EDINBURGH COLLEGE BOARD OF MANAGEMENT

MINUTES OF MEETING OF 11 JUNE 2024

Meeting held in the Boardroom, Milton Road Campus

Start time: 14:15

Present: Bruce Cassidy*; Sue Cook; Audrey Cumberford; Stewart Darling; Fiona Doring; Becky Duff; Daniel Holland; Alan Holligan; Alex Killick; Ross Laird; Skye Marriner; Liz McIntyre; Ian McLaughlan; Nora Senior (Chair); Eleanor Sim; Bill Troup

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

Observer(s): Adam Lowe

*Joined via Microsoft Teams

1. **WELCOME AND APOLOGIES**

    1.1 WELCOME AND APOLOGIES

        1.1.1 The Board NOTED apologies from Kerry McCormack, Luna Morrison, and Gwen Raez.

        1.1.2 The Chair welcomed Adam Lowe, the incoming ECSA Student President, to the meeting as an observer. The Board NOTED that both Adam Lowe and Charlie Whitson would join the Board of Management as nominated Student Board Members from 1 July 2024.

        1.1.3 The Board NOTED that Al Wilson (ECSA Director), would join the meeting for Item 8.1, ECSA Report.

    1.2 COLLEGE AWARDS

        1.2.1 The Board NOTED that the College had held a successful 2024 Prizegiving Event at its Granton Campus on 6 June 2024. The Chair, on behalf of the Board, commended all staff and students involved in the Prizegiving event which celebrated the achievements and successes of further education students at the College.

        1.2.2 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 recent award winners and nominees at the Herald HE Awards 2024.

1.2.3 The College won the Partnership Award for its Sports Rehabilitation Degree Program delivered in partnership with Scottish Rugby Union, NHS Scotland, and Queen Margaret University. The partnership supports the development of degree students' skills in real life settings and embedding work-based learning into the curriculum.

1.2.4 The College was also shortlisted in five other Herald HE Awards 2024 categories:

(i) *Outstanding Contribution from a Staff Member* - Michelle Skotzen (Innovation and Knowledge Exchange).
(ii) *Outstanding Contribution from a Staff Member* - Rik Weightman (Women in Digital and Data Innovation Program).
(iii) *Enhancing Student Learning* - Sheila Godfrey (Creative and Critical Thinking Suite).
(iv) *Equality Diversity and Inclusion* - David Hiddleston and Rik Weightman (Women and Digital Data Innovation Programme).
(v) *Outstanding Contribution to the Local Community* – EC Sessions Project.

2. DECLARATIONS OF INTEREST

2.1 The Board NOTED that the Chair of the Board would leave the meeting for *Item 8.3.3 Evaluation of the Chair of the Board 2023/24*. The Chair advised members that the Vice Chair would act as Chair for this item of business.

2.2 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 26 March 2024 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, except for the following:

Colleges Scotland [Ref. 6.7.3/26.03.24]
The Board NOTED an update regarding current membership arrangements with Colleges Scotland and the outstanding action for the Principal to write to Colleges Scotland's Chief Executive Officer regarding membership fees. The Board DISCUSSED the need to ensure

best value for the College and AGREED that the Principal should write to Colleges Scotland formally regarding its concerns and its intention to serve notice.

4.2   2024 VOLUNTARY SEVERANCE SCHEME

4.2.1   The Board NOTED that it had approved a 2024 Voluntary Severance (VS) Scheme Business Case on 3 May 2024 – via correspondence. The Chair advised the Board that the Business Case had subsequently been approved by the SFC and the VS Scheme was communicated to all College staff on 6 May 2024.

4.2.2   The Board NOTED that the outcome of the VS Scheme would be considered under Item 6.5 (*Principal & Chief Executive Report*). The Chair informed the Board that, for the minute, the following members of the Board had asked for their dissent with the decision to be formally recorded: Bruce Cassidy, Daniel Holland, and Alan Holligan. Further to this, the Chair requested that any other member wishing their dissent to be recorded formally should contact the Board Secretary.

