

# College Progress Visit Report

**Ayrshire College**

10 June 2022

Ayrshire College # 484082  
06/10/2022 11:04:23

<b>College Principal</b>	<b>Carol Turnbull</b>
<b>Progress Visit (PV) Date</b>	<b>29 April 2022</b>
<b>College Nominee</b>	<b>Anne Campbell</b>
<b>Lead Inspector</b>	<b>Joe Mulholland</b>
<b>College HMI</b>	<b>Ian Beach</b>
<b>Outcome of Progress Visit</b>	<b>Satisfactory progress</b>

## Purpose of the progress visit

Progress Visits (PV) are planned collaboratively between the college, Education Scotland and Scottish Funding Council (SFC). The team carrying out a PV engage with staff, learners and other stakeholders and produce a summary report for each college. The report is shared with the principal, college Regional Board and/or the college Board of Management.

## Overall judgement regarding progress

At the end of the PV, HM Inspectors of Education, Associate Assessors and Student Team Members review the evidence gathered during meetings with staff. The progress that colleges have made against their Action Plans are assessed, taking account of any changes to local circumstances. Based on this evidence, the team will form a view as to whether the college has made satisfactory progress against its action plans or not made satisfactory progress. This outcome is contained within this report with accompanying commentary to support the findings.

The PV for Ayrshire College explored five overarching themes linked to the college's enhancement plan and priorities around COVID-19 recovery. The themes are:

- Curriculum, learning, teaching and assessment;
- Services to support learning;
- Learner engagement;
- Evaluation to facilitate improvement; and
- Learner progress and outcomes.

Ayrshire College # 484082  
06/10/2022 11:04:23

## Background and context

### The college and its context

Ayrshire College is a large regional college which operates from three main campuses in Ayr, Kilmarnock and Kilwinning. The college provides education, skills development and training to learners across the Ayrshire Region and beyond.

Ayrshire College delivers courses from SCQF level 1-9 including a range of foundation and modern apprenticeships as well as bespoke delivery for businesses utilising support from the Flexible Workforce Development Fund.

Ayrshire College plays an active and important role in the Community Planning Partnerships and works with the three local authorities: East, North and South Ayrshire. East and North Ayrshire local authorities are amongst the top six councils with the highest local share of SIMD 20 data zones in Scotland. These local authorities have the highest rates of children living in poverty outside of Glasgow.

The college works with all 26 secondary schools as well as special schools in the region.

Ayrshire College delivers around 125,500 SFC credits with approximately 13,000 learners enrolling on college programmes every year. The college employs over 800 staff.

Ayrshire College # 484082  
06/10/2022 11:04:23

## Findings from the progress visit

### Curriculum, learning and teaching and assessment

#### Areas of positive progress

- Almost all college staff demonstrate resilience and adopt innovative practices to meet the challenges of the COVID-19 pandemic. The college provided effective online learning and prioritised delivery to specific groups on campus during restrictions. Subsequently, all learners had the opportunity to complete their programme of study.
- Almost all staff readily accept that some innovative practice developed during COVID-19 will remain. Curriculum adjustments for online learning and teaching, will continue to be used as learners return to campus. Online communications and enhanced content on the virtual learning environment (VLE) support learners to understand better, programme content.
- Blended Learning Facilitators (BLFs) work collaboratively with teaching staff to identify digital knowledge gaps. BLFs provide online development resources for staff and promote best practice in digital pedagogy. All teaching staff have developed their capabilities for blended learning.
- All learners are supported well through accessible and reliable online platforms for learning and teaching. Almost all college teaching staff use MS Teams and the VLE for the delivery of online learning and teaching. Staff also developed flexible delivery approaches including video recordings which allowed learners to catch up on missed work, revise and give insights into practical tasks during campus closures.
- Almost all college managers regularly lead professional dialogue on learning and teaching development with curriculum teams. Teaching staff have opportunities to attend career long professional learning (CLPL) sessions for their teaching practice and partner with colleagues during online lessons. This contributes positively to developing pedagogical strategies and sharing best practice.
- The Digital Integration Group provide valuable CLPL opportunities for all staff. All teaching staff use online meetings for training and to share positive practice across curriculum areas and across campuses. Support and teaching staff speak positively about these sessions. This work allowed the college to migrate comprehensively, to remote curriculum delivery for all college programmes.
- Some curriculum areas are redesigning their curriculum by introducing shorter courses and removing some programme group awards. New bespoke offerings have been SCQF credit rated and offer learners programmes more suited to industry demand.
- Almost all teaching staff work successfully with awarding bodies to adopt alternative summative assessment arrangements. Staff use a variety of methods to collect evidence towards assessment. Adjusted arrangements include continuous summative assessment that allowed learners to progress during campus closures.

- All learners find teaching staff helpful, approachable and flexible. Teaching staff prepare assessments well and provide timeous feedback using various methods to suit learners. This positively enhances the learner experience.

### Areas for further progress and actions required

- All staff report that most FE learners have struggled to cope with the lack of on-campus learning. In particular, those with practical content were frustrated at the lack of on-campus access. This impacted negatively upon learner motivation and retention rates.
- Learners have requested and would benefit from short employability courses to help with employment opportunities related to their programme. Specific examples sought by learners included CV writing, letter writing and interview help.

## Services to support learning

### Areas of positive progress

- College support staff provided digital hardware, software and connectivity devices to learners who lack access to appropriate digital technology at home. This allowed most learners the opportunity to overcome digital accessibility issues and engage meaningfully with remote learning. The college Digital Integration Group continues to support learners, as hybrid learning arrangements emerge.
- Almost all learners can access easily, a range of services to support their learning. Student support teams moved to online remote working, and learners reflect positively about their experiences. Student support teams continue to offer online options to learners as the college returns to more on-campus delivery. Learner wellbeing and mental health, as an example, are supported online and by dedicated on-campus student counsellors.
- Almost all college staff collaborate well across teams to support learners and fellow staff. Close working relationships between student support teams and teaching staff results in a cohesive approach to learner support. Individual tutors signpost learners to the most appropriate support and encourage learner self-referral.
- Almost all support staff engage with external agencies and work well through partnership arrangements. This enhances the opportunities for learners to access specialised support.
- Most student support staff work cohesively with curriculum teams during learner recruitment, enrolment and induction. Support team members participate in induction and course team meetings to explain the services available. The integration of support services into curriculum teams allows staff to respond efficiently to learners' support needs.

### Areas for further progress and actions required

- None identified.

Ayrshire College #184082  
06/10/2022 11:04:23

## Learner engagement

### Areas of positive progress

- The Student Association (SA) have initiated constructively a number of online clubs, societies and MS Teams groups for learners. This has provided an online space for learners to meet, socialise and share interests.
- The SA is represented comprehensively on a wide range of college committees including the Board of Management. All members of the SA said they felt heard at committee and board level, and had opportunities to share information and support changes.
- Most learners describe well, how their voice is heard by teaching staff and that they have opportunities to influence positive change. Most learners can give examples where learner feedback had influenced positive adjustments to programme delivery.

### Areas for further progress and actions required

- Most learners highlighted that they do not engage with the SA. During the pandemic, learners suggest that the SA was not visible enough and that they are unclear about what the SA provides. This limits the effectiveness and impact of the SA on the experience of learners.
- The new system of class ambassador training is not yet reaching all learner volunteers. Some class ambassadors are unclear about their role and would value greater clarity around their remit.

## Evaluation to facilitate improvement

### Areas of positive progress

- The college continued to maintain its range of quality assurance and self-evaluation monitoring arrangements during the pandemic period. This systematic approach supports a culture of improvement amongst staff.
- Many class ambassadors provide helpful feedback to teaching teams on what works well on their programme and what requires improvement. This approach is valued by teaching staff and helps inform adjustments, which support learners to be successful on their programme.
- All curriculum teams participate in *effectiveness reviews* to analyse aspects of curriculum provision. Curriculum teams reflect constructively on what works well and what barriers and challenges exist for learners. Curriculum managers find these meetings supportive in generating challenging discussion about future curriculum design.
- Senior managers communicate well the arrangements for self-evaluation to all curriculum and support teams. Quality arrangements and supporting documentation are effective, comprehensive, and updated regularly. Managers engage well with teams to identify areas of positive practice, areas for development and SMART targets for self-evaluation reports.

- Support team functions are embedded fully in the planning and improvement processes of the college. Support team evaluations are fed into enhancement plans alongside curriculum team evaluations, to ensure improvement actions are aligned.
- The college recently updated purposefully, Ayrshire College's learning, teaching and student engagement strategy, 2021-24 to refresh their ambitions, values and strategic aims. College managers and staff have a good understanding of this strategy document and use it effectively during self-evaluation.
- Almost all college managers use learner feedback well to improve the learner experience. Based on learner feedback, college managers developed a module for new learners. The new module includes regular opportunities for new learners to engage in activities that prepare them for starting programmes.
- All curriculum managers hold regular weekly retention meetings which encourage staff to engage in meaningful dialogue to identify learners at risk of leaving their programme. Curriculum managers are joined by administration staff and student experience officers to plan supportive measures.
- Student support teams gather systematically, learner feedback for themes and trends on services. Feedback data is analysed, to plan actions and make adjustments to suit the needs of learners.

### Area for further progress and actions required

- College quality and evaluation arrangements are not yet supporting overall improvement in retention and attainment rates for FE learners.

## Learner progress and outcomes

### Areas of positive progress

- Attainment at part-time HE and full-time HE are at their highest level for over five years.
- Attainment rates for learners on full-time HE programmes increased 2.5 percentage points from 2019-20 to 71.2% in 2020-21.
- Attainment rates for learners on part-time HE programmes increased 10.7 percentage points from 2019-20 to 85.7% in 2020-21.
- Retention rates for part-time FE programmes have improved 4.5 percentage points since 2019-20.

Ayrshire College # 484082  
06/10/2022 11:04:23

### Areas for further progress and actions required

- During academic year 2020-21, withdrawal rates for learners on full-time FE programmes increased.
- Overall rates of full-time FE attainment are low at 58.5%, 2.8 percentage points below national performance levels.
- Overall rates of attainment for part-time FE programmes have risen by 2.3 percentage points, however, at 70.8%, are 5.5 percentage points below national performance levels.

Ayrshire College # 484082  
06/10/2022 11:04:23

## What happens next?

The progress visit report will be shared with the SFC, the Ayrshire College Principal and the Ayrshire College Board.

**Joe Mulholland**  
HM Inspector

Ayrshire College # 484082  
06/10/2022 11:04:23

**Board of Management - Action and Decision Log**  
**Meeting No 38 – 16 June 2022**

(Paper 1a)

Meeting Date	Agenda Item	Reference	Details	Action Owner	Due Date	Action / Decision	Open / Complete / Approved / Declined
08/12/21	AOB: Code of Conduct	BOM36:A01	<p>1. All relevant information will be circulated to the Board by email.</p> <p>2. A summary presentation on the related changes to the Code will be provided at the Board Strategy Day in January 2022.</p> <p>3. The Ayrshire College Code of Conduct will be amended as required and will be presented to the Board in March for approval.</p>	P Donald	09/12/21	Action	<p>Complete</p> <p><b>UPDATE: 24/03/22 Meeting 37:</b> P Donald advised on the steps taken to inform the Board of the revised Code of Conduct and the corresponding changes to the Code including email circulation of related correspondence and submission of a presentation at the Board Development Day on 16 February 2022. Given the importance of Board Member's responsibilities in regard to the Code and limitation on time at the Board Development Day to consider the revised Code in detail, it was proposed that all relevant information was re-circulated to the Board by email for their further review. Board Members will then be requested to update their Register of Interests in accordance with the new Code. The revised Code of Conduct for Ayrshire College will then be submitted to the next Board meeting in June 2022 for approval. The Board agreed to the proposal set out.</p>
24/03/22	Board of Management Action & Decision Log	BOM37: A01	P Donald to circulate the revised Ayrshire College Code of Conduct to members accompanied with the presentation submitted to the Board Development Day in February 2022.	P Donald	25/03/22	Action	Complete
24/03/22	Board Member Re-Appointments	BOM37: D01	The Board ratified the decision by email to approve the re-appointment Non-Executive Board Members (F McQueen, A Sutherland and E Anderson) effective from 1 August 2022 to 31 July 2026 Decision: BOM 17.02.22.	NA	NA	Decision	Approved
		BOM37: D02	The Board approved the re-appointment co-opted Committee members (Gordon Neil and Gillian Murray) for a further 1-year period.	NA	NA	Decision	Approved
24/03/22	Draft Board & Committee Meeting Dates 2022-23	BOM37: D03	The Board approved draft Board & Committee Meeting Dates for AY 2022-23.	NA	NA	Decision	Approved
		BOM37: D04	The Board agreed that Committee meetings would remain online for June 2022 and that a hybrid approach would be adopted for the Board	NA	NA	Decision	Approved

