Meeting Date	Agenda Item	Reference	Details	Action Owner	Due Date	Action / Decision	Open / Complete / Approved / Declined
22/09/2022	People Strategy (2022-25)	BOM39: A01	Following receipt of the final IiP report, updated measures of success will be reviewed at a future BRIC meeting.	D Davidson	March-23	Action	In progress
08/12/2022	BOM Report & Financial Statements 2021-22	BOM40: D01	The Board approved the Board of Management Report and Financial Statements 2021-22 for signature by the Chair and Principal.	NA	NA	Decision	Approved
08/12/2022	Annual Report to the BOM and Auditor General	BOM40: D02	The Board approved the Annual Audit Report to the Board of Management and Auditor General.	NA	NA	Decision	Approved
08/12/2022	Letter of Representation 2021-22	BOM40: D03	The Board approved the Letter of Representation for signature by the Chair and Principal.	NA	NA	Decision	Approved
08/12/2022	BDO Internal Audit Annual Report 2021-22	BOM40: D04	The Board approved the BDO Internal Audit Annual Report 2021-22.	NA	NA	Decision	Approved
08/12/2022	2021-22 Audit and Risk Committee Annual Report	BOM40: D05	The Board approved the Audit and Risk Committee Draft Annual Report 2021-22.	NA	NA	Decision	Approved
08/12/2022	Student Association Report	BOM40: A01	Student President will provide updated statistics for the Rockpool Podcast to the Chair of the LTQC in the new year.	E Jamieson	Jan-23		
08/12/2022	Chair's Report	BOM40: D06	The Board approved the appointment of S Wallace as Vice Chair of the Board of Management.	NA	NA	Decision	Approved
08/12/2022	Draft Performance Matrix	BOM40: D07	The Board approved the Performance Matrix, recognising that this was an evolving document subject to further amendments.	NA	NA	Decision	Approved
08/12/2022	2022-23 Draft Regional Outcome Agreement and 2021-22 Self-Evaluation Report	BOM40: D08	The Board approved the 2022-23 Draft Regional Outcome Agreement and 2021-22 Self-Evaluation Report.	NA	NA	Decision	Approved
08/12/2022	Health, Safety and Wellbeing Annual Report August 2021 – July 2022	BOM40: D09	The Board approved the Health, Safety and Wellbeing Annual Report August 2021 - July 2022	NA	NA	Decision	Approved
08/12/2022	Ayrshire College Financial Regulations as at November 2022	BOM40: D10	The Board approved the Ayrshire College Financial Regulations as at November 2022	NA	NA	Decision	Approved
08/12/2022	2021-22 Annual Procurement Report	BOM40: D11	The Board approved the 2021-22 Annual Procurement Report	NA	NA	Decision	Approved

Meeting Date	Agenda Item	Reference	Details	Action Owner	Due Date	Action / Decision	Open / Complete / Approved / Declined
08/12/2022	Strategic Allocation of Cash Balances – November 2022	BOM40: D12	The Board approved the proposals set out in the Strategic Allocation of Cash Balances – November 2022.	NA	NA	Decision	Approved
08/12/2022	2022-23 Ayrshire College Risk Register as at November 2022	BOM40: D13	The Board approved the 2022-23 Ayrshire College Risk Register as at November 2022.	NA	NA	Decision	Approved

2

Board of Management Meeting

28/03/2023

Strategic Objective Reference:	Choose an item.	SO2 - Embedding diversity and inclusion
	Choose an item.	Choose an item.
	SO5 - high performing college underpinned by excellence in stewardship and governance	Choose an item.
	SO7 - Developing staff and students to enable excellence	
Subject:	Student Association Report	
Purpose:	To update the Board on Student Association activities	
Action Required:	To Note	
Appendices:	No	

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1. Summary of Key Points (what is the significant information that members need to be made aware of as related to the purpose of the paper)

N/A

2. Background (sum up the background to the paper, including its prior journey, and/or previous versions, and identifying why this paper has been drafted)

The Student Association team for 2022 consists of two elected officers. The Student President, Ellie Jamieson, and Student Vice President, Robert Kean. The Student Association is governed by a Student Executive Committee within which students hold various volunteer officer roles. The work of the Student Association is supported by Student Association Advisor, Charlotte Mitchell and is overseen by Head of Quality Enhancement, Ann Heron.

3. Assessment (outline your assessment of the current state, apply to any supporting appendices)

Following on from the appointment of the Student Executive Committee, the Student Association is working with the Student Executive Officers to help build their capacity to improve the visibility and work of the Student Association.

Class Ambassador Update

The Student Association has now completed three rounds of Class Ambassador meetings with meetings taking place on each campus and online on a monthly basis. We have received input at the meetings from the Student Funding Team, Student Services, the LRC and the refectory which has been well received. The main theme emerging is technology, issues with Wi-Fi and issues with students not understanding how to use some of the College platforms. Feedback is forwarded to the relevant teams and the ICT team has been working closely with the classes who have provided feedback.

Student Satisfaction and Engagement Survey – Initial Experience

The Initial Experiences SSES took place in November and December from which we received 824 responses. The SFC SSES is now open until the end of April. This is hosted on the My Learning App and is being promoted by the SA and Class Ambassadors.

Hygiene Packs

Following requests from students, the Student Experience Team and lecturing staff, the SA are providing basic hygiene supplies which are available from the SA offices and also upon request. We aim to provide good quality items which are available in a dignified manner. Initial concerns regarding sustainability of this initiative have not been realised as it is only students who really need these supplies that are taken them rather than us giving these out to class groups.

Student Association Warm Coat Initiative

The Student Association is collecting warm outerwear for our students who are in need of a winter coat. We have set up a coat rack outside the Student Association offices in Kilmarnock and Ayr, and Kilwinning campus students can get a jacket from the HIVE shop. Students who are unable to get a jacket from the contributions have been asked to contact the Student Association. If necessary, the Student Association will try to locate a suitable jacket or will purchase one for the student.

Blue Monday

On January 16th, the Student Association participated in the Blue Monday event at each of the campuses to support the mental health and wellbeing champions. Several activities were held, including table tennis, a movie with popcorn, and a talking wall where we asked students what kept them motivated and what song made them smile and why. Students' most common responses to what keeps them motivated are their friends and music.

Future Activity

Re-Freshers

The Student Association held a re-fresher's event for new and continuing students. This was a marketplace event with representatives from various local support organisations as well as internal College teams.

The Re-Freshers events took place on the following dates and were well received by students:

Kilmarnock, February 6th, 10am-2pm
Kilwinning, February 7th, 10am-2pm
Ayr, February 8th, 10am-2pm

<u>LGBT+ History Month</u>

LGBT History Month takes place throughout February and the Student Association used this as time for reflection and introspection with our LGBTQI+ Students' Group. The theme was 'Through the Lens' which we used to form discussions about the role that the TV, Film and Media industries have had on raising awareness of the LGBT+ community. We hosted an LGBTQI+ Students Group get together on each campus during this month for group members only. In addition to this, we had a soft launch of our Pride Book Collection, funded by a grant the Student Association received from the NUS Think Positive Small Grants scheme. The launch took place at re-freshers where we displayed the collection.

<u>Preparation for College Sessions</u>

The Student Association is involved in the shaping and delivery of the College's Preparing for College Programme which, after a successful pilot last year, will take place over the summer of 2023. The Student Association has been given the opportunity to feed their opinions on the program to the working group from a student's perspective and looks forward to being involved again this year.

<u>Student President Elections</u>

The Student Association is currently making plans for the Student President Elections which will take place in May. The Current Student President, Ellie Jamieson, is coming towards the end of her second year and therefore will be leaving post on the 30 June 2023, at which point the new officers will take up post. The Student President is working alongside the Student Association Advisor on a new Sabbatical Officer Handbook, to provide advice and information to new sabbatical officers.

<u>The Brit Challenge</u>

The Student Association are supporting this year's Brit Challenge by working alongside the College to encourage our students to take part. The Challenge takes place across March with several activities being planned across the College for students with all abilities.

<u>Roon the Toon Kilmarnock 10k</u>

This year's Kilmarnock Roon the Toon 10k event takes place on Sunday 11 June 2023. The Student Association will be supporting an Ayrshire College Students and Staff Team by offering reimbursement of the entry fee for any student who registers as part of the Ayrshire College Team.

<u>SA Evaluation</u>

The SA undertook a mid-year evaluation on the 21 March 2023 to determine where we are in terms of our operational plan, how we measure impact and what our plans are into the future. We utilised the NUS Student Association Development resources to undertake the evaluation which produces a report.

4. **Proposals and Recommendations** (outline the proposals and recommendations being put forward and the corresponding justification)

No further proposals are included within this paper

5. **Risks** (reference the corresponding risk from the risk register that this paper relates to)

Due to the challenging issues dealt with within the SA there is a risk of reputational damage.

6. **Resource Implications** (finance, HR, Estates, ICT, etc)

No further resource implications require to be noted.

7. **Equality and Diversity Impact Assessment** (provide a summary of what was considered during the EQIA process and the impact on protected characteristics (Positive or negative)).

An impact assessment is not applicable given the subject of this paper.

8. **Sustainability** (how will the proposals support the sustainability of the college and as related to the sustainability strategy)

N/A

9. **Consultation/Input** (state who has reviewed/approved/contributed to this report)

No formal consultation is required given the subject of this paper.

<div align="right">

Ellie Jamieson
Student President
21 March 2023

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This paper will be published on the College website

Board of Management Meeting 28 March 2023

Board of Management Meeting

28/03/2023

Strategic Objective Reference:	SO1 - An inspirational college experience	Choose an item.
	Choose an item.	SO4 - Working with partners and businesses
	Choose an item.	Choose an item.
	SO7 - Developing staff and students to enable excellence	
Subject:	Chair's Report	
Purpose:	This report provides the Board with an update on the Chair's activities since the last Board meeting.	
Action Required:	To Note	
Appendices:	No	

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1. Summary of Key Points (what is the significant information that members need to be made aware of as related to the purpose of the paper)

N/A

2. Background (sum up the background to the paper, including its prior journey, and/or previous versions, and identifying why this paper has been drafted)

1. **Introduction**

   The purpose of this report is to update Board Members on activities carried out by the Chair since the 8 December College Board meeting.

2. **Strategic Issues**

   Board members will be aware of the ongoing dialogue about developing a sustainable model of post 16 education in Scotland. Since our last meeting I have attended a number of meetings where this has been the focus of discussions, and also taken the opportunity to raise the matter with relevant local stakeholders. There is no doubt that the fiscal challenge for the tertiary education sector, along with the need to provide a coherent provision of skills development and education, is making policy development in this area a challenge. I will ensure the Board are kept informed of developments as well as involve Board members in ongoing discussions on how as a College Board we can support the development of a secure delivery of provision for the people and businesses in Ayrshire.

3. **Stakeholder Engagement**

   I continue to meet with our stakeholders and partners, partly by way of introduction as an incoming Chair, and also by way of ongoing dialogue. Whilst there are opportunities for improved working relationships, the feedback I am

receiving is very positive with regards to Ayrshire College provision and relationships.

4. Other Engagements/Future activities

I was delighted to be able to attend the following events which showcased the significant achievements of our students and our staff. My thanks to those Board Members who were also able to attend.

John Mather Awards

The John Mather Charitable Trust helps young people in the West of Scotland achieve their full potential by facilitating entry to a wide range of careers. I was delighted to present certificates to our successful students.

Connecting Communities

I was thoroughly enjoyed attending a session on the Kilmarnock Campus which showcased the work across age ranges and needs. There was a boccia event for Ayrshire College students and also an opportunity to learn more about the BeAwesome BeActive Older Adult Group.

5. Our Governance

Board Strategy Day, 26 January 2023

The Strategy Day on 26 January 2023 was developed in response to areas raised by Board members as being helpful in supporting them to fulfil their role and also gave the Principal the opportunity to present her initial thoughts of the position of Ayrshire College. I am very grateful to members for giving of their time and also to the staff who organised the session, finishing with an outstanding dinner prepared by our students. The Board Performance and Improvement Plan is being presented later in the Board meeting which highlights areas that will be included in future development sessions.

Board and Committee Membership and Recruitment

A Board Member Recruitment programme commenced in early January 2023 and has culminated in interviews being held earlier in the month with recommendations being made to the Board.

Board Member Development

Board Members are reminded to ensure that they have completed mandatory CDN induction. Opportunities for further development are also published on the CDN website CDN Governance Hub. Please advise the Board Management Office of your attendance at any of these events or any event that you attend as a representative of the Ayrshire College Board – this information can then be included in your development record.

6. LRPA – Disputes Process: route to the Board

As an update to the Board on this issue, UNISON have since responded to recent correspondence and the Board will be kept informed with a verbal update following a meeting prior to the Board meeting.

7. Trade Union Nominees on Boards

We await further advice on increasing Board membership with Trade Union nominees and further advice will be given to the Board as soon as this is available.

8. Our Communications

The following communications have been circulated to the Board during this quarter or are included for information:

Colleges Scotland Draft Budget 2023/24	**PDF** Draft Budget 202324 FINAL.pdf
UK Government Autumn Statement – Colleges Scotland Briefing	**PDF** UK Government Autumn Statement – (
Colleges Scotland, Annual Report	**PDF** CS Annual Report 2021-22 FINAL.pdf
Ayrshire College Newsletter	Email circulated 16.12.22
Ayrshire College Equality Matters e-Newsletter	Email circulated 28.02.23

3. Assessment (outline your assessment of the current state, apply to any supporting appendices)

N/A

4. Proposals and Recommendations (outline the proposals and recommendations being put forward and the corresponding justification)

No further proposals are included within this paper

5. Risks (reference the corresponding risk from the risk register that this paper relates to)

N/A

6. Resource Implications (finance, HR, Estates, ICT, etc)

No further resource implications require to be noted.

7. Equality and Diversity Impact Assessment (provide a summary of what was considered during the EQIA process and the impact on protected characteristics (Positive or negative)).

An impact assessment is not applicable given the subject of this paper.

8. Sustainability (how will the proposals support the sustainability of the college and as related to the sustainability strategy)

N/A

9. Consultation/Input (state who has reviewed/approved/contributed to this report)

No formal consultation is required given the subject of this paper.

Fiona McQueen
Chair, Board of Management
21 March 2023

This paper will be published on the College website

Board of Management Meeting

28/03/2023

Strategic Objective Reference:	SO1 - An inspirational college experience	Choose an item.
	Choose an item.	SO4 - Working with partners and businesses
	Choose an item.	Choose an item.
	SO7 - Developing staff and students to enable excellence	
Subject:	Principal's Report	
Purpose:	Update board members of key activities and developments not covered elsewhere in the papers	
Action Required:	To Note	
Appendices:	No	

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1.   Summary of Key Points (what is the significant information that members need to be made aware of as related to the purpose of the paper)

N/A

2.   Background (sum up the background to the paper, including its prior journey, and/or previous versions, and identifying why this paper has been drafted)

Strategic Development

On 6 February, the College, in partnership with **Prestwick Airport,** hosted an **Aerospace** Round Table in response to the many conversations the College has been part of over the last 6 months. Six workstreams were agreed and a working group of the workstream leads has been set up. The College is taking a lead on this because the challenge of finding sufficient skilled people for the current and future aerospace industry in Prestwick is a wicked problem and requires collective leadership from the key players across the region.

The College is responding to the immediate skills shortage and future skills requirement workstreams with Ayrshire Chamber, SDS, South Ayrshire Council and Scottish Enterprise leading on profile, careers, infrastructure development and economic proposition.

I also met with Richard Rollinson, Scottish Government **Director of International Trade and Investment**, to discuss our role in the development of Prestwick and have begun working with the Scottish Enterprise senior team to scope out what the Aerospace skills needs are in the future, taking into account the potential growth in current businesses, future inward investment and supply chain demand.

Anne Campbell has had an initial conversation with **Centennial College in Toronto**, Canada and a follow up meeting is being arranged to connect the senior teams. Centennial College have a significant Aerospace offer. The ambition is to source Turin funding for staff and students to have exchange visits and explore joint delivery

programmes. In addition, the team are re-establishing relationships with the **Aerospace College in Houston**, USA for the same purpose.

A virtual meeting is now in the diary to speak to the Principal of Dudley College, which is an OFSTED graded Outstanding **Institute of Technology** in Manufacturing. A short paper has been prepared to share with SFC outlining our ambition for a National Aerospace Institute of Technology along with some requests to fund the capacity to progress.

The College has been involved in the development of Ayrshire's **Regional Economic Strategy** which was recently signed off by the three councils. Anne Campbell has been the College lead on the skills partnership group underpinning the Ayrshire Growth Deal. This group now needs to ensure that it responds to the joint strategy as well as the growth deal.

Previously, the College has utilised the services of the CDN funded **Economic Recovery Group** to strengthen the alignment of the College with the regional economic priorities of Ayrshire. Through the chair of the Regional Economic Strategy, Alasdair Dobson, the College has agreed to host a follow up session bringing the three councils and key stakeholders together to garner commitment for the joint delivery of the strategy.

The Chair and Principal attended the fourth **Think the Unthinkable** Colleges Scotland session. These sessions are designed to gain collective agreement on how we transform the sector considering the fiscal landscape, tertiary sector policy developments and advances in technology. The group agreed to progress the following 4 transformation propositions:

- Digital transformation – common back-office platforms and national digital learning consortium/partnership.
- Developing the college workforce.
- Build a robust underpinning evidence base to support demonstrating value of the sector, exploration of different international tertiary sector models and cost of duplication.
- A coherent regional skills approach (with a focus on apprenticeships) removing third parties and providing better value for money.

The executive team met with James Miller, new Vice Chancellor and team at **UWS** for dinner. We agreed to explore opportunities around in work degrees in Aerospace and future shared accommodation and assets in Ayr.

The executive teams met with colleagues from **West College Scotland** to explore partnership opportunities on 12 January with a follow up planned for 2 May. Opportunities to co-design and delivery HNC/D programmes, shared support manager roles and joint work on digital transformation were explored.

Stakeholder Engagement

I have joined **Public Sector Climate Leaders Group** as the college sector representative. The group has evolved out of the Scottish Leaders Forum that John Swinney leads and has been tasked to look at how the public sector could work more effectively together to achieve our Net Zero targets.

I have continued with **engaging with local businesses and key stakeholders**. These have included: Egger, Emergency One, RAD, NEOGEN, Brown Brothers, Simpsinns, GE, Centre Stage and Hansel. As we transition into a new structure, Anne will begin to share these visits with me.

I wrote a short article for the **Ayrshire Chamber** Magazine in February, outlining how Ayrshire College will respond to the ends of employers in the future.

We hosted a table at the **Ayrshire Chamber Annual Dinner** on Thursday 9 March. We were joined by directors from Emergency One, Egger, GE, Merck, Ryanair and Wallace McDowall. The key note speaker was the COO of Mangata Networks. We have secured a visit to the College and meeting to discuss apprenticeships and other training requirements as Mangata Networks builds its workforce over the next three years.

The College have agreed to be a sponsor of the **Scottish Air Show**, being held in Ayr, on 8 – 10 September. This will provide the opportunity to raise our profile as the main aerospace skills provider in Scotland and encourage people to consider aerospace as a career.

The College is hosting an **Ayrshire Community Wealth Building** Conference on 23 March and I have been asked to present on the how the College contributes to this important aspect of the Ayrshire Growth Deal and Regional Economic Strategy.

The College is also hosting a strategic workshop for Ayrshire CEOs and their senior teams on **International Day for the elimination of racial discrimination**. The session will be led by Gamal Turawa, 2022 BAFTA winner, and first openly gay and black serving London Met Police officer.

I continue to meet with key people within the three councils regarding CPP, AGD and a Directors meeting with East Ayrshire Council to discuss common budget challenges and potential solutions.

Staff Engagement

In January, I had the pleasure of spending the morning touring and meeting staff in the creative industries department on the Ayr Campus. I have started to join various team meetings to learn more about what staff are focussing on.

On Wednesday 8 March, the College held the **John Mather Awards Ceremony** recognising nearly 100 graduates who excelled in their studies.

On Monday 6 March, we launched our consultation with staff on new **Senior Leadership Team Structure**. As well as one to one conversations, we have agreed to meet with the Trade Unions each week and I will lead a virtual staff open forum for all staff to be able to ask any questions about the structure. This is in addition to the usual written feedback mechanisms we have in place.

On Wednesday 29 March, I will lead another all staff briefing. This time online with follow up face to face open forums.

Board of Management Meeting 28 March 2023   3

EIS-FELA have now balloted and have a majority mandate for action short of strike action and strike action as a result of our failure to agree on a suitable cost of living pay award.

At this time, **UNISON** are out to ballot for strike action as a result of our failure to implement Job Evaluation and a suitable cost of living pay award. The results are unknown, but we expect a majority mandate for strike action.

Both unions have asked for a £5k pay award for every member of staff. This would be at least a 13% increase in salary for lecturing staff and more for most support roles. Colleges were advised from SFC to budget for a 2% pay increase. College Employers Scotland continue to engage with Scottish Government to seek additional funding that would support a pay award above 2%.

An extraordinary College Employers Scotland meeting is scheduled for 15 March to discuss the next steps for Job Evaluation. Colleges have had their individual rank order of jobs but do not believe it is robust enough to move to the next stage of implementation.

3.	Assessment (outline your assessment of the current state, apply to any supporting appendices)

N/A

4.	Proposals and Recommendations (outline the proposals and recommendations being put forward and the corresponding justification)

No further proposals are included within this paper

5.	Risks (reference the corresponding risk from the risk register that this paper relates to)

N/A

6.	Resource Implications (finance, HR, Estates, ICT, etc)

No further resource implications require to be noted.

7.	Equality and Diversity Impact Assessment (provide a summary of what was considered during the EQIA process and the impact on protected characteristics (Positive or negative)).

An impact assessment is not applicable given the subject of this paper.

8.	Sustainability (how will the proposals support the sustainability of the college and as related to the sustainability strategy)

N/A

9.	Consultation/Input (state who has reviewed/approved/contributed to this report)

No formal consultation is required given the subject of this paper.

Angela Cox
Principal and Chief Executive
13 March 2023

This paper will be published on the College website

Board of Management Meeting

28/03/2023

Strategic Objective Reference:	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	SO5 - high performing college underpinned by excellence in stewardship and governance	Choose an item.
	Choose an item.	
Subject:	Board Performance and Improvement Plan	
Purpose:	To present the Board Performance and Improvement Plan and summarised key points for Board review.	
Action Required:	Approve	
Appendices:	Yes	

1. Summary of Key Points (what is the significant information that members need to be made aware of as related to the purpose of the paper)

- The annual review of Board and Committee Attendance and an analysis of the Self-Evaluation of Performance 2021-22 exercise, which is completed anonymously by each Board Member, has now been completed.

- The annual Board Development Plan 2023-24 has been updated and takes account of the recommendations presented in the Externally Facilitated Effectiveness Review (March 2021) and any recommendations from the 2021-22 Board Self-Evaluation of Performance as well as consolidation of any outstanding actions from the previous rolling Board Development Plan.

2. Background (sum up the background to the paper, including its prior journey, and/or previous versions, and identifying why this paper has been drafted)

On an annual basis, the Board is required to undertake a self-evaluation of effectiveness and develop an annual Board Development Plan; both of which support the Board to evidence compliance with the Code of Good Governance for Scotland's Colleges, the Board of Management Standing Orders and the Code of Conduct.

The College is required to submit these reports to the SFC as a requirement of grant funding, and as identified in the Code of Good Governance for Scotland's Colleges and to publish these on the College website. Failure to comply with this requirement could impact on the funding received by the College from the SFC.

Board Performance and Improvement Plan

- The annual review of Board and Committee Attendance and an analysis of the Self-Evaluation of Performance 2021-22 exercise, which is completed anonymously by each Board Member, has now been completed.

- The annual Board Development Plan 2023-24 has been updated and takes account of the recommendations presented in the Externally Facilitated Effectiveness Review (March 2021) and any recommendations from the 2021-22 Board Self-Evaluation of Performance as well as consolidation of any outstanding actions from the previous rolling Board Development Plan.

- The full report has been uploaded to Admincontrol and is available for Board Member review.

- **Appendix 1** provides a copy of the summarised report for submission to SFC.

Key points from the above reports are summarised as follows:

Board and Committee self-evaluation of effectiveness report 2021/22

- Outcomes were overall very positive. No significant issues of concern were raised.

- Board and Committee attendance levels remain relatively consistent and overall very good, but show a continued reduction from previous years.

- Members were highly satisfied with:
  - The effectiveness of Board meetings, how they are Chaired and the overall organisation of business.
  - Cohesiveness of the Board and respect for collective decision making.
  - Excellent communication between the Board and Executive with clear respective roles.
  - View that the Board operates to high standards of corporate governance.

- Comments on areas for further consideration included:
  - Consider conducting exit interviews for outgoing elected Student members and consider if lessons learned.
  - Opportunity for the Board to review performance as part of the Strategy/Development Days.
  - Consider opportunities to further support Board Members to influence and contribute to board discussion and decision making.

Board Development Plan 2023/24

- The Board Development Plan 2023-24 is presented as a one-year plan with annual reporting to the Board of Management.

- Implementation and improvement action plans will be managed by the Board Management Office and will also be evidenced across the defined key performance indicators.

4.   **Proposals and Recommendations** (outline the proposals and recommendations being put forward and the corresponding justification)

The Board is asked to approve the Board Performance and Improvement Plan report for submission to the Scottish Funding Council (SFC) and note that the report will be uploaded to the College website.

5.   **Risks** (reference the corresponding risk from the risk register that this paper relates to)

Failure to comply with the requirement to annually submit the Board Self-Evaluation of Effectiveness report and an annual Board Development Plan could impact on the funding received by the College from SFC.

6.   **Resource Implications** (finance, HR, Estates, ICT, etc)

No further resource implications require to be noted.

7.   **Equality and Diversity Impact Assessment** (provide a summary of what was considered during the EQIA process and the impact on protected characteristics (Positive or negative)).

An impact assessment is not applicable given the subject of this paper.

8.   **Sustainability** (how will the proposals support the sustainability of the college and as related to the sustainability strategy)

N/A

9.   **Consultation/Input** (state who has reviewed/approved/contributed to this report)

Chair, Board of Management

Fiona McQueen
Chair, Board of Management
21 March 2023

This paper will be published on the College website

Board of Management Meeting 28 March 2023

Board Performance and Improvement Plan - report to the Scottish Funding Council

Board and Committee Attendance 2021-22

What is our measurement criteria for attendance?

- **"Excellent" to "Unacceptable"**
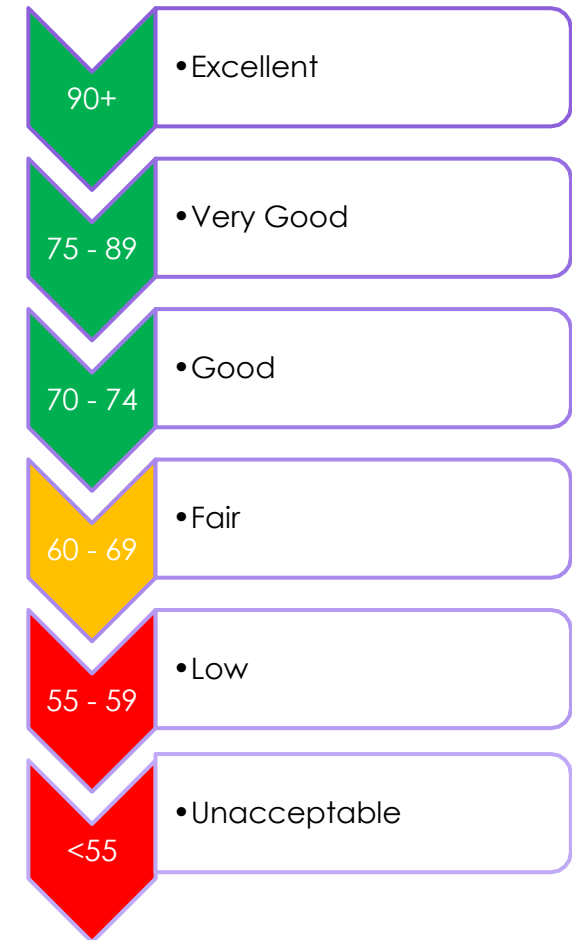*:* the attendance key is divided into a six-point scale.

- **≥ 70% average attendance**
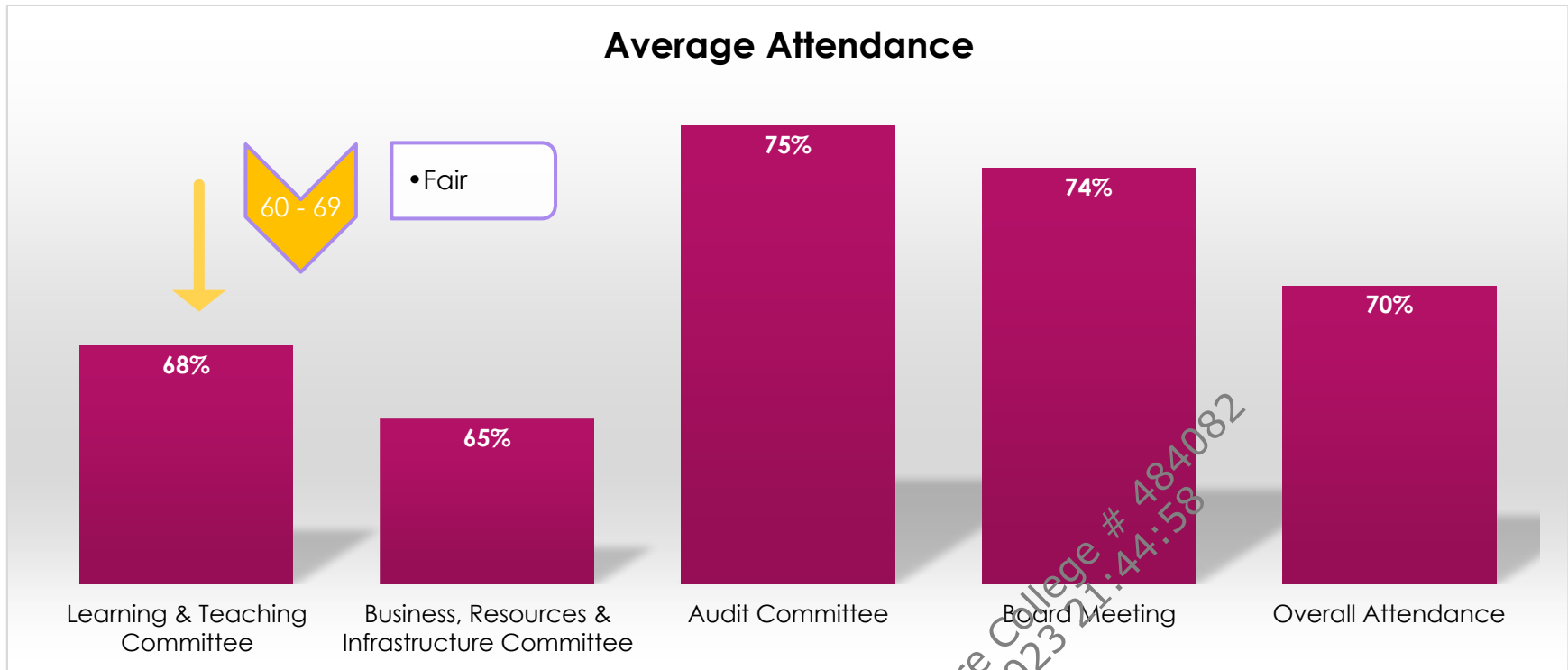**:** considered to be acceptable.

- **<70% average attendance**
:considered to be less than acceptable and would normally be subject to review and opportunities for improvement explored.

- **90% attendance benchmark and key performance indicator.**

Range	Rating
90+	•Excellent
75 - 89	•Very Good
70 - 74	•Good
60 - 69	•Fair
55 - 59	•Low
<55	•Unacceptable

Our Values: Respectful | Supportive | Open and Honest

Board and Committee Attendance: 2021/22 overview

Average Attendance

- 60 - 69
- •Fair

- 75 - 89
- •Very Good

Learning & Teaching Committee — 68%
Business, Resources & Infrastructure Committee — 65%
Audit Committee — 75%
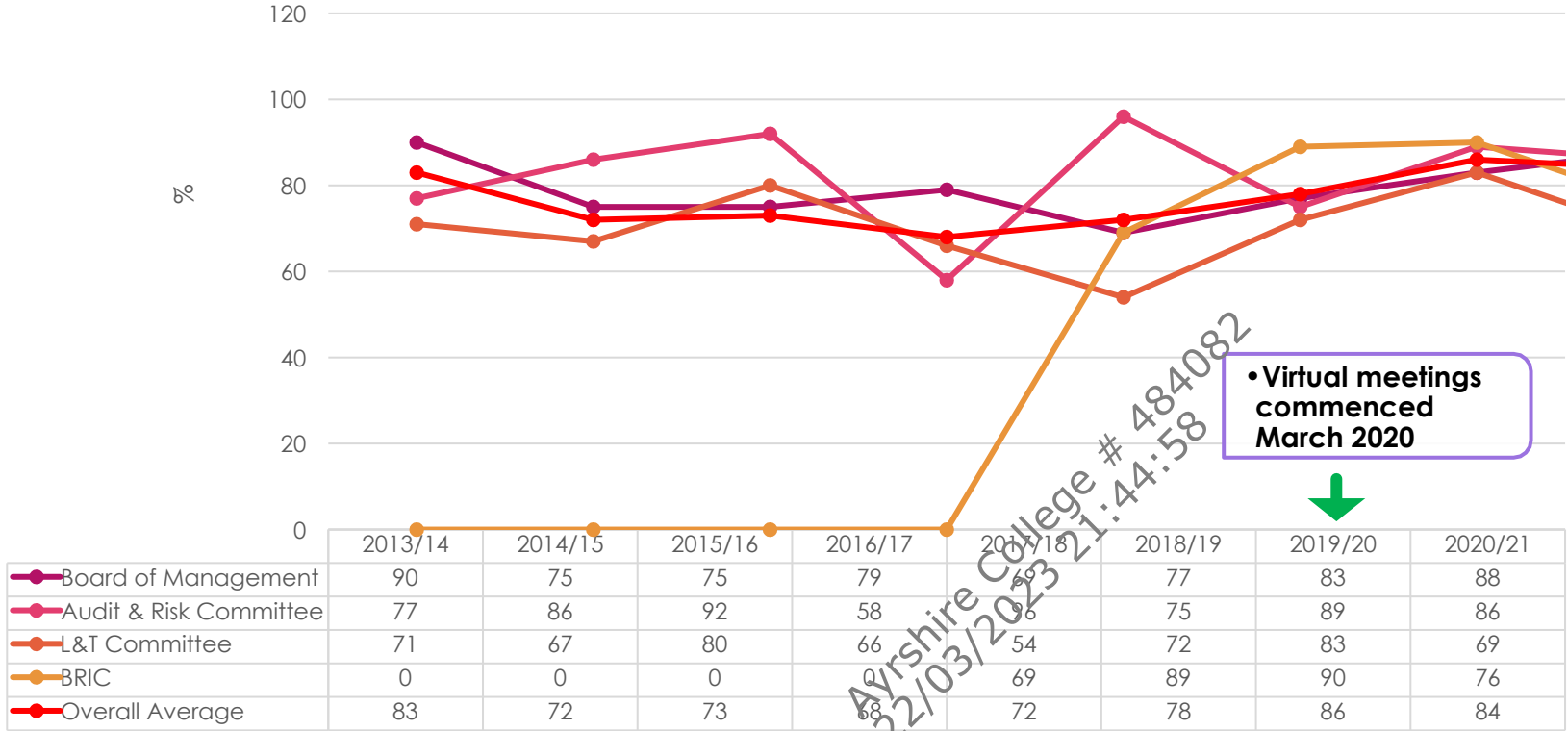Board Meeting — 74%
Overall Attendance — 70%

Attendance levels remain relatively consistent and overall very good but show a continued reduction from previous years (refer to next slide).

Our Values: Respectful | Supportive | Open and Honest

Board and Committee Attendance: 2013/14 - 2020/21

	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Board of Management	90	75	75	79	69	77	83	88
Audit & Risk Committee	77	86	92	58	76	75	89	86
L&T Committee	71	67	80	66	54	72	83	69
BRIC	0	0	0	0	69	89	90	76
Overall Average	83	72	73	68	72	78	86	84

- Virtual meetings commenced March 2020

75 - 89

- Very Good

Our Values: Respectful | Supportive | Open and Honest

Board and Committee Self-Evaluation of Effectiveness report 2021-22

Purpose

Board of Management: Self-Evaluation requirement

The Board of Management is required under the Code of Good Governance for Scotland's Colleges (section D.23) to:

- Undertake an annual self-evaluation of its performance and effectiveness against its overall duties and responsibilities.

- Commission an externally facilitated evaluation if its effectiveness at least every 3 years. The College commissioned an external review in 2021.

- Submit the self-evaluation report and corresponding Board Development Plan (including progress on the previous years' plan) to the funding body and also publish these on-line.

Compliance with the Code is a condition of grant award by SFC.

Board and Committee meeting attendance 2021/22

Key points:

- Attendance levels remain relatively consistent and overall very good.

- However, there is a continued reduction in levels of attendance from previous years.

- Overall average attendance reduced from 84% (2020/21) to 70% (2021/22).

Board self-evaluation of effectiveness report 2021/22

Key points:

- Overall, no significant issues raised but opportunities for improvement identified.

- Forward look comments summarises key points for further discussion by the Board.

- Does the evaluation address the right areas?

- How are individual committees undertaking annual evaluation to evidence compliance with terms of reference?

