

## BOARD OF MANAGEMENT

There will be a meeting of the Board of Management on 04 June 2025 at 1730 hours via Microsoft Teams or in the Boardroom at South Lanarkshire College

AGENDA			
Agenda Item	Item	Paper ( <a href="#">Link</a> or No)	Owner
1	Apologies for Absence	N	VA
2	Declaration of any potential Conflicts of Interest in relation to any Agenda items	N	All
3	Minutes of Previous Meetings Minutes of Board of Management	<a href="#">03</a>	DM
4	Matters Arising from the Previous Meeting	N	DM
<b>Matters for Approval</b>			
5	Board workplan	<a href="#">05.0</a>	VA
6 6.1	Mid-Year Review Draft MYR 2025	<a href="#">06.0</a> <a href="#">06.1</a>	EMcK
7	2025/26 Budget	<a href="#">07.0</a>	PF
<b>Matters for Discussion</b>			
8	Student Association Report	<a href="#">08</a>	CB
9	Chair's Update	<a href="#">09.0</a>	DM
10	Principal's Update	<a href="#">10.0</a>	SM
11	<b>Reserved Item - Commercially Sensitive</b> Final College Structure & Voluntary Severance Update	<a href="#">11.0</a>	SM
12	<b>Reserved item – Commercially Sensitive in Draft Form</b> Strategy 2025-2030	<a href="#">12.0</a>	SM
<b>Matters for Noting / Information</b>			
13	<b>Reserved item – Sensitive Information</b> SFC Approval for Voluntary Severance Applications	<a href="#">13.0</a>	VA
14	Tender Acceptance	<a href="#">14.0</a>	VA
15	<b>Reserved item – Commercially Sensitive</b> Cost Recovery for Employment Tribunal	<a href="#">15.0</a>	VA
16	College Management Accounts to 30 April 2025 & cashflow	<a href="#">16.0</a>	EMcK
17 17.1 17.2 17.3 17.4	Risk Register Update Strategic Risk Register at 24Apr2025 Cyber Risk Register and CRF 1.1 at 25Apr2025 Data Protection – ICO accounting tracker 25Apr2025 Regional Strategic Risk Register 2May2025	<a href="#">17.0</a> <a href="#">17.1 SRR 24Apr25</a> <a href="#">17.2 CRR</a> <a href="#">17.3 DP ICO</a> <a href="#">17.4 Reg SRR</a>	EMcK
18	Disciplinary Procedure – Extension and Recommendation	<a href="#">18.0</a>	GMcl

19	Grievance Procedure – Extension	<a href="#">19.0</a>	GMcl
20	Public Interest Disclosure (Whistleblowing) Policy & Procedure – Extension	<a href="#">20.0</a>	GMcl
21	Governance Rolling Review	<a href="#">21</a>	VA
	<b>Committee Updates</b>		
22	<p>Reports by Chairs of Committees - Draft minutes not publishable in draft form</p> <p><b>Learning, Teaching and Student Experience</b></p> <p>22.1 • Draft LTSE Minutes 28 Apr 2025</p> <p>22.1a</p> <p>22.2 <b>Human Resources</b></p> <p>22.2a • Draft HRC Minutes 15 May 2025</p> <p>22.3 <b>Audit and Risk</b></p> <p>22.3a • Draft ARC Minutes 06 May 2025</p> <p>22.4 <b>Finance and Resources</b></p> <p>22.4a • Draft FRC Minutes 13 May 25</p>	<p><a href="#">22.1 SLC LTSE</a></p> <p><a href="#">22.1a</a></p> <p><a href="#">22.2 SLC HRC</a></p> <p><a href="#">22.2a</a></p> <p><a href="#">22.3 SLC ARC</a></p> <p><a href="#">22.3a</a></p> <p><a href="#">22.4 SLC FRC</a></p> <p><a href="#">22.4a</a></p>	JG HA PS LW
23	Board Member Update	<a href="#">23</a>	VA
24	Summation of Actions and Date of Next Meeting (09 Sep 2025)	N	
25	Any Other Business		

Key:

DM	Douglas Morrison	Chair – Board of Management
HA	Heather Anderson	Vice Chair – Board of Management Chair – Human Resources Committee (HRC)
SMcM	Stella McManus	Principal and Chief Executive
SC	Scott Coutts	Senior Independent Member
JG	Jo Gill	Chair - Learning Teaching and Student Experience Committee (LTSE)
PS	Peter Sweeney	Chair – Audit and Risk Committee (ARC)
LW	Laura Wright	Chair - Finance and Resources Committee (FRC)
AD	Anne Doherty	Head of Alternative Funding
SG	Scott Gray	TU (Lecturing) Representative
TR	Tarryn Robertson	Executive Board Member
CB	Catriona Blacker	Executive Board Member and Student President
JW	Jack Whyte	Executive Board Member and Student Vice President
AS	Andriy Strehaliuk	Non-Executive Board Member
KP	Kirsty Pinnell	Non-Executive Board Member
JM	Jacqueline Morrison	Non-Executive Board Member
HM	Heather Meighan	Non-Executive Board Member
<u>Invited Members / Invitees</u>		
EMcK	Elaine McKechnie	Vice Principal – Finance Resources and Sustainability
PF	Paddy Feechan	Head of Finance
GMcl	Gary McIntosh	Head of Human Resources
VA	Vari Anderson	Governance Professional

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## BOARD OF MANAGEMENT

### NOTICE

Board of Management Meeting on 3 March 2025 at 1730 hours via Microsoft Teams and in the Boardroom at South Lanarkshire College

#### **Present**

Douglas Morrison (Chair)  
Stella McManus (Principal)  
Heather Anderson (Vice Chair)  
Peter Sweeney (Chair of HRC)  
Scott Coutts (Chair of FRC)  
Jo Gill (Chair of LTSE)  
Anne Doherty (Support Staff Member)  
Tarryn Robertson (Academic Staff Member)  
Fiona Whittaker (Senior Independent Member)  
Jack Whyte (Student Association VP)  
Scott Gray (TU Representative)  
Graeme Forrester (TU Representative)  
Laura Wright  
Andriy Strehaliuk  
Jacqueline Morrison  
Heather Meighan  
Kirsty Pinnell

#### **In Attendance**

Angela Pignatelli (VP for Learning, Teaching and Student Experience)

Vari Anderson as Governance Professional

### Minutes

<b>Agenda Item</b>	<b>Item</b>
1	<b>Apologies for Absence</b> Ronnie Smith, Catriona Blacker, Tom Feely.
2	<b>Declaration of any potential Conflicts of Interest in relation to any Agenda items</b> None noted.
3	<b>Minutes of Previous Meetings – 26 November 2024</b> Duly approved upon amendment to reflect Heather Anderson's attendance.
4	<b>Matters Arising from the Previous Meeting</b> Items 8 and 9 – operational action points for EIS-FELA to present papers to members at branch level Item 9 – Ongoing Item 19 – Draft 'leavers survey' with Chair for consideration.
	<b>Matters for Approval</b>
5	<b>Hybrid Working Policy</b> The Board considered and fully discussed the Hybrid Working Policy. It was noted that the policy is welcomed by Trade Union representatives.

