted the content of the presentation

#### OPERATIONAL OVERSIGHT

##### **B/18/035 Barclays Bank Amendment Agreement**

The VPFAA presented a paper seeking approval to amend the covenants included within the Term Loan Agreement with Barclays Bank and to authorise her, as Board Secretary to sign the agreement on behalf of the Board of Management.

The chairperson reported that the purpose of the paper was to consider the terms relating to the covenants and, if thought fit, to approve the entry by the Borrower into an amendment (the "Amendment Letter") to the £10,000,000 term loan facility agreement dated 30 September 2010 between the Borrower and Barclays Bank plc (the "Bank") as amended by a letter of variation from the Bank to the Borrower dated 21 March 2013 and accepted by the Borrower on 9 July 2013 (the "Facility Agreement").

The meeting noted that the Amendment Letter represented the terms and conditions upon which the Bank is prepared to make available payment systems to the Borrower and the meeting considered and confirmed its full understanding of the terms of the Amendment Letter and its implications for the Borrower.

#### Resolutions

Following careful consideration of the Amendment Letter it was resolved that

- Alison Stewart be and is hereby authorised to agree the final terms of the Amendment Letter and any other document which they consider necessary or desirable in connection with the entry by the Borrower into the Amendment Letter with such amendments as they shall approve;
  - Alison Stewart be and is hereby authorised on behalf of the Borrower to execute the Amendment Letter and any other document which is required to be executed pursuant to the Amendment Letter and any other Finance Document (as defined in the Facility Agreement) which is required to be executed, which documents shall be either sealed or witnessed as appropriate, and registered in the Borrower's books;
  - Alison Stewart be and hereby is authorised on behalf of the Borrower to execute and deliver any other documents, notices, letters or other communications and to perform
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all matters, acts and things which such person in his absolute discretion deems to be necessary or desirable in connection with the Amendment Letter or any other Finance Document (as defined in the Facility Agreement);

- the entry into the Amendment Letter by the Borrower was likely to promote the success of the Borrower for the benefit of its members as a whole having regard to the significant commercial benefits to the Borrower that were expected to result from the Amendment Letter; and
- the execution, delivery and performance by the Borrower of its obligations under the Amendment Letter be and are hereby approved.

B/18/036 CITB (presentation)

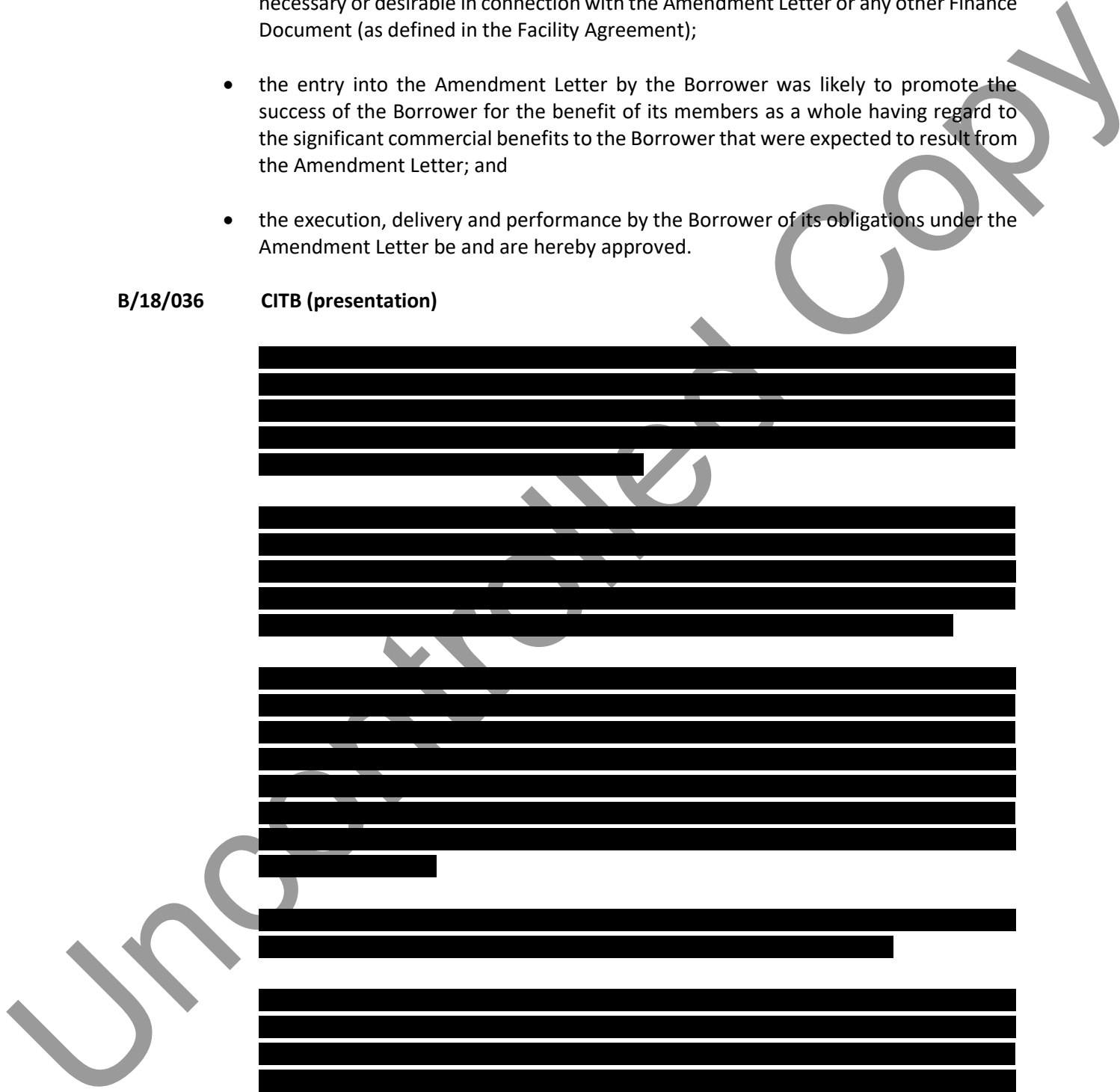
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**B/18/037 International Opportunity in UAE**

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**B/18/038 Impact of Brexit**

The Principal presented members with information which had been released to the sector outlining possible implications from the Brexit process on Colleges.

He highlighted the loss of ESF funding as a future direct impact on the College.

He also informed members that Brexit may impact on the FF&E purchasing for the new Falkirk campus and that the team were working to mitigate this risk.

The DPCOO highlighted that some students, particularly those studying ESOL courses had been requesting further information.

Members queried how many students from the EU were at the College. The VPISC reported that there were 417 EU students currently at the College.

The Principal confirmed that the current cohort would not be impacted in terms of funding for their current courses.

- a) Members noted the content of the paper
- b) Following discussion, members agreed that the Chair and Principal should write to existing EU students at College to provide them with some assurances as to their courses.

## GOVERNANCE

### **B/18/039 Board Member Appointment & Extensions**

The VPFACA presented two papers to members. The first paper sought approval to recommend Steven Torrie, currently a co-opted member, to Scottish Ministers for appointment to the Board of Management. The second paper sought approval to submit re-appointment requests to Scottish Ministers for 4 existing members of the Board.

She noted that both papers had been considered and approved by the Board's Nomination Committee.

Members queried where the College was in appointing a teaching staff member to replace the member who retired recently. The VPFACA confirmed that this would happen soon.

- a) Members approved the appointment of Steven Torrie and the re-appointment of the 4 existing members

### **B/18/040 Board of Management Engagement Calendar 2018/19**

The VPFACA informed members that there had been requests made for a calendar of events to be compiled to show upcoming events which may be of interest to members.

The first draft of the calendar was attached to the paper for information and the VPFACA confirmed that this would be updated and presented at each meeting.

The VPFACA noted that, should members be interested in an event, they should contact herself or the CGAPO.

The Chair thanked the VPCACA for developing this work and encouraged all members to actively engage as the programme of activities develops.

- a) Members noted the content of the paper
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**B/18/041 Falkirk Campus Update (Presentation)**

The Chair of the Falkirk Campus Project Board provided members with an update on the new campus along with a presentation showing the current progress of the build.

He noted areas where there were potential slight delays and noted the critical paths for recovery of these to within accepted timelines.

He highlighted the planning that was currently underway in planning for the move, noting that there were items such as the training rig which require specialist support to move. He also noted that these moves provided opportunities to review and update equipment to future proof the training facilities.

Members noted the content of the report and presentation and asked if the activities were being rephrased to make up for timing issues. The Principal confirmed this was occurring.

The DPCOO informed members that the College was currently in the process of tendering for a moves contractor and that work on FF&E was progressing.

Members noted that, once the existing site is sold, there will be aspects of demolition works as the old buildings are removed and asked if this had been taken into consideration.

The Principal noted that this would be at the discretion of the new land owner once the sale was completed.

The Chair noted that the focus of the next meeting should be what needs to be done in preparation for moving to the new campus.

The Principal noted that the site would soon be opening up for tours and that these would also be offered to the Board when available.

- a) Members noted the content of the update

**B/18/042 Review of Risk**

Members noted that CITB should be on the risk register and the Principal confirmed that it was

**B/18/043 Any other competent business**

None

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**S1.18, Stirling Campus (commencing at 4.30pm)**

Present: Mrs Anne Mearns (Chair)  
Mrs Fiona Campbell  
Mrs Lorna Dougall  
Mr Steven Tolson  
Mr Liam Williams (Forth Valley Student Association President)

Apologies: None

In Attendance: Dr Ken Thomson, Principal  
Mr David Allison, Vice Principal Information Systems and Communications (VPISC)  
Mrs Fiona Brown, Vice Principal Learning and Quality (VPLQ)  
Ms Sue Cook, West Lothian College (Observer)  
Mr Stephen Jarvie, Corporate Governance and Planning Officer

The Chair welcomed Sue Cook, West Lothian College Board of Management Vice Chair and Chair of their Learning and Teaching Committee to the meeting as an observer.

The Chair provided members with feedback from a recent College Development Network (CDN) event for chairs of Learning and Teaching Committees throughout Scotland and noted that CDN were intending to put on a number of events to enable the sharing of good practice.

She informed members that this was the second meeting of the Committee in its new format and that the agendas were still being teased out.

Given that Professional Standards underpinned teaching and that teaching underpinned the learning experience or student experience, the Chair asked that further discussion and/or clarification should be sought between the potential overlap between LSE and the HR Committees of the Board. The Principal noted that aspects, such as standards and CPD might go to the HR Committee but that, as this directly impacts on the student experience, there was a place to cover Professional Standards at this Committee. It was agreed that the Chair and Principal would meet to discuss this further.

The Chair suggested that it would be useful to provide a paper at the next Board of Management with a sector overview stating which committee would consider each element

L/18/012

**Declarations of Interest**

None.

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**L/18/013      Minute of Meeting of 1 November 2018**

The minutes of the meeting of 1 November 2018 were approved as an accurate record.

**L/18/014      Matters Arising**

a) Committee Vice Chair

The Chair asked members whether they would want to appoint a vice-chair for the Committee.

Following discussion it was agreed that, should a vice-chair be required to stand in for the Chair at a meeting, the role would be filled by one of the Committee members in attendance.

b) Pilot Room Tours

The Chair noted that members had expressed an interest in seeing the pilot classrooms currently in use in the Falkirk campus. It was agreed that the next Committee meeting would be moved to the Falkirk campus, with a tour of the rooms to be organised for 4pm and the meeting to commence at 4.30pm

c) Mental Health Support

The Chair reported that members had asked for a report on mental health support in the College. The College is intending to bring the report to the next meeting of the Committee as there is currently a mental health internal audit being conducted which would inform the report.

The FVSA President also reported that there was a new mental health agreement that would be launched in March.

It was agreed that, owing to his work on mental health, the FVSA Vice President would be invited to attend the next meeting of the Committee.

**L/18/015      Student Association Report (Verbal)**

The FVSA President presented a video update on the work of the FVSA. He also highlighted the increased levels of engagement between students and the FVSA though a significant increase in the number of events which have been run.

He announced very positive engagement and interest in the FVSA Executive roles by election, the results of which are due to be issued the following day. He noted that this was the first time that there was a candidate for the BME officer role.

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He informed members that the number of student led clubs has tripled this year, with a wide variety of interests represented, from knitting to robotics.

He highlighted recent collaborative work with the College Student Finance team to provide further support to students who need essential materials for their studies at the College.

He informed members that there would also be a careers fair for students toward the end of April. Members requested that this be added to the Board Engagement calendar.

Members welcomed the video presentation and recommended that this be used to provide students with a greater understanding of the work of FVSA.

a) Members noted the content of the update

**L/18/016**

**2017-2018 Sector Performance Indicators**

The VPISC presented members with a report on College sector performance indicators for 2017-18.

He highlighted that the College performs very well in a number of categories but noted that the College performance in relation to full time HE courses was slightly below the sector average.

Members queried whether there had been an investigation into the lower performing category and the VPLQ confirmed that this had happened and that steps to address this had been included in the Evaluative Report and Enhancement Plan (EREP).

She also highlighted that the figures did present a slightly misleading picture as they did not account for students who had left HE courses early for positive destinations such as employment.

She also noted that, for students with complex support issues, the College sometimes provides support which relates to the completion of a smaller number of units in one year with a follow up year to complete the remaining units. While this helps to ensure a positive outcome for the individual, this again impacts on the PI's. These issues have also been highlighted in the EREP.

The Chair noted that further information, comparing the results against previous years would be useful to identify longer term trends in curriculum areas.

The Principal also referred to a new system that has been rolled out which predicts, in year, which students may struggle to successfully complete their course. This system allows for earlier interventions for these students to provide the support they require.

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It was agreed that a demonstration of this system should be made at the next Committee meeting.

The Chair noted that it would be useful for the Committee to see case studies on both particular areas of concern as well as case study overviews of how the College has successfully addresses previous concerns.

The VPLQ agreed that case studies would be useful to provide further information to the Committee, highlighting the recent challenges with Scottish Government childcare extensions and how the College helps to meet the staffing needs of this along with other challenges such as sourcing an appropriate number of work placements for students.

a) Members noted the content of the report

L/18/017

**Professional Standards for Lecturers**

The Chair queried whether members had been aware that CDN had intended to conduct a webinar on this subject? She noted that it had been cancelled due to lack of sign up.

Members indicated that they had not been aware of this webinar.

The Chair confirmed that she would feedback to CDN that these events need their own separate announcements as opposed to being included in general update emails.

The VPLQ presented a paper outlining the new professional standards for lecturers which had been developed by CDN on behalf of the Scottish Government.

She highlighted that the College had been active in the development of these standards.

She provided an overview of the new standards and confirmed that, from August 2019, TQFE provision would be based on the new standards.

She also confirmed that the College leadership team were considering the wider implications to develop a detailed plan and timeline and that the activities in this year's lecturer's creative learning conference would be mapped to the new standards. It was also noted that the standards would be used to develop future staff development activity including performance reviews.

Members welcomed the further developments, noting that the current information was quite dense and not appealing to read.

Members queried whether the College can require staff to undertake these standards.

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The VPLQ confirmed that the College already encourages all staff without teaching qualifications to complete the PDA in their first 2 years with the College. The Principal confirmed that new staff were keen to gain teaching qualifications, especially those coming to the College from industry.

The Chair recommended that this item should also be raised with the HR Committee of the Board of Management.