Board Development Plan 2023-24

Board Development Plan 2023/24

Principles	Development recommendations	Source	Action Plan	Lead	Timeline	Status	KPI (if relevant)
Leadership and Strategy	**Board Member Biographies** Fuller bios for each member would help understanding of the full range of skills, experience and interests that each member brings to the board.	Externally Facilitated Effectiveness Review (March 2021)	1. Members will be requested to review current biographies.	BMO	Jul 2023	In progress	% completion of biographies
			2. A template approach will be developed to support a consistent approach to completion.	BMO	Dec 2022	Complete Relevant records are held and monitored.	
			3. Following completion, new bios will be uploaded to the Website.	BMO	As required	Noted and will be actioned as relevant.	
			4. Skills Matrix for Board members will be updated annually with alignment to Board Member biographies.	BMO	March 2022	Complete	% completion of skills information.
	Virtual Breakout rooms Building in 'group chat' (using remote rooms) to board meetings where members can discuss issues in small groups would enhance board member engagement.	Externally Facilitated Effectiveness Review (March 2021)	This recommendation is noted and will be applied as and when relevant to the agenda of the Board.	BMO	As required	Noted and will be actioned as relevant.	
	Stakeholder mapping Consider, an exercise 'mapping' the college contribution to local economic and social wellbeing. This would build on a previous 'stakeholder map'.	Externally Facilitated Effectiveness Review (March 2021)	1. Stakeholder map will be reviewed and annually updated. 2. Stakeholder map will be included in the revised Board Member induction handbook.	BMO BMO	July 2022 July 2022	Complete This was updated by the Principal's office.	
	Stakeholder engagement Invite key speakers and setting time aside for less formal discussion out with the formal board meetings. ○ For example, a 30-45 minute slot before board meetings with a 'hot topic' for discussion. ○ Attendance by board members would be on a voluntary basis.	Externally Facilitated Effectiveness Review (March 2021)	Board Development and Board Strategy Days allow dedicated time for informal discussion, focus on significant college issues relevant to the Board with key stakeholders invited to present and speak to the Board at relevant times. This recommendation is noted and will be applied as and when relevant to the agenda of the Board.	BMO	As required	Will be actioned as and when considered relevant.	
	Knowledge repository A record of the sessions could be retained building up a useful archive.	Externally Facilitated Effectiveness Review (March 2021)	A reference record of topics presented, and stakeholder attendance will be established and mapped across to the Stakeholder Map. This will form part of a 'Knowledge repository' for the Board of Management.	BMO	August 2022	Implemented – Aims and objectives for sessions have been identified	

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Board Development Plan 2023/24

Principles	Development recommendations	Source	Action Plan	Lead	Timeline	Status	KPI (if relevant)
						as a standard approach.	
	Governance Review approach to support how governance can be effectively explained and communicated.	Board Governance Advisor recommendation	1. Develop infographic of governance. 2. Include as part of Board Member induction programme and handbook.	BMO	July 2023	In progress Work with marketing Team to develop the graphics	
Quality of the Student Experience	**Members expressed an interest in learning more about the student experience and the coherence of provision considering employer needs and other providers in the region.** • Board members could be offered the opportunity to better understand learning and teaching within the context of the College.	Externally Facilitated Effectiveness Review (March 2021)	1. Board and Board Committees receive a report from the Student President as a standing item to each Committee and Board meeting. 2. This recommendation will be discussed further with the Board and Executive.	Student President BMO	Quarterly reporting July 2023	Quarterly reporting In progress	
	As part of the stakeholder engagement at Board Development/Strategy Days, continue the practice of inviting speakers from key employment sectors to discuss employer needs.	Externally Facilitated Effectiveness Review (March 2021)	Board Development and Board Strategy Days allow dedicated time for informal discussion, focus on significant college issues relevant to the Board with key stakeholders invited to present and speak to the Board at relevant times. This recommendation is noted and will be applied as and when relevant to the agenda of the Board.	BMO	As required	Implemented	
Board Accountability	**Knowledge repository** Given that most board members are relatively new in 2021, and to build on the board 'memory', organise briefing packs which would be a repository of key historical papers on major issues and decisions.	Externally Facilitated Effectiveness Review (March 2021)	1. Board and Committee decision logs have been introduced and will provide an annual record of major decisions. 2. Annual decision log records will be included in the 'Knowledge repository' and issued to Board Members as part of their induction programme, specifically highlighting those related to major Board decisions. 3. Expansion of the Knowledge repository will be on-going. The development of briefing packs will be explored.	BMO BMO BMO	Sept 2021 Annually, July/Aug July 2023	Implemented In progress In progress	Consider if this would be a helpful resource – all decisions from Board and Committees are held in a main file
Board Effectiveness	**Post COVID meeting approach** Planning be undertaken for the post COVID 19 environment and the transition from entirely virtual meetings to a new, blended, approach to board and committee meetings. In this respect, the CDN research report on 'GOVERNING A COLLEGE USING VIRTUAL MEETINGS' which makes a number of recommendations.	Externally Facilitated Effectiveness Review (March 2021)	Discussions have commenced and planning under process. Planned discussion at Board Meeting on 24 March 2022.	BMO	March 2022	Complete Relevant records are held and monitored.	# of virtual meetings (Board and Committees)

Board Development Plan 2023/24

Principles	Development recommendations	Source	Action Plan	Lead	Timeline	Status	KPI (if relevant)
							# of onsite meetings (Board and Committees)
	Training and Development Ensure members are aware of the training and development opportunities available to them. In this respect update members at least annually on the CDN Governance Development Programme	Externally Facilitated Effectiveness Review (March 2021)	1. CDN training and development opportunities are circulated by email to the Board on receipt and specifically to new Board Members eg Board Member Induction training opportunities.	BMO	On receipt	Implemented	
			2. The BMO also circulates a monthly Communications Report to the Board which includes details of the above opportunities.	BMO	Monthly	Implemented	
			3. Attendance records are maintained to inform Board Member CPD and annual performance reviews.	BMO	Updated as advised.	Implemented	% of attendance.
	Board Member induction • Induction information	Board Governance Advisor recommendation	Board Member induction handbook presented as on-line reference tool and referenced according to: • External Environment • Board Environment • College Environment	BMO	August 2023	In progress – draft developed	
	Board Secretary induction Ensure a full induction programme for the new Board Secretary, including mentoring by an experienced Board Secretary. This is a requirement of the Code of Good Practice for Scotland's Colleges.	Externally Facilitated Effectiveness Review (March 2021)	1. Internal Board Secretary Handbook in development to further support induction programme. 2. Board Governance Advisor is a member of the CDN Board Governance Group and attends all meetings.	BMO	Dec 2022	Implemented _ standard induction handbook from CDN	
	Committee Reporting • Provide current reporting of key issues considered by Committees to the Board following each meeting of the Committee.	Board Governance Advisor recommendation	Committee Chair report submitted to each Board meeting.	BMO	Quarterly reporting	Implemented	
Relationships and Collaboration	Ensure that the board are and remain fully briefed on the college engagement with the Ayrshire Growth Deal.	Externally Facilitated Effectiveness Review (March 2021)	1. Standing agenda item at BRIC meeting. 2. Reporting to the Board via the Chair's report to the Board from BRIC and via the minutes of the meeting which are submitted to the Board.	BRIC	Quarterly reporting	Implemented	
	Board Profile • Raise profile of the role and purpose of the Board across the college.	Board Governance Advisor recommendation	1. Annual programme featuring a Board member in the Staff Newsletter each month during 2022. 2. Future approach to be considered.	BMO/ Marketing Dept	Monthly Feature	Implemented	# of hits per feature

13/13

Board of Management Meeting

28/03/2023

Strategic Objective Reference:	Choose an item.	SO2 - Embedding diversity and inclusion
	SO3 - Embedding a culture of open leadership and empowerment	Choose an item.
	SO5 - high performing college underpinned by excellence in stewardship and governance	Choose an item.
	Choose an item.	
Subject:	Board and Committee Structure 2023-24	
Purpose:	To review the membership of the Boards Standing Committee Structure.	
Action Required:	Approve	
Appendices:	Yes	

1.   Summary of Key Points (what is the significant information that members need to be made aware of as related to the purpose of the paper)

- The Board has undergone a period of change since the previous review of committee membership in 2019, including the implementation of a new Chair.
- Member feedback and the conclusions of annual self-evaluation of effectiveness reviews for AY2021-22 identified a need to ensure that all non-executive board members have the opportunity to serve on each of the standing Committees during their term with the Board.
- The proposals set out below are a consequence of the Board Chair, the Committee Chairs, the Principal and the Board Governance Adviser discussing draft proposals prepared by the Board Chair in support of the review of the standing committee structure.

2.   Background (sum up the background to the paper, including its prior journey, and/or previous versions, and identifying why this paper has been drafted)

The Board has undergone a period of change since the previous review of committee membership in 2019, including the implementation of a new Chair. As such it was agreed that a review of the committee membership at this time would be appropriate. In addition, the Board's own self evaluation process and annual appraisal of members undertaken by the Board Chair identified issues which pointed towards a review of the committee membership.

Each year the memberships of the Standing Committees is reviewed in light of changes in the membership of the Board and the desirability to ensure each member has an appropriate committee experience during their period of appointment. The proposed memberships are then brought by the Board Chair to the Board for approval. It is important to note that further exigencies may occur during the remainder any given year that could result in further changes being required. The Board would be circulated accordingly with an update when changes are made.

3. Assessment (outline your assessment of the current state, apply to any supporting appendices)

Member feedback and the conclusions of annual self-evaluation of effectiveness reviews for AY2021-22 identified a need to ensure that all non-executive board members have the opportunity to serve on each of the standing Committees during their term with the Board. This further enhances their experience as a non-executive Board member with the College and attributes towards their personal development.

Following Ministerial approval from Scottish Government on 6 December 2022, the Board approved the new non-Executive Board Member status of Gillian Murray and Gordon Neil by email vote on 31 January 2023. The change of two members from committee co-optee status to non-executive Board members further enhances the requirement for a review of the committee structures.

The proposals set out below are a consequence of the Board Chair, the Committee Chairs, the Principal and the Board Governance Adviser discussing draft proposals prepared by the Board Chair in support of the review of the standing committee structure.

4. Proposals and Recommendations (outline the proposals and recommendations being put forward and the corresponding justification)

The following changes to committee membership are proposed and are set-out in Appendix 1:

Learning, Teaching and Quality Committee
Steve Graham removed as member
Gordon Neil removed as a co-optee
Sharon Morrow appointed as Committee Vice Chair
Gillian Murray added as a non-executive member

Business, Resources and Infrastructure Committee
Beth Clelland and Fiona McQueen removed as members
Gillian Murray removed as a co-optee
Steve Graham and Gordon Neil added as a non-executive members
Robert Kean added as Elected Student Vice President

Audit and Risk Committee
Sharon Morrow added as a non-executive member

5. Risks (reference the corresponding risk from the risk register that this paper relates to)

BOM4 – Governance and Stewardship

6. Resource Implications (finance, HR, Estates, ICT, etc)

No further resource implications require to be noted.

7. Equality and Diversity Impact Assessment (provide a summary of what was considered during the EQIA process and the impact on protected characteristics (Positive or negative)).

An impact assessment is not applicable given the subject of this paper.

8. Sustainability (how will the proposals support the sustainability of the college and as related to the sustainability strategy)

N/A

9. Consultation/Input (state who has reviewed/approved/contributed to this report)

Board Chair, Board Committee Chairs and Principal.

**Fiona McQueen
Chair, Board of Management
21 March 2023**

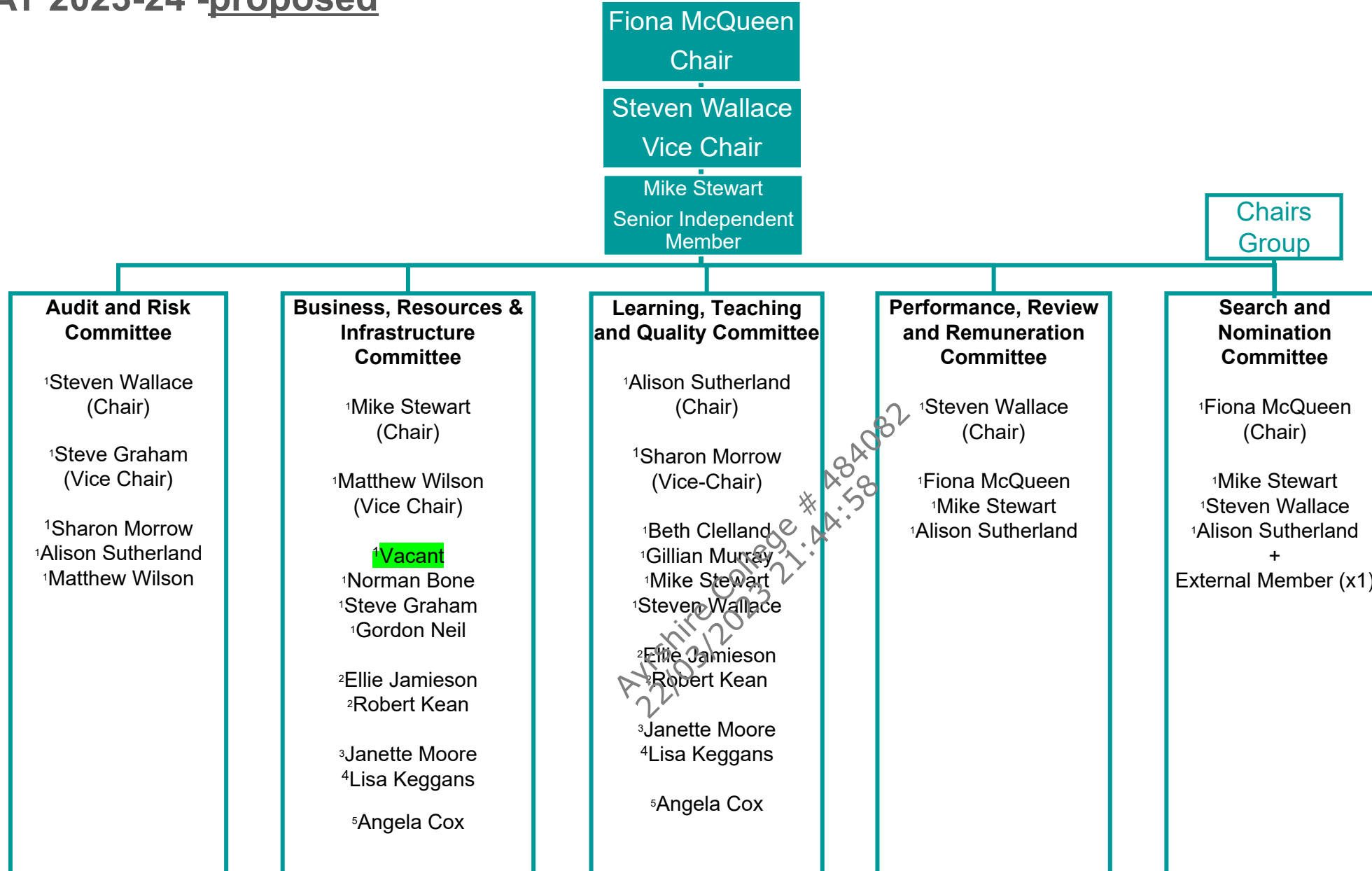*This paper will be published on the College website*

Board of Management Committee Structure
AY 2023-24 -proposed

Fiona McQueen
Chair

Steven Wallace
Vice Chair

Mike Stewart
Senior Independent Member

Chairs Group

Audit and Risk Committee

[1]Steven Wallace (Chair)

[1]Steve Graham (Vice Chair)

[1]Sharon Morrow
[1]Alison Sutherland
[1]Matthew Wilson

Business, Resources & Infrastructure Committee

[1]Mike Stewart (Chair)

[1]Matthew Wilson (Vice Chair)

[1]Vacant
[1]Norman Bone
[1]Steve Graham
[1]Gordon Neil

[2]Ellie Jamieson
[2]Robert Kean

[3]Janette Moore
[4]Lisa Keggans

[5]Angela Cox

Learning, Teaching and Quality Committee

[1]Alison Sutherland (Chair)

[1]Sharon Morrow (Vice-Chair)

[1]Beth Clelland
[1]Gillian Murray
[1]Mike Stewart
[1]Steven Wallace

[2]Ellie Jamieson
[2]Robert Kean

[3]Janette Moore
[4]Lisa Keggans

[5]Angela Cox

Performance, Review and Remuneration Committee

[1]Steven Wallace (Chair)

[1]Fiona McQueen
[1]Mike Stewart
[1]Alison Sutherland

Search and Nomination Committee

[1]Fiona McQueen (Chair)

[1]Mike Stewart
[1]Steven Wallace
[1]Alison Sutherland
+
External Member (x1)

Index

[1] Non-Executive Board Member
[2] Elected Member, Student President/Vice President
[3] Elected Member, Curriculum Staff
[4] Elected Member, Service Staff
[5] Principal/CEO – Ex-officio Board Member
[6] Co-optee Committee Member

Summary of proposed changes

Committee	Total number of <u>Non-Executive</u> Members (current structure)	Total number of <u>Non-Executive</u> Members (proposed structure)	Vacancy rate (proposed structure)	Minimum required (as per Terms of Reference)	Board Member	For consideration / approval
Audit and Risk	4 1 vacancy	5	0	At least 3 *(Non-Execs)	Sharon Morrow	Add as non-executive member
LTQ	6 2 vacancies	6	0	**6 Members from the Board **There is a total of 13 <u>Members</u> of the Board on this committee at the current time.	Steve Graham Gordon Neil	Remove as a member Remove as a co-optee **– to BRIC**
					Sharon Morrow	**Appoint as Vice-Chair**
					Gillian Murray	Add as non-Executive Member
BRIC	5 1 vacancy	6	1	**6 Members from the Board **There is a total of 10 <u>Members</u> of the Board on this committee at the current time.	Fiona McQueen Gillian Murray	Remove Chair of the Board as a Member Remove as a co-optee **– to LTQC**
					Beth Clelland Steve Graham Robert Kean Gordon Neil	Remove as a member Add as non-Executive Member Add as Elected Student Vice President Add as non-Executive Member

*Audit and Assurance Committee Handbook
Terms of Reference refers - **Members (include Non-Executives, Elected Staff Members and the Principal)

Board of Management Meeting

28/03/2023

Strategic Objective Reference:	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	SO5 - high performing college underpinned by excellence in stewardship and governance	Choose an item.
	Choose an item.	
Subject:	Board and Committee Programme of Meetings 2023-24	
Purpose:	To present proposals for the Board to consider the approach to its future annual meeting programme.	
Action Required:	Approve	
Appendices:	Yes	

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1. **Summary of Key Points** (what is the significant information that members need to be made aware of as related to the purpose of the paper)

- The Board of management is asked to review and approve a programme of meetings on an annual basis.

2. **Background** (sum up the background to the paper, including its prior journey, and/or previous versions, and identifying why this paper has been drafted)

The Ayrshire College Board of Management Responsibilities and Standing Orders, (2.9) states that '*the Board shall hold as many Board and Committee meetings as may be necessary for the performance of its functions and at such times, places and frequency as the Board determines',* and shall accordingly '*approve an annual programme of meetings'.*

An annual programme of Board and Committee meeting dates is therefore presented to the Board for review and approval.

3. **Assessment** (outline your assessment of the current state, apply to any supporting appendices)

Appendix 1 outlines the proposed 2023-24 programme of Board and Committee meeting dates and details corresponding times and the venue at which each meeting may be held.

4. **Proposals and Recommendations** (outline the proposals and recommendations being put forward and the corresponding justification)

The Board is asked to review and approve the Board and Committee Programme of Meetings 2023-24.

5. Risks (reference the corresponding risk from the risk register that this paper relates to)

BOM4 – Governance and Stewardship

6. Resource Implications (finance, HR, Estates, ICT, etc)

No further resource implications require to be noted.

7. Equality and Diversity Impact Assessment (provide a summary of what was considered during the EQIA process and the impact on protected characteristics (Positive or negative)).

An impact assessment is not applicable given the subject of this paper.

8. Sustainability (how will the proposals support the sustainability of the college and as related to the sustainability strategy)

N/A

9. Consultation/Input (state who has reviewed/approved/contributed to this report)

No formal consultation is required given the subject of this paper.

<div align="right">

Fiona McQueen
Chair, Board of Management
21 March 2023

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This paper will be published on the College website

Schedule of Board and Committee Meetings AY 2023-24

(Paper 5.4 – Appendix 1)

COMMITTEE	DATE	TIME	CAMPUS	PAPERS FOR CIRCULATION
Board Induction/Development Day	Thursday 14 September 2023	All Day	TBC	N/A
Learning, Teaching & Quality Committee	Thursday 28 September 2023	4.00 PM	Hybrid – Kilmarnock Campus/Teams	21.09.23
Business, Resources & Infrastructure Committee	Tuesday 3 October 2023	4.00 PM	Hybrid – Kilmarnock Campus/Teams	26.09.23
Audit & Risk Committee	Tuesday 10 October 2023	4.00 PM	Hybrid – Kilmarnock Campus/Teams	03.10.23
Board of Management Meeting	Thursday 19 October 2023	4.00 PM	Hybrid – Kilmarnock Campus/Teams	12.10.23
Learning, Teaching & Quality Committee	Thursday 16 November 2023	4.00 PM	Hybrid – Kilmarnock Campus/Teams	09.11.23
Business, Resources & Infrastructure Committee	Tuesday 21 November 2023	4.00 PM	Hybrid – Kilmarnock Campus/Teams	14.11.23
Audit & Risk Committee	Tuesday 28 November 2023	4.00 PM	Hybrid – Kilmarnock Campus/Teams	21.11.23
Board of Management Meeting	Thursday 14 December 2023	4.00 PM	Hybrid – Kilmarnock Campus/Teams	07.12.23
Board Development Day	Thursday 25 January 2024	All Day	TBC	N/A
Learning, Teaching & Quality Committee	Thursday 7 March 2024	4.00 PM	Hybrid – Kilmarnock Campus/Teams	29.02.24
Business, Resources & Infrastructure Committee	Tuesday 12 March 2024	4.00 PM	Hybrid – Kilmarnock Campus/Teams	05.03.24
Audit & Risk Committee	Tuesday 19 March 2024	4.00 PM	Hybrid – Kilmarnock Campus/Teams	12.03.24
Board of Management Meeting	Thursday 28 March 2024	4.00 PM	Hybrid – Kilmarnock Campus/Teams	21.03.24
Board Strategy Day	Tuesday 16 April 2024	All Day	TBC	N/A
Learning, Teaching & Quality Committee	Thursday 23 May 2024	4.00 PM	Hybrid – Kilmarnock Campus/Teams	16.05.24
Business, Resources & Infrastructure Committee	Tuesday 28 May 2024	4.00 PM	Hybrid – Kilmarnock Campus/Teams	21.05.24
Audit & Risk Committee	Tuesday 4 June 2024	4.00 PM	Hybrid – Kilmarnock Campus/Teams	28.05.24
Board of Management Meeting	Thursday 13 June 2024	4.00 PM	Hybrid – Kilmarnock Campus/Teams	06.06.24

Our Values: Respectful | Supportive | Open and Honest

Board of Management Meeting

28/03/2023

Strategic Objective Reference:	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	SO5 - high performing college underpinned by excellence in stewardship and governance	Choose an item.
	Choose an item.	
Subject:	Transfer to Microsoft Teams from AdminControl	
Purpose:	To provide an update on a project being undertaken to move the Board, Committee and SLT papers from AdminControl to Microsoft Teams.	
Action Required:	To Note	
Appendices:	No	

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1. Summary of Key Points (what is the significant information that members need to be made aware of as related to the purpose of the paper)

The College has used AdminControl as the platform for all its Board of Management and Committee papers from September 2015. Since the College procured AdminControl there have been developments in existing systems which the College already has access to. Using a system that is already inclusive within other software packages will save these unnecessary licence costs. The paper therefore sets out the move from AdminControl to Microsoft Teams.

2. Background (sum up the background to the paper, including its prior journey, and/or previous versions, and identifying why this paper has been drafted)

The College has used AdminControl as the platform for all its Board of Management and Committee papers since September 2015. The College moved to this electronic platform to reduce the cost of paper, postage and packaging. The College moved to AdminControl when online platforms were not a common occurrence for Colleges and when such platforms were not available through existing systems or programmes.

3. Assessment (outline your assessment of the current state, apply to any supporting appendices)

Since the College procured AdminControl there have been developments in existing systems which the College already has access to. This includes the Office 365 suite with Microsoft Teams. The College currently pays £8,357 for the AdminControl licence. Using a system that is already inclusive within other software packages will save these unnecessary licence costs.

The changes to working resulting from the impact of the Covid-19 pandemic have made Microsoft Teams a ubiquitous product. College meetings are held on Microsoft Teams and staff are used to sharing and storing information on Microsoft Teams team pages. There are no additional costs to the College in using Microsoft Teams.

The College has therefore begun work to move from AdminControl to Microsoft Teams. The initial work has been led with support from the Board of Management Office, the SLT's Executive Assistants, and the College's ICT Team. During the March Board and committee meeting cycle, papers for these meetings have been uploaded to AdminControl and to dedicated Microsoft Teams team pages.

The College will move to using Microsoft Teams for all meetings of the May and June Board and committee cycle. A guidance paper on the use of Teams and how to access the relevant Board and Committee meetings and papers will be shared with all board members and committee attendees prior to the May cycle commencing.

Microsoft Teams will also be used for all meetings of the College's Senior Leadership Team (SLT). It is currently projected that the change will come into effect from the 20 April SLT meeting.

4. Proposals and Recommendations (outline the proposals and recommendations being put forward and the corresponding justification)

No further proposals are included within this paper

5. Risks (reference the corresponding risk from the risk register that this paper relates to)

This change relates to risk BOM3 – Governance and Stewardship. In particular it links to a key area of this risk being that relevant and timely information is presented to the Board of Management in an appropriate format. The proposed change set out in this paper will ensure that Board Members can continue to access relevant current and historic board and committee papers in a timely manner.

6. Resource Implications (finance, HR, Estates, ICT, etc)

No further resource implications require to be noted.

7. Equality and Diversity Impact Assessment (provide a summary of what was considered during the EQIA process and the impact on protected characteristics (Positive or negative)).

An impact assessment is not applicable given the subject of this paper.

8. Sustainability (how will the proposals support the sustainability of the college and as related to the sustainability strategy)

The College moved to the AdminControl electronic platform to reduce the cost of paper, postage and packaging. Developments in existing systems which the College already has access to will save these unnecessary licence costs. The proposal ensures effective delivery of the College's strategic objectives. This includes being a sustainable organisation.

9. Consultation/Input (state who has reviewed/approved/contributed to this report)

No formal consultation is required given the subject of this paper.

James Thomson
Vice Principal – Finance
14 March 2023

Key Performance Indicators	End of year actual or average 2021-22	End of year actual or average 2022-23	September Board			December Board			March Board			June Board			End of academic year target
			Target	Actual	2% < Green Within 2% Above or Below Amber 2%> Red	Target	Actual	2% < Green Within 2% Above or Below Amber 2%> Red	Target	Actual	2% < Green Within 2% Above or Below Amber 2%> Red	Target	Actual	2% < Green Within 2% Above or Below Amber 2%> Red	
1. Credits															
Core	125,197					103,000	99,864	-4%	123,000	115,300		123,867			123,867
Foundation Apprenticeships	1,081					1,000	790	-35%	1,344	1,344		1,344			1,344
2. Apprenticeship Starts															
Contracted	176			188		190	194	2%	208	210		208			208
3. Budget performance (against plan)			-£267,747	-£290,508		-£267,747	-£290,508	-9%	£815,800	£828,264		£623,549			-£278,200
4. Trading cash levels held			£3,452,000	£3,452,000		£3,452,000	£3,452,000		£4,669,428	£4,669,428		£1,364,000			£1,480,000
5. Student Retention															
FE FT	66.1%					90%	89.8%		72%	77.90%		69%			69%
FE PT	91.8%					95%	95.6%		94%	91.50%		92%			92%
HE FT	73.6%					92%	92.2%		78%	79.80%		76%			76%
HE PT	90.8%					95%	96.9%		93%	93.80%		92%			92%
6. Student Progression (NB figures from 2020/21)	**2019-20**														
FE Qualifiers	94.6%								96%	95.70%					96%
HE Qualifiers	92.9%								94%	95.40%					94%
7. Student Satisfaction	94.0%											95%			95%
8. Staff consistently rate the College as a good place to work	55%											65%			65%
9. Employer/Stakeholder Satisfaction	N/A											95%			95%

Ayrshire College # 484082
22/03/2023 21:44:58

Board of Management Meeting

28/03/2023

Strategic Objective Reference:	Choose an item.	SO2 - Embedding diversity and inclusion
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	
Subject:	Mainstreaming Equality 2021-2023 and Equality Outcomes 2021-25 Report	
Purpose:	That members note, consider and approve the progress achieved in relation to mainstreaming equality across the College.	
Action Required:	Approve	
Appendices:	Yes	

1.   Summary of Key Points (what is the significant information that members need to be made aware of as related to the purpose of the paper)

> The Mainstreaming Equality 2021-2023 and Equality Outcomes 2021-2025 Report was reviewed by the Business Resources and Infrastructure Committee, at the meeting held on 7 March 2023, when it was agreed for presentation to the Board of Management for consideration and approval.

The Mainstreaming Equality 2021-2023 and Equality Outcomes 2021-25 report is a legislative requirement, to highlight the College's progress in meeting the requirements of the public sector equality duty (PSED). The PSED was created under section 149 of the Equality Act 2010 and in Scotland, all public sector bodies are legally obliged to meet the general equality duty and the specific duties. The specific duties were created by secondary legislation in the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 and are intended to support public sector bodies in Scotland to better perform the general equality duty.

The purpose of the paper is for members to consider and approve the progress achieved on mainstreaming equality across the College and also progress against the equality outcomes 2021-2025.

2.   Background (sum up the background to the paper, including its prior journey, and/or previous versions, and identifying why this paper has been drafted)

Following the last formal review in 2021, as part of the PSED cycle, the College took the decision to publish an annual progress report in addition to our legislative requirements. The first annual progress report was published in April 2022 and the mainstreaming report builds on this document.

3. Assessment (outline your assessment of the current state, apply to any supporting appendices)

The Mainstreaming Equality 2021-2023 and Equality Outcomes 2021-25 report, sets out the current progress the College has achieved against the four equality outcomes. The report is attached as Appendix 1.

The four equality outcomes were identified by the College to tackle what were considered to be the most significant and persistent inequalities impacting on staff and students. Key actions were also identified which would be progressed over the four-year period to make a difference to the lives and experiences of those most beset by inequality on the basis of their protected characteristic(s).

The equality outcomes are as follows:

Equality Outcome 1:

Students and staff with protected characteristics most likely to experience hate, report that they feel safe while engaged in study or work.

Equality Outcome 2:

Curriculum areas with courses that have a male or female student gender imbalance greater than a 75:25 ratio have improved.

Equality Outcome 3:

The rates of disclosure, retention and attainment of male students with a mental health condition have improved.

Equality Outcome 4:

The recruitment and disclosure rates of staff with a disability have improved.

The report sets out the progress that has been achieved against the four equality outcomes, as well as our wider actions to mainstream equality and improve the experiences of staff and students working and studying at the College. The impact of these actions over the last two years are detailed in the attached report, together with further actions and progress that will be taken forward over the final two years of the current reporting cycle.

Alongside the equality outcomes set by the College in 2021, new National Equality Outcomes were published in February 2023, which have been considered together with our existing outcomes and this has been acknowledged in the attached report. Further integration of the National Equality Outcomes will be reflected in future reporting.

4. Proposals and Recommendations (outline the proposals and recommendations being put forward and the corresponding justification)

The Mainstreaming Equality 2021-2023 and Equality Outcomes 2021-25 Report is presented to members for consideration and approval.

5.   **Risks** (reference the corresponding risk from the risk register that this paper relates to)

The College is legislatively required to set out its progress in relation to mainstreaming equality and also to publish and deliver equality outcomes. In addition, embedding equality across all areas is a key strategic objective to ensure that the College continues to be inclusive and accessible by all.

6.   **Resource Implications** (finance, HR, Estates, ICT, etc)

No further resource implications require to be noted.

7.   **Equality and Diversity Impact Assessment** (provide a summary of what was considered during the EQIA process and the impact on protected characteristics (Positive or negative)).

The focus of the report is to set out the College's progress in mainstreaming and advancing equality for both students and staff.

8.   **Sustainability** (how will the proposals support the sustainability of the college and as related to the sustainability strategy)

In order to be a sustainable organisation, it is essential that the College can take all necessary steps to advance equality of opportunity. This is a key requirement in delivering accessible and inclusive learning and teaching and also to support a workforce that is sustainable in the longer term.

9.   **Consultation/Input** (state who has reviewed/approved/contributed to this report)

The paper has been drafted by the Equality and Diversity Lead, reviewed and supported by the Head of HR Services and the Assistant Principal of HR and Organisational Development.

The information contained within the report has been collated through the membership of the College's VIEW Group and its associated sub-groups, who lead on the outcomes and actions identified. Data and information has also been provided by the Business Intelligence and Information Systems team and the Quality Enhancement team with regard to student data, whilst staff data has been provided by the HR Services team.

The report will be shared across all networks, both internally and externally, with feedback received through this process.

<div align="right">

David Davidson
Assistant Principal
HR and Organisational Development

15 February 2023

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This paper will be published on the College website

Mainstreaming Equality 2021-2023 and Equality Outcomes 2021-2025

April 2023

1

Foreword

In April 2021, Ayrshire College published its Mainstreaming Equality 2019-2021 and Equality Outcomes 2021-2025 report. It was a report defined by its time; that is, the College, like others in the Sector, business, industry and elsewhere, was responding to both the reality and uncertainty of the global Covid-19 pandemic. In particular, the College had to make decisions which could help to mitigate against the potential of the pandemic to exacerbate already existing inequalities and at the same time still fulfil a commitment to support the inclusion and wellbeing of its people and promote the social and economic prosperity of its local communities and the region.

Two years on, that commitment remains true. Ayrshire College is a successful and ambitious college. It is proud to be a safe, inclusive and diverse place in which to learn, work and develop. As Principal and CEO, my mission is to lead the College to even greater success with inclusion and diversity at the heart of everything we do to advance equality of opportunity for all.

During the past two years, there are many examples, set out in this report, of the progress made by the College on its commitment. The progress against the current Equality Outcomes at this mid-way point is clear, and we will continue to work hard on achieving the Outcomes, believing they tackle the most significant and persistent inequalities experienced by our students and staff. The focus for the next two years is to improve the way in which we, in effect, mainstream equality throughout the College and push for increased impact in terms of experience and outcomes through our Equality Outcomes. By doing this, and by doing it well, the College can truly unlock its full potential and make good on the ambitions it has set itself.

It will take leadership and collaborative efforts and the College will be a driving force in these key areas.

This is an exciting time for the College. It has much to offer to its students, staff, communities, partners, and the Sector. I look forward to updating you in the future on the College's progress to mainstream equality and achieving its Equality Outcomes 2021-2025.

Angela Cox

Principal and CEO, Ayrshire College

About this report

The purpose of this report is to demonstrate Ayrshire College's progress in meeting the requirements of the public sector equality duty (PSED). The PSED was created under section 149 of the Equality Act 2010 and in Scotland, all public sector bodies, like the College, are legally obliged to meet the general equality duty and the specific duties. The specific duties were created by secondary legislation in the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 and are intended to support public sector bodies in Scotland to better perform the general equality duty.

This is the College's fifth, formal report in response to this Duty with the last review in April 2021. Following that last review, the College made the decision to publish an annual progress report in addition to the PSED cycle to primarily improve its monitoring, accountability, and transparency in fulfilling and exceeding its legislative requirements. The first annual report was published in April 2022.

To view the report, click here:

https://www1.ayrshire.ac.uk/media/9899/mainstreaming-equality-and-equality-outcomes-progress-report-2022-25.pdf

As such, this report should be read in conjunction with the annual report published in April 2022.

In January 2023, the Scottish Funding Council (SFC) published a set of National Equality Outcomes (NEOs) for colleges and universities to consider and adopt going forward. These NEOs have been aligned[1] to the College's Equality Outcomes 2021-2025 and between now and April 2025, steps will be taken by the College to contribute to the achievement of these NEOs taking account of the College's context, students, and staff. The College is still of the belief that the equality outcomes it set itself in April 2021 afford the best opportunity to make a difference to the lives and experiences of those most beset by inequality based on protected characteristic(s). It is for this reason the College is continuing to progress with these equality outcomes also.

To view information on the NEOs, click here:

https://www.sfc.ac.uk/about-sfc/how-we-operate/equality-diversity/equality-diversity.aspx

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[1] Where a NEO has not been aligned to the College's current Equality Outcomes 2021-2025, this will be taken through other existing College and SFC reporting mechanisms.

In this report

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Equality Outcomes 2021-2025

Appendix 1: Workforce diversity

Appendix 2: Equality Outcomes 2021-2025 action plan: progress update

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An increase to

7%

of staff with a disability or long-term health condition

Rockpool Podcasts, the College's podcast show, won the College Development Network (CDN) Inclusive College Award in December 2021

Number of male students enrolled on Health and Social care courses has increased to

13%

Held the first ever hate crime conference in Ayrshire at Kilmarnock Campus in October 2022

In the Student Satisfaction and Engagement Survey
83% of students
agreed with the statement
'I feel that I am part of the college community'

Achieved near parity between male and female at the most senior levels of College management

The Student Association added three new roles to its Student Executive Committee bringing the total equality roles on the Committee to six

135 students

participated in a project to raise awareness of domestic abuse and coercive control and showcased their work as part of 16 days of action 2022

77.6%

of responses in the IiP survey strongly agreed and agreed with the statement that the College is committed to diversity

81

staff completed the LGBT Youth Scotland online learning course

4.8% improvement

in attainment by male students with a declared mental health condition

During their monthly meetings, a member of the Senior Leadership Team (SLT) is now a nominated Equality Champion to strengthen the College's strategic commitment to equality, diversity and inclusion

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01

Our People

Workforce equality profile in numbers: at a glance

April 2020 – December 2022

789
Ayrshire College staff

8%
of male staff
work part-time

23%
of staff
are aged between
16-40 years

63%
of staff
are female

37%
of staff
are male

7%
of staff
have a disability or long-term health condition

2%
of staff
are Black, Asian,
and Minority Ethnic
(BAME)

2%
of staff
are Lesbian, Gay,
Bisexual and Other

2%
of staff
are of a non-
Christian religious
belief

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Improving workforce diversity: key challenges and successes

In April 2021, the College identified some key challenges regarding its workforce diversity including an ageing workforce and a low representation from minority groups in relation to disability, ethnicity, religion or belief, and sexual orientation. These challenges remain.

To meet these, the College is taking actions across the full employee journey including recruitment and selection, staff learning and development opportunities, and specifically through those outlined in Equality Outcome 1 and Equality Outcome 4. The College's continued commitment to improve its workforce diversity and ensure its people work and develop in an inclusive, supportive culture and environment, is realising some positive change in these regards. It is particularly encouraging that the College is increasingly attracting diverse candidates at application stage and its current workforce diversity is broadly on par with or, for some protected characteristics, exceeding local public sector counterparts in Ayrshire and the Further Education sector in Scotland. [2]

Moreover, from the Investors in People (IiP) survey results, it was shown that 77.6% of responses strongly agreed and agreed with the statement that the College is committed to diversity and 73.8% of responses strongly agreed and agreed with the statement that the College values and respects individual differences. In September 2022, the College was awarded Gold level in the IiP We Invest in People accreditation having previously achieved Standard level.