	Following discussions, the Hybrid Working Policy was <b>approved</b> .
6	<p><b>SLC Digital Strategy</b> The Board considered, discussed and <b>approved</b> the SLC Digital Strategy.</p> <p>The Board requested that the SLC Digital Strategy be considered by the Learning Teaching and Student Experience Committee and HR Committee along with a digital showcase on 28 April 2025 and 15 May 2025 respectively.</p> <p>The Board gave thanks given to Chris Sumner and his team.</p>
	<b>Matters for Discussion</b>
7	<p><b>Chair's Update</b> The Board noted the terms of the Chair's update.</p> <p>The Chair gave thanks to Fiona Whittaker, Senior Independent Member, who has intimated her resignation from the Board. The Board joined the Chair in thanking Fiona for her valuable input throughout her tenure.</p>
8	<p><b>Principal's Update</b> The Board noted the terms of the Principal's update.</p> <p>The Principal provided the Board with a further verbal update including an update on Voluntary Severance, the new approach being taken by the SFC to allocate this year's funding. The Principal advised the Board of the strain costs in respect of pay parity and requested Board approval to convene a Chairs' Meeting in the event that further permissions are sought from the SFC. The Board <b>approved</b> this request.</p>
9	<p><b>Education Scotland: College Sector</b> The Board noted the terms of the Education Scotland update.</p>
10	<p><b>Student Association Report</b> The Board noted the terms of the Student Association Report and the variety of events and activities held over the quarter.</p> <p>The Board noted that the Students' Association are in the process of rebranding the advertising posters for the free breakfast and lunch initiatives to ensure that these are visible to as many students as possible.</p> <p>Further, the Board were delighted to hear about the activities surrounding mental health, including the 'Pizza and Patter' session aimed at men's mental health and the launch 'head space'.</p> <p>The Board thanked the Students' Association for their dedication to supporting the students.</p>
	<b>Matters for Noting/Information</b>
11	<p><b>College Cashflow and Quarter 2 Management Accounts</b> The Board noted the terms of the Cashflow and the Quarter 2 Management Accounts.</p>
12	<p><b>Risk Register Update</b> The Board noted the terms of the Risk Register.</p> <p>The Board discussed the achievement rates for Modern Apprenticeships, as an <b>action point</b>, benchmarking of apprenticeships to be considered by the Learning Teaching and Student Experience Committee.</p>

13	<p><b>a) QAA Self Evaluation Action Plan</b>  <b>b) SFC Outcome Agreement</b></p> <p>The Board noted the terms of the QAA Self Evaluation Action Plan, in respect that QAA is in its infancy, this item is to remain as a standing agenda item.</p>
14	<p><b>Governance Rolling Review</b></p> <p>The Board noted the terms of the Rolling Review and were advised that all three new board members had received their board induction.</p>
	<b>Committee Updates</b>
15	<p><b>Committee Updates</b></p> <ul style="list-style-type: none"> <li>• <b>LTSE</b></li> <li>• <b>HRC</b></li> <li>• <b>ARC</b></li> <li>• <b>FRC</b></li> </ul> <p>The Chairs provided the Board with an update on each of their Committees.</p>
16	<p><b>Board Member Update</b></p> <p>The Board noted the terms of the Board Member Update.</p> <p>Following the resignation of Fiona Whittaker from the Board and in respect that the Senior Independent Member is now vacant. The Board <b>appointed</b> Scott Coutts as Senior Independent Member.</p>
17	<p><b>Summation of Actions and Date of Next Meeting – 4 June 2025 with the Board Planning Day on 29 April 2025</b></p> <p>Approvals</p> <ul style="list-style-type: none"> <li>• Item 5 - Hybrid Working Policy</li> <li>• Item 6 - The SLC Digital Strategy was approved and will be placed before the LTSE and HR Committees</li> <li>• Item 8 – Principal to convene a Chairs' Meeting if further permissions sought from SFC.</li> <li>• Item 16 – Scott Coutts appointed as Senior Independent Member</li> </ul> <p>Action Points</p> <ul style="list-style-type: none"> <li>• Item 12 - Benchmarking of apprenticeships to be considered at LTSE</li> <li>• Item 13 – QAA to remain on the Board and LTSE agendas going forward</li> </ul>
18	<p><b>Any Other Business</b></p> <ul style="list-style-type: none"> <li>• Thanks given to Angela Pignatelli, Vice Principal of Learning, Teaching and the Student Experience who has resigned from the role.</li> </ul>

Key:

- **VA** Vari Anderson, Governance Professional
- **DM** Douglas Morrison, Chair of the Board of Management
- **SM** Stella McManus, Principal
- **CB** Catriona Blacker, Student Association President
- **JW** Jack Whyte, Student Association Vice President
- **E McK**, Elaine McKechnie, Vice Principal Finance, Sustainability and Resources
- **AP** Angela Pignatelli, Vice Principal Learning, Teaching and the Student Experience
- **G Mc** Gary McIntosh, Head of Human Resources

- **JG** Professor Jo Gill, Chair of the Curriculum, Quality and Development Committee
- **PS** Peter Sweeney, Chair of the Human Resources Committee
- **TF** Tom Feely, Chair of Audit and Risk Committee
- **SC** Scott Coutts, Chair of Finance and Resources Committee

## BOARD OF MANAGEMENT

<b>DATE</b>	4 June 2025
<b>TITLE OF REPORT</b>	Board of Management Work Plan
<b>REFERENCE</b>	05.0
<b>AUTHOR AND CONTACT DETAILS</b>	Vari Anderson Vari.anderson@slc.ac.uk
<b>PURPOSE:</b>	To review the workplan of the Board across 2025-26.
<b>KEY RECOMMENDATIONS/ DECISIONS:</b>	<p>The Committee is asked to:</p> <ul style="list-style-type: none"> <li>• Review the workplan and ensure it is complete;</li> <li>• Confirm similar timeframes for 2024/25 scheduling of work for 2025/26, and</li> <li>• Instruct College management to arrange for the appropriate supporting documents to be available according to the timetable.</li> </ul>
<b>RISK</b>	That the College fails to implement a recommendation in support of good governance.
<b>RELEVANT STRATEGIC AIM:</b>	<ul style="list-style-type: none"> <li>• The Highest Quality Education and Support</li> <li>• Sustainable Behaviours</li> </ul>
<b>EQUALITIES</b>	<ul style="list-style-type: none"> <li>• There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.</li> </ul>
<b>SUMMARY OF REPORT:</b>	<ul style="list-style-type: none"> <li>• The workplan is a suggested timetable for the year, incorporating formal requirements which the Board is invited to consider. It is noted that the work plan is not intended to set out all the agenda items which will be considered at each meeting of the Board of Management.</li> </ul>



## **1. INTRODUCTION**

- 1.1 This paper provides a suggested timeline for the year, incorporating formal requirements which the Board is invited to consider.

## **2 BACKGROUND**

- 2.1 The Board's External Effectiveness Review conducted by the College Development Network (CDN) in 2021 recommended that the Board introduce an annual work plan for the Board and its Committees to allow members to understand and prepare for the annual cycle of business.
- 2.2 The attached work plan is a suggested timeline for the year and is not intended to set out the agenda for each meeting of the Board of Management.

## **3 EQUALITIES**

- 3.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report

## **4 RISK**

- 4.1 That the College fails to implement a recommendation in support of good governance.

## **5 RECOMMENDATIONS**

- 5.1 The Board is asked to:
  - 5.1.1 Review the workplan and ensure it is complete.
  - 5.1.2 Confirm similar timeframes for 2024/25 scheduling of work for 2025/26, and
  - 5.1.3 Instruct College management to arrange for the appropriate supporting documents to be available according to the timetable.

