

EDINBURGH COLLEGE BOARD OF MANAGEMENT

APPROVED MINUTES OF MEETING OF 13 JUNE 2023

Meeting held in the Boardroom, Milton Road Campus

Start time: 14:00

Present: Audrey Cumberland; Stewart Darling; Becky Duff; Fiona Doring; David Elder; Daniel Holland; Alex Killick; Ross Laird; Liz McIntyre; Ian McLaughlan; Gwen Raez; Nora Senior (Chair); Eleanor Sim; Bill Troup

In attendance: Jon Buglass; Michael Jeffrey; Jonny Pearson; Marcus Walker (Clerk); Alan Williamson

Observer(s): Kevin Dixon; Donny Gluckstein

1. WELCOME AND APOLOGIES

1.1 WELCOME AND APOLOGIES

1.1.1 The Board NOTED apologies from Bruce Cassidy, Sue Cook, Skye Marriner and Kerry McCormack.

1.1.2 The Board NOTED that Eleanor Sim and Kevin Dixon had joined the meeting remotely, via Microsoft Teams.

1.1.3 The Chair welcomed both EIS-FELA and Unison representatives, Donny Gluckstein and Kevin Dixon – respectively, to the meeting as observers.

1.1.4 The Board NOTED that Al Wilson (ECSA Director) and Luna Morrison (ECSA Vice President, Activities), would join the meeting for Item 7, ECSA Report.

1.2 CHAIR OF THE BOARD'S UPDATE

1.2.1 The Board NOTED an [Independent Review of the Skills Delivery Landscape](#) had been published by the Scottish Government on 7 June 2023. The Chair informed the Board that the Review, authored by the former Chief Executive of Scotland Food and Drink, James Withers, robustly set out several recommendations for the Scottish Government around how the public body landscape should change in order to deliver a skilled workforce in Scotland as part of the wellbeing economy (*Minute 5.3 refers*).

- 1.2.2 The Board NOTED that Scotland's national agency for sport, Sport Scotland, had announced that it would invest up to £1.45 million over the next two years to create a new 'Active Campus Network' in colleges across the country. The Chair advised the Board that the Active Campus Network, delivered in partnership with Scottish Student Sport and Colleges Scotland, would strengthen the existing network of sport and physical activity staff already working within the college sector through the appointment of new Active Campus Coordinators.
- 1.2.3 The Board NOTED that, on 12 June 2023, the Chair had received a letter from the local EIS-FELA Branch Secretary. The Chair informed the Board that due to late receipt of the letter, the day before the Board meeting, it had not been circulated to Board members. The Board NOTED that the letter would be circulated to the Board, for information only, in due course.

1.3 COLLEGE AWARDS

- 1.3.1 The Chair, on behalf of the Board, acknowledged recent national awards won by the College since the last meeting of the Board. The Board NOTED and commended the following award winners and nominees:
- (i) Edinburgh College was shortlisted in four categories at this year's Herald HE Awards. The College was shortlisted in the Supporting Student Wellbeing, Widening Access, Partnership, and Outstanding Business Engagement in Colleges categories, in recognition of a variety of projects that represent outstanding examples of good practice and collaboration within the College.
 - (ii) The College won the Partnership Award at this year's Herald HE Awards, alongside software development company – 2i Testing – for a course they developed to enable students from underrepresented backgrounds to build their digital skills and find routes into industry.
 - (iii) HND Textiles student, Morgane Imre, won Enterprising Student of the Year at this year's Bridge 2 Business Awards for her business – Designs by Morgane.
 - (iv) Two students from the College's Hairdressing, Barbering and Beauty department – Katarzyna Wasiewicz-Widok and Dilan Oner – won medals at the Association of Hairdressers and Therapists Finals in Blackpool.
 - (v) A group of twenty students from across the College's BA (Hons) and HND Photography courses won awards at the Masters of Photography Association (Scottish Region) Awards.

2. DECLARATIONS OF INTEREST

- 2.1 The Board NOTED that the Vice Chair, Alex Killick, would leave the meeting for the start of *Item 8.1; Governance Report*, to allow members to review the proposed extension to his tenure as a Non-Executive Board Member.

- 2.2 The Board NOTED that the Chair of the Board would leave the meeting for *Item 8.3, Evaluation of the Chair of the Board 2022/23*. The Chair advised members that the Vice Chair would act as Chair for this item of business.
- 2.3 The Board NOTED that all observers and the Executive Team would be asked to leave the meeting for *Item 10, Closed Items of Business*.