Members also queried whether the College operated any awards for teaching staff. The Principal confirmed that the College did not do so at this time. Members recommended looking at this as a positive issue and recommended that SMT consider this and also visit institutions such as Strathclyde University who operate these awards.

a) Members noted the content of the paper

**L/18/018 Operational Plan Monitoring 2018-19**

The VPISC presented the operational plan monitoring update to members. He highlighted that there were to targets which are currently classed as red on the system and provided an overview for the reasons behind each of the reds.

[Redacted]

a) Members noted the content of the report [Redacted]

**L/18/019 Student Activity**

The VPISC provided an update on student activity levels, noting an increase in applications of 13% compared to this time last year.

Members also noted a significant increase in the number of evening course enrolments. The Principal noted that this was in part due to a widening of the courses on offer.

Members welcomed the increase, noting that it helped to College to make a positive contribution to the local community.

a) Members noted the content of the report

**L/18/020 Future Agenda Items**

The VPISC confirmed that the Outcome Agreement would be brought to the May meeting of the Committee.



The Chair noted that this was a large document and that, in the past, a sub group had been established to review this in advance of the meeting.

The VPISC confirmed that the draft could be issued to members in early May to allow members time to consider the large amount of detail ahead of the meeting.

The VPLQ also informed members that an update on progress with the Evaluative Report and Enhancement Plan (EREP) can be brought to the May meeting for member's information.

Members queried whether the College had had feedback on the content of the EREP.

The VPLQ confirmed that the College had been contacted by our HMI to confirm that the ratings in the EREP had been accepted and that the EREP's for the sector would be made public in the near future.

She also noted that the HMI wanted to engage with Board Committees to discuss the next steps in the process.

The Chair noted that she would discuss this with the Chair of the Board of Management.

Members requested that a link be sent to them when the EREP's become public.

The Chair also highlighted that members can request items of interest to be added to the agenda and asked that the CGPO send out a reminder to members prior to the agenda being set.

**L/18/021      Review of Risk**

Risks were identified in their cover papers

**L/18/022      Any Other Competent Business**

The Principal informed members of recent correspondence from Scottish Government following their review of governance highlighting their intention to add 2 union representatives to the Board of Management.

Members noted that these individuals would make a welcome addition to the Board.

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**Project Office, Falkirk Campus (4.30pm)**

Present: Ken Richardson Forth Valley College Board Member (Chair)  
Ken Thomson Principal  
Alison Stewart Vice Principal Finance and Corporate Affairs (VPFCA)  
Claire Shiels Assistant Director of Estates (ADE)  
Colin Alexander Forth Valley College Board Member  
David Allison Vice Principal Information Systems and Communications (VPISC)  
David Logue Falkirk Campus Project Director (FCPD)  
Lyndsay Condie Head of Communications and Marketing (HCM)  
Steven Tolson Forth Valley College Board Member

Apologies: Alison Meldrum Scottish Funding Council  
Andrew Lawson Depute Principal and Chief Operating Officer  
James Henderson AECOM  
Martin Kirkwood Scottish Funding Council  
Paul Dodd Scottish Futures Trust  
Ross Martin Chair Board of Management

In attendance: Graeme Watson AECOM  
Trevor Stone AECOM  
Elaine Bell Executive Office Assistant (Minute)

**FC/18/023 Apologies for Absence**

The apologies were noted.

**FC/18/024 Declarations of Interest**

None.

**FC/18/025 Draft Minutes of Meeting of 29 November 2018**

The Minutes of the meeting of 27 November 2018 were approved.

**FC/18/026 Matters Arising**

None.

The Chair advised of an additional agenda item. ADE to present a report seeking the approval of the recommended appointment of the Moves Management Services for the new Falkirk Campus.

**FC/18/027 Project Managers Report**

Graeme Watson, Aecom, presented members with the Project Managers Report and summarised points to note.

He informed members work was currently running 5 weeks behind the Contract programme and this was causing a concern. A session with Stuart McPhail, Balfour Beatty (BBCL), had been held to discuss the delay and project completion programme. He advised that BBCL were confident that the main building completion date would be achieved as programme. Both the Sports Block and the main Teaching Block were on schedule for completion as planned, however completion of the workshop block (Zone 2) may run beyond schedule. BBCL are undertaking a full programme and risk review and have committed to providing the college with greater certainty on the completion programme date (for all areas) by the end of March. It was noted progress had been good since Christmas with BBCL increasing man hour resources and introducing weekend working.

Members expressed concern that BBCL may be unable to confirm a completion date by the end of March. FCPD replied key decisions were required and BB are keen to agree this, by the end of March. An ongoing concern with the complexity of the roof in the workshop block resulting in a delay to completion, was noted.

Members asked if this delay could impact on any decision on agreeing teaching dates. The Principal replied that this was presently under discussion with options being considered. The Chair commented once the final decision on entry date had been agreed at the end of March discussions on agreement of dates would take place.

Members asked if BBCL were to deliver partial completion on time, what costs would be attributable to BBCL. FCPD replied explaining penalty clauses may apply if the completion date was not achieved but also indicated that he was confident that the project would be substantially on programme for completion.

Members also expressed concern that a diligent eye was being observed on the quality of work. FCPD replied three full time Clerk of Works had been appointed who were noting and resolving any quality issues as they arise.

Members asked if BBCL understood the College's concern of slippage on the programme. FCPD replied that a clear message from the College had been given and BBCL were now openly sharing their programme and that issues on alignment of the cash flow due to revised methodologies were being addressed.

GW, Aecom, advised health and safety reviews were ongoing resulting in mainly relative minor observations which were task specific and being followed up with BBCL.

FCPD advised members he was confident public utilities (one of the critical path items) would be in place with BB liaising and resolving final connections with Scottish Power and Scottish Gas. The telephone system would be tracked separately.

FCPD provided an update on progress of the sale of the existing Falkirk Campus site. He advised on one outstanding issue in relation to a small piece of grass verge on Middlefield Road belonging to Falkirk Council. The proposed Developer was concerned that this may become a 'ransom' strip and the Developer had asked for a letter of comfort to be obtained from Falkirk Council. The Principal explained he had made contact with Falkirk Council regarding this issue and was awaiting their response. Steven Tolson (Member) commented on the Road Traffic (Scotland) Act 1984 and explained that with an "adopted road" then the road itself, the pavement and any space in between them, were all considered to be part of the "carriageway", ie the 'strip' of land could not be used as a "ransom strip".

FC/18/028

**Any Other Competent Business**

Appointment of Moves Management Services

ADE presented a report recommending the appointment of Space Solutions as the preferred Moves Consultant for the New Falkirk Campus. She explained the Open Tender Procedure, the process in place, summarised the tender evaluations and the outcome of scorings appointed. The Chair commented on the good rationale and fair process applied for this appointment. ADE commented arrangements and costings for the relocation of the Westfield Rig and Distillation Plant equipment would be carried out separately.

- a) Members approved the appointment of Space Solutions as the preferred Moves Consultant for the new Falkirk Campus.

Westfield Rig

The Chair updated members on his visit to the site and the practical side of moving this equipment to the new Campus. He confirmed a member of staff, William Munnoch (WM), had been appointed to assist with this relocation and WM was able to identify what equipment was obsolete and what would be required. WM was also working up rig development options to take advantage of items of equipment which INEOS was prepared to donate. Some rig development work would be possible at the time of the move, whilst ongoing rig development could be carried out by FVC apprentices as installation assessments, ie part of their coursework. The Chair advised we were in a much better position now to carry out this work. An appropriate team was in place for moving this difficult equipment and he was confident that this could be achieved and properly managed. The Chair advised a clearer picture on progress should be available for the next meeting. ADE advised she was waiting for BBCL to provide final costs for this work.

Transition Group

HCM to provide an update at the next meeting on the communications and transition process.

1. Purpose

To present to the Board of Management the twentieth Principal's report on key and strategic activity undertaken since the Board meeting in February 2019.

2. Recommendation

The Board should note and comment on the activity undertaken by the Principal since February 2019.

3. Key Highlights

3.1 We were delighted to host a very successful visit to the college by the First Minister, Nicola Sturgeon, to kick start Modern Apprentice week. This year saw our best new intake for female engineer apprentices. As part of MA week, the Business Development team had arranged for all our female apprentices and a number of alumni to meet over lunch at the Gallery to develop a plan to highlight engineering as a career for women. Scottish Government were invited to attend and we were delighted to host the FM. She met a number of apprentices in different settings and was with the college for well over two hours. Our Marketing and Communication team did an excellent job liaising with Scottish Government and we had excellent feedback after the event. During her visit the FM was able to announce the formation of an Apprentice Champion Network for every school in Scotland.

3.2 As was reported in the 19<sup>th</sup> Report to the Board, the new Leadership Management Team (LMT) continue to work on plans to implement the savings and efficiencies noted to the Board in December and reported in our 5 year FFR to SFC. We have calculated the need to save £750k in 2019/20 and are working on a number of key structural and operational areas to reduce costs and increase income. Further details will be provided to the Board and relevant Committees in the coming months.

3.3 I was delighted to close the very successful Support Staff Development Day in February which had a theme for Health and Wellbeing. This was a whole college approach to health and wellbeing with classes in areas such as Zumba, mindfulness, walking, cycling and presentations on self-awareness. The day event was organised by our HR Department and was very well received.

3.4

[REDACTED]

3.5 Following meetings between Alison Stewart, Vice Principal, Finance and Corporate Affairs, and I with Eileen Schofield, University Secretary and Dr Lee Zhuang, Executive Director for Internationalisation and Partnerships at the University of Stirling we held a very successful joint whole day workshop with the University senior teams and the Colleges Leadership Team and college managers. Over 35 senior managers attended the workshop to agree and take

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forward a vision for a joint venture to maximise opportunities for degree level students particularly in international work. Both Gerry McCormac, Principal and Vice Chancellor and I introduced the day's event with overviews of both establishments.

- 3.6 The College continues to be a lead player in economic development right across Forth valley. I am a Commissioner on both the Stirling City Commission and the Clackmannanshire Commission working on the £90 million Stirling and Clackmannanshire City Deal. Jen Tempany, Director of Business Development and I are on the Falkirk Economic Partnership working on the Falkirk Investment Zone and the Falkirk TIF. Earlier this year, ourselves and Fife College were asked to form a collaboration to support the HS2 bid by TALGO to manufacture high speed trains from a new manufacturing plant which will be built on the Longannet Power Station site in Kincardine. The collaboration is being supported by Scottish Government and SDS.
- 3.7 The EIS FELA lecturing staff had their final day of strike action on Thursday 21 March. Ralph Burns, Head of HR, and his team have worked closely with the Directors of Curriculum to ensure an orderly recording of staff attending college and have maintained the statistics for Colleges Scotland. Over the four strike days we have noted:

Date	No of lec/CMs	On Strike	In Work
Thu 21 March	304	114	130
Wed 06 March	302	113	155
Tue 05 Feb	301	133	114
Wed 16 Jan	301	129	122

We have met before and after each strike day as a Business Continuity Group (BCG), chaired by David Allison, VP for Information Systems and Communications to ensure our planning for communication and to assess how many courses will be running. On all four days, the College has remained open for all students and we have also notified all bursary students that their payments would be unaffected. I want to make special mention of Caroline Hogg and her team who have arranged First Aid training, health and well-being classes and physical education with the Army for our Engineering apprentices. This has been seen as a positive opportunity for the apprentices by some of the employers.

The EIS-FELA are currently balloting for action short of a strike and Andy Lawson will brief Board members on the current position with EIS-FELA.

- 3.8 On a positive note, I had an excellent half day with the Connect Forth team. This is our radio, TV, social media platform for students run by students and managed through the Creative Industries Department. The Connect Forth project was awarded a highly commended Beacon Award which is one of the most prestigious awards for the FE sector in the UK. One of the highlights over the last few months has been the student involvement in the award winning

short film #NoStigma. It can be viewed at [www.luddon.co.uk](http://www.luddon.co.uk), check out the news item headed “#NoStigma Video wins Highly Commended Award through Safety Groups UK”

#### **4 Networking**

- 4.1 I continue to be a member of the influential Curriculum and Assessment Board (CAB) meeting last week in the Dundee Science Centre. As a Committee member of the new IoD Central Scotland Branch, our inaugural event was held at Stirling Codebase with the theme of Digital Transformation in Industry. On Monday 25 I will be attending an IoD Influencers Dinner with Ivan McKee MSP and Minister for Trade, Investment and Innovation.
- 4.2 Fiona Brown, Vice Principal for Learning and Quality, and I attended a regional meeting of the DYW Collaboration at Ayrshire College to share best practise with SFC and Scottish Government. Interesting to note how well engaged the Forth Valley DYW Group is with all schools across three local authorities with a wide network of industry partners in comparison to other regional groups. Fiona Brown is a key person in the DYW Management Group.

#### **5. Presentations**

- 5.1 Every year Jisc hold a Stakeholder Forum for all their members which includes every College and University in the UK. This year's meeting was again held at the Digifest event in Birmingham with live streaming to Belfast, Cardiff and Edinburgh. In my role as a Jisc Trustee I co-chair the event with Professor Paul Layzell, Principal and Vice Chancellor of Royal Holloway, University of London.
- 5.2 I was pleased to be asked to speak with the Falkirk Probus Club at the Falkirk Stadium on Forth Valley College and in particular the new estate. Later that week I hosted the Chefs of the Future event at the Gallery Restaurant, Stirling Campus. This was an excellent evening celebrating the hospitality industry and extremely well organised by Craig Anderson, Irene Kane, Caroline Hogg and the team from Business development. There were over 60 attendees at the event.

#### **6. Key Meetings**

I undertook the following key meetings in the period 31 January to 22 March 2019:

- 6.1 Over the period of this report, I have had two scheduled meetings with Ross Martin, Chair of the Board of Management and two meetings with the Student Association.
- 6.2 Following the very successful visit by the First Minister, Nicola Sturgeon I met with Oonagh Gil, the new Deputy Director for Skills at the Scottish Government to help brief sector issues. I have also met with Stuart Fancey, Director of Research and Innovation at the Scottish Funding Council and Alison Meldrum, our Outcome Agreement Manager to discuss internationalisation and innovation projects. I also met with Colette Filippi, Head of Standards and Frameworks at SDS and Jonathan Clarke, Director of Strategic Affairs to discuss a range of activities linked to SDS funding.
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- 6.3 From the University of Stirling, Diane Creed, Director of Hospitality, Creative Industries and Tourism and I met with Liam Spillane, the Commercial Director to see whether there were areas the University and the college could work more closely in event management, hospitality and commercial delivery. From Falkirk Council, Fiona Brown and I met with Robert Naylor, Director of Children Services and David McKay to explore greater opportunities for collaboration. I was also involved in a briefing discussion with Douglas Duff on the Falkirk Economic Partnership, the current TIF projects and an update on the Falkirk estate.
- 6.4 On the political front I met with Alison Harris MSP for an update on the estate development and sector issues including CITB and the national bargaining position.
- 6.5 From industry I had a very good first meeting with the new Managing Director for Ineos, Tobias Hannemann, with plans for a follow up discussion on collaboration opportunities following the Falkirk Economic Partnership meeting held on the 20<sup>th</sup> March. A further date is being arranged for post Easter. I also met with Elaine Doherty, Scottish Director for City Fibre, who is leading on the roll out of digital fibre across Scotland and most recently, the Stirling project.
- 6.6 Finally, I was delighted to catch up with Martin Doel in London. Martin was the CEO of the Association of Colleges before his retirement three years ago and is now Professor of Leadership in Further Education and Skills at Kings College, London. Martin has been invited to lead a discussion with the Board at their residential on core purpose and college values.
- 6.7 I have also attended one SQA Board meetings and chaired their Qualifications Committee. I attended one HES Board meetings and most recently attended their Board Strategy day. .