## **Board of Management Meeting – Annual Work Plan**

*Note: This work plan is not intended to set out all the agenda items which will be considered at each meeting of the Board of Management*

<b>Board of Management – Aug/Sept</b>
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### **Matters for Approval**

- **Draft Report from the Audit and Risk Committee to the Board of Management and Audit Scotland**

### **Matters for Discussion**

- **Chair's Update**
- **Principal's Update**
- **Student Association Report**
- **Mid-Year Review (MYR)**
- **Final Forecast Review (FFR)**

### **Matters for Information**

- **College Cashflow**
- **Risk Register**
- **Governance Rolling Review**
- **Reports by Chairs of Committees**

### **AOCB**

<b>Board of Management – Nov/Dec</b>
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### **Matters for Approval**

- **Annual Audit Report and Completion Letter**
- **Actuarial Assumptions – Financial Statements**
- **Complaints Annual Report**

### **Matters for Discussion**

- **Chair's Update**
- **Principal's Update**
- **Student Association Report**
- **Mid-Year Review (MYR)**
- **Final Forecast Review (FFR)**

### **Matters for Information**

- College Cashflow
- Risk Register
- Governance Rolling Review
- Reports by Chairs of Committees

#### **AOCB**

<b>Board of Management – March/April</b>
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##### **Matters for Discussion**

- Chair's Update
- Principal's Update
- Student Association Report
- Review of Board of Management Work Plan
- Mid-Year Financial Projection
- Mid-Year Learning and Teaching Update

##### **Matters for Information**

- College Cashflow
- Reports by Chairs of Committees
- Risk Register Update
- Governance Rolling Review
- Reports by Chairs of Committees

#### **AOCB**

<b>Board of Management – June</b>
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##### **Matters for Approval**

- 2026-27 South Lanarkshire College Budget
- SFC MYR Return
- BOM

##### **Matters for Discussion**

- Chair's Update
- Principal's Update
- Student Association Report

##### **Matters for Information**

- College Cashflow
- Reports by Chairs of Committees
- Risk Register Update
- Governance Rolling Review

#### **AOCB**

## BOARD OF MANAGEMENT

<b>DATE</b>	4 June 2025
<b>TITLE OF REPORT</b>	Draft Mid-Year Return (MYR) 2024/25 - Supporting Commentary
<b>REFERENCE</b>	06.0
<b>AUTHOR AND CONTACT DETAILS</b>	<p>Elaine McKechnie, Vice Principal – Finance, Resources &amp; Sustainability  <a href="mailto:Elaine.mckechnie@slc.ac.uk">Elaine.mckechnie@slc.ac.uk</a></p> <p>Paddy Feechan, Head of Finance  <a href="mailto:Paddy.Feechan@slc.ac.uk">Paddy.Feechan@slc.ac.uk</a></p>
<b>PURPOSE:</b>	<p>To provide supporting commentary for the Mid-Year Return that was submitted to the Scottish Funding Council (SFC) on 9 April 2025.</p> <p>To ask the Board to retrospectively approve the submission as final.</p>
<b>KEY RECOMMENDATIONS/ DECISIONS:</b>	<p>The Board is asked to:</p> <ul style="list-style-type: none"> <li>• note the key planning assumptions that have been factored into the MYR;</li> <li>• note that the MYR return remains in draft until Board approval is confirmed;</li> <li>• note that the MYR currently assumes that all Voluntary severance applicants with pension strain costs will be approved and this would change, should high strain costs be rejected.</li> <li>• note the operating deficit increase of £1.301M to £2.002M is largely due to under accrual of pay awards settled in year (£0.440M); £0.225M anticipated overspend on voluntary severance payouts pending SFC approval; a further £0.208M anticipated depreciation expense as a result of the removal of a residual value from the Campus and an increase of £0.134M in operating expenditure as a result of additional VAT expenditure incurred because of a retrospective correction of applicable input VAT % on utility bills.</li> </ul>
<b>RISK</b>	<ul style="list-style-type: none"> <li>• Going concern - the College cannot financially support its operations due to reduced funding</li> <li>• Business risk – the College needs to drive commercial income but there is uncertainty of income due to unknown demand, competition, costs and regulations.</li> <li>• Reputation risk – the impact on staff and students of any strategic decisions it makes to secure the College's future viability</li> <li>• Legal risks – potential exposure to lawsuits for failing to follow through due process and procedure fairly and in</li> </ul>

	compliance with legislation and other external bodies, such the SFC.
<b>RELEVANT STRATEGIC AIM:</b>	<ul style="list-style-type: none"> <li>• Successful Students</li> <li>• The Highest Quality Education and Support</li> <li>• Sustainable Behaviours</li> </ul>
<b>SUMMARY OF REPORT:</b>	<ul style="list-style-type: none"> <li>• The report sets out the assumptions utilised in the completion of the financial inputs to the MYR for 2024/25.</li> <li>• The report highlights key differences in expectations for income and expenditure in the initial FFR 2024/25 versus the MYR for 2024/25. Income projections in the MYR are now based on up-to-date activity as at 31 January 2025 and expenditure reflects likely voluntary severance costs, ongoing inflationary pressures and additional depreciation expense incurred as a result of additional CAPEX expenditure.</li> <li>• The balance sheet reflects an increase in cash balances to £2.002M from £0.823M due to conclusion of employment tribunals in the College's favour, together with reduction in creditor balances.</li> <li>• The Cashflow balance is largely consistent with the latest SFC Cashflow and Drawdown report submitted in March 2025 with a circa £1.9M cash balance expected as at 31 July 2025.</li> <li>• The report ends with a review of financial ratios which remain largely consistent with FFR 2024/25 initial expectations.</li> <li>• The College restates its commitment to continually monitor cashflow and drive forward the strategy within the context of its current restructure.</li> </ul>

## **1. INTRODUCTION**

- 1.1. This paper provides an overview of the commentary to support the draft Mid-Year Review (MYR) submitted to the Scottish Funding Council on 9 April 2025. The MYR will be confirmed as final to the SFC once the Board have given their approval.

## **2 BACKGROUND**

- 2.1 All Scottish Colleges are requested annually to provide an updated financial forecast return for Academic Year. This enables the Scottish Funding Council to review progress against the initial budget for the year (as set out in the Financial Forecast Return) and establish reasons for any deviations from budget.
- 2.2 As a public sector body, it is imperative that Colleges are transparent in their financial projections to ensure that public monies are being spent appropriately and in line with the conditions of funding and grants received.

## **3 ASSUMPTIONS**

- 3.1 The assumptions used in the return are as follows:

- 3.1.1 Core funding for 2024-25 reflects the final college sector funding allocations;
- 3.1.2 An agreed switch in 2024-25 capital maintenance budget from CDEL (75%) to RDEL (25%);
- 3.1.3 Additional funding to cover the cost of increased employer contributions to the Scottish Teachers Superannuation Scheme has been received and is reflected for the period April 2024 to March 2025.
- 3.1.4 For the purposes of this MYR, no additional funding for NI increases has been made for the period April 2025 to July 2025.
- 3.1.5 The impact of National Bargaining/job evaluation costs has been considered and the agreed accounting treatment set out in 2023-24 Accounts Direction has been maintained,
- 3.1.6 The cost of living pay award increases for lecturing and support staff of £1,500 per FTE have been reflected alongside any incremental increases required.
- 3.1.7 Non-SFC income takes account of local circumstances;
- 3.1.8 There is no funding for severance costs;
- 3.1.9 There are no FRS 102 pension adjustments; and
- 3.1.10 Non-staff costs take account of local circumstances and extrapolation of costs for remainder of academic year as appropriate.

## **4 INCOME COMMENTARY**

- 4.1 The FFR 2024-25 highlighted expected annual income of £18.300M versus the MYR 2024-25 equivalent of £18.606M. The increase of £0.306M is primarily explained by the following movements:
- 4.1.1 Tuition fees and education contracts increase of £0.158M is based on up-to-date credit activity data utilised following the peak January 2025 enrolment period;
  - 4.1.2 Increase of Funding Council/RSB non-recurrent grant funding of £0.205M in respect of funding for SPPA employer pension cost uplifts;

- 4.1.3 Increase in revenue grants from ALF of £0.033M due to rephasing of project expenditure and related income release in respect of student counsellor funding received across 2023-24 and 2024-25; and
- 4.1.4 Increase in other grant income of £0.233M represented by an update for UKRI Innovate UK funding of £0.191M not included in FFR 2024-25 and £0.003M for STEP Institution Enhancement Funding due for 2024-25 (not known at the time of FFR 2024-25 production).