In that same year, the College actioned its commitment to refresh and enhance its Exit Interview and included a question related to bullying, discrimination, and harassment based on protected characteristic(s). Through this, the College is now in an improved position to intervene positively, if required, regarding its culture and environment and its potential impact upon staff recruitment and retention. An important caveat here, however, is the total number of staff who leave the College is relatively low. And when staff do leave through resignation (55), it is shown, based on information from April 2020 to December 2022, a low number are Black, Asian, and Minority Ethnic (BAME) (2), lesbian, gay, or other (6), of a non-Christian religion or belief (6), and have a disability (18).

Improving workforce diversity: steps being taken

The College recognises a series of sustained, inter-related actions are required to bring about the changes it is ambitious to achieve in terms of its workforce diversity. In the College's annual Mainstreaming Equality and Equality Outcomes 2021-2025 progress report, published in April 2022, some of the steps being taken by the College to improve its workforce diversity were highlighted including the Hiring Manager Toolkit and the #WeAreAyrshireCollege campaign. Both examples, as well as the further development of the College's Growing Leaders Framework, demonstrate the way in which staff recruitment and selection and retention are being considered as key in promoting and furthering equality, inclusion, and diversity. The #WeAreAyrshireCollege campaign, for example, is an ongoing campaign which aims to celebrate diversity and foster inclusion through student and staff photographs taken by students studying on Photography courses. The campaign, first launched as part of LGBT History Month in February 2022, is continuing to evolve and is now also part of the College's marketing to attract and recruit staff.

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[2] Some partners from the Ayrshire Equalities Partnership (AEP) participated in a benchmarking exercise, using workforce data reported in April 2019, in August 2020. College Staffing Data 2020-21 (sfc.ac.uk) publication

Improving workforce diversity: aims for the future

The College is a key employer in Ayrshire and as such, it wants its people to reflect the diverse communities in which it serves and to support the economic wellbeing of the region. It is important therefore, that the College uses available, up-to-date local, national and Sector data, to critically assess its current situation and take informed actions regarding its workforce diversity.

By April 2025, the College aims to have:

- Increased the total number of staff aged between 16-40 years and continued to monitor the significance of age and gender in relation to College leadership positions

This is because currently the total number of staff aged between 16-40 years is 23%. The highest concentration of staff is in the 41-55 years category (45%). In the period from April 2020 to December 2022, 7% of applicants aged between 16-25 years and 42% of applicants aged between 26-40 years were successfully appointed to a College position. The split between lecturing staff (319) and support staff (399) aged between 16-40 years is 64 lecturing staff to 111 support staff.

In terms of age and gender in relation to College leadership positions[3], of the 117 female staff aged between 16-40 years, four are in Curriculum Manager roles and one is in a Head role. In comparison, of the 71 male staff aged between 16-40 years, one is in a Head role. The divergence in age and gender in relation to College leadership positions is more apparent in the age range 41-55 years where 14 female staff in comparison to 21 male staff are in a Curriculum Manager, Head, Senior Management or Executive Leadership role. In the Executive Leadership Team (ELT) and Senior Leadership team (SLT), the number of those in the age range 41-55 years is five. The ratio of male to female in the ELT and SLT is three males to four females.

- Increased the total number of staff recruited with a disability and improved the disability declaration rate

This is because currently the total number of staff with a disability is 7% while 12% of staff have not provided information on their disability status. The College through continuing focused activity and actions set out in Equality Outcome 4, has been able to improve its staff disability declaration rate year on year. The College is acutely aware that 1 in 5 working aged people in Scotland have a disability and that inequalities in gaining employment still exist. In the period from April 2020 to December 2022, the total number of applications received from candidates with a disability was 13% and 25% of these candidates were successfully appointed to a role in the College. In terms of College leadership positions, the total number with a disability is five. A higher number of Support staff than in comparison to Lecturing staff have a disability and the difference between staff with a disability in full-time employment and part-time employment is small.

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[3] Leadership positions have been defined here as follows: Curriculum Manager, Head, Assistant Principal, Vice Principal and Principal

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- Continuously monitored the total number of Black, Asian and Minority Ethnic (BAME) staff in relation to the diversity profile of Ayrshire and the Further Education sector to inform actions

This is because currently the total number of BAME staff is 2%. This figure remains relatively unchanged from previous years and is comparative to the diversity profile of Ayrshire reported in the Scotland Census 2011. In the period from April 2020 to December 2022, the total number of applications received from BAME candidates was 5% and 12% of these candidates were successfully appointed to a role in the College. In terms of College leadership positions, 16% are BAME. A marginally higher number of Lecturing staff in comparison to Support staff are BAME and the difference between BAME staff in full-time employment and part-time employment is small.

- Continuously monitored the total number of staff who are of a non-Christian religion or belief in relation to the diversity profile of Ayrshire and the Further Education sector to inform actions

This is because currently the total number of staff who are of a non-Christian religion or belief is 2%. A high number of staff (41%) stated that they had no religion or belief. The Church of Scotland is the most followed religion or belief by staff (25%) in comparison to all other religions or beliefs. In the period from April 2020 to December 2022, the total number of applications received from candidates of a non-Christian religion or belief was 4% and 14% of these candidates were successfully appointed to a role in the College. In terms of college leadership positions, one member stated their religion or belief as 'Another religion or belief' while 14 selected the option 'Prefer not to say'. Overall, the total number of staff who selected the option 'Prefer not to say' is 11%.

- Continuously monitored the total number of staff who are lesbian, gay, bisexual, or other in relation to the diversity profile of Ayrshire and the Further Education sector to inform actions

This is because currently the total number of staff who are lesbian, gay, bisexual, or other is 2%. In the period from April 2020 to December 2022, the total number of applications received from candidates who are lesbian, gay, bisexual, or other was 8% and 18% of these candidates were successfully appointed to a role in the College. At application stage, 6% of applicants selected the option 'Prefer not to say'. In terms of College leadership positions, none stated they were lesbian, gay, bisexual, or other and 10 staff selected the option 'Prefer not to say' or the information was not provided. Overall, the total number of staff who selected the option 'Prefer not to say' is 4%.

- Continuously monitored the total number of staff who are trans and gender diverse in relation to the diversity profile of Ayrshire and the Further Education sector to inform actions

The College currently has no members of staff who have indicated their gender is different to the one assigned at birth and five members of staff who have selected the option 'Prefer not to say'. In the reporting period, one member of staff, on a fixed term contract, indicated their gender was different to the one assigned at birth.

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Student equality profile in numbers: at a glance

Academic Year 2022-2023

12,361 Ayrshire College students enrolled

39% of students are aged between 16-19 years

7% of students are Lesbian, Gay, Bisexual or Other

48% of students are male

46% of students are female

0.52% of students are trans or gender diverse

82% of students are White Scottish

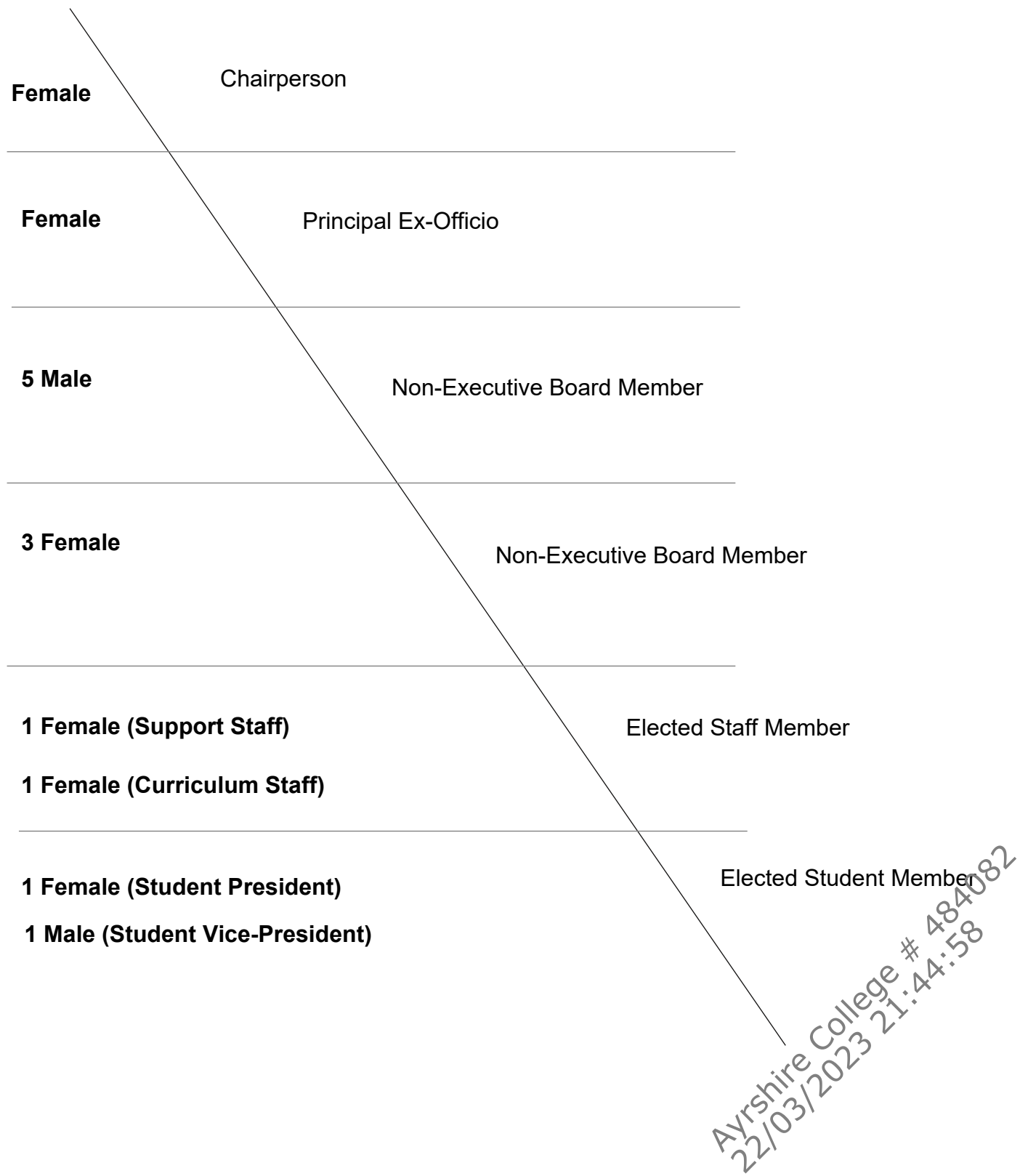**27%** of students stated they do not have a disability

66% of students stated they had no religion or belief

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To learn more about the Board of Management, click here:
https://www1.ayrshire.ac.uk/about-us/management-team/board-of-management/

Female   Chairperson

Female   Principal Ex-Officio

5 Male   Non-Executive Board Member

3 Female   Non-Executive Board Member

1 Female (Support Staff)   Elected Staff Member

1 Female (Curriculum Staff)

1 Female (Student President)   Elected Student Member

1 Male (Student Vice-President)

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02
Equal Pay

Committed to Equal Pay

In April 2021, the College published its Equal Pay Statement and through this, reaffirmed its commitment to ensure all staff receive equal pay for work of equal value, for the same work or broadly similar work and work rated as equivalent.

To view the College's Equal Pay Statement, click here:
https://www1.ayrshire.ac.uk/media/9188/ayrshire-college-equality-report-2021-25-accessible_compressed.pdf

Gender pay gap: potential contributing factors

The College also reaffirmed its commitment to addressing its gender pay gap. The gender pay gap is the difference between men's and women's average hourly pay. It is not the same as the issue of equal pay. The gender pay gap is complex and is symptomatic of gender inequality. It is for this reason the College has long taken a whole-college approach to gender equality.

The College understands that its position as both an employer and educational institution is intertwined; that if it advocates for and brings about change, including encouraging current and future students, no matter their gender, to enrol on courses of study that reflect their interests and career aspirations, this will reflect positively in the workforce of the future and contribute to reducing the gender pay gap. The consequence if not, as an employer, is the continuation of applicants at recruitment stage being weighted to male or female dependent on occupation and role. Indeed, in reviewing applications from April 2020 to December 2022, there are some instances where no males or females applied for a job role which is seen as traditionally male or female.

As such, long-term changes are needed to reverse the significant and persistent occupational imbalances and much of this arguably goes beyond employment law and practice. In Scotland, higher numbers of women in comparison to men work part-time and less women than men hold senior management positions[4]. In the College, 41% of staff work part-time - 33% are female staff and 8% are male staff. And while there is almost near parity between male and female staff in College leadership positions, a higher number of female staff (73%) earn between £19,838 and £32,123 than male staff (27%) and the gap between female staff (53%) and male staff (47%) who earn £50,394 and above is relatively small (6%). Incidences such as these, all contribute to the College's gender pay gap both positively and negatively.

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[4] https://www.closethegap.org.uk/content/gap-statistics/

Moreover, the College acknowledges the emergence of a potential concern when age and gender are considered together in relation to its leadership positions. This is because the College has a higher number of males (12) than in comparison to females (5) in the age range 41-55 years in its Executive Leadership Team (ELT), Senior Leadership Team (SLT) and College Leadership Team (CLT). This itself may not be indicative of a problem related to College practices or processes. However, it perhaps does show and reflect that the female experience of employment is different to that of the male experience. To bring a focus to this, and in context also of the Covid-19 pandemic known to have economically disproportionately affected women more than men, the College introduced female staff progression as a mainstreaming theme in April 2021 and it remains vigilant to looking for opportunities that support continued female employment and progression.

Actions to address the gender pay gap

By providing both opportunities and enabling staff to succeed in their career development, the College is seeking to address the gender pay gap directly. The College recognises a modern and diverse workforce, encouraged to use their talents and develop their skills, is integral to success. And this is why, the College is investing in its people through, for example, the development of its Growing Leaders programme and the offering of funded accreditations as well as supporting, where possible, opportunities to work flexibly.

In April 2021, the College identified the development of its Growing Leaders Framework as a priority action because of its potential to improve and sustain a diverse leadership talent pipeline. In August 2022, the Aspire Growing Leaders programme was introduced to support the development of staff who aspire to succeed in leadership roles across the College.

The Aspire Growing Leaders programme is designed around the principles of 70:20:10 which enables candidates to learn 70% of their knowledge from challenging experiences and assignments, 20% from developmental relationships, and 10% from coursework and training. Through workshops, including one on Equality and Diversity, peer learning, practical application, and mentoring, candidates learn the essential skills, capabilities, and behaviours to lead successfully and inclusively. Following a competitive application process, ten candidates (seven females and three males) were selected from 45 applicants (64% female) to become the first cohort of staff to take part in the six-month programme. From this cohort, three staff (two females and one male) have now been successfully appointed to promoted posts in the College, with one of these being a female progressing into a traditionally male dominated job role.

Moving forward, the College will continue to encourage staff from underrepresented protected characteristics to pursue career development opportunities including applying to the Aspire Growing Leaders programme. The College acknowledges these alone won't be enough to tackle the challenges it faces but, they are an important and available means to make some impact in terms of its gender pay gap and its ongoing ambition to be a diverse and inclusive employer.

To view the College's actions to address occupational segregation, click here:
https://www1.ayrshire.ac.uk/media/9188/ayrshire-college-equality-report-2021-25_accessible_compressed.pdf

To view the College's previous progress to address the gender pay gap, click here:
https://www1.ayrshire.ac.uk/media/9899/mainstreaming-equality-and-equality-outcomes-progress-report-2022-25.pdf

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Workforce gender breakdown

- The gender breakdown of Ayrshire College staff is 63% female and 37% male. This figure overall is not significantly different in comparison to the earlier review in April 2021 and is consistent with the College sector as a whole[5]
- A higher number of female staff (29%) in comparison to male staff (8%) work part-time in the College
- A marginally higher number of female staff (5%) are on a fixed term contract in comparison to male staff (2%)
- A higher number of female staff (72%) in comparison to male staff (28%) are Support staff
- A marginally higher number of female staff (54%) in comparison to male staff (46%) are Lecturing staff
- There is near parity between male and female in the ELT and SLT with 3 males to 4 females
- There is near parity between male and female at Head level with 12 males to 10 females
- At Curriculum Manager level, the ratio of male to female is 13 males to 18 females
- At Team Leader level and equivalent, the ratio of male to female is 11 males to 24 females
- At Assistant level, including Administration Assistant, Campus Assistant, and Catering Assistant, the ratio of male to female is 33 males to 129 females
- The total number of Cleaning staff is 41 – 4 females full-time and 32 females part-time in comparison to 5 males part-time

Gender pay gap review[6]

1. The mean gender pay gap on the basis of full-time hours is 12.67%. The mean gender pay gap on the basis of part-time hours is 13.90%
2. The mean/average hourly rate (full-time) for men is £20.19 while the mean/average hourly rate (full-time) for women is £17.64. The mean/average hourly rate (part-time) for men is £19.29 while the mean/average hourly rate (part-time) for women is £16.61
3. The median gender pay gap on the basis of full-time hours is 30.52%. The median gender pay gap on the basis of part-time hours is 31.53%
4. The median (full-time) hourly rate for men is £22.74 while the median (full-time) for women is £15.80. The median (part-time) hourly for men is £22.74 while the median (part-time) for women is £15.57

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[5] College Staffing return data shows a gender staff split of 61% female and 39% male
https://www.sfc.ac.uk/publications-statistics/statistical-publications/2022/SFCST022022.aspx
[6] Based on figures reported in April 2021

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03

Mainstreaming Equality 2021-2023

To mainstream equality is to embed equality into the everyday functions, activities, and processes of the College so that it can show it is:

- eliminating unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advancing equality of opportunity between people from different protected characteristic groups
- fostering good relations between people from different protected characteristic groups, tackling prejudice and promoting understanding between people from different groups

In this way, equality becomes part of the fabric of 'who we are' as an organisation; that the value placed on inclusion and diversity are more than words and instead, is a way of being. As such, this enables the College to continue to improve student and staff experiences and contribute meaningfully to the inclusion and wellbeing of the communities it serves.

In April 2021, the College identified the following six focus areas and reported its progress to mainstream equality against each of these:

1. Strategic vision, approach and governance arrangements
2. Curriculum content and/or design
3. Raising awareness
4. Supporting student success
5. Supporting staff success
6. Partnership working

At this time, the College also introduced the concept of mainstreaming themes 2021-2023 to further progress and monitor specific equality needs. The College's three mainstreaming themes are:

- Equally Safe – Gender-based violence (GBV)
- Student participation in feedback processes
- Female staff progression

In April 2022, the College reported its progress to mainstream equality against the following three focus areas:

- Strategic vision, approach and governance arrangements
- Curriculum content and/or design
- Supporting staff success

To view progress, at that time, in mainstreaming equality against these focus areas and the College's themes, click here: https://www1.ayrshire.ac.uk/media/9899/mainstreaming-equality-and-equality-outcomes-progress-report-2022-25.pdf

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Progress being made to mainstream equality 2021-2023

Strategic vision, approach and governance: key updates

Having previously explicitly positioned equality and inclusion as a key ambition in its Statement of Ambition 2030 and as a strategic objective in its Refresh and Renew Plan 2021-2024, the College has implemented a new College Operating and Enhancement Plan (COEP) and Team Operating and Enhancement Plan (TEOP) process to enable continued success. In a further demonstration of the College's strategic commitment to Equality and Inclusion, a member of the Senior Leadership Team (SLT) takes on the role of Equality Champion during meetings, and the Values, Inclusion, Equality, and Wellbeing (VIEW) steering group has established five operational, sub-groups. Moreover, the Equality Impact Assessment (EqIA) process has been refreshed and all Board and Committee papers, where required, must include an EqIA. Since April 2021, several College policies have been introduced, renewed, or adopted including a Sector Menopause Policy for staff. The College is also continuing to invest in its estate to improve accessibility and promote inclusion including the creation of counselling rooms and contemplation/wellbeing/prayer spaces across its three main campuses. To support student and staff success, in Academic Year 2022-2023, College campuses became warm spaces to assist students and staff during the cost of living crisis.

Curriculum content and/or design: key updates

Mainstreaming equality into curriculum delivery is a key College ambition and since April 2021 there are many examples which demonstrate progress towards this ambition not least the ongoing success of the award-winning initiatives "Passing Positivity" and "Rockpool Podcasts" as well as partnership activities with Ayrshire Sportsability and Connecting Communities. The College is also exploring new ways to deliver learning and teaching to foster inclusion and advance equality of opportunity, such as its new partnership with Centrestage, and through the Ayrshire College Foundation funding innovative projects such as Essential Radio. Essential Radio is the College's new radio station, led by the Essentials Skills team at Kilwinning Campus, which aims to support the development of students Essential Skills, including oral presentation, literacy development, ICT, and numeracy skills, through real-life, practical experience. Like Passing Positivity and Rockpool Podcasts, Essential Radio is embedded within curriculum delivery and enriches the learning and teaching experience for students.

Supporting staff success: key updates

The Equality Matters section on the Staff Learning Portal is continuing to enable staff to enhance and develop their skills, knowledge and understanding across all protected characteristics as well as topics of importance such as sexual harassment, domestic abuse and Allyship. The College has introduced a new 'Committed to LGBT+ Inclusion' digital badge and a lanyard pin badge for all staff who have completed the e-learning modules in relation to gender reassignment and sexual orientation. All 81 members of staff who completed the LGBT Youth Scotland e-learning module in September 2022 also received the 'Committed to LGBT+ Inclusion' lanyard pin badge. Following the College Development Network (CDN) publication 'Workforce survey analysis report' in September 2022, in which 33% of staff in the Sector reported they required more support, guidance, and training regarding gender identity, the College was further reassured that it was taking positive steps to support its staff in this regard. In late May 2022, the College introduced a new mandatory Equality and Diversity e-learning module.

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Raising Awareness

Good practice example: fostering good relations
LGBT Youth Scotland Foundation Charter Mark

Following student feedback, gathered by the Student Association, the decision was made in late March/early April 2022 for the College to work towards achieving the LGBT Youth Charter Mark Foundation accreditation. The Foundation accreditation, part of LGBT Youth Scotland's Charter programme, supported by the Scottish Government, is organisation-wide and once achieved will be held for four years by the College before renewal. To support achievement, the College's Equality and Diversity Lead and Student President, co-chair the LGBT Charter Mark working group which reports to the VIEW Safe and Included group. In September 2022, 81 members of staff, the Student President, and Student Vice President, completed the LGBT Youth Scotland e-learning module and in October 2022, 20 members of staff attended a workshop facilitated by LGBT Youth Scotland.

Cameron Bell, Head of Learning and Skills – Construction and Trades, Land and Motor Vehicle said of the e-learning module: 'Really interesting and really useful – it has made me think about a few behaviours I didn't consider previously.'

Supporting student success

Good practice example: advancing equality of opportunity
Student Association

The Student Association plays a crucial role in supporting student success through its Student Executive Committee and by leading or being involved in student clubs, forums, and societies as well as initiatives such as the Student Mental Health Agreement (SMHA) and the Pride Collection. In September 2022, the Student Association added three new roles to the executive committee - the Trans Officer's role, the Equality Officer's role and the ESOL students' Officer role. These roles, added to the existing Women's and Accessibility officer roles, bringing the total equality roles on the Student Executive Committee to six. The Student Executive Officers support the Student President and Vice President to deliver the Student Association's operational plan which includes the Student Association's obligations as detailed in, for example, the College's SMHA 2023-2025. The SMHA 2023-2025 sets out the College's and Student Association's commitment to improving student mental health.

The Student Association also successfully secured funding from NUS's Think Positive Small Grants Scheme which enabled the College to purchase 31 books written by or about LGBT+ people. The student LGBT+ group named this collection of books the Pride Collection. The Pride Collection was officially launched as part of LGBT History Month. Students, staff, including the Principal, and the Board of Management Chair, added personal messages about LGBT+ inclusion to each book. Sarah Prager, the author of 'Queer, there, and everywhere', speaks about her book in the Rockpool Podcasts episode 'Your story, your song'

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Partnership working

Good practice example: fostering good relations
Ayrshire Equality Partnership (AEP)

The College, with its partners in the Ayrshire Equality Partnership, held the first ever hate crime conference in Ayrshire, called 'Empowering communities in Ayrshire to end hate crime', at Kilmarnock Campus in October 2022. The Conference, attended by over 120 delegates, including students from the NC Police Studies course, aimed to inspire and empower delegates to challenge the attitudes, behaviours and actions which underpin hate crime. Hosted by Dave Scott, Campaign Director of Nil by Mouth, a national anti-sectarianism charity, the Conference featured keynote addresses from Dr Christian Harrison, Reader in Leadership – University of West of Scotland, and Dr Khadija Mohammed, then Senior Lecturer – University of West of Scotland.   Delegates rated the Conference positively, with a high number indicating the information provided improved their knowledge and understanding and would enhance their practice.

To listen to Dave Scott, partners, and delegates reflect on the impact of the Conference, click here:

https://open.spotify.com/episode/1uhjuTSehYQb9xS45Ix8do?si=VP-U0E0GQMacctvHYNcotw

As a follow-on from this, in March 2023, through the Ayrshire Equality Partnership, the College hosted senior, strategic leads from the main public sector bodies in Ayrshire for an event with Purple Wisdom. The event, held on the International Day for the Elimination of Racial Discrimination, saw participating partners commit their organisations to actions to tackle racism as well as work together to support the ongoing development and fostering of safe, inclusive communities in Ayrshire.

In October 2021, the College launched its own hate crime pledge. It has also signed the Sector Anti-racism Declaration and partnered with the Nelson Mandela Memorial Foundation to raise awareness of the legacy of Nelson Mandela and the importance of an anti-racist curriculum.

It is through this partnership working, and the actions taken by the College, which show the College's commitment to improve the experiences of those in its College community as well as the local communities it serves. Indeed, 71.8% of responses in the IiP survey strongly agreed and agreed with the statement that the College has a positive impact on society.

Mainstreaming themes 2021-2023: progress update

Equally Safe – Gender-based violence (GBV)

The level of violence against women and girls nationally and globally are near epidemic with this type of violence shown to disproportionately affect the lives and experiences of women more than any other gender[7]. Because of this, the College committed itself to raise awareness and tackle gender-based violence in all its forms as a mainstreaming theme to ensure this equality concern was given a specific focus.

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[7] For example, APPG-UN-Women_Sexual-Harassment-Report_2021.pdf (unwomenuk.org)

Since April 2021, the College has taken several actions to fulfil this commitment including: introducing a staff GBV policy, providing staff learning and development opportunities, partnering with the Star Centre to host a Gender Equality Youth Action Group, working with partners in local Violence against Partnerships (VAW) and Sector partners in Fearless Glasgow, being the venue for the East Ayrshire Reclaim Night walk, and marking 16 days of action annually.

To mark 16 days of action 2022, the College held a student exhibition, including a marketplace of support organisations and Police Scotland, in each of its campuses between the 5-7 December. The exhibition showcased students work from eight different College courses (135 students) and aimed to raise awareness of domestic abuse and coercive control. The College's Equality and Diversity Lead and Police Liaison Officer had developed this innovative student project to embed awareness of GBV within curriculum delivery and for four of the courses, the students work was used for assessment purposes.

To listen about the project and its impact on students and staff, click here:

https://open.spotify.com/episode/6HKmFYbOlsKYQDD8CbwbQA?si=jjlM9Jl6TvK1oGsATaGGaw

Level 6 Photography students photographs have now been gifted to local Police Offices and South Ayrshire's Women's Aid office. To view these photographs, click here:

https://sway.office.com/qQ42OELZpFIwcnTj?ref=Link

In addition to this, the College's Equality and Diversity Lead and Police Liaison Officer held three staff sessions to improve knowledge and understanding about domestic abuse and coercive control. Evaluative feedback was very positive with nearly all participants rating the session as 'excellent' and many stated their confidence had improved because of attendance. One participant, for example, stated: 'I will be more confident to deal with potential cases of GBV. I have become aware of and more vigilant in identifying potential instances of GBV. I will be able to provide more accurate information to students and direct them more effectively.'

In AY 2022-2023, the College made available to students, through Student Services, a choice of panic alarms, door wedges and window vibration alerts. During this time, the College's three Liaison Officers continued to provide class groups with USBs preloaded with support information included in relation to GBV and Report + Support.

In October 2021, the College implemented Report + Support, an online reporting tool for students and staff to report to the College incidents related to, for example, GBV, racism and hate crime. The number of reports submitted from October 2021 to January 2023 is low and the number related to GBV is very low for both students and staff. For this same reporting period, the information article 'What is GBV?' is the third highest accessed page on the College Report + Support webpage. It is also evident when reviewing data from October 2022 to January 2023 that Q1 in the named report submission was accessed 103 times followed by a high drop-off rate suggesting some work is required to promote confidence in the reporting tool.

In AY 2022-2023, the number of student Safeguarding concerns recorded as GBV is low with domestic abuse the highest reported concern within this category. In the Student Satisfaction and Engagement Survey Semester 1 AY 2022-2023, 94% of responses agreed with the statement 'I know about Student Services and how to access support to help me learn'. This is a 6% improvement from the same survey question in AY 2021-2022.

The number of staff accessing support related to GBV through HR from April 2021 to January 2023 is low.

In January 2023, the Scottish Funding Council (SFC) introduced two GBV related National Equality Outcomes (NEOs) for colleges and universities in Scotland.

These are:

- Staff and students know how to access support about violence, harassment, and abuse, report their experience and feel properly supported in doing so because the services are fit for purpose.
- Institutions can evidence approaches that prevent and respond to violence, harassment, and abuse

Student participation in College feedback processes

The Student Association's development of its Student Executive Committee will improve the representation of diverse students in college feedback processes. The six student Officers with remits related to equality have been invited to join the VIEW Safe and Included group and moving forward, this group may seek a student co-chair to ensure a joined-up approach. The Student Association also administer the College's formal model of student feedback: the Class Ambassadors. There are currently 271 Class Ambassadors. The College, through its three Mental Health and Wellbeing Champions, is continuing to develop a student Wellbeing Champions model. To support the College's decision-making with regard to its student Mental Health Fund, the Mental Health and Wellbeing Champions alongside student Wellbeing Champions facilitated a talking wall in October 2022 to gather student feedback.

Female staff progression

The College is taking actions to support female staff progression. These actions can be viewed in sections 01: Our People and 02: Equal Pay of this report.

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Equality Outcomes 2021-2025

One way to describe equality outcomes is, they are the means in which an identified, evidenced equality need is being addressed. In April 2021, the College made it clear, it would use its new set of equality outcomes to tackle the most significant and persistent inequalities being experienced and that it would take the opportunity over the next four years to make a difference to the lives and experiences of those most beset by inequality on the basis of their protected characteristic(s). For lasting impact, realistically, the College's current equality outcomes needed to reflect the journey that the College had already started with its previous equality outcomes. In other words, the College's current equality outcomes are part of something bigger than their four-year cycle. Indeed, they also reflect the deep societal and cultural injustices and contradictions of our times – hate crime; student gender imbalances on courses traditionally seen as male or female; male mental health; and staff disability declaration – and as such, the College is both measured in its aspirations and ambitious to make long-term, sustainable change through the actions it takes against each of these.

See Appendix 2 for a progress update on the actions set by the College to support the achievement of its Equality Outcomes 2021-2025.

Equality Outcome 1:
Students and staff with protected characteristics most likely to experience hate, report that they feel safe while engaged in study or work.

The College has set itself the following indicators to measure success:

- Improved awareness and analysis of student experience in relation to safety and inclusion
- Improved student and staff uptake in accessing support
- Improved student awareness of hate crime and support available
- Improved staff awareness of hate crime and support available

Known impact so far:

- In the Student Satisfaction and Engagement survey AY 2021-2022, 92% of students agreed with the statement 'I believe all students at the college are treated equally and fairly by staff'. This is a 7% improvement from the same survey question in AY 2018-2019
- In the Student Satisfaction and Engagement survey AY 2021-2022, 83% of students agreed with the statement 'I feel that I am part of the college community'. This is an 8% improvement from the same survey question in AY 2020-2021
- In the Student Satisfaction and Engagement survey AY 2022-2023 Semester 1, 93% of students agreed with the statement 'Lecturers challenge inappropriate behaviours/attitudes/language from students, in an appropriate way'. This is a 13% improvement from the same survey question in AY 2019-2020

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- In the Student Satisfaction and Engagement Survey Semester 1 AY 2022-2023, 94% of responses agreed with the statement 'I know about Student Services and how to access support to help me learn'. This is a 6% improvement from the same survey question in AY 2021-2022
- In AY 2022-2023 Semester 1, a low number of student Safeguarding concerns related to hate crime or bullying, discrimination and harassment based on protected characteristic(s)
- From October 2021 to January 2023, a low number of reports submitted through Report + Support related to hate crime, racism and bullying, discrimination and harassment based on protected characteristic(s)
- From April 2021 to January 2023, 39 complaints were recorded that related to a specific protected characteristic concern. None of these complaints related to hate crime. The highest number of complaints related to disability eg accessibility challenges. Of the 39 complaints, 19 were not upheld
- From April 2021 to January 2023, the College Police Liaison Officer delivered a mandatory Level 4 Hate Crime workshop to 82 classes = 994 students
- In October 2022, 120 delegates, including staff and students, attended the 'Empowering communities in Ayrshire to end hate crime' Conference. Staff also have available to them a range of e-learning module across all protected characteristics

Equality Outcome 2
Curriculum areas with courses that have a male or female student gender imbalance greater than a 75:25 ratio have improved

The College has set itself the following indicators to measure success:

- Priority actions related to gender imbalances fully embedded into operational team working and quality-related processes including team evaluation
- Increased applications from underrepresented genders in identified Curriculum areas with the most persistent and significant gender imbalances
- Improved retention and attainment for minority gender students

Known impact so far:

- The number of female students enrolled on Construction Technology and Trades courses has remained at 8% from AY 2021-2022 to AY 2022-2023. This is a slight increase of 3% from AY 2020-2021. In AY 2021-2022, 5% of female students withdrew from their course. Female attainment on these courses improved by 9% between AY 2020-2021 (72%) and AY 2021-2022 (81%)
- The number of female students enrolled on Aeronautical Engineering courses has decreased by 3% from AY 2021-2022 to AY 2022-2023 and is currently, 6%. In AY 2021-2022, 10% of female students withdrew from their course. Female attainment on these courses improved by 3% between AY 2020-2021 (75%) and AY 2021-2022 (78%)
- The number of female students enrolled on Engineering and Renewables courses has increased by 1% from AY 2021-2022 to AY 2022-2023 and is currently, 4%. In AY 2021-2022, 3% of female students withdrew from their course. Female attainment on these courses improved by 6% between AY 2020-2021 (63%) and AY 2021-2022 (69%)
- The number of female students enrolled on Computing courses has decreased by 2% from AY 2021-2022 to AY 2022-2023 and is currently, 7%. In AY 2021-2022, 7% of female students withdrew from their course. Female attainment on these courses improved by 11% between AY 2020-2021 (58%) and AY 2021-2022 (69%)
- The number of female students enrolled on Games Development courses has increased by 1% from AY 2021-2022 to AY 2022-2023 and is currently, 7%. In AY 2021-2022, no female students withdrew from their course. Female attainment on these courses improved by 38% between AY 2020-2021 (33%) and AY 2021-2022 (71%)

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- The number of male students enrolled on Early Years Education courses has decreased by 1% from AY 2021-2022 to AY 2022-2023 and is currently, 4%. In AY 2021-2022, 5% of male students withdrew from their course. Male attainment on these courses declined by 4% between AY 2020-2021 (61%) and AY 2021-2022 (57%)
- The number of male students enrolled on Hairdressing, Beauty, Complementary Therapies and Make-up Artistry courses has increased by 3% from AY 2021-2022 to AY 2022-2023 and is currently, 5%. In AY 2021-2022, 3% of male students withdrew from their course. Male attainment on these courses improved by 3% between AY 2020-2021 (62%) and AY 2021-2022 (65%). Hairdressing courses continue to have the highest number of male students enrolled in comparison to Beauty, Complementary Therapies, and Make-up Artistry courses
- The number of male students enrolled on Health and Social Care courses has increased by 3% from AY 2021-2022 to AY 2022-2023 and is currently, 13%. In AY 2021-2022, 13% of male students withdrew from their course. Male attainment on these courses improved by 14% between AY 2020-2021 (46%) and AY 2021-2022 (60%)

Equality Outcome 3
The rates of disclosure, retention and attainment of male students with a mental health condition have improved

The College has set itself the following indicators to measure success:

- Improved student awareness of positive mental health and wellbeing strategies and support available
- Improved staff awareness of mental health and wellbeing and ways to support students positively

Known impact so far:

- In AY 2022-2023, the total number of students declaring a mental health condition is 4.6%. The number of male students declaring a mental health condition is 29.4% in comparison to 67.4% female students. In AY 2021-2022, the number of male students declaring a mental health condition was 29.1% in comparison to 69% of female students. Prior to this, in AY 2020-2021, the number of male students declaring a mental health condition was 28.4%. As such, there is an upwards trend year on year in the number of male students declaring a mental health condition
- In AY 2021-2022, the retention rate of male students with a declared mental health condition was 26%. This is a 4% decline from AY 2020-2021 (30%)
- In AY 2021-2022, the attainment rate of male students with a declared mental health condition was 66%. This is a 4.8% improvement from AY 2020-2021 (61.2%)
- In AY 2021-2022, Semester 2, a suicide prevention and awareness input, focusing on mental health and cocaine, delivered by the College's Mental Health Liaison Officer and Alcohol and Drugs Liaison Officer, was piloted with students studying STEM at Level 4 and 5. In AY 2022-2023, Semester 1, this workshop was delivered to 29 classes – 378 students. Similar planned activities are ongoing with Trades, Computing and Games Development courses at Level 4 and 5
- The Anxiety e-learning pack, on the Wellbeing Hub on Moodle, has the highest number of views with 330 views from May 2020 to February 2023 followed by Emotional Wellbeing – Mental Health drop-in clinics 2022 at 255 views

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Equality Outcome 4
The recruitment and disclosure rates of staff with a disability have improved

The College has set itself the following indicators to measure success:

- Increased applications from disabled candidates
- Improved staff awareness of reasons and benefits of sharing their protected characteristics information
- Improved line manager awareness on ways to support staff with a disability or long-term health condition

Known impact so far:

- The total number of staff with a declared disability is 7%. This is figure is part of an upwards trend year on year of staff declaring they have a disability or long-term health condition
- In the period from April 2020 to December 2022, the total number of applications received from candidates with a disability was 13% and 25% of these candidates were successfully appointed to a role in the College
- From the Investors in People (IiP) survey results, it was shown that 77.6% of responses strongly agreed and agreed with the statement that the College is committed to diversity and 73.8% of responses strongly agreed and agreed with the statement that the College values and respects individual differences
- The Aspire Growing Leaders Framework was launched in August 2022, with workshops on Equality and Diversity and HR recruitment processes, reflecting on unconscious bias with particular relevance to those applicants who declare a disability at application stage. This programme has been designed to support the College's succession planning aims and ambitions

Concluding Remarks

The College's progress in relation to mainstreaming equality and working towards its Equality Outcomes 2021-2025 has been set out in this report, with specific reference to the period 2021-2023.