4.2.3   The Chair reminded the Board that, as outlined in the Code of Good Governance for Scotland's Colleges, each Board Member should adhere to the principle of collective decision making and corporate responsibility and was accountable for all Board decisions.

5.   CHAIR'S REPORT

5.1   The Board NOTED an update from the Chair of the Board on recent meetings held with Graeme Dey (Minister for Veterans and the Minister for Higher and Further Education) and Mike Cantlay (Chair of the Scottish Funding Council) to discuss both the financial sustainability of the college sector and the longstanding credit price inequity between colleges.

5.2   The Board NOTED that the Chair of the Board had received a letter on 16 May 2024 regarding a vote of no confidence in the Edinburgh College Board of Management, from the Secretary to the EIS-FELA Local Branch, relating to the Board decision to approve a 2024 VS Scheme (*Minute 4.2 refers*) - following a member-proposed motion made from the floor at a recent Branch meeting.

6.   PRINCIPAL & CHIEF EXECUTIVE REPORT

6.1   The Board NOTED an update from the Principal on developments across both the College and the wider college sector since its last meeting on 26 March 2024.

6.2   The Board NOTED that members of the Board and the Senior Management Team had participated in a joint Strategy Session, on 1 May 2024, at City of Edinburgh Chambers. The Principal advised the Board that the Session invited attendees to consider wider collaboration with Regional Economic Partnerships, regional planning, and delivery; models of regional collaboration; and

opportunities for Edinburgh College and its partners. The Board NOTED that the Senior Management Team would explore and develop potential approaches to enhance collaboration, skills planning and delivery across the wider economic region and feedback to a future Board meeting.

6.3   The Board NOTED that all staff had received an update on the headline findings of the 2024 Hive Staff Survey. The Vice Principal Corporate Development advised the Board that a Collective Action Programme (CAP) had been set-up to establish Action Working Teams to consider the development of priority actions, which aimed to support enhancements to the College's culture.

6.4   The Board DISCUSSED the following in relation to culture at the College and the visibility of both the Senior Management Team and the Board of Management:

(i)   The use of public spaces on campus, and the impact of the Covid-19 Pandemic on staffs' approach to hybrid working.
(ii)   The benefits of both having staff on campus and maintaining flexible hybrid ways of working.
(iii) The role of the Principal in setting cultural expectations, rather than dictating them to staff.
(iv)   The expectation that all members of staff (whether working in-person or via hybrid means) would deliver on performance targets – whilst being able to demonstrate evidence of collaboration.
(v)   The tension between performative and authentic visibility between staff and the Board of Management, and how a direct dialogue could be created.

6.5   The Board NOTED that the College had opened a VS Scheme on 6 May 2024. The Principal advised the Board that the Scheme had closed on 31 May 2024 and a total of 31 VS applications had been accepted. The Board DISCUSSED the risk considerations relating to the outlined reduction in staff through VS, whilst acknowledging that curriculum delivery continued as planned.

6.6   The Board NOTED reference to a Freedom of Information (FOI) request submitted to the SFC, as raised by the Lecturing Staff Board Member, relating to outstanding funds owed to the Funding Council by several Scottish universities. The Board DISCUSSED the FOI request and AGREED that the Principal and the Chief Operating Officer should follow-up on this matter.

6.7   The Board NOTED that the Principal had written to lecturing staff on 8 February 2024 in response to confirmation from EIS-FELA that Action Short of Strike (ASOS) would commence from 12 February 2024. The Principal advised the Board that due to the hugely detrimental impact of the previous resulting boycott on students a decision had been taken by colleges within the sector to recognise that what was being proposed was a breach of contract and could therefore directly impact on their pay.

6.8   The Board NOTED the College's decision to institute a 100% pay deduction for lecturing staff should they choose not to record the progress and attainment of learners. The Principal informed the Committee that a follow-up

communication was sent to lecturing staff on 22 May 2024, reiterating the College's position.

