

Nominations Committee

Thursday 3 April 2014

9:30 AM

A G E N D A

Room 2009

- 1 Apologies for Absence
- 2 Declaration of Interest
- 3 Minute of Meeting of last meeting (attached)
- 4 Matters Arising

Business

- 5 Correspondence received - Regionalisation letter
- 6 Recruitment of Board members (report attached)
- 7 Future Board development events (verbal)
- 8 Any Other Business
- 9 Date and Time of Next Meeting

BOARD OF MANAGEMENT

Minute of the Meeting of the Nominations Committee of the Board of Management of Dumfries and Galloway College held on Thursday 3 April 2014 at 9.30 am in Room 2009.

Present: Brian Johnstone (Chair)
Hugh Carr
Delia Holland

In attendance: Jannette Brown, Clerk to the Board

1 Apologies for absence

There were no apologies.

2 Declaration of Interest

Members agreed to indicate declarations of interest as appropriate throughout the meeting.

3 Minute of Previous Meeting

The Minute of meeting of the Nominations Committee, held on 25 March 2013 was approved.

4 Matters Arising

There were no matters arising

5 Correspondence received

Members noted the letter from Michael Cross, dated 4 March 2014, advising that, the board of management of the college was designated as a regional college. This designation was achieved by the Designation of Regional Colleges (Scotland) Order 2014. Section 6(1) of the 2013 Act, makes new provision for the composition of college boards of management by amending Schedule 2 to Further and Higher Education (Scotland) Act 1992 ("the 1992 Act") came into force on that date in relation to the college.

5 Recruitment of Board members

Members discussed the report on forthcoming Board member retirements which included highlighting that all ordinary members term in office would end 2 March 2015. The committee agreed to hold two separate recruitment processes, one in May 2014 and the second in December 2014. Depending on the outcome of the recruitment in May 2014 the December recruitment may need to be targeted to address any particular gender, skills or knowledge balance of the Board. It was also agreed that nominations and if necessary election of the support staff member should be concluded by the end of June 2014. The

BOARD OF MANAGEMENT

Board recruitment process will follow the recruitment guidelines set out in the college sector board appointments draft guidance issued by the Scottish Government. In line with this guidance the committee noted that Board appointments should be advertised on the Public Appointments website. The recruitment process will be open to any Board members vacating the post to apply for a new appointment. At this point Hugh Carr declared an interest.

The committee agreed to invite the Chair of Finance and General Purposes Committee to take Hugh's place during the recruitment process. In line with the draft guidance the committee noted that an independent member should also be part of the recruitment panel. It was agreed that the Clerk to the Board would ask Brian Pattinson to join the panel. The Clerk will circulate a draft schedule of the process to the panel.

6 Future Development Events

The committee agreed that the Board would benefit from a development event on leadership. The Clerk to the Board was asked to arrange for Jan Polley, Polley Solutions Ltd, to facilitate this event to take place late October/early November.

7 Any Other Business

The committee expressed their concern on the lack of opportunity to get to know fellow board members and the SMT. The committee agreed to host an informal network event such as a BBQ or buffet supper sometime early in the summer. The Clerk to the Board would discuss further with the Principal and take forward.

9 Date and time of next meeting

To be confirmed

BOARD OF MANAGEMENT

Minute of the Meeting of the Nominations Committee of the Board of Management of Dumfries and Galloway College held on Monday 25 March 2013 at 14.30 pm in Room 2009.