Significant work has been undertaken, across a range of initiatives, which builds on programmes which have been a key focus for the College spanning a number of equality outcome and mainstreaming cycles. There are some signs and signals of encouragement, particularly around male students accessing health and social care and hair, beauty and complementary therapy programmes and improvements in both male and female attainment in programmes with significant gender imbalance. The number of males students declaring a mental health condition is also showing signs of sustained improvement. A range of innovations have also been introduced in order to embed equality within curriculum delivery and the Essential Radio station is a clear example of this work.

The recent Investors in People review provided clear feedback that staff considered the College culture to be strongly committed to equality and supporting diversity, which is a key requirement in mainstreaming and embedding equality. In terms of staff disability, 25% of applicants who have declared a disability during the recruitment process have been successfully appointed to roles within the College. In addition, the College's Aspire, leadership and development

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progamme, which ran for the first time during AY 2022-2023 has included seven female members of staff from a total of 10. Of this number, two of the female participants have achieved promotion to more senior roles and one within an area which is traditionally male dominated.

Over the next two years of the current reporting cycle, significant work will continue in order to sustain the progress achieved to date and make inroads across areas which are proving to be particularly challenging. A key area will be a focus on hate crime and in particular students reporting and gaining support who experience hate. The recently published national equality outcomes will also be integrated within the College's current equality outcomes, which have been the focus of this report.

The College is strongly encouraged by the progress achieved to date in relation to the current equality outcomes, and also recognises the challenges which arise through the persistent inequalities which continue to be the primary focus in relation to mainstreaming equality and progressing the current equality outcomes.

A key requirement is the continuing collective efforts of the College community and all stakeholders in making a real difference to the lives and experiences of our people

David Davidson
Assistant Principal
Human Resource and Organisational Development

Equality Outcomes 2021-2025 action plan: progress update

	National Equality Outcome(s)	Disabled staff and students report feeling safe in the tertiary system
		Trans staff and students report feeling safe to be themselves in the tertiary system
		Staff and students feel supported and safe and are confident that complaints of harassment or bias on the grounds of race will be dealt with appropriately because complaints procedures are fit for purpose and offer effective redress
		Students and staff report that they have confidence in institutional report and support mechanisms because they are fit for purpose
		Lesbian, Gay and Bisexual staff and students report that they feel safe being 'out' at university and college
		Institutions should also have regard to attainment levels by racial group and ensure that their curriculum is diverse and anti-racist

	PC	Indicator(s)	Action(s)	Timescale	Responsibility	Progress
Equality Outcome 1 Students and staff with protected characteristics most likely to experience hate, report that they feel safe while engaged in study or work at Ayrshire College	Disability Gender reassignment Race Religion/Belief Sexual orientation	• Improved awareness and analysis of student experience in relation to safety and inclusion • Improved student and staff uptake in accessing support • Improved student awareness of hate crime and support available	Collect and analyse student feedback related to hate crime through existing student consultation processes and mechanisms	April 2023	Head of Quality Enhancement, Student Association Advisor and Equality and Diversity Lead	Further progress is required to advance this action so that all potential existing student consultation processes and mechanisms are specific to hate crime or/and related behaviours. In the Student Satisfaction and Engagement survey AY 2021-2022, 92% of students agreed with the statement 'I believe all students at the college are treated equally and fairly by staff'.

		• Improved staff awareness of hate crime and support available				In the Student Satisfaction and Engagement survey AY 2021-2022, 83% of students agreed with the statement 'I feel that I am part of the college community'. This is an 8% improvement from the same survey question in AY 2020-21.
			Implement a Report and Support tool and use the information gathered to develop targeted College initiatives and policies	April 2023	Assistant Principal of Human Resources and Organisational Development, Head of Student Experience, and Equality and Diversity Lead	In October 2021, Report + Support, a product from Culture Shift, was implemented. Report + Support is an online reporting tool enabling students and staff to report, including anonymously, to the College incidents related to, for example, hate crime, racism and GBV.

From October 2021 to January 2023, 27 student reports and 1 staff report had been submitted – 11 reports were anonymous. |

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						The highest number of incidents reported related to bullying – 7 of these, sexual orientation was stated as bisexual, lesbian, gay or other; 8 of these, a disability was declared; 1 of these, ethnicity was stated as BAME; 2 of these, gender identity was male including trans male; 8 of these, gender identity was female; and 1 of these, gender identity stated was non-binary. The lowest number of incidents reported related to GBV, hate crime, and racism. The outcome for 12 of these reports was support.
			Develop and implement a mandatory Level 4 workshop focused on hate crime and support delivery across other Levels of study	April 2023	Head of Student Experience and Police Liaison Officer	From April 2021 to January 2023, 82 classes = 994 students at Level 4 had a mandatory hate crime workshop delivered by the College's Police Liaison Officer.

						As part of Hate Crime Awareness week 2021, students, and staff, were able to access information and support through three Hate Crime Conversation cafes and campus drop-in sessions.
			Develop and implement an annual College campaign focused on promoting diversity, equality and inclusion	April 2023	Equality and Diversity Lead	The #WeAreAyrshireCollege campaign was launched in February 2022 as part LGBT History Month. In October 2022, the College launched a hate crime pledge and through the VIEW Safe and Included group is progressing this work.
			Achieve 'Keep Safe' accreditation in all Campuses and develop mechanisms to support its usage across the College	April 2023	Head of Student Experience and Equality and Diversity Lead	In July 2021, Ayr, Kilmarnock and Kilwinning campuses achieved Keep Safe status – 70 staff have been trained to support its success.

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| | | | Develop staff learning and development resources and training on hate crime and related behaviours | April 2025 | Staff Learning and Development Advisor and Equality and Diversity Lead | The College has in place e-learning modules across all protected characteristics and continues to develop its Equality Matters section on the Staff Learning Portal.

Rockpool podcasts episodes continue to highlight equality focuses. Rockpool Podcasts is available on Spotify.

In March 2022, the College partnered with Borders College, Dumfries and Galloway College, and UWS to host a session with Nil by Mouth. This was part of an expected series of student and/or staff sessions called 'Conversation to Change' which will be rolled out further in AY 2022-2023.

As part of the TransEdu Community of Practice, a small event (41 participants) for Sector staff was held in June 2022. |
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						In October 2022, students and staff were part of the 120 delegates in attendance at the Empowering communities in Ayrshire to end hate crime Conference at Kilmarnock campus.
			Explore opportunities to develop a pilot student Equality Ambassador model	April 2025	Equality and Diversity Lead and Student Association Advisor	The Student Executive Committee has increased the number of equality and related student Officer roles. These Officers have been invited to join the VIEW Safe and Included group.

| National Equality Outcome(s) | Institutions will have regard to significant imbalances on courses and take action to address it. |

	PC	Indicator(s)	Action(s)	Timescale	Responsibility	Progress
Equality Outcome 2 Curriculum areas with courses that have a male or female student gender imbalance greater than a 75:25 ratio have improved	Sex	• Priority actions related to gender imbalances fully embedded into operational team working and quality-related processes including team evaluation process	Relevant Curriculum teams will identify and action priority actions to tackle gender imbalances as part of their operational delivery	April 2023	Assistant Principal – Curriculum, Heads of Learning and Skills, Head of Schools, Access and Engagement, and Equality and Diversity Lead	Relevant Heads are identifying and setting annual priority actions as part of their TOEP for AY 2023-2024 and these are being aligned to the COEP.

		• Increased applications from underrepresented genders in identified Curriculum areas with the most persistent and significant gender imbalances • Improved retention and attainment for minority gender students	Student Services and Curriculum teams will work together, through Retention meetings, to identify, monitor and support the retention and attainment of minority gender students	April 2023	Head of Student Experience and Heads of Learning and Skills	Retention meetings are ongoing.
			Re-establish the purpose and scope of Ayrshire Connects to improve minority gender students' recruitment, retention and attainment	April 2025	Assistant Principal – Curriculum, Heads of Learning and Skills, Head of Schools, Access and Engagement, and Equality and Diversity Lead	Ayrshire Connects was re-launched on International Women's Day 2022 through an event with invited speakers. The event was online and open to students and staff. Following this, as a result of discussions in the Gender Leadership Group, the decision was made to have a singular Ayrshire Connects opposed to separate curriculum ones and throughout AY 2023-2024 themed events will be held.

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| | | | Implement a College-wide mechanism or tool to keep in touch with and track outcomes of participants attending targeted gender imbalance events or activities | April 2025 | Assistant Principal – Curriculum, Heads of Learning and Skills, Head of Schools, Access and Engagement, and Equality and Diversity Lead | Focus has been on the re-establishment of the Gender Leadership Group and as such, this action has not been progressed. |

		National Equality Outcome(s)	The success and retention rates of college and university students who declare a mental health condition will improve Men (staff and students) know how to access mental health support (recognising intersectionality within that group)

	PC	Indicator(s)	Action(s)	Timescale	Responsibility	Progress
Equality Outcome 3 The rates of disclosure, retention and attainment of male students with a mental health condition have improved	Disability Sex	• Improved student awareness of positive mental health and wellbeing strategies and support available • Improved staff awareness of mental health and wellbeing and ways to support students positively	Implement a mandatory mental health student input for students studying Engineering and Science programmes at Levels 4 and 5	April 2023	Head of Engineering and Science and Head of Student Experience	In AY 2021-2022, Semester 2, a suicide prevention and awareness input, focusing on mental health and cocaine, delivered by the College's Mental Health Liaison Officer and Alcohol and Drugs Liaison Officer, was piloted with students studying STEM at Level 4 and 5. In AY 2022-2023, Semester 1, this workshop was delivered to 29 classes = 378 students.

| | | | Develop a College suicide awareness/ prevention campaign | April 2023 | Mental Health Liaison Officer and Equality and Diversity Lead | In September 2021, the S Word campaign was launched supported by a series of activities including a Sway and Rockpool Podcasts special episodes 'Let's Talk…' with the College's Mental Health Liaison Officer.

In AY 2022-2023, the VIEW Promoting Wellbeing Group held a student Feel Good Festival in Ayr, Kilmarnock and Kilwinning Campuses. The Feel Good Festival included keynote speakers Brian Costello, Headstrong, and Dr Punam Krishnan, GP, Lifestyle Medic, Tutor, Author, and BBC Morning Live Presenter. |
| | | | Develop and deliver a staff learning and development programme focused on student mental health for STEM and related staff | April 2023 | Staff Learning and Development Advisor and Equality and Diversity Lead | The Staff Learning Portal enables all staff to improve their skills, knowledge and understanding of mental health and wellbeing through a range of e-learning modules.   Further progress is required to advance this action. |

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| | | | Further develop the 'Wear it on your sleeve' initiative including the recruitment of additional student and staff champions | April 2025 | Student Association Advisor and Equality and Diversity Lead | The Student Association, in partnership with the VIEW Promoting Wellbeing Group, facilitate a male mental health support forum exclusively for students who identify as male, where students and staff come together to share support information on male mental health and help break down the stigma of talking about mental health. Currently there are 41 student members of this group and 15 staff members. |
| | | | Explore opportunities to implement a mandatory mental health student input for students studying Construction and Trades programmes and Computing programmes at Levels 4 and 5 | April 2025 | Relevant Heads of Learning and Skills and Head of Student Experience | In AY 2022-2023, Trades Level 4 students are receiving a suicide prevention and awareness input. The College's Mental Health Liaison Officer is also working to deliver a planned programme of activity to Computing and Games Development students. |

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| | | National Equality Outcome(s) | Where representation is not proportionate to the relevant population, increase the representation of disabled staff in the workforce and on college Boards and university Courts |

	PC	Indicator(s)	Action(s)	Timescale	Responsibility	Progress
Equality Outcome 4 The recruitment and disclosure rates of staff with a disability have improved	Disability	• Increased applications from disabled candidates • Improved staff awareness of reasons and benefits of sharing their protected characteristics information	Develop and implement a College employer recruitment campaign including the further development of the 'Work for us' section on the College website	April 2023	Head of HR Services, Equality and Diversity Lead, and Digital Marketing Team Leader	The #WeAreAyrshireCollege campaign has been adopted, with staff images being utilised to brand staff recruitment adverts on the College social media platforms, with the next stage being a video series of staff, with a key focus on working at the College and the range of job roles available.

		• Improved line manager awareness on ways to support staff with a disability or long-term health condition	Develop an internal staff campaign focused on the reasons and benefits of sharing protected characteristic information	April 2023	Head of HR Services and Equality and Diversity Lead	The Equality and Inclusion newsletter 'Equality Matters' has supported this through the sharing of personal staff experiences within the workplace. This area will be further developed with staff encouraged to share their experiences with colleagues in the future.
			Undertake a review of the College Recruitment and Selection Procedures to identify and remove, where possible, potential barriers for disabled applicants	April 2023	Head of HR Services	Through the VIEW Positive about Disability group, staff who support those with a disability and staff with a disability undertook an exercise where they tested the College's application process through the lens of potential applicants with a disability to enable an understanding of any barriers that may be experienced. The feedback from this exercise is being considered to support future development of the recruitment application process.

| | | | | | | One action that will be piloted at the interview stage, will be for applicants to receive a copy of the interview questions, in advance of the interview, to explore the impact of this on the selection process. |
| | | | Explore opportunities to establish a staff disability support network | April 2023 | Equality and Diversity Lead | The VIEW Positive about Disability group met with staff who identified as having a disability and were part of the staff disability forum Teams page, to develop and support a structured support network and staff disability advisory group. This group were open to participating in an advisory network for the College and identified the need for greater awareness raising and support to encourage and enable an increased network of support. The feedback from this will be considered and actioned. |

			Further develop guidance and resources for line managers in relation to supporting staff with a disability or long-term health condition	April 2023	Head of HR Services, Equality and Diversity Lead, and Staff Learning and Development Advisor	Through the Equality Matters section on the Staff Learning Portal, line managers can access a range of e-learning modules related to disability including managing employees with a disability. A disability e-learning pathway will be further developed and rolled out to managers across the College, to broaden their knowledge and understanding.
			Explore opportunities to further develop the Growing Leaders programme	April 2025	Head of HR Services and Staff Learning and Development Advisor	In August 2022, the Aspire Growing Leaders programme was introduced, with a specific workshop focusing on Equality and Diversity, being developed and led by the Equality and Diversity Lead.

						This was further supported by the HR workshop which focused on recruitment and supported candidates to understand unconscious bias with particular relevance to those applicants who declare a disability at application stage. This was the first cohort of this programme and although there was a low number of candidates with a declared disability applied for or succeeded in participating in the first cohort, this is an area of focus for future cohorts to understand and consider any potential barriers.
			Explore opportunities to develop and implement an employee passport scheme which supports a member of staff throughout their employment journey at Ayrshire College	April 2025	Head of HR Services	The VIEW Positive about Disability group supported the development of an employee journal, which will be utilised to support staff returning to work from long term sick leave, where they have a long term health condition or disability.

						The journal will be part of an initial pilot during March and April 2023 and will be then reviewed and evaluated to develop into an employee passport, based on feedback received.

Board of Management Meeting

28/03/2023

Strategic Objective Reference:	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	SO5 - high performing college underpinned by excellence in stewardship and governance	Choose an item.
	Choose an item.	
Subject:	Committee Chair's Report - Learning Teaching and Quality Committee Meeting, 2 March 2023.	
Purpose:	To provide the Board with a summary of significant items considered by the Learning, Teaching and Quality Committee meeting in advance of the approved minutes being submitted to a future Board meeting.	
Action Required:	To Note	
Appendices:	No	

1.	**Summary of Key Points** (what is the significant information that members need to be made aware of as related to the purpose of the paper)

N/A

2.	**Background** (sum up the background to the paper, including its prior journey, and/or previous versions, and identifying why this paper has been drafted)

The Committee considered, noted or approved the following:

1. Student Support through the Cost-of-Living Crisis

The Committee received an informative presentation from Louise Park, Head of Student Funding, Doreen Wales, Head of Student Experience, Ellie Jamieson, Student President and Assistant Principal – Curriculum, Elaine Hutton on the support provided to students to support them through the cost-of-living crisis. The ongoing work by the College in supporting students through these difficult times was noted.

2. Ayrshire College Student Association Report

The Committee received an update on the various events attended by the Student Association taking place across all three campuses.

The Student Association also provided the Committee with information on the College's BRIT Challenge. The Committee noted that the British Inspiration Trust (BRIT) supports young adult mental health and fitness in the UK through the delivery of an annual BRIT Challenge. Following engagement with Phil Packer MBE, Mental Health & Fitness, Disability and Charity Ambassador, the

College agreed to participate and that the focus would be around the number 23. Staff were invited to participate in a range of challenges, both physical and non-physical.

3. 2021-22 SFC Student Satisfaction and Engagement Survey

The ratified report on the 2021-22 SFC Student Satisfaction and Engagement Survey was provided to the Committee following the publication of SFC benchmarking.

The Committee noted:
- The report included benchmarking figures against similar sized colleges.
- Response rates for both FE and HE were below the sector average.
- Satisfaction rates for both FE and HE were higher than the sector average.

4. 2020-21 SFC College Leaver Destination Survey

The SFC College Leaver Destination Survey was presented to the Committee for academic year 2020-21.

The Committee noted:
- The survey report focuses on students who studied on a course in AY 2020-21 and completed their course in June 2021, which was during the Covid pandemic.
- 95.7% of Ayrshire College confirmed HE leavers and 95.4% of Ayrshire College confirmed FE leavers are in a positive destination six months after completing their course of study. This is an increase of 1.1% for HE and 2.5% on FE on AY 2019-20.

5. 2022-23 Early Withdrawals as at November 2022

The Committee noted:
- this was not the overall Early Withdrawals report as winter starts were not yet included. The overall report would be provided at the May 2023 meeting of the Committee.
- Early withdrawal rates for both FE and HE full-time courses have improved on the previous academic year, and overall on previous years.
- In the Aerospace, Construction, Engineering, Science, Computing and Business Directorate, 23.4% of students left to take up employment, which is reflective of the current economic status.

The Committee noted the report and acknowledged the work being undertaken by the College to support student retention rates.

3.	**Assessment** (outline your assessment of the current state, apply to any supporting appendices)

N/A

4.	**Proposals and Recommendations** (outline the proposals and recommendations being put forward and the corresponding justification)

No further proposals are included within this paper

5. **Risks** (reference the corresponding risk from the risk register that this paper relates to)

N/A

6. **Resource Implications** (finance, HR, Estates, ICT, etc)

No further resource implications require to be noted.

7. **Equality and Diversity Impact Assessment** (provide a summary of what was considered during the EQIA process and the impact on protected characteristics (Positive or negative)).

An impact assessment is not applicable given the subject of this paper.

8. **Sustainability** (how will the proposals support the sustainability of the college and as related to the sustainability strategy)

N/A

9. **Consultation/Input** (state who has reviewed/approved/contributed to this report)

No formal consultation is required given the subject of this paper.

Alison Sutherland
Chair, Learning, Teaching and Quality Committee
02 March 2023

This paper will be published on the College website

Board of Management Meeting

28/03/2023

Strategic Objective Reference:	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	SO5 - high performing college underpinned by excellence in stewardship and governance	Choose an item.
	Choose an item.	
Subject:	Committee Chair's Report - Business, Resources and Infrastructure Committee Meeting, 7 March 2023.	
Purpose:	To provide the Board with a summary of significant items considered by the Business, Resource and Infrastructure Committee meeting in advance of the approved minutes being submitted to the next Board meeting.	
Action Required:	To Note	
Appendices:	No	

1. Summary of Key Points (what is the significant information that members need to be made aware of as related to the purpose of the paper)

N/A

2. Background (sum up the background to the paper, including its prior journey, and/or previous versions, and identifying why this paper has been drafted)

The Committee considered, noted or approved the following:

1. Mainstreaming Equality and Equality Outcomes Progress Report (2022-25)

The Committee received a comprehensive presentation from Sara Turkington, Equality and Inclusion Adviser on the progress made to date in the 2-year period on all four equality outcomes. Sara also outlined the next steps and key actions to the Committee going forward.

Following consideration, the Committee was content to recommend the Mainstreaming Equality and Equality Outcomes Progress Report (2022-25) to the Board for approval.

2. Investors in People (IiP) Survey

The Committee received a presentation from Gillian Brown, Head of HR Services, to advise on the outcomes from the assessment process of the Investors in People (IiP) Survey. Gillian outlined the key highlights from the responses received to the Committee and advised on an upward trend across all 9 indicators. The Committee noted that a number of actions were being taken across the indicators.

Gillian also advised the Committee on the next steps and future actions The Committee noted that the IiP Staff Wellbeing Award was being re-launched and was being considered by the College.

3. 2022-23 SFC Funded Capital Expenditure as at 23 January 2023

The Committee received an update on SFC funded capital expenditure for the financial year April 2022 to March 2023. The capital projects for 2022-23 committed spend to date were highlighted and J Thomson advised that that the College is projected to underspend on the total capital budget of £198,150.

The Committee was also advised that the College had now gone out to tender for the Ayr Campus CCTV Replacement to ensure completion of the project by 31 March 2023.

4. 2022-23 Management Accounts as at 31 January 2023

The Committee commended the overall position and effective financial management, whilst also recognising the on-going challenges to the College and the sector.

The Committee noted the future risks to the College set out within the management accounts. These included the risk of not achieving the 2022-23 credit targets, the costs of contractual inflationary uplifts, and the risk that the 2022-23 pay award has still to be nationally agreed.

The Committee discussed and approved a proposal for the College to prepare its Mid-Year Return based on a 5% pay award that is unfunded by the Scottish Government.

5. Willie Mackie Future Skills Hub Update as at March 2023

The Committee received an update on the development of the Willie Mackie Future Skills Hub at Kilwinning campus.

J Thomson advised that, the papers are regularly presented to SLT at their formal meetings. The summary presented showed the build as being on track for a projected handover date of 16 June 2023 and curriculum delivery from August 2023.

The Committee discussed the paper and agreed that site progress photographs would be a welcome addition at the meeting in June 2023.

6. Health, Safety and Wellbeing & Equality and Inclusion Report

The Committee received a report on key areas of focus, including accidents and incidents across the campuses, fire safety, wellbeing initiatives and programmes, equality and inclusion activity and ongoing work to support the College during the 2022-23 academic year.

D Davidson highlighted the Health and Wellbeing section to the Committee, advising that the College is taking part in this year's BRIT Challenge which

started on 23 January 2023. The British Inspiration Trust (BRIT) supports young adult mental health and fitness in the UK through the delivery of an annual BRIT Challenge and, following engagement with Phil Packer MBE, Mental Health & Fitness, Disability and Charity Ambassador, the College agreed to participate. The focus for the challenge would be around the number 23 and staff had been invited to participate in a range of challenges, both physical and non-physical.

| 3. | **Assessment** (outline your assessment of the current state, apply to any supporting appendices) |

N/A

| 4. | **Proposals and Recommendations** (outline the proposals and recommendations being put forward and the corresponding justification) |

No further proposals are included within this paper

| 5. | **Risks** (reference the corresponding risk from the risk register that this paper relates to) |

N/A

| 6. | **Resource Implications** (finance, HR, Estates, ICT, etc) |

No further resource implications require to be noted.

| 7. | **Equality and Diversity Impact Assessment** (provide a summary of what was considered during the EQIA process and the impact on protected characteristics (Positive or negative)). |

An impact assessment is not applicable given the subject of this paper.

| 8. | **Sustainability** (how will the proposals support the sustainability of the college and as related to the sustainability strategy) |

N/A

| 9. | **Consultation/Input** (state who has reviewed/approved/contributed to this report) |

No formal consultation is required given the subject of this paper.

Mike Stewart
Chair, Business, Resources and Infrastructure Committee
07 March 2023

This paper will be published on the College website

Board of Management Meeting

28/03/2023

Strategic Objective Reference:	Choose an item.		Choose an item.
	Choose an item.		Choose an item.
	SO5 - high performing college underpinned by excellence in stewardship and governance		Choose an item.
	Choose an item.		
Subject:	Committee Chair's Report - Audit and Risk Committee Meeting, 14 March 2023.		
Purpose:	To provide the Board with a summary of significant items considered by the Audit and Risk Committee meeting in advance of the approved minutes being submitted to the next Board meeting.		
Action Required:	To Note		
Appendices:	No		

1. Summary of Key Points (what is the significant information that members need to be made aware of as related to the purpose of the paper)

N/A

2. Background (sum up the background to the paper, including its prior journey, and/or previous versions, and identifying why this paper has been drafted)

The Committee considered, noted or approved the following:

1. **External Audit – Azets: Introduction and External Audit Strategy**

As this is their first meeting, the College had asked Azets to provide information on who they are and how they propose to conduct their audit. The Committee received a report from Azets providing introductory information and an overview of their audit approach and outline audit timeline for the External Audit Strategy 2022-23.

The Committee was also advised that initial engagement with the College's Management Team to establish working practice had taken place and had been very positive.

2. **Internal Audit Reports 2022-23 – Overall Financial Controls, Safeguarding & Child Protection**

The Committee commended the management team on receiving outstanding reports on the above internal audits, both of which provided a strong level of assurance and evidence of due diligence. The Committee noted that no recommendations had been returned and a number of areas of good practice were identified. The Committee specifically commended the Finance Team as

this was the third internal audit firm in a row to make no recommendations for improvement.

3. 2022-23 Internal Audit Progress Report as at March 2023

The Committee noted that work is progressing in line with the approved internal audit plan. Two audits had been completed to date and the remaining audits will progress as scheduled.

The Management Team confirmed that they were content with progress and that there were no issues of concern to note.

4. 2022-23 Corporate Risk Register (V3) as at March 2023

The Committee reviewed V3 of the 2022-23 Corporate Risk Register, noting the increase of one risk in the period (BRIC4). The Committee also noted that five risks were assessed out with the risk appetite zone set by the Board (BOM5, BRIC1, BRIC2, BRIC4 and BRIC7).

The Committee was assured that 2022-23 Corporate Risk Register reflects the College's position in the current economic climate and that all mitigating actions and activities were being taken to ensure the future sustainability of the College.

Following discussions, the Committee agreed that the inclusion of key milestones/timeline updates in regard to actions would be a useful inclusion in the report going forward.

3.	Assessment (outline your assessment of the current state, apply to any supporting appendices)

N/A

4.	Proposals and Recommendations (outline the proposals and recommendations being put forward and the corresponding justification)

No further proposals are included within this paper

5.	Risks (reference the corresponding risk from the risk register that this paper relates to)

N/A

6.	Resource Implications (finance, HR, Estates, ICT, etc)

No further resource implications require to be noted.

7.	Equality and Diversity Impact Assessment (provide a summary of what was considered during the EQIA process and the impact on protected characteristics (Positive or negative)).

An impact assessment is not applicable given the subject of this paper.

8.	Sustainability (how will the proposals support the sustainability of the college and as related to the sustainability strategy)

N/A

No formal consultation is required given the subject of this paper.

Steven Wallace
Chair, Audit and Risk Committee
14 March 2023

This paper will be published on the College website

**Minute of the Learning and Teaching Committee Meeting
Held by Hybrid Attendance at Kilmarnock campus and via Zoom
on Thursday 10 November 2022**

(Paper 11.1)

Present:

Alison Sutherland	Chair
Steve Graham	Non-Executive Board Member
Sharon Morrow	Non-Executive Board Member
Mike Stewart	Non-Executive Board Member
Lisa Keggans	Elected Member, Service/Support Staff
Janette Moore	Elected Member, Curriculum Staff
Ellie Jamieson	Elected Member, Student President
Angela Cox	Principal, Ex-officio

In attendance:

Pauline Donald	Board Governance Advisor
Yvonne Melvin	Board Administrative Officer (Minutes)
Anne Campbell	Vice Principal – Curriculum
David Davidson	Assistant Principal, HR & OD
Elaine Hutton	Assistant Principal, Curriculum
Julie Maxwell	Assistant Principal, Curriculum
Gavin Murray	Assistant Principal, Curriculum
Carol Nisbet	Head of Schools, Engagement & Widening Access (item 3 only)

1. **Welcome and Declarations of Interest**

   The Chair welcomed all present to the meeting.

   The meeting was confirmed as quorate.

   There were no Declarations of Interest presented.

2. **Apologies**

   Apologies were received from Beth Clelland and Steven Wallace, Non-Executive Board Members, Gordon Neil, Co-opted Committee Member, Robert Kean, Student Vice-President, James Thomson, Interim Vice-Principal – Finance.

3. **School-College Partnership Pathways** *(Presentation)*

   The Committee received a presentation from staff member, Carol Nisbet, Head of Schools, Engagement & Widening Access.

   Carol outlined the three main aims identified in the College's Future Skills Strategy and advised that the purpose of the strategy was to help students to articulate and record skills developed during their course. The Committee was also advised that the learning pathways and skills all take into account the Ayrshire Growth Deal and tie into the Regional Skills Investment Plan.

The Committee was encouraged to hear about the positive working relationship between the College and the three Local Authorities and how this helped to provide students with various opportunities and learning pathways both in school and post-school.

A Campbell also advised that mini-CDP meetings were held with each school. This allows learning pathway programmes to be planned based on the needs of the schools.

The Committee thanked Carol for the very informative presentation.

Carol Nisbet left the meeting at this point.

4. **Minutes of the previous meeting held on 1 September 2022** *(Paper 1) (C/P)*

The minutes were approved as a correct record.

Proposed: Mike Stewart　　　　　　　**Seconded:** Sharon Morrow

4.1　**Action Tracker** *(Paper 1a)*

The Committee noted the updates provided and that there were no outstanding actions.

5. **Student Association Report** *(Paper 2) (P)*

E Jamieson introduced Paper 2 as presented.

The Committee noted:
- E Jamieson successfully secured the position of Student Team Member with Education Scotland and has undergone training for the role. As part of the role, E Jamieson will be visiting colleges throughout Scotland to participate in annual reviews and progress visits.
- The Student Executive Committee successfully recruited officers for the volunteer positions available with only the ESOL officer role to be confirmed.
- Feedback was received for the Student Mental Health Agreement and has been incorporated into the final draft. The next step will be for the final draft to be presented to the Think Positive Student Mental Health Agreement panel at NUS Scotland.

The Committee sought further information on the duration of training and uptake for the Class Ambassadors. E Jamieson advised that uptake had been very good and that initial training sessions had been undertaken, but with further catch-up training sessions planned for November and December.

The Chair enquired as to the popularity of the Rockpool Podcast recorded by the Student President. E Jamieson advised that the recording session went well and that statistics would be provided at the Board meeting in December. E Hutton further advised that the podcast had over 300 visits at the last check. The Committee was pleased to note that that a further recording session for the Student Association was organised for 5 December.

2

Draft LTQC Minute 10.11.22

LTQ38 A01: Student President will provide updated statistics for the Rockpool Podcast at the Board meeting in December.

The Committee noted the report as presented.

6. **2022-23 Draft Regional Outcome Agreement and 2021-22 Self-Evaluation Report** *(Paper 3) (R)*

A Campbell introduced Paper 3 as presented and advised that each college must have an annual agreement (Outcome Agreement) in place with SFC which is approved by its Board of Management.

The Committee reviewed the Outcome Agreement in the context that the document captured, at a high level, contributions, impact and outcomes, and that it provided assurance on and accountability for the use of allocated funding in Academic Year (AY) 2022-23.

The Committee noted:
- SFC had not issued colleges with the data table referred to in appendix 1 and that the data referred to is the College's own and may be subject change. The table will be updated for submission to the Board, if received.
- the SFC timeline for submission was 4 December 2022; the SFC had been advised that the College will submit the Agreement following the Board meeting on 8 December 2022.

Following consideration, the Committee advised that they were content that the Outcome Agreement was comprehensive and outlined a forward vision for the college. The Principal commented that quality improvement and quality evaluation information may be further considered for inclusion.

The Committee considered the Self-Evaluation report as presented and confirmed they were content to recommend for Board approval. It was agreed that, going forward, the presentation of the data tables will be further reviewed to support interpretation.

Given the content and volume of both documents, it was agreed that members would submit any final feedback to A Campbell by 24 November 2022.

The Committee confirmed that they were content to recommend the 2022-23 Draft Regional Outcome Agreement and 2021-22 Self-Evaluation Report to the Board of Management for approval, subject to the caveat that the data table, not yet received from SFC, may change or following the submission of any further feedback.

LTQ38 A02: Members to submit final feedback on the 2022-23 Draft Regional Outcome Agreement and 2021-22 Self-Evaluation Report to A Campbell by 24 November 2022.

LTQ38 D01: The Committee recommended that the 2022-23 Draft Regional Outcome Agreement and 2021-22 Self-Evaluation Report to the Board for approval.

3

7. **2022-23 Draft Curriculum Delivery Plan** *(Paper 4) (R)*

A Campbell introduced Paper 4 as presented.

The Committee noted:
- the plan summarised the development of the draft CDP for AY 2023-24
- preparation of the draft CDP is one of the key activities in the College Quality Cycle.
- the College's indicative funding allocation is expected to be received from SFC in March 2023 and that the draft CDP as presented is based on the College's funding allocation for 2022-23.

The Chair sought the Committee's assurance that they were content with the considerations and process to develop the CDP and that members were also content that the information provided confirmed that the CDP ensures the curriculum portfolio meets the needs of the region, its communities, employers, and stakeholders.

The Committee confirmed that they were content to approve the 2022-23 Draft Curriculum Delivery Plan.

LTQ38 D02: The Committee approved the 2022-23 Draft Curriculum Delivery Plan.

8. **2021-22 Interim Ayrshire College Performance Indicator Report** *(Paper 5) (P)*

A Campbell introduced Paper 5 as presented and provided a high-level summary of the College's 2021-22 performance indicators and the achievements and challenges experienced as outlined in the supporting narrative.

The Committee noted:
- the performance related to Further Education Full-time (FE-FT) remained at 58.6% and evidence suggested that students struggled with the continued disruption to learning and wider economic pressures during AY 2021-22, resulting in many learners withdrawing for financial and employment reasons.
- The performance related to Higher Education Full-time (HE-FT) declined and, as with FE full-time programmes, evidence suggested that students struggled with the continued disruption to learning and wider economic pressures.
- considerable work is being done on ensuring the dissemination of good practice and the Head of Quality Enhancement is leading a short life working group on piloting a peer observation programme.

A Campbell advised that the information provided is an interim position and that PIs will not be confirmed until after the FES return to SFC and the subsequent audit process is complete.

The Committee noted the current performance status and acknowledged the continued disruption to learning and wider economic pressures experienced by students during AY 2021-22. A Campbell advised that, due to a change in reporting timescales by SFC, a sector benchmarking report will be submitted to the May 2023 meeting of the Committee following publication of the national sector report.

LTQ38-A03: 2021-22 Ayrshire College Performance Indicator update report will be submitted to May 2023 LTQC meeting following publication of the national sector report.

The Committee noted the content of Paper 5.

9. **HMIE Engagement in Scotland's Colleges: Overview Report AY2021-22** *(Paper 6) (P)*

A Campbell introduced Paper 6, as presented, and advised that the report summarised the findings from the 27 Progress Visits conducted by Education Scotland during AY 2021-22 and highlighted areas of positive practice and areas of on-going challenge for the sector.

The Committee was pleased to note that Ayrshire College is one of the 22 from 27 colleges who had made progress towards achieving its improvement targets and that aspects identified for improvement resonated the College's experience during AY2021-22. A Campbell highlighted a number of quotations contained within the report and provided the committee with a summary of the key points identified.

The Committee noted the report as presented.

10. **SFC & Education Scotland Guidance on Quality 2022-23 and 2023-24** *(Paper 7) (P)*

A Campbell introduced Paper 7 and highlighted the expectations set out by SFC and Education Scotland to ensure a continued strategic approach to quality assurance, improvement and enhancement.

The Committee noted that Ayrshire College's AY 2021-22 Progress Visit was deemed satisfactory, and therefore the College will host an annual engagement visit during AY 2022-23.

In response to a query by the Chair, A Campbell advised that colleges identified to take part in a thematic review will be selected at random by HM Inspectors and, therefore, it is unclear at the moment if Ayrshire College will be selected.

The Committee noted the report as presented.

11. **2022-23 Credit Activity Report as at 31 October 2022** *(Paper 8) (P)*

A Campbell introduced Paper 8, as presented, and provided an overview of the credit activity target position as at 31 October 2022 and projection to the end of the academic year. The following was noted:

- Table 1 outlines the SFC credit target of 123,867 with Table 2 outlining the additional credits received totalling 1,344 to manage the transition for Foundation Apprenticeships.
- The College projects that it will meet the SFC credit activity target for both core credit activity and additional credits.

The Committee sought clarity on any associated risk with the College's dependency on successful collaboration with the local authorities in terms of Foundation Apprenticeships. A Campbell assured members that Foundation Apprenticeships were a key priority area for Government, which has led to increased support and ringfenced funding for colleges. The Committee also noted that the College is the contractor with SDS in terms of drawing down funding and that the collaboration had resulted in a regional approach to Foundation Apprenticeships. The Principal added that future flexibility in senior phase delivery was expected in this area, which would be a positive step for colleges.

The Committee acknowledged the assurance provided and noted the content of Paper 8.

12. **2022-23 Student Support Funds Position as at 18 October 2022** *(Paper 9) (P)*

A Campbell introduced Paper 9, as presented, and provided an update on the student support funds position and projections as at 18 October 2022 as outlined in Table 1. The Committee noted the variables that will continue to be factored going forward as highlighted.

The Committee noted the content of Paper 9.

13. **2022-23 Apprenticeships and Work Based Learning Report** *(Paper 10) (P)*

G Murray took the Committee through Paper 10 as presented.

The Committee noted:
- the continued positive position for the College, students and across local industries.
- recruitment for 2022/23 is continuing with overall growth expected across apprenticeship areas.
- Engineering recruitment remains buoyant, with growth seen in Aerospace and the wider engineering sector, and Automotive has also seen a positive year of recruitment.

