

**Special Board of Management Meeting
Wednesday 11 November 2020 at 1700 hours (via TEAMS)**

Present A Kerr (Chair), A McKechnie, L Glen, T Donnelly, C Gibb, C McDowall, G McClarence, C McDonald, R Harkness, P Hughes, S Dillett, P Hutchinson, Y Johnston, R Smith, J Carratt.

Apologies S Duffy

In Attendance Keith McAllister, T Gardner, W MacDonald (SFC), L McLeod (SFC)

1. Declarations' of Members Interests

Mr Kerr declared his membership of the Board of the Scottish Funding Council. Membership of The Lanarkshire Board was declared by A Kerr, A McKechnie, R Smith, J Carratt, R Harkness and G McClarence.

2. SFC Review of Regional Strategic Bodies – Lanarkshire Board

Mr Kerr opened the meeting by informing the Board that this meeting was a replication of a meeting held by the Lanarkshire Board on 9 November. The recent report from the SFC on the Review of Coherent Provision and the Sustainability of Colleges and Universities contained a recommendation for the dissolution of the Lanarkshire Regional Strategic Body. This conclusion was reached despite the effort and energy made by senior officers and Board members of NCL and SLC over the years since the introduction of the RSB. He noted that the process would require legislative change and this was not likely to be swift, therefore interim arrangements are likely to be required. Mr Kerr invited a Board discussion in advance of seeking to secure the formal adoption of the resolution to support the SFC recommendation.

Ms McLeod advised that the SFC would work with the Boards of both colleges to take forward the agreed conclusion.

Mr Smith advised that this provides both colleges with the opportunity to develop their own character and to be ambitious for their individual institutions. He noted that, going forward, it would be important that neither college is disadvantaged by the new arrangements. He confirmed to the Board that the Board of NCL had discussed the issue on 9 November and had supported the resolution for dissolution.

Mr Hutcheson asked when would any new arrangement would come into effect and will it affect the funding of SLC in the current year, ? he also noted the value of joint working across the two colleges and that it would be important to maintain the benefits of collaborative working going forward.

Mr Hughes indicated that he was supportive of the proposal but wondered what the risks would be, and if there were any obstacles, legal, legislative, political or otherwise.

Ms Donnelly reiterated the point about potential risks. She noted that she was generally supportive of the proposal. She also noted the possibility of the two colleges being in commercial conflict at some future stage.

Mr Kerr advised the Board that both colleges still plan to work together and that dissolution should release more potential for partnership working to support the social and economic wellbeing of Lanarkshire. He indicated that both institutions are best placed to deliver for their own college communities. He invited Ms McLeod, SFC, to provide an overview of the journey towards the new arrangements.

Ms McLeod indicated to the Board that the process would start after approval had been received from Scottish Government, which would be confirmed to the SFC and to the two Boards. She noted the requirement for legislative change, and that this would take longer to secure. She advised that, in the interim, accommodations can be introduced in relation to funding arrangements, the Outcome Agreement process, and the establishment of direct relationships between SFC and SLC. She confirmed that there would be no change to funding allocations for the current financial year and that direct funding to SLC would be possible.

She indicated that the next stages of the SFC review would fit with the anticipated timetable of change

There was a brief discussion on regional provision, and the recommended contribution to education, skills and economic recovery and thus regional planning would require further consideration. Ms McLeod suggested that consideration should also be given to external consultation and stakeholder engagement.

Ms MacDonald confirmed that legislative change would be required to dismantle the existing regional structure and that this will take some time. She added that there is a need to find a way whereby both colleges can continue to work together under the terms of the current legislation.

The Funding Council is investigating how it can come to some accommodation around the role of the Lanarkshire Board, including taking legal advice. She noted that the responsibilities of the SLC Board members of the Lanarkshire Board need to be considered. She added that the SFC will work up a timeline of required actions.

Ms Johnson re-affirmed the importance of maintaining the value of collective working.

Ms Gibb added that she was broadly in favour of the proposition for dissolution and suggested that there may be scope to build on the existing MoU between the two colleges. She noted the requirement to focus on educational outcomes.

Mr Kerr added that there would be increased opportunities to secure greater benefits following dissolution.

Mr Smith noted that the existing situation was not perfect; and that he had been uncomfortable with the dual role of Chair of New College Lanarkshire and Chair of the Lanarkshire Board, recognising the risks of conflict of interest in what is a unique multi-college region. He added that he would wish both colleges to build on the progress which has been made and that he hoped for greater collaboration and co-operation. He supported the suggestion that the existing MoU might provide a basis for a proper partnership agreement where both colleges could operate as equal partners. He noted the need for an unravelling of administrative complexities, and reduced burden, which he described as 'conscious uncoupling'. Going through the process will mean the colleges come together in a much more positive way. A regional partnership group could be a possibility where both colleges would have delegates on it.

Ms McKechnie noted that it was important that Board members were aware of the NCL Board discussion on the approach to regional planning, which had included the suggestion of a non-statutory oversight body. She also advised that only that day had she and the principal of NCL had met with senior colleagues of UWS to discuss regional collaboration.

Ms McLeod advised the Board that the SFC is committed to working with both colleges to support the process. She confirmed that SFC would work up a route-map and timeline in partnership with the colleges.

Mr Kerr put the resolution to the Board which was in turn unanimously supported by the South Lanarkshire College Board.

There being no further competent business, the Chair thanked everyone for their attendance and closed the meeting.