#### **7. Colleges Scotland (CS)**

- 7.1 I attended one meeting of Colleges Scotland Finance Group which is immediately followed by the SFC Finance and Funding Committee. I also attended the last meeting of the Innovation Working Group which oversaw the successful FutureEquipped projects involving 13 colleges including Forth Valley College, and agreement in principle for a further £500k allocated to Innovation projects with Colleges.
- 7.2 Andrew Lawson, Depute Principal and Chief Operating Officer and Ross Martin, Chair of the Board, continue to represent the College on the Employers Association.

#### **8. Community Planning Partnership**

- 8.1 There has been one meeting of the Leadership Group for Community Partnership Planning in Stirling and one of the Strategic Board meeting in Falkirk. I have also attended one meeting of the Stirling City Commission and two meetings of the Clackmannanshire Commission. Both Commissions have been designed to gain senior leader views on the City Deal funding and recommendations for projects.

#### **9. Financial Implications**

None

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10. 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

11. 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 – None

Risk Owner – Ken Thomson

Action Owner – Ken Thomson

12. 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

1. Purpose

To inform members of FVSA activity to date for 2018/19.

2. Recommendation

That members note the recent activity undertaken by the Student Association.

3. Background

FVSA has been working extremely hard with this section of the academic year being our busiest in the calendar, from class rep meetings to student mental health agreement launch we are currently full steam ahead and some of these activities are detailed in section 4 of the report.

4. FVSA Update

**Student Stationery Agreement**

The Student Association has been working closely with the student-funding department to set up a partnership agreement, which outlines that students in financial hardship may benefit from a stationery pack provided by the Student Association free of charge.

The packs contain essential stationery that students may require throughout their time at college. The system works by student funding identifying the students that may most benefit from receiving one (student's would normally be identified/referred for a pack if they are applying to the hardship fund) and then the student would be referred directly to us were they can collect the pack.

We are hoping to review the impact this agreement will have had on the selected students that use the provision and we look forward to analysing the feedback.

**Student Mental Health Agreement Launch (Please find the document attached)**

The Student Mental Health Agreement has been now launched, with the launches having taken place between the 15th -20th of March across the three campuses. Many exciting interactions took place from the signing of the agreement, different internal and external stalls and activity students and staff had many ways to engage.

Marketing and NUS attended the event also and lots of publicity around the agreement has taking place.

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### NUS Scotland Awards Nominations

In our last report we highlighted that out of a possible nine categories, the Student Association have submitted nominations for six categories:

- Campaigns (Mental Health Campaign)
- Club/Society of the year (Roborcraft)
- Student of the year (Chloe Sliman-Millitt, Andrew Smirthwaite)
- College SA of the year (FVSA)
- Staff member of the year (Student Activities & Volunteer Coordinator, Elena)
- Officer team of the year (FVSA Sabbaticals)

I am pleased to inform the Board that It has now been announced that we have been shortlisted in two categories each being Student of the year (Chloe Sliman-Millitt) and Officer Team of the year (FVSA Sabbaticals). We look forward to updating the board at the meeting as to the results.

### Student Association Elections

It is that time of year again in the SA calendar for the sabbatical elections, with the positions of Student President and Vice President being promoted to students throughout the month of March.

The nominations close on 29<sup>th</sup> March with the elections taking place the last 2 weeks of April, with results being announced on the 8<sup>th</sup> May.

### 5. Financial Implications

FVSA carries out all activities within our operational budget. As the Strategic Plan progresses there may be requirement to review the budget of FVSA, however FVSA will not implement any plans/activities that require additional funding before seeking the support of the College SMT and Board of Management.

### 6. Equalities

Assessment in Place? – Yes  No

Some of the planned activities will require to be impact assessed, however this will be done on an individual basis.

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**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 –n/a

Risk Owner –Liam Williams

Action Owner – Liam Williams

**8. Other Implications**

Please indicate whether there are implications for the areas below.

Communications – Yes  No

Health and Safety – Yes  No

Paper Author – Liam Williams

SMT Owner – Andrew Lawson

## Forth Valley College's Student Mental Health Agreement 2018/19

Forth Valley College have developed a student mental health agreement to provide its students with support surrounding their studies and personal life and to help and support educational attainment. After attending NUS Think Positive event in September 2018, FVC Wellbeing Support Officer and FVSA-VP formed a working group to encourage a cross-college approach.

Members of the group are:

- ❖ Wellbeing and Support Officer
- ❖ Forth Valley College – Student Vice-President
- ❖ Head of Equalities, Inclusion and Learning Services;
  - ❖ Leisure Facilities Co-ordinator
  - ❖ Time4Me Mentor Co-ordinator
    - ❖ Lecturer
    - ❖ Learner Adviser
- ❖ Senior Student Funding Officer
  - ❖ Learning Resource Assistant
- ❖ Learning and Development Officer

We chose the working areas through group discussion via face-to-face meetings and by using a central working group area in share point. To identify gaps in support, we conducted a staff mapping exercise followed by a student survey. The student survey was available in the Moodle student login area to capture a wide number of student responses. Mapping exercise responses were broken down into themes whilst student survey feedback provided both qualitative and quantitative data. Staff felt that this was a good opportunity to help students improve attainment and achievement.

Forth Valley College pledges:

- 1. To highlight support services available to students in a number of ways throughout the academic year. Giving students an awareness of support on campus and external sources locally and nationally.**

This working area was chosen after conducting a student survey. Survey findings indicated that more could be done to highlight the range of support available to students in college. Regular highlighting of support services would allow students to have autonomy in seeking support and use or uptake the service as and when required.

### **Actions to be taken:**

- By using Moodle and campus TV screens.
- Literature on mental health support displayed around campus.
- Advertise on Connect Forth, FVC Radio Station.
- College and student association social media.
- College staff online magazine e-focus – to enable staff to signpost students.
- Promote a more joined up service by creating a visual mind map/'spider web' of support services, showing links between them and clearly explaining who does what.
- Before each holiday period, wallet cards will be distributed to students with contact information on key external support services. This information will also be available on Moodle. Support will be highlighted to students around key periods in the academic year, which can be stressful such as exam time and the lead up to Christmas.

## **2. To hold mental health events and activities throughout the year to challenge stigma and discrimination.**

These events and activities will capitalise on the enthusiasm and abilities of students at the college to begin the process of creating an increased supportive culture on campus. This also gives the students the opportunity to give feedback on the Student Mental Health Agreement and what they feel could be improved.

### **Actions to be taken:**

- Decide on specific aims for the events/activities – increasing knowledge of available support, changing attitudes and behaviours to reduce stigma, research etc...
- Hold quarterly mental health awareness events
- Host visitor events such as author sessions, e.g. World Bike Girl to highlight mental health/suicide/care experienced/homelessness/self-management/resilience/therapy through reading and writing.
- Work with various teams across the college to develop an online monthly calendar for all college wide events to encourage collaboration and involvement.
- SMHA working group will lead on planning of events, members will share out responsibilities as required.
- Engage with external organisations and individuals, particularly those representing mental health and wellbeing; create strong links between the college and partners in order to provide a range of external MH supports to students.
- Work with the relevant departments across the college to obtain permissions necessary for hosting events.
- Gather attendee feedback from each of the events, ensure time is set aside to collate and analyse to inform planning of future events.

## **3. To enhance the capacity of students to identify and provide support and signposting where there are concerns around student mental health, by rolling out a number of training opportunities.**

A competently trained student cohort of class representatives and student association members will allow mental health issues to be identified before they reach crisis point. It will enable proactive supports to be put in place empowering both students and staff to seek out the correct support for themselves or others whilst reducing stigma around mental ill health.

### **Actions to be taken:**

- Review overall proportion of staff members who have completed the SMHFA and ASIST training.
- Deliver Mental Health Awareness training and Mental Health First Aid for key frontline staff and student class reps.
- Include both staff and students in training, as this will aid the development of a consistent whole institution approach to providing support to those experiencing mental ill health and or distress/crisis.
- Deliver mental health awareness workshops for and students.
- Improve staff confidence to signpost students effectively to support services especially those, which can help with mental health and wellbeing.
- Monitor and use data regarding student referrals to support services to ensure services are effective; students are receiving high quality support; and that interventions are positively contributing to student retention and achievement.

**4. To explore the possibility of a “quiet room” on campus for students to relax, follow guided meditation and gather their thoughts**

**Actions to be taken:**

- Consider how best to utilise current quiet rooms in each campus to accommodate those students and staff who wish to pray alongside those who require a quiet space.
- Consider developing a sensory/wellbeing garden in the new Falkirk campus.
- Research possibility of a sound system for meditation to provide benefits of listening to calming sounds.
- Provide students a link to the Head Space app on Moodle. Feedback from students who have used this on an ad-hoc basis has positive in reducing levels of anxiety and improving sleep.
- Consider the use of Brain in Hand software.
- Contact other institutions who already have such resources in place and learn from them.

**5. To allow students to navigate their support by developing our digital offer.**

A digital offering as well as face-to-face support will enable students to access support during evenings, weekends and college holidays. By providing a digital offering of services, we can empower students to reach out and to guide their own support and recovery.

**Actions to be taken:**

- Consider providing links to safe online mental health forums for example, Big White Wall – a safe moderated online forum with qualified BACP counsellors.
- Develop an online booking system for Wellbeing Support service.
- Consider development of daytime Web Chat with Wellbeing Support Officer, students are then able to chat between classes or from the comfort of their own home.

**6. To provide students a variety of different activities that will allow a whole person holistic approach to relaxation and positive wellbeing.**

Physical wellness activities are suggested to increase mental wellbeing by increasing endorphins through exercise. Being out in the fresh air walking provides head space to think. Students will benefit holistically from physical and mental wellbeing activity. Art therapy encourages relaxation and can often provide a more comfortable environment for students to open up and explore their feelings. Students becoming involved in clubs and societies can be extremely beneficial in reducing isolation and providing a sense of belonging.

**Actions to be taken:**

- Increase gym initiative: students attending counselling, wellbeing service are given free gym membership from the gym. Look at ways to extend the provision for the full academic year.
- Students attending Wellbeing service are offered ‘walk ‘n talk’ sessions in the gym or around the local area of each campus allowing chat in a less intimidating setting whilst improving physical wellbeing.
- Students attending the Wellbeing service offered art therapy using a range of craft materials e.g. adult colouring books, making pom-poms and getting involved with Learning Services team Zines project – writing and drawing magazines of their choice to be published in the Learning Resource Centre.
- Students attending Wellbeing service are to be offered a pamper session in the college Salon.

- FVSA will offer a range of clubs and societies accessible to all students ranging from 'knitters anonymous' which helps to reduce isolation and provide a place to relax one's mind to groups aimed at mature students. Engagement with clubs and societies can help with social isolation, encouraging friendships and a 'feel-good' factor.
- Encourage students to use the links FVC has with Stirling University where they have many more clubs, societies & sports clubs than FVC.
- Continue to provide counselling sessions to students who require them.

## **7. Focus on students who have additional responsibilities as part of their course such as having to go on placement.**

Students with additional responsibilities may be more reluctant to seek support at an early stage where they experience mental health difficulties. Due to time constraints of college work, assignments and work placements, seeking support may seem like an additional pressure. Consulting with this group of students would help us to explore the reasons for this, and what would be helpful and supportive to them may enhance wellbeing and overall student experience.

### **Actions to be taken:**

- With many students out of college on placement and unable to access support we will look at ways to increase their access to services in a variety of ways, i.e. by sending out student surveys; online polls; and holding student forums.
- Ensure information is displayed across campus and is accessible for all.
- Incorporate small group support that would take place to suit timetable and work placements hours.
- Use feedback to shape the services available.

## **8. Monitor the development of the agreement and look towards academic year 2019/20.**

It is important to have a cross college working group to help identify and overcome gaps in provision and to formulate new services.

### **Action to be taken:**

- The working group to meet once per quarter to evaluate the SMHA working areas.
- The working group to feed into a central online space, new ideas and relevant discussion.

Signed by.... Lindsay Graham  
Forth Valley Student Association  
Vice President (FVSA-VP)

Signed by .... Alice Smith  
Wellbeing and Support Officer (WSO)



### 1. Purpose

To provide members of the Board with an update on progress against the Equality Duty - PSED Interim Reports 2019

### 2. Recommendation

Members approve the contents of the reports

### 3. Background

The Public Sector Equality Duty (PSED), as set out in the Equality Act 2010, requires listed public authorities, in the exercise of their functions, to have due regard to the need to:

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

This is the *general duty*. FVC is also subject to *specific duties*, which cover a 4-year reporting cycle. The aim of the specific duties is to help authorities comply with the PSED. By **30 April 2019**, the mid-point of the current cycle 2017-2021, FVC is required to publish the following information:

- a Mainstreaming Report (Report A): covering progress made on mainstreaming the general duty into all functions; progress made on gathering and using employment information (protected characteristics of employees) to better perform the equality duty; information on gender profile of BOM profile and improving diversity of BOM information
- a report on progress made to achieve Equality Outcomes (Report B)
- publish gender pay gap information and Equal pay information including occupational segregation by gender, race & disability; commentary and actions taken/to be taken (Report C)
- publish all of above in accessible manner

### 4. Key Considerations

We are confident that at this mid-way point on reporting our progress to meet the PSED, that we are on the right track. It can be difficult to measure or 'see' progress around equality in short timescales though, so it is worth noting that much of this work requires a longitudinal approach. Overall, we feel that FVC promotes inclusion and respect and takes action to deal with discrimination and unfairness.

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Areas where further progress is required are as follows:

- Ensure the Strategic theme for FVC to have ‘fully integrated equality and diversity’ is clearly linked to curriculum area and service team operational planning and evidence gathered
- Work to streamline and link all existing plans and strategies relating to equality. Consider development of a matrix of data, linking quantitative and qualitative information to groups with protected characteristics, to measure action/impact
- Review reporting processes for equality information – cascade responsibilities across College, consider who understands and can demonstrate if progress has been made?
- In line with the People Strategy, work with the Learning Development Officer to create and implement a cross-college EDI CPD plan for staff
- Track care experienced learners fully, responding and intervening timeously and appropriately, focusing on retention and attainment; deliver fully on the College’s Corporate Parenting Plan by 2020
- effective rollout Triple S system
- ensure curriculum teams continue to analyse equality PIs at individual student level in order to ensure all groups of students are supported to succeed
- deliver and implement Mental Health and Wellbeing strategy for FVC
- We have improved the collection of staff data and information relating to protected characteristics so this must be maintained and more specific actions taken with regards to how this information is used

#### **5. Financial Implications**

There are no financial implications associated with this

#### **6. Equalities**

Assessment in Place? – Yes  No

The report has not been impact assessed as its intention is to meet the PSED and inherently includes assessment of the impact of our equality actions.

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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		x
Low	x	
Very Low		

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

Being issued with a compliance notice from the Equality and Human Rights Commission (EHRC) for failing to fully comply with Equality Act duties

Risk Owner – Andrew Lawson

Action Owner – Andrew Lawson

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 – The reports must be published on the College website by 30 April 2019 as specified by the PSED. There is a requirement to develop a summary, easy read version so we will update our current Equality infographic.