6.9 The Board DISCUSSED the following in relation to industrial relations and national pay bargaining:

(i) The acceptance of the support staff pay offer, which would be actioned in the June 2024 payroll.

(ii) The ongoing EIS-FELA pay negotiations and the lecturing staff sides request for a 2025/26 pay award to be included in negotiations despite funding for the college sector beyond 2024/25 being unknown.

(iii) The impact of continuous strike action and the ASOS on students and their progression / achievement.

(iv) The college sector's view that, by not recording learners' attainment, lecturers were in breach of contract and pay deduction was an appropriate response.

(v) The hope that College Employers Scotland and lecturing staff negotiations would find a way forward to resolve the pay dispute.

6.10 The Board NOTED an update on its Key Performance Indicators (KPIs) which could be viewed through the College's Microsoft PowerBI Dashboard. The Board DISCUSSED and commended the performance of the College following significant improvements in its learning and teaching outcomes - which included progress into the upper quartile of the national student attainment league tables.

6.11 The Board NOTED a brief presentation provided by the Principal which developed on the Strategic Plan themes of Place, Performance, and People and identified a smaller number of priorities for immediate focus on delivery The Board DISCUSSED the strategic themes and priorities and welcomed the greater refinement and focus across the three areas. With regards to a discussion around College specialism in STEM, the Board NOTED the important role Creative Industries played in the College curriculum and its potential integration into the STEM agenda (- otherwise referred to as 'STEAM').

6.12 The Board AGREED that the Dashboard should be reviewed to include more specific KPIs built around the strategic priorities outlined by the Principal.

7. **FOR APPROVAL**

7.1 INDICATIVE COLLEGE BUDGET 2024/25

7.1.1 The Board NOTED an Indicative College Budget 2024/25, 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.

7.1.2 The Board DISCUSSED the Indicative College Budget 2024/25. The Chief Operating Officer advised the Committee that a savings target of £3.1m would need to be achieved to enable the College to operate at a

breakeven adjusted operating position and would be primarily achieved through further cost efficiencies underpinned by a VS Scheme.

7.1.3   The Board DISCUSSED the Indicative College Budget 2024/25 and the ongoing work to identify cost savings and the anticipated savings associated with the VS Scheme. The Chair informed the Committee that it was important that the College considered all aspects of cost saving whilst ensuring that student experience was not detrimentally impacted upon.

7.1.4   The Board NOTED that the Indicative College Budget 2024/25 presented to the Board of Management would continue to be worked on over the coming weeks, prior to a finalised budget being made available in late July 2024. The Board DISCUSSED the indicative budget and AGREED to endorse the direction of travel outlined.

7.1.5   The Board AGREED that prior to the College Budget 2024/25 being approved by correspondence, there should be an online briefing available to allow Board Members to discuss the final circulated document. The Chair advised the Board that this briefing should reflect the impact of the VS related workforce reductions on curriculum delivery and other cost savings.

7.2   BOARD IMPROVEMENT PLAN 2024/25

7.2.1   The Board NOTED that following the approval of the 2024 Board Effectiveness Review (BER) Report on 26 March 2024, a short-life working group had met to consider a draft 2024/25 Board Improvement (BI) Plan. The Chair advised the Board that the BI Plan was based on recommendations arising from both the BER Report and an Equality, Diversity & Inclusion Working Group - which reported to the Board on 11 December 2023.

7.2.2   The Board welcomed an opportunity to review the BI Plan and DISCUSSED the actions and timeframes outlined within the document. The Board APPROVED the BI Plan and its submission to the SFC, along with the BER Report.

7.2.3   The Board NOTED that the Vice Chair of the Board had facilitated a 'Committee Structure Sprint Session' on 11 June 2024, to consider a key action contained with the BI Plan. The Board DISCUSSED the outputs of the sprint session and AGREED that a working group consisting of the Chair, the Vice Chair, and three Non-Executive Board Members (Stewart Darling, Liz McIntyre, and Bill Troup) should consider the Board's committee structure and put forward a proposal for further consideration by Board Members.