Present: Russel Griggs (Chair)
Hugh Carr
Delia Holland

In attendance: Carol Turnbull, Principal
Jannette Brown, Clerk to the Board

- 1 Chair gave the committee an update on the transition to regional boards. Chair confirmed that the College Board will become the Regional Board once legislation comes into force likely around summer 2014. Chair also confirmed that the appointed regional lead for this region is not acting on behalf of the Board.
 - 2 Members discussed the report prepared by the Clerk to the Board on forthcoming Board member retirements. Three members have definitely stated they will retire in July 2014, or when relevant legislation comes into effect, with another member indicating they need further information on the shape and scope of regional boards before deciding. Members discussed the skills gap of the retiring members together with future requirements. As one of the retiring members is an 'educationalist', previously the Director of Education, it was agreed that the Principal would discuss with the chief executive of D&G council the possibility of the Director of Education joining the Board.
 - 3 Members discussed the equality, skills and knowledge balance of current Board membership together with future requirements. Following this discussion it was agreed that the Clerk to the Board would prepare a draft advert and person specification for new Board members for consideration at the next Board meeting.
 - 4 Members expressed concern at the lack of information in relation to the process of appointment for a new Chairperson of the Regional Board. It was agreed that the Clerk to the Board would draft a letter on behalf of the Chairman, to Michael Cross, Scottish Government, seeking details on the public appointment process and the likely timescales. It was also agreed that the Clerk to the Board would discuss with Munro Consulting the possibility of using their services to canvass appropriate candidates for the position of Chairperson on behalf of the Board. The Principal was also asked to speak to Principals from other single regions to find out what they are doing in relation to appointing a new chairperson.
 - 5 Following discussion on the sample skills audits it was agreed that the Clerk to the Board would amend the skills audit used by DGHP to suit the Boards needs.
 - 6 Date and time of next meeting – 20 January 2014 at 9:30am.
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Janette Brown
Secretary to Board of Management
Dumfries and Galloway College
College Gate
Bankend Road
Dumfries
DG1 4FD



4 March 2014

Dear Janette Brown

**SECTION 6(2) OF THE POST-16 EDUCATION (SCOTLAND) ACT 2013
BOARD OF MANAGEMENT OF DUMFRIES AND GALLOWAY COLLEGE**

1. As you will be aware, colleges are going through a radical programme of reform supported by the Post-16 Education (Scotland) Act 2013 (“the 2013 Act”).

2. A central part of the reforms involve new arrangements for college boards of management, which include:

- Ministerial appointment of regional college chairs, regulated by the Public Appointments Commissioner for Scotland;
- open and competitive board appointment processes on boards, underpinned by new Ministerial guidance. We are currently consulting on this guidance before it is issued¹;
- refreshing the membership of boards of management of incorporated colleges².

3. I am writing to advise you that, as of 3 March 2014, the board of management of your college was designated as a regional college. This designation is achieved by the Designation of Regional Colleges (Scotland) Order 2014³. Section 6(1) of the 2013 Act, which makes new provision for the composition of college boards of management by amending Schedule 2 to Further and Higher Education (Scotland) Act 1992 (“the 1992 Act”) came into force on that date in relation to your college. Sections 23A to 23D of the Further and Higher Education (Scotland) Act 2005 also came into force on that date and make provision for functions of regional colleges.

¹ <http://www.scotland.gov.uk/Publications/2014/01/3875/downloads>

² “Incorporated colleges” are colleges with a board of management under part 1 of the Further and Higher Education (Scotland) Act 1992.

³ <http://www.legislation.gov.uk/ssi/2014/22/contents/made>

Arrangements for college boards of management from 3 March 2014

4. In putting in place a framework for refreshing the membership of boards, the Cabinet Secretary has sought to balance the need for business continuity with the need to move with pace towards the new, more transparent appointments system. Mr Russell has concluded that a standard migration period of one year (for existing members of boards of management) would best achieve this balance.

5. To achieve this, Ministers are exercising their powers under section 6(2) of the 2013 Act to make arrangements in relation to a board of management of a college of further education in connection with the coming into force of section 6(1) of the 2013 Act.

6. Against the background that Brian Johnstone has been appointed by the Scottish Ministers as chair of the board of management, additionally the Scottish Ministers, in exercise of their powers under section 6(2)(b) of the 2013 Act, make the following arrangements with effect from 3 March 2014 for the Board of Management of Dumfries and Galloway College which is designated as a regional college on that date:

- a) Professor Russel Griggs is removed from office as chair, but he continues in office as a member of the board of management as if they were appointed under paragraph 3(2)(f) of Schedule 2 to the 1992 Act (in other words, the existing chair becomes an 'ordinary' board member) for the period until the expiry of his term of office as a member of the board of management or until 2 March 2015, whichever comes first;
- b) the board member elected by the teaching staff continues in office as a member of the board of management as if they were appointed under paragraph 3(2)(c) of Schedule 2 to the 1992 Act for the period until the expiry of their term office as a member of the board of management or until 2 March 2015, whichever comes first;
- c) the board member elected by the non-teaching staff continues in office as a member of the board of management as if they were appointed under paragraph 3(2)(d) of Schedule 2 to the 1992 Act for the period until the expiry of their term office as a member of the board of management or until 2 March 2015, whichever comes first;
- d) the board member nominated by the students' association continues in office as a member of the board of management as if they were appointed under paragraph 3(2)(e) of Schedule 2 to the 1992 Act for the period until 31 August 2014;
- e) all other persons who were immediately before 3 March 2014 members of the board of management (except the principal) continue in office as members of the board of management as if they were appointed under paragraph 3(2)(f) of Schedule 2 to the 1992 Act for the period until the expiry of their term of office as a board member or until 2 March 2015, whichever comes first.

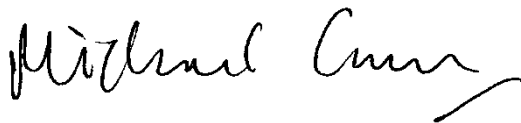
7. There is no need for the Scottish Ministers to continue in office the principal of the college as they are on the college board by right of their position. Carol Turnbull therefore remains a member of the board by virtue of paragraph 3(2)(b) of Schedule 2 to the 1992 Act.

8. In relation to student members of the board, given the college is designated as a regional college, the college's students' association is to nominate a second student to the college board by virtue of paragraph 3(2)(e) of Schedule 2 to the 1992 Act.

9. I trust that this information is helpful. My colleague Col Baird in our Governance Team will be very happy to discuss any related matters with you. He can be contacted at colin.baird@scotland.gsi.gov.uk or on 0300 244 1312.

10. I am copying this letter to Brian Johnstone, Professor Russel Griggs and Carol Turnbull. I should be grateful if you could arrange for copies of the letter to go to all other board members so that they are also aware of arrangements made.

Yours sincerely

A handwritten signature in black ink, appearing to read "Michael Cross". The signature is fluid and cursive, with a long horizontal stroke at the end.

MICHAEL CROSS
Deputy Director

Board of Management

1 Purpose

The purpose of this report is to provide the Nominations Committee with information on the Regional College Board ordinary members who are due to retire or are coming to the end of their term in office.

2 The Report

When the College was designated as regional college in March 2014, existing ordinary board members were migrated to the Regional College Board. They can serve until the expiry of their current term of office or until March 2015, whichever comes first. After this migrated period ends, an ordinary board member appointment cannot be extended. The post is instead to be filled through an open recruitment process. It would be open to the person vacating the post to apply for the new appointment. If they are subsequently re-appointed, it would be open to the board to extend that appointment at the end of the period of the new appointment.

Over the course of the next 4 months there are two ordinary board members, Rona Gunnell and Russell Griggs, who have indicated they wish to retire, three ordinary board members, Hugh Carr, Karen MacGillvray-Fallis and Tom Hydes, and the support staff member, Kenny Henry, whose first term in office comes to an end on 30/6/14. The academic staff member, Andrew Nyondo, term in office comes to an end on 31/10/2014. Seven ordinary board members, Sandy Burgess, John Henderson, Delia Holland, Colin Grant, Janice Goldie, Stuart Martin and Amanda Hannah, whose term in office will come to an end on 2/3/2015.

In the guidance document on college regional board appointments, currently out for consultation, it outlines that a regional college board must comprise in total between 15 and 18 members as follows:

- A chair appointed by Scottish Ministers
- The principal of the college
- Two elected staff members (one teaching and one non-teaching)
- Two nominated student members
- Between 9 and 12 Ordinary board members appointed by the board. Ordinary board members are appointed by the regional college board, with the approval of its chair and Scottish Ministers

3 Recommendation

Members of the nominations committee are asked to consider recruiting Regional Board members through an open and transparent process. Before beginning an appointments process, the nominations committee should consider the skills, knowledge, attributes and experience for future needs of the Regional Board.