Paper Author – Mhairi Shillinglaw

SMT Owner – Andrew Lawson

### 1. Purpose

To inform members of the indicative funding allocations for Academic Year (AY) 2019-20 announced by SFC on 28 February 2019.

### 2. Recommendation

That members note the indicative allocations for AY 2019-20 and how this affects the College's finances.

### 3. Background

The SFC announced indicative funding allocations for AY 2019-20 on 28 February 2019. The figures are indicative only and will not be finalised until May 2019. SFC has indicated that should they conclude that an outcome agreement is unsatisfactory they will make the appropriate adjustments to final funding allocations. The SFC circular and sector funding allocations are attached to this paper for information.

### 4. FE Sector position

SFC decisions on funding are in line with the Minister for Further Education, Higher Education and Science's Outcome Agreement Guidance Letter of 14 November 2018.

The key points in this indicative funding announcement for the FE sector for AY 2019-20 are:

- Teaching funding has increased to meet the identified national bargaining harmonisation / job evaluation costs – an increase of c£10 million.
- Student activity (credit) targets are unchanged from AY 2018-19.
- Student support funding has increased by c£7 million to allow Colleges to further implement the recommendations of the Review of Student Support.
- Strategic funding has decreased by c£6 million.
- Capital funding has decreased by c£29 million, partly due to the phasing of the investment in FVC's new Falkirk campus.

The Scottish Government Budget document stated that in 2019-20 the Scottish Government "invests £600 million in colleges.....to develop our future talent and innovation" and will:

- Guarantee that higher education will remain free of tuition fees for all eligible Scottish or EU-domiciled undergraduate students studying in Scotland
  - Ensure every eligible care-experienced student receives a full £8,100 non-repayable bursary to finance their studies.
  - Ensure that the poorest HE students receive increased bursary support and increased access to bursaries through improvements to the HE bursary threshold."
-

In particular, the Scottish Budget for 2019-20 will:

- Provide “continued investment in further and higher education, with a focus on enabling equal access to learning and skills opportunities.
- Continue to take forward actions through our Science, Technology, Engineering and Mathematics (STEM) education and training strategy to improve the supply of STEM and strengthen partnerships between schools, colleges, universities, science centres and employees.
- Invest in additional capacity in relevant courses in Scotland’s colleges and universities and in apprenticeship programmes to expand the (Early Learning and Childcare) workforce.
- Support the internationalisation of our universities and colleges including access for Scottish students to take part in international exchanges and to attract talented students to study in Scotland.
- Continue to work with the public, private, and university and college sectors to drive forward our Innovation Action Plan – taking action to support innovation across businesses, sectors and places, using public sector spend to catalyse innovation, and make best use of the research, knowledge and talent of our universities and colleges to drive innovation and growth.
- Improve mental health services for young people and provide support in schools, colleges, and universities.
- Provide access to free sanitary products in schools, colleges and universities and extend access to those on a low income who require them.”

The Scottish Government also re-stated its commitment to “*maintain at least 116,000 full-time equivalent college places*” and to continue with the Flexible Workforce Development fund.

The Budget paper contains a note from the Minister on the potential impact on the budget of Brexit outcomes – “If Brexit can be avoided, those resources currently invested in contingency planning and mitigation can be reinvested into our public services and economy. However, if we face a no deal or cliff-edge Brexit I will have to return to Parliament to reassess our spending priorities”.

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5. Forth Valley College position

Funding Allocations	19/20 Indicative	18/19 Final	18/19 Indicative	Variance against 18/19 Final	%
GIA		20,793,053	20,793,053		
ESOL		71,807	71,807		
18/19 NB costs consolidated		1,044,302	1,169,430		
	21,909,163	21,909,162	22,034,290	1	0.0%
ESF	481,644	478,510	478,510	3,134	0.6%
Total Teaching Grant	22,390,807	22,387,672	22,512,800	3,135	0.0%
19/20 National Bargaining	534,916				
	22,925,723	22,387,672	22,512,800	538,051	2.4%
Student Support	3,807,681	3,807,681	3,807,681		
Review of student support		140,238			
In year redistribution	342,960	342,960			
	4,150,641	4,290,879	3,807,681	(140,238)	-3.3%
Capital & Maintenance	437,000	686,107	686,107	(249,107)	-36.3%
New Falkirk Campus	22,700,000	42,000,000	42,000,000		
<b>Credits</b>				<b>Variance against 17/18 final</b>	<b>%</b>
GIA (including Childcare)	84,201	84,201	84,201	0	
ESF	1,792	1,816	1,816	(24)	
	85,993	86,017	86,017	(24)	0.0%

**Grant in Aid Funding (GIA)**

Overall GIA funding increased by 2.4% but this increase relates entirely to the funding for National Bargaining which is not linked to delivery of credits but rather the projected costs of implementing the agreed pay structure for teaching staff. If you exclude the NB funding there is flat cash in credit related funding, and core credits remain unchanged at 84,201. There is a small decrease in ESF credits (24), with a 0.6% uplift in funding. As with 2018-19, Colleges are expected to give priority to delivery of activity for Early Learning and Childcare courses from their core credits. This remains at the same level as for 2018-19.

The funding of National Bargaining costs continues to take priority over the implementation of the simplified funding model, and the need to address inequalities in the level of core funding across the sector. During this year SFC has consulted with the sector on revising the demographic model, which provides an evidence base for setting college / region activity targets. Based on the feedback from the sector, SFC intends to revise the current model and have further discussions over the coming months. As the new model is not yet finalised, credit targets have been left unchanged for AY2019-20.

Beyond 2019-20 SFC intends to continue the work on a revised demographic model, and review the college funding model in order to address the effects of national bargaining. We will continue to argue for this to address inequalities across the sector in levels of core funding.

#### **National Bargaining (NB)**

The costs of the harmonisation related to national bargaining, down to individual institution level, have been taken from information collated and provided by Colleges Scotland (and validated by SFC). The teaching uplift that SFC is providing in AY2019-20 will be sufficient to meet the agreed costs of the national bargaining settlement. However, it should be noted that the College continues in negotiations with the Unions over future pay increases, providing a level of uncertainty as to future lecturing salary costs.

#### **European Social Funding (ESF)**

SFC will allocate total funding of c.£13 million to colleges for the delivery of additional ESF activity in AY 2019-20, which includes an assumed ESF contribution from the European Commission of c.£5 million. FVC's funding has an increase of £3k (0.6%) with an associated reduction of 24 credits, and will be delivered through the Developing Scotland's Workforce programme.

#### **Student Support**

Student support has decreased by 3.3% (£140k). However, the £140k included for 2018-19 review of Student Support will not be required as we received all of our request for additional funds in the in-year redistribution exercise, which has been consolidated in to our 2019-20 indicative allocation.

Colleges are required to further implement the recommendations of the Independent Review of Student Support, which for 2019-20 includes:

- Making bursary level funding available to 18-19 year old students, rather than the lower Education Maintenance Allowance. This is already current FVC practice.
- Increase the maximum annual FE bursary by 5.9% to £4,500pa (£104.65pw when divided by 43 weeks).
- Continue to provide Care Experienced students with a bursary of £8,100.

The 2019-20 allocation of £4,151k, after taking account of these changes, may not be sufficient based on our current split of the monies in to Bursary, Childcare and Discretionary funds. The split of the £4,151k is, however, calculated by FVC. Therefore should we decide to allocate more of the funding pot to FE bursary, this could mean that we are unable to provide the same level of discretionary support as we have in previous years. It is unclear from the SFC circular if there will be any in year redistribution available if it is not sufficient.

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### Capital & Maintenance

There are three distinct elements to the Capital & Maintenance grant allocation to support capital investment in the college sector:

- Ongoing lifecycle maintenance needs which are essentially the core estate needs, year-on-year, of the sector.
- Tackling the very high priority estates needs (backlog maintenance).
- Funding for capital projects.

SFC recognises that the sector's backlog and lifecycle maintenance needs far exceed the level of funding available. Therefore the overall aim for SFC's allocation methodology is to ensure a contribution is provided towards these two elements of capital need. Backlog maintenance funding is based on the costs identified in the 2017 estate condition report and lifecycle maintenance funding continues to be allocated based on core activity targets.

For financial year (FY) 2019-20 FVC's budget is £437k for lifecycle maintenance and nothing for high priority backlog maintenance. This is an overall reduction of 36.3% (£249k). While there can be little argument over no allocation for backlog maintenance given Alloa and Stirling are relatively new campuses and there is capital funding for the new Falkirk Campus, no consideration is given to the fact that FVC has to top slice £158k of the lifecycle maintenance for interest payments, which does not apply to the majority of Colleges.

If this level of funding is maintained going forward this is below the £1m lifecycle funding highlighted in the Decision point 4 Report as being required to support the new Falkirk Campus.

### 6. Flexible Workforce Development Fund

The Flexible Workforce Development Fund (FWDF) will continue in AY 2019-20 and, in line with AY 2018-19, SFC has set aside £6 million from its core budget and expect an additional £4 million will be transferred in-year to maintain a total budget of £10 million for AY 2019-20.

FVC received £500k of this funding in AY 2018-19, and has requested additional funds should they be available from any in-year redistribution. The indicative allocations circular did not specify the funding by college for the FWDF for AY 2019-20.

SFC continues to monitor this programme and liaise with colleagues in the Scottish Government to refine and improve the efficiency and effectiveness of the programme to meet the Government's objectives.

### 7. Financial Implications

The financial implications have been noted in section 5.

### 8. Equalities

Not applicable given the nature of this report.

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9. 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	X	X
Low		
Very Low		

Whilst SFC continue to allocate funds on a priority basis to areas such as national bargaining, the implementation of a much needed simplified funding model is delayed potentially for a number of years. This results in continued disadvantage to Forth Valley College in terms of its core funding with a lack of equity, consistency and transparency in how funding is allocated and could impact on performance measures and our commercial competitiveness.

The College should continue to argue for a fair and transparent funding model for the sector and the Principal, and the Vice Principal Finance and Corporate Affairs will continue to make our case with SFC whenever possible.

**Risk Owner** – Alison Stewart

**Action Owner** – Alison Stewart

10. Other Implications –

**Communications** –No

**Health and Safety** –No

**Paper Author** – Senga McKerr

**SMT Owner** – Alison Stewart

**Table 1: College sector - overall indicative budget for AY 2019-20**

<b>Revenue funding</b>	<b>AY 2019-20</b> <i>£000</i>
Core Teaching & Fee Waiver funding <sup>12</sup>	453,990
National Bargaining costs	10,122
<b>Total Teaching</b>	<b>464,112</b>
Core Student Support	111,041
Additional Student Support (Review)	11,739
<b>Total Student Support</b>	<b>122,780</b>
SFC contribution to ESF programme	8,000
Flexible Workforce Development Fund	10,000
Strategic funds	8,735
<b>Total Revenue funding</b> <b>(includes ring-fenced amounts shown below)</b>	<b>613,627</b>

<b>SG ring-fenced funds</b>	
Flexible Workforce Development Fund - to be confirmed	4,000
<b>Total SFC excluding ring-fenced funds</b>	<b>609,627</b>
<b>ESF programme</b>	<b>5,221</b>

<b>Capital funding</b>	<b>FY 2019-20</b> <i>£000</i>
Backlog and Lifecycle Maintenance	21,029
Support for business cases for the highest priority campuses	1,500
<b>Project funding</b>	
Forth Valley College: new Falkirk Campus	22,700
New College Lanarkshire: loan repayment (former Coatbridge Campus)	994
Fife College 'very high' priority backlog	1,377
<b>Total Capital funding</b>	<b>47,600</b>

<b>College NPD expenditure</b>	<b>29,300</b>
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<sup>1</sup> There was an increase to the Highlands & Islands teaching allocation of £184,269 following the Final Outcome Agreement Funding Allocations published in May 2018 ([SFC/AN/09/2018](#))

<sup>2</sup> The Core Teaching and Fee Waiver grant takes account of the adjustments to National Bargaining announced in [SFC/AN/03/2019](#)

**Table 2: Indicative teaching funding allocations for AY 2019-20**

College/Region	Final core teaching funding allocation AY 2018-19 (including national bargaining adjustments Feb 2019) <sup>4</sup>	Total national bargaining costs AY 2019-20	Indicative core teaching funding allocation for AY 2019-20	Funding percentage change (from final core teaching funding allocation for AY 2018-19)	ESF teaching funding 2018-19	ESF teaching funding 2019-20	Total teaching funding including ESF 2018-19	Total teaching funding including ESF 2019-20
	£	£	£	%	£	£	£	£
Ayrshire College	34,953,450	512,645	<b>35,466,096</b>	1.5%	223,293	<b>224,755</b>	35,209,969	<b>35,690,851</b>
Borders College	8,544,856	210,887	<b>8,755,743</b>	2.5%	134,524	<b>135,405</b>	8,729,765	<b>8,891,148</b>
Dumfries & Galloway College	9,820,471	209,215	<b>10,029,686</b>	2.1%	0	<b>0</b>	9,733,992	<b>10,029,686</b>
Dundee & Angus College	27,156,862	631,921	<b>27,788,783</b>	2.3%	1,154,055	<b>1,161,614</b>	28,194,299	<b>28,950,397</b>
Edinburgh College	44,701,211	966,910	<b>45,668,121</b>	2.2%	348,082	<b>350,362</b>	45,052,974	<b>46,018,483</b>
Fife College	34,423,212	874,440	<b>35,297,652</b>	2.5%	628,510	<b>632,627</b>	35,004,583	<b>35,930,279</b>
Forth Valley College	21,909,163	534,916	<b>22,444,078</b>	2.4%	478,510	<b>481,644</b>	22,512,801	<b>22,925,722</b>
Glasgow Region	88,412,499	2,258,798	<b>90,671,297</b>	2.6%	4,566,278	<b>4,596,187</b>	93,592,094	<b>95,267,483</b>
Highlands & Islands Region <sup>1,2,5</sup>	44,477,138	2,375,162	<b>46,852,301</b>	5.3%	0	<b>0</b>	43,931,793	<b>46,852,301</b>
Lanarkshire Region	45,035,131	579,808	<b>45,614,938</b>	1.3%	3,155,524	<b>3,176,193</b>	48,670,964	<b>48,791,131</b>
Newbattle Abbey College <sup>5</sup>	847,889	30,865	<b>878,754</b>	3.6%	0	<b>0</b>	856,559	<b>878,754</b>
North East Scotland College	32,009,077	249,195	<b>32,258,272</b>	0.8%	624,285	<b>628,374</b>	32,597,000	<b>32,886,646</b>
Sabhal Mòr Ostaig <sup>5</sup>	1,622,474	63,427	<b>1,685,901</b>	3.9%	0	<b>0</b>	1,785,461	<b>1,685,901</b>
SRUC <sup>3</sup>	9,041,679	0	<b>9,041,679</b>	0.0%	0	<b>0</b>	9,041,679	<b>9,041,679</b>
West College Scotland	39,948,690	359,652	<b>40,308,342</b>	0.9%	1,626,517	<b>1,637,171</b>	41,824,487	<b>41,945,513</b>
West Lothian College	11,086,593	264,276	<b>11,350,869</b>	2.4%	195,279	<b>196,558</b>	11,253,883	<b>11,547,428</b>
<b>Scotland</b>	<b>453,990,396</b>	<b>10,122,117</b>	<b>464,112,513</b>	<b>2.2%</b>	<b>13,134,857</b>	<b>13,220,890</b>	<b>467,992,301</b>	<b>477,333,402</b>

<sup>1</sup> - The Highlands & Islands Region revised funding allocation is related to a change in credit target agreed after May publication and resultant increase in teaching grant of £184,269.