3. MINUTES OF PREVIOUS SCHEDULED MEETING

- 3.1 The Board APPROVED the minutes from 28 March 2023 as an accurate record of the meeting.

4. MATTERS ARISING REPORT

4.1 MATTERS ARISING UPDATE

- 4.1.1 The Board NOTED that actions from its previous meeting(s) were complete, overtaken or on the agenda.

4.1.2 *Student Counselling Service [REF. MINUTE 4.1.3/28.03.23]*

The Board NOTED that, following an announcement by the SFC that no further funding would be made available to colleges to support student counselling services, the Senior Management Team had agreed to use in-year staff vacancy savings to extend the Counselling Team's fixed-term contract by one year - whilst the College worked to develop an overarching Student Mental Health & Wellbeing Strategy outlining its long-term plan.

4.1.3 *EIS-FELA Bullying Survey [REF. MINUTE 5.5/28.03.23]*

The Board NOTED that the Principal, and other senior staff, had met EIS-FELA Branch representatives on 25 April 2023 to discuss the findings of the bullying survey highlighted at the previous meeting of the Board. The Principal advised the Board that a comprehensive discussion had been held which focussed on the survey findings, the importance of culture and behaviours, and the need to engage with all staff to get attain a clear overview of the current College culture.

The Board NOTED that the Principal had outlined a commitment to engage with all staff further and had commissioned an external specialist organisation to work with the College and its staff during the academic year 2023/24. The Principal informed the Board that progress on this matter would be presented to a future meeting of the Board of Management.

4.1.4 *Board Equality, Diversity & Inclusion [REF. MINUTE 5.9/13.12.22]*

The Board NOTED a Terms of Reference for a Short Life Working Group (SLWG) to focus on the development of an action plan to support greater equality, diversity, and inclusion (EDI) on the Board of Management. The

Board DISCUSSED the Terms of Reference and the SLWG's cross-links with the College's own WAX-ED Group, through the Vice Principal Innovation, Performance & Planning, and the EDI Lead.

The Board APPROVED the Terms of Reference and NOTED that the SLWG would report back to the Board of Management at its next meeting, through the Nominations Committee.

5. PRINCIPAL & CHIEF EXECUTIVE REPORT

- 5.1 The Board NOTED an update on developments within both the College and the sector since its last meeting on 28 March 2023. The Principal advised the Board that a new KPI Dashboard, linked to the Edinburgh College Strategic Plan, would be presented to its next meeting.
- 5.2 The Board NOTED a summary of the Independent Review of the Skills Delivery Landscape (*Minute 1.2.1 refers*) provided by the Principal and DISCUSSED the following:
- (i) The Review as a sound assessment of the current position of the skills delivery landscape.
 - (ii) The drafting of a formal consultation response to the Review on behalf of the College.
 - (iii) Its crossover with other national reports such as the Enterprise & Skills Review and the Cumberford-Little Report.
 - (iv) The structural changes required, at both a national and regional level, to appropriately implement the outlined recommendations.
 - (v) The need to retain oversight of the goal of the Review, rather than simply the structural changes required.
 - (vi) The immediate response of the College and its planning if the Review's recommendations are taken forward.
- 5.3 The Board AGREED that, on its behalf, a consultation response to the Review should be submitted to the Scottish Government.
- 5.4 The Board NOTED that the College was now in the closing stages of the implementation of its Business Case to achieve financial savings over the period 2021/22 to 2024/25. The Principal advised the Committee that, following a significant period of consultation with affected staff, one member of staff had been issued with a dismissal letter (effective from 30 June 2023).
- 5.5 The Board NOTED that an appeal hearing was due to take place on 16 June 2023 for the effected member of staff. The Board DISCUSSED the following in relation to the implementation of Phase 2 of the Business Case:
- (i) Confidentiality and sensitives relating to the individual member of staff affected.
 - (ii) The satisfaction of the Board of Management that due process was being followed, and members' confidence in Senior Management Team.
 - (iii) The potential impact in terms of future local industrial action by EIS-FELA.