The Committee noted the report as presented.

14. **2022-23 Corporate Risk Register (V2): LTQC Extract** *(Paper 11) (R)*

The Committee received and reviewed the LTQC risk register.

The Committee noted that there was no change in the risk assessment score for any of the Risks. A Campbell took members through all updates as highlighted in each of the Risks.

It was proposed and agreed that Risk 3 be updated to reflect the recently approved Student Association Constitution to provide governance assurance.

LTQ38-A04: Risk LTQ3 – Engagement with students – to be updated to reflect the recently approved Student Association Constitution to provide governance assurance.

6   Draft LTQC Minute 10.11.22

LTQ38-D03: The Committee approved the Risk Register – LTQC Extract at November 2022 for submission to ARC.

15. **Scottish Funding Council Strategic Plan 2022-27** *(Paper 12) (P)*

Provided for information

16. **Skills Development Scotland Strategic Plan 2022-27** *(Paper 13) (P)*

Provided for information

17. **Date of Next Meeting:** Thursday 2 March 2023 at 4.00pm

(C/P) Confirmed minutes will be published on College Website; (P) – Paper will be published on the College Website; (R) – Paper is reserved, because it contains data or information of a personal nature, which is restricted by legislation, or because it contains commercially sensitive information, and will not be published on the College Website

RESERVED ITEMS ON THE NEXT PAGE – no reserved minute.

**Minute of the Business, Resources and Infrastructure Committee
Held by Hybrid Attendance at Kilmarnock Campus and
via Video Conference Using Zoom
on Tuesday 15 November 2022**

Present: *(Paper 11.2)*

Mike Stewart	Chair
Matthew Wilson	Vice-Chair
Norman Bone	Non-Executive Board Member
Beth Clelland	Non-Executive Board Member
Lisa Keggans	Elected Member, Service/Support Staff
Janette Moore	Elected Member, Curriculum Staff
Ellie Jamieson	Elected Student President
Angela Cox	Principal, Ex-Officio

In attendance:

Pauline Donald	Board Governance Advisor
Yvonne Melvin	Board Administrative Officer (Minutes)
Anne Campbell	Vice Principal - Curriculum
James Thomson	Acting Vice Principal - Finance
David Davidson	Assistant Principal - HR & OD
Liz Walker	Head of Financial Services
Martin Hammond	Head of Health, Safety and Wellbeing (items 5 & 6 only)

1. Welcome and Declarations of Interest

The Chair welcomed everyone to the meeting.

The Chair introduced Lisa Keggans, Elected Member, Service/Support Staff, and welcomed Lisa to her first meeting of the Committee. On behalf of the Committee, the Chair extended congratulations to Lisa on her new role as Estates Team Leader for Kilmarnock campus.

The Chair also extended the congratulations of the Committee to James Thomson on his appointment as Acting Vice Principal – Finance.

The meeting was confirmed as quorate.

There were no declarations of interest presented.

2. Apologies

Apologies were received from Fiona McQueen, Non-Executive Board Member, and Gillian Murray, Co-opted Committee Member.

3. Minutes of the Previous Meeting held on 6 September 2022 *(Paper 1) (P)*

The minutes were approved as a correct record.

Proposed: Ellie Jamieson   **Seconded:** Angela Cox

Action Tracker *(Paper 1a) (P)*

The Committee noted that all actions, apart from one, were recorded as complete.

BRIC20: A03 – J Thomson advised that this action was now completed and would be covered in Item 6 of the agenda.

4. **Matters Arising**

There were no matters arising not dealt with on the main agenda.

5. **Health, Safety and Wellbeing Annual Report August 2021 – July 2022** *(Paper 2) (P)*

D Davidson introduced Paper 2, accompanied by a short presentation from Martin Hammond, Head of Health, Safety and Wellbeing.

The Committee noted the following key points:
- Two updated mandatory training courses had been communicated to staff in the reporting period. A number of staff members were still to complete the mandatory training and updates on mandatory training figures would be reported to the Committee at future meetings.
- Staff with line management responsibility were enrolled on the IOSH Managing Safely eLearning course, of which 45 completed the qualification.
- The health, safety and wellbeing audit programme resumed in early 2022. Within the reporting period fourteen audits were completed. Work is ongoing to ensure that all outstanding actions are completed, and further updates would be provided.
- The number of accidents and incidents increased in the reporting period, which can be attributed to more staff and students returning to on campus learning following the pandemic. There were 3 incidents reported to the Health and Safety Executive under RIDDOR
- A programme of cross campus wellbeing events and campaigns were delivered in the period and were positively received by staff.
- The Health, Safety and Wellbeing team continued to support the Campus Operations Steering Group on Covid-19 arrangements across all campuses.

The Committee had a productive discussion on aspects of the report, including mandatory training, RIDDOR incidents and mental health and wellbeing. In response to queries raised, the Committee was advised:
- Mandatory training completion is on a rolling programme and staff continue to be supported to complete courses when required.
- All incidents reported to the Health and Safety Executive under RIDDOR were investigated thoroughly with actions taken where necessary and risk assessments updated accordingly.
- A range of mental health and wellbeing resources are in place for staff and students to access and the team continued to proactively promote and signpost these resources appropriately.

On Committee review, it was proposed that the number of incidents of non-compliance in mandatory training be reflected in future reporting and that policies

included in the reporting period be updated to include their version number and review date.

BRIC22 D01:   The Committee recommended the Health, Safety and Wellbeing Annual Report August 2021 – July 2022 to the Board for approval.

6. **Health, Safety & Wellbeing and Equality & Inclusion Report** *(Paper 9) (P)*

D Davidson introduced Paper 9 as presented and M Hammond took the Committee through the key points from the report.

The Committee noted that the report provided an update for the reporting period August to October 2022. Key areas of focus included accidents and incidents across the campuses, fire safety, wellbeing initiatives and programmes and equality and inclusion activity.

The Committee was concerned to note a reported incident related to a near miss at Kilwinning campus. A summary of the incident was provided to the Committee. The Committee was further advised that a full investigation had taken place in collaboration with those involved and appropriate actions had been taken.

In response to queries raised, the Committee was advised:
• As a result of a fire evacuation at Kilmarnock campus, M Hammond would liaise with Spie to ensure that the correct detector head is installed in the Supported Learning Kitchens.
• The College was committed to tackling gender imbalances in the staff cohort through promotion of the College and across recruitment practices. The Committee noted that all vacancies are advertised across a wide range of platforms to encourage and increase diversity and a range of working groups are already established representing all protected characteristics.

The Committee noted the report as presented.

Martin Hammond left the meeting at this point.

7. **2021-22 Financial Statements to July 2022 – Before Audit Finalisation** *(Paper 3) (R)*

J Thomson introduced Paper 3 as presented and the Committee noted the following key points:
• the paper sets out the financial statements for 2021-22.
• the financial statements are derived from the management accounts, which were presented to BRIC at its meeting on 6 September 2022, adjusted for year-end accounting requirements.
• the paper details the main draft financial statements and the detailed draft notes to the financial statements.
• the draft statements were submitted to Mazars for External Audit on 18 October 2022 with a final close out meeting held on 11 November 2022.
• Figures outlined in the draft financial statements are subject to material change before being presented to the Board in December 2022. This is to take into account a recent announcement by SFC regarding credit clawback for the sector.

J Thomson acknowledged and commended the efforts and hard work of the Head of Financial Services and her team in preparing the 2021-22 Financial Statements to July 2022.

The Committee commended the exceptional financial stewardship and recommended the 2021-22 Financial Statements to July 2022 – Before Audit Finalisation for approval through the Audit and Risk Committee and thereafter to the Board.

BRIC22-D02: The Committee recommended the 2021-22 Financial Statements to July 2022 for approval through the Audit and Risk Committee (22 November 2022) and thereafter to the Board on 8 December 2022.

8. **2022-23 Management Accounts as at September 2022** *(Paper 4) (P)*

J Thomson introduced Paper 4 as presented, summarising the actual position to date for the period ended 30 September 2022.

The Committee noted:
- the accounts show a year-to-date operating surplus of £31,293, a favourable variance of £34,416 when compared to the expected budget position at 30 September 2022.
- Expenditure variances related to salary costs and price increases were highlighted
- Given the current economic situation, a full year forecast was included to help highlight the impact to the College. This showed an operating deficit of £(312,068).

The Committee sought assurance on the future risk to the College in respect of possible future pressures related to inflationary pressures, credit targets and pay awards. J Thomson advised that the College recognised that future changes would be necessary; noting that SLT was working closely with budget holders to monitor any increases in order to minimise the risk of future pressures. The Committee noted that future adjustments may still need to be made and that risk remained. It was agreed that this should be reflected in the Risk Register.

BRIC22-A01 – Risk register to be updated to reflect possible future pressures related to inflationary pressures, credit targets and pay awards.

The Committee noted the content of Paper 4.

9. **Ayrshire College Financial Regulations as at November 2022** *(Paper 6) (R)*

J Thomson introduced Paper 6 as presented.

The Committee noted that the Financial Regulations are updated on a regular basis and that all updates are shown as tracked changes in Appendix 1.

J Thomson highlighted the Whistleblowing section to the Committee advising that the wording used in point 8.3 would be further amended to reflect that any matter raised directly with the Chair of the Audit and Risk Committee would relate specifically to matters of financial irregularity. In response to a query, J Thomson

confirmed that section 3.8 of Accounting Arrangements would be updated to state GDPR in place of Data Protection Act 1998.

BRIC22 D03: The Committee recommended the Ayrshire College Financial Regulations as at November 2022 to the Board for approval.

10. **2021-22 Annual Procurement Report** *(Paper 7) (P)*

J Thomson introduced Paper 7 as presented, advising that this was an annual requirement for the College and covered the period 1 August 2021 to 31 July 2022. It was noted that the standard Scottish Government template had been used to produce the report. J Thomson further advised that the figures contained in the report had been reviewed through a shared service agreement between the College and Advanced Procurement for Universities and Colleges (APUC) and had been reviewed by the Senior Leadership Team.

The Committee commended the report as presented and thanked J Thomson and his Team for an informative and clear report.

BRIC22-D04: The Committee recommended Annual Procurement Report for approval by the Board on 8 December 2022.

11. **HR & Staff Learning and Development Report** *(Paper 8) (P)*

D Davidson introduced Paper 8 as presented and advised that the report provided an update for the reporting period August to October 2022.

The Committee noted the following key points:
- The overall absence rate for the College increased during the reporting period. In some cases, the increase in long term sickness absence can be directly attributed to delayed or cancelled procedures during the Covid-19 pandemic and longer waiting lists for treatment.
- The Aspire Growing Leaders Programme had received positive feedback so far, with the final phase of the programme focusing on providing the cohort with project management experience. Three of the Aspire candidates have recently been successful in securing Team Leader roles within the College.
- Formal notification was received that the College has been awarded IiP Gold for a period of three years. Staff events were held across the three main campuses on Wednesday 2 November and were well received by staff.

D Davidson also advised the Committee that a ceremony was held prior to the meeting to celebrate staff achievements. In his capacity as Chair of BRIC, M Stewart was in attendance to offer his congratulations to staff provide them with their certification.

The Committee further noted that members had reported a positive impact from their guided tour of the Kilmarnock campus on 3 November. It was agreed that a tour of the other main campuses would be beneficial.

The Committee noted the report as presented.

12. 2021-22 Annual Complaints Report *(Paper 10) (P)*

A Campbell introduced Paper 10 presenting the 2021-22 Annual Complaints Report. The Committee noted that the total number of complaints received were lower on the previous year.

A Campbell took the Committee through the key points and highlighted the actions taken to support improvement.

The Committee noted the report as presented.

13. 2021-22 Annual Freedom of Information Report *(Paper 11) (P)*

A Campbell introduced the 2021-22 Annual Freedom of Information Report as presented and took the Committee through the key points.

The Committee noted the report as presented.

14. 2022-23 Corporate Risk Register (V2) – BRIC Extract *(Paper 12) (R)*

J Thomson introduced the draft BRIC extract from V2 of the Risk Register and set out where each of the individual risk levels were currently positioned.

J Thomson took the Committee through each risk outlined in Paper 12. The Committee noted and agreed the following in relation to the risks contained within the extract:

- BRIC1 – Risk Assessment to be updated to reflect Committee comments earlier in the agenda.
- BRIC2 – Risk Assessment had decreased to 16 to reflect the transformational changes and actions being taken.

The remaining risks remained within the risk appetite.

BRIC22-A02: Risk BRIC1 – In-year financial sustainability – to be updated to reflect the Committee comments earlier in the agenda.

BRIC22-D05: The Committee approved the Risk Register – BRIC Extract at November 2022 for submission to ARC.

15. Date of Next Meeting: Tuesday 7 March 2022 at 4pm.

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**Minute of the Audit and Risk Committee
Held by Hybrid Attendance at Kilmarnock Campus and
via Video Conference Using Zoom
on Tuesday 22 November 2022**

Present: *(Paper 11.3)*

Steve Graham   Acting Chair
Steven Wallace   Acting Vice-Chair
Matthew Wilson   Non-Executive Board Member
Alison Sutherland   Non-Executive Board Member

In attendance:

Pauline Donald   Board Governance Advisor
Yvonne Melvin   Board Administrative Officer (Minutes)
Anne Campbell   Vice Principal – Curriculum
James Thomson   Interim Vice Principal - Finance, Student Funding & Estates
Sean Morrison   BDO – Internal Auditors
Lucy Nutley   Mazars – External Auditors
Graham Gillespie   Wylie & Bisset – Internal Auditors

1.   **Welcome and Declarations of Interest**

      The Vice Chair, Steve Graham, welcomed all present to the meeting. The Chair
      was present at the meeting, but the meeting was chaired by the Vice-Chair due
      to ill-health of the Chair.

      The Acting Chair welcomed everyone to the meeting and extended the
      congratulations of the Committee to James Thomson on his appointment as
      Interim Vice Principal – Finance.

      The meeting was confirmed as quorate.

      There were no declarations of interest presented.

2.   **Apologies**

      Apologies were recorded from Claire Robertson and Chloe Main, BDO - Internal
      Auditors, Joanne Buchanan, Mazars - External Auditors and Stephen Pringle,
      Wylie & Bisset – Internal Auditors.

3.   **Minutes of the Previous Meeting held on 7 June 2022** *(Paper 1)* C/P

      The minutes were approved as a correct record.

      Proposed: Alison Sutherland   **Seconded:** Matthew Wilson

      ARC Action & Decision Tracker *(Paper 1A) (P)*

      The Committee noted the completion of all actions as recorded on the action
      tracker, apart from one:

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Action: ARC37: A02 - J Thomson advised that this action was now completed and would be covered at agenda item 9.

4.   **Matters Arising**

There were no outstanding matters arising from the minutes.

5.   **Internal Audit – BDO**

   i.   **FES Internal Audit Report** *(Paper 2) (P)*

S Morrison introduced Paper 2 as presented.

The internal audit review examined the adequacy and reliability of the sub-systems used by the College in relation to the Credit Guidance, the audit guidance and associated guidance to complete the student data returns.

The Committee noted:
- the report was very positive and there were no significant findings.
- one low recommendation had been identified in the area of distance learning.
- the issue in the area of distance learning was an isolated incident and was addressed to ensure there would be no reoccurrence.

In response to a query, the Committee was assured that the College had a number of processes in place to adequately evidence engagement and participation on distance learning courses.

The Committee noted the report and the level of assurance received.

   ii.   **EMA Internal Audit Report** *(Paper 3) (P)*

S Morrison introduced Paper 3 as presented.

The internal audit review examined the student data returns in accordance with the Education Maintenance Allowance (EMA) Audit Guidance Notes for 2021-22.

The Committed noted that the audit concluded that the College's systems and procedures were "adequate", and that substantial assurance had been provided. The audit identified no areas for improvement.

The Committee noted the report and the level of assurance received.

   iii.   **Student Support Funds Internal Audit Report** *(Paper 4) (P)*

S Morrison introduced Paper 4 as presented.

The internal audit review examined the systems used by the College in relation to student data returns in accordance with the Student Support Fund Audit Guidance Notes for 2021-22.

The Committed noted that the audit concluded that the College's systems and procedures were "adequate", and that substantial assurance had been provided. The audit identified no areas for improvement.

The Committee noted the report and the level of assurance received.

iv. 2021-22 Internal Audit Follow-up Report *(Paper 5) (P)*

S Morrison introduced Paper 5 as presented.

The Committee noted that Internal Audit undertakes an annual follow-up audit, which provides the Committee with independent assurance that the agreed audit recommendations are being actioned within a timely manner.

The Committee noted that, of the 15 recommendations due to be implemented, 14 (93%) have been categorised as fully implemented and 1 (7%) considered as partially implemented. There were 5 recommendations not due for implementation at the commencement of fieldwork.

J Thomson provided the Committee with an update on the outstanding action, advising that further details would be provided later in the agenda (item 9). It was therefore proposed that the report be updated by BDO to show full implementation of recommendations prior to the Board meeting in December. The Committee discussed the proposal and agreed that the report would be revised accordingly by BDO.

The Committee noted that Internal Audit concluded that "very good progress" has been made by the College with clear evidence of timely implementation, strong commitment and sound evidence of effective internal controls.

M Wilson highlighted that the job title on page 6 of the report was incorrect and should be amended.

The Committee noted the report and the level of assurance received.

Action: ARC38-A01 – The 2021-22 Internal Audit Follow-up Report to be updated by BDO to show full implementation of the recommendations and the amendment to the job title on page 6.

v. 2021-22 Internal Audit Annual Report *(Paper 6) (P)*

S Morrison took the Committee through Paper 6 as presented.

The internal audit annual report reviewed the control policies and procedures employed by the College to manage risks in business areas identified by management set out in the 2021-22 Annual Internal Audit Plan.

The Committee noted:
- management was prudent in selecting audits to identify areas of improvement and to seek assurance of controls and practices in place.
- the report summarises the audits previously reported to the Committee, the number of audit recommendations made and the overall conclusions of each report.
- there were six internal audits carried out during 2021-22 with no reported high-level findings and no high-level ratings for any of the six reports. All six audits provided substantial assurance.

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Further information on the use of benchmarking in the audit plan was sought. S Morrison advised that he would confirm the stance of BDO and would provide further details to the Principal.

The Committee acknowledged the significant amount of work undertaken by management to achieve this very positive report which reflected a robust control environment. The Committee also thanked BDO for their service and commitment over the past four years.

Action: ARC38-A02 – S Morrison to confirm the stance of BDO in benchmarking as part of the audit process and provide further details to the Principal.

Decision: ARC38:D01 The Committee recommended the 2021-22 Internal Annual Audit Report for approval by the Board on 8 December 2022.

6. **External Audit - Mazars - 2021-22 Financial Statements**

    i. **BOM Report & Financial Statements 2021-22** *(Paper 7) (P)*

    J Thomson introduced Paper 7 as presented.

    The Committee noted:
    - the Board of Management Report details the College's performance and key events that took place during 2021-22.
    - the Financial statements detail the Statement of Comprehensive Income, Statement on Changes in Reserves, Balance and Cash Flow Statement, and detailed notes to the accounts.
    - accounts were prepared on assumed SFC clawback of credit funding with a drawdown of additional referred students funding of £711k.
    - the Financial statements were considered and approved by BRIC at their meeting on 15 November 2022.
    - the figures presented were updated following BRIC to reflect correspondence received from SFC in November confirming their position in respect of credit clawback for the sector.

    J Thomson asked members to take the opportunity to review the BOM Report & Financial Statements 2021-22 prior to the Board meeting on 8 December, and to provide any feedback before Thursday 1 December.

    The Committee commended the management team on the work undertaken to achieve a positive and clear set of accounts.

    Decision: ARC38:D02 – The Committee recommended the BOM Report & Financial Statements 2021-22 for approval by the Board on 8 December 2022.

    ii. **Annual Audit Report to the BOM and Auditor General** *(Paper 8) (P)*

    L Nutley introduced Paper 8 as presented.

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The Committee noted that the report:

- summarises the findings of the auditors' work and summarises the auditors' conclusions.
- details the key areas covered by the auditors, including standard risk areas that are considered as part of all their audits in the college sector.
- sets out the auditors' opinions on the College's financial statements, regulatory arrangements, matters required to be covered by the Auditor General and the auditors' opinion on wider scope work.

L Nutley advised on the following points:

- an unqualified opinion, without modification, is anticipated to be issued in relation to the 2021-22 Financial Statements.
- the status of the audit work, as noted on Page 6, advises that no internal control recommendations were raised.
- satisfactory assurance was gained in all risk areas as well in valuation of land and buildings and pension liabilities.
- the adjustment to the Summary of Misstatements, as noted on page 18, was reflective of the recent SFC announcement on credit clawback for the sector.
- supporting appendices will be finalised but should not materially change prior to final signatories.

L Nutley expressed her appreciation to the management team, and in particular the College's Finance Team, for the level of cooperation received which had resulted in an effective audit process and a good quality annual report and accounts.

The Chair expressed the thanks of the Committee for a comprehensive report and the associated context provided. The Committee also thanked Mazars for their service and commitment over the past six years.

Decision: ARC38:D03 - The Committee recommended the Annual Audit Report to the Board of Management and the Auditor General for Scotland year ended 31 July 2022 for approval by the Board on 8 December 2022.

iii. **Letter of Representation 2021-22** *(Paper 9) (P)*

J Thomson introduced Paper 9 as presented.

The Committee noted that the Letter of Representation is from the College to Mazars. The letter confirms that the auditors have received all information relevant to the audit. It also confirms that there are no additional disclosures relating to the College's ability to continue as a going concern that need to be made in the financial statements.

Decision: ARC38:D04 - The Committee recommended the Letter of Representation for approval by the Board on 8 December 2022.

7. **2021-22 Audit and Risk Committee Chair's Draft Annual Report** *(Paper 10) (P)*

J Thomson, on behalf of S Wallace, introduced Paper 10 as presented.

The Audit Committee Annual Report summarises all audit reports and activity of the Committee during 2021-22. The Report details the Committee's membership and frequency of meetings. The Report also summarises the work of the external and internal auditors, setting out their conclusions on the work carried out.

The Committee noted and approved the report for signature by the Chair of the Audit and Risk Committee and submission to the Board of Management for approval.

Decision: ARC38:D05 - The Committee recommended the 2021-22 Audit and Risk Committee Chair's Draft Annual Report for approval by the Board on 8 December 2022.

8.   **2022-23 Business Continuity Plan (November 2022)** *(Paper 11) (R)*

J Thomson introduced paper 11, advising that, due to Committee approval of Version 6 in March 2022, only minor changes and amendments were being reported in Version 7 of the report.

J Thomson further advised that the 2022-23 Business Continuity Plan was being reported at this November meeting in line with the Committee's Terms of Reference and Workplan. Going forward, it was proposed that reporting of the plan to the Committee take place every 2 years.

The Committee noted the following in relation to the proposal:
- the next date of committee review would be November 2024.
- meetings of the Business Continuity Steering Group would continue on a regular basis to review and consider any business continuity events that have taken place and to assess the College's response to the event
- the Group is responsible for updating the Business Continuity Plan, where relevant, after each meeting and conducts a full formal review of the Plan on an annual basis.
- any notable changes would be reported to the Committee

The Committee considered the proposal as presented. In response to a query, J Thomson provided assurance to the Committee that any ongoing risks identified would be captured in the Business Continuity Plan.

M Wilson highlighted an error in an email address contained in the key contacts section of the document.

Decision: ARC38:D06 - The Committee approved the proposal for reporting of the Business Continuity Plan to be moved to a 2-year cycle.

9.   **Internal Audit rolling Action Plan as at 18 October 2022** *(Paper 12) (P)*

J Thomson introduced Paper 12 as presented.

The Committee noted the one action due in the period remained outstanding in the area of Marketing and that an update was available in the area of Schools and Community Provision.

Schools and Community Provision

- The Committee was reminded of previous updates and discussions on this item. J Thomson confirmed to the Committee that the College and three local authorities were working to the arrangements set out in the data sharing agreements and advised that the ability for the College to drive through formal agreement would be a disproportionate level of resource. It was therefore proposed that members agree to close this audit action and that the relevant BDO Reports be updated accordingly.

  The Committee confirmed that they supported the proposal and thanked management for the narrative outlining the rationale for closure.

Marketing

- J Thomson highlighted that the College has established a Short-Life Working Group to review the College's social media policies, which have been prepared and are due to be presented to the next policy review meeting with the trade unions. Subject to the outcome of this review meeting the policies would then be presented for approval, therefore, this audit action is shown as incomplete.

  The Committee noted the actions being taken on the incomplete audit action and was assured by the measures in place to see this through to completion.

The Committee noted the content of Paper 12.

Action: ARC38: A03 - The action related to 'Schools and Community Provision' be closed off and the 2021-22 Internal Audit Annual report be updated accordingly.

10. **AOB**

The Acting Chair recognised that the agenda for the November meeting of the Committee was slightly heavier than at other points in the meeting cycle but enquired as to whether efficiencies could be made going forward, specifically in reference to the number of pages and content contained within the reports. J Thomson advised that he would work with the Auditors in streamlining the information provided where possible.

11. **Date of Next Meeting – Tuesday 14 March 2023 at 4pm**

P - Papers will be published on the College Website; R - Papers will not be published for reasons of commercial confidentiality or for reasons associated with data protection legislation; C/P - Confirmed minutes will be published on the College Website

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Ayrshire College Board of Management

Responsibilities and Standing Orders

Date of first issue:	12 August 2013
Revision number:	11
Date of approval by the Board of Management:	28 March 2023
Responsibility for Review:	Chair of Board of Management/Board Governance Professional
Date of last review:	March 2021
Date of next review:	August 2022

Record of Interim Review 14.12.22

- Board & Committee Terms of Reference: updated as approved by the Board, Sept 2022
- Code of Conduct: updated as approved by Board, June 2022
- Board Secretary: amended to Board Governance Professional
- Links to Referenced Documents: updated (pg 99)

Date of next review: April 2023
Next review to include:

- Update to Section 7: to reflect new Staff Board Member Election Rules (following consultation with Unions)
- Update to Board Members' Terms and Conditions and Letter of Appointment (as required)
- Inclusion of TU Members (as an when legislation is enacted).

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Section 1: Primary Responsibilities of the Board of Management

1.1 Mission and Strategic Vision of the College

The Board of Management of Ayrshire College (the "Board") shall ensure that Ayrshire College (the "College") provides the best possible education and learning environment for its students.

The Board shall approve the mission and strategic vision of the College, including institutional and longer-term learning and teaching plans, the Outcome Agreement with the Scottish Funding Council, business plans, annual budgeting and annual accounts, key performance indicators, and ensure that the College meets the interests of all stakeholders, including students, staff, employers, Community Planning Partners, other key stakeholders, local communities and funding bodies.

The Board shall safeguard the good name and values of the College.

The Board shall promote further and higher education in Ayrshire to contribute to sustainable economic growth and to meet the needs of the learners and the employers of the region.

1.2 Appointment of and Delegation to the Principal

The Board shall appoint the Principal as Chief Executive of the College and shall put in place suitable arrangements for monitoring his/her performance. In undertaking the recruitment of a Principal, the Board is responsible for ensuring that processes are in place which are designed to ensure students and staff will have an opportunity to contribute to the recruitment process.

The Board shall delegate to the Principal, as Chief Executive, operational responsibility for the running of the College, including authority for the learning and teaching, corporate, financial, estate and human resource management of the College, and shall establish and monitor such management functions as shall be undertaken by and under the authority of the Principal.

1.3 Statutory and Regulatory Responsibilities

The Board shall be the College's legal authority and, as such, shall ensure that systems are in place for meeting the College's legal obligations, including those arising from contracts, other legal commitments made in the College's name and all statutory provision.

The College is a Registered Charity and as such all Board Members are charity trustees under the terms of the ***Charity Trustees and Investment (Scotland) Act 2005***. Further information may be found at: www.oscr.org.uk/charities/managing-your-charity/trustee-duties

The Board shall ensure that its Responsibilities and Standing Orders are followed and that appropriate advice is available to enable this to happen.

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The Board shall maintain an "arm's length" relationship with the Ayrshire College Foundation as determined by the Treasury rules governing such relationships and by statutory requirements, including the *Charity Trustees and Investment (Scotland) Act 2005*.

The Board shall act as trustee for any property, legacy, endowment, bequest or gift in support of the work and welfare of the College, except where such resource lies within the governance of the Ayrshire College Foundation.

The Board shall be the employer of all staff of the College.

The Board shall ensure that the College complies with statutory, contractual and other duties placed on it through the National Bargaining Process and the National Recognition and Procedures Agreement (NRPA) to which it is a signatory.

The Board shall ensure that the College operates ethically, responsibly and with respect for the environment and for society.

The Board shall seek to reflect in its membership the diversity of the regional community, by providing the maximum opportunity to all with the potential to make a positive contribution to the Work of the Board and by removing any potential barriers.

The Board shall ensure that it maintains an appropriate balance of knowledge, skills, attributes and experience amongst its membership in order to meet its primary responsibilities and maximise its effectiveness.

1.4 Supervision and Accountability of the College

The Board shall be the financial and business authority of the College and shall ensure statutory responsibilities are adhered to, including the maintenance of proper financial statements; the approval of the annual budget and financial statements; and having overall responsibility for decisions in relation to the assets, property and estate of the College and how they are used.

The Board shall ensure that clear procedures are in place for the management, health and wellbeing of employees of the College.

The Board shall ensure the establishment and monitoring of systems of control and accountability, including financial and operational controls; systems in respect of risk assessment and management; clear procedures for handling internal grievances; clear procedures for managing conflicts of interest; and clear procedures for public interest disclosure, etc, all so as to ensure sustainability of the College and safeguard its assets.

The Board shall ensure that processes are in place to monitor and evaluate the performance and effectiveness of the College against approved plans and

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key performance indicators, which should be benchmarked against other comparable institutions, wherever possible.

The Board shall ensure in consultation with the Students' Association that arrangements are in place to ensure the proper management of the health, safety, wellbeing and security of students, including meeting all statutory requirements.

The Board shall ensure that processes are in place to annually monitor and evaluate its own performance and to put into place rolling action plans against which future performance may be measured.

The Board shall ensure that processes are in place for evaluating the effectiveness of its individual members. This process will be led by the Chair.

The Board shall ensure that a process is in place for evaluating the effectiveness of the Chair. This process will normally be led by the Vice-Chair.

Section 2: Standing Orders – Board of Management

2.1   The purpose of these Standing Orders is to ensure the orderly and effective conduct of the meetings of the Board of Management and of Committees of the Board. They shall apply to all meetings of the Board and its Committees and shall, subject to a resolution by the Board or Committee for their temporary suspension, remain in force unless and until they are varied or revoked as hereinafter provided.

It is not the intention that these Standing Orders will ever be used to subvert the will of Parliament or reinstate within the Standing Orders repealed legislative provision.

The Standing Orders were adopted by the Board on 14 December 2017. They replace all other Standing Orders previously adopted by the Board, which are hereby revoked.

2.2   **Introduction**

The Board of Management of Ayrshire College is established under the terms of the Statutory Provisions contained within:

Further and Higher Education (Scotland) Act 1992 (Schedule 2);

The Further and Higher Education (Scotland) Act 2005 (Schedule 2B);

The Post-16 Education (Scotland) Act 2013 (Schedule 2).

Ayrshire College is a charity registered in Scotland under the terms of the ***Charities and Trustee Investment (Scotland) Act 2005*** with registered number SC021177.

Statutory provisions may from time to time be amended by Government and at all time these Standing Orders will be governed by the extant statutory provision.

These Standing Orders set out the Board's practice on those issues that it has powers to determine.

The Standing Orders also address the arrangements for the reporting of members' interests and the responsibilities and duties of board members.

At all times the Standing Orders will be compliant with Code of Good Governance for Scotland's Colleges and the statutory provisions that determine the governance of the Board.

The Standing Orders to be read in conjunction with the following:

- The Statutory Provisions as defined above and from time to time amended.

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- **The Equality Act 2010 (specific duties) (Scotland) Regulations 2012 (as amended)**

- **The Charities and Trustees Investment (Scotland) Act 2005 (Section 66)**

- **The *Ethical Standards in Public Life etc (Scotland) Act 2000***;

- The Code of Good Governance for Scotland's Colleges

- the Financial Regulations, including the Financial Memorandum and the Scottish Public Finance Manual; and

- The Board of Management Code of Conduct, as set out in Section 5 below.

2.3 Interpretation

In this document the following definitions shall apply:

- "Board" means the Board of Management of Ayrshire College;

- "Chair" means Chairing Member appointed by Scottish Ministers;

- "Vice Chair" means the person appointed by the Board to deputise in the absence of the Chair;

- "Board Member" means a member of the Board;

- "Non-Executive Board Member" is a non-elected Board member appointed by the Board from the community through the processes conducted by the Search and Nomination Committee and as approved by Scottish Ministers.

- "Senior Independent Member" (SIM) means a "non-executive" board member appointed by the Board for the purposes of providing a sounding board for the Chair and to serve as an intermediary for the Principal, Board Governance Professional and other members as appropriate.

- "College" means Ayrshire College;

- "Committee" means any of the committees referred to in this document and any other committee established by the Board from time to time and the terms "Committees" and "Committee Member" shall be construed accordingly;

- "Financial Memorandum" means the financial memorandum of the College as amended from time to time;

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- "SFC" or "Funding Body" means The Scottish Further and Higher Education Funding Council or any other body which takes over or adopts its functions and obligations; and

- "Statement of Primary Responsibilities" means the statement of primary responsibilities of the Board, as amended from time to time.

In the event of a dispute as to the interpretation of any part of the College Standing Orders, the ruling of the Chair shall be final. In all instances, the content of the Statutory Provisions and the Code of Good Governance for Scotland's Colleges, as appropriate, shall be determinant.

2.4 Purpose and Powers

The whole Board is collectively responsible and accountable for all Board decisions. Board members must always make decisions in the best interests of the College as a whole rather than selectively or in the interests of a particular group.

The Board of Management shall have the duty to:

- manage and conduct the business of the College in accordance with the Statutory Provisions and the terms of the Statement of Primary Responsibilities; and

- ensure that the College provides relevant, high quality and efficient learning opportunities to students at the College.

The Board has the responsibility for the appointment of the College Principal, and for the conduct of any disciplinary or other action taken against the Principal as the result of an allegation of misconduct or the investigation of a grievance.

The Board has powers as defined, and from time to time amended, by Statutory Provision. These powers may be viewed by consulting the currently extant Statutory Provisions.

The Board shall provide public benefit in Ayrshire and elsewhere as determined by Statutory Provision

The Board may pay to Board Members such reasonable expenses as they may determine, subject to any criteria issued from time to time by the Scottish Funding Council.

The Board may be given direction of a general or a specific character by the Scottish Government or the Scottish Funding Council (or its equivalent) with regard to the discharge of its functions, and it is the duty of the Board to comply with any directions given. For the avoidance of doubt, this duty applies only where the Scottish Government or the Scottish Funding Council (or its

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equivalent) has a statutory power and/or prescribed authority to direct the Board.

The Board has a duty to keep proper accounts, which shall be prepared and audited as required by the Scottish Funding Council and the Financial Regulations.

Subject to the responsibilities of the Board, the Principal is responsible for the executive management of the College, including its financial management, internal organisation and discipline.

2.5 Membership

The Board Membership shall reflect that constituted within the statutory provision. As currently constituted and set out in the Board Terms of Reference, the Board shall consist of not less than 15 or more than 18 persons, being made up of a Chair appointed by Scottish Ministers, the Principal (ex-offico), elected members and up to 12 non-executive members.

In seeking applications for and appointing its non-executive membership, the Board will take full cognisance of the diversity and demography of the Ayrshire region and equal opportunity requirements and will seek to reflect this in its appointments.

When making non-executive appointments the Board will take full account of any guidance produced by the Scottish Government and/or SFC and any requirements contained within statutory instruments.

The Board shall appoint a Board Governance Professional to the Board of Management who will be responsible for the administration of the Board.

Arrangements for any elections to the Board shall be delegated to the Board Governance Professional (see section 7 below).

Board Members (except the Principal) may resign at any time, by giving notice in writing to the Chair.

Board Members who are members of staff (including the Principal) or students of the College cease to be Board Members if they cease to be staff or students of the College.

Upon the vacancy or expected vacancy amongst the Board Members (not staff or student representatives) it is for the Board to select and appoint a person to fill the vacancy. A Search and Nomination Committee shall determine procedures for filling a vacancy. The Search and Nomination Committee will include an appropriate external member, who has no connection with the Board or the College and whose appointment will be approved by the Board.

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A person nominated to fill a vacancy may attend Board meetings prior to the resignation of the Board Member they are replacing, and may speak at meetings, but not take part in any vote on a Board item.

Without prejudice to the rights of any Committee to co-opt members from time to time, the Board may from time to time co-opt persons to any Committee and may at any time revoke such co-option. Any person co-opted to any Committee (a "Co-optee") may attend any meeting of that Committee and take part in that Committee's discussions. Co-optees may not chair any Committee, nor may they vote in any decisions determined by a vote of any Committee, but they shall in all other respects have equivalent status to Committee Members.

2.6   Board Members Period of Office

A member of the Board (other than the Principal or Student Representatives) shall hold office for a period of up to 4 years.

Board Members appointed to replace a Board Member who has resigned or been removed from office shall serve until the expiry of the term of office of the person who they were appointed to replace.

Board Members must be over the age of 16 at the time of their appointment.

At the expiry of a Board Member's period of appointment, they may be considered, on one occasion only, for a period of re-appointment of up to 4 years. In considering a re-appointment, it is the responsibility of the Board to consider whether its needs will be most effectively met by extending an appointment or by making a new appointment.

An appointment may be extended (for one single period) only if:

    a) the Board Member has performed satisfactorily, with evidence of regular assessments of performance to evidence this;
    b) the Board Member's skills, knowledge, attributes and experience remain relevant to the anticipated future needs of the Board.

Where a Board Member does not have their period of appointment extended or where they have served for two periods of appointment including an extension, they may re-apply for appointment through the normal Board Member recruitment process.

Board Members who have been absent without reasonable excuse from the Board for more than 6 months may, by resolution of the Board and notice in writing from the Chair, be removed from the Board. In addition, Board Members may also be dismissed for reasons other than poor attendance, as set out in their Letter of Appointment and Terms and Conditions of Service.

No Board Member may act as such unless and until:

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- the Board's recommendation for appointment has been approved by Scottish Ministers: and

- they have completed the Protection of Vulnerable Groups scheme (PVG) clearance.