<sup>2</sup> - Colleges in the Highlands & Islands transitional region will be allocated ESF through a separate HE grant to the University of the Highlands & Islands.

<sup>3</sup> - SRUC will be allocated ESF through HE funding.

<sup>4</sup> - This relates to columns 2, 6 and 7 from Table 1: Revised Teaching Funding Allocations for AY 2018-19, published in February 2019.

<sup>5</sup> - We are still in discussions with non-incorporated colleges.

**Table 2A: Indicative National Bargaining costs for AY 2019-20 (showing Support Staff & Middle Management Job Evaluation estimates)**

	AY 2018-19 Announcement Support staff & middle management job evaluation estimate	AY 2018-19 Adjustment Support staff & middle management job evaluation estimate	AY 2018-19 Revised Support staff & middle management job evaluation estimate	AY 2019-20 Support staff & middle management job evaluation estimate	AY 2018-19 Announcement Other national bargaining harmonisation costs	AY 2018-19 Adjustment Other national bargaining harmonisation costs	AY 2018-19 Revised Other national bargaining harmonisation costs	AY 2019-20 Other national bargaining harmonisation costs
	£	£	£	£	£	£	£	£
Ayrshire College	766,562	20,020	<b>786,582</b>	<b>71,507</b>	1,211,440	-53,246	<b>1,158,194</b>	<b>441,138</b>
Borders College	209,469	4,375	<b>213,843</b>	<b>19,440</b>	445,827	-54,759	<b>391,068</b>	<b>191,447</b>
Dumfries & Galloway College	207,687	11,941	<b>219,628</b>	<b>19,966</b>	452,788	74,538	<b>527,326</b>	<b>189,249</b>
Dundee & Angus College	628,160	-8,202	<b>619,959</b>	<b>56,360</b>	1,379,202	124,820	<b>1,504,023</b>	<b>575,561</b>
Edinburgh College	1,089,032	-56,293	<b>1,032,739</b>	<b>93,885</b>	1,497,131	52,613	<b>1,549,744</b>	<b>873,024</b>
Fife College	848,143	38,766	<b>886,909</b>	<b>80,628</b>	1,763,886	8,373	<b>1,772,258</b>	<b>793,812</b>
Forth Valley College	503,979	16,174	<b>520,152</b>	<b>47,287</b>	665,452	-141,302	<b>524,150</b>	<b>487,629</b>
Glasgow Region	1,793,322	28,330	<b>1,821,653</b>	<b>165,605</b>	4,646,490	-641,647	<b>4,004,843</b>	<b>2,093,193</b>
Highlands & Islands Region	1,838,769	280,160	<b>2,118,929</b>	<b>202,953</b>	5,239,227	265,185	<b>5,504,412</b>	<b>2,172,210</b>
Lanarkshire Region	918,302	-65,482	<b>852,820</b>	<b>77,529</b>	2,547,626	-414,827	<b>2,132,799</b>	<b>502,279</b>
Newbattle Abbey College	100,062	2,661	<b>102,723</b>	<b>9,338</b>	61,194	-11,331	<b>49,863</b>	<b>21,527</b>
North East Scotland College	543,384	47,934	<b>591,318</b>	<b>53,756</b>	1,110,408	-11,572	<b>1,098,836</b>	<b>195,439</b>
Sabhal Mòr Ostaig	406,843	-14,788	<b>392,055</b>	<b>43,178</b>	720,489	-148,198	<b>572,291</b>	<b>20,249</b>
SRUC	0	0	<b>0</b>	<b>0</b>	0	0	<b>0</b>	<b>0</b>
West College Scotland	813,445	43,445	<b>856,890</b>	<b>77,899</b>	802,330	-292,724	<b>509,606</b>	<b>281,753</b>
West Lothian College	276,258	4,276	<b>280,534</b>	<b>25,503</b>	671,293	23,713	<b>695,006</b>	<b>238,773</b>
Scotland	10,943,416	353,317	<b>11,296,733</b>	<b>1,044,835</b>	23,214,783	-1,220,366	<b>21,994,417</b>	<b>9,077,282</b>

**Table 3: Indicative student activity (credit) targets for AY 2019-20**

College/Region	Final core activity target 2018-19	Final ESF activity target 2018-19	Final total activity target 2018-19	Indicative core activity target 2019-20	Indicative ESF activity target 2019-20	Total activity target 2019-20
	<i>Credits</i>	<i>Credits</i>	<i>Credits</i>	<i>Credits</i>	<i>Credits</i>	<i>Credits</i>
Ayrshire College	124,086	871	124,958	124,086	860	<b>124,946</b>
Borders College	25,176	478	25,654	25,176	472	<b>25,648</b>
Dumfries & Galloway College	30,176	0	30,176	30,176	0	<b>30,176</b>
Dundee & Angus College	103,314	4,494	107,807	103,314	4,433	<b>107,747</b>
Edinburgh College	186,612	1,357	187,968	186,612	1,338	<b>187,950</b>
Fife College	130,234	2,451	132,685	130,234	2,418	<b>132,652</b>
Forth Valley College	84,201	1,816	86,018	84,201	1,792	<b>85,993</b>
Glasgow Region	368,592	17,554	386,145	368,592	17,317	<b>385,909</b>
Highlands & Islands Region <sup>1,2</sup>	110,382	0	110,382	110,382	0	<b>110,382</b>
Lanarkshire Region	172,545	12,169	184,715	172,545	12,005	<b>184,551</b>
Newbattle Abbey College	921	0	921	921	0	<b>921</b>
North East Scotland College	133,070	2,460	135,529	133,070	2,427	<b>135,496</b>
Sabhal Mòr Ostaig	799	0	799	799	0	<b>799</b>
SRUC <sup>3</sup>	22,747	0	22,747	22,747	0	<b>22,747</b>
West College Scotland	157,855	6,368	164,223	157,855	6,282	<b>164,137</b>
West Lothian College	43,646	786	44,431	43,646	775	<b>44,421</b>
<b>Scotland</b>	<b>1,694,354</b>	<b>50,804</b>	<b>1,745,158</b>	<b>1,694,354</b>	<b>50,119</b>	<b>1,744,473</b>

<sup>1</sup> - Colleges in the Highlands & Islands transitional region will be allocated ESF activity through a separate HE grant to the University of the Highlands & Islands (UHI).

<sup>2</sup> - The Highlands and Islands Region received a revised credit target which was agreed after the May publication. This resulted in an increase of 552 credits.

<sup>3</sup> - SRUC will be allocated ESF activity through HE funding.

**Table 3A: Indicative childcare activity (credit) targets for AY 2019-20**

College/Region	Total Childcare credits (to be sourced from core credit targets) 2018-19	Credits for PDAs 2019-20	Credits for HNCs 2019-20	Total Childcare credits (to be sourced from core credit targets) 2019-20
	<i>Credits</i>	<i>Credits</i>	<i>Credits</i>	<i>Credits</i>
Ayrshire College	5,489	0	5,489	<b>5,489</b>
Borders College	1,200	0	1,200	<b>1,200</b>
Dumfries & Galloway College	1,278	0	1,278	<b>1,278</b>
Dundee & Angus College	3,082	0	3,082	<b>3,082</b>
Edinburgh College	6,639	750	5,889	<b>6,639</b>
Fife College	4,690	0	4,690	<b>4,690</b>
Forth Valley College	2,683	0	2,683	<b>2,683</b>
Glasgow Region	6,932	1,000	5,932	<b>6,932</b>
Highlands & Islands Region <sup>1</sup>	0	0	0	<b>0</b>
Lanarkshire Region	8,077	158	7,919	<b>8,077</b>
Newbattle Abbey College <sup>2</sup>	0	0	0	<b>0</b>
North East Scotland College	3,140	250	2,890	<b>3,140</b>
Sabhal Mòr Ostaig <sup>2</sup>	0	0	0	<b>0</b>
SRUC <sup>2</sup>	0	0	0	<b>0</b>
West College Scotland	4,814	0	4,814	<b>4,814</b>
West Lothian College	2,640	0	2,640	<b>2,640</b>
<b>Scotland</b>	<b>50,665</b>	<b>2,158</b>	<b>48,507</b>	<b>50,665</b>

<sup>1</sup> - Colleges in the Highlands & Islands Region are allocated Childcare activity/funding through HE funding.

<sup>2</sup> - Newbattle Abbey College, Sabhal Mòr Ostaig and SRUC do not receive Childcare activity/funding.

**Table 4: Indicative Student Support funding allocations for AY 2019-20**

College / Region	Final student support funding 2018-19 prior to in-year redistribution <sup>1</sup>	Share of additional funding for implementation of review of student support <sup>2</sup>	Student support funding including additional funding for implementation of review of student support 2018-19 <sup>2</sup>	Total student support funding 2019-20 prior to in-year redistribution <sup>1</sup>	Funding percentage change from 2018-19 inclusive of additional funding
	£	£	£	£	%
Ayrshire College	9,593,931	182,595	9,776,526	<b>10,040,480</b>	2.7%
Borders College	1,701,506	134,938	1,836,444	<b>2,031,506</b>	10.6%
Dumfries & Galloway College	1,787,151	184,007	1,971,158	<b>2,237,151</b>	13.5%
Dundee & Angus College	7,648,414	535,418	8,183,832	<b>8,957,814</b>	9.5%
Edinburgh College	9,335,591	509,477	9,845,069	<b>10,581,551</b>	7.5%
Fife College	7,707,048	325,037	8,032,085	<b>8,501,947</b>	5.8%
Forth Valley College	3,807,681	140,238	3,947,918	<b>4,150,641</b>	5.1%
Glasgow Region	22,159,503	1,391,905	23,551,408	<b>25,563,497</b>	8.5%
Highlands & Islands Region	8,513,623	299,422	8,813,045	<b>9,245,879</b>	4.9%
Lanarkshire Region	13,849,191	185,642	14,034,833	<b>14,303,191</b>	1.9%
Newbattle Abbey College	221,678	8,587	230,265	<b>242,678</b>	5.4%
North East Scotland College	7,834,675	475,960	8,310,636	<b>8,998,667</b>	8.3%
Sabhal Mòr Ostaig	0	0	0	<b>0</b>	0.0%
SRUC	2,219,928	80,022	2,299,950	<b>2,415,628</b>	5.0%
West College Scotland	11,485,637	171,739	11,657,376	<b>11,905,637</b>	2.1%
West Lothian College	3,175,893	175,011	3,350,904	<b>3,603,893</b>	7.5%
Scotland	111,041,450	4,800,000	115,841,450	<b>122,780,160</b>	6.0%

<sup>1</sup> - As in previous years, there will be a planned in-year redistribution in 2019-20.

<sup>2</sup> - Scottish Government provided £5.2 million for Student Support Review (£4.8m for SFC and £0.4m transferred to SAAS).

**Table 5: Indicative capital funding for FY 2019-20**

College/Region	FY 2019-20 indicative capital based on gross high priority backlog maintenance	FY 2019-20 indicative capital for lifecycle maintenance based on share of volume target	Total indicative capital funding based on high priority backlog & lifecycle maintenance (college estate survey) for FY 2019-20
	£	£	£
Ayrshire College	124,000	645,000	769,000
Borders College	138,000	131,000	269,000
Dumfries & Galloway College	27,000	157,000	184,000
Dundee & Angus College	1,109,000	537,000	1,646,000
Edinburgh College	1,455,000	969,000	2,424,000
Fife College	964,000	676,000	1,640,000
Forth Valley College	0	437,000	437,000
Glasgow Region	1,623,000	1,915,000	3,538,000
Highlands & Islands Region	958,000	573,000	1,531,000
Lanarkshire Region	1,165,000	896,000	2,061,000
Newbattle Abbey College <sup>1</sup>	762,000	0	762,000
North East Scotland College	1,617,000	691,000	2,308,000
Sabhal Mòr Ostaig <sup>1</sup>	216,000	0	216,000
SRUC	492,000	118,000	610,000
West College Scotland	1,710,000	820,000	2,530,000
West Lothian College <sup>2</sup>	35,000	69,000	104,000
<b>Scotland</b>	<b>12,395,000</b>	<b>8,634,000</b>	<b>21,029,000</b>

<sup>1</sup> - Newbattle Abbey College and Sabhal Mòr Ostaig do not receive capital funding for lifecycle maintenance.

<sup>2</sup> - West Lothian College's capital funding is adjusted to reflect a loan repayment.



## 1. Purpose

To inform the Board of Management of Forth Valley College's performance in relation to the sector on 2017-2018 student success Performance Indicators and Grades in 2017-2018 Evaluative Reports.

## 2. Recommendation

That the Board note and discuss the College position in relation to these published measures.

## 3. Background

The College reported on its student success Performance Indicators for 2017-2018 in its Evaluative Report and Enhancement Plan (EREP), which was approved by the Learning and Student Experience Committee on 1 November for submission to SFC and Education Scotland and was presented to the Board for information on 6 December. Since then, all college EREPs have been subject to moderation and endorsement by SFC and Education Scotland and have been published on the Education Scotland website at this link: [College EREPs 2017-2018](#). SFC have also published the College Performance Indicators 2017-2018, which enables the College to compare our student success performance with the rest of the sector.

## 4. Key Considerations

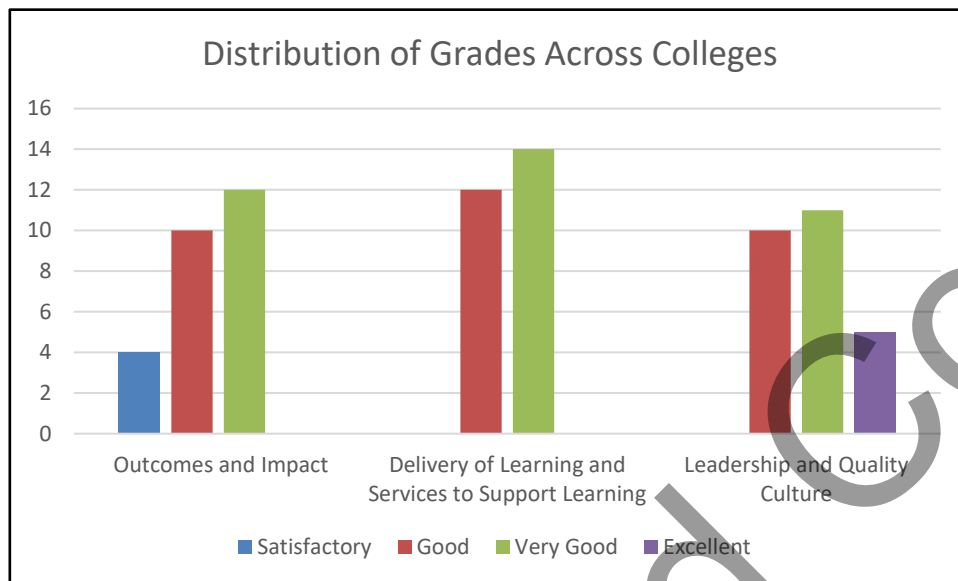
### EREP Comparison

Whilst there is quite significant variation in the way different colleges have presented their EREPs and the specific issues and level of detail that they focus on, they all adopted a common approach to Grades and these have now been formally endorsed by SFC and Education Scotland. Forth Valley College grades were:

Key Principle	Grade
Outcomes and Impact: How good are we at ensuring the best possible outcomes for all our learners?	Very Good
Delivery of learning and services to support learning: How good is the quality of our provision and the service we deliver?	Very Good
Leadership and quality culture: How good is our leadership and approach to improvement?	Excellent

A review of the grades in all 26 college EREPs shows that Forth Valley College has the best grades in the sector, along with four other colleges with identical grades (Dundee and Angus; City of Glasgow; South Lanarkshire and Inverness).