4.2 These increases have been offset by:

- 4.2.1 the removal of Funding Council/RSB non-recurrent grant funding of £0.177M for previously anticipated job evaluation monies for 2024-25. There is no longer a commitment to provide this funding from 2023-24 onwards however the provision life to date (LTD) to 2023-24 remains on the statement of financial position; and
- 4.2.2 a £0.091M reduction in other income due to reduced provision for nursery rent due for hire of premises (£0.050M) and reduction in estimates of scrap sales/other minor income streams (£0.041M) based on current year level of activity. Please note that any full cost/commercial income is recognised within tuition fees and education contracts.

## **5 EXPENDITURE COMMENTARY**

5.1 The FFR 2024-25 reflected expenditure of £19.601M versus MYR 2024-25 of £20.608M. The increase of £1.007M is explained by the following:

- 5.1.1 Staff costs are £0.440M overspent primarily as a result of under accrued pay awards which were settled earlier in the year in respect of curriculum based pay;
- 5.1.2 An expected overspend on exceptional restructuring staff costs of £0.225M. Following the completion of Voluntary Severance scheme at end of February 2025, the College anticipates 38 posts being vacated at a cost of £1.325M versus estimated cost of £1.1M. It should be noted that this is contingent on approvals that are pending from the Scottish Funding Council.
- 5.1.3 An increase in operating expenditure of £0.134M due to additional VAT expenditure incurred because of a retrospective correction of applicable input VAT % on utility bills; and a £0.208M anticipated increase in depreciation expense due to removal of the residual value from the College building. This decision was made following technical advice from Audit Scotland during the 2023-24-year end audit in October 2024. This will have the unavoidable consequence of increasing depreciation expense going forward.

## **6 ADJUSTED OPERATING POSITION (AOP) COMMENTARY**

- 6.1 The Adjusted Operating Position (AOP) is a key performance measure required by the SFC for enabling an assessment of the underlying financial strength of an institution and to enable comparability across the College Sector. The adjustments made are intended to exclude those items which are exceptional, outwith the control of the institution or due to the specific impact of government accounting.
- 6.2 The movement in the FFR 2024-25 result of (£0.692M) versus MYR 2024-25 of (£1.121M) primarily reflects the additional operating expenditure of £1.007M, offset by the expected increase in come of £0.306M. These movements have been explained above.

6.3 The College anticipates a return to a more balanced budget in 2025-26 once the cost of Voluntary Severance has been absorbed and operations have been rationalised during the restructure. All restructure plans are expected to be fully implemented by 1 August 2025 at the latest.

## **7 STATEMENT OF FINANCIAL POSITION COMMENTARY**

7.1 The FFR 2024-25 non-current asset position of £49.665M versus MYR 2024-25 of £48.064M primarily reflects the impact of last year's revaluation.

7.2 Debtors are expected to be £1.024M lower than the FFR 2024-25 projection of £1.736M. This is due to the removal of funding for job evaluation from the Scottish Government in line with guidance from the updated Accounts Direction issued for 2023-24.

7.3 Cash balances are expected to level at £2.002M, which is an increase of £1.179M on the FFR for 2024-25 of £0.823M. Following the conclusion of employment tribunals in February 2025 which went in the College's favour, the College will not be liable to pay any settlements which had been expected at a value of circa £1M.

7.4 Overall, creditors in the MYR are consistent with the FFR. However:

7.4.1 The College previously held an unfunded provision for job evaluation which will be released in 2024-25 to reflect the College restructure that is being introduced and the parity of pay that it intends to put in place internally for support staff roles as a result of job evaluation exercises internally. This is a release of £0.752M.

7.4.2 This decrease has been offset by the inclusion of a payroll creditor at year (£0.440M) and a trade creditor balance based on historical levels of £0.330M.

7.5 In line with point 7.5 below, it should be noted that the previously held accrual of £1.045M for funded job evaluation has also been reclassified as a provision from accruals (net £nil impact on total creditor balances).

7.6 Erosion of the unrestricted reserves from £3.706M per FFR 2024/25 to £2.531M on the MYR 2024/25 reflect the ongoing financial challenges of reduced funding and increased cost bases, including the cost of voluntary severance.

## **8 CASH FLOW COMMENTARY**

8.1 The FFR 2024-25 reflected a net decrease in cash of £1.429M versus MYR 2024-25 decrease of £2.689M; a variance of £1.260M.

8.2 This primarily reflects anticipated, additional cash required to service increased payroll costs because of the voluntary severance exercise.

8.3 The College continues to work hard to minimise spend where possible in order to support greater financial sustainability against a backdrop of reduced funding and general inflationary pressures.



## **9 CAPITAL EXPENDITURE COMMENTARY**

9.1 The FFR 2024-25 initially reflected capital expenditure of £0.896M. However, the funding allocation from SFC for the College for 2024-25 is £0.850M, of which 75% is being utilised for capital projects, representing a revised capital expenditure total of £0.638M.

## **10 SUMMARY COMMENTARY**

10.1 The financial ratios within the MYR are largely consistent with the following salient points identified below:

10.1.1 The results suggest a partial reduction in the reliance on Funding Council Grants which account for 80% of total income and non-Funding Council grants representing 20%. (82% and 18% in FFR 2024-25 respectively). The 2% increase in non-Funding Council Grant recognises the ongoing work of the College to better support commercial activity in the form of 'full cost recovery' with local businesses and partnerships.

10.1.2 Salaries as a % of total expenditure reflect 73% (74% FFR 2024-25) which tracks above the sector average. However, the College expects this to be more in line with sector average once the Voluntary Severance exercise is complete in 2024-25.

10.1.3 The operating position reflects an increased deficit of (£2.002M) from (£1.301M), owing to the financial challenges facing the College and cost of its voluntary severance scheme. This should however support a return to a more balanced budget going forward.

10.1.4 The cash position is expected to increase with a 39 days cash ratio to total expenditure (17 days cash ratio per FFR 2024-25). This highlights the cash savings realised following the conclusion of the employment tribunals.

10.1.5 The liquidity ratio has been inflated to 1.64 from 1.54. Measuring the College's ability to cover its short-term obligations, this minimal increase is a positive indication of the stronger financial position the College expects to achieve by the end of 2024-25.

## **11 RESOURCE IMPLICATIONS**

11.1 This paper has been reviewed by the College Executive Team and the continued monitoring of financial results continues to be a priority for the College. The College has recently concluded a Voluntary Severance scheme in February 2025 and the outcomes of that are being sensitively communicated to individuals during April 2025.

11.2 The College acknowledges that grant funding can no longer be relied upon to fully support its operations and hopes to realise over £1M in salary savings from its Voluntary Severance scheme, as well as realising operational efficiencies because of a large-scale restructure of all curriculum and support staff departments.

## **12 EQUALITIES**

12.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

## **13 RISK AND ASSURANCE**

13.1 The main risks are as follows:

- 13.1.1 Going concern - the College cannot financially support its operations due to reduced funding
- 13.1.2 Business risk – the College needs to drive commercial income but there is uncertainty of income due to unknown demand, competition, costs and regulations.
- 13.1.3 Reputation risk – the impact on staff and students of any strategic decisions it makes to secure the College’s future viability; and
- 13.1.4 Legal risks – potential exposure to lawsuits for failing to follow through due process and procedure fairly and in compliance with legislation and other external bodies, such as the SFC.