Meeting Date	Agenda Item	Reference	Details	Action Owner	Due Date	Action / Decision	Open / Complete / Approved / Declined
			meeting on 16 June 2022 and would take place on Kilmarnock campus.				
24/03/22	Board Performance and Improvement Plan	BOM37: D05	The Board approved the Board Performance and Improvement Plan 2022-23 for submission to SFC.	NA	NA	Decision	Approved
24/03/22	Corporate Parenting Plan (2021-24)	BOM37: D06	The Board approved the Corporate Parenting Plan (2021-24)	NA	NA	Decision	Approved
24/03/22	Digital Strategy (2022-25)	BOM37: D07	The Board approved the Digital Strategy (2022-25)	NA	NA	Decision	Approved
24/03/22	Mainstreaming Equality & Equality Outcomes Progress Report (2022-25)	BOM37: D08	The Board approved the Mainstreaming Equality & Equality Outcomes Progress Report (2022-25)	NA	NA	Decision	Approved
24/03/22	LRPA Appeals Process	BOM37: A02	P Donald to organise a meeting with F McQueen, M Stewart, C Turnbull and M Breen to consider next steps.	P Donald	25/03/22	Action	Complete
		BOM37: A03	P Donald to email UNISON with an update following the above meeting.	P Donald	25/03/22	Action	Complete
24/03/22	AY 2021-22 Ayrshire College Risk Register as at March 2022	BOM37: D09	The Board approved the Corporate Risk Register (V3) as at March 2022.	NA	NA	Decision	Approved
		BOM37: A04	M Breen to post-script the risk assessment for BOM2 to reflect the discussions following the update on the LRPA Appeals Process (Item 20).	M Breen	25/03/22	Action	Discussions ongoing and update to Board on 16 June 2022 by SIM (BoM Agenda item 15).
24/03/22	AOCB	BOM37: D10	The Board approved the revised Kilmarnock Campus Glazing design proposal and associated funding options as at March 2022.	NA	NA	Decision	Approved

\* **Not Started**; **In Progress/Ongoing**; **Completed**

**Board of Management****16 June 2022**

<b>Subject:</b>	Student Association Report
<b>Purpose:</b>	To update Board Members on Student Association activity since the last meeting
<b>Recommendation:</b>	That Committee Members note the content of the report and feedback any recommendations they may have.

---

**1. Background**

The Student Association team for 2022 consists of two elected officers. The Student President, Ellie Jamieson, and Student Vice President, Steven Oliver. The elected officers are supported by volunteer student officers who fill the positions of LGBTQI+ Officer, Women's Officer, Care Experienced Students' Officer, Student Carers Officer and Welfare Officer. The work of the Student Association is supported by Student Association Advisor, Charlotte Mitchell and is overseen by Head of Quality Enhancement, Ann Heron.

**2. Current Situation**

The Student Association is delivering its services both on campus and online. We are currently holding the Student President Elections and continuing to support our clubs and societies.

**3. Association Activity**Student President Elections 2022

The Student Association held its Student President Elections in May, with current Student President Ellie Jamieson being re-elected for a second year and Robert Kean successfully securing the position of Student Vice-President, which he will formally begin on July 1, 2022.

We would like to take this opportunity to say thank you to outgoing Student Vice President, Steven Oliver, who has been in position for two years and will leave his post on the 30 June 2022. Steven joined the team just as the Covid-19 pandemic began and has conducted his role mostly online. Steven is responsible for the creation and development of the Ayrshire College Gaming Society and for the development of the Wear it On Your Sleeve, men's mental health project. Steven has successfully recruited two students, Jordan Singh and Steven Connelly, to continue the work of both clubs respectively. We thank Steven for his contribution to the work of the Student Association and help raising its profile during a challenging two years.

Education Scotland Progress Visit

The Student Association took part in the Education Scotland Progress Visit, which took place on the 28 and 29 April. As well as the Student Association Advisor taking part as a service team within the College, the team accompanied four of our Student Executive Committee to answer questions specifically regarding student engagement.

We look forward to receiving feedback from the meeting to inform our development work over the summer.

### NUS Scotland Conference

The Student President and Student Vice President attended the two-day NUS Scotland Annual conference in Dundee on the 5 and 6 April. Former UWS Student President, Ellie Gomersall, was voted into the position of NUS Scotland President for 2022/23. Ayrshire College Students Association have enjoyed a good relationship with Ellie during her time as Student President at UWS in Ayr and look forward to working with her at a national level. Student President, Ellie Jamieson, put herself forward for a position on the NUS Scotland Executive Committee at the conference however faced tough opposition and narrowly lost out. Discussions that took place were around student mental health and financial support for students over the summer period.

### **Future Activity**

#### Student Mental Health Agreement Review

The Student Association will be reviewing the Student Mental Health Agreement over the summer period and have established a working group made up of the Student Association Advisors, the Student President and Student Vice President, Student representative Steven Connelly, the two newly appointed Ayrshire College Mental Health Champions, Beth O'Neill and Rachael MacDonald and the College's Mental Health Liaison Officer Michelle Morton. The first meeting of the group will take place in early June. The work on the agreement is supported by the NUS Scotland Think Positive project. The current Mental Health Agreement remains in place until the new agreement is signed off. To view the Student Mental Health Agreement, please follow the link:

[Student Mental Health Agreement 19/20](#)

#### Constitutional Review

The Student Association will be conducting a full constitutional review with the support of our NUS Scotland Consultant, Ian Gilmour. Work on this will begin in June with the completed Constitution being presented at the first Board of Management meeting of the new academic year.

#### Freshers Planning

One of the main tasks of the officers when they take up post on the 1 July 2022 will be to organise the 2022 Freshers Events. This year they will take place on campus with provisional dates in the diary of the 6 – 8 September 2022. This will be the first on campus Freshers since 2019

#### **4. Proposals**

N/A

#### **5. Risks**

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

Ayrshire College #284082  
06/10/2022 11:04:23

## 6. Equality Impact Assessment

Due to the nature of this paper an equality impact assessment has not been undertaken.

## 7. Conclusion

ACSA will continue to work alongside staff in order to best support and encourage students and make the 2021/22 session, despite the unprecedented challenges it brings, both enjoyable and successful for students.

**Ellie Jamieson  
Student President  
June 2022**

## Publication

This paper will be published on the College website

Ayrshire College # 484082  
06/10/2022 11:04:23

**Board of Management Meeting****16 June 2022**

- Subject:** Governance report to the Board of Management
- Purpose:** To ensure that the Board is advised of key governance issues relevant to their remit.
- Recommendation:** The Board is asked to:
- Endorse the Search and Nomination Committee (SNC) recommendation on the appointment of the Chief Executive/Principal.
  - Approve the Ayrshire College Model Code of Conduct.
- 

**1 Background**

The Ayrshire College Board of Management Responsibilities and Standing Orders set out the statutory and regulatory provisions and powers by which the College is established and governed.

Accordingly, the Board will receive regular reports on key governance issues to inform and evidence compliance with the above and support the Board in delivering to their remit.

**2 Current Situation/Proposals****2.1 Appointment of Chief Executive/Principal**

The SNC, on behalf of the Board, has the responsibility to direct the process to appoint a new CEO/Principal. The Board is asked to note:

- The SNC approved to proceed to a procurement exercise to appoint an External Recruitment Agency to support the CEO/Principal recruitment process (SNC minute 05.11.21 refers). This exercise was conducted in compliance with Ayrshire College Procurement Policy and Procedure.
- The Board is directed to the minutes of the SNC meetings, 9 February 2022 and 14 April 2022 (BoM 16.06.22: Agenda item 19 – Papers 11.4 and 11.5) which summarise the process and decisions related to the overall recruitment campaign and shortlisting process.
- The Board is asked to note that the interview process was informed by a Stakeholder Group Assessment which included internal, external and Union representation.
- The interview panel included the current SNC membership as well as two external independent panel members.
- The Board is directed to the email communication circulated to the Board on 25

April 2022 advising of the outcome of the appointment process (Appendix 1).

- All Ayrshire College staff were informed of the outcome of the appointment process via a communication sent on behalf of Fiona McQueen, Chair, Board of Management.
- Communication on the outcome of the appointment was also supported by a corresponding social media programme including notification to key stakeholders, and a press release to the media.
- The effective date for when the new CEO/Principal will commence in post will be confirmed in due course.

## 2.2 Ayrshire College Code of Conduct

The revised Model Code of Conduct for Members of Public Bodies was 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"), (7 December 2021). [Codes of Conduct | The Standards Commission for Scotland](#)

Ayrshire College is required to adopt the Model Code of Conduct in full with formal approval required from the Board of Management.

Key points:

- The purpose of the Code is to set out the conduct expected of those who serve on the boards of public bodies in Scotland.
- The Code is developed in line with the nine key principles of public life in Scotland which set out how the provisions of the Code should be interpreted and applied in practice.
- The Board received a presentation on the Model Code of Conduct, the changes to the main provisions of the Code including links to supporting guidance and advice notes at the Board Development Day held on 16 February 2022.
- A further correspondence was circulated by email to the Board on 25 March 2022 requesting Board Members to review the Code in relation to their own circumstances and to consider any updates that may be required relevant to their current Register of Interests.
- Board Members are reminded that they have a personal responsibility to ensure compliance with the provisions of the Code.

### Next Steps

Following Board approval, and as required, a copy of the Ayrshire College Code of Conduct will be forwarded to the Scottish Government.

The updated Code (Appendix 2) will replace the version as included in Section 5 of the Board of Management Responsibilities and Standing Orders.

As part of the annual review of Board requirements, Board Members will be requested to update their Register of Interests in accordance with the new Ayrshire College Code of Conduct.

### **3 Consultation**

No formal consultation required.

### **4 Resource Implications**

None.

### **5 Risks**

Risk BoM3 refers: The College could fail to achieve high standards of corporate governance through the lack of a formal governance structure resulting in poor oversight of the College's strategic direction, performance and resources.

### **6 Equality and Diversity Impact Assessment**

The appointment of the Chief Executive/Principal maintains the current gender balance of the Board of Management in line with Scottish Government requirements.

### **7 Conclusion**

The Board is asked to:

- Ratify the Search and Nomination Committee recommendation on the appointment of the Chief Executive/Principal.
- Approve the Ayrshire College Model Code of Conduct.

**Pauline Donald**  
**Board Governance Adviser**  
**June 2022**

**Appendix 1:** Appointment of CEO/Principal, Email notification to the Board

**Appendix 2:** Ayrshire College Code of Conduct

Ayrshire College # 484082  
06/10/2022 11:04:23

## **Appendix 1**

### **Email notification to Board Members**

#### **Appointment of CEO/Principal**

**25 April 2022**

Dear Non-Executive Board Members

As you are aware, Carol advised of her intention to retire from her role as Principal and Chief Executive, earlier in the current academic year, and the process to find her successor commenced in February. The appointment process was led by the Search and Nomination Committee (SNC) of the Board supported by an external recruitment agency.

We received a high number of quality applications from across the UK and internationally and four outstanding candidates were progressed to the final interview.

Final interviews concluded on Thursday of last week. The interview process included a presentation to a stakeholder group made up of staff, students and College partners, together with a formal panel interview. The interview panel, which I chaired, included Mike Stewart and Steven Wallace (SNC Committee Members) and two external independent members.

I am delighted to confirm the appointment of Angela Cox to the position of Principal and Chief Executive of Ayrshire College. Angela is currently the Principal and Chief Executive of Borders College and has held senior leadership roles within Further Education, across the UK. Angela, therefore, has a wealth of experience in the college sector and I look forward to introducing her to you in the coming months.