The graph overleaf illustrates the distribution of grades for each of the three Key Principles across the sector.



### Student Success

In terms of student success, the College performed well against the sector in 2017-2018. We are well above the sector average for success of Full Time FE students, Part Time FE students and Part Time HE students, and we are marginally below the sector average for Full Time HE students, although our PI has increased slightly from 2016-2017.

	Sector	FVC	Variance
<b>Full Time FE</b>	66.1%	71.4%	4.7%
<b>Full Time HE</b>	71.3%	70.9%	-0.4%
<b>Part Time FE</b>	78.2%	91.6%	13.4%
<b>Part Time HE</b>	80.4%	86.6%	6.2%

Appendix 1 provides more detail, with Figure 1 showing we have the second highest success PI in the sector for Full Time FE students; Figure 2 showing us slightly below sector average for Full Time HE students; Figure 3 showing that we have the second highest success PI for Part Time FE students, and Figure 4 showing we have the highest success PI for Part Time HE students.

In terms of performance against our Credits target we have met our target, and overall the sector has met its activity target, with only three colleges (Fife, New College Lanarkshire and North East) failing to meet their activity target.

Our overall success PI by all ages (across all modes and levels) is the highest in the sector. We also have the highest success PI for the 18-20 year old, 21-24 year old and 41 and over age-bands. We also have the highest success rates for males within FE and males within HE. We have the joint

highest success rate for females within FE, however our success rate for females within HE is just above the sector average (0.3% higher).

Within Key Groups our success rates are the highest in the sector for students from the 10% most deprived postcode areas, and from students from the 20% most deprived postcode areas, and all enrolments over 160 hours of learning. We have higher than sector average success rates for students who are care experienced and students with a disability.

Within subject areas at FE level we have the highest success rates in Engineering, Computing and ICT, Hairdressing, Beauty and Complementary Therapies and Media. We are above sector average for Construction, Care, Sport and Leisure, Special Programmes, Science, and Business, Management and Administration. We are below sector average for Hospitality and Tourism; Languages and ESOL; and Art and Design.

Within subject areas at HE level we have the highest success rates in Engineering, Art and Design and Media. We are above sector average for Computing and ICT, Hospitality and Tourism, Sport and Leisure, Social Subjects, Construction and Business, Management and Administration. We are below sector average for Care; Hairdressing, Beauty and Complementary Therapies; and Science.

In the subject areas where student success is lower, curriculum teams reported on the reasons for this in their Team Evaluation Reports for 2017-2018 and are taking planned actions to address these issues. These are very programme specific but, for exemplification, include:

- Changes to curriculum content/units and/or sequencing of units, where these are found to present a barrier to success;
- In Care, we are very aware that the increase in HNC Childhood Practice places required by SFC means that more students are entering the HNC directly, rather than through internal progression from our NC courses. These students are not as well-prepared for HN level study and this is leading to lower success rates. To address this, we have adjusted our overall curriculum to create additional NC places in Early Education and Childcare;
- Changes to the recruitment process to ensure that only applicants ready for study at the relevant level are offered a place and also to ensure that applicants are fully aware of the demands/requirements of the course before enrolment;

At College level we are also making improvements to our processes for tracking student progress in-year (see below) and taking steps to ensure that our student support processes are fully joined up and responsive to the often complex issues that can affect individual students and prevent them from remaining on track to succeed.

#### **In-Year PI Predictions**

Over the last two sessions, we have seen dips in firstly our Full Time HE success PI, and then our Full Time FE Success PI, and as such within our current EREP there is an action to strengthen the process for the formal reporting of student success predictions throughout the year, to enable earlier identification at senior level of any emerging issues that may require action at department or College level.

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To allow PIs to be monitored a tool was developed to enable Curriculum Managers/Operational Managers to provide a prediction for the likely achievement of every full time active student (by course). The tool was developed through dialogue with the Directors of Curriculum, and enables a prediction to be recorded at three times during the session, with the first time this academic year being in December, and the second being at the end of February. A reporting tool was built to provide real time information on predicted student success as we progress through the session.

The options available for Curriculum Managers/Operational Managers to predict success for a student are:

- 1 - Will successfully complete
- 2 - May successfully complete
- 3 - Unlikely to successfully complete

Within the reporting tool a range of potential success is shown. Low attainment only includes students who have a prediction of 1 – Will successfully complete. High attainment includes students who have a prediction of 1 – Will successfully complete and 2 – May successfully complete.

An example of the tool at Course level can be seen at Figure 5 within Appendix 1. The tool allows Curriculum Teams, Directors of Curriculum and Senior Management to drill from Department level down to individual students to track indicative achievement throughout the session. The purpose of developing this tool is to ensure that curriculum teams are focused on ensuring that as many students as possible achieve their qualification, and that support is being provided to students to help them achieve, where necessary.

In addition a new Student Support System (Triple S) has been developed, and is being piloted. This allows the capturing of all support being provided to a student in one place, and allows staff to access this information in an easy and timeous manner. The system will be demonstrated to the Learning and Student Experience Committee at a future meeting, following the initial pilot.

## 5. Financial Implications

Please detail the financial implications of this item – None

## 6. Equalities

Assessment in Place? – Yes  No

If No, please explain why – The published PIs report on Sector and individual college performance against a number of protected characteristics.

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

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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		x
Low	x	
Very Low		

**Please describe any risks associated with this paper and associated mitigating actions** – There is a risk that the College may not achieve the grades that it would want to achieve through its next Evaluative Report if full time success PIs are not showing continuous improvement. Overall the College has performed well in Session 2017-2018 in terms of success PIs. We have the highest success PI for part time HE students, and above sector success PIs for Full Time FE and Part Time FE students. However, our Full Time HE PI, although slightly improved, is just below the sector average, and is below our Outcome Agreement target. This paper sets out the systems approach which has been introduced to monitor PIs for our full time students in-year, and provided earlier alerts to management of any issues.

**Risk Owner** – David Allison/Fiona Brown

**Action Owner** – David Allison/Fiona Brown

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** – The College publishes its own PIs on its website.

**Paper Author** – David Allison/Fiona Brown

**SMT Owner** – David Allison/Fiona Brown

Figure 1: FT FE Success 2017-2018 Sector Comparators

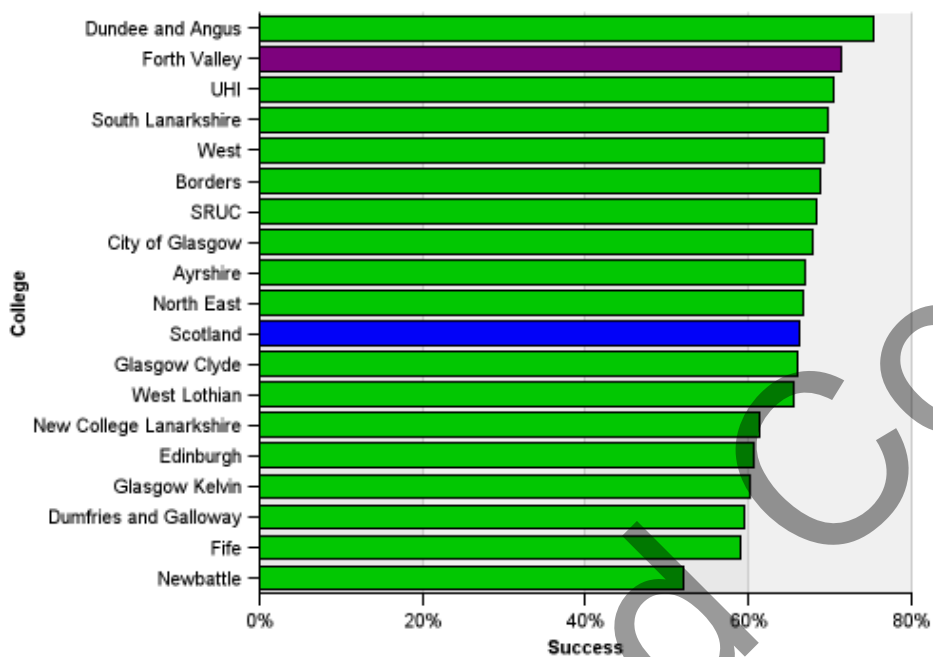


Figure 2: FT HE Success 2017-2018 Sector Comparators

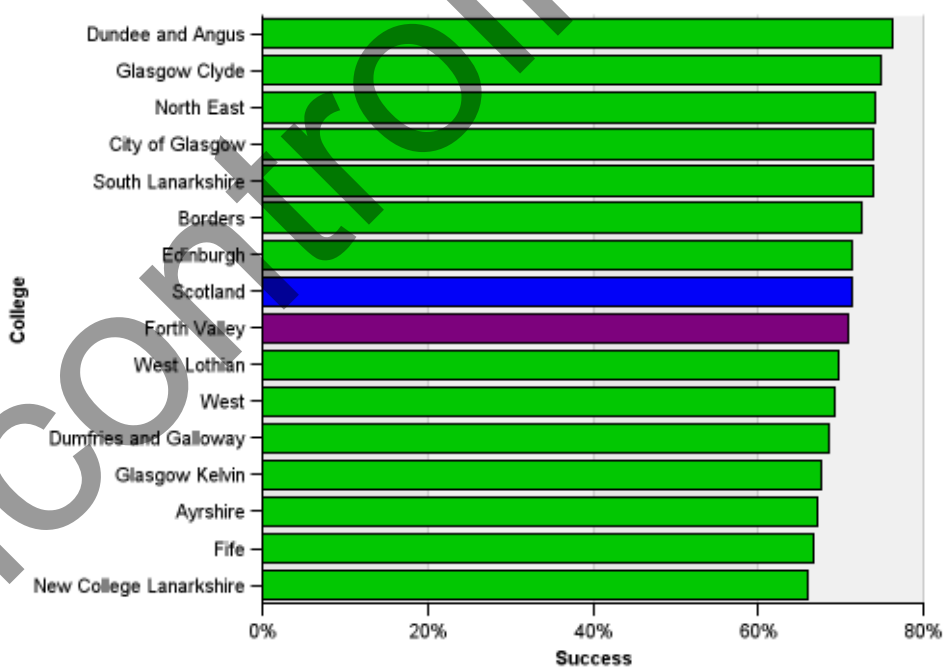


Figure 3: PT FE Success 2017-2018 Sector Comparators

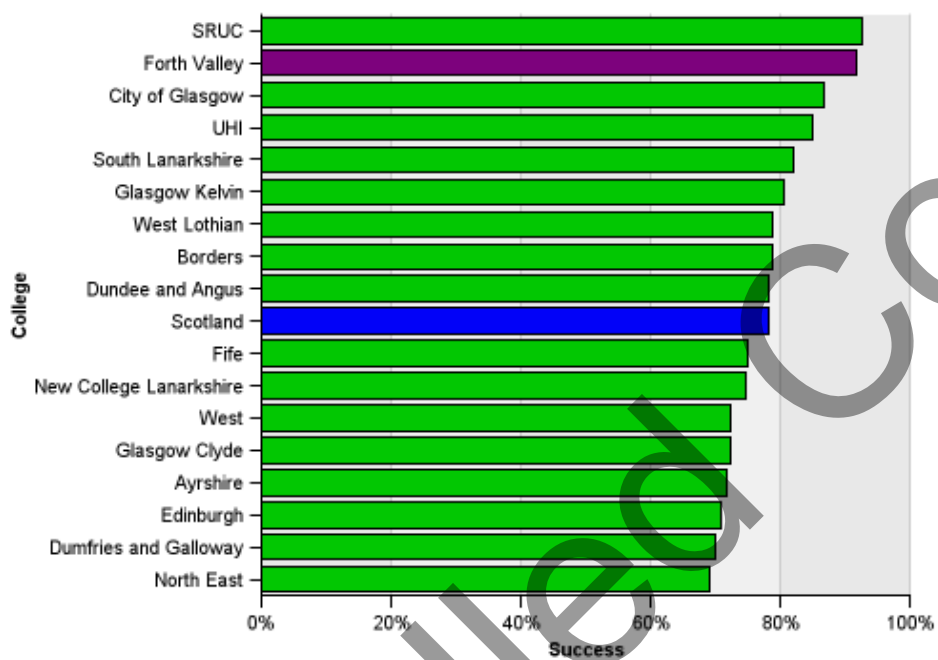
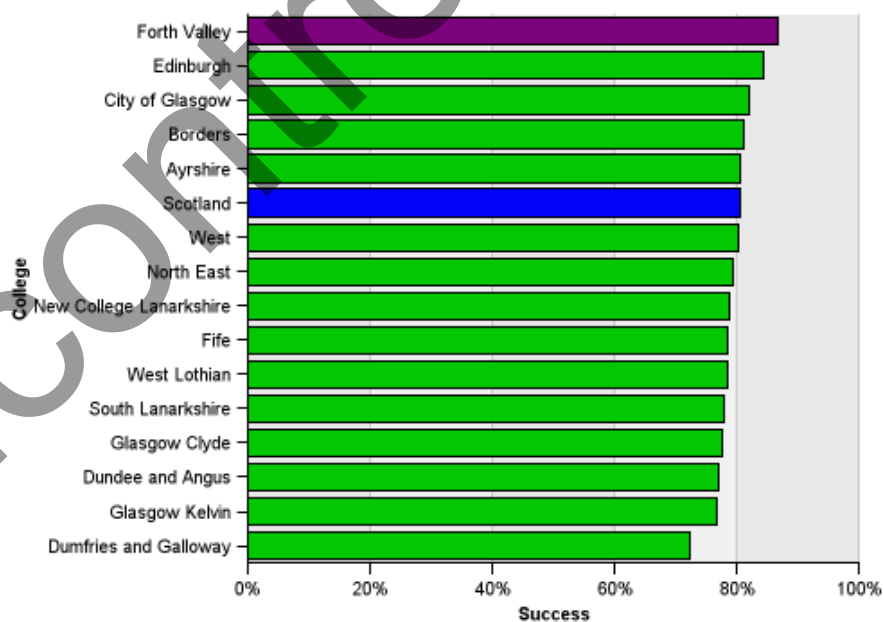


Figure 4: PT HE Success 2017-2018 Sector Comparators



## 1. Purpose

To inform the Board of Management of the current situation in relation to National Bargaining

## 2. Recommendation

That members note the current situation and the impact on Forth Valley College.

## 3. Background

The National Bargaining process began in 2015/16 with the majority of Scotland's Colleges signing a National Recognition Procedure Agreement (NRPA) which moved colleges from local negotiations to national negotiations. This process includes:

- Pay
- Working hours
- Annual leave
- Maternity & Paternity leave
- Family Friendly Policies
- Transfer to Permanent Status
- Grievance and Disciplinary Policies

To date agreements arising from the National Bargaining process includes the harmonisation of lecturer pay, class contact time and holiday entitlement; as well as agreement on TQFE relating to remission, timescales and support, plus transfer to permanency. Support staff negotiations have resulted in a positive outcome in relation to pay and terms and conditions, including holiday entitlement, shift and overtime allowances, transfer to permanency and agreement to proceed with a sector wide Job Evaluation process. EIS has, so far, refused to take part in any type of Job Evaluation Process.