## **14 RECOMMENDATIONS**

14.1 The Board is recommended to:

- 14.1.1 note the key planning assumptions that have been factored into the MYR;
- 14.1.2 note that the MYR return remains in draft until Board approval is confirmed;
- 14.1.3 note that the MYR currently assumes that all Voluntary severance applicants with pension strain cost will be approved, and this would change should high strain costs be rejected;
- 14.1.4 note the increased operating deficit from £1.301M to £2,002M is largely due to under accrual of pay awards settled in year (£0.440M); £0.225M anticipated overspend on voluntary severance payouts pending SFC approval; a further £0.208M anticipated depreciation expense as a result of the removal of a residual value from the Campus and an increase of £0.134M in operating expenditure as a result of additional VAT expenditure incurred because of a retrospective correction of applicable input VAT % on utility bills. This is partially offset by an increase of £0.308M in income.

## **Appendix SFC Mid-Year Return 2024-25**

### Board of Management

<b>DATE</b>	04 June 2025
<b>TITLE OF REPORT</b>	Proposed Final Budget 2025-26
<b>REFERENCE</b>	07.0
<b>AUTHOR AND CONTACT DETAILS</b>	Paddy Feechan – Head of Finance Paddy.Feechan@slc.ac.uk
<b>PURPOSE:</b>	To provide the Board with an overview of the final Budget for 2025/26 for formal approval on 04 June 2025
<b>KEY RECOMMENDATIONS/ DECISIONS:</b>	<p>Members are asked to:</p> <ul style="list-style-type: none"> <li>• Note that at its meeting on 13 May 2025, the Finance &amp; Resources Committee approved a Draft Budget for 2025-26 of £817k deficit for remittance to the Board for formal approval.</li> <li>• note the assumptions used in the budget setting process.</li> <li>• note the financial projections for 2025-26, inclusive of a Capital expenditure projection, Cash flow and the Statement of Financial Position for 2025-26.</li> </ul>
<b>RISK</b>	<p>The main risks are to:</p> <ul style="list-style-type: none"> <li>• Going concern; that the College cannot maintain financial sustainability and is unable to provide high quality education and support to its students; and that</li> <li>• There are insufficient funds for capital maintenance and maintenance requirements.</li> </ul>
<b>RELEVANT STRATEGIC AIM:</b>	<ul style="list-style-type: none"> <li>• The Highest Quality Education and Support</li> <li>• Sustainable Behaviours</li> </ul>
<b>SUMMARY OF REPORT:</b>	<ul style="list-style-type: none"> <li>• The report contains a summary of the proposed final budget for 2025/26.</li> <li>• The College looks set to recognise a deficit of (£788k) in 2025-26. The College will not treat this as a target figure but will instead work to minimise the deficit over 2025-26 where possible.</li> <li>• Cashflow will continue to be depleted in the full and final settlement of pending pay awards, National Insurance increases and pension increases.</li> </ul>

	<ul style="list-style-type: none"> <li>• Provisional capital works have been identified for 2025-26. The College has been allocated a budget of £892k from SFC for capital expenditure in 2025-26.</li> <li>• The College recognises that 2025-26 should see us exit a period of transition with relevant departmental restructures in place by 1 August 2025. Improvements in financial reporting will only help to drive better decision making to ensure the College operates effectively and efficiently within its limited resources.</li> </ul>
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## 1 INTRODUCTION

- 1.1. This paper provides an overview of the proposed final Budget for 2025/26 for formal approval of the Board of Management.

## 2 BACKGROUND

- 2.1 Following the announcement of indicative 2025-26 funding allocations from the Scottish Funding Council (SFC) on 10 April 2025, the College is now able to prepare a budget more accurately for the year 2025-26, inclusive of a capital expenditure plan, a cashflow statement and a projected statement of financial position.
- 2.2 With regards to the SFC funding, the College settlement for 2025-26 is effectively flat cash with a minimal £45k increase in Teaching Grant funding, and additional funds allocated for lecturer pay (£126k) and SPPA pension increases (£236k). This equates to a total 3% increase in funding moving from £13.7m to £14.1m.
- 2.3 There has been a mitigation exercise affecting all Colleges, and because of this, SLC have seen a reduction in the Indicative Funding of (£91.6k). This is a sector wide initiative to help support those colleges who are experiencing a bigger reduction to their Funding. Our reduction is low in comparison to most, the third least in the group.
- 2.4 The College sector has queried the methodology on which the funding allocations have been made, and questions have been directed to the SFC from the Finance Directors Network to ascertain answers. It is however unlikely that funding allocations will change significantly prior to final allocations being announced in June 2025.
- 2.5 It is a requirement of College Management that a full budget is prepared and submitted to the Board of Management for approval as part of the Board's commitment to ensuring good governance of the College.
- 2.6 The College is looking to report a break-even budget as soon as possible, to help with self-sustainability. There was hope that the reduction in the Salary amounts due to the VS process that was undertaken would enable 2025-26 to return to a balanced budget, but this hasn't been possible due to the lower than anticipated SFC Funding and a proportion of liabilities in the form of national insurance and pension rate increases for which full Government funding has not been granted.
- 2.7 The College anticipates a similar level of expenditure in 2025-26 to 2024-25, ensuring ongoing compliance in procurement and a commitment to reduce spend where necessary. The College will seek to increase commercial revenue growth where possible.

### 3 RECONCILIATION OF DRAFT BUDGET 2025/26 TO FINAL BUDGET 2025/26

3.1 The draft budget was presented to the Finance & Resources Committee on 13 May 2025. The draft budget proposed a deficit of (£817k) and was agreed by the FRC with the caveat that the college look to outperform the budget figure. Since this date Finance have been presented with further information to allow us to reduce the budgeted deficit. The final budget figure now proposed is a deficit of (£788k), which is an improvement to the draft deficit figure of £29k.

3.2 The net £29k savings from the draft budget all relate to salaries. This includes a £129k saving from 4 posts across Business, Management, Media and Tourism (2 posts) & Inclusive Learning, ESOL and Counselling (2 posts). This saving has been partially offset by two new roles for which an urgent need has been identified following further consultation on restructure proposals (£100k oncost). A Student Experience & Services Manager will support the workload of the expanded Student Services team, taking on responsibility for the Students' Association and Customer Service Advisory team. A People Services & HR Administrator will further support the administrative duties within the HR department.

3.3 The Board is asked to note this reconciliation between the draft budget and the proposed final budget.

#### 3.3.1 Table 1 Draft Budget 2025-26 to Final Budget 2025-26 Reconciliation

			£000
<b>Total comprehensive gain/(loss) for the year</b>		<b>Draft budget 25-26</b>	<b>(817)</b>
<b>Add:</b>	<b>Appeals for Severance: Upheld</b>		
2 posts	Inclusive Learning, ESOL & Counselling		
2 posts	Business, Management, Media and Tourism		129
<b>Less:</b>	<b>Additional roles identified</b>		
1 post	Student Experience & Services Manager		(56)
1 post	Executive Administration		(44)
<b>Total comprehensive gain/(loss) for the year</b>		<b>Final budget 25-26</b>	<b>(788)</b>

### 4 STATEMENT OF COMPREHENSIVE INCOME AND EXPENDITURE

4.1 The Board is asked to note the statement of comprehensive income and expenditure below, suggesting a further full year anticipated deficit of (£788k).

