

Teams, 5.30pm

AGENDA

		Type	Lead
1	Apologies and Declarations of interest	Discussion	Trudi Craggs
GOVERNANCE			
2	Board Member Approval (Elements of paper 2 are withheld from publication on the Forth Valley College website under Section 38 Personal Information of the Freedom of Information (Scotland) Act 2002.)	Approval	Alison Stewart
3	Finance Committee membership	Approval	Alison Stewart
4	Fuel Change Report (Paper 4 is withheld from publication on the Forth Valley College website under Section 33 Commercial Interests and the Economy of the Freedom of Information (Scotland) Act 2002.)	Discussion	David Archibald
OPERATIONAL OVERSIGHT			
5	Review of Risk	Discussion	All
6	Any Other Competent Business	Discussion	All

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1. Purpose

To seek member's endorsement for the appointment of new non-executive members of the Board.

2. Recommendation

That members endorse for recommendation to Scottish Ministers the appointment of –

- Craig Arthur
- Rhona Geisler
- Campbell Ure

And also that members approve the co-option of Ken Richardson to the Board.

3. Background

Following the implementation of the Post-16 Education (Scotland) Act 2013, and the introduction of the "College Sector Board Appointments: 2014 Ministerial Guidance" College Boards are required to seek Ministerial approval for appointments to non-executive positions within the Board of Management.

4. Key Considerations

Legislation requires that Regional College Boards have between 15 and 18 members, with a maximum of 12 of these being non-executive members. Despite a recent public application process at the end of 2022, there are 3 non-executive positions to fill.

As notified to the Board at the April 2023 meeting by the Chair, and following notification to Scottish Government of the College's intention to do so, the Vice Principal Finance and Corporate Affairs approached a number of identified individuals who were asked to submit applications for non-executive membership.

Following receipt of these applications, interviews were arranged for 4 May 2023.

Normally the Nominations committee of the Board consisting of the Board Chair and Committee Chairs would sift applications. However as potential candidates were identified by the College it was agreed to proceed straight to interview for those who submitted an application.

The interview panel was consisted of the following –

Trudi Craggs, Chair
John Blackie, Independent Advisor
Alison Stewart, Board Secretary (advisory)
Kenny MacInnes, Principal and Board Member (advisory)
Jennifer Hogarth, Staff Board Member

Following the interview process, as noted above, the following candidates are being recommended to the Board for endorsement.

- Craig Arthur
- Rhona Geisler
- Campbell Ure

Attached to this paper are copies of the CV's for each new successful candidate.

Ken Richardson has also agreed to return as a co-opted member for a 1 year period to assist with the current issue with non-executive member numbers. As per the approach taken at the last application process where existing members Lorna Dougall and Liam McCabe were assessed as having a level of experience with the Board which negated the need for an interview, this same approach has been taken for Ken Richardson.

5. Resource Implications (Financial, People, Estates and Communications)

Upon receipt of Ministerial sign off to the Board's recommendations, the College will release appropriate communications to highlight the incoming members to the Board.

6. Equalities

Assessment in Place? – No. The College is following the relevant guidance as provided by Scottish Ministers.

It should be noted that there is the Gender Representation on Public Boards (Scotland) Act 2018 which requires the College to have cognisance of the gender balance of the Board and to move towards parity wherever possible.

Of the non-executive members of the Board (the only members the Board has direct input into recruitment) the gender balance is as follows

	As at 3 May 2023.		Incorporating recommendations in this paper	
Female	5	63%	6	55%
Male	3	37%	5	45%

7. Communities and Partners

Not applicable.

8. Risk and Impact

If the paper is an approval, please reflect on whether the approval will have any direct or indirect impact for any other areas of operational activity internally or externally within the College – No

	Likelihood	Impact
Very High (5)		X
High (4)		
Medium (3)		
Low (2)	X	
Very Low (1)		

Total Risk Score – 10

The College has a Strategic Risk appetite for categories of risk as defined by the Board of Management. Decisions being taken at LMT/SMT/Board level must have cognisance of this. Please indicate the single most relevant risk category in the table below.

BoM Risk Categories & Risk Appetite (Select one area only)				
Cautious <15		Open 15> <20		Eager >20
Governance	X	Strategy		People
Legal		Financial		Project/Programme
Property		Reputational		
		Technology		

Failure to recruit non-executive members impacts on Board and Committee quorum and leaves the Board at risk of overall numbers if members leave unexpectedly. The recruitment activity outlined in this paper is the mitigating action for this risk.

Is the score above the Board Risk Appetite level? No

Risk Owner – Trudi Craggs

Action Owner – Alison Stewart

Paper Author – Stephen Jarvie

SMT Owner – Alison Stewart

1. Purpose

To seek approval from members to appoint additional members to the existing Finance Committee.

2. Recommendation

That members consider and approve the recommendations in this report

3. Background

Colleges are required by legislation to have certain Board Committees, with Finance being one of these.

At the Board meeting of 28 April 2023, it was agreed that a new Committee covering finance, HR and estates issues would be created. This committee would commence activity in the 2023/24 academic year. Membership of this and the other committees is scheduled for discussion at the 22 June 2023 Board meeting.

4. Key Considerations

There is one remaining meeting scheduled of the existing Finance Committee before the end of the current year.

The committee normally has 5 members however with the recent end of tenure for one non-executive member, the resignation of 2 others and the resignation of the FVSA Vice President, this has brought the committee beneath the quorum level.

The last time the Finance Committee met was 15 November 2022 and there is a meeting scheduled for 13 June 2023. If this meeting were not to go ahead, there would not be Committee consideration of financial matters until the first meeting of the new Committee which is scheduled for 12 September 2023. It is judged that this is too much of a gap for good governance.

The Standing Orders of the Board of Management state that appointment to a committee is a Board decision.

It is therefore proposed that the following members be added to the Finance Committee membership to enable the 13 June 2023 meeting to proceed –

Philip Harris
Jen Hogarth
Caroline Johnston

5. Resource Implications (Financial, People, Estates and Communications)

None

6. Equalities

Who does this impact? There is no impact from this decision. The temporary changes to the Committee structure ensures a 50/50 gender split.

Assessment in Place? – No. An assessment is not required.

7. Communities and Partners

No impact

8. Risk and Impact

Please complete the risk table below. Risk is scored against Likelihood x Impact, with each category scored from Very Low through to Very High. Risks should be robustly scored and, if the combined score (Likelihood x Impact) is higher than the Board Risk appetite for the risk category identified, additional justification must be provided on why this risk is necessary.

If the paper is an approval, please reflect on whether the approval will have any direct or indirect impact for any other areas of operational activity internally or externally within the College – No

	Likelihood	Impact
Very High (5)		
High (4)		
Medium (3)		
Low (2)	X	X
Very Low (1)		

Total Risk Score – 4

The College has a Strategic Risk appetite for categories of risk as defined by the Board of Management. Decisions being taken at LMT/SMT/Board level must have cognisance of this. Please indicate the single most relevant risk category in the table below.

BoM Risk Categories & Risk Appetite (Select one area only)			
Cautious <15		Open 15> <20	Eager >20
Governance	X	Strategy	People
Legal		Financial	Project/Programme
Property		Reputational	
		Technology	

Failure to hold regular Committee meetings weakens the overall governance of the College and could prevent the Board or Committee being aware of key information that could influence decisions. Mitigation involves ensuring the meeting can go ahead.

Is the score above the Board Risk Appetite level? - No

Risk Owner – Board of Management

Action Owner – Alison Stewart

Paper Author – Stephen Jarvie

SMT Owner – Alison Stewart

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