### Support Staff

The cost of living rise for support staff has been agreed and implemented along with terms and conditions in relation to holidays, permanency, and shift and overtime payments. Negotiations are ongoing with Grievance and Disciplinary Policies and an Organisational Change Policy which was an additional item to the NRPA (along with TQFE for lecturers)

### Lecturers

Since the last paper which highlighted 6 days of industrial action from lecturing staff, in March 2017 negotiations have continued on pay (cost of living increases) alongside a National Bargaining working group on terms and conditions. At this point in time both sets of negotiations remain unresolved and have resulted in industrial action being taken over pay. Despite Management's efforts to conclude a pay deal which has seen 6 revised offers, EIS-FELA has rejected the most recent deal which would see lecturers' salaries across Scotland increase on average by **over 12%** – a cash increase of over £4,000 – over three years from the combination of pay rises from National Bargaining's salary harmonisation and the additional pay offer. (Appendix 1)



This offer is being made in good faith in advance of the 2019/20 and 2020/21 SFC funding allocations, in order to secure an agreement and break the current impasse and represents a further investment in lecturers' salaries of an additional £2.5m. The agreed harmonisation and migration payments are unaffected by this offer and the consolidated award takes place immediately after the final migration payment is made.

The impact on this revised offer on Forth Valley College equates to:

**April 2017 – March 2018**

Unconsolidated payment of £425 £106,127

**April 2018 – March 2019**

Unconsolidated payment of £200 £49,942

**£156,069**

This is an additional unplanned cost to the college which will have to be met from existing funding.

Further to this the cost of living increase within the current offer equates to:

**April 2019 – March 2020**

3% for scp up to £36,500 and 2% above this £212,728

**April 2020 – August 2020 (5 month extension)**

5/12ths of 3% for scp up to £36,500 and 2% above this £85,035

National Insurance Payable £62,629

Pension Payable @ 22.4% £58,028

**£418,420**

All cost of living increases have to be met from within the colleges existing funding. However, under local bargaining this would have been based on affordability of the Forth Valley College. The National Bargaining process has now removed this element of security.

### Current Situation

EIS have, at the time of writing, refused to withdraw from strike action and are planning to ballot members to undertake further action short of strike action (see attached EIS Newsletter).

This is the third time in four years that the EIS-FELA has gone on strike. They went on strike on Wednesday, 16 January, Tuesday, 5 February and Wednesday, 6 March, further strike is planned on Thursday 21 March.

Forth Valley College has remained open during all strike days and classes operated as normal where possible.

The number of Forth Valley College staff who took part in the strike action is detailed below.

Date	No of lec/CMS	On Strike	In Work
Thu 21 March	304	114	130
Wed 06 March	302	113	155
Tue 05 Feb	301	133	114
Wed 16 Jan	301	129	122

From the data collected by Colleges Scotland the percentage of Forth Valley College staff on strike was 44%, which is below the sector average of around 57% (see attached)

All colleges in the sector have deducted pay from staff on strike to date and this has resulted in a non-payment of around £45,000

### 4. Key Considerations

The offer currently on the table, (appendix 1) if accepted, will result in the college implementing an efficiency exercise, which may result in a reduction in staff. Should the offer be increased we will need to consider a wider efficiency drive to ensure we remain financially viable.

### 5. Financial Implications

The implications for Forth Valley College are as detailed in the paper

### 6. Equalities

Assessment in Place? – No

If No, please explain why – Not required

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		x
Medium	x	
Low		
Very Low		

Please describe any risks associated with this paper and associated mitigating actions.

The ongoing negotiations process may, depending on outcomes, may have an adverse effect on the financial situation of the college.

A robust process for recruitment and selection and a review of vacant posts is in place and will help mitigate this. However, further financial impact on the College may result in considering implementing restructure process.

Risk Owner – Andrew Lawson

Action Owner – Andrew Lawson

8. Other Implications –

Please indicate whether there are implications for the areas below.

Communications – Yes

Health and Safety – No

Please provide a summary of these implications – Information will continue to be communicated to all staff providing factual data on negotiations and the direct implications on Forth Valley College.

Paper Author – Andrew Lawson

SMT Owner – Andrew Lawson

## Lecturing Staff Pay Offer – February 2019

The management side present this revised offer for consideration.

### Years 1 and 2 – 1<sup>st</sup> April 2017 – 31<sup>st</sup> March 2019

All lecturing staff receive a £625 unconsolidated payment.

### Year 3 (12 months) – 1<sup>st</sup> April 2019 – 31<sup>st</sup> March 2020

Immediately following the final migration payment, a consolidated award of Public Sector Pay Policy for all unpromoted and promoted lecturer scale points. This will be applied as 3% for salary points up to £36,500 and 2% for salary points above £36,500.

From 1<sup>st</sup> April 2019 until 31<sup>st</sup> March 2020, the Lecturers Pay Scale will be:

Point 1	32960
Point 2	35027
Point 3	37094
Point 4	38780
Point 5	40827

From 1<sup>st</sup> April 2019 until 31<sup>st</sup> March 2020, the Promoted Lecturer Fixed Points will be:

Fixed Point 1	44727
Fixed Point 2	47864
Fixed Point 3	51000

### Year 3 (5 month extension) – 1<sup>st</sup> April 2020 – 31<sup>st</sup> August 2020

A consolidated award of Public Sector Pay Policy as defined for 2019/20 for all unpromoted and promoted lecturer scale points. This will be applied as 5/12ths of 3% for salary points up to £36,500 and 2% for salary points above £36,500.

From 1<sup>st</sup> April 2020 until 31<sup>st</sup> August 2020, the Lecturers Pay Scale will be:

Point 1	33372
Point 2	35465
Point 3	37403
Point 4	39103
Point 5	41167

From 1<sup>st</sup> April 2020 until 31<sup>st</sup> August 2020, the Promoted Lecturer Fixed Points will be:

Fixed Point 1	45100
Fixed Point 2	48263
Fixed Point 3	51425

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# National Bargaining News

March 2019

News from the national negotiators

## Keep up the pressure—vote yes

Following a third day of strike action and the opening of our statutory ballot for action short of a strike, Thursday's NJNC concluded with no new offer from management but an indication that they will consult their side.

Management previously offered a further £2.5m to cover the period from April–August 2020, extending the 2% offer for a further five months. This amounts to around £330 a head for lecturers at the top of the unpromoted scale.

Bizarrely, rather than taking up FELA's offer to suspend strike action if they moved this additional £2.5m into the three year period, management refused and instead issued a shopping list of demands around T&C.. High on the list is the national agreement on Transfer to Permanence, with management seeking to rewrite the agreement to give a range of exemptions and exclusions.

Management also want to force lecturers into job evaluation, to revisit self locate/discretionary time, impose classroom observation and change the way in which we negotiate future pay deals.

This is about more than pay. We fought long and hard to achieve equal pay and the agreements we have on T&Cs. We must now stand strong and send a clear message to management in the statutory ballot. Vote YES for a resulting boycott and withdrawal of goodwill.

### Management's position:

#### Management's latest offer to us:

- (1) Unconsolidated payment of £625 and 2% for those earning over £36,500 (3% for those below £36,500) .
- (2) A further 5/12 of 2% (or 3% for those below £36,500) for the period from April–August 2020, moving the settlement date for future pay rises to August. We are told this will cost an additional £2.5m on part (1) above.

Management have indicated that there may be 'up to £2m' more for the unconsolidated element of the deal, BUT this would be with strings attached around transfer to permanence and other T&C.

### EIS FELA position:

We believe that equal pay and cost of living are separate and distinct, and have based our claim on public sector pay policy and the cost of living pay-offer agreed with college support staff.

At the January NJNC, after the first strike day but before the second, we made a proposal based on the £14m year-on-year costs management claimed the support staff deal had cost them.

This proposal was for unconsolidated payments of £200 in 2017, £200 in 2018 and a consolidated payment of £1600 in 2019 (approximately 4% at the top of the unpromoted scale).

We offered to suspend the third day of industrial action if management moved the additional £2.5m into the three year period. They refused.

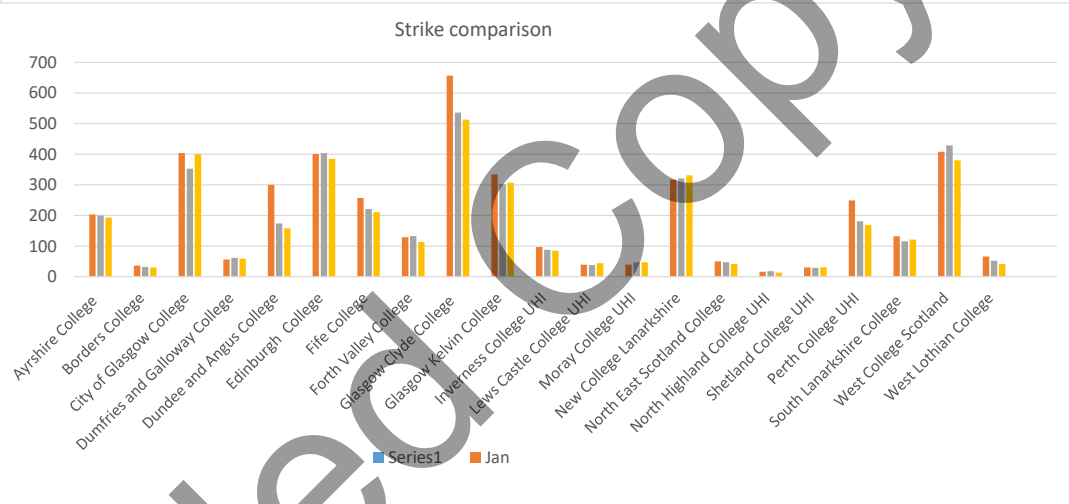
## Use your vote

Ballot now open for resulting boycott and withdrawal of goodwill

**VOTE NOW—VOTE YES**

**HAS YOUR STAFFROOM VOTED?**

College	Jan-19	Feb-19	Mar-19
Ayrshire College	203	200	193
Borders College	36	32	30
City of Glasgow College	404	353	401
Dumfries and Galloway College	56	62	59
Dundee and Angus College	300	174	158
Edinburgh College	401	404	385
Fife College	257	221	211
Forth Valley College	129	133	113
Glasgow Clyde College	657	536	513
Glasgow Kelvin College	334	302	307
Inverness College UHI	97	88	85
Lewis Castle College UHI	39	38	44
Moray College UHI	39	47	47
New College Lanarkshire	317	321	331
North East Scotland College	50	47	42
North Highland College UHI	16	18	13
Shetland College UHI	30	29	31
Perth College UHI	249	181	169
South Lanarkshire College	135	116	121
West College Scotland	408	429	380
West Lothian College	66	52	42
Totals	4223	3783	3675



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**1. Purpose**

To inform members of the outcome of the Scottish Government consultation on College Governance.

**2. Recommendation**

That members note the content of the outcome and the implications for the College.

**3. Background**

In 2016, the Education Secretary's Good Governance Task Group made a series of recommendations to update the governance of Colleges. Two of the recommendations required the Scottish Government to launch a consultation to obtain the views of College's and other stakeholders. These recommendations covered the areas of –

- Recommendation 1 of the Good Governance Task Group Report: better arrangements are put in place to improve board member recruitment
- Recommendation 9 of the Good Governance Task Group Report: more sanctions are considered so that a wider range of measures is available, if necessary

Forth Valley College was one of 10 Colleges who submitted a response to the consultation.

The consultation exercise concluded in June 2017.

**4. Outcome of Consultation**

Richard Lochhead MSP, Minister for Further Education, Higher Education and Science, wrote to the Convenor of the Scottish Parliament's Education and Skills Committee on 18 February 2019 (attached) outlining the actions to be taken as a result of the consultation and other recommendations from the Good Governance Task Group.

Of the recommendations, there are two key changes which the Board need to be aware of.

Firstly is the introduction of two trade union nominees onto the membership of the Board of Management.

As the composition of the Board of Management is outlined in legislation, it is anticipated that the Scottish Government will have to, in some manner, amend the relevant legislation. There is no indication at this time as to the timelines for this activity.

The College Development Network (CDN) through their Board Secretaries group are currently examining the implications for trade union membership on areas such as conflict of interest, quorum, the balance between appointed and non-executive members in decision taking; and whether or not trade union members will be awarded time off to work on Board related activity.

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As with any change there are concerns being expressed by members of the Board Secretaries group, particularly around the seemingly inherent conflict of interest that may arise for trade union members when their legal duty as Board Members to take the decisions that are in the best interest of the College may not always balance off with their duties to their membership.

CDN are collating these concerns and will be engaging with Scottish Government. It is hoped that the amended Board appointment Ministerial Guidance referred to in the attached letter will include guidance on these concerns.

It is also hoped that the guidance will clearly set out the appointment process as, at this time, it is unclear whether the trade unions would select the members to be appointed to the Board of Management or whether the College would have to run elections from within trade union members within the College in line with how the current staff members are elected to the Board.

The other key change, to align College's with other Public Bodies, is that the Ministers will have the ability to suspend Members of the Board of Management.

While some of the other recommendations apply to the Board, these are relatively minor.

### 5. Financial Implications

While it is unlikely that the Scottish Government will stipulate that trade union members should be allowed remitted time specifically for Board related work; if this were to be the case, there would be a slight cost to the College as there would need to be cover for their duties whilst they are on remission.

### 6. Equalities

Assessment in Place? – Yes  No

The appointment of the trade union members will be a requirement from Scottish Government. The College is unable to influence this matter.

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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 – At this time, the College does not feel that this will be a significant risk. The College has enjoyed good relations with the unions for some time and it is expected that this would carry over to Board activities.

Risk Owner – Ken Thomson

Action Owner – Alison Stewart

8. Other Implications

Please indicate whether there are implications for the areas below.

Communications – Yes  No

Health and Safety – Yes  No

Paper Author – Stephen Jarvie

SMT Owner – Alison Stewart



F/T: 0300 244 4000  
E: scottish.ministers@gov.scot

Ms Clare Adamson MSP  
Convenor – Education and Skills Committee  
The Scottish Parliament  
EDINBURGH  
EH99 1SP

18 February 2019

Dear Convenor,

Colleges make a vital contribution to this Government's commitment to improving the lives and employability of all Scotland's people. Their effective governance is fundamental in securing public value; and in supporting colleges to improve the life chances of their students and the performance of businesses.

In 2016, the then Education Secretary's Good Governance Task Group reported back on the lessons learned at Glasgow Clyde, North Glasgow and Coatbridge Colleges. The Task Group also made a series of recommendations to improve governance in Scotland's colleges around four strategic themes of prevention; self-assessment; external assurance; and sanctions. These recommendations have been taken forward in conjunction with the Good Governance Steering Group which is a cross-sector body with a remit to support-ongoing good governance across the college sector.

Two of the specific recommendations suggested that the Scottish Ministers consult on the introduction of a number of new provisions, either legislatively or administratively, to the college governance framework. The Scottish Government consulted on these recommendations in April and May 2017. The Scottish Government received 39 responses to this consultation – 28 from organisations, including 10 colleges, and 11 from individuals. The majority of the questions consulted on are complex and have required lengthy consideration.

The Scottish Government proposes to take forward a number of proposals where it has been clearly demonstrated that undertaking such an action would improve governance in Scotland's colleges and would not alter the chain of accountability in the sector as introduced by the Post-16 Education (Scotland) Act 2013.