Board Members shall at all times comply with:

- any duties imposed on Board Members in their capacity as charity trustees pursuant to **section 66 of the Charities and Trustee Investment (Scotland) Act 2005**;

- any other legislation and/or statutory or regulatory guidance applicable to the College from time to time; and

- the terms of the Board of Management Code of Conduct (as set out in Section 5 below).

2.7   Appointment of Chair, Vice Chair and Senior Independent Member

The Chair (Chairing Member) will be appointed by the Scottish Ministers. The Chair is responsible for Leadership of the Board and ensuring its effectiveness in all aspects of its role.

The Board shall appoint one of its non-executive members to be Vice Chair of the Board of Management. When deputising for the Chair, the Vice Chair shall have the authority the Chair would have under these Standing Orders.

The period of appointment of the Vice Chair shall normally be until the end of their current period of appointment as a Board Member.

If both the Chair and Vice Chair are absent from any meeting of the Board then the Board Members present shall choose one of their numbers to act as Chair for the meeting.

The Board shall appoint a Senior Independent Member (SIM) from its non-executive membership whose role it will be to provide a sounding board for the Chair and to serve as an intermediary for the other Board Members and the Board Governance Professional when necessary. The Senior Independent Member should also be available where contact through the normal channels of Chair, Principal or Board Governance Professional has failed to resolve an issue or for where such contact is inappropriate.

The period of appointment of the SIM shall normally be until the end of their current period of appointment as a Board Member.

The Chair may at any time by giving notice in writing to the Scottish Ministers resign their office as a member.

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In the event of the Chair resigning their office, the Vice Chair will assume the role of acting Chair until the Scottish Ministers appoint a new Chairing Member.

The Vice Chair may at any time by notice in writing to the Board Governance Professional to the Board of Management, resign their office.

The SIM may at any time by notice in writing to the Board Governance Professional to resign their office.

At the first meeting following the expiry of their term of office, or following their resignation, the Board shall, appoint a new Vice Chair or a SIM from amongst their number. In the event of more than one nomination being received for the position, an election for appointment to the role shall immediately be arranged by the Board Governance Professional.

The Vice Chair or the SIM retiring at the end of their term of office will be eligible for re-nomination if they are reappointed to the Board.

When the Chair, the Vice Chair or the SIM cease to be a member of the Board, they shall no longer hold any office of the Board.

2.8 Proceedings

Paragraph 11 of Schedule 2 to the Further and Higher Education (Scotland) Act 1992 "Schedule 2", a Board may regulate its own proceedings and those of any Committee appointed by it.

The Board shall make publically available on the college website for anyone who wishes to inspect them, copies of the following documents:

- the agenda for any meeting of the Board or any Board Committee;

- the confirmed minutes of such meeting as agreed by the Board or, as the case may be, the Committee.

- The papers considered at any Board or Committee meeting.

The above shall not apply to any document or part thereof which relates to:

- an employee, former employee or applicant for employment at the College;

- a person who is, or has been, or is likely to be a student at the College;

- any information, the disclosure of which is prohibited by anything in any enactment or rule of law; or

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- any information that the Board believes should be treated as confidential because of its commercial nature or otherwise.

2.9 Meetings of the Board and Committees

The Board shall hold as many Board and Committee meetings as may be necessary for the performance of its functions and at such times, places and frequency as the Board determines.

The Board Governance Professional shall produce an annual programme of meetings that shall be presented to the Board for approval.

Extraordinary meetings of the Board and Committees may be called on the instructions of the Chair or by agreement by a majority of the members entitled to vote at such a meeting.

Board and Committee meetings shall be called giving no less than five working days' notice. Where extraordinary meetings are called and, exceptionally, due to the urgency of the business five working days' notice cannot be given, notice will be given as soon as is reasonably practicable and giving no less than two working days' notice.

Board and Committee meetings shall normally be held round table at a previously designated location with members attending in person. Where appropriate and necessary for the conduct of business, meetings may be held virtually with all or some members attending and contributing virtually by means of remote communication.

2.10 Committees of the Board of Management

The Board shall appoint such Committees as it considers necessary.

The Chair of the Board and the Principal may attend any meetings of any Committee (other than the Audit and Risk Committee, which they may only attend by invitation) but may not vote unless they are members of the Committee.

Committees may include persons who are not Board Members, but such persons will not be entitled to vote at meetings of the Committee.

The arrangements for the conduct of Board meetings shall also apply to its Committees.

The Board, unless resolved otherwise, will establish, as a minimum, the following Committees:

- Learning, Teaching and Quality Committee.
- Business, Resources and Infrastructure Committee.
- Audit and Risk Committee.
- Performance Review and Remuneration Committee; and

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- Search and Nomination Committee.

Committees, in consultation with the Board, shall determine the frequency and dates of their meetings.

Committees shall determine or advise the Board on any matters which the Board remits to them.

The appointed internal auditors and external auditors of the College shall receive as a matter of course all papers including agendas and minutes presented to the Board of Management and any of its Committees. The internal auditor and external auditor shall have a right to attend any such meetings.

2.11 Quorum and Voting Rights

The quorum for a meeting of the Board or Committee shall be no less than one half of the members entitled to vote at such a meeting.

If a meeting does not have a quorum of members present 15 minutes after its scheduled start time or falls below having a quorum of members present part way through, the Chair must either adjourn the meeting to a new date and time, or proceed with the agenda, ensuring that any decisions are taken by members at the next meeting of the Committee or Board, whichever is the sooner.

A question on which a vote is required shall be determined by a majority of votes of the members of the Board present and voting on the question and, in the case of an equal division of votes, the Chair of the meeting shall have a second or casting vote.

Only matters identified on the agenda as requiring a decision shall, if consensus is not possible, be decided by vote.

In exceptional circumstances, such as for matters requiring urgent attention, and when the approval of the Board or Committee is required, decisions can be taken, with the prior agreement of the Chair, by written procedure. That is, decisions can be taken without calling a physical meeting of the Board or Committee. In such circumstances for a decision to be deemed to be taken:

- The Board Governance Professional shall email all Board members outlining the decision required, together with relevant briefing information.

- A quorum, as defined in 2.1 of these Standing Orders, must have replied to the email.

- The Board Governance Professional shall ensure that a deadline for response is clearly specified, and Board members shall endeavour to respond within that timeframe.

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- Any decisions taken in this way shall be homologated at the next relevant meeting of the Board or Committee.

Where a proposal is amended, voting will take place on the amendment against the proposal, or the series of amendments, in the order of the last amendment first, until a single amendment is put against the proposal. Thereafter, voting will take place upon the proposal amended. All members have a single vote.

No one shall be entitled to record their dissent from any decision, except at the meeting at which it has been passed; but any member not present may at the next meeting have their dissent recorded.

No proposal nor any amendment to any such proposal shall be moved if it involves a reconsideration of any question or proposal that has been decided or adopted by the Board at any time within the preceding six months unless:

- it is moved by the Chair
- in addition to being signed by the mover, it is signed by at least one third of the total members of the Board.

2.12 Attendance at Board and Committee Meetings

The Board Governance Professional shall have oversight of all Board and Committee meetings to ensure meetings are conducted in accordance with legislation, terms and conditions of grant (including in relation to its Financial Memorandum, the Scottish Public Finance Manual, the Code of Good Governance for Scotland's Colleges), the Board's Scheme of Delegation and these Standing Orders, and in order to ensure a record is kept of proceedings.

It shall be a matter for the Board or Committee to determine which College employees (with the exception of the staff Board Members who shall be invited to attend all meetings of the Board and Committees they are a member of) or other individuals should be invited to attend any Board or Committee meeting or any part of it in an advisory capacity in order to ensure that the Board or Committee has the required advice to fulfil its functions. Where invited to do so by the Chair at the meeting, these employees or individuals may contribute to the discussion, but may not vote.

Where circumstances dictate, and/or it is deemed by the Board/Committee to be appropriate, attendance and contribution at a meeting by members may be undertaken virtually and by remote communication. In addition, where circumstances dictate and/or it is deemed to be appropriate, entire meetings may be wholly conducted virtually with all members attending and contributing to the meeting by virtue of remote communication.

The Board may decide to meet privately without the Principal or any Senior Management Team members being present. In these circumstances, the Board Governance Professional shall be present at the meeting unless requested by the Chair to leave. Where the Board Governance Professional

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is requested to leave, there must be a clear and specific reason for this recorded in the minutes and the Chair shall ensure that appropriate arrangements are made for recording the discussion and any decisions taken at the meeting in the minutes. Staff and student Board members are permitted to attend such meetings unless they have a conflict of interest in relation to the matter being discussed.

2.13 Agenda

The Board Governance Professional in consultation with the Chair and Principal shall prepare the draft Board agenda. Other members may place an item on the agenda for discussion (except in the case of an extraordinary meeting where only the urgent business notified at the time the meeting was requested will be placed on the agenda). The Board Governance Professional shall ensure that all items placed on the agenda fall within the remit of the Board or Committee.

All matters for consideration by the Board or Committee shall be clearly identified on the draft agenda as to whether it is for approval, decision, discussion, noting or for information purposes.

All matters for consideration by the Board or Committee shall be clearly identified on the agenda as for publication or whether it be a matter reserved as confidential under the circumstances described in paragraph 2.8 above.

The order of business shall be:

- Apologies for absence
- Declarations of any Potential Conflicts of Interest in relation to any agenda items
- Approval of the minutes of the previous meeting
- Matters arising
- Student Related Business
- All other business with those items of business requiring approval or a decision taking precedence over items of business for noting
- Date of the next meeting(s).

All business at Board and Committee meetings shall be conducted through the Chair by members indicating to the Chair that they wish to speak. The Chair shall be heard without interruption.

The Chair shall be responsible for the general conduct of the meeting to preserve order and to ensure that every member has the opportunity to contribute.

2.14 Board and Committee Papers

Board and Committee papers may be submitted by the Chair, the Principal, a member of the Senior Management Team or the Board Governance Professional.

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The Board Governance Professional shall ensure the circulation of papers to Board or Committee members at least five working days prior to the meeting. Where this timescale is not possible, the Board Governance Professional shall advise members of this and advise of the reason for the delay and when papers might be expected.

2.15 Minutes of Board and Committee Meetings

In addition to recording the decisions and basis of decisions of all business on the agenda, the minutes shall include a record of those members present and any individuals in attendance, for all or part of the meeting.

Draft minutes shall be prepared for the Chair's agreement normally within ten working days of the meeting and shall be labelled 'draft'.

Once agreed by the Chair, minutes shall be circulated to members normally within twelve working days of the meeting and shall be labelled 'unapproved circulated'.

The minutes shall be considered for approval by the Board or Committee at its next meeting and the Chair of the meeting shall thereafter confirm the minute that shall be labelled 'final version'.

The Board Governance Professional shall be responsible for ensuring that a final version of the minutes is securely retained.

The Board Governance Professional shall be responsible for ensuring that the final version of the minutes of each Board and Committee meeting is timeously published on the College website.

In the event that extraordinary business is being transacted and additional meetings are being arranged, the timescales for preparing minutes shall be adjusted to ensure their availability for approval at the next meeting.

Where a Committee meets infrequently, draft minutes shall be circulated by email to all Members who will be required to confirm their approval or otherwise of the draft within eight weeks of the meeting having taken place. The minutes shall thereafter be confirmed by the Chair of the meeting and labelled as 'final version'.

All Committee minutes will be submitted to the Board for information at the next scheduled meeting of the Board following their confirmation. Only final versions of minutes shall be published on the College Website.

2.16 Board Members' Interests and Conflicts of Interest

In accordance with the terms of the Ethical Standards in Public Life Etc. (Scotland) Act 2000, a Register of Interests will be maintained by the Board Governance Professional. Such Register of Interests shall be available for

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inspection on the College Website and at all reasonable times at the main Board of Management office of the College or as otherwise required by the Standards Commission for Scotland. It is the responsibility of members of the Board to declare all relevant information and to promptly notify any changes. Guidance is provided in the Code of Conduct for Members of the Board of Management of Ayrshire College which is detailed within Section 5 below.

A conflict of interest arises when a board member has a direct or indirect interest in the outcome of any agenda item under consideration that a member of the public would reasonably assume could compromise their impartiality. Board members have a responsibility to ensure that all contributions they make to discussions and decision-making and all acts they undertake as board members are impartial. It will be the responsibility of each individual board member to declare when such a conflict of interest arises for them. The decision of the Board or Committee Chair in relation to all matters relating to conflicts of interest will be final.

2.17 Confidentiality of Information

Any information received or obtained by any person in connection with their functions as a Board Member, or a member of any Committee, shall be treated by them as confidential to the Board or that Committee and shall not, without the express prior approval of the Board and the Board Chair, be discussed with any other person other than a member of the Board or Committee privy to that information prior to the meeting concerned.

This confidentiality extends to co-opted members of the Board and its Committees. In addition, observers and co-optees attending any meeting of the Board and its Committees are also required to observe the confidentiality of all of the papers, information, discussions and decisions they are privy to. Where observers or co-optees are not already covered by a confidentiality requirement by virtue of their employment or other arrangement (e.g. government or local authority employees) they will be asked to sign an undertaking to that effect.

Papers, discussion and decisions agreed by the Board to be confidential and reserved items shall be separately minuted and maintained by the Board Governance Professional and shall not be made available to anyone other than members of the Board and the Board Governance Professional. Members of the Board may not discuss such matters with anybody other than Board Members privy to that information without the express prior approval of the Board and the Board Chair.

In particular, Board Members must treat the following information as confidential and must not divulge or disclose any such information to any third party:

- personal information held about individuals;

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- information relating to a person who is, has been, or is likely to be a student of the College.

- any information the disclosure of which is prohibited by anything in any Statutory Provision

- matters relating to the business of the College, its transactions and financial affairs.

- matters relating to the business of the College's funders, partners, contractors and

- other third parties with which the College has or may have business or commercial relationships.

- matters related to or concerned with legal disputes, actions or the like concerning the College; and

- matters which are identified by the Board as being confidential or which, given their nature, may be regarded as being confidential to the College.

For the avoidance of doubt, any breach of confidentiality by a board member or members, co-opted members and observers will be considered a very serious matter, will be fully investigated, and may lead to suspension or dismissal from the Board and/or legal action.

2.18 Scheme of Delegation

The Board has an agreed Scheme of Delegation (see Section 4 below), which defines the powers delegated to the Chair of the Board, the Committees, the Principal, and the Board Governance Professional. The Scheme of Delegation shall be reviewed and updated from time to time as agreed by the Board.

Matters which are dealt with under delegated authority by the Chair of the Board, a Board Committee, the Principal, or the Board Governance Professional do not need further confirmation by the full Board unless the Scheme of Delegation so requires.

The Board will be kept informed of matters determined under delegated authority by the Chair of the Board, a Board Committee, the Principal, or the Board Governance Professional.

If the Board has reasonable grounds to suspect that powers granted under the Scheme of Delegation have been misused or exceeded by any party the Board may take whatever steps it considers reasonable and appropriate to investigate the matter, and to act upon any findings so made. In any such circumstance, the Board will seek legal advice before proceeding, and may seek advice from other bodies such as the SFC and the Standards Commission as appropriate.

2.19 Financial Regulations and Scheme of Financial Delegation

The Board of Management separately approves detailed Financial Regulations that set out practical parameters, guidance and responsibilities relating to financial control. These Financial Regulations are updated on an agreed cycle and include a Scheme of Financial Delegation which sets out the financial authorities, including financial spending limits, delegated to the Principal (See Section 4 below).

2.20 Suspension, Alteration and Review of the Standing Orders

Any one or more provisions of these Standing Orders may be suspended, except where such suspension might lead to an action contrary to law, provided that at least two thirds of the members present vote to do so.

No alteration of these Standing Orders shall be made without notice of any proposed alteration having been given in the notice calling a meeting at which the alteration is to be considered and a majority of the Board Members present and voting at such meeting voting in favour of the alteration being made and adopted.

The Board shall, at least once every three years, review its Responsibilities and Standing Orders in order to determine whether any amendments and/ or additions should be made thereto.

Section 3: Standing Orders – Board and Committees' Terms of Reference

3.1   Board of Management Terms of Reference

Introduction
The Board of Management is responsible for the overall functioning and strategic direction of the College. The Board of Management is also responsible for planning the future development of the College and for ensuring its effective management.

The Board of Management has ultimate responsibility for all the affairs of the College.

The Board of Management is publicly accountable for the College's stewardship of public funds and given the nature of this obligation demands the highest standards of Corporate Governance.

Remit
The Board of Management is responsible for overseeing all matters related to function and strategic direction of the College. The Board of Management through its Committees will provide strategic leadership to ensure that the College aims and objectives are achieved. The Board will also ensure, through the actions of the Chair, that the requirements in relation to new members' induction and mentoring, from both the Board and board committees' perspective, are properly fulfilled and enacted.

Board of Management Membership
The membership of the Board of Management will be constituted as determined by Statutory Provision.

As currently constituted under Statutory Provision, the Board of Management shall consist of not less than 15 or more than 18 persons.

The Board shall comprise:

- The Chair, appointed by Scottish Ministers.

- The Principal of the College.

- A person being elected by the teaching (curriculum) staff from among their own number.

- A person being elected by the service/support (non-curriculum) staff from among their own number.

- 2 persons being appointed by being nominated by the Students' Association of the College from among students at the College (this includes students on a sabbatical year).

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- Up to 12 other people, not being members of staff or full-time students, who have experience in different industry sectors, commercial or employment matters, or the practice of a profession, or who represent the Third Sector, Public Sector Bodies or Trades Union, or who otherwise have an interest in the College and in further and higher education and who represent the demography and diversity of the region (these appointments will be the "Non-Executive Members").

The Board of Management is responsible for ensuring the internal and external induction of its members and for their ongoing training and development in line with the requirements and provisions of the Scottish Government, Scottish Funding Council (SFC), Colleges Scotland and the College Development Network (CDN).

Quorum
50% of the Board of Management places occupied will constitute a quorum.

Attendance
The Board of Management may co-opt individuals as appropriate. Details of the proposed co-opted individuals will be approved by the Chair of the Board in advance. The role, remit and term of membership of the co-opted individuals will be determined by the Board.

The Executive Leadership Team and other Staff, as required, should attend meetings of the Board of Management to provide information and reports as appropriate.

The Board has the option of meeting without any members of staff present. Where the Board Governance Professional has been also been excluded, the Chair of the Board shall arrange for a full minute of the meeting to be recorded, which shall include a full explanation of why the Board Governance Professional was excluded from the meeting.

Meetings
The Board shall normally meet on a quarterly basis but shall meet on a minimum of three occasions per annum.

Any member of the Board of Management may convene additional meetings as and when required by giving a minimum of ten working days' notice to the Board Governance Professional to call a meeting.

The Chair of the Board of Management will instruct the Board Governance Professional to call meetings of the Board. The agenda and supporting papers will be sent to members at least five working days before the day of the meeting.

Where, in the opinion of the Chair, an exceptional and urgent matter of business requires to be considered by the Board at shorter notice than that provided for above, the Chair may instruct the Board Governance

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Professional to call a meeting of the Board of Management at a time, date and place determined by the Chair.

Duties

The Board of Management has responsibility for overseeing the business of the College, determining its future direction and fostering an environment in which the College vision, mission and objectives are achieved, and the potential of all learners is maximised. The Board of Management is the employer of all staff of the College.

The Board of Management must ensure compliance with Statutory Provision and their ordinances, schedules and provisions; together with all advice, guidance and direction provided, from time to time, by the Scottish Government, SFC or other properly constituted agency which regulate the College and its framework of governance and, subject to these, take all final decisions on matters of fundamental concern to the College.

The following items are retained for approval by the Board of Management, upon advice from or recommendation by the relevant Committee where appropriate, and may not be delegated:

- To approve Strategies presented by the relevant Committees.

- To approve the planning cycle proposed by the Executive Management Team for the preparation of the Outcome Agreement, the College Strategic Plan, and to approve the Plan itself before publication.

- To approve the annual accounts, following consideration by the Business, Resources and Infrastructure Committee and Audit Committee.

- To approve the College budget proposals, following consideration by the Business, Resources and Infrastructure Committee.

- To approve the appointment of the Principal and Chief Executive.

- To approve any financial packages in excess of statutory provisions, for severance payments, following consideration by the Performance Review and Remuneration Committee.

- To receive and consider at each meeting the Board of Management extract from the rolling Ayrshire College Corporate Risk Register, and to advise the Audit and Risk Committee accordingly.

- To receive, consider and approve the Ayrshire College Corporate Risk Register following consideration and comment by the Audit and Risk Committee.

- To receive, consider and approve recommendations from the Search and Nomination Committee on the membership of new and reappointed

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Board Members, prior to submission to the Scottish Ministers for approval;[1]

- To ensure that appropriate and adequate induction procedures are in place for all new Board Members

- To ensure that the arrangements made to implement the College Health and Safety Management System are effective.

Authority

The Board of Management is authorised to investigate any matters in any reasonable manner as it sees fit. The Board of Management is authorised to receive and record information received as a part of any investigatory process from persons who are not members of the Board and who are not employees of the College provided, they wish to co-operate in the provision of information and whilst taking account of policy and legal rights and responsibilities.

The Board is authorised to seek and obtain any information it requires from any senior manager or employee of the College, its advisors or member of the Ayrshire College Board of Management whilst taking account of policy and legal rights and responsibilities.

Reporting Arrangements

At the end of each meeting, the Board will decide on the business of the meeting that may be fully published on the College website. Normally it would be expected that complete minutes and papers will be published: except where the exclusions listed in paragraph 2.8 of these Standing Orders apply.

Minutes will be kept of the proceedings of the Board by the Board Governance Professional. These will be circulated, in draft form normally within ten working days to the Principal for checking and then to the Chair of the Board for consideration. It is expected that minutes will be checked timeously, and any amendments advised to the Board Governance Professional.

The Chair of the Board shall submit draft minutes to the next Board meeting for approval.

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[1] In the interests of practicality, this may be undertaken by circulation where a meeting of the Board is not immediately scheduled.

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3.2 Audit and Risk Committee Terms of Reference

Introduction

The Audit and Risk Committee is identified as a Committee of the Ayrshire College Board of Management. The approved Terms of Reference and information on the composition and frequency of the Committee will be considered as an integral part of the College Standing Orders.

The Committee is a Standing Committee of the Board of Management. For the purposes of the Terms of Reference, unless otherwise indicated, 'the Board' means the Ayrshire College Board of Management.

Remit

The Committee will be responsible for overseeing and providing assurance to the Board on all matters related to the external audit, internal audit and risk management of the College and provide assurance to the Board that the requirements of the Code of Audit Practice published by Audit Scotland are observed along with all other relevant regulations and legislation. The Committee will have a particular engagement with internal and external audit, financial reporting issues and corporate risk management.

Committee Membership

The Committee membership shall consist of a minimum of four non-executive Board members who shall be independent and objective in terms of their Audit and Risk Committee function and, in line with good practice, will not include either the Principal or the Chair of the Board. At least one member of the Audit and Risk Committee must have recent relevant financial or audit experience.

The Committee Chair will be appointed by the Board.

Committee membership will be reviewed annually by the Board.

Quorum

50% of the total membership of the Committee will constitute a quorum.

Attendance

The Committee may co-opt additional individuals as appropriate. Details of proposed co-opted individuals will be notified to the Chair of the Board in advance. The role, remit, and term of membership of co-opted individuals will be determined by the Committee.

External and Internal Auditors shall normally attend meetings and will be invited to all meetings.

The Vice Principal responsible for Finance, the Assistant Principal of Finance, Student Funding and Estates and, where appropriate, other staff will be invited to attend meetings of the Committee to provide information and reports as appropriate.

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Meetings

The Committee shall normally meet on a quarterly basis but shall meet on a minimum of three occasions per annum.

Any member of the Committee may request to convene additional meetings of the Committee as and when required by giving a minimum of ten working days' notice to the Board Governance Professional to call a meeting.

The Committee Chair will instruct the Board Governance Professional to call meetings of the Committee. The agenda and supporting papers will be sent to members at least five working days before the day of the meeting.

The Committee may meet privately without any non-members (with the exception of the Board Governance Professional) for all or part of a meeting if they so decide.

The Committee will normally meet with the external and internal auditors annually without any non-members (with the exception of the Board Governance Professional) being present.

Duties

- To agree Strategies within the Committee's overall remit subject to Board of Management approval.

- Reviewing and advising the Board of Management on the effectiveness of the College's financial and other internal Control Systems.

- Reviewing and advising the Board of Management on corporate governance requirements.

- Reviewing and advising the Board of Management on the effectiveness of the College risk management procedures, the presentation of the Ayrshire College Corporate Risk Register and the maintenance of an appropriate balance between risk and opportunity

- Appointing the College's Internal Auditors on a contractual basis and agreeing on the terms of reference for an audit service.

- Reviewing the scope and effectiveness of the work of the internal and external auditor using appropriate performance indicators.

- Considering issues raised in audit reports, annual management letter and reporting to the Board of Management on action required.

- Considering the College's annual financial statements and external auditor's report prior to submission to the Board of Management by the Business, Resources, and Infrastructure Committee. Recommending to the Board the adoption of the audited Annual Accounts.

- Agreeing an internal and external audit plan.

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- Advising the Board of Management on internal and external value for money reviews which secure the effective use of College resources.

- Preparing an Annual Report to the Board of Management on the work of the Audit Committee which will then be submitted to the Scottish Funding Council.

- Reviewing reported cases of impropriety to establish whether they have been appropriately handled.

- Agreeing the fees of Internal and External Auditors.

- At each meeting receive and consider the rolling Ayrshire College Corporate Risk Register and comment accordingly to the Board of Management.

- The consideration and approval of the Ayrshire College Business Continuity Plan on an annual basis.

Authority
The Committee is authorised to investigate any matters which fall within its Terms of Reference.

The Committee is authorised to seek and obtain any information it requires from any senior manager or employee of the College, its advisors or member of the Ayrshire College Board of Management whilst taking account of policy and legal rights and responsibilities.

Reporting Arrangements
At the end of each meeting, the Committee may further decide on the business of the meeting that will be fully published on the College website, should this differ from that recorded on the meeting agenda. Unless otherwise recorded, it would be expected that complete minutes and papers will be published: except where the exclusions listed in paragraph 2.8 of these Standing Orders apply.

Minutes will be kept of the proceedings of the Committee by the Board Governance Professional. These will be circulated, in draft form normally within ten working days to the appropriate senior leadership representatives for checking and then to the Chair of the Committee for consideration. It is expected that minutes will be checked timeously, and any amendments advised to the Board Governance Professional.

The Chair of the Committee shall report on the work and recommendations of the Committee to the next scheduled Board meeting for information/approval and submit confirmed Committee minutes to the first meeting of the Board immediately following their approval.

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3.3 Business, Resources and Infrastructure Committee: Terms of Reference

Introduction

The Business, Resources and Infrastructure Committee is identified as a Committee of the Ayrshire College Board of Management. The approved Terms of Reference and information on the composition and frequency of the Committee will be considered as an integral part of the College Standing Orders.

The Committee is a Standing Committee of the Board of Management. For the purposes of the Terms of Reference, unless otherwise indicated, 'The Board' means the Ayrshire College Board of Management.

Remit

The Committee will be responsible for:

- overseeing all matters related to the College Estate including land, buildings, moveable assets, and equipment and/or regulations and ensure that any guidance published by the Scottish Funding Council is observed.

- overseeing all matters related to the College's continuing organisational development including oversight of the development, planning, and delivery of the overarching People Strategy, promoting a positive and inclusive culture, and reviewing and monitoring the quality and performance of associated programs of work.

- overseeing all matters related to strategic and operational financial planning of the College, how this reflects upon the strategic resource management of the College and provide assurance to the Board on the ongoing financial management and performance of the College.

Committee Membership

The Committee membership shall consist of a minimum of six members from the Board, including the Principal of the College and Chair of the Board who will be standing members of the Committee. The Board will seek to ensure that an appropriate range of expertise and knowledge related to the remit of the Committee is included within the committee membership.

The Committee Chair and remaining members will be appointed by the Board. Committee membership will be reviewed annually by the Board, taking account of the remaining terms of office of the Committee members.

Quorum

50% of the total membership of the Committee will constitute a quorum.

Attendance

The Committee may co-opt individuals as appropriate. Details of proposed co-opted individuals will be notified to the Chair of the Board in advance. The role, remit and term of membership of co-opted individuals will be determined by the Committee.

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Attendance is open to all Vice Principals, and, where appropriate, other staff may be invited to attend meetings of the Committee to provide information and reports as appropriate.

Meetings

The Committee shall normally meet on a quarterly basis but shall meet on a minimum of three occasions per annum.

Any Member of the Committee may request to convene additional meetings of the Committee as and when required by giving a minimum of ten working days' notice to the Board Governance Professional to call a meeting.

The Committee Chair will instruct the Board Governance Professional to call meetings of the Committee. The agenda and supporting papers will be sent to members at least five working days before the day of the meeting.

Duties

- Provide guidance and direction to College Management as appropriate.

- Consider and propose strategies within the Committee's overall remit and recommend for approval by the Board of Management.

- Consider and report on any other relevant functions of the college that are out with the Learning, Teaching and Quality Committee remit.

Human Resources

- Ensure that a positive and inclusive culture is embedded across the College.

- Ensure that there is strong and effective leadership which supports and encourages personal and professional development and the empowerment of teams.

- Review and monitor progress against delivery of key strategic objectives and scrutinize related key performance indicator (KPI) reports to ensure that the College delivers to the People Strategy.

- Ensure that the College meets all aspects of the Public Sector Equality Duty and Equality Act 2010, through publishing equality outcomes and reporting on mainstreaming activity to embed equality across all College activities.

- Ensure that the College maintains the highest standards in health and safety and meets all legislative requirements.

- Ensure that the College actively supports all staff in maintaining positive wellbeing through delivering evidence-based initiatives and programmes consistent with the People Strategy.

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- Ensure that the College is managing and developing effective, open, and transparent internal communications and dialogue with staff and the trade unions recognised by the College.

Estates and infrastructure
- Regularly review all property assets.

- Discuss and make recommendations to the Board on the annual capital expenditure programme and proposed estates projects, and to consider the strategic robustness and financial viability of the proposals.

- Oversee the major estates projects to ensure that projects are developed within the parameters specified by the Board of Management.

- Consider the College's property portfolio making recommendations to the Board for the disposal of and acquisition of land and buildings, including their financial liability.

- Ensure compliance with the Scottish Funding Council's Financial Memorandum with regard to the College's estate and all strategic financial decisions and actions.

- Ensure the principles of sustainability in managing the College's estate.

Finance
- Consider and make recommendations to the Board on the annual financial budget for the College.

- Monitor the receipt of funds in the form of financial allocations, together with supplementary income, ensuring all funds are applied for the purposes specified in the allocation.

- Monitor in-year expenditure against budget and advise the Board including any requirement for remedial action.

- Consider financial benchmarking and performance information on a variance reporting basis

- Recommend for Board approval, the College's borrowing requirement and all borrowing/loan agreements, granting security and/or giving guarantees as appropriate within the regulations as set out in the Financial Memorandum with the Scottish Funding Council.

- Oversee and recommend for Board approval all requests for Estates related project funding prepared for submission to the Ayrshire College Foundation.

  - Oversee the agreement and implementation of the Financial Regulations of the College and systems of delegated authority to ensure a robust financial control environment is in place.

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- Consider the Statutory Annual Accounts of the College and report on them to the Board.

Risk Management

- Receive and consider the Committee's extract from the current version of the Corporate Risk Register and to advise the Audit and Risk Committee accordingly.

Authority

The Committee is authorised to investigate any matters which fall within its Terms of Reference.

The Committee is authorised to seek and obtain any information it requires from any senior manager or employee of the College, its advisors or member of the Ayrshire College Board of Management whilst taking account of policy and legal rights and responsibilities.

Reporting Arrangements

At the end of each meeting, the Committee may further decide on the business of the meeting that will be fully published on the College website, should this differ from that recorded on the meeting agenda. Unless otherwise recorded, it would be expected that complete minutes and papers will be published: except where the exclusions listed in paragraph 2.8 of these Standing Orders apply.

Minutes will be kept of the proceedings of the Committee by the Board Governance Professional. These will be circulated, in draft form normally within ten working days to the appropriate senior management representatives for checking and then to the Chair of the Committee for consideration. It is expected that minutes will be checked timeously, and any amendments advised to the Board Governance Professional.

The Chair of the Committee shall report on the work and recommendations of the Committee to the next scheduled Board meeting for information/approval and submit confirmed Committee minutes to the first meeting of the Board immediately following their approval.

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3.4 Learning, Teaching and Quality Committee Terms of Reference

Introduction

The Learning, Teaching and Quality Committee is identified as a Committee of the Ayrshire College Board of Management. The approved Terms of Reference and information on the composition and frequency of the Committee will be considered as an integral part of the College Standing Orders.

The Committee will be a Standing Committee of the Board of Management. For the purposes of the Terms of Reference, unless otherwise indicated, 'the Board' means the Ayrshire College Board of Management.

Remit

The Committee will be responsible for overseeing all matters related to the strategic development and delivery of learning, teaching and the student experience, including monitoring and reporting on the associated quality and performance.

Committee Membership

The Committee membership shall consist of a minimum of six members from the Board, which should include at least one staff representative and at least one student representative.

The Committee Chair and remaining members will be appointed by the Board. Committee membership will be reviewed annually by the Board, taking account of the remaining terms of office of the Committee members. The Board will seek to ensure that all members will normally serve at least one year as a member of the Committee during their period of appointment.

Quorum

50% of the total membership of the Committee will constitute a quorum.

Attendance

The Committee may co-opt individuals as appropriate. Details of proposed co-opted individuals will be notified to the Chair of the Board in advance. The role, remit and term of membership of co-opted individuals will be determined by the Committee.

Attendance is open to all Vice Principals, and, where appropriate, other staff may be invited to attend meetings of the Committee to provide information and reports as appropriate.

Meetings

The Committee shall normally meet on a quarterly basis but shall meet on a minimum of three occasions per annum.

Any member of the Committee may convene additional meetings of the Committee as and when required by giving a minimum of ten working days' notice to the Board Governance Professional to call a meeting.

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The Committee Chair will instruct the Governance Professional to call meetings of the Committee. The agenda and supporting papers will be sent to members at least five working days before the day of the meeting.

Duties

- To review and agree strategies within the Committee's overall remit and recommend for approval by the Board of Management.

- To seek assurance that the Curriculum Delivery Plan is in alignment with government priorities, the strategic direction of the College and meets the requirements of the Ayrshire College National Outcome and Impact Framework.

- To review and scrutinise key performance indicators (KPIs) as a requirement of the National Outcome and Impact Framework in relation to, for example, student success including, but not limited to, student retention, student outcome data, Scottish Index of Multiple Deprivation (SIMD) and post course destinations. Consider action to be taken to improve performance where the KPIs fall below national benchmarks.

- To review and monitor the progress and outcomes of the College's Evaluative Report and Enhancement Plan.

- To review and monitor plans and processes to support learning, teaching and assessment and the student experience.

- To review and monitor all College services which are provided to support the student journey, including the quality of learning and teaching and student satisfaction.

- To review and monitor equality and diversity outcomes, scrutinise data and receive reports on learner profiles and interventions.

- To review and monitor the use of student funds including bursaries, educational maintenance allowance (EMA) childcare and discretionary funds.

- To receive and review student feedback on their college experience using a range of methods and monitor actions for improvement.

- To receive and consider an annual report on services to support the student experience which will incorporate safeguarding.

- To receive and consider a Student Satisfaction Annual Report.

- To receive and consider the Committee's extract from the current version of the Corporate Risk Register and to advise the Audit Committee accordingly.

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- To receive and consider Internal Audit reports as they relate to the remit of the Committee.

Authority

The Committee is authorised to investigate any matters which fall within its Terms of Reference.

The Committee is authorised to seek and obtain any information it requires from any senior manager or employee of the College, its advisors or member of the Ayrshire College Board of Management whilst taking account of policy and legal rights and responsibilities.

Reporting Arrangements

At the end of each meeting, the Committee may further decide on the business of the meeting that will be fully published on the College website, should this differ from that recorded on the meeting agenda. Unless otherwise recorded, it would be expected that complete minutes and papers will be published: except where the exclusions listed in paragraph 2.8 of these Standing Orders apply.

Minutes will be kept of the proceedings of the Committee by the Board Governance Professional. These will be circulated, in draft form normally within ten working days to the appropriate executive management representative for checking and then to the Chair of the Committee for consideration. It is expected that minutes will be checked timeously and any amendments advised to the Board Governance Professional.

The Chair of the Committee shall report on the work and recommendations of the Committee to the next scheduled Board meeting for information/approval and submit confirmed Committee minutes to the first meeting of the Board immediately following their approval.

3.5 Performance Review and Remuneration Committee Terms of Reference

Introduction

The Performance Review and Remuneration Committee is identified as a Committee of the Ayrshire College Board of Management. The approved Terms of Reference and information on the composition and frequency of the Committee will be considered as an integral part of the College Standing Orders.

The Committee will be a Standing Committee of the Board of Management. For the purposes of the Terms of Reference, unless otherwise indicated 'The Board' means the Ayrshire College Board of Management.

Remit

The Committee will be responsible for overseeing all matters related to Performance Review and Remuneration of those members of staff whose remuneration consideration lies outwith the scope of the National Recognition and Procedures Agreement (NRPA) and provide assurance to the Board on all such matters. In undertaking its deliberations, the Committee should take evidence from a range of sources. In particular, students and staff should have a role in contributing views/evidence to the Committee as appropriate.

The Board Chair will report on the performance of the Principal and make recommendations in relation to the Principal's remuneration accordingly. For all other staff whom the Committee has responsibility for considering performance and remuneration, reporting and recommendations will be the responsibility of the Principal.

Committee Membership

The Committee shall be chaired by an appropriate Board Member appointed by the Board on the recommendation of the Chair and membership will be the Board Chair, The Board Vice Chair, the Chairs of the Board Committees and the Senior Independent Member (SIM). At the discretion of the Board Chair, in discussion with the Chair of the Committee, additional members may be added from time to time with the approval of the Committee. The Principal may not be a member of this Committee.

The Principal shall be in attendance for the Committee except where discussions relate to their Performance and Remuneration.

The Committee membership will be reviewed annually by the Board, taking account of the remaining terms of office of the Committee members.

Quorum

50% of the total membership of the Committee will constitute a quorum.

Attendance

The Committee may co-opt additional individuals as appropriate. Details of proposed co-opted individuals will be notified to the Chair of the Board in

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advance.   The role, remit and term of membership of individuals will be determined by the Committee.