7.3   RISK APPETITE STATEMENT REVIEW 2024

7.3.1   The Board NOTED that it was good practice for boards of management to review their risk appetite statements on an annual basis. The Chair of the Audit & Risk Assurance Committee advised the Boad that, given that

the College's Risk Appetite Statements were agreed in October 2023, it had been decided that a light touch review would take place in the current academic year.

7.3.2   The Board DISCUSSED proposed amendments to Risk Appetite statements, as put forward by relevant committees, relating to *Cyber & Information Governance* and *Finance*.

7.3.3   The Board APPROVED amendments to both statements, subject to direct reference being retained within the *Cyber & Information Governance* Statement to the General Data Protection Regulation (GDPR), and 'financial sustainability' being explicitly highlighted in the *Finance* Statement. The Chair advised the Board that the finalised wording of both statements would be reviewed and signed off by the Chair of the Audit & Risk Assurance Committee, on behalf of the Board.

8.   FOR DISCUSSION

The ECSA Director joined the meeting

8.1   EDINBURGH COLLEGE STUDENTS ASSOCIATION

8.1.1   ECSA IMPACT REPORT 2023/24

The Board NOTED an overview of activities conducted by ECSA in the 2023/24 academic year. The ECSA Student President provided a presentation outlining the key achievements of the Students' Association over the past year.

The Board NOTED the performance of ECSA against its 'Pillars of Action' and DISCUSSED the following:

(i)   The success of the Reverse Shadowing Scheme introduced by ECSA for Board Members, and its extension to include Senior Managers and other staff.
(ii)   The signing of a Student Mental Health Agreement between ECSA and the College.
(iii) The outputs arising from the 2024 Student Life Survey.

The Chair, on behalf of the Board, commended the ECSA Team for their ECSA Impact Report 2023/24 and the ECSA Student President for her leadership.

8.1.2   ECSA Budget & Planning Report 2024/25

The Board NOTED a 2024/25 ECSA Budget, which included an overview of the Students' Association's broad strategic aims for the coming academic year.

The Board welcomed the overview provided and DISCUSSED the following:

(i) The flat cash 2024/25 ECSA Budget and its impact on spending related to student activities.
(ii) The proposed development of a new office and social space at the Sighthill Campus for ECSA.
(iii) The Charity status of ECSA and its aspirations with regards to income generation.

The Board welcomed the ECSA Budget and NOTED that the approval of funding would be confirmed as part of consideration around the Final College Budget 2024/25.

The ECSA Director and Eleanor Sim left the meeting

8.2   COMMITTEE BUSINESS

8.2.1   PLANNING & RESOURCES COMMITTEE 2023/24

The Board NOTED an annual report from the Planning & Resources Committee, which highlighted activities over the past 12 months. The Chair of the Committee highlighted to the Board that the Planning & Resources Committee had paid close attention to the financial sustainability of the College and its members were assured that appropriate measures continued to be taken by the Executive Team.

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.

8.2.2   MANAGEMENT ACCOUNTS SUMMARY TO APRIL 2024

The Board NOTED the financial performance of the College as outlined in the Management Accounts to April 2024.

8.2.3   RECRUITMENT RETENTION & CREDITS DASHBOARD

The Board NOTED an overview of the performance of the College against its 2023/24 activity targets. The Vice Principal Education & Skills reminded the Board that the SFC had set the College a total activity target of 164,857 credits for the academic year.

The Board NOTED that the credits position of the College, as of 30 May 2024, was 162,113. The Vice Principal Education & Skills advised the Committee that, based on unaudited credit activity to date, the College had achieved over 98% of its credit target and therefore would avoid any financial clawback.

8.3   GOVERNANCE REPORT

8.3.1   GOVERNANCE UPDATE

The Board NOTED that in order to comply with both the Modern Slavery Act 2015 and the Code of Good Governance for Scotland's College updates had been made to both the College's *Sustainability and Corporate Social Responsibility Statement* (CSR) and the *Modern Slavery & Human Trafficking Statement*. The Board Secretary advised the Board that both statements had been reviewed and endorsed by the Senior Management Team.