As a result, I am proposing to undertake the following actions as a consequence of this consultation:

- **Partnership working:** introduce two trade union nominees to the boards of incorporated colleges, the Lanarkshire Board and the Glasgow Colleges' Regional Board *in addition* to the existing staff representatives, bringing the college sector into line with changes made in universities by the Higher Education Governance Act 2016.
- **Board appointments:** amend ministerial guidance for college board appointments to:
  - strengthen the guidance on succession planning and multiple candidate appointments, and;
  - require all board vacancies to be advertised on the Colleges Development Network Website.
- **Training:** ask the Colleges Development Network to embed teamwork within the induction training of board members.
- **Enhanced guidance:** develop guidance for the SFC and colleges to follow in relation to any specific reviews undertaken by SFC of colleges under section 7C(7) of the Act (which relate to reviewing statutory criteria for a body to remain eligible for funding).
- **Board meetings:** introducing the ability of SFC to attend the board meetings of assigned colleges.
- **Auditor General reviews:** we will further investigate allowing the Auditor-General for Scotland the ability to conduct economy, efficiency and effectiveness reviews with the non-incorporated colleges that are not part of a local authority.
- **Alignment:** bring colleges into line with other Scottish public bodies where appointing bodies may suspend board members.
- **Remuneration:** remunerate the incorporated, assigned college chairs (bringing them into line with their regional strategic body and regional college colleagues), at a rate to be determined by the Scottish Ministers.

I hope the Committee finds this information useful. Officials will work closely with the Good Governance Steering Group to take forward the implementation of these actions.

I also attach the responses to the public consultation, which will be shortly published on the Scottish Government website.



**RICHARD LOCHHEAD**

## 15. Board Engagement Calendar – For Noting

Month	Students	Staff	Stakeholders	Training	Board/Committee Meetings
August 18		15.08.18 Creative Learning Conference			
September 18	Freshers Fayre		28.9.18 New Campus – Topping Out ceremony		06.09.18 Audit 11.09.18 Finance 20.09.18 Strategic Session 21.09.18 Board
October 18	09.10.18 Graduation – Falkirk 11.10.18 Graduation - Stirling				25.10.18 HR
November 18		Principal's Briefings			01.11.18 LSE
December 18		Principal's Briefings			04.12.18 Finance 04.12.18 Audit 06.12.18 Board
February 19	04.02.19 Freshers Fayre, Stirling 06.02.19 Freshers Fayre, Alloa 07.02.19 Freshers Fayre Falkirk. 19.0.02.19 Class Rep Training, Falkirk	14.02.19 Support staff development 28.02.19 Listening to Employees Forum			07.02.19 Board 21.02.19 LSE
March 19	Open Evenings 25.03.19 Scots Graduation, Stirling		04 -08 March 19 MA Week	20.03.19 CDN Leadership and Teaching Board workshop	19.03.19 Finance 28.03.19 Board
April 19	24.04.19 Student Council Meeting, Alloa 25.04.19 Student Council Meeting, Falkirk 26.04.19 Student Council Meeting, Stirling			25.04.19 CDN Board Induction Workshop – East – Edinburgh	25.04.19 HR
May 19		23.05.19 Listening to Employees Forum	29.05.19 Making Learning Work Dinner	02.05.19 Governance & Leadership Summit  09.05.19 CDN Board Induction Workshop – Central – Cumbernauld  16.05 and 30.05.19 CDN Board Induction Evening Sessions - Glasgow	23.05.19 Audit 30.05.19 LSE
June 19	04.06.19 Scots Graduation, Falkirk 06.06.19 Creative Industries Exhibition 20.06.19 Salon Services Award 2019				18.06.19 Finance 27.06.19 Board
July 19					
To be confirmed	Student Councils Student Association Board Class Rep training Departmental show & tell	SERC?? Leadership Group meeting	Falkirk Campus events SFC Strategic Dialogue Education Scotland	On line training - Remuneration - Audit	



## No-Deal Brexit Guidance

\*\*\* Given the continuing uncertainty surrounding the UK's exit from the EU, the Scottish Funding Council has published guidance for Scottish colleges and universities on managing a no-deal Brexit. Although the House of Commons voted to rule out a no-deal Brexit in any circumstances, the policy environment around Brexit is continuously evolving and we would therefore encourage institutions to be prepared for any eventuality. We have included within this document a number of useful links for further information. In the light of this fast moving policy environment, please also be aware that this briefing is a live document and will be updated as appropriate. \*\*\*

### Introduction

The United Kingdom (UK) Government is currently negotiating the UK's exit from the European Union (EU). If the UK leaves without a formal deal and transition period having been agreed ('no-deal Brexit'), there would be no transition period. The Scottish Funding Council is working with the Scottish Government to consider the potential consequences that a no-deal Brexit could have for colleges and universities.

Brexit impacts are likely to be greatest in a no-deal scenario. Areas of potential impact include:

- Levels of funding.
- Staff and students in Scotland.
- Movement of people.
- Availability and price of consumables and equipment required for study.
- Availability of data.
- Continuation of EU-wide projects and trials.
- Access to facilities in the EU.
- Mutual recognition of professional qualifications.

Most of the material in this briefing draws on other information sources and we have included a number of useful links for further information at the end of this document.

## Impact on people

In the case of no-deal, the current freedom of movement of people between the UK and the EU / EEA / Switzerland will end immediately. The implications of this, as far as they are known at this stage, are set out below.

### ***EU / EEA / Swiss citizens resident in the UK before 29 March 2019***

In a no-deal scenario, the UK Government guarantees that EU / EEA / Swiss citizens resident in the UK before 29 March 2019 will be able to stay and have their rights protected, subject to certain conditions.

EU / EEA / Swiss citizens (except those from the Republic of Ireland (RoI)) will have to apply for 'settled status' if they have lived continuously in the UK for at least 5 years and want to stay in the UK after 31 December 2020.<sup>1</sup>

Citizens who have not lived continuously in the UK for 5 years and want to stay, will have to apply for 'pre-settled status'. Once they have been resident for 5 continuous years, they can apply for 'settled status'.

Those approved for 'pre-settled status' or 'settled status' should be able to continue to work, study and access benefits and services in the UK.

The EU Settlement scheme will open fully on 30 March 2019. The UK Government has now waived the £65 fee originally set.

### ***EU / EEA / Swiss citizens who move to the UK after 29 March 2019***

In the event of a no-deal scenario, the UK Government has published a policy paper laying out the European Temporary Leave to Remain immigration rules that will apply to EU (and their family members), EEA and Swiss Nationals entering the UK after 29 March.<sup>2</sup> This confirms that:

- EU, EEA and Swiss nationals will be subject to UK immigration rules.
- They will be allowed to enter the UK (with permission to work and study) for a period of up to 3 months without a visa.
- If they wish to extend their stay after that period, they will have to apply for leave to remain, which, if granted, will be given on a temporary basis for 36 months. There will be costs involved and the visa will be non-extendable.

<sup>1</sup> Continuous residence means that for 5 years in a row a person has been in the UK for at least 6 months in any 12 month period, except for one period of up to 12 months for an important reason (for example, childbirth, serious illness, study, vocational training or an overseas work posting) or for compulsory military service of any length.

<sup>2</sup> The provisions outlined in the policy paper are subject to parliamentary approval of the necessary legislation before these proposals can be implemented.

- Alternatively, students can enter the UK via Tier 4 of the Points Based System for a student visa to cover the full length of their course.
- These arrangements will remain in place until the end of December 2020. From January 2021, citizens will be subject to the immigration policies laid out in the UK Government's white paper on the future of immigration policy.
- The white paper proposal is for a single, skills-based immigration system post-freedom of movement. There will be a year-long programme of engagement with stakeholders across the UK on the proposals set out in the white paper, to which SFC will contribute.

If the UK leaves without a deal, EU, EEA and Swiss national students entering in academic year 2019 / 2020 are covered by the commitment made by the Scottish Government that the students would be eligible for home fee status for the duration of their course. It may be that, despite having an offer of study and home fee status, some EU / EEA / Swiss students may decide not to take up their place.

The tuition fee policy for EU / EEA / Swiss nationals entering in 2020/2021 is still to be determined. The Students Award Agency Scotland (SAAS) will update its [website](#) as soon as a decision has been made for academic year 2020/2021.

#### ***Students and staff from the Republic of Ireland***

Staff and students from the RoI will continue to be eligible to live and work in Scotland without restriction. This is due to the Common Travel Agreement (CTA). This agreement between the UK and Ireland pre-dates the UK's membership of the EU.

The tuition fee policy for RoI citizens entering in 2020/2021 is still to be determined. The Students Award Agency Scotland (SAAS) will update its [website](#) as soon as a decision has been made for academic year 2020/2021.

#### **Erasmus+**

#### ***Students and staff on Erasmus+ and European Solidarity Corp programmes on the date of the UK's withdrawal from the EU***

If the UK leaves without a deal, staff, students and trainees on Erasmus+ and European Solidarity Corp (ESC) mobilities on 29 March 2019 should be able to complete their exchange and continue to receive the relevant funding or grants (subject to immigration policy in the resident country). This will apply to Scottish students studying at EU27 institutions and EU27 students studying at Scottish institutions. This is provided that the UK and EU reach an agreement on the eligibility of UK organisations to continue participation.

It is recommended that Scottish institutions seek to make bilateral agreements with



Erasmus+ partners which include a no-deal Brexit scenario.

***Students and staff wishing to access Erasmus+ and European Solidarity Corp programmes after the UK's withdrawal from the EU***

In a no-deal scenario it is the UK Government's intention to discuss with the European Commission the terms by which the UK would be able to continue to participate in Erasmus+.

Provided an agreement can be met, it is envisaged that those projects / groups that fall within the scope of the UK's new status would be able to submit future bids, covered by the funding guarantee.

If terms cannot be agreed the UK would no longer retain access to the programme, and projects from the UK would not be eligible to make future bids. It is recommended that Scottish institutions make contingency plans with Erasmus+ partners for students who are expected to take up exchange programmes after 29 March 2019.

**Impact on business continuity**

SFC is working with universities and colleges to consider the impact a no-deal Brexit could have on them as a business. This is to encourage thinking about

- Business continuity.
- Supply chains (for example, catering and research materials).
- Service provision (for example, waste disposal).
- Regulatory frameworks.
- Reassurance for staff who are EU nationals in the UK, UK staff in the EU, and non-EU staff who have concerns regarding business sustainability.

Other organisations have also produced useful resources ahead of Brexit. In October 2018, Audit Scotland published a report, [Withdrawal from the European Union: Key audit issues for the Scottish public sector](#). Scottish Enterprise has developed a toolkit [Prepare for Brexit](#). Colleges and universities are advised to use these resources as part of their preparation.

**Information Technology and data protection**

We have been assured by Jisc that the Janet network will continue to operate in a no-deal scenario. Jisc has a [designated page](#) of its website for FAQs regarding Brexit.

Regarding data protection, the UK is expected to become a "third country" if it leaves the EU. The UK Government has stated that the rules for transferring personal student data from colleges and universities in the UK to the EU will remain the same.

However, any transfers from the EU to the UK will need to satisfy General Data Protection Regulation.

## **Research**

### ***Horizon 2020***

In the case of a no-deal, the European Commission has stated it will honour all contracts signed up to 30 March 2019, including those for research and innovation. However, this covers calendar year 2019 only and is subject to the UK paying its share of the 2019 EU budget.

HM Treasury has guaranteed replacement funding to UK organisations, for existing projects under Horizon 2020. Funding for approved applications for participation in Horizon 2020 submitted both until and after the UK leaves the EU have also been guaranteed.

UK researchers and businesses would be able to apply to and participate in all those Horizon 2020 calls open to third country participants from the date of exit. Funding would be provided via the extended guarantee from the UK Government.

This guarantee, however, only focuses on the financial aspects of participation. The impact of Brexit on the exchange of people, goods and data is not covered.

Furthermore, the guarantee does not cover most of the European Research Council and Marie Skłodowska-Curie Actions funding. In the case of no-deal, the UK is expected to no longer be able to participate in these as a non-associated industrialised third country.

A [portal](#) has been established by UK Research and Innovation (UKRI) to gather information on projects covered by the guarantee, and keep Horizon 2020 participants informed of future developments.

### ***Horizon Europe***

In the longer term, the UK Government's stated position is to associate to Horizon Europe (Horizon 2020's successor) which is due to begin in 2021. However, the conditions for association to Horizon Europe have not been finalised yet and may differ from those currently in place for Horizon 2020. UK participation will also be subject to a Value for Money analysis by the UK Government.

Scottish institutions are advised to strengthen bilateral relationships with countries and organisations in the EU / EEA and utilise existing research and innovation networks to ensure opportunities for continued collaboration. Examples include the League of European Research Universities, the Guild, and Cesaer. Scotland is actively

engaged in these networks, and they align with our strategic interest.

### **European Social Funds**

Where colleges are in receipt of European Social Funds (ESF) for the Developing Scotland's Workforce programme, this will continue to be honoured until the end of this programme cycle in 2023. In the event of a no-deal exit from the EU, this funding has been underwritten by the HM Treasury Guarantee. Beyond this date the UK Government has committed to a new domestic fund which will replace ESF, the UK Shared Prosperity Fund (UKSPF). At the time of writing the consultation on UKSPF proposals have not been published.

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## Useful links

Audit Scotland Report – Withdrawal from the European Union: Key audit issues for the Scottish public sector: [http://www.audit-scotland.gov.uk/uploads/docs/report/2018/paper\\_181011\\_eu\\_withdrawal.pdf](http://www.audit-scotland.gov.uk/uploads/docs/report/2018/paper_181011_eu_withdrawal.pdf)

Jisc has a page of FAQs on the potential impact of Brexit: <https://www.jisc.ac.uk/about/corporate/brexit-faqs>

Scottish Enterprise Prepare for Brexit toolkit for businesses: <https://www.prepareforbrexit.scot/updates/components-folder/filtered-card-list/prepare-for-brexit-toolkit>

Students Award Agency Scotland has a section which will be updated following a decision on fees for 2020/21 academic year: <https://www.saas.gov.uk/forms/brexit.pdf>

Scottish Government Guidance on EU Exit: <https://www.mygov.scot/eu-exit/>

Scottish Government Guidance on EU Exit impact on Education: <https://www.mygov.scot/eu-exit-education/>

UK Government Guidance on how to prepare for Brexit if there is no-deal: <https://www.gov.uk/government/collections/how-to-prepare-if-the-uk-leaves-the-eu-with-no-deal>

UK Government Guidance on Erasmus+ in the UK and European Solidarity Corps (ESC) if there is no Brexit deal: <https://www.gov.uk/government/publications/erasmus-in-the-uk-if-theres-no-brexit-deal/erasmus-in-the-uk-if-theres-no-brexit-deal>

UK Government Guidance on European Social Fund grants if there is no Brexit deal: <https://www.gov.uk/government/publications/european-social-fund-esf-grants-if-theres-no-brexit-deal/european-social-fund-esf-grants-if-theres-no-brexit-deal>

UK Government website for UK participants who are in receipt of Horizon 2020 funding: <https://apply-for-innovation-funding.service.gov.uk/eu-grant/overview>

Universities UK briefing note – A ‘No-deal’ Brexit: Implications for universities and minimising risk: <https://www.universitiesuk.ac.uk/policy-and-analysis/brexit/Documents/no-deal-brexit-implications-for-universities-and-minimising-risk.pdf>