- (iv) The validity of interventions at the Board meeting by the EIS-FELA Observer, which focused solely on operational matters.
- 5.6 The Board NOTED that the Principal took exception to the claim by the EIS-FELA Observer that compulsory redundancies were being 'engineered' by the College.
- 5.7 The Board NOTED that EIS-FELA were undertaking continuous industrial action short of strike (ASOS) from 2 May 2023 to 14 September 2023, in pursuit of a dispute relating to the 2022/23 National Pay Claim. The Principal advised the Board that, in accordance with the ASOS, EIS-FELA Members would 'work to rule' and undertake a resulting boycott – involving the withholding of students' results.
- 5.8 The Board DISCUSSED the mitigations taken by the College, and wider sector, in relation to the ASOS. The Principal informed the Board that the College was working to reassure both continuing and progressing students, although it was NOTED that an outcome to National Bargaining was unlikely to be known before the end of Semester 2.
- 5.9 The Board NOTED the concerns of the ECSA Student President regarding the pressures placed on college students, and his disagreement with NUS Scotland's stance to support the ASOS. The Principal advised the Board that whilst the ASOS was causing disruption and uncertainty for many students, the College would not be withholding pay from lecturing staff participating in the resulting boycott.
- 5.10 The Board NOTED that a Board Strategy Session had been convened on 25 April 2023, which focussed on the development of a Risk Appetite Statement to align with the new Edinburgh College Strategic Plan. The Board DISCUSSED feedback from the session and AGREED that the Chair of the Board, the Chair of the Audit & Risk Assurance Committee, and the Executive Team should consider arrangements to progress this matter.

6. COMMITTEE REPORTS

6.1 PLANNING & RESOURCES COMMITTEE

6.1.1 PLANNING & RESOURCES COMMITTEE ANNUAL REPORT 2023

The Board NOTED an annual report from the Planning & Resources Committee, which highlighted activities over the past 12 months and its future direction in the new academic year. The Chair of the Committee highlighted to the Board that the Strategic Plan, and strategic delivery in particular, would be the main focus of the Committee in the upcoming academic year.

The Board welcomed the update provided and NOTED the important role of the Committee in overseeing matters related to Finance, Human Resources, and Infrastructure & Estates.

6.1.2 RECRUITMENT, RETENTION & CREDITS DASHBOARD

The Board NOTED that the credit position of the College, as of 3 June 2023, was 176,024 (- 96.1% of the activity target). The Vice Principal Education & Skills advised the Committee that to avoid any discussion around a 'clawback' with the SFC, the College needed to secure 98% of its activity target.

The Board NOTED that, on 12 June 2023, the SFC had published its 2023/24 college sector guidance on eligibility for credit funding. The Vice Principal Education & Skills advised the Board that restricted flexibilities within the new guidance would mean a reduction in the total number of credits the College could claim in 2023/24.

The Board DISCUSSED the updated SFC guidance and NOTED its concerns that feedback from colleges on the changing demographics of students (e.g., significantly number of part-time students) was not recognised.

6.1.3 MANAGEMENT ACCOUNTS SUMMARY TO APRIL 2023

The Board NOTED the financial performance of the College as outlined in the Management Accounts to April 2023.

6.1.4 INDICATIVE COLLEGE BUDGET 2023/24

The Board NOTED an Indicative College Budget 2023/24, and a supporting presentation by the Chief Operating Officer, which outlined the budgeting process, budgeting pressures, additional costs, budget reductions, savings, impact on cash-flow, risks and mitigations, and sensitivity analysis.

The Board DISCUSSED the Indicative College Budget 2023/24 and the process by which the Executive construct and presents the Budget. The Chief Operating Officer advised the Board that a savings target of £1.3m would need to be achieved to enable the College to operate at a breakeven adjusted operating position.

The Board DISCUSSED approaches to fill the £1.3m gap outlined within the Indicative College Budget and the ever-increasing challenges to make year-on-year efficiency savings. The Chair advised the Board that although the College needed to be prudent, it must also explore how best to position itself financially to deliver on the aims within its Strategic Plan.

The Board endorsed the Indicative College Budget 2023/24 and AGREED that - once underlying assumptions had been confirmed - a Final College Budget would be circulated (via email) to the Board for approval.

The Board AGREED that the approved College Budget 2023/24 should reviewed again at its next meeting on 26 September 2023, to ensure that income growth and cost savings were appropriately tracked over the academic year.