I know you will join me in welcoming Angela to Ayrshire and to the Board of Management and I am sure you will give her your full support in taking the College forward, on the next stage of our journey.

The Board will receive a report on the outcome of the recruitment process at their meeting in June 2022 for formal ratification.

Ayrshire College # 484082  
06/10/2022 11:04:23

# Code of Conduct for Members of AYRSHIRE COLLEGE

Ayrshire College # 484082  
06/10/2022 11:04:23

## CONTENTS

### Section 1: Introduction to the Code of Conduct

My Responsibilities

Enforcement

### Section 2: Key Principles of the Code of Conduct

### Section 3: General Conduct

Respect and Courtesy

Remuneration, Allowances and Expenses

Gifts and Hospitality

Confidentiality

Use of Public Body Resources

Dealing with my Public Body and Preferential Treatment

Appointments to Outside Organisations

### Section 4: Registration of Interests

Category One: Remuneration

Category Two: Other Roles

Category Three: Contracts

Category Four: Election Expenses

Category Five: Houses, Land and Buildings

Category Six: Interest in Shares and Securities

Category Seven: Gifts and Hospitality

Category Eight: Non-Financial Interests

Category Nine: Close Family Members

### Section 5: Declaration of Interests

Stage 1: Connection

Stage 2: Interest

Stage 3: Participation

### Section 6: Lobbying and Access

## ANNEXES

Annex A Breaches of the Code

Annex B Definitions

Ayrshire College # 484082  
06/10/2022 11:04:23

---

## SECTION 1: INTRODUCTION TO THE CODE OF CONDUCT

---

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.

**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.

Ayrshire College # 484082  
06/10/2022 11:04:23

---

## SECTION 3: GENERAL CONDUCT

---

### 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.

## 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.

## **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.

Ayrshire College # 484082  
06/10/2022 11:04:23

---

## 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.

Ayshire College # 484082  
06/10/2022 11:04:23

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.

Ayrshire College # 484082  
06/10/2022 11:04:23

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.

Ayrshire College # 484082  
06/10/2022 11:04:23

---

## 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.

---

## 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](#).

Ayrshire College # 484082  
06/10/2022 11:04:23

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.

Ayrshire College # 484082  
06/10/2022 11:04:23

## 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

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.

Ayrshire College # 484082  
06/10/2022 11:04:23

## 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.

Ayrshire College # 484082  
06/10/2022 11:04:23

**“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 5th April immediately following that date and in each succeeding year, where the interest is retained on that 5th 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.

Ayrshire College # 484082  
06/10/2022 11:04:23

**Board of Management****16 June 2022****Subject:** Commercial Due Diligence Policy**Purpose:** To present members with the proposed Commercial Due Diligence Policy for review, discussion and approval**Recommendation:** Members are asked to approve the Commercial Due Diligence Policy**1 Background**

*This policy was presented to the BRIC Committee on 31 May 2022. The BRIC Committee approved the policy and recommended it to the Board of Management for its consideration and approval.*

An internal audit of commercial income generating programmes was undertaken in June 2021. The audit identified some areas in where the College could improve existing controls including highlighting that currently no formally documented processes are in place for undertaking due diligence checks for new companies, such as background checks of potential clients prior to entering a contract for commercial activity. In response to this audit recommendation, the Business Growth team is proposing a Commercial Due Diligence Policy, which is attached as Appendix 1.

**2 Current Situation**

Our Statement of Ambition places greater emphasis on growing commercial income and the Business Growth team anticipates new contracts and business opportunities being generated with companies, organisations and public sector bodies across Ayrshire and beyond.

A high proportion of the companies, stakeholders and other organisations the College engages with in relation to commercial activities and contracts will be locally based and, in many instances, will flow from established relationships and connections. However, there will be some opportunities where there is no existing or direct relationship and a Commercial Due Diligence policy is, therefore, required to ensure we access intelligence and information to make an informed business decision regarding risk and reward.

The purpose of the policy document is to:

- Formalise the due diligence policy in relation to commercial contracts
- Ensure there is a consistent and transparent approach in relation to commercial contracts which is commensurate with the financial levels involved
- To ensure there is transparency in relation to delegated authority and decision-making

Due diligence checks fall into three main categories:

- Financial
- Reputational
- Legal

The policy attached as Appendix 1 details the due diligence checks involved at each financial threshold with associated processes and documentation, to ensure the College is able to demonstrate a robust risk-based approach to determine the suitability or not of new business opportunities.

### **3 Proposals**

No further proposals are contained in this report.

### **4 Consultation**

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

### **5 Resource Implications**

No specific resource implications require to be noted.

### **6 Risks**

The proposed Commercial Due Diligence Policy addresses a number of key risks which the College may face, including reputation, financial and legal risks.

### **7 Equality Impact Assessment**

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

### **8 Conclusion**

Members are asked to approve the College's Commercial Due Diligence Policy.

**Michael Breen**  
**Vice Principal, Finance**  
**7 June 2022**

*(Nuala Boyle, Head of Business Growth)*

Ayrshire College #484082  
06/10/2022 11:04:23



## Commercial Due Diligence Policy

<b>Policy</b>	<b>Commercial Due Diligence Policy</b>
<b>Approving Committee/Team</b>	Senior Leadership Team
<b>Date of approval</b>	April 2022
<b>Responsible person</b>	Vice Principal - Finance
<b>Next review date</b>	April 2024

Ayrshire College # 484082  
06/10/2022 11:04:23

## Contents

<b>Index:</b>		<b>Page</b>
1	Introduction	3
2	Governance	3
3	Due Diligence Policy – Key Principles	4
4	Commercial Due Diligence Process	7
5	Commercial Contract Register	8
6	Commercial Contract Management	8
7	Contract Review and Exit	9
8	Freedom of Information (Scotland) Act 2002 (FOI)	9
9	UK General Data Protection Regulations (UK GDPR)	10
<b>Appendices:</b>		
Appendix A	Due Diligence Process for Commercial Contracts	11
Appendix B	Due Diligence Checklist	<a href="#">Online</a>

Ayrshire College # 484082  
06/10/2022 11:04:23

## 1 Introduction

### 1.1 Purpose of Commercial Due Diligence Policy

Our Statement of Ambition places greater emphasis on growing commercial income

and we anticipate new contracts and business opportunities being generated with companies, organisations and public sector bodies across Ayrshire and beyond. A high proportion of the companies, stakeholders and other organisations the College engages with in relation to commercial activities and contracts will be locally based and, in many instances, will stem from established relationships and connections. However, there will be some where there is no direct existing or relationship and a Commercial Due Diligence policy is, therefore, required to ensure we access intelligence and information to make an informed business decision regarding risk and reward.

The purpose of this document is to:

- Formalise the due diligence policy in relation to commercial contracts
- Ensure there is a consistent and transparent approach in relation to commercial contracts which is commensurate with the financial levels involved
- To ensure there is transparency in relation to delegated authority and decision-making

It should be noted that separate processes will be undertaken with respect to other training funds received such as Flexible Workforce Development Funding (FWDF). FWDF and other such funds will be administered in line with the conditions attached to these funds.

## 2 Governance

- 2.1 This policy requires approval by the Senior Leadership Team (SLT). The SLT is responsible for ensuring that College management and staff adhere to this policy.

The Vice Principal - Finance has lead responsibility for the Business Growth team who in turn manage commercial income activities.

The Head of Business Growth is responsible for leading and developing commercial training opportunities and activities in relation to reskilling, upskilling and wider training activities and is responsible for embedding the policy across the Business Growth team.

This Policy applies to all staff who are involved or engage in commercial training contracts. Such contracts should be referred to the Business Growth team who in turn will support the implementation of the Due Diligence Policy. All staff involved in the commercial contract process must declare any conflicts of interest prior to the commencement of the due diligence being undertaken. Any member of staff who declares an interest may be removed from taking part in the process dependent on the nature of the disclosure.

This Policy will be held on the Ayrshire College Intranet, College Areas, Business Growth.

## 2.2 Review of Due Diligence Policy and Procedure

The Vice Principal - Finance is responsible for continuous review of the Due Diligence Policy and submitting any changes to the SLT for approval.

## 3 **Due Diligence Policy – Key Principles**

3.1 The College will not enter into commercial contracts or partnerships that are overly restrictive and in particular those that:

- does not fulfil the College's mission or charitable purpose
- require illegal or unethical acts, hinder governance or administration, or compromise the College's accreditation or reputation
- impose upon the College burdensome administrative or other costs, or financial or other risk;
- create an unacceptable conflict of interest or duty
- disproportionately damage the reputation of the College
- disproportionately damage the College's relationship with its beneficiaries, students, benefactors, partners, collegiate community, or other external stakeholders.
- interfere with or influence the College's capacity to fully control the management, operations, and direction of its affairs,
- contain restrictions that unlawfully discriminate on the basis of race, creed, colour, citizenship, national origin, religion, sexual orientation, gender identity, gender expression, age or disability; or
- afford the business or organisation influence over the hiring or continued employment of specific personnel

3.2 When conducting due diligence and entering into commercial contracts, the College must:

- Refuse to accept standard blanket confidentiality clauses with commercial third parties - they are unlikely to be enforceable and would breach the terms of the official Code of Practice for public sector bodies: <http://www.scotland.gov.uk/Resource/Doc/25725/0025717.pdf>
- Refuse to include terms which purport to restrict the disclosure of information beyond the restrictions permitted in the Freedom of Information Act;
- Refuse to hold information received from third parties in confidence if it is not confidential in nature;
- Only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the College's functions which would not otherwise be provided;
- Accept confidentiality provisions only if there are good reasons that are capable of being justified to the Scottish Information Commissioner;
- Ensure anything which can be defined as a trade secret is included in a confidentiality clause;
- Be aware that commercial confidentiality may be time dependent and exemptions successfully applied at the time of awarding a Contract or Framework Agreement may well cease to apply at a later stage in the relationship.

### 3.3 Due Diligence Checks

Due diligence checks fall into three main categories:

- Financial
- Reputational
- Legal

The level of due diligence and nature of the checks should be proportionate to the:

- size and nature of the commercial proposal
- amount of income and expenditure involved in the delivery of the proposal
- nature of the existing and planned activities
- existing versus new relationships
- risk tolerance
- reputational, financial and ethical risk assessments
- cost factors
- resources

### 3.4 Commercial Due Diligence Checks and Delegated Authority

Due diligence will be undertaken at levels commensurate with the financial contract value involved.

***This policy applies to annual contract value and consideration will also be given to cumulative and total values.***

Five delegated authority levels are included within this policy, which are detailed in the table on the following page. The policy identifies the lead officer or committee for each authority level. Where an officer is unable to sign, e.g. annual leave or sickness absence, the authority will be delegated to another appropriate designated officer. It is anticipated that a lighter touch approach will be adopted for contracts up to £35k and for existing relationships. Areas such as IP are also captured as part of the due diligence process.

Ayrshire College # 484082  
06/10/2022 11:04:23

Level	Financial Level	Due Diligence Activities	Authorisation
1	Up to 35k	<ul style="list-style-type: none"> <li>– Companies House verification</li> <li>– Credit score check</li> <li>– Web/desk research</li> <li>– Due Diligence checklist completed and forwarded for authorisation/approval</li> </ul>	Head of Business Growth
2	£35k to £99k	<ul style="list-style-type: none"> <li>– Companies House verification</li> <li>– Credit score check</li> <li>– Reputational risk – press scanning, web research</li> <li>– Due Diligence checklist completed and forward for authorisation/approval</li> </ul>	Vice Principal - Finance
3	£100k to £249k	<ul style="list-style-type: none"> <li>– Companies House verification</li> <li>– Credit score check</li> <li>– Reputational risk – press scanning, web research</li> <li>– Outsourced due diligence support/resources for contracts £100k+</li> <li>– Due Diligence checklist completed and forward for authorisation/approval</li> </ul>	Principal
4	£250k to £499k	<ul style="list-style-type: none"> <li>– Companies House verification and review annual accounts</li> <li>– Credit score check</li> <li>– Desk based research eg reputational, financial risks</li> <li>– Outsourced due diligence support/resources</li> <li>– Due Diligence checklist completed and forwarded for authorisation/approval</li> </ul>	Business Resources and Infrastructure Committee (BRIC)
5	£500k+	<ul style="list-style-type: none"> <li>– Companies House verification and desk-based research</li> <li>– Credit score check</li> <li>– Outsourced due diligence support/resources</li> <li>– Due diligence checklist completed and forwarded for authorisation/approval</li> </ul>	Board of Management

### 3.4 External Due Diligence

Third party companies will undertake due diligence on behalf of the College producing a briefing from reputable sources and identifying risks where Commercial contract values are over **£100,000**. The College will procure services from third party companies in line with the provisions contained within the procurement policy.