The Board DISCUSSED both Statements and APPROVED their publication on the College website, subject to the carbon emissions goal within the CSR Statement being reviewed. The Chair advised the Board that the Executive Team should also consider whether ethical fundraising should be referenced within the CSR Statement or a separate standalone statement.

The Board NOTED a Top-Level Risk Register Summary, as endorsed by the Audit & Risk Assurance Committee on 22 May 2024.

The Board NOTED that the dates of upcoming 2024/25 Board meetings would be agreed via circulation, subject to final amendment by the Board Secretary in response to feedback from Members.

The Board DISCUSSED committee dates in 2024/25, within the context of the proposed committee restructure (Minute 7.2.3 refers). The Board AGREED that committee dates for existing committee of the Board should be scheduled until the end of the calendar year.

8.3.2   BOARD ANNUAL APPRAISALS REPORT 2024

The Board NOTED that the Chair had held one-to-one meetings with members of the Board on the weeks commencing 13 & 20 May 2024. The Chair highlighted to the Board that observations arising from individual discussion would be considered further by the Chair and the Board Secretary and, if necessary, further actions taken forward.

The Board NOTED quantitative and qualitative data collected through an annual evaluation survey completed by Board Members. The Chair advised Board Members that any outstanding responses to the evaluation survey should be submitted to the Board Secretary.

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

8.3.3   EVALUATION OF THE CHAIR REPORT 2024

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.

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 Board NOTED that any outstanding responses to the evaluation survey should be submitted to the Board Secretary.

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

9. ANY OTHER COMPETENT BUSINESS

9.1 AMBASSADOR AWARD NOMINATIONS 2024

9.1.1 The Board NOTED that the Edinburgh College Ambassador Award – would be presented at the Graduation Ceremony in November 2024. The Chair advised the Board that the award criteria would be circulated to Members shortly, with proposed nominations welcomed from colleagues.

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's committees.

9.3 DEPARTING STUDENT BOARD MEMBER

9.3.1 The Board NOTED that the tenure of Student Board Members, Skye Marrier, and Luna Morrison, would end on 30 June 2024, following a year as ECSA Student President and Vice President Welfare - respectively. The Chair, on behalf of the Board, thanked both Ms. Marriner and Ms. Morrison for their significant contribution to the development of key aspects of the student experience during his tenure.

The Observer and the Executive Team left the meeting

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 10.1/11.06.24 refers).

11.   FOR INFORMATION

11.1   PLANNING & RESOURCES COMMITTEE MINUTES 16.05.24

11.1.1   The Board NOTED the Planning & Resources Committee minutes from the meeting held on 16 May 2024.

11.2   LEARNING, TEACHING & STUDENT EXPERIENCE COMMITTEE MINUTES 17.05.23

11.2.1   The Board NOTED the LTSE Committee minutes from the meeting held on 17 May 2024.

11.3   AUDIT & RISK ASSURANCE COMMITTEE MINUTES 22.05.24

11.3.1   The Board NOTED the Audit & Risk Assurance Committee minutes from the meeting held on 22 May 2024.

11.4   CORPORATE DEVELOPMENT COMMITTEE MINUTES 28.05.24

11.4.1   The Board NOTED the Corporate Development Committee minutes from the meeting held on 28 May 2024.

11.4   NOMINATIONS COMMITTEE MINUTES 07.06.24

11.4.1   The Board NOTED the Nominations Committee minutes from the meeting held on 7 June 2024.

11.5   RIDDOR REPORT

11.5.1   The Board NOTED a RIDDOR Report for the third Quarter of 2023/24.

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 2024 included within.

12.2   BOARD OF MANAGEMENT AGENDA PLANNER 2024/25

12.2.1   The Board NOTED an agenda planner for the 2024/25 academic year, which aimed to provide members with an opportunity to review upcoming items of business.

13.   DATE OF NEXT MEETING

13.1   To be confirmed.

Meeting closed at 17:25