The Committee may invite other persons to attend meetings of the Committee to provide information and reports as appropriate.

Meetings
The Committee shall meet as appropriate, but not less than once per academic year.

Any member of the Committee may convene additional meetings of the Committee as and when required by giving a minimum of ten working days' notice to the Board Governance Professional to call a meeting.

The Committee Chair will instruct the Board Governance Professional to call meetings of the Committee. The agenda and supporting papers will be sent to members at least five working days before the day of the meeting.

Duties
- To discuss the Performance of those members of staff who are not included within the scope of the NRPA in line with the College's Performance Review frameworks.

- To agree remuneration for those members of staff who are not included within the scope of the NRPA.

- To receive an annual monitoring report on the contractual incremental progression of staff for whom this Committee has remunerative responsibility and oversight.

- To consider, by exception, any recommendation that a member of staff for whom this Committee has remunerative responsibility and oversight be not progressed on their incremental scale, together with the rationale for this recommendation.

- To consider applications from individuals who were outwith the scope of the NRPA and who were in the employ of the College at the effective date of a National Bargaining pay award, but who left their College employment prior to a decision being taken to implement and backdate the agreement/pay award. Consideration will be based on the receipt of a request in writing from the individual concerned. As a general principle, and subject to confirmation of satisfactory performance and all other matters being in order, it is expected that any former member of staff would normally be treated in the same manner as current staff in terms of a payment being made.

- To take account of any advice given by the Scottish Funding Council in terms of remuneration.

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- To take account of any guidance issued by the Treasury or other relevant Government bodies on public sector salaries.

- To consider benchmarking information across the Sector and job evaluation processes as appropriate in determining remuneration strategies for staff out with the scope of the NRPA.

- To report to the Board of Management on remuneration policies for staff out with the scope of the NRPA.

Authority

The Committee is authorised to investigate any matters which fall within its Terms of Reference.

The Committee is authorised to seek and obtain any information it requires from any senior manager or employee of the College, its advisors or member of the Ayrshire College Board of Management whilst taking account of policy and legal rights and responsibilities.

Reporting Arrangements

At the end of each meeting, the Committee may further decide on the business of the meeting that will be fully published on the College website, should this differ from that recorded on the meeting agenda. Unless otherwise recorded, it would be expected that complete minutes and papers will be published: except where the exclusions listed in paragraph 2.8 of these Standing Orders apply.

Minutes will be kept of the proceedings of the Committee by the Board Governance Professional. These will be circulated, in draft form normally within ten working days to the appropriate executive management representative for checking and then to the Chair of the Committee for consideration. It is expected that minutes will be checked timeously, and any amendments advised to the Board Governance Professional.

The Chair of the Committee shall report on the work of the Committee to the next scheduled Board meeting for information/approval and submit confirmed Committee minutes to the first meeting of the Board immediately following their approval.

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3.6 Search and Nomination Committee Terms of Reference

Introduction

The Search and Nomination Committee is identified as a Committee of the Ayrshire College Board of Management. The approved Terms of Reference and information on the composition and frequency of the Committee will be considered as an integral part of the College Standing Orders.

The Committee will be a Standing Committee of the Board of Management. For the purposes of the Terms of Reference, unless otherwise indicated, 'The Board' means the Ayrshire College Board of Management.

Remit

The Committee will be responsible for the recruitment and recommendation of new members and consider re-appointment of current members of the Board of Management.

For the avoidance of doubt, all approval of membership rests with the Board of Management and then Scottish Ministers.

Committee Membership

The Committee shall be chaired by the Chair of the Board, and membership will include all Chairs and Vice Chairs of the Board of Committees. When considering new appointments to the Board, the Committee will also include an external member who will be a full member of the Committee. The appointment of the external will be approved by the Board.[2] The Principal may not be a member of this Committee.

Quorum

50% of the total membership of the Committee will constitute a quorum.

Attendance

The Committee may co-opt additional individuals as appropriate. Details of proposed co-opted individuals will be notified to the Chair of the Board in advance. The role, remit and term of membership of co-opted individuals will be determined by the Committee.

Meetings

The Committee shall meet as required in accordance with the remit.

Any member of the Committee may convene additional meetings of the Committee as and when required by giving a minimum of ten working days' notice to the Board Governance Professional to call a meeting.

The Committee Chair will instruct the Board Governance Professional to call meetings of the Committee. The agenda and supporting papers will be sent to members at least five working days before the day of the meeting.

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[2] The Board is required to co-opt an appropriate independent person, external to Ayrshire College, to play a full role in the recruitment and recommendation of new Board Members to Scottish Ministers

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Duties

- To ensure that the advertisement of vacancies for Board Members uses a wide range of media and targets, specifically, communities which may be under-represented on the Board.

- To recruit and provide recommendations to the Board of Management and, following Board Approval, Scottish Ministers on the appointment and reappointment of Board Members.

- The Committee will give due regard to issues of equality, diversity, demography and opportunity in any appointments recommended.

- The Committee shall conduct the search and nomination processes in a fair, equitable and non-discriminatory manner.

- The Committee shall develop and monitor procedures for the appointment, reappointment, induction and governance arrangements of Board Members.

Authority

The Committee is authorised to investigate any matters which fall within its Terms of Reference.

The Committee is authorised to seek and obtain any information it requires from any senior manager or employee of the College, its advisors or member of the Ayrshire College Board of Management whilst taking account of policy and legal rights and responsibilities.

Reporting Arrangements

At the end of each meeting, the Committee may further decide on the business of the meeting that will be fully published on the College website, should this differ from that recorded on the meeting agenda. Unless otherwise recorded, it would be expected that complete minutes and papers will be published: except where the exclusions listed in paragraph 2.8 of these Standing Orders apply.

Minutes will be kept of the proceedings of the Committee by the Board Governance Professional. These will be circulated, in draft form normally within ten working days to the appropriate executive management representative for checking and then to the Chair of the Committee for consideration. It is expected that minutes will be checked timeously and any amendments advised to the Board Governance Professional.

The Chair of the Committee shall report on the work of the Committee to the next scheduled Board meeting for information/approval and submit confirmed Committee minutes to the first meeting of the Board immediately following their approval.

Section 4: Standing Orders – Scheme of Delegation

Principles

4.1   General

In order for Colleges to operate effectively, the Board of Management must delegate authority to the Chair, Committees and relevant staff to undertake various responsibilities. These delegated authorities must be documented in a Scheme of Delegation.

It should be noted that legislation does not allow for delegation to Board members other than the Chair. Therefore, any responsibilities normally undertaken by other individuals e.g. the Vice Chair of the Board/Senior Independent Member, should not be documented in this Scheme. (The Principal is a member of staff as well as a Board member and can therefore be delegated authority.)

When delegating authority, the Board should remember that, whilst it can delegate the performance of its functions, the Board itself retains overall responsibility and accountability. It is therefore essential that the Board has the appropriate checks and balances in place to ensure that functions are being exercised effectively and appropriately and in accordance with the delegated authority.

When delegating authority, the Board must have due regard to legislation and terms and conditions of grant (including in relation to its Financial Memorandum, the Scottish Public Finance Manual, the Code of Good Governance for Scotland's Colleges).

The Scheme of Delegation should also take account of internal documents e.g. financial regulations and which set out levels of delegation relating to financial or other matters.

4.2   Authority Reserved to the Board

For clarity, the Board must set out a list of decisions it requires or wishes to retain responsibility for e.g. approval of Annual Accounts. It is acceptable for these items to be discussed by other Committees first (e.g. in the case of Annual Accounts, the Business, Resources and Infrastructure Committee may look at the detail and make a recommendation to the Board for their approval), but the final approval or decision must be considered by the Board as a whole.

4.3   Delegation to Committees

The Board may establish Committees for any purpose and any such Committee may appoint Sub Committees.

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In accordance with the Code of Good Governance for Scotland's Colleges, the minimum Committees required are Audit, Remuneration, Finance and Nominations/Appointments. The Board must consider which Committees would be most useful to support the volume of business it undertakes. Where in-depth scrutiny of particular issues is required, it may be useful to have a Committee with members with the appropriate skills to do this, who can then present a summary of this to the full Board. The requirements for Committees are likely to vary between Colleges and apart from the minimum Committees specified above, it is for the Board to determine what would be most useful.

Each Committee must have a remit or terms of reference which sets out the membership, frequency of meetings, duties and responsibilities of the Committee. The Board must approve the remit and any subsequent changes to the remit prior to their implementation.

It may be useful to append the approved remits or terms of reference for the Committees to the Scheme of Delegation.

4.4 Delegation to Chair of Board

The Board should delegate authority to the Chair of the Board to deal with issues on behalf of the Board between meetings and in their role as line manager of the Principal and the Board Governance Professional. These delegations must not contradict other documents in place or the terms and conditions of appointment of the Chair issued by the Scottish Ministers (or the Regional Strategic Body).

4.5 Delegation to Staff

The Board may delegate authority to any member of staff. In most cases, delegation is to the Principal (who in turn delegates to the Senior Management team and other staff) and the Board Governance Professional.

Any authority delegated to staff must be subject to the strategic and policy direction by the Board and the terms of any authority reserved to the Board.

It is essential that the Board delegates responsibility to the Principal in order to ensure the efficient day-to-day running of the College. These responsibilities should be listed and should include responsibilities relating to curriculum, quality, teaching and learning, appointment and management of staff.

Delegation may be given to the Board Governance Professional relating to issuing and publishing of Board papers; acting as returning officer for the appointment of staff elections to the Board; acting as Standards Officer etc.

The Scheme of Delegation should determine arrangements that will be put in place in the event that the Principal and/or Board Governance Professional are absent.

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Scheme of Delegation of the Board of Management of Ayrshire College ("the Board") – Approved by the Board on 14 December 2017

4.6 Preamble

In accordance with paragraph 12(4) of the Further and Higher Education (Scotland) Act 1992 ("the 1992 Act") a board may delegate the performance of any of their functions to their chair, to any Committee appointed by them or to any member of their staff.

In accordance with paragraph C.8 of the Code of Good Governance for Scotland's Colleges ("the Code") delegation of responsibilities from, and matters reserved to, the Board and its Committee must be clarified through a Scheme of Delegation including the functions delegated by the Board to the Chair, Committees, the Principal and the Board Governance Professional.

This Scheme of Delegation must be approved by the Board before it comes into effect, and any subsequent amendments must also be approved by the Board.

4.7 Authority Reserved to the Board

4.7.1 Whilst initial discussion or consideration may take place by Committees or individuals, the Board reserves making decisions on the following matters to itself:

    I.   determining the objectives of the Board

    II.   final approval of the College's Strategic Plan and Regional Outcome Agreement

    III.   approval of the year-end Annual Report and Accounts

    IV.   approval of the Annual Budget

    V.   final consideration of the Annual Audit Report

    VI.   approval of the Strategic Risk Register

    VII.   acquisition and disposal of heritable property, subject to approval of the Scottish Funding Council

    VIII.   appointment of Board members, in accordance with the 1992 Act and the College Sector Board Appointments: 2014 Guidance

    IX.   appointment and removal of the Principal

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X.   appointment and removal of the Board Governance Professional (in accordance with paragraph D.13 of the Code)

XI.   approval of terms and conditions of appointment of Board members

XII.   approval of the Students' Association constitution and the election regulations for student officers

XIII.   delegation of functions of the Board including remits of Committees and this Scheme of Delegation

XIV.   the making, amendment and revocation of the Standing Orders of the Board.

4.8 Delegation to Committees

4.8.1 In accordance with paragraph 13 of Schedule 2 to the 1992 Act, the Board may establish Committees for any purpose and any such Committee may appoint Sub Committees.

4.8.2 In accordance with paragraph C.8 of the Code, the minimum Committees required are Audit, Remuneration, Finance and Nominations/Appointments.

4.8.3 Each Committee and Sub Committee shall have a clearly defined remit which shall set out the duties and responsibilities delegated. The remit must be approved by the Board. The Committee may suggest amendments to the remit, but any amendments must be approved by the Board before they are implemented.

4.8.4 The Board may delegate functions to a specific Committee, and this shall be clearly detailed within the minutes of the appropriate meeting.

4.8.5 The Board reserves the right to review the Committees required and the authority delegated to them as and when it deems it appropriate to do so.

4.8.6 The minutes of each Committee meeting will be submitted to the Board for information at the next appropriate meeting. In addition, the Committee Chair shall give an update to the Board on key issues where requested to do so.

4.9 Delegation to Chair of the Board

4.9.1 The Chair must abide by the terms and conditions of their appointment in leading the Board and ensuring its effectiveness, and in exercising any delegated authority. The Chair has delegated authority to:

I.   exercise judgement in the event of a need for an urgent decision during the period between Board meetings, such that.

II.   an extraordinary Board meeting is called in the case of material decisions.

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III. a proposal is circulated, and a decision is approved by email (in accordance with the Standing Orders) and is thereafter homologated at the next Board meeting.

4.9.2 on behalf of the Board, sign and date the College's Annual Report and Accounts, after Board approval, and other documents as may be required.

4.9.3 represent the Board within the College and externally.

4.9.4 issue communications on behalf of the Board in whatever form is appropriate, both within and out with the College.

4.9.5 monitor, review and record the Principal's performance at least annually against performance measures agreed by the Board.

4.9.6 monitor, review and record the Board Governance Professional's performance at least annually against performance measures agreed by the Board.

4.9.7 ensure each Board member participates in an annual development meeting, facilitated either by the Chair or Vice Chair as appropriate.

4.9.8 initiate action further to a decision of the Board to take disciplinary action against, or suspend, the Principal or Board Governance Professional.

4.9.9 initiate action further to a decision of the Board to appoint a new Principal or Board Governance Professional.

4.10   Delegation to the Principal

The Principal, as Chief Executive of the College, shall be responsible for the operational management of the College subject to strategic and policy direction by the Board and the terms of any specific authority reserved to the Board.   The Principal may in turn delegate tasks as appropriate to staff, including the Board Governance Professional. The Principal has delegated authority to:

4.10.1 General Management

I. as appropriate, take such measures as may be required in emergencies, subject to advising the Chair where possible and homologation at the appropriate Committee or to the Board as soon as possible thereafter, on any items for which approval of the Committee or the Board would normally be necessary.

II. facilitate the management of the College and its provision of services within the framework determined by the College's Strategic Plan and Regional Outcome Agreement, the approved budget, and any other policies and strategies determined by the Board.

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III.   consult on behalf of the Board with representatives from key organisations, local and national, about the priorities contained within the College's Strategic Plan and Regional Outcome Agreement prior to final approval by the Board.

IV.   respond on behalf of the Board to consultative documents that may be sent to the College by the Scottish Government, the Scottish Funding Council or other external agencies.

V.   incur expenditure in making visits and the provision of reasonable hospitality to representatives of other Colleges, organisations and companies, taking into account the principles of the Bribery Act 2010.

VI.   give a direction in special circumstances that any member of staff shall not exercise a delegated function.

VII.   take out membership of and attend meetings of outside bodies and professional associations where it is compatible with the duties of Principal and in the interests of the College to do so.

VIII.   authorise the issue of press releases for publication and broadcasting on behalf of the College.

IX.   authorise the publication of any document on behalf of the College.

X.   engage the services of outside persons, firms or organisations and enter into contracts and sign all deeds and other documents binding the Board for all purposes except those where the power to engage such services is delegated to a Committee or is reserved to the Board.

XI.   raise funds for and supply them to any of the activities which the Board has power to undertake.

XII.   provide courses as required by outside agencies and negotiate appropriate charges for these.

XIII.   determine the dates of the College holidays and other details of the College's academic calendar.

XIV.   appoint a senior member of staff to deputise for the Principal during periods of planned absence.

4.10.2 Staff Management

I.   determine an appropriate staff structure for the College consistent with the conditions of employment that currently apply after consultation and where appropriate, negotiation with representatives of recognised trade unions.

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II. consult and negotiate with representatives of recognised trade unions on behalf of the Board.

III. establish procedures for the appointment of College staff in circumstances where the power to appoint has not been delegated to a Committee or is not reserved to the Board.

IV. supervise, manage and deploy staff within the College and arrange appropriate induction and training for College staff.

V. establish procedures for taking disciplinary action against College staff up to and including dismissal subject to complying with the policies laid down by the Board.

VI. grant unpaid leave of absence to any member of College staff in accordance with the relevant policies laid down by the Board.

VII. represent the Board in negotiating and implementing conditions of service in relation to relevant College staff, including participation in national collective bargaining.

VIII. approve the secondment of College staff to external agencies in accordance with relevant policies laid down by the Board and to approve the appointment, where necessary, of a temporary replacement for the duration of the secondment.

IX. in exceptional circumstances, agree individual severance arrangements with staff, taking into account limits set by the Scottish Funding Council and functions delegated to the Board or a Committee.

X. establish any other procedures required for the orderly management of College staff.

4.10.3 Student Management

I. arrange for the provision of appropriate curriculum and support services for students and clients.

II. administer, in accordance with any policy determined by the Scottish Government or the Scottish Funding Council or the Board, the disbursement of monies to students attending the College.

III. administer, in accordance with any policy of the Board, the provision of financial or other assistance to students of the College.

IV. set and amend as necessary the level of tuition fees, examination expenses, maintenance and contribution scales for all courses offered by the College and to waive or grant remission of such fees or expenses in special cases within guidelines set by the Board.

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V. authorise students and to make grants to students, to enable them to attend courses and conferences, and to undertake educational visits and excursions within the UK or abroad, within approved budgets and policies of the Board.

VI. take appropriate disciplinary action including exclusion, against students in accordance with any policies of the Board.

VII. provide financial or other assistance to the Students' Association of the College within the terms approved by the Board.

4.10.4 Property Management

I. allocate accommodation within the College in order to meet student and staff needs and to arrange for any necessary alterations or adaptations to College property.

II. apply to the appropriate authority for any necessary statutory consents.

III. grant any way leave or servitude over property of the College on such terms as may be appropriate.

IV. grant the use of College accommodation to outside bodies or persons for the purpose of holding meetings and functions on such terms and conditions as are reasonable in the circumstances.

4.10.5 Financial Management

I. take personal responsibility for ensuring the proper and effective operation of financial, planning and management controls, and for giving effect to the Board's policies for securing the efficient, economical and effective management of all the College's income, assets and expenditure. This includes agreeing Board approved budgetary limits.

II. act at all times in compliance with the Financial Memorandum, Conditions of Grant, Scottish Public Finance Manual and to follow the College's Financial Regulations, taking particular account of the delegated financial limits.

III. enter into and negotiate contracts and other binding arrangements for the supply of goods and services (whether bought, leased, hired or otherwise acquired) to the College or to authorise another to enter into such contracts up to a value of the relevant EU Procurement threshold or Board approved budgetary limits and all in accordance with the College's financial regulations.

IV. terminate contracts when it is in the best interests of the College to do so.

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V.   check the financial standing of potential contractors.

VI.   dispose of assets up to the value of the delegated financial limit as set out in the Finance Regulations and in line with the requirements of the Scottish Public Finance Manual.

VII.   administer any educational endowment which transferred to and vested in the Board in terms of Section 19(1) of the 1992 Act.

VIII.   take out any necessary insurances to protect the interests of the College.

IX.   settle any claims whether or not such claims are insured or whether or not a court action has been raised.

X.   spend public funds only for the purposes for which they were given and in accordance with any terms and conditions attached to them.

XI.   arrange for the presentation to the Board for approval an Annual Budget of income and expenditure, including revenue and capital, and to give regular updates on income and expenditure account, balance sheet and cash flow statement.

XII.   arrange for the preparation, audit and presentation to the Board of Accounts following the end of each financial year in compliance with the requirements of the Accounts Direction and encompassing Audit Scotland and the Scottish Funding Council instruction.

XIII.   report to the Scottish Funding Council should the Board adopt a policy or commission an action which is incompatible with the terms of the Financial Memorandum or the Scottish Public Finance Manual, or which would infringe on the requirements of propriety or regularity, and report to the Board in writing on such matters being considered and advise the Board that, should it wish to choose to continue with the policy or action, then as Accounting Officer he or she must report the Board's intentions to the Scottish Funding Council in writing.

4.10.6 Absence of the Principal

I.   In the absence of the Principal, the Executive Team shall ensure that the essential functions and delegated authorities of the Principal are carried out with due regard to any relevant provisions of the Financial Memorandum with Fundable Bodies in the College Sector.

II.   After a period of four weeks' unplanned continuous absence of the Principal, the Board shall designate a Vice Principal as the accountable officer for the duration of the Principal's absence, ensuring that the Scottish Funding Council is advised of such absence at the earliest opportunity.

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4.10.7 Delegation to the Board Governance Professional

The Board Governance Professional has delegated authority to:

I.   administer, circulate, retain and publish as appropriate the records of all Board and Committee business.

II.   undertake appropriate actions to ensure that the Board is sufficiently informed of its obligations as defined in legislation, the terms and conditions of grant, the Scottish Public Finance Manual, the Code and the Standing Orders.

III.   administer staff elections to the Board and act as returning officer.

IV.   act as Standards Officer in accordance with Advice on the Role of a Standards Officer (issued by the Standards Commission for Scotland).

V.   in accordance with the Code, report any unresolved concerns about the governance of a body to the relevant funding body (i.e. the Scottish Funding Council)

4.10.8 Absence of the Board Governance Professional

In the absence of the Board Governance Professional, the Board shall agree temporary arrangements that can be put in place either by appointing a staff member to fulfil the delegated functions, or by making such other arrangements as may be required.

4.10.9 Previous Schemes

This Scheme of Delegation replaces any versions previously approved by the Board.

Section 5: Standing Orders – Board of Management Code of Conduct: approved by the Board of Management, June 2022

CODE OF CONDUCT FOR MEMBERS OF THE BOARD OF MANAGEMENT OF AYRSHIRE COLLEGE

1.1   This Code has been issued by the Scottish Ministers, with the approval of the Scottish Parliament, as required by the Ethical Standards in Public Life etc. (Scotland) Act 2000 (the "Act").

1.2   The purpose of the Code is to set out the conduct expected of those who serve on the boards of public bodies in Scotland.

1.3   The Code has been developed in line with the nine key principles of public life in Scotland. The principles are listed in Section 2 and set out how the provisions of the Code should be interpreted and applied in practice.

My Responsibilities

1.4   I understand that the public has a high expectation of those who serve on the boards of public bodies and the way in which they should conduct themselves in undertaking their duties. I will always seek to meet those expectations by ensuring that I conduct myself in accordance with the Code.

1.5   I will comply with the substantive provisions of this Code, being sections 3 to 6 inclusive, in all situations and at all times where I am acting as a board member of my public body, have referred to myself as a board member or could objectively be considered to be acting as a board member.

1.6   I will comply with the substantive provisions of this Code, being sections 3 to 6 inclusive, in all my dealings with the public, employees and fellow board members, whether formal or informal.

1.7   I understand that it is my personal responsibility to be familiar with the provisions of this Code and that I must also comply with the law and my public body's rules, standing orders and regulations. I will also ensure that I am familiar with any guidance or advice notes issued by the Standards Commission for Scotland ("Standards Commission") and my public body, and endeavour to take part in any training offered on the Code.

1.8   I will not, at any time, advocate or encourage any action contrary to this Code.

1.9   I understand that no written information, whether in the Code itself or the associated Guidance or Advice Notes issued by the Standards Commission, can provide for all circumstances. If I am uncertain about how the Code applies, I will seek advice from the Standards Officer of my public body, failing whom the Chair or Chief Executive of my public body. I note that I may also choose to seek external legal advice on how to interpret the provisions of the Code.

Enforcement

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

SECTION 2: KEY PRINCIPLES OF THE MODEL CODE OF CONDUCT

2.1   The Code has been based on the following key principles of public life. I will behave in accordance with these principles and understand that they should be used for guidance and interpreting the provisions in the Code.

2.2   I note that a breach of one or more of the key principles does not in itself amount to a breach of the Code. I note that, for a breach of the Code to be found, there must also be a contravention of one or more of the provisions in sections 3 to 6 inclusive of the Code.

The key principles are:

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

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

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

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

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

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

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

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

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Respect

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

Respect and Courtesy

3.1   I will treat everyone with courtesy and respect. This includes in person, in writing, at meetings, when I am online and when I am using social media.

3.2   I will not discriminate unlawfully on the basis of race, age, sex, sexual orientation, gender reassignment, disability, religion or belief, marital status or pregnancy/maternity; I will advance equality of opportunity and seek to foster good relations between different people.

3.3   I will not engage in any conduct that could amount to bullying or harassment (which includes sexual harassment). I accept that such conduct is completely unacceptable and will be considered to be a breach of this Code.

3.4   I accept that disrespect, bullying and harassment can be:

   a) a one-off incident,
   b) part of a cumulative course of conduct; or
   c) a pattern of behaviour.

3.5   I understand that how, and in what context, I exhibit certain behaviours can be as important as what I communicate, given that disrespect, bullying and harassment can be physical, verbal and non-verbal conduct.

3.6   I accept that it is my responsibility to understand what constitutes bullying and harassment and I will utilise resources, including the Standards Commission's guidance and advice notes, my public body's policies and training material (where appropriate) to ensure that my knowledge and understanding is up to date.

3.7   Except where it is written into my role as Board member, and / or at the invitation of the Chief Executive, I will not become involved in operational management of my public body. I acknowledge and understand that operational management is the responsibility of the Chief Executive and Executive Team.

3.8   I will not undermine any individual employee or group of employees, or raise concerns about their performance, conduct or capability in public. I will raise any concerns I have on such matters in private with senior management as appropriate.

3.9   I will not take, or seek to take, unfair advantage of my position in my dealings with employees of my public body or bring any undue influence to bear on employees to take a certain action. I will not ask or direct employees to do something which I know, or should reasonably know, could compromise them or prevent them from undertaking their duties properly and appropriately.

3.10   I will respect and comply with rulings from the Chair during meetings of:

   a) my public body, its committees; and
   b) any outside organisations that I have been appointed or nominated to by my public body or on which I represent my public body.

3.11   I will respect the principle of collective decision-making and corporate responsibility. This means that once the Board has made a decision, I will support that decision, even if I did not agree with it or vote for it.

Remuneration, Allowances and Expenses

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

Gifts and Hospitality

3.13   I understand that I may be offered gifts (including money raised via crowdfunding or sponsorship), hospitality, material benefits or services ("gift or hospitality") that may be reasonably regarded by a member of the public with knowledge of the relevant facts as placing me under an improper obligation or being capable of influencing my judgement.

3.14   I will never **ask for** or **seek** any gift or hospitality.

3.15   I will refuse any gift or hospitality, unless it is:

   a) a minor item or token of modest intrinsic value offered on an infrequent basis;
   b) a gift being offered to my public body;
   c) hospitality which would reasonably be associated with my duties as a board member; or
   d) hospitality which has been approved in advance by my public body.

3.16   I will consider whether there could be a reasonable perception that any gift or hospitality received by a person or body connected to me could or would influence my judgement.

3.17   I will not allow the promise of money or other financial advantage to induce me to act improperly in my role as a board member. I accept that the money or advantage (including any gift or hospitality) does not have to be given to me directly. The offer of monies or advantages to others, including community groups, may amount to bribery, if the intention is to induce me to improperly perform a function.

3.18   I will never accept any gift or hospitality from any individual or applicant who is awaiting a decision from, or seeking to do business with, my public body.

3.19   If I consider that declining an offer of a gift would cause offence, I will accept it and hand it over to my public body at the earliest possible opportunity and ask for it to be registered.

3.20   I will promptly advise my public body's Standards Officer if I am offered (but refuse) any gift or hospitality of any significant value and / or if I am offered any gift or hospitality from the same source on a repeated basis, so that my public body can monitor this.

3.21   I will familiarise myself with the terms of the [Bribery Act 2010](#), which provides for offences of bribing another person and offences relating to being bribed.

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Confidentiality

3.22   I will not disclose confidential information or information which should reasonably be regarded as being of a confidential or private nature, without the express consent of a person or body authorised to give such consent, or unless required to do so by law. I note that if I cannot obtain such express consent, I should assume it is not given.

3.23   I accept that confidential information can include discussions, documents, and information which is not yet public or never intended to be public, and information deemed confidential by statute.

3.24   I will only use confidential information to undertake my duties as a board member. I will not use it in any way for personal advantage or to discredit my public body (even if my personal view is that the information should be publicly available).

3.25   I note that these confidentiality requirements do not apply to protected whistleblowing disclosures made to the prescribed persons and bodies as identified in statute.

Use of Public Body Resources

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

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

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

Dealing with my Public Body and Preferential Treatment

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

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

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

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

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Appointments to Outside Organisations

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

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

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SECTION 4: REGISTRATION OF INTERESTS

4.1   The following paragraphs set out what I have to register when I am appointed and whenever my circumstances change. The register covers my current term of appointment.

4.2   I understand that regulations made by the Scottish Ministers describe the detail and timescale for registering interests; including a requirement that a board member must register their registrable interests within one month of becoming a board member, and register any changes to those interests within one month of those changes having occurred.

4.3   The interests which I am required to register are those set out in the following paragraphs. Other than as required by paragraph 4.23, I understand it is not necessary to register the interests of my spouse or cohabitee.

Category One: Remuneration

4.4   I will register any work for which I receive, or expect to receive, payment. I have a registrable interest where I receive remuneration by virtue of being:

- a) employed;
- b) self-employed;
- c) the holder of an office;
- d) a director of an undertaking;
- e) a partner in a firm;
- f) appointed or nominated by my public body to another body; or
- g) engaged in a trade, profession or vocation or any other work.

4.5   I understand that in relation to 4.4 above, the amount of remuneration does not require to be registered. I understand that any remuneration received as a board member of this specific public body does not have to be registered.

4.6   I understand that if a position is not remunerated it does not need to be registered under this category. However, unremunerated directorships may need to be registered under Category Two, "Other Roles".

4.7   I must register any allowances I receive in relation to membership of any organisation under Category One.

4.8   When registering employment as an employee, I must give the full name of the employer, the nature of its business, and the nature of the post I hold in the organisation.

4.9   When registering remuneration from the categories listed in paragraph 4.4 (b) to (g) above, I must provide the full name and give details of the nature of the business, organisation, undertaking, partnership or other body, as appropriate. I recognise that some other employments may be incompatible with my role as board member of my public body in terms of paragraph 6.7 of this Code.

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4.10   Where I otherwise undertake a trade, profession or vocation, or any other work, the detail to be given is the nature of the work and how often it is undertaken.

4.11   When registering a directorship, it is necessary to provide the registered name and registered number of the undertaking in which the directorship is held and provide information about the nature of its business.

4.12   I understand that registration of a pension is not required as this falls outside the scope of the category.

Category Two: Other Roles

4.13   I will register any unremunerated directorships where the body in question is a subsidiary or parent company of an undertaking in which I hold a remunerated directorship.

4.14   I will register the registered name and registered number of the subsidiary or parent company or other undertaking and the nature of its business, and its relationship to the company or other undertaking in which I am a director and from which I receive remuneration.

Category Three: Contracts

4.15   I have a registerable interest where I (or a firm in which I am a partner, or an undertaking in which I am a director or in which I have shares of a value as described in paragraph 4.19 below) have made a contract with my public body:

   a) under which goods or services are to be provided, or works are to be executed; and
   b) which has not been fully discharged.

4.16   I will register a description of the contract, including its duration, but excluding the value.

Category Four: Election Expenses

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

Category Five: Houses, Land and Buildings

4.18   I have a registrable interest where I own or have any other right or interest in houses, land and buildings, which may be significant to, of relevance to, or bear upon, the work and operation of my public body.

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

Category Six: Interest in Shares and Securities

4.20   I have a registerable interest where:

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

Category Seven: Gifts and Hospitality

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

Category Eight: Non–Financial Interests

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

Category Nine: Close Family Members

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

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SECTION 5: DECLARATION OF INTERESTS

Stage 1: Connection

5.1   For each particular matter I am involved in as a board member, I will first consider whether I have a connection to that matter.

5.2   I understand that a connection is any link between the matter being considered and me, or a person or body I am associated with. This could be a family relationship or a social or professional contact.

5.3   A connection includes anything that I have registered as an interest.

5.4   A connection does not include being a member of a body to which I have been appointed or nominated by my public body as a representative of my public body, unless:
   a) The matter being considered by my public body is quasi-judicial or regulatory; or
   b) I have a personal conflict by reason of my actions, my connections or my legal obligations.

Stage 2: Interest

5.5   I understand my connection is an interest that requires to be declared where the objective test is met – that is where a member of the public with knowledge of the relevant facts would reasonably regard my connection to a particular matter as being so significant that it would be considered as being likely to influence the discussion or decision-making.

Stage 3: Participation

5.6   I will declare my interest as early as possible in meetings. I will not remain in the meeting nor participate in any way in those parts of meetings where I have declared an interest.

5.7   I will consider whether it is appropriate for transparency reasons to state publicly where I have a connection, which I do not consider amounts to an interest.

5.8   I note that I can apply to the Standards Commission and ask it to grant a dispensation to allow me to take part in the discussion and decision-making on a matter where I would otherwise have to declare an interest and withdraw (as a result of having a connection to the matter that would fall within the objective test). I note that such an application must be made in advance of any meetings where the dispensation is sought and that I cannot take part in any discussion or decision-making on the matter in question unless, and until, the application is granted.

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

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SECTION 6: LOBBYING AND ACCESS

6.1   I understand that a wide range of people will seek access to me as a board member and will try to lobby me, including individuals, organisations and companies. I must distinguish between:

a) any role I have in dealing with enquiries from the public;
b) any community engagement where I am working with individuals and organisations to encourage their participation and involvement, and;
c) lobbying, which is where I am approached by any individual or organisation who is seeking to influence me for financial gain or advantage, particularly those who are seeking to do business with my public body (for example contracts/procurement).

6.2   In deciding whether, and if so how, to respond to such lobbying, I will always have regard to the objective test, which is whether a member of the public, with knowledge of the relevant facts, would reasonably regard my conduct as being likely to influence my, or my public body's, decision-making role.

6.3   I will not, in relation to contact with any person or organisation that lobbies, do anything which contravenes this Code or any other relevant rule of my public body or any statutory provision.

6.4   I will not, in relation to contact with any person or organisation that lobbies, act in any way which could bring discredit upon my public body.

6.5   If I have concerns about the approach or methods used by any person or organisation in their contacts with me, I will seek the guidance of the Chair, Chief Executive or Standards Officer of my public body.

6.6   The public must be assured that no person or organisation will gain better access to, or treatment by, me as a result of employing a company or individual to lobby on a fee basis on their behalf. I will not, therefore, offer or accord any preferential access or treatment to those lobbying on a fee basis on behalf of clients compared with that which I accord any other person or organisation who lobbies or approaches me. I will ensure that those lobbying on a fee basis on behalf of clients are not given to understand that preferential access or treatment, compared to that accorded to any other person or organisation, might be forthcoming.

6.7   Before taking any action as a result of being lobbied, I will seek to satisfy myself about the identity of the person or organisation that is lobbying and the motive for lobbying. I understand I may choose to act in response to a person or organisation lobbying on a fee basis on behalf of clients but it is important that I understand the basis on which I am being lobbied in order to ensure that any action taken in connection with the lobbyist complies with the standards set out in this Code and the Lobbying (Scotland) Act 2016.

6.8   I will not accept any paid work:

a) which would involve me lobbying on behalf of any person or
    organisation or any clients of a person or organisation.

b) to provide services as a strategist, adviser or consultant, for example,
    advising on how to influence my public body and its members. This
    does not prohibit me from being remunerated for activity which may
    arise because of, or relate to, membership of my public body, such as
    journalism or broadcasting, or involvement in representative or
    presentational work, such as participation in delegations, conferences or
    other events.

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ANNEX A: BREACHES OF THE CODE

Introduction

1. The Ethical Standards in Public Life etc. (Scotland) Act 2000 ("the Act") provided for a framework to encourage and, where necessary, enforce high ethical standards in public life.

2. The Act provided for the introduction of new codes of conduct for local authority councillors and members of relevant public bodies, imposing on councils and relevant public bodies a duty to help their members comply with the relevant code.

3. The Act and the subsequent Scottish Parliamentary Commissions and Commissioners etc. Act 2010 established the Standards Commission for Scotland ("Standards Commission") and the post of Commissioner for Ethical Standards in Public Life in Scotland ("ESC").

4. The Standards Commission and ESC are separate and independent, each with distinct functions. Complaints of breaches of a public body's Code of Conduct are investigated by the ESC and adjudicated upon by the Standards Commission.

5. The first Model Code of Conduct came into force in 2002. The Code has since been reviewed and re-issued in 2014. The 2021 Code has been issued by the Scottish Ministers following consultation, and with the approval of the Scottish Parliament, as required by the Act.

Investigation of Complaints

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

7. On conclusion of the investigation, the ESC will send a report to the Standards Commission.

Hearings

8. On receipt of a report from the ESC, the Standards Commission can choose to:

   - Do nothing;
   - Direct the ESC to carry out further investigations; or
   - Hold a Hearing.

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

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the Code by the member. If the Hearing Panel decides that a member has breached their public body's Code, it is obliged to impose a sanction.

Sanctions

10. The sanctions that can be imposed following a finding of a breach of the Code are as follows:

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

Interim Suspensions

11. Section 21 of the Act provides the Standards Commission with the power to impose an interim suspension on a member on receipt of an interim report from the ESC about an ongoing investigation. In making a decision about whether or not to impose an interim suspension, a Panel comprising of three Members of the Standards Commission will review the interim report and any representations received from the member and will consider whether it is satisfied:

    - That the further conduct of the ESC's investigation is likely to be prejudiced if such an action is not taken (for example if there are concerns that the member may try to interfere with evidence or witnesses); or
    - That it is otherwise in the public interest to take such a measure. A policy outlining how the Standards Commission makes any decision under Section 21 and the procedures it will follow in doing so, should any such a report be received from the ESC can be found here.

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

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ANNEX B: DEFINITIONS

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

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

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

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

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

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

"Employee" includes individuals employed:
• directly by the public body;
• as contractors by the public body, or
• by a contractor to work on the public body's premises.

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

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

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

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

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

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

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

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

Section 6: Standing Orders – Board of Management Register of Interests

6.1   Register of Interests

The Ayrshire College Code of Conduct for Board of Management members and the Ethical Standards in Public Life etc. (Scotland) Act 2000 require Board of Management members to declare any "registerable interests".

This section provides proforma documents that require to be completed within one month of appointment to the Board. As a Board of Management member you must at all times ensure that any registerable interests that you have are registered and you must notify the College whenever your circumstances change in such a way as to require change or an addition to your entry in the Board of Management's register. You can do this by completing another Register of Interests application and providing it to the Board Governance Professional, who is the responsible person for the Register of Interests at the College.