## 4 **Commercial Due Diligence Process**

The Due Diligence process is captured in **Appendix A**.

### 4.1 Due Diligence checklist

The due diligence checklist (**Appendix B**) is the formal documentation for capturing and recording key information as well as identifying risks or areas for further consideration/assessment. In addition to legal, financial and reputational risks, wider aspects will be considered as part of its decision-making – examples could include the following:

- **Living wage employer** – the College expects businesses and organisations to adopt a positive approach to fair work practices as part of a fair and equitable employment and reward package.
- **Modern Slavery statement** – the College is committed to the protection of and respect for all human rights and has adopted a zero-tolerance position to slavery and human trafficking in all its forms. The College would encourage businesses and wider organisations to consider adopting a similar approach
- **Equality and Diversity** – the College is fully committed to challenging discrimination, advancing equality of opportunity, promoting inclusion and celebrating the diversity of all of its students, staff, visitors and College partners. The College would actively encourage businesses and other organisations to consider adopting a similar approach
- **Reputation** – the college recognises the potential impact that working with certain sectors might have on the College's reputation which will be reflected in the due diligence process
- **Sustainability** – the College will consider environmental, social and economic impacts within its due diligence process and encourage businesses and organisations to adopt similar approaches

### 4.2 Conflict/declaration of interest

Examples of where a conflict of interest can arise are as follows:

- an employee stands to benefit from the award of a commercial contract and that person is in a position to influence the decision
- an employee has a controlling interest in a tenderer as a shareholder, director or senior manager which might affect the delivery of commercial contracts

- an employee has a relationship with a prospective partner in a commercial contract.

All staff involved in the commercial contract process must declare any conflicts of interest prior to the commencement of the due diligence being undertaken. Any member of staff who declares an interest may be removed from taking part in the process dependent on the nature of the disclosure.

If a member of staff is uncertain whether or not he/she is in a position of conflict of interest, advice must be immediately obtained from the Vice Principal - Finance. Whatever the outcome, the issue and the advice must be documented

#### 4.3 Bribery

It is an offence under the Bribery Act 2010 for personnel to request, agree to receive or accept a bribe.

It is essential that those personnel involved in a due diligence process to ensure that their personal judgement and integrity cannot reasonably be seen to be compromised by the acceptance of benefits of any kind from a third party.

#### 4.4 Hospitality/Gifts

It is essential that those involved in commercial contracts are at all times, and are seen to be, above reproach in their actions. They must ensure that their personal judgement and integrity cannot reasonably be seen to be compromised by the acceptance of benefits of any kind from a third party. Gifts/Hospitality of nominal value eg pens, calendars, diaries, notepads etc., are acceptable. Beyond nominal value, staff should seek advice from the Vice Principal - Finance before accepting a gift or benefit of any kind from a potential supplier.

#### 4.5 Corruption

It is an offence under Bribery Act 2010 for Ayrshire College personnel to corruptly solicit, receive or agree to receive inducements of any kind, and payable to any person for doing (or agreeing not to do) something relating to commercial contracts.

### **5 Commercial Contract Register**

- 5.1 Once a commercial contract is in place, information shall be recorded by the Business Growth team via the Training Management Software (TMS) system. The TMS will record all commercial proposals and contracts at different stages of development.

### **6 Commercial Contract Management**

- 6.1 Once a commercial contract is in place, the contract lead(s) shall take ownership of the contract.

## 7 Contract Review and Exit

- 7.1 Depending on the value, scale and risk of a contract, a review of the requirements and contract performance should be undertaken and where there is an option to extend, a new proposal and contract should be established. Regular reviews should be undertaken for contracts lasting for one year or more with a formal review 3-6 months before the contract end date. New contracts to be captured on the TMS.

## 8 Freedom of Information (Scotland) Act 2002 (FOI)

The FOI Act is intended to ensure a culture of openness in public sector bodies and the public has the right to access information held. This right of access is subject to certain strictly defined legal exemptions.

The College cannot contract out of its FOI obligations. From a contractual point of view, the FOI Act reduces the force of commercial confidentiality clauses for new contracts and for contracts already in place when the Act came into force (due to the FOI Act's retroactive effect).

There are two relevant exemptions in the FOI Act. The first covers disclosure that would be an actionable breach of confidence (ie someone would have the right to sue the College successfully for breach of confidence if the information were disclosed). The second exemption covers information, the disclosure of which could substantially prejudice someone's commercial interests (including those of the College and its commercial and academic partners). This latter exemption is subject to a public interest test and even damaging information may have to be released in response to an FOI request there is a sufficiently compelling interest.

In practice, this means that if a request for particular information is received and the College holds that information, it must be released unless:

- It would cost too much for the College to retrieve/provide the information (if over £600, equating to 40 hours staff time)
- There is an applicable exemption in the FOI Act.

If the Business Growth team or any other staff member receives a FOI request directly from an outside party, then the request must be referred immediately to the Assistant Principal, Human Resources and Organisational Development who has responsibility for Freedom of Information. They shall oversee or advise on the composition of a response, for issue before the mandatory 20 days deadline.

Standard wording will be included in the Terms and Conditions to alert prospective commercial clients and/or partners to the College's FOI Act responsibilities. Commercial clients and/or partners are invited to identify any information they would prefer that the College did not release as part of the commercial contract. If the College agrees to their designation, it can be reflected with appropriate clauses in the ensuing contract.

## 9 UK General Data Protection Regulations (UK GDPR)

UK GDPR puts data subject rights at the forefront and emphasises that data subjects continue to 'own' data. The College must comply with these regulations.

The legislation itself sets out the minimum scope required of contracts placed with data processors (anyone handling personal data). This states that a legal contract, which includes Purchase Order, must ensure that the processor:

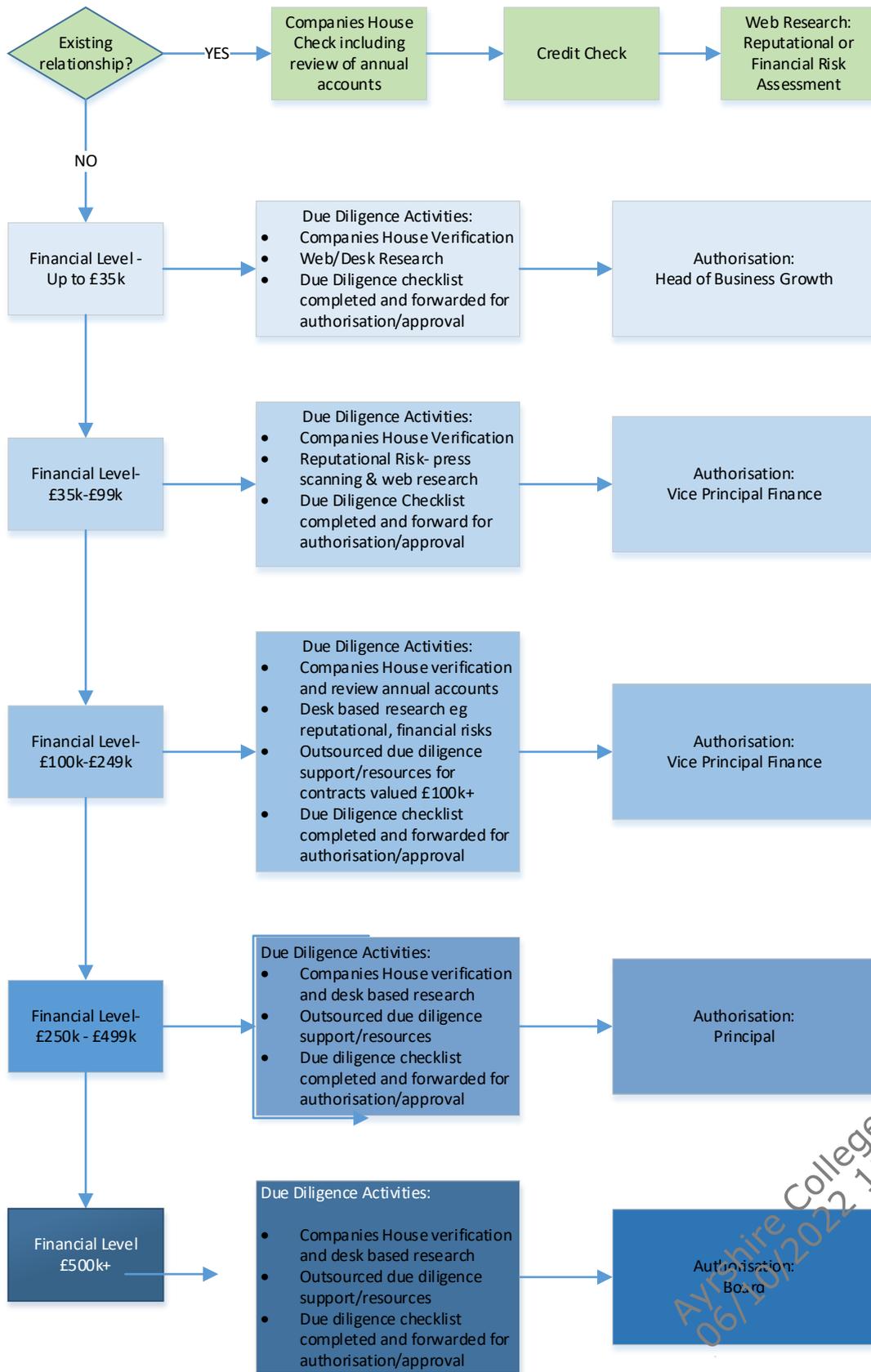
- Processes the personal data only on documented instructions from the controller
- Ensures that persons authorised to process the personal data observe confidentiality
- Takes appropriate security measures
- Respects the conditions for engaging another processor
- Assists the controller by appropriate technical and organisational measures
- Assists the controller in ensuring compliance with the obligations to security of processing
- Deletes or returns all the personal data to the controller after the end of the provision of service
- Makes available to the controllers all information necessary to demonstrate compliance with the regulation

This means that suppliers to Ayrshire College need to be assessed for GDPR relevance, and contractual arrangements, action plans and ongoing contract management being adapted accordingly to these suppliers and their sub-suppliers as appropriate.

Guidance and documentation is being developed by APUC in-line with ICO advice and the Procurement Manager continues to work with contract owners to ensure that the UK GDPR risk is assessed and that the correct clauses are included in quote and tender documents.

Ayrshire College # 484082  
06/10/2022 11:04:23

## Appendix A: Due Diligence Process for Commercial Contracts



Ayrshire College # 484082  
06/10/2022 11:04:23

**Board of Management**

**16 June 2022**

**Subject:** Business Growth Strategy 2022-24  
**Purpose:** To present the College Business Growth Strategy (2022-24)  
**Recommendation:** Members are invited to discuss and approve the Business Growth Strategy (2022-24)

---

**1 Background**

*This strategy was presented to the BRIC Committee on 31 May 2022.  
The BRIC Committee approved the Strategy and recommended it to the Board of Management for its consideration and approval.*

The College's Statement of Ambition places greater emphasis on growing commercial income and increasing our engagement with businesses. The Business Growth Strategy, which is attached as Appendix 1, has been developed to contribute to both areas with particular emphasis on the following strategic objectives:

- Work with partners, including businesses, to co-create and deliver a portfolio of learning and skills that is relevant, dynamic, flexible, and responsive to employer and industry needs, to current and future skills requirements and contributes to social and economic recovery.
- Provide an inspirational college experience which supports and enables students to overcome the disruption to learning caused by the pandemic and to successfully progress on their learning journey.