4.1.1 Table 2 Extract of Statement of Comprehensive Income and Expenditure

<b>STATEMENT OF COMPREHENSIVE INCOME AND EXPENDITURE</b>				
			Year ended 31st July 2026 Budget	31st March 2025 MYR - Forecast
	Note		£000	£000
<b>Income</b>				
Scottish Funding Council grants	1		15,563	15,372
Tuition fees and education contracts	2		3,020	3,011
Other income	3		467	615
Investment income	4		10	15
<b>Total income</b>			<b>19,060</b>	<b>19,013</b>
<b>Expenditure</b>				
Staff costs	5		14,376	15,089
Other operating expenses	7		3,722	4,138
Donation to charitable trust	8		-	-
Interest and other finance costs	9		1	1
Depreciation	10		1,750	1,787
Impairment losses on tangible fixed assets			-	-
<b>Total expenditure</b>			<b>19,848</b>	<b>21,016</b>
<b>(Deficit)/surplus before taxation</b>			<b>(788)</b>	<b>(2,003)</b>
Taxation	11		-	-
<b>(Deficit)/surplus for the year</b>			<b>(788)</b>	<b>(2,003)</b>
Actuarial gain in respect of pension scheme			-	-
Pension asset cap adjustment			-	-
Unrealised surplus on revaluation of land and buildings			-	-
<b>Total comprehensive gain for the year</b>			<b>(788)</b>	<b>(2,003)</b>
Represented by:				
Restricted comprehensive income for the year			-	-
Unrestricted comprehensive income for the year			<b>(788)</b>	<b>(2,003)</b>
			<b>(788)</b>	<b>(2,003)</b>

## 5 INCOME

5.1 The Board is asked to consider the assumptions and limitations of the budget setting process:

5.2 As above, income budgets have been prepared based on the funding allocations as advised by the SFC. A summary of the indicative allocations for the Lanarkshire region is contained in appendix 1.

5.3 Grant in Aid funding has increased by 3% from the prior year. The Teaching Grant has only increased by £45k, but the College is receiving a combined £361k for Lecturers Pay Funding and Pensions Funding.

- 5.4 As publicised by the SFC, funding for the year ahead includes an element of mitigation. There are a few colleges who are seeing a significant funding reduction, and so to help ease this burden, most of the colleges who are receiving an increase will suffer a deduction. South Lanarkshire College features low on the mitigation table, losing (£91.6k) of funding, where 5 colleges are losing over a quarter of a million in funding.
- 5.5 The College is expecting to realise a similar level of tuition fees and education contracts in 2025-26, based on static credit targets of 43,601 in 2025-26. while the College expects a reduction in Modern Apprenticeship Income of about £70K (£567k to £496k in 2025-26), the College anticipates additional commercial activity to offset the loss.
- 5.6 Other income of £467k includes nursery facility provision, scrap sales and bistro/training restaurant supplies, in addition to funding from the Innovate UK project and other grants received and released in line with the completion of college projects to which they relate. This is lower than the anticipated 2024-25 total of £615k, owing to two Foundation revenue grants which won't be further available in 2025-26. No provision has been made for any potential Foundation funding in 2025-26 given no project bids are currently in view.
- 5.7 Investment income of £10k relates to bank interest generated from cash reserves and is expected to decline with falling bank interest rates and a reduction in the College's capacity to invest in short term deposits over 2025-26. However the college will continue to review options for greater interest generation and will maximise revenue where possible based on diminishing cash levels.
- 5.8 As the College sector is unlikely to be granted any discretion to use capital maintenance funding for revenue purposes by the SFC, the College are not budgeting for this as a potential income source. This position changed intra-year in 2024-25, but without any assurances, the College cannot commit to a similar action being taken by the SFC.
- 5.9 No further provision has been made for Job Evaluation for the purposes of budget 2025-26. The College continues to hold a provision of £1.045m for anticipated costs from the 2018 exercise as agreed in the 2023-24 financial statements. It is likely that further updates on treatment of this provision for 2024-25 will follow across summer 2025 and the Committee will be updated in due course.

## **6 SALARIES**

- 6.1 The salaries budget for 2025-26 is £14.376m versus anticipated spend in 2024-25 of £15.089m.
- 6.2 As discussed at the Finance & Resources Committee on 13 May 2025, the College had intended to recognise a net payroll saving of circa £1m from the Voluntary Severance initiative, owing to 35 post holders voluntarily leaving employment at the College during 2024-25. As at current date, the net payroll saving is now £1.1m due to 4 additional postholders successfully appealing their Voluntary Severance outcome, culminating in a total of 39 posts being removed from 2025-26.

- 6.3 As per 2025-26 budget, salary costs at the College continue to account for 72% of total expenditure (2024/25 72%). The College had hoped to see a decline in this percentage but owing to the factors outlined below at 6.5 to 6.9, this will not be possible.
- 6.4 While the College will reduce its annual pay bill by £1.1m in 2025-26, the saving in salary has been adversely impacted by:
- 6.5 The likely pay award for 2025-26 is likely to be 4.14% for curriculum staff and 4.25% for professional services staff. This will come at an anticipated cost of approximately £450k; and
- 6.6 The National Insurance Increase from 13.8% to 15% which adds an annual cost of circa £225K and for which only 48%-60% of Government funding is expected (circa £145k unfunded); and
- 6.7 The Strathclyde Pension Fund (SPF) employer rate increase from 1 April 2026 from 9.4% to 17.5%, adding a further £108k cost to the payroll budget for the last four months of 2025-26.
- 6.8 The College has also provisioned for two security guards to patrol the Campus effective 1 August 2025 following a call for enhanced security and safeguarding of students and staff at the College. Procurement options are being investigated currently but the cost is estimated to land at approximately £80k annually.
- 6.9 The payroll budget also contains the costs associated with the creation of newly proposed or repurposed roles following the restructure announcements in April and May 2025.

## **7 OTHER OPERATING EXPENDITURE**

- 7.1 Full year expenditure of £3.722m is anticipated against a full year expectation for 2024-25 of £4.138m.
- 7.2 Operating expenditure across 2024-25 recognised £328k in legal fees in respect of employment tribunal costs, and this level of expenditure is not expected to occur again in 2025-26.
- 7.3 The College also recognises that there will be savings of circa £40k in respect of regional Board expenses following dissolution on 30 July 2025. However, the College remains mindful of some financial outlay to be incurred as the dissolution process completes.
- 7.4 Inflation has been tracking at approximately 3.4% to March 2025 and so there will be some unavoidable costs in the form of annual incremental increases for services and routine contracts. The intended savings in legal fees and regional Board expenses are expected to support with any incremental increases.
- 7.5 The College would like to remind the Board of the ongoing work within Procurement to bring many areas of our expenditure onto APUC frameworks which should allow the



College to control their costs better. While the College cannot conclude that this will bring cost savings, there is an expectation that some savings may present as a direct consequence.

7.6 Depreciation reflects the expected inclusion of £890k of capital funds allocated from the SFC in full, with no ability to utilise funding for revenue related repairs and maintenance at this time.

## **8 CAPITAL EXPENDITURE**

8.1 The SFC have advised that the College will have access to £892k of funding for capital projects. The College has assumed that none of this balance can be used for any revenue purposes in line with expected SFC guidance for 2025-26.

8.2 The Senior Leadership Team is yet to meet to confirm capital expenditure for 2025-26 but meetings have taken place with relevant staff to create a proposed plan for next year's capital expenditure. This will be presented to the SLT when finalised.

8.3 The proposed capital works for next year have been reviewed, and denoted as 'Essential' works, or 'Desirable' works. The essential projects are likely to be agreed at SLT level, with the desirable projects only being agreed if there is budget for them to be actioned. This will all be discussed at relevant levels, dependant on project values.

8.4 The following capital expenditure is in view for SLT discussion (total of £892k).

8.4.1 External cladding repairs to maintain weather proofing of the building - £30k.

8.4.2 Boiler replacement, supporting sustainability aims - £50k.

8.4.3 MIS IT spend for system continuity - £170k.

8.4.4 Lapsafe system, to support the College in digital pursuits - £110k.

8.4.5 IT device refresh, owing to windows 11 expiry - £130k.

8.4.6 Access Control system - £192k.

8.4.7 Horticultural glasshouse - £30k.

8.4.8 Outdoor Classroom, including turf and horticultural activities = £20k.

8.4.9 Reconfiguration of college spaces - £100k.

8.4.10 Contingency spend - £60k.

8.5 The College recognises that net zero targets will only be achievable with appropriate levels funding to support significant investment in green technologies. As such, funds for 2025-26 will likely be targeted on refresh of existing technologies to support the move towards greater energy efficiency, renovations to the estate and investment in digital technologies.