The Unison Observer left the meeting

The ECSA Director and the ECSA Vice President Activities joined the meeting

7. EDINBURGH COLLEGE STUDENTS' ASSOCIATION (ECSA) REPORT

7.1 ECSA IMPACT REPORT 2022/23

- 7.1.1 The Board NOTED an overview of activities conducted by ECSA in the 2022/23 academic year. The ECSA Student President provided a presentation outlining the key achievements of the Students' Association over the past year.
- 7.1.2 The Board NOTED that since October 2022 a Breakfast Club had provided 19,350 breakfasts for free to College students. The ECSA Student President advised the Board that the Breakfast Club had helped a wide range of students, who had faced financial hardship caused by the cost-of-living crisis, and hoped the project would continue into the next academic year.
- 7.1.3 The Chair, on behalf of the Board, commended the ECSA Team for their ECSA Impact Report 2022/23 and ECSA Student President for his leadership during what had been students' first year back on campus since the Covid-19 Pandemic. The Board NOTED incumbent ECSA Sabbatical Officers, Skye Marriner and Luna Morrison, would join the Board of Management as Student Board Members for the academic year 2023/24.

7.2 ECSA BUDGET AND PLANNING REPORT 2023/24

- 7.2.1 The Board NOTED a 2023/24 ECSA Budget, which included an overview of the Students' Association's broad strategic aims for the coming academic year.
- 7.2.2 The Board welcomed the overview provided and DISCUSSED the following:
 - (i) Ongoing work to reduce staff costs to ensure the Students' Association remained financially sustainable.
 - (ii) ESCA's budgeting in relation to student engagement and the increase in partnership activity to ensure capacity was maintained.
 - (iii) The means by which ECSA measured their internal impact on areas such as the student experience, retention, and recruitment.
 - (iv) Existing benchmarking data between ECSA and other Students' Association in the sector.
- 7.2.3 The Board welcomed the ECSA Budget and NOTED that the approval of funding would be confirmed as part of consideration around the Draft College Budget 2023/24.

7.3 CONSTITUTION OF EDINBURGH COLLEGE STUDENTS' ASSOCIATION

- 7.3.1 The Board NOTED that to ensure compliance with the Code of Good Governance for Scotland's Colleges a review of the Students' Association's written constitution must be undertaken at least every five years.
- 7.3.2 The Board DISCUSSED the updated ECSA Constitution and AGREED that it should include further reference to both the College values and the Nolan Principles of Public Life in Scotland.
- 7.3.3 The Board DISCUSSED the one-year terms of student sabbatical officers and NOTED that they could be re-elected for up to two terms of office. The Chair advised the Committee that the option to have two concurrent terms of office, if re-elected, provided an appropriate balance between flexibility and continuity.
- 7.3.4 The Board AGREED to endorse the ECSA Constitution, subject to the additions outlined in Minute 7.3.2.

The ECSA Director and the ECSA Vice President Activities left the meeting

Becky Duff left the meeting

8. GOVERNANCE REPORT

8.1 GOVERNANCE UPDATE

Alex Killick left the meeting

- 8.1.1 The Board NOTED that the tenure of Alex Killick, a Non-Executive Board Member and Vice Chair, was expected to end on 22 September 2023 – following an initial 3-year term. The Board DISCUSSED and APPROVED the extension of Mr Killick's tenure for a second 3-year term, subject to approval by the Scottish Government.

Alex Killick re-joined the meeting

- 8.1.2 Board NOTED a Top-Level Risk Register (TLRR) Summary graphic included within the Governance Report, which included a link to the main TLRR. The Chief Operating Officer advised the Board that there were no changes to the top risks outlined within the report.
- 8.1.3 The Board NOTED the 2023/24 Board Planner, which had been agreed with members outwith the meeting cycle in May 2023. The Chair advised members that the first meeting of the Board in the new academic year would take place on 26 September 2023.
- 8.1.4 The Board NOTED that seven actions remain ongoing on the 2022/23 Board Development Plan, although it was expected that each of the

actions would be completed by the end of the academic year. In relation to an ongoing action within the Development Plan, the Board DISCUSSED the presence of all the Executive Team members at meetings of the Board of Management and AGREED that it remained good practice.

- 8.1.5 The Board NOTED that, in line with the Code of Good Governance for Scotland's Colleges, the Board of Management was required to undertake an external effectiveness review in the academic year 2023/24. The Board DISCUSSED and AGREED a terms of reference for the 2023 External Effectiveness Review, which included the convening of a Short Life Working Group to oversee the review process. Further to this, the Board AGREED that the membership of the Working Group would be approved via correspondence, prior to the next meeting of the Board of Management.
- 8.1.6 The Board NOTED that, in 2019, the Scottish Government had committed to introducing two trade union nominees to the boards of management of colleges. The Board Secretary outlined a draft timeline for the implementation of associated governance reforms, with a view to trade union board members being formally invited to attend the scheduled meeting of the Board of Management on 26 March 2024.