The Business Growth strategy will contribute to the following key measures of success:

- Increasing the number of businesses we engage with and support through upskilling, reskilling and improving productivity
- Exceeding SFC and other contract targets and increasing our commercial/other income to ensure continued financial sustainability

**2 Current Situation**

The Business Growth Team is responsible for ensuring that Ayrshire College delivers the Scottish Government's Flexible Workforce Development Fund (FWDF) and for securing commercial training and learning contracts through

the provision of courses that meet market needs and deliver a commercial surplus to reinvest in services, facilities and equipment.

Business Growth activities were significantly impacted during the pandemic and our attention was focussed on delivering the Flexible Workforce Development Fund. Some of our commercial activities effectively ceased e.g. evening courses and wider commercial activities were pursued on a reactive basis.

As we emerge from the pandemic into a new chapter and world of business and working, our focus will be to grow our commercial income streams across evening, short and industry courses as well as deliver FWDF annual income targets. Many commercial activities will be testing new markets within the context of rising inflation, soaring energy costs and global supply and demand challenges all of which will have implications for our business base and wider community.

The new Business Growth Strategy has been developed to focus on growing and diversifying our income streams, delivering high quality training support and enhancing the customer journey and learning experience.

The Strategy is shaped around three interrelated aims:

**Aim 1 Grow commercial income** - *grow and diversify sustainable business development opportunities and income streams through our commercial activity*

**Aim 2 Create a dynamic, responsive and flexible training portfolio** - *collaborate with partners, businesses and learners to co-create a training portfolio which meets current and future skills requirements and contributes to social and economic recovery*

**Aim 3 Achieve quality and excellence in everything we do** – *recognised as a one-stop shop for skills training and lifelong learning*

These aims will be achieved through the delivery of a range of activities which will be embedded in the Business Growth and College's operational planning processes.

### **3 Proposals**

The Business Growth Strategy (2022-24) is presented to the Business, Resources and Infrastructure Committee for approval.

### **4 Consultation**

A consultation process was organised with the Business Growth team and a separate session organised with the College Leadership Team

**5. Equality Impact Assessment**

An Equality Impact Assessment has been completed for this strategy.

**6. Conclusion**

Members are invited to discuss and approve the Business Growth Strategy (2022-2024)

**Michael Breen**  
**Vice Principal Finance**  
**7 June 2022**

*(Nuala Boyle, Head of Business Growth)*

Ayrshire College # 484082  
06/10/2022 11:04:23

# BUSINESS GROWTH STRATEGY

2022 – 2024

---

Supporting skills training for businesses to grow,  
develop and succeed

Ayrshire College # 484082  
06/10/2022 11:04:23

# Statement of ambition

Ayrshire College will be an inspirational place of learning where individuals can excel and realise their full potential. A place where businesses and communities can access skills, expertise and innovation that supports local and national economic development and inclusive growth. We will achieve this through strong collaboration and partnership working and by investing in and valuing our staff and students.

The Business Growth Strategy contributes to the overall achievement of the College's Statement of Ambition and in particular Ambition 3:

- To be a high-performing, environmentally responsible college recognised for excellence, equality, and integrity and, in particular, *"we will continue to grow sustainable business development opportunities through our commercial activity."*

Over the next 2 years (2022-24), the Business Growth Strategy will contribute to the following strategic objectives outlined in the College's Refresh and Renew Plan:

- Work with partners, including businesses, to co-create and deliver a portfolio of learning and skills that is relevant, dynamic, flexible, and responsive to employer and industry needs, to current and future skills requirements and contributes to social and economic recovery.
- Develop and support staff and students to work and learn in new and innovative ways to enable excellence in all aspects of learning and teaching and service delivery.

# Business growth – introduction

The global pandemic has dramatically changed our world, our college and business sectors across Scotland and beyond. The effects of the pandemic continue to present both challenges and opportunities. These include rising energy costs, access to talent and labour, inflation, demand and supply issues. These form an important, unpredictable and dynamic economic, social and political context for businesses and organisations. As a Business Growth team, we will continue to support businesses, in Ayrshire and beyond, by flexing and responding to the changing needs of employers and employees to support a skills led economic recovery.

The pandemic shone a spotlight on the digital agenda, accelerating the Fourth Industrial Revolution at an unprecedented pace, transforming and impacting our lives. It has heralded the need for new leaders and managers with new mindsets and skillsets; emphasised the importance of big data and cyber security; and our new reality is placing greater emphasis on the need for green and inclusive economic growth. Many employers have been resilient and agile, meeting new challenges and pivoting their business; some have grown via acquisition; many have survived and thrived, others have not; and many are regrouping and recovering. Boosting productivity, employment, innovation and skills are at the heart of economic recovery. Ayrshire College's Statement of Ambition places individuals,

businesses and communities at the heart of our strategy. As we move through this next chapter, targeted upskilling and reskilling will be critical for economic recovery.

Ayrshire College and the Business Growth Team are well placed to respond to the skills challenges that lie ahead. The pandemic transformed the way we engage and support employers, how we work together as a team and fundamentally how we respond and deliver training to our clients. We have demonstrated an ability to adapt and change; to be nimble, flexible and creative; and to continuously seek to improve our services and support to employers across our region and beyond. Our portfolio of learning and skills will continue to be dynamic, flexible and responsive to employer and industry needs, to current and future skills requirements and will contribute to economic and social recovery.

## About us

The Business Growth team is responsible for delivering the Scottish Government's Flexible Workforce Development Fund (FWDF) and for securing commercial training and learning contracts through the provision of courses that meet market needs and deliver a commercial surplus to allow reinvestment in services, facilities and equipment.



## Strategic aims

Our three strategic aims for the period 2022-24 are:

### **Aim 1** Grow commercial income

*grow and diversify sustainable business opportunities and income streams through our commercial activity*

### **Aim 2** Create a dynamic, responsive and flexible training portfolio

*collaborate with partners, businesses and learners to co-create a training portfolio which meets current and future skills requirements and contributes to social and economic recovery*

### **Aim 3** Achieve quality and excellence in everything we do

*recognised as a one-stop shop for skills training and lifelong learning*



## Our guiding principles

- Forward thinking, nimble, adaptive and innovative in everything we do

---

- Listening to, responding and engaging our employers, partners and stakeholders

---

- Great customer experience and satisfaction levels

---

- High quality, relevant and engaging learning and training

---

- Growing sustainable and profitable commercial income streams

---

- High quality, 'can do' service which is efficient, effective and customer responsive

---

Ayrshire College # 484082  
06/10/2022 11:01:23



## Aim 1 Grow commercial income

*grow and diversify sustainable business opportunities and income streams through our commercial activity*

**The Business Growth team will achieve this aim by:**

- Diversifying and growing sustainable commercial income each year that provides a surplus for reinvestment
- Committing to and delivering annual FWDF programmes resulting in client retention, repeat business as well as growth, particularly SMEs
- Developing and delivering a portfolio of high quality, highly relevant short, evening and industry courses as well as bespoke products which are responsive to the changing labour market, employer and wider client needs
- Providing the best customer and learning experience by regularly seeking, responding to, and monitoring, client and learner feedback
- Securing new business opportunities from existing and new clients including large employers, SMEs, public sector and the wider community
- Working collaboratively and in partnership (strategically and operationally) with stakeholders, partners and employers across the region and beyond
- Creating a commercial culture internally and 'College team' approach by working closely with curriculum and service areas to identify and exploit opportunities



## Aim 2 Create a dynamic, responsive and flexible training portfolio

*collaborate with partners, businesses and learners to co-create a training portfolio which meets current and future skills requirements and contributes to social and economic recovery*

**The Business Growth team will achieve this aim by:**

- Being futures oriented and responsive to the changes, issues, trends and opportunities impacting on Scotland, our region, businesses and individuals
- Working collaboratively with curriculum areas to develop bespoke offerings
- Listening and responding to existing and new clients to shape our future training portfolios and products
- Transforming and enriching our learning activities incorporating new technologies such as Artificial Intelligence and Virtual Reality
- Delivering high quality, immersive learning experiences that are engaging and responsive to our diverse client base
- Growing and developing a pool of high quality, highly experienced vocational, specialist and associate trainers to ensure we can respond to current and future client needs
- Regularly seeking, responding to, and monitoring, client and learner feedback



## Aim 3 Achieving excellence and quality in everything we do

*recognised as a one-stop shop for skills training and lifelong learning*

**The Business Growth team will achieve this aim by:**

- Being externally recognised by employers and individuals as a one-stop shop across Ayrshire for high quality, innovative skills training and lifelong learning
- Demonstrating through customer satisfaction levels, repeat business, growth and profitable income
- Working collaboratively with Accredited bodies to ensure quality standards are met and maintained
- Enhancing external visibility via marketing, promotional activities and wider activities such as networking, business and stakeholder engagement and partnership agreements
- Providing the best learner and customer journey and experience from initial meeting/enquiry, to booking, training and aftercare

# How we will measure success

Business growth aim	Success measures	2022 – 2023	2023 – 2024
<b>Aim 1</b> Grow commercial income	Increasing FWDF income  Commercial income growth No. of businesses engaged	90% funds committed + 80% claimed  20% 10% increase levy payers 50% increase SMEs 10 new commercial clients	95% funds committed + 85% claimed  30% 5% increase levy payers 20% increase* 20 new commercial clients (*additional FWDF funds required)
<b>Aim 2</b> Dynamic, responsive and flexible training portfolio	Number of businesses engaged  Enhanced, flexible delivery models incorporating digital technologies	See above  Secure funding for 1 x VR training product to act as a demonstrator	See above  Grow VR portfolio in line with business demand
<b>Aim 3</b> Excellence and quality	Achieved external recognition  Learner and client satisfaction levels	Measured by business engagement & income growth  95%	Measured by business engagement & income growth  95%

Ayrshire College #484082  
 06/10/2022 11:04:23



[www.ayrshire.ac.uk](http://www.ayrshire.ac.uk)

Ayrshire College is a registered Scottish charity. Reg No SC021177

Ayrshire College # 484082  
06/10/2022 11:04:23



Ayrshire College

(Paper 10.1)

Board of Management

16 June 2022

- Subject:** Key points report: Learning Teaching and Quality Committee Meeting, 26 May 2022
- Report from:** Alison Sutherland, Chair, Learning, Teaching and Quality Committee
- Purpose of the report:** 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 the next Board meeting.
- Recommendation:** The Board is asked to receive and note the report and review any areas escalated by the Committee to the Board.
- 

**The Committee considered, noted or approved the following:**

**1. Education Scotland Progress Visit**

- The Lead Inspector, Education Scotland, provided a verbal update on the key findings from the Education Scotland Progress visit which took place between 26 and 28 April 2022.
- The Board will also receive a verbal update from the Lead Inspector at the Board meeting on 16 June 2022.
- The outcome grade of the inspection was reported as 'Satisfactory,' the highest level of grade.
- The formal report will be received by the College in due course.
- Staff from across the College participated in professional dialogue sessions around five key themes:
  - Curriculum, learning, teaching and assessment
  - Services to support learning
  - Learner engagement
  - Evaluation to facilitate improvement
  - Learner progress and outcomes

Key points reported:

- Evaluation to facilitate improvement was highlighted as one of the strongest areas. The College was commended for embedding this approach in its culture.
- Opportunities to increase the profile of the Student Association and the role of Class Ambassadors were highlighted in terms of the learner's level of engagement with the acknowledgement that the return of students to on-campus learning will create the environment for further development.

- Positive attainment rates and improving trends, across HEFT, HEPT and FEPT, were acknowledged
- The College was commended for its open and transparent approach to the challenges experienced against the background of COVID-19.

## 2. Student Association

- Ellie Jamieson was congratulated on her re-appointment to the role of Elected Member, Student President.
- Steven Oliver Elected Member, Student Vice President, will demit post having served the maximum 2 years in this role. His significant contribution during his time in post was commended by the Committee.
- The election process for the appointment of the Elected Member, Student Vice-President will be subject to a by-election and notification of appointment to this position will be advised in due course.