8.6 The College recognises that a well-designed and robust process for reviewing and approving capital works will be instrumental for budget monitoring going forward. Any project over £10k will be required to undergo a formal project bid process during 2025-26, which will be presented to SLT for approval prior to any works being initiated. A capital investment policy and procedure is being progressed by the College currently and will be shared with the Board in due course.

## 9 CASH FLOW

9.1 The Board is asked to take note of the likely cashflow position by the end of 2025-26 of £1.534m. This is in line with the current monthly cashflow submissions that are made to the Scottish Funding Council.

### 9.2 Table 3 Extract of Statement of Cash Flows

<b>STATEMENT OF CASH FLOWS</b>					
				Year ended 31st July 2026 Budget £000	31st March 2025 MYR - Forecast £000
<b>Net cash inflow from operating activities</b>					
	(Deficit)/surplus for the financial year			(788)	(2,003)
	Adjustments for:				
	Depreciation of tangible assets			1,750	1,787
	Impairment of Fixed Assets			-	-
	(Increase)/Decrease in Stocks			-	-
	(Decrease)/Increase in creditors due within one year			(254)	(1,484)
	(Increase)/Decrease in debtors			22	53
	Interest payable			1	1
	Amortisation of deferred capital grants			(1,176)	(1,045)
	Early retirement pension payments			-	-
	Job evaluation provision			-	-
	Investment Income			(10)	(15)
	Pension cost less contributions payable			(21)	(32)
	Cash from operations			(476)	(2,738)
	Income taxes paid			-	-
<b>Net cash generated from operating activities</b>				<b>(476)</b>	<b>(2,738)</b>
<b>Cash flows from investing activities</b>					
	Investment Income			10	15
	Purchases of tangible fixed assets			(892)	(638)
<b>Net cash flows from investing activities</b>				<b>(882)</b>	<b>(623)</b>
<b>Cash flows from financing activities</b>					
	Interest paid			(1)	(1)
	Government capital grants received			892	672
<b>Net cash flow from financing activities</b>				<b>891</b>	<b>671</b>
<b>Net increase in cash and cash equivalents</b>				<b>(468)</b>	<b>(2,689)</b>
<b>Cash and cash equivalents at the beginning of the year</b>				<b>2,002</b>	<b>4,691</b>
<b>Cash and cash equivalents at the end of the year</b>				<b>1,534</b>	<b>2,002</b>

## 10 ADJUSTED OPERATING SURPLUS/(DEFICIT)

10.1 The Adjusted operating surplus/(deficit) continues to be an important measure of financial position for the Scottish Colleges and ensures parity when reviewing and consolidating results by the SFC.

10.2 The College looks set to continue to recognise an adjusted operating deficit of (£214k) in 2025-26, despite the voluntary severance initiative. However, the Board is asked to take assurances from the reduction in payroll costs which have mitigated the extent of this deficit.

10.3 Table 4 Adjusted operating surplus/deficit

<b>ADJUSTED OPERATION SURPLUS/(DEFICIT)</b>				Year ended	
				31st July 2026	31st March 2025
				Budget	MYR - Forecast
				£000	£000
		Deficit		(788)	(2,003)
		Depreciation		1,750	1,787
		Depreciation grant		(1,176)	(1,045)
<b>Add:</b>		<b>Depreciation (net of deferred capital grant)</b>		<b>574</b>	<b>742</b>
		Impairment loss		-	-
		Non-Government Capital Grants (ALF capital grant)		-	-
		Costs of middle management job evaluation exercised not mat		-	-
		non-cash pension adjustment - net service cost		-	-
		non-cash pension adjustment -net interest/(income)		-	-
		non-cash pension adjustment - early retirement provision		-	-
		<b>Adjusted operating surplus/(deficit)</b>		<b>(214)</b>	<b>(1,261)</b>

## 11 STATEMENT OF FINANCIAL POSITION

11.1 Table 5 Statement of Financial Position

STATEMENT OF FINANCIAL POSITION				
			As at 31st July 2026 Budget £000	As at 31st March 2025 MYR - Forecast £000
	Note			
<b>Non-current assets</b>				
Fixed assets	10		47,261	48,064
<b>Current assets</b>				
Stocks	12		18	18
Trade and other receivables	13		690	712
Cash and cash equivalents	19		1,534	2,002
			2,242	2,732
<b>Creditors: amounts falling due within one year</b>	14		2,592	2,715
<b>Net current assets</b>			(350)	17
<b>Total assets less current liabilities</b>			46,911	48,081
Less: Creditors - amounts falling due after one year	15		21,680	22,062
Less: Provisions for liabilities	16		1,249	1,249
<b>Net assets excluding pension (asset)/liability</b>			23,982	24,770
<b>Net pension (asset)/liability</b>	18			
<b>TOTAL NET ASSETS</b>			<b>23,982</b>	<b>24,770</b>
<b>Reserves</b>				
Revaluation reserve			22,239	22,239
Income and expenditure account - unrestricted			1,743	2,531
Income and expenditure account - restricted				
<b>TOTAL RESERVES</b>			<b>23,982</b>	<b>24,770</b>
			(0)	-

11.2 The Statement of Financial Position continues to show the reduction in College net assets/reserves, from £24.77m to £23.982m.

11.3 Despite the payroll savings of £1.1m in 2025-26 due to the recent voluntary severance exercise, there are factors out with the control of the College that are set to have an adverse impact on the adjusted operating position.

11.3.1 Expected 4.14% (curriculum) and 4.25% (professional services staff) pay awards for 2025-26 of which there is only partial funding from Government.

11.3.2 National Insurance Increases from 13.8% to 15%, of which funding from Government is expected to be around 48%-60% of the total increase.

11.3.3 SPF employer pension contribution increases from 1 April 2026 from 9.4% to 17.5% for which there is currently no commitment from Government to fund.

11.3.4 Provision for security staff to patrol the campus; and

11.3.5 Annual incremental increases to many routine services.

11.4 The negative net current assets of (£350k) allude to the fact that short term debts due are larger than the value of assets readily available to turn into cash. This is largely due to continued cuts to funding in real terms and the resulting depletion of cash reserves.

11.5 It is therefore in the College's interest to diversify income and grow commercial income streams to better support its operations in a move away from reliance on Government funding.

## **12 EQUALITIES**

- 12.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

## **13 RISK AND ASSURANCE**

- 13.1 The main risks are to:

13.1.1 Going concern; that the College cannot maintain financial sustainability and is unable to provide high quality education and support to its students; and that

13.1.2 There are insufficient funds for capital maintenance and maintenance requirements.

- 13.2 Assurances are given by the College that work is progressing to provide greater accuracy and transparency in monthly reporting. Furthermore, the College is committed to monitor its cashflow in both the short and long term and with more robust monthly reporting, the College will continually aim to be proactive in managing its finances against the context of a challenging year due to sectoral funding cuts and general inflationary pressures.

## **14 RECOMMENDATIONS**

SLT is recommended to:

- note that at its meeting on 13 May 2025, the Finance & Resources Committee approved a Draft Budget for 2025-26 of £817k deficit for remittance to the Board for formal approval.
- note the assumptions used in the budget setting process; and
- note the financial projections for 2025-26, inclusive of the intended Capital expenditure projection, Cash flow and the Statement of Financial Position for 2025-26.



**South Lanarkshire College**

**Students' Association**

**Board Report**

**April 2025**

**YOUR COLLEGE**  
 **YOUR WAY**

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## Overview

The Student Association have had a very busy few months with lots of fantastic activities taking place for students to engage with, including Refreshers, Love Your Planet, LGBT History Month and much more.

We have been trying to make sure the students know the SA is available to them by always having an activity or stall taking place. Our commitment to support students experiencing financial hardship has continued by ensuring the food larder is kept fully stocked and that free student meals are clearly promoted.