8.2 ANNUAL BOARD APPRAISALS REPORT 2023

- 8.2.1 The Board NOTED that the Chair had held one-to-one meetings with members of the Board on the weeks commencing 15 & 22 May 2023. The Chair highlighted to the Board that several observations had arisen from individual discussion and subsequently a series of recommendations had been put forward.
- 8.2.2 The Board DISCUSSED recommendations to enhance the operation of the Board, including the review of the Board paper template and associated guidance to ensure documentation was concise and key risk/mitigations were appropriately highlighted. The Board AGREED to the implementation of the recommendations and NOTED that such actions would be included, and monitored, within the 2023/24 Board Development Plan.

The Chair of the Board left the meeting and the Vice Chair assumed the role of Chair

8.3 EVALUATION OF THE CHAIR REPORT 2023

- 8.3.1 The Board NOTED that in accordance with good practice, and as part of the overall evaluation of the Board, an evaluation of the Chair was conducted by the Vice Chair. The Vice Chair outlined to the Board the methodology used and a summary of the results.
- 8.3.2 The Board DISCUSSED the written report provided by the Vice Chair and were content with its positive and constructive findings. The Board welcomed the formal process of evaluation conducted by the Vice Chair, which was considered in line with best practice.

The Chair of the Board returned to the meeting and reassumed the role of Chair

Eleanor Sim left the meeting

9. ANY OTHER COMPETENT BUSINESS

9.1 AMBASSADOR AWARD NOMINATIONS 2023

9.1.1 The Board NOTED a proposal put forward by the Chair and the Principal to nominate Ann Landels, a former long serving Non-Executive Board Member, for the Edinburgh College Ambassador Award - which was to be presented at the Graduation Ceremony in September 2023.

9.1.2 The Board welcomed Ms. Landels' nomination for the Edinburgh College Ambassador Award and unanimously AGREED to endorse the proposal.

9.2 BOARD REFLECTION / FEEDBACK

9.2.1 The Board NOTED that it had held open discussions on significant matters including the financial sustainability of the College and the effective operation of the Board of Management.

9.2.2 The Board NOTED that the Corporate Development Committee held on 8 June 2023 had approved an External Engagement Plan for the College. The Chair advised the Board that the Plan, and Board members engagement through it, would be considered in further detail at its next meeting.

9.3 DEPARTING STUDENT BOARD MEMBER

9.3.1 The Board NOTED that the tenure of Student Board Member, David Elder, would end on 30 June 2023, following a year as ECSA Student President. The Chair, on behalf of the Board, thanked Mr. Elder for his significant contribution to the development of key aspects of the student experience during his tenure.

10. CLOSED ITEM(S) OF BUSINESS

10.1 Items of business were considered by the Board as part of a closed session. Closed items were recorded under a separate minute (Closed Minutes 10.1/13.06.23 refers).

11. FOR INFORMATION

11.1 PLANNING & RESOURCES COMMITTEE MINUTES 16.05.23

11.1.1 The Board NOTED the Planning & Resources Committee minutes from the meeting held on 16 May 2023.

11.2 LEARNING, TEACHING & STUDENT EXPERIENCE COMMITTEE MINUTES 19.05.23

11.2.1 The Board NOTED the LTSE Committee minutes from the meeting held on 19 May 2023.

11.3 AUDIT & RISK ASSURANCE COMMITTEE MINUTES 24.05.23

11.3.1 The Board NOTED the Audit & Risk Assurance Committee minutes from the meeting held on 24 May 2023.

11.4 CORPORATE DEVELOPMENT COMMITTEE MINUTES 08.06.23

11.4.1 The Board NOTED the Corporate Development Committee minutes from the meeting held on 8 June 2023.

11.5 RIDDOR REPORT

11.5.1 The Board NOTED a RIDDOR Report for the third Quarter of 2022/23.

12. FOR CIRCULATION

12.1 RISK MANAGEMENT REPORT

12.1.1 The Board NOTED a Risk Management Report and the Top-Level Risk Register to April 2023 included within.

12.2 BOARD OF MANAGEMENT AGENDA PLANNER 2023/24

12.2.1 The Board NOTED an agenda planner for the 2023/24 academic year, which aimed to provide members with an opportunity to review upcoming items of business.

13. DATE OF NEXT MEETING

13.1 The next meeting of the Board of Management is scheduled to take place on 26 September 2023.

Meeting closed at 17:10