## 3. 2020-21 College Sector KPI report

- Given the level of detail in the report, a summary presentation was provided to the Committee.
  - The significant disruption throughout AY 2020-21 was highlighted, with the approach taken that students were prioritised for on-campus learning with apprentices/HE learners in priority groups 1 and 2.
  - Improvements achieved in FEFT and HEFT subjects reflected the positive attainment rates as reported under item 1.
  - Both positive trends and areas of decline were experienced across age, SIMD, Disability with Care Experienced reporting 6.4% above sector average.
  - Robust self-evaluation processes are in place with the projection that these will translate into improved outcomes.
- It was agreed that benchmark information with comparative colleges will be included in future reports to the Committee.

## 4. 2022-23 Student Recruitment Update (position at 16 May 2022)

- The current increase in applications by 687 from 2021-22 was noted.
- Applications are monitored on a weekly basis to ensure targets are on track and to identify any areas of concern to the curriculum teams.

## 5. 2021-22 Apprenticeships and Work Based Learning Report

- The positive position presented for the College, students and across local industries was noted.
- Early indications from various sectors was that recruitment for 2022-23 would strengthen further in all partner companies.

**Alison Sutherland, Chair,  
Learning, Teaching and Quality Committee**

Ayrshire College

(Paper 10.2)

Board of Management

16 June 2022

- Subject:** Key points report: Business, Resources and Infrastructure Committee Meeting, 31 May 2022
- Report from:** Mike Stewart, Chair, Business, Resources & Infrastructure Committee
- Purpose of the report:** 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.
- Recommendation:** The Board is asked to receive and note the report and review any areas escalated by the Committee to the Board.
- 

**The Committee considered, noted or approved the following:**

**1. 2022-23 Budgets for Academic Year ending 31 July 2023**

- The Committee commended the work undertaken by SLT and the significant level of consultation to develop the budget with budget holders.
- The recommended budgets will result in the generation of a positive net cash movements during 2022-23 of £0.043m and is fundamentally a cash break even budget with the cash surplus representing less than 1% of expected income.
- The Committee recommended the budgets for the 12 months ending 31 July 2023 for Board approval.

**2. 2022-23 SFC Funded Capital & Revenue Expenditure Programme**

- The grant funding allocated to the College is £198,150 with £928,023 identified for revenue maintenance grant purposes.
- Currently, there are no identified major works or changes required within the College although Assistant Principals will consider and agree any further capital projects for 2022-23.

**3. Commercial Due Diligence Policy**

- The Committee noted the revisions to the financial regulations as identified in the supporting Appendix and the requirement for Board level approval thereof.
- The recommendation to include contingency for absence as related to delegated authority will be incorporated into the policy.
- The Committee commended the significant amount of work undertaken to develop this policy.

#### 4. Business Growth Strategy

- The Committee noted that the Business Growth Strategy has been developed to focus on growing and diversifying income streams, delivering high quality training support, enhancing the customer journey, and learning experience.
- The Committee recommended the Business Growth Strategy 2022-24 to the Board for approval.

#### 5. HR & Staff Learning and Development Report and Health, Safety and Wellbeing and Equality and Inclusion Report

- **Kickstart scheme:** the Committee acknowledged the excellent performance of this scheme which had retained all twelve candidates from commencement; and looked forward to receiving further information on the outcomes for the candidates involved.
- **Aspire programme:** the Committee commended the internal development and facilitation of this programme and noted the successful level of uptake with a cohort of ten candidates. The overall approach aims to support succession planning across the college.
- **LGBTQ+ Charter Mark:** the Committee noted that the College will build on current work supporting students and staff across the LGBTQ+ agenda with the overall aim to achieve the LBGT+ Charter Mark over the next 4-year period. The Committee commended this programme of work.
- **Health and Well-being:** the Committee noted the development of a new 3-year action plan to promote well-being and acknowledged the importance to ensure that this is applicable across all staff groups, including all levels of leadership.

#### 6. Willie Mackie Future Skills Hub – Tender approval

- The Committee considered this report in advance of the requirement for approval by the Board.

**Mike Stewart, Chair**  
**Business, Resources and Infrastructure Committee**

Ayrshire College #160622  
06/10/2022 11:04:23

Ayrshire College

(Paper 10.3)

Board of Management

16 June 2022

**Subject:** Key points report: Audit and Risk Committee Meeting, 16 June 2022

**Report from:** Steven Wallace, Chair, Audit and Risk Committee

**Purpose of the report:** 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.

**Recommendation:** The Board is asked to receive and note the key points outlined, and review any areas escalated by the Committee to the Board.

---

**The Committee considered, noted or approved the following:**

**1. Internal Audit Reports 2021-22 – Student Support, Complaints Management, Marketing**

- The Committee commended the management team on receiving outstanding reports on the above internal audits all of which provided significant assurance and evidence of due diligence. Specifically, the Committee noted that the Complaints Management internal audit report had returned no recommendations.

**2. Audit Strategy Memorandum**

- On seeking clarity on the wider scope work related to financial sustainability and the rationale for extending the forward look from two to five years from the reporting date, the Committee noted that this was a sector-wide approach which had also been set out by Audit Scotland. Going forward, it was agreed that management will have further working discussions with Mazars on this area.
- The Committee noted that the on-line approach to conduct the audit programme had been successful; both from the perspective of Mazars and management and it was therefore agreed to continue on this basis.
- The Committee approved the Audit Strategy Memorandum from the External Auditor (Mazars) for the year ending 31 July 2022 including the proposed audit fees.

**3. Ayrshire College risk register**

- The Committee noted that the risk registers as presented would be the version that will be reported in the annual report and financial statements 2021/22.

- The Committee commended the management team on the effective management and mitigation of risk that had secured the position where all but one risk is out with the risk appetite zone set by the Board.

#### **4. Internal Audit Services 2022-23**

- Following a successful procurement exercise, the Committee approved the submission of a report to the Board recommending the appointment of the College's internal auditors for a three-year period from 1 August 2022 to 31 July 2025, with the option of two one-year extension.

**Steven Wallace, Chair  
Audit and Risk Committee**

Ayrshire College # 484082  
06/10/2022 11:04:23

**Board of Management Meeting****16 June 2022**

- Subject:** Overview of items under Part D for information
- Purpose:** This paper provides an overview of items under “For Information” on the agenda
- Recommendation:** Members are asked to note the contents of this paper.

1.	<p><b>Ayrshire College Response – Colleges Scotland Draft Strategy Framework (04.05.22)</b></p> <p>The College was provided with the opportunity to comment on the draft Strategic Framework for Colleges Scotland. The proposed new Strategic Framework is set out in an infographic on page 6 of the attached consultation document and incorporates the Vision, 3 strategic aims and 4 interdependent core strategies.</p> <p>The response from Ayrshire College is attached for information. The response outlines the view that the changes and direction of travel are positive and the priority policy areas are appropriate whilst recommending a number of suggestions for consideration.</p>
2.	<p><b>Scottish Government Resource Spending Review Analysis - May 2022</b></p> <p>The Scottish Government published its <a href="#">Resource Spending Review</a> and Colleges Scotland issued <a href="#">a media statement</a> on Tuesday, 31 May 2022.</p> <p><b>Government Spending on Colleges</b></p> <p>The key headlines in the Resource Spending Review in relation to the college sector are:</p> <ul style="list-style-type: none"> <li>• The Scottish Funding Council will receive £1.5billion per year until 2026-27. This represents a flat-cash position for the Scottish Funding Council, before taking into account current rate of inflation.</li> <li>• The Scottish Funding Council has advised that the Scottish Government Ministers will still be involved in determining the allocation and utilisation of this resource. Today was an announcement of Level 2 allocations, the Scottish Government will take the allocations to Level 3 in this next step over the coming months before the next Autumn Budget.</li> <li>• The Resource Spending Review confirms that levels of College Capital Expenditure remain unchanged up until 2027. However, the joint SFC-Colleges Infrastructure Strategy will be completed by the summer of 2022 giving Ministers sight of a revised and up-to-date figure reflecting capital need across the sector.</li> </ul>

3.	<p><b>Gender Representation on Public Boards (Scotland) Act 2018: Statutory Guidance (April 2022)</b></p> <p>Revised statutory guidance for the Gender Representation on Public Boards (Scotland) Act 2018 has been published and can be accessed on the Scottish Government website at <a href="https://www.gov.scot/Topics/Equality-Diversity/Gender-Representation-on-Public-Boards-Scotland-Act-2018-Statutory-Guidance">Gender Representation on Public Boards (Scotland) Act 2018: Statutory Guidance - gov.scot (www.gov.scot)</a>.</p> <p>The amendment relates to section 2.12 of the Act (Page 7) and directs that the definition of "woman", is now as defined under the Equality Act 2010 Section 11<sup>3</sup> and section 212(1)<sup>4</sup> or as under the Gender Recognition Act 2004 section 9(1)<sup>5</sup>.</p> <p>The guidance aligns to the requirements of the below Code of Practice for Ministerial Appointments to Public Bodies in Scotland.</p> <p>Ayrshire College is required to annually report to the Scottish Government, Equality Unit on the gender balance of the Board.</p>
4.	<p><b>Code of Practice for Ministerial Appointments to Public Bodies in Scotland</b></p> <p>A revised Code of Practice for Ministerial Appointments to Public Bodies in Scotland has been published by the Ethical Standards Commissioner. The Ethical Standards Commissioner is responsible for the regulation of the appointments to the majority of boards of public bodies in Scotland. The Code is available to download from this <a href="#">link</a>.</p> <p>The Code applies to appointments made by the Scottish Ministers to non-executive and similar positions on the boards of Scotland's regulated public bodies – Ayrshire College therefore falls into this category.</p> <p>The Code will not come into effect until 3 October 2022. The Ethical Standards Commissioner has advised that this is with the view to ensuring that everyone who plays a part in the appointments process will be ready for its implementation.</p>

**Pauline Donald**  
**Board Governance Advisor**  
**June 2022**

**Publication**

This paper will be published on the College website

Ayrshire College # 484082  
06/10/2022 11:04:23

CT/AS

4 May 2022

Kirstie Laird  
Colleges Scotland  
[Kirstie.Laird@collegesscotland.ac.uk](mailto:Kirstie.Laird@collegesscotland.ac.uk)

Dear Kirstie,

Thank you for the opportunity to comment on the draft Strategic Framework for Colleges Scotland. I couldn't align our comments with the specific questions asked in the data gathering document, so I hope you don't mind a brief, but general, response.

Overall, we think the changes and direction of travel are positive and the priority policy areas are appropriate. However, it is important that there is clear delineation between the role of the organisation and that of the sector. The Board of Colleges Scotland is the Board of the organisation, and that's where their focus must be. There are many assigned college chairs who are not part of this and must be included in wider sector discussions going forward.

The role of Colleges Scotland should be to 'Influence Policy and Promote the Sector'. Their role is to act as an 'enabler' by ensuring experienced sector leaders are at the appropriate tables in order to influence and shape policy. Therefore, we feel the 2026 Vision for Colleges Scotland should be restricted to the first sentence only – the rest of that section is about 'how' not 'what'.

We note that a key Strategic Aim of Colleges Scotland is to 'influence opportunities to achieve sustainable funding for the sector'. That is a role for the sector leaders, not for the organisation. We do not consider it the role of Colleges Scotland to secure additional funding for colleges.

In light of the comments above, we feel that KPI's should be focussed on measuring how effective Colleges Scotland is at 'enabling, influencing and promoting the sector'.

Otherwise, we are supportive of the proposed changes and look forward to a vibrant, dynamic and focussed sense of purpose for the team.

Yours sincerely,



**Carol Turnbull**  
Principal and Chief Executive



**Fiona McQueen**  
Chair (Interim), Board of Management

# Colleges Scotland Strategic Framework – Consultation

## Consultation with the College Sector

Over the past year the Colleges Scotland Board has been reviewing and renewing a new draft Strategic Framework for the organisation of Colleges Scotland as the membership organisation of the sector. We are now pleased to share this and invite comments from all 26 colleges, including their Boards and in addition the Regional Strategic Bodies, and this document will also be shared with a number of external stakeholders.

The Colleges Scotland Board has sought that this consultation should include the ‘how’, e.g. how best to progress/deliver the Strategic Framework collectively, how best to maximise expertise and experience within the Membership, and how best to avoid/minimise potential duplications and conflicts.

The consultation period is between **Monday 4 April and Friday 6 May 2022**.