If you require additional space please attach additional sheets. Please sign and date at the bottom of the application.

It is a requirement that you review your Register of Interests every 12 months.

Please note that the Register of Interests is publicly accessible. The College is required to provide information to the public about where the Register of Interests can be accessed and must provide access to the Register of Interests to any member of the public on request. This information will also be published annually in the College annual Financial Statements and Report of the Board of Management. This information will be published on the College's website.

This information will be held for five years after you cease to be a member of the Board of Management, as required by the Standards Commission for Scotland.

For further information about the categories of interest which must be registered, please refer to the Board of Management Code of Conduct, or you may contact the Board Governance Professional for further advice.

Ayrshire College Board of Management

Register of Interests 2022-23

Board Member's Name: …………………………………………………..

Signature: …………………………………………………..

Date: …………………………………………………..

Date of Appointment to Board: …………………………………………………..

Category	Code Reference/ Further guidance	Summary Description	Declaration
Category One: **Remuneration**	**Section 3.12** **Section 4.4 – 4.12**	I will register any work for which I receive, or expect to receive, payment. I have a registrable interest where I receive remuneration by virtue of being: a) employed; b) self-employed; c) the holder of an office; d) a director of an undertaking; e) a partner in a firm; f) appointed or nominated by my public body to another body; or g) engaged in a trade, profession or vocation or any other work.	
Category Two: **Other Roles**	**Section 4.13 - 4.14**	Any unremunerated directorships where the body in question is a subsidiary or parent company of an undertaking in which I hold a remunerated directorship. The registered name and registered number of the subsidiary or parent company or other undertaking and the nature of its business, and its relationship to the company or other undertaking in which I am a director and from which I receive remuneration.	
Category Three: **Contracts**	**Section 4.15 – 4.16**	I have a registerable interest where I (or a firm in which I am a partner, or an undertaking in which I am a director or in which I have shares of a value as described in paragraph 4.19 of the Code) have made a contract with my public body: a) under which goods or services are to be provided, or works are to be executed; and b) which has not been fully discharged. I will register a description of the contract, including its duration, but excluding the value.	

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Category	Code Reference/ Further guidance	Summary Description	Declaration
Category Four: **Election Expenses**	**Section 4.17**	If I have been elected to my public body, then I will register a description of, and statement of, any assistance towards election expenses relating to election to my public body.	
Category Five: **Houses, Land and Buildings**	**Section 4.18 – 4.19**	I have a registrable interest where I own or have any other right or interest in houses, land and buildings, which may be significant to, of relevance to, or bear upon, the work and operation of my public body. I accept that, when deciding whether or not I need to register any interest I have in houses, land or buildings, *the test to be applied is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as being so significant that it could potentially affect my responsibilities to my public body and to the public, or could influence my actions, speeches or decision-making.*	
Category Six: **Interest in Shares and Securities**	**Section 4.20**	I have a registerable interest where: a) I own or have an interest in more than 1% of the issued share capital of the company or other body; or b) Where, at the relevant date, the market value of any shares and securities (in any one specific company or body) that I own or have an interest in is greater than £25,000.	

Board of Management Responsibilities & Standing Orders V11 interim update 14.12.22

Category	Code Reference/ Further guidance	Summary Description	Declaration
Category Seven: **Gifts and Hospitality**	**Section 3.13 – 3.21** **Section 4.21**	I understand the requirements of paragraphs 3.13 to 3.21 regarding gifts and hospitality. As I will not accept any gifts or hospitality, other than under the limited circumstances allowed, I understand there is no longer the need to register any.	
Category Eight: **Non-Financial Interests**	**Section 4.22**	I may also have other interests and I understand it is equally important that relevant interests such as membership or holding office in other public bodies, companies, clubs, societies and organisations such as trades unions and voluntary organisations, are registered and described. In this context, I understand non-financial interests are those which members of the public with knowledge of the relevant facts might reasonably think could influence my actions, speeches, votes or decision-making in my public body (this includes its Committees and memberships of other organisations to which I have been appointed or nominated by my public body).	
Category Nine: **Close Family Members**	**Section 4.23**	I will register the interests of any close family member who has transactions with my public body or is likely to have transactions or do business with it.	

Board of Management Responsibilities & Standing Orders V11 interim update 14.12.22

Section 7: Standing Orders – Staff Board Member Election Rules

For the Appointment of Teaching (Curriculum) and Service/Support (Non-Curriculum) Staff Members to the Board of Management of Ayrshire College

Election Rules

1   In accordance with Schedule 2 to the Further and Higher Education (Scotland) Act 1992 ("Schedule 2), the Board must include two members of staff. One shall be appointed by being elected by the teaching ("academic") staff of the college from amongst their own number and the other shall be appointed by the non-teaching ("support") staff of the college from amongst their own number.

2   Paragraph 3B(1) of Schedule 2 provides that such elections must be held in accordance with rules made by the Board.

3   Before making, varying or replacing these Election Rules, the Board must, as required under 3B of Schedule 2, consult the representatives of any trade union which the Board recognises as being, or which otherwise appears to the Board to be, representative of the academic/support staff of the College.

4   Having consulted relevant representatives as required under paragraphs 3(B)(2) and (3) of Schedule 2, these election rules have been made by the Board under paragraph 3(B)(1) of Schedule 2. These rules were made by the Board on .... *(Date)* and come into effect on ...... *(Date).*

5   For the purposes of these election rules, staff groups are defined as follows:

   - **Teaching Staff (Curriculum)** – all staff (including Managers) who are on the academic staff payroll
   - **Service/Support Staff (Non- Curriculum)** – all staff (including Managers) who are on the support staff payroll

6   Appointments shall proceed as follows:

   (a) The appointment shall be made by election administered by the Returning Officer (the Returning Officer shall normally be the Board Governance Professional. Where the Board Governance Professional is unavailable, the Board must appoint another staff member to act as Returning Officer).

   (b) The Returning Officer shall communicate to staff any vacancies that arise and request nominations for membership from the Academic or Support Staff as relevant.

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(c) Such nominations must be received by the Returning Officer by the date specified in the communication, being not less than seven days from the date of the communication.

(d) Each nomination must be signed by the nominee, the proposer and one other person all being members of the academic or support staff as appropriate. Only academic members of staff may nominate the academic member and only support staff may nominate the support staff member.

(e) If more than one nomination is received, the Returning Officer shall thereafter arrange for an election to be conducted using an appropriate electronic system and shall notify each member of the academic or support staff of the college as appropriate of the names of the nominees and the process to be followed.

(f) The election shall be completed by the date and time specified in the notice issued by the Returning Officer being not less than seven days from the date of the issue of the notice of the election. Only academic members of staff may vote for the academic member and only support staff may vote for the support staff member. All staff members who are eligible to vote shall each be entitled to one vote.

7   The following rules shall be followed as regards counting votes:

(a) The Returning Officer shall offer each nominee the opportunity to be present or represented at the counting of votes.

(b) The counting of votes shall take place within 24 hours of the time set for the close of the election and shall be done by the Returning Officer in the presence of such nominees or their representatives as have chosen to attend.

(c) The nominee receiving the most votes shall be declared elected.

(d) In the event of a tie the election shall be decided by the drawing of cards or lots amongst the nominees with the most number of votes.

(e) In the event of elections for academic and support staff members being held concurrently, the counting of votes shall be done as a separate and consecutive process for each election.

(f) The Returning Officer may use such staff of the College as may be necessary to assist in the counting of votes.

(g) The names of the persons elected shall be reported to the next meeting of the Board after the election, and announced to all staff.

The "counting of votes" may be a physical count of ballot papers where a paper system has been used, or the opening of an electronic report where an electronic voting system has been used.

8   The following rules shall apply in the event of a vacancy arising in respect of the appointment for a staff member:

(a) In the event of an election requiring to be held because of the expiry of the term of office of the respective members of the Board the procedures set out above shall be completed no later than four weeks prior to the date of expiry.

(b) In the event of an election requiring to be held because of a resignation or death of the respective members of the Board the procedures set out shall be completed no later than eight weeks after the vacancy occurs. The eight weeks excludes College vacation periods to ensure that all staff have the opportunity to participate.

Appointment of Teaching (Curriculum) and Service/Support (Non-Curriculum) Staff Members to the Board of Management of Ayrshire College

Sample Advertisement

As you may be aware, membership of the College Board of Management includes two places for College staff members (one curriculum and one support). The position of [*teaching / service/support]* member will become vacant on [*date].* The Board has a strong commitment to equality and diversity and particularly welcomes Board members from those groups under-represented on Scotland's public bodies.

Staff members of the Board of Management are full members and have the same rights, responsibilities and obligations as other Board members. Staff members are **not** there as "representatives" of the staff, they are there to bring knowledge and expertise of the day-to-day workings of the College into Board meetings, processes and decision-making.

Nominations are sought to fill the current vacancy. Nominations must come from current members of *[teaching / service/support]* staff. Each nomination will require a proposer and seconder, both also current members of *[teaching / service/support]* staff. The nominee must also prepare a support statement, which should give a brief outline of why they should be elected to the Board. This will be used in the event of an election being required.

Where only one nomination is received, that nominee will automatically be elected to the Board. Where more than one nomination is received, an election by electronic secret ballot will take place and the nominee receiving the most votes shall become elected to the Board. In the event of a tie the nominee shall be determined by the drawing of cards or lots.

The term of appointment shall be for a period of four years.

Information about the role and on the role of a Board member is available from the Board Governance Professional.

Nomination forms can be found ....

Should you require any additional information or have any queries, the Board Governance Professional would be happy to meet with you:

Board Governance Professional
Board of Management

Appointment of Teaching (Curriculum) and Service/Support (Non-Curriculum) Staff Members to the Board of Management of Ayrshire College

Sample Nomination Form

We, the undersigned, wish to nominate:

Name: ....

Department: ....

For election as the *[teaching / service/support]* staff member of the Board of Management. Our nominee has agreed to stand for election, and has provided a supporting statement overleaf.

PROPOSER

Name: ....

Signed: ....

Department: ....

Date: ....

SECONDER

Name: ....

Signed: ....

Department: ....

Date: ....

Notes
- All proposers, seconders and nominees must be eligible to stand for election as the *[teaching / service/support]* staff member on the Board of Governors.
- Proposers can only propose one person and cannot be a nominee or seconder.
- Seconders can only second the nomination of one person and cannot themselves be a nominee or proposer,
- Nominees cannot act as a proposer or seconder to any other nominee.
- Proposers, seconders and nominees shall be entitled to one vote in the event that an election is required.
- Return Form to: *[insert name and address]*by *[insert date and time]*. Late returns shall not be accepted.

**Nominee's Supporting Statement
(Maximum 150 Words)**

I accept the nomination to stand for election as the *[teaching / service/support]* staff member of the Ayrshire College Board of Management.

Name: ....

Signed: ....

Department: ....

Date: ....

Section 8: Standing Orders: Board Members' Letter of Appointment and Terms & Conditions

TEACHING STAFF (REGIONAL COLLEGE)

Date

Name & Address

Dear

Board of Management of [name of college]

I am pleased to confirm your appointment to the Board further to your election by the teaching staff of the College in accordance with the Further and Higher Education (Scotland) Act 1992 ("the 1992 Act").

[Optional paragraph for college to add welcome].

The period of your appointment will be for four years from [date] to [date], subject to the provisions of the 1992 Act and to the Terms and Conditions appended to this letter.

As a Board Member, you will have a vital role to play in leading the College, setting its strategy and values and ensuring that effective management and controls are in place to meet its core educational purpose and statutory obligations.

Staff members of the Board of Management are full members and have the same rights, responsibilities and obligations as other Board members. Staff members are not there as 'representatives' of the staff, they are there to bring knowledge and expertise of the day-to-day workings of the College into Board meetings, processes and decision-making.

Board members are expected to attend meetings regularly and are normally also invited to join at least one Board Committee. This brings with it a time commitment which is expected to be a minimum of [number] days per annum.

I should be grateful if you would confirm your acceptance of the appended Terms and Conditions by signing and dating the attached copy of this letter, and returning this to the Board Governance Professional at the following address.

[address]

Please also complete the Register of Interests form which is enclosed and return this to me as soon as possible.

As a member of the Board, you must be approved through the Disclosure Scotland Protecting Vulnerable Groups (PVG) scheme. Please advise if you already have disclosure through this scheme or if this is the first time you have applied, as the form you are required to complete is different depending on your current status with the scheme.

Once I have received confirmation of your acceptance, you will be provided with an induction pack, and I will arrange induction meetings for you with the [Chair, Principal, Board Governance Professional etc.

In the meantime, if you have any queries or require any further information please do not hesitate to contact me.

I look forward to meeting you again.

Yours sincerely

[Name]
Regional Chair

• •

I accept appointment to the office of member of the Board of Management of [name of college] on the terms and conditions set out below.

Signature:

……………………………………………………………………………………………

Date:

…………………………………………………………………………………………….

Full name (in block capitals):

………………………………………………………………….........

[name of college] **Board of Management**

Terms and Conditions of Office for Teaching Staff Board Members

1) As a Member you are one of a number of office holders that constitute the Board. Decisions of the Board are collective decisions. The Board is accountable to the Scottish Funding Council (SFC) for its decisions and actions in relation to any funding it receives from the SFC. You are not a servant or agent of the Crown or a civil servant and do not have any status, immunity or privilege of the Crown.

2) You are individually accountable to the Board for your actions and decisions of office.

3) Any information which you receive or obtain as a member of the Board shall be treated as confidential, and shall be held and treated in accordance with the College's Code of Conduct for Board members.

4) You will provide active and effective leadership, direction, support and guidance to ensure that the Board delivers, and is committed to delivering, its functions effectively and efficiently. The main functions of the Board (including its powers and duties) are as set out in the Further and Higher Education (Scotland) Act 1992 ("the 1992 Act") and the Further and Higher Education (Scotland) Act 2005 as amended (the "2005 Act").

5) Your main duties as a board member are as set out in the Guide for Board Members in the College Sector[3]. Any individual objectives applying to your office will be agreed with you.

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[3] Links to referenced documents are provided at the end of these Terms and Conditions.

6) [The Board maintains governors', directors' and officers' liability insurance in respect of its members and employees. The insurance policy covers legal claims made against members of the Board in their capacity as Board members.] As a member of the Board you will comply with any and all requirements of any insurance policy which the Board maintains in respect of liability accruing to its officers, directors and members. Failure to comply with the requirements of any such insurance policy may result in insurance cover being withdrawn or otherwise made unavailable.

7) You must undertake induction when taking up this appointment, including participation in the College Development Network's induction programme for board members and any training required in relation to your committee membership. Thereafter, you must undertake appropriate ongoing training and development in respect of your governance role.

8) You must seek to ensure that the Board complies with all legislative and other requirements, including compliance with the SFC Financial Memorandum with the College Sector, the Board's Outcome Agreement with the SFC, the Scottish Public Finance Manual (where appropriate) and the Code of Good Governance for Scotland's Colleges; and has regard to Ministerial guidance on appointments.

9) The College is a registered charity and along with the other Board members you are subject to the general duties of charity trustees set out in section 66 of the Charities and Trustee Investment (Scotland) Act 2005.

10) You must comply with the Board's Code of Conduct for Members, adopted under the Ethical Standards in Public Life etc. (Scotland) Act 2000.

11) You are not entitled to receive remuneration as a board member.

12) You are entitled to be reimbursed by the Board for expenses as the Board may determine[4] to be necessary or expedient for the proper discharge of your functions, being mindful of appropriate expenditure limits and the need to ensure value for public money.

13) You are entitled, in performing your functions, to receive from the Board such allowances as the Board may determine.

14) As a member of the Board you will be subject to appraisal of your performance, conducted at least annually, normally by the chair of the Board. Your performance will be appraised against (a) the role of board members set out in Guide for Board Members in the College Sector (b) any individual objectives applying to your office, as agreed with you, and (c) the extent to which you contribute to ensuring that the Board as a whole delivers its functions effectively and efficiently, in accordance with its vision, strategic direction, educational character, values and ethos. Your appraisal reports may be used by the Board

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[4] Both expenses and allowances are calculated by reference to such criteria as the Scottish Ministers may determine in accordance with section 12(5) of the 1992 Act.

and the Scottish Ministers in assessing your suitability for extension or re-appointment.

15) You will be removed from office by the Board (by giving notice to you in writing) in the circumstances set out in paragraph 5B(1) of Schedule 2 to the 1992 Act.

16) Where it appears to the Scottish Ministers that there has been Board failure by the Board of managing the College in terms of section 24(1) of the 1992 Act, you may be removed from office by the Scottish Ministers by order under section 24(2) of the 1992 Act.

17) You will be removed from office by the Scottish Ministers under paragraph 5B(3) of Schedule 2 to the 1992 Act (by giving you notice in writing), if you have been removed from office under section 24 of the 1992 Act or under section 23Q of the 2005 Act.

18) Where you cease to be a member of the teaching staff at the College prior to the end of your period of appointment as a member of the Board, you will be deemed to have vacated office.

19) You must be approved through the Disclosure Scotland Protecting Vulnerable Groups (PVG) scheme.

20) You will hold office for the period set out in your letter of appointment or to such earlier date if you are removed or resign from office. You may resign at any time by giving notice in writing to the Board.

21) The Board may, by giving you one month's written notice, change these terms and conditions as necessary or expedient (or as agreed with you), but not the period of office.

22) At the end of your current period of office, your reappointment is subject to a further election in which all teaching staff of the college will be eligible to vote.

Board of Management Responsibilities & Standing Orders V11 interim update 14.12.22

NON-TEACHING STAFF (REGIONAL COLLEGE)

Date

Name & Address

Dear

Board of Management of [name of college]

I am pleased to confirm your appointment to the Board further to your election by the non-teaching staff of the College in accordance with the Further and Higher Education (Scotland) Act 1992 ("the 1992 Act").

[Optional paragraph for college to add welcome].

The period of your appointment will be for four years from [date] to [date] (inclusive) subject to the provisions of the 1992 Act and to the Terms and Conditions appended to this letter.

As a Board Member, you will have a vital role to play in leading the College, setting its strategy and values and ensuring that effective management and controls are in place to meet its core educational purpose and statutory obligations.

Staff members of the Board of Management are full members and have the same rights, responsibilities and obligations as other Board members. Staff members are not there as 'representatives' of the staff, they are there to bring knowledge and expertise of the day-to-day workings of the College into Board meetings, processes and decision-making.

Board members are expected to attend meetings regularly and are normally also invited to join at least one Board Committee. This brings with it a time commitment which is expected to be a minimum of [number] days per annum.

I should be grateful if you would confirm your acceptance of the appended Terms and Conditions by signing and dating the attached copy of this letter and returning this to the Board Governance Professional at the following address:

[address]

Please also complete the Register of Interests form which is enclosed and return this to me as soon as possible.

As a member of the Board, you must be approved through the Disclosure Scotland Protecting Vulnerable Groups (PVG) scheme. Please advise if you already have disclosure through this scheme or if this is the first time you have applied, as the form you are required to complete is different depending on your current status with the scheme.

Once I have received confirmation of your acceptance, you will be provided with an induction pack, and I will arrange induction meetings for you with the [Chair, Principal, and Board Governance Professional, etc. as appropriate].

In the meantime, if you have any queries or require any further information please do not hesitate to contact me.

I look forward to meeting you again.

Yours sincerely

[Name]
Regional Chair

· ·

I accept appointment to the office of member of the Board of Management of [name of college] on the terms and conditions set out below.

Signature:

……………………………………………………………………………………………

Date:

……………………………………………………………………………………………….

Full name (in block capitals):

………………………………………………………………...........

[name of college] **Board of Management**

Terms and Conditions of Office for Non-Teaching Staff Board Members

1) As a Member you are one of a number of office holders that constitute the Board. Decisions of the Board are collective decisions. The Board is accountable to the Scottish Funding Council (SFC) for its decisions and actions in relation to any funding it receives from the SFC. You are not a servant or agent of the Crown or a civil servant, and do not have any status, immunity or privilege of the Crown.

2) You are individually accountable to the Board for your actions and decisions of office.

3) Any information which you receive or obtain as a member of the Board shall be treated as confidential, and shall be held and treated in accordance with the College's Code of Conduct for Board members.

4) You will provide active and effective leadership, direction, support and guidance to ensure that the Board delivers, and is committed to delivering, its functions effectively and efficiently. The main functions of the Board (including its powers and duties) are as set out in the Further and Higher Education (Scotland) Act 1992 ("the 1992 Act") and the Further and Higher Education (Scotland) Act 2005, as amended (the "2005 Act").

5) Your main duties as a board member are as set out in the Guide for Board Members in the College Sector[5]. Any individual objectives applying to your office will be agreed with you.

6) [The Board maintains governors', directors' and officers' liability insurance in respect of its members and employees. The insurance policy covers legal claims made against members of the Board in their capacity as Board members.] As a member of the Board you will comply with any and all requirements of any insurance policy which the Board maintains in respect of liability accruing to its officers, directors and members. Failure to comply with the requirements of any such insurance policy may result in insurance cover being withdrawn or otherwise made unavailable.

7) You must undertake induction when taking up this appointment, including participation in the College Development Network's induction programme for board members and any training required in relation to your committee membership. Thereafter, you must undertake appropriate ongoing training and development in respect of your governance role.

8) You must seek to ensure that the Board complies with all legislative and other requirements, including compliance with the SFC Financial Memorandum with the College Sector, the Board's Outcome Agreement with the SFC, the Scottish Public Finance Manual (where appropriate) and the Code of Good Governance for Scotland's Colleges; and has regard to Ministerial guidance on appointments.

9) The College is a registered charity and along with the other Board members you are subject to the general duties of charity trustees set out in section 66 of the Charities and Trustee Investment (Scotland) Act 2005.

10) You must comply with the Board's Code of Conduct for Members, adopted under the Ethical Standards in Public Life etc. (Scotland) Act 2000.

11) You are not entitled to receive remuneration as a board member.

12) You are entitled to be reimbursed by the Board for expenses as the Board may determine[6] to be necessary or expedient for the proper discharge of your functions, being mindful of appropriate expenditure limits and the need to ensure value for public money.

13) You are entitled, in performing your functions, to receive from the Board such allowances as the Board may determine.

14) As a member of the Board you will be subject to appraisal of your performance, conducted at least annually, normally by the chair of the Board. Your performance will be appraised against (a) the role of board members set out in

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[5] Links to referenced documents are provided at the end of these Terms and Conditions.
[6] Both expenses and allowances are calculated by reference to such criteria as the Scottish Ministers may determine in accordance with section 12(5) of the 1992 Act.

Guide for Board Members in the College Sector (b) any individual objectives applying to your office, as agreed with you, and (c) the extent to which you contribute to ensuring that the Board as a whole delivers its functions effectively and efficiently, in accordance with its vision, strategic direction, educational character, values and ethos. Your appraisal reports may be used by the Board and the Scottish Ministers in assessing your suitability for extension or re-appointment.

15) You will be removed from office by the Board (by giving notice to you in writing) in the circumstances set out in paragraph 5B(1) of Schedule 2 to the 1992 Act.

16) Where it appears to the Scottish Ministers that there has been Board failure by the Board of managing the College in terms of section 24(1) of the 1992 Act, you may be removed from office by the Scottish Ministers by order under section 24(2) of the 1992 Act.

17) You will be removed from office by the Scottish Ministers under paragraph 5B(3) of Schedule 2 to the 1992 Act (by giving you notice in writing), if you have been removed from office under section 24 of the 1992 Act or under section 23Q of the 2005 Act.

18) Where you cease to be a member of the non-teaching staff at the College prior to the end of your period of appointment as a member of the Board, you will be deemed to have vacated office.

19) You must be approved through the Disclosure Scotland Protecting Vulnerable Groups (PVG) scheme.

20) You will hold office for the period set out in your letter of appointment or to such earlier date if you are removed or resign from office. You may resign at any time by giving notice in writing to the Board.

21) The Board may, by giving you one month's written notice, change these terms and conditions as necessary or expedient (or as agreed with you), but not the period of office.

22) At the end of your current period of office, your reappointment is subject to a further election in which all non-teaching staff of the college will be eligible to vote.

STUDENT (REGIONAL COLLEGE)

Date

Name & Address

Dear

Board of Management of [name of college]

I am pleased to confirm your appointment to the Board further to your nomination by the Students' Association in accordance with the Further and Higher Education (Scotland) Act 1992 ("the 1992 Act") and the Education Act 1994.

[optional paragraph for college to add welcome].

The period of your appointment will be for one year from 1 September [insert year], subject to the provisions of the 1992 Act and to the Terms and Conditions appended to this letter.

As a Board Member, you will have a vital role to play in leading the College, setting its strategy and values and ensuring that effective management and controls are in place to meet its core educational purpose and statutory obligations.

Student members of the Board of Management are full members and have the same rights, responsibilities and obligations as other Board members. Student members are not there as 'representatives' of the student body; they are there to bring their knowledge, expertise and a student perspective to Board meetings, processes and decision-making.

Board members are expected to attend meetings regularly and are normally also invited to join at least one Board Committee. This brings with it a time commitment which is expected to be a minimum of [number] days per annum.

I should be grateful if you would confirm your acceptance of the appended Terms and Conditions by signing and dating the attached copy of this letter and returning this to the Board Governance Professional at the following address:

[address]

Please also complete the Register of Interests form which is enclosed and return this to me as soon as possible.

As a member of the Board, you must be approved through the Disclosure Scotland Protecting Vulnerable Groups (PVG) scheme. Please advise if you already have disclosure through this scheme or if this is the first time you have applied, as the form you are required to complete is different depending on your current status with the scheme.

Once I have received confirmation of your acceptance, you will be provided with an induction pack, and I will arrange induction meetings for you with the [Chair, Principal, and Board Governance Professional, etc. as appropriate].

In the meantime, if you have any queries or require any further information please do not hesitate to contact me.

I look forward to meeting you again.

Yours sincerely

[Name]
Regional Chair

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I accept appointment to the office of member of the Board of Management of [name of college] on the terms and conditions set out below.

Signature:

………………………………………………………………………………………………

Date:

………………………………………………………………………………………………….

Full name (in block capitals):

……………………………………………………………………...........

[name of college] Board of Management

Terms and Conditions of Office for Student Board Members

1) As a Member you are one of a number of office holders that constitute the Board. Decisions of the Board are collective decisions. The Board is accountable to Scottish Funding Council (SFC) for its decisions and actions in relation to any funding it receives from the SFC. You are not a servant or agent of the Crown or a civil servant, and do not have any status, immunity or privilege of the Crown.

2) You are individually accountable to the Board for your actions and decisions of office.

3) Any information which you receive or obtain as a member of the Board shall be treated as confidential, and shall be held and treated in accordance with the College's Code of Conduct for Board members.

4) You will provide active and effective leadership, direction, support and guidance to ensure that the Board delivers, and is committed to delivering, its functions effectively and efficiently. The main functions of the Board (including its powers and duties) are as set out in the Further and Higher Education (Scotland) Act ("the 1992 Act) and the Further and Higher Education (Scotland) Act 2005, as amended (the "2005 Act").

5) Your main duties as a board member are as set out in the Guide for Board Members in the College Sector[7]. Any individual objectives applying to your office will be agreed with you.

6) [The Board maintains governors', directors' and officers' liability insurance in respect of its members and employees. The insurance policy covers legal claims made against members of the Board in their capacity as Board members.] As a member of the Board you will comply with any and all requirements of any insurance policy which the Board maintains in respect of liability accruing to its officers, directors and members. Failure to comply with the requirements of any such insurance policy may result in insurance cover being withdrawn or otherwise made unavailable.

7) You must undertake induction when taking up this appointment, including participation in the College Development Network's induction programme for board members and any training required in relation to your committee membership. Thereafter, you must undertake appropriate ongoing training and development in respect of your governance role.

8) You must seek to ensure that the Board complies with all legislative and other requirements, including compliance with the SFC Financial Memorandum with the College Sector, the Board's Outcome Agreement with the SFC, the Scottish Public Finance Manual (where appropriate) and the Code of Good Governance for Scotland's Colleges; and has regard to Ministerial guidance on appointments.

9) The College is a registered charity and along with the other Board members you are subject to the general duties of charity trustees set out in section 66 of the Charities and Trustee Investment (Scotland) Act 2005.

10) You must comply with the Board's Code of Conduct for Members, adopted under the Ethical Standards in Public Life etc. (Scotland) Act 2000.

11) You are not entitled to receive remuneration as a board member.

12) You are entitled to be reimbursed by the Board for expenses as the Board may determine[8] to be necessary or expedient for the proper discharge of your functions, being mindful of appropriate expenditure limits and the need to ensure value for public money.

13) You are entitled, in performing your functions, to receive from the Board such allowances as the Board may determine.

14) As a member of the Board you will be subject to appraisal of your performance, conducted at least annually, normally by the chair of the Board. Your performance will be appraised against (a) the role of board members set out in

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[7] Links to referenced documents are provided at the end of these Terms and Conditions.
[8] Both expenses and allowances are calculated by reference to such criteria as the Scottish Ministers may determine in accordance with section 12(5) of the 1992 Act.

Guide for Board Members in the College Sector (b) any individual objectives applying to your office, as agreed with you, and (c) the extent to which you contribute to ensuring that the Board as a whole delivers its functions effectively and efficiently, in accordance with its vision, strategic direction, educational character, values and ethos. Your appraisal reports may be used by the Board and the Scottish Ministers in assessing your suitability for extension or re-appointment.

15) You will be removed from office by the Board (by giving notice to you in writing) in the circumstances set out in paragraph 5B(1) of Schedule 2 to the 1992 Act.

16) Where it appears to the Scottish Ministers that there has been Board failure by the Board of managing the College in terms of section 24(1) of the 1992 Act, you may be removed from office by the Scottish Ministers by order under section 24(2) of the 1992 Act.

17) You will be removed from office by the Scottish Ministers under paragraph 5B(3) of Schedule 2 to the 1992 Act (by giving you notice in writing), if you have been removed from office under section 24 of the 1992 Act or under section 23Q of the 2005 Act.

18) Where you cease to be a student of the College prior to the end of your period of appointment as a member of the Board, you will be deemed to have vacated office.

19) You must be approved through the Disclosure Scotland Protecting Vulnerable Groups (PVG) scheme.

20) You will hold office for the period set out in your letter of appointment or to such earlier date if you are removed or resign from office. You may resign at any time by giving notice in writing to the Board.

21) The Board may, by giving you one month's written notice, change these terms and conditions as necessary or expedient (or as agreed with you), but not the period of office.

22) At the end of your current period of office, your reappointment is subject to nomination by the Students' Association in accordance with the 1992 Act and Section 22 of the Education Act 1994.

NON-EXECUTIVE (REGIONAL COLLEGE)

Date

Name & Address

Dear

Board of Management of [name of college]

I am pleased to confirm your offer of appointment to the Board further to the approval of the Chair of the Board and Scottish Ministers, as required under the Further and Higher Education (Scotland) Act 1992, paragraph 3(2)(f) of Schedule 2, ("the 1992 Act").

[Optional paragraph for college to add a welcome].

The period of your appointment will be from [date] to [date] (inclusive), subject to the provisions of the 1992 Act and to the Terms and Conditions appended to this letter.

As a Board Member, you will have a vital role to play in leading the College, setting its strategy and values and ensuring that effective management and controls are in place to meet its core educational purpose and statutory obligations.

[College name] is a major employer in the region, and the Board works closely with staff and students, employers, the Scottish Government and its agencies, and other stakeholders throughout the region and beyond.

Board members are expected to attend meetings regularly, and are normally also invited to join at least one Board Committee. This brings with it a time commitment which is expected to be a minimum of [number] days per annum.

I should be grateful if you would confirm your acceptance of this offer of appointment to the Board on the appended Terms and Conditions by signing and dating the attached copy of this letter, and returning this to the Board Governance Professional at the following address:

[address]

Please also complete the Register of Interests form which is enclosed and return this to me as soon as possible.

As a member of the Board, you must be approved through the Disclosure Scotland Protecting Vulnerable Groups (PVG) scheme. Please advise if you already have disclosure through this scheme or if this is the first time you have applied, as the form you are required to complete is different depending on your current status with the scheme.

Once I have received confirmation of your acceptance, you will be provided with an induction pack, and I will arrange induction meetings for you with the [Chair, Principal, and Board Governance Professional, etc. as appropriate].

In the meantime, if you have any queries or require any further information please do not hesitate to contact me.

I look forward to meeting you again.

Yours sincerely

[Name]
Regional Chair

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I accept appointment to the office of member of the Board of Management of [name of college] on the terms and conditions set out below.

Signature:

………………………………………………………………………………………………

Date:

……………………………………………………………………………………………….

Full name (in block capitals):

………………………………………………………………….............

[name of college] Board of Management

Terms and Conditions of Office for Non-Executive Board Members

1) As a Member you are one of a number of office holders that constitute the Board. Decisions of the Board are collective decisions. The Board is accountable to the Scottish Funding Council (SFC) for its decisions and actions in relation to any funding it receives from the SFC. You are not a servant or agent of the Crown or a civil servant, and do not have any status, immunity or privilege of the Crown.

2) You are individually accountable to the Board for your actions and decisions of office.

3) Any information which you receive or obtain as a member of the Board shall be treated as confidential, and shall be held and treated in accordance with the College's Code of Conduct for Board members.

4) You will provide active and effective leadership, direction, support and guidance to ensure that the Board delivers, and is committed to delivering, its functions

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effectively and efficiently. The main functions of the Board (including its powers and duties) are as set out in the Further and Higher Education (Scotland) Act 1992 ("the 1992 Act") and the Further and Higher Education (Scotland) Act 2005, as amended (the "2005 Act").

5) Your main duties as a board member are as set out in the Guide for Board Members in the College Sector[9]. Any individual objectives applying to your office will be agreed with you.

6) [The Board maintains governors', directors' and officers' liability insurance in respect of its members and employees. The insurance policy covers legal claims made against members of the Board in their capacity as Board members.] As a member of the Board you will comply with any and all requirements of any insurance policy which the Board maintains in respect of liability accruing to its officers, directors and members. Failure to comply with the requirements of any such insurance policy may result in insurance cover being withdrawn or otherwise made unavailable.

7) You must undertake induction when taking up this appointment, including participation in the College Development Network's induction programme for board members and any training required in relation to your committee membership. Thereafter, you must undertake appropriate ongoing training and development in respect of your governance role.

8) You must seek to ensure that the Board complies with all legislative and other requirements, including compliance with the SFC Financial Memorandum with the College Sector, the Board's Outcome Agreement with the SFC, the Scottish Public Finance Manual (where appropriate) and the Code of Good Governance for Scotland's Colleges; and has regard to Ministerial guidance on appointments.

9) The College is a registered charity and along with the other Board members you are subject to the general duties of charity trustees set out in section 66 of the Charities and Trustee Investment (Scotland) Act 2005.

10) You must comply with the Board's Code of Conduct for Members, adopted under the Ethical Standards in Public Life etc. (Scotland) Act 2000.

11) You are not entitled to receive remuneration as a board member.

12) You are entitled to be reimbursed by the Board for expenses as the Board may determine[10] to be necessary or expedient for the proper discharge of your functions, being mindful of appropriate expenditure limits and the need to ensure value for public money.

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[9] Links to referenced documents are provided at the end of these Terms and Conditions.
[10] Both expenses and allowances are calculated by reference to such criteria as the Scottish Ministers may determine in accordance with section 12(5) of the 1992 Act.

13) You are entitled, in performing your functions, to receive from the Board such allowances as the Board may determine.

14) As a member of the Board you will be subject to appraisal of your performance, conducted at least annually, normally by the chair of the Board. Your performance will be appraised against (a) the role of board members set out in Guide for Board Members in the College Sector (b) any individual objectives applying to your office, as agreed with you, and (c) the extent to which you contribute to ensuring that the Board as a whole delivers its functions effectively and efficiently, in accordance with its vision, strategic direction, educational character, values and ethos. Your appraisal reports may be used by the Board and the Scottish Ministers in assessing your suitability for extension or re-appointment.

15) You will be removed from office by the Board (by giving notice to you in writing) in the circumstances set out in paragraph 5B(1) of Schedule 2 to the 1992 Act.

16) Where it appears to the Scottish Ministers that there has been Board failure by the Board of managing the College in terms of section 24(1) of the 1992 Act, you may be removed from office by the Scottish Ministers by order under section 24(2) of the 1992 Act.

17) You will be removed from office by the Scottish Ministers under paragraph 5B(3) of Schedule 2 to the 1992 Act (by giving you notice in writing), if you have been removed from office under section 24 of the 1992 Act or under section 23Q of the 2005 Act.

18) You must be approved through the Disclosure Scotland Protecting Vulnerable Groups (PVG) scheme.

19) You will hold office for the period set out in your letter of appointment or to such earlier date if you are removed or resign from office. You may resign at any time by giving notice in writing to the Board.

20) The Board may, by giving you one month's written notice, change these terms and conditions as necessary or expedient (or as agreed with you), but not the period of office.

21) At the end of your current period of office, the Board may extend your appointment for a single period of up to four years. Any such extension will in part be conditional on evidence of satisfactory performance and will require the approval of the Chair of the Board and Scottish Ministers.

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Links to Referenced Documents

Code of Good Governance for Scotland's Colleges
www.cdn.ac.uk/wp-content/uploads/2016/10/Code-of-Good-Governance-for-Scotlands-Colleges-August-2016.pdf

Guide for Board Members in the College Sector
http://www.collegedevelopmentnetwork.ac.uk/wp-content/uploads/2016/02/College-Board-Member-Guide-2015.pdf

SFC Financial Memorandum with the College Sector
http://www.sfc.ac.uk/web/FILES/Guidance_Governance/Financial_Memorandum_with_the_College_Sector_-_1_December_2014.pdf

Scottish Public Finance Manual
http://www.gov.scot/Topics/Government/Finance/spfm/Intro

College Website
Ayrshire College Statement of Ambition, Strategic Objectives
Regional Outcome Agreement
College Strategies, Management Accounts and Performance reports

Board of Management
Board of Management, Board of Management documents and Senior Leadership Team

Link to College Development Network Governance Hub
www.cdn.ac.uk/projects/governance-leadership-and-management/governance/

Ethical Standards in Public Life etc. (Scotland) Act 2000
Ethical Standards in Public Life etc. (Scotland) Act 2000

Board Responsibilities and Standing Orders
Board of Management Documents
(Also available to Board Members on Admin Control)

Ayrshire College Board of Management Code of Conduct
https://www1.ayrshire.ac.uk/about-us/management-team/board-of-management-documents/