As part of the activities taking place, the Student Association had help keeping the planet, and campus, clean with Biffa alongside some of our amazing students. The President and Vice President were also engaged with LGBT+ History Month with a stall for students to share their ideas and learn more information. We also had a tablecloth where students could write positive messages and free cakes were available, provided by our Hospitality students. It has been incredibly rewarding interacting and hearing from the students on a variety of different topics.

## Student Engagement

As highlighted above, over the past few months the Student Association has been busy organising a variety of engaging events and activities, including Refreshers, Love Your Planet, LGBT History Month, Time to Talk, and an Easter Egg Hunt before the students finished for the Easter break. We are well on our way to completing all the activities we set out to achieve at the start of the year.

The Student Association is thrilled to have received feedback from students through the forms we handed out during our Refreshers event and are delighted to report that we received 100% positive feedback. We remain committed to hosting as many events as possible for students on campus, from mindfulness and mental health sessions to many more. Our goal is to ensure that every student has the best possible experience whilst studying at SLC.

The SA Office remains a central point on campus to support students, especially those dealing with increases in the cost-of-living. We are pleased we can continue to support students, in partnership with Aramark, by offering free soup, sandwiches, and breakfast on designated days. We are very grateful to the SLC Foundation for providing the funds to continue with this initiative. This funding also helps us operate the Student Larder. Located in the SA Office, this continues to remain stocked with food and toiletries and is a valuable resource for students.

To ensure students stay warm, the College Way Market continues to provide free clothing for all ages and is replenished with seasonal items throughout the year. This is such a valuable service and is easily accessible to the student community on the Ground Floor Atrium.



## Refreshers

Refreshers took place from Tuesday 28 to Thursday 30 January and featured many student favourites including 'What's in the Box?' and a Lucky Dip. Students also had the opportunity to sign up for yoga classes and receive a free yoga mat.

The event was very successful with students enjoying their interactions with the Student Association. Many prizes were awarded in the Lucky Dip, and 'What's in the Box?' winners received exciting gift bags. The main prize was a large jar of sweets and a £20 gift voucher.

The Student Association also distributed feedback forms and is pleased to report we received 100% positive responses. We are committed to maintaining this high standard of service for all our students.







## Time to Talk and Student Mental Health Agreement

Following our meeting with Think Positive in February 2025, we are excited to be continuing with the Student Mental Health Agreement for 2025-2027. We have already achieved a great deal in supporting student mental health but look forward to building on the work already undertaken. To find out more about our SMHA, please visit the Student Association webpage [here](#).

To support student mental health, the Student Association took part in the national Time to Talk event on 6 February 2025. The aim of the event was to create an open, informal space where students could have a relaxed conversation about their mental health and wellbeing. We wanted to check in with them and offer a safe space for discussing any challenges they might be facing, whether related to their studies, personal life, or day-to-day issues. It was an opportunity for students to share their thoughts and feelings, knowing they had support and someone to talk to.

Overall, the event fostered a sense of connection, and we were pleased to see many students engage in meaningful discussions about mental health.







## Love Your Planet and Valentine's Day

On Valentine's Day, we embraced the spirit of love not just for each other, but also for our wonderful planet. We welcomed several different organisations onto campus to help raise awareness about waste reduction and sustainability including Biffa, Home Energy Scotland and Cairn Ecology.

We were also delighted to invite the SLC Horticulture students by arranging an information stall for them. The students discussed the importance of bees and how they play a vital role in keeping the world moving. We learned from the Horticulture Course Tutor that if bumblebees go extinct, the planet will suffer significantly due to their vital role in pollinating so many plants.

Cairn Ecology focused on protecting species and conducting ecological assessments.

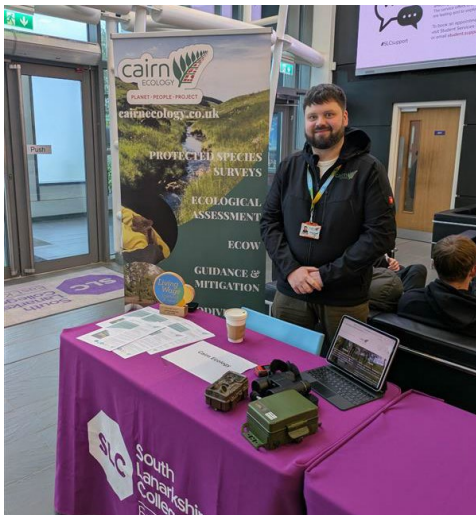
The Student Association handed out eco-friendly freebies to students, including recycled water bottles and notebooks. These items were highly sought after by our students with all of them being distributed. They also took the opportunity to talk about how everyone can contribute to taking care of our planet.

In the afternoon, the SA and student volunteers joined Biffa for a litter-picking session. We collected a lot of litter, splitting into smaller groups to cover different areas of the College campus. Overall, it was an excellent display of student participation and partnership.

Alongside this, the Student Association went around campus handing out individual Valentine's Day gift bags to students with lovely treats included. The aim of this was to help spread joy and the feeling of connection throughout the campus.

It was wonderful to see our college community come together to celebrate love and inspire sustainable behaviours that help protect our planet.

A big thank you to everyone who participated and helped make this event a huge success. Let's continue to spread love and care for one another and for our beautiful planet.







## Care Day 20 February

The Student Association celebrated Care Day for our care experienced students on 20 February. SLC Guidance and Support Advisors hosted a stall in the Atrium providing freebies and valuable guidance and information on all the internal and external support services available. We also hosted a lunch with 16 students coming along to enjoy pizza, juice, biscuits, and caramel shortcake, which everyone thoroughly enjoyed. It was a great opportunity to meet and chat with our care experienced students and have an opportunity to check in with them about their learner experience.







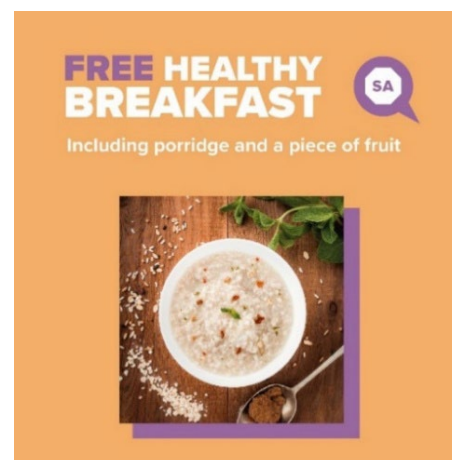
## LGBT History Month / Purple Friday

On February 28 March, the Student Association celebrated Purple Friday as part of LGBT History Month. We held a stall where we welcomed students to express how they felt and to write something positive on our LGBT Equality tablecloth. We were also delighted to be handing out free rainbow bags, stickers and college branded LGBTQ+ button badges for students to proudly wear. Working in partnership with our Hospitality students, the Student Association handed out free cakes including scones, carrot cake and cupcakes! The students had a great time, and we received very positive feedback throughout the day. Woman's Aid were also invited to have a stall providing information on gender-based violence to our college community. Our Beauty students also got involved by providing free purple manicures to staff and students. We would like to say a big thank you to all the students in our Hospitality and Beauty departments who helped make this event such a success.





## Complimentary Student Meals and Student Larder



We remain dedicated to supporting students who continue to face financial challenges by providing this complimentary service, in partnership with Aramark Catering. We will continue offering free soup and a sandwich to students one day per week. We would like to take this opportunity to express our heartfelt thanks to the SLC Foundation for their generous support, all of which makes this possible. This contribution allows us to provide healthy breakfasts and lunches to students who are most impacted by rising food costs, helping them to continue to focus on their studies.



Additionally, we continue to offer a Student Larder, where students can visit the SA Office to collect essential food and toiletries. We will also provide free pens, notebooks, and