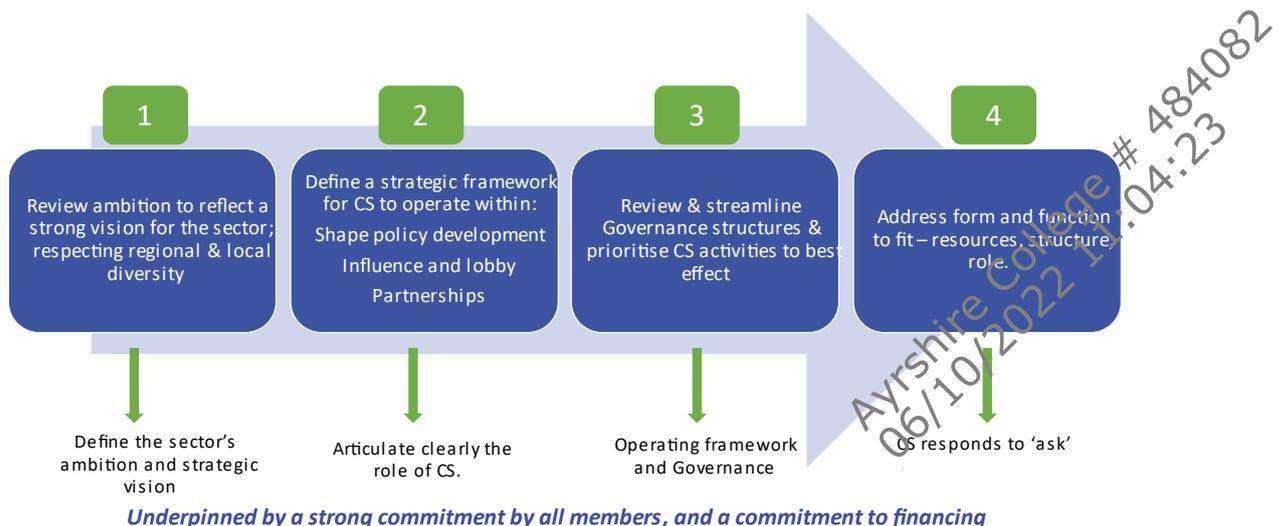
Feedback should be sent to [Kirstie.Laird@collegesscotland.ac.uk](mailto:Kirstie.Laird@collegesscotland.ac.uk)

## Work to Date

In January 2022 the Colleges Scotland Board agreed the Vision and three Strategic Aims for the Strategic Framework for Colleges Scotland. Significant work has been undertaken since the January Board meeting to develop the process to this stage. Three Sub-Groups and a Strategy Completion Group have been meeting on a regular basis to ensure a robust set of strategies underpin the agreed Aims.

This paper focuses on the second of the agreed four stage process that was laid out and agreed by the Board in February 2021 (see diagram below).

## Overview—your responses suggested a clear pathway for reviewing purpose and remit...



Work is at Stage 2 of the pathway, including this consultation exercise and culminating in the approval of a Strategic Framework 2022-26.

The following stages will see further work around governance and resource planning, then communication and migration plan for implementation will be developed. The Colleges Scotland Board also agreed to review the Vision and Mission for Colleges Scotland when the four stages of the pathway have been completed.

## Background

It was clear as work developed that the new Strategic Framework would have to deliver on a number of fronts. Input from Members showed they were keen that Colleges Scotland should be working, among other things, to:

- Ensure that colleges are seen to be influencing policy, rather than constantly reacting
- Take control of the policy agenda
- Align with Scottish Government priorities and showcase centres of good practice
- Be able to influence the top echelons of Scottish Government and SFC to create maximum impact for the sector
- Be “at the right tables”, with the right people to promote the sector
- Develop opportunities for further funding
- Carve out better relations with the business sector
- Have effective relationships with partner organisations such as CDN and SDS
- Put the college sector on the radar with high profile and influential organisations, and improve how the sector is viewed at a civic level
- Increase the proactive and involved role for College Chairs and Principals nationally so that they are able to optimise their vital role in driving forward the key priorities of the organisation and the sector
- Utilise the collective resources of the whole college sector, to pull in expertise when relevant and to empower people to speak on behalf of the college sector nationally

It was felt that Colleges Scotland as an organisation needed to redefine agreed priorities going forward, as it currently operates on many fronts, and that these priorities and workplan should be directed and communicated by the Colleges Scotland Board. This would also mean that Colleges Scotland would by necessity stop doing some of the things it currently does.

Ayrshire College # 484082  
06/10/2022 11:04:23

## Vision

In creating the new Strategic Framework, the following Vision statements were agreed by the Board in January 2022:

### 2026 Vision for Colleges Scotland (the organisation)

Colleges Scotland to be at the heart of a world class college sector that is recognised, valued, and available to all.

Facilitating sustainable funding to the sector (and developing opportunities for further funding)

Delivering on the Scottish Government objectives

Colleges Scotland to be the glue that holds the sector together, harnessing the capacity of wider sector resource to produce greater impact and have more influence with key stakeholders

Members have clarity about the role of Colleges Scotland and the work we carry out on behalf of the sector within our resources. As an organisation Colleges Scotland providing good value for money for our Members.

Our outputs are accountable, transparent and accessible. We have made positive changes in the policy landscape, and we have demonstrated our impact effectively to our Members, decision makers, the media, students and the general public, and with regular communication with Members to ensure their needs are met.

Our Vision for 2026 will be achieved by delivering the following **three Strategic Aims** for Colleges Scotland (as previously agreed), each of which is supported by a comprehensive and detailed action plan:

1. Lead and Influence Policy
2. Raise the profile and enhance the reputation of Scotland's Colleges Sector
3. Be an enabler, supporter and connector of the sector membership, both internally and externally

## A New Approach

Our new strategy requires a new approach which goes beyond 'business as usual' in order to achieve this ambitious Vision. This will be driven by of a number of features:

- The Colleges Scotland Board will articulate clearly strategic priorities for Colleges Scotland the organisation. This will give Colleges Scotland staff a clear and agreed direction and focus on which to deliver, optimise resources and be measured.
- The priority policy areas of focus for Colleges Scotland are now clearly articulated in the strategy, and the Board will take responsibility for directing the organisation to new policy work that might be required, and for what it should stop doing.
- Colleagues, college Principals and Chairs from the wider 'Colleges Family' with experience, expertise and existing relationships will play a leading role in implementing this strategy, as ambassadors telling the college story, and in having the right conversations with the right people on behalf of the sector. Building on the good work already happening across the

sector, in this enhanced role the Colleges Family will take increased responsibility for this proactive work, which will be coordinated, supported and facilitated by Colleges Scotland.

- It is clear that a much stronger, more structured and coordinated approach to identifying the stakeholders that the sector wishes to engage with, and influence is required to raise the profile of the sector and to allow colleges to lead and advocate the policy agenda. This new strategy is driven by ongoing work to identify and engage these key stakeholders using the Colleges Family model to optimal effect.
- A much greater and more effective use by Colleges Scotland and the Colleges Family of data analytics, intelligence, quality research and horizon scanning are seen as key to being able to successfully lead, influence and take control of the policy agenda as the strategy demands. We will therefore establish a Think Tank, the purpose of which is specifically to conduct horizon scanning and analysis to support Colleges Scotland in this primary function of leading and influencing policy.

This new approach therefore identifies **four Core Strategies** which underpin and drive the achievement of each of the three Strategic Aims.

1. An enhanced and performing 'Colleges Family' model
2. Stakeholder engagement and influencing
3. Clear Policy priorities for Colleges Scotland
4. Establishment of a Think Tank

Ayrshire College # 484082  
06/10/2022 11:04:23

Each of these Core Strategies has interdependencies to the others, and all are required to support each of the three Strategic Aims. The Strategy Framework is represented clearly in the diagram below, supported by an effective, efficient, focussed and impactful Colleges Scotland organisation.

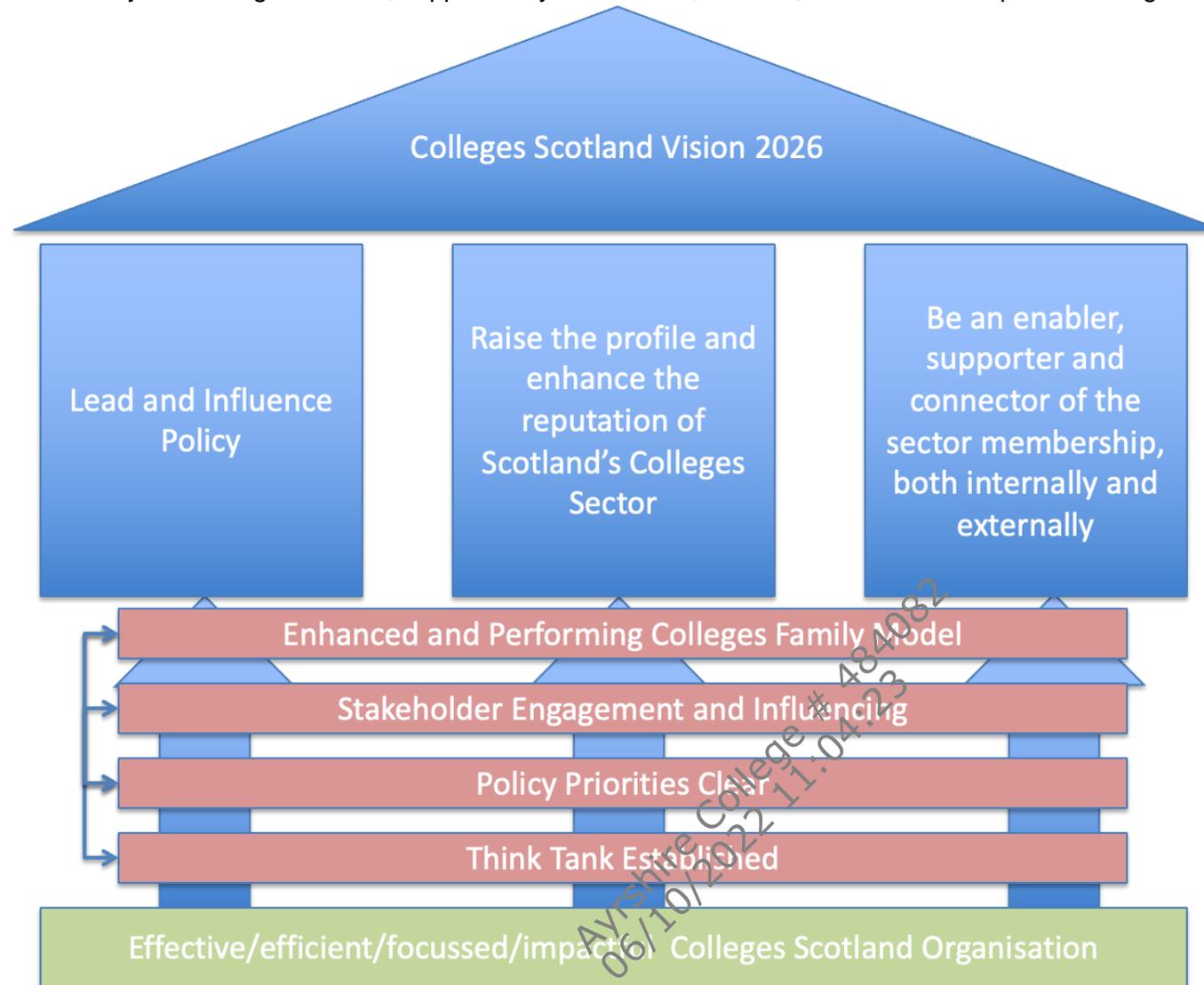


Fig 1: Our Vision is supported by three clear Strategic Aims. All three Strategic Aims will be achieved through the four, interdependent, Core Strategies

Detailed processes, action plans and roles and responsibilities will need to sit behind each element of this strategy to ensure that it has realistic and practical ways of being implemented, and the approach outlined above is described in more detail below. These include, but are not limited to, Resource Plan, Governance Map, Migration and Implementation Plans.

## **Our 3 Strategic Aims**

Understanding that each of these Aims is underpinned principally by the 4 Core Strategies, they contain in addition the following key actions:

### **Lead and Influence Policy**

- Focus on three key policy areas
- Demonstrate clear focus on, alignment with and shaping of Scottish Government priorities, as well as with areas beyond Scotland such as global citizenship
- Utilise the collective capacity of the sector to ensure that we are engaged at the appropriate levels of Government by deploying specific groups and tasking individuals to communicate our key priorities, asks and offers
- Influence opportunities to achieve sustainable funding for the sector

### **Raise the profile and enhance the reputation of Scotland's Colleges Sector**

- Achieve greater visibility and understanding of the value and impact the sector has on social and economic prosperity
- Tell the college sector's story, nationally, informed by individual colleges and the wider College Family
- Develop and coordinate marketing and communications plans

### **Be an enabler, supporter and connector of the sector membership, both internally and externally**

- A clear strategic purpose and focus for Colleges Scotland to deliver on
- Make Colleges Scotland an impactful, efficient and effective organisation with its performance in delivering on these agreed priorities being measured against clear and relevant KPIs.

## **Our 4 Core Strategies**

### **An enhanced and performing 'Colleges Family' model**

Chairs, Principals, and Board Members – are our greatest asset, with a huge amount of inherent experience and expertise. The College Family will be enhanced to include distinct roles for college Chairs as ambassadors, and college Board Members where appropriate. This will complement the Lead Principal system, in which named individual principals lead on specific work areas and/or engagement with particular stakeholders.

The experience and expertise of our Members will be used effectively, and to the benefit of all Members and the sector. For example, Colleges Scotland will garner the collective capacity of the sector to ensure that we are engaged at the appropriate levels of Government by tasking College Family experts to communicate our key priorities, asks and offers, and to help build the partnerships we all need.

We will achieve greater visibility and understanding of the value and impact the sector has on social and economic prosperity by utilising the experience and expertise of the College Family – Chairs, Principals and College Board Members.

The Colleges Family is about influencing. It is about building relationships and long-term influence which will pay off in the longer term. All should be clear on the difference between 'the sector' and

the organisation of Colleges Scotland, and the respective roles of each. This is particularly relevant for resource implications.

Chairs and Principals will need to identify who from the sector from their region will commit to the College Family. Board Members should be encouraged to use their own networks to spread key messages and raise the profile of the sector. A system needs to be developed to capture feedback into Colleges Scotland. Colleges Scotland will, subsequent to this consultation, be in touch with the sector to gain an understanding of which individuals wish to contribute and in what areas.

It is proposed that an annual event for all (or a representation of) board members across the sector should be convened. The size and scale of the event would demonstrate in and of itself, the depth and breadth of the College Family and range of skills, networks and opportunity. The event would link with stakeholder engagement plans and explore opportunities to harness talent, demonstrate how to increase the profile of the sector and utilise the college family effectively.

Colleges Scotland will supply timely and impactful information, advice, opportunities and expertise to our Members. The role of Colleges Scotland will be to coordinate and make best use of skills, knowledge and experience across relevant meetings. Feedback from the College Family to Colleges Scotland shall be provided.

## **Stakeholder engagement and influencing**

To deliver our Vision we must achieve greater visibility and understanding of the value and impact the sector has on social and economic prosperity, and also to tackle critical issues facing Members nationally. Stakeholder engagement and profile across Scottish civic society must be significantly improved in order to achieve this.

Colleges Scotland will therefore design and deploy a refreshed stakeholder engagement and influencing strategy which prioritises:

- Impactful Government relations.
- Effective relationships with business and industry based on two-way relationships.
- Reliably placing our Members into key networks.

Building on the Colleges Family model, the stakeholder strategy will be based on the principles of long-term relationship building, comprehensive engagement, and will cover local, national and international partners. The strategy will identify key success markers which can be reported on.

This stakeholder engagement and influencing Core Strategy will allow us to:

- Increase the extent to which other people advocate on our behalf
- Improve links to the business community at a national level and invite key business agencies to events
- Build long term relationships with key individuals e.g. MSPs, opposition parties,
- Ensure comprehensive briefings
- Drive better coordination across the sector
- Encourage appropriate people to get out there and be advocates for the college sector
- Create 'generic strap lines' coordinated locally and nationally
- Illustrate the college sector's story, nationally (informed by individual colleges, long term stories and a long-term communications plan)
- Position the college sector with influencing organisations, sow the seeds in media and develop a consistent and coordinated programme of stories throughout the year

To do this, we will

- Develop and utilise a clear Stakeholder Map which is fit for purpose
- Build and strengthen key relationships with stakeholder organisations and individuals
- Keep information and intelligence on key relationships up-to-date and available to Members
- Refresh and operationalise the Colleges Scotland Communications and Public Affairs Plan
- Draw on sector communications and marketing expertise where appropriate and to deliver best value

College Boards will be encouraged to use Colleges Scotland messaging in their own work to ensure a consistent narrative about the sector. We will ensure Chairs and Principals have regular, impactful and engaging key messages to use when influencing others, delivering a strong, consistent and positive narrative about colleges.

An annual survey of stakeholders on perceptions of Colleges Scotland will be commissioned and shared with the Board to establish a benchmark and demonstrate perception improvement. An annual survey of College Chairs, Principals and Board Members will be undertaken to establish and improve Member communications. Colleges Scotland will internally support our Members achieve their policy goals, and externally enable and connect colleges form strong relationships using the new Stakeholder Strategy described above.

### **Clear policy priorities for Colleges Scotland**

Colleges Scotland staff are currently spread too thinly over 38 different policy areas.

To achieve our Vision, Colleges Scotland will prioritise opportunities for influencing policy which impacts our Members. Our work will be aligned to the Scottish Government's Programme for Government and Colleges Scotland will support Scottish Government to know and understand what the priorities for the sector are as policies are developed. Colleges Scotland will be involved in key policy areas before they are finalised, engaging early in the process. The Policy Team within Colleges Scotland will articulate clearly and demonstrate our impact on policy, showing successful interventions and influence.

The policy priorities for Colleges Scotland through to 2026 are currently identified as the following, which will be reviewed annually and reported to the Board:

#### **Economic transformation – economic and social inclusive prosperity.**

- Critical role for the college sector to drive/contribute to a skills led economic recovery and transformation – including upskilling, re skilling
- Intended for Scotland to be economic leaders in delivering net zero/renewable energy and the transformational role the sector has in supporting this. There is a key role for colleges in this respect.
- People, skills and future skills to be key feature of the Innovation Strategy and greater visibility and involvement of the sector by Govt and other agencies with regards to inward investment opportunities.
- Key role to support businesses – local, regional and national (e.g. inward investment, people and skills, applied innovation, knowledge exchange, workforce training)
- The sector should be/is critical to ensuring people are equipped with the necessary skills (including future skills) that Scotland needs. This is fundamental to economic growth and recovery and benefits individuals and employers

## **Equality of opportunity – addressing inequalities and equity of people’s ability to be economically active.**

- Alleviating poverty – the contributions of the sector should be clearly understood. (*treating poverty as the same type of crisis as Covid*)
- Government has specifically identified child poverty as a key priority. The College sector has also responded to digital specific poverty (connectivity, access to technology, skills) amongst the student population which became a critical issue made more visible by the pandemic and move to remote teaching, working and operations.
- The importance of ‘place’ re colleges as anchors in local communities, providing opportunity to people living in deprivation.

## **Influencing and engaging with Scottish Government’s Strategic Intent piece**

- The Government has explicitly stated it will develop a strategic intent for the college sector and tertiary sectors as a whole (as recommended in the SFC Review). There is a clear opportunity which is critical to influence Government as they develop their thinking and consult more widely – and to ensure that key work already undertaken which focuses on the future role of colleges, such as the Cumberland - Little Report and UK Independent Commission reports are used to inform and shape that narrative.
- The strategic intent/role/purpose of colleges must then be underpinned by appropriate funding allocations, models and performance outcomes to support the sector to deliver and achieve our role – as determined by Government.

The Policy Team at Colleges Scotland will regularly horizon scan for developing areas of policy importance and make the Board aware of any changing priority needs.

Demonstrate improvement in data gathering for the purpose of improving policy positioning and advocating for Members and achieve horizon scanning on emerging issues.

Lead principal(s) and lead Policy liaison are responsible for feeding back to the College Principals’ Group. Colleges Scotland, along with the four principals on the Colleges Scotland Board, will be responsible for feeding back to the Board on the ongoing Policy work.

## **Establishment of a Think Tank**

The Think Tank’s purpose is to conduct horizon scanning and analysis to support Colleges Scotland in its primary function of leading and influencing policy. It will deliver short, sharp, and impactful policy research, including representation from partners including the College Development Network (Research and Enhancement Centre) and the College Family. The high quality research output will be clearly aligned to the needs of our Members and focussed on ‘horizon-scanning’ issues which could support the success of the sector. The Think Tank will focus on where there are gaps in knowledge and research will bring impact in the policy sphere.

It has been suggested that the annual output of the Think Tank will be at least one key theme for in-depth research, with pre-engagement before the theme is chosen. Research recommendations will be taken to the Board for decision, considering the Scottish Government policy cycle, the Board’s stakeholder engagement strategy and the work of the Employers Association in making any recommendations.

We will achieve greater visibility and understand the impact of the sector by sharing and publicising the work of the Think Tank, its reports and findings.

It will operate as an advisory group to the Board, with six core members appointed (reviewed annually): Regional Chair / Principal / CS Executive member / CDN Executive member / Student representative / College Family member. The Chair of the Think Tank shall be the member appointed from the Regional Chairs.

## **Next Steps**

Much work has been undertaken and this has been an inclusive and collaborative process of the Board to get to this stage. There is still a lot of work to be done. Some of this work is being undertaken in parallel and other areas will be further developed as we move forward in this process, concluding in a new Strategic Framework for Colleges Scotland.

Through this consultation process, Members are asked to share and discuss the draft Strategic Framework with their respective Board(s) and/or Regional Strategic Bodies, and feedback to Colleges Scotland by the end of the consultation period.

## **Governance**

The third stage of the four-stage process agreed by the Board has started, but further work on reviewing and streamlining governance will happen once this Strategic Framework has been agreed.

## **Resource Planning**

Upon completion of the Strategy Framework and once the governance is aligned, a full resource plan based on the Strategic Framework and in response to the ask of the sector will be developed and presented to the Board.

## **Other Documents**

The final documents to be produced will then be the communication and migration plan for implementation and monitoring. Part of this monitoring will be to set Key Performance Indicators (KPIs) for Colleges Scotland, which of course will be required to be set against outcomes which are within the gift of the organisation.

Colleges Scotland  
April 2022

Ayrshire College # 484082  
06/10/2022 11:04:23

## Colleges Scotland Strategic Framework - Consultation

Please return by **Friday 6 May 2022** directly to [Kirstie.Laird@collegesscotland.ac.uk](mailto:Kirstie.Laird@collegesscotland.ac.uk)

<b>College:</b>	
<b>Contact Name:</b>	
<b>Contact Details:</b>	

<b>Improvement of Strategic Framework</b>	<b>Comments</b>
1. In order to improve the Strategic Framework, are there any elements not in the document that you would have expected to see? If yes, please provide further details.	
<b>Strategic Aims</b>	
2. Are there any other elements you would add to the 3 Strategic Aims set out in the Strategic Framework? If yes, please provide further details.	
<b>Core Strategy</b>	
3. Has the Strategic Framework identified the appropriate policy priorities? Please provide further details to support your answer.	
4. Has the Strategic framework identified the appropriate stakeholder model, including the concept of the College Family? Please provide further details to support your answer.	
5. Has the Strategic Framework set out the appropriate approach to the concept of a Think Tank? Please provide further details to support your answer.	
<b>How Best Implemented</b>	
6. How can the Strategic Framework be best progressed?	
7. How can the Strategic Framework be best delivered collectively?	
8. How can we best maximise the expertise and experience within the membership?	
9. How best to avoid and/or minimise potential duplications?	
<b>Key Performance Indicators (KPIs)</b>	
10. What KPIs for Colleges Scotland could be set against the Strategic Framework, bearing in mind that these must measure	

Ayrshire College # 484082  
06/10/2022 11:04:23

outcomes that are within the gift of the organisation.	
<b>Any Other Comments</b>	
11. Any other points you would like to raise?	

Ayrshire College # 484082  
06/10/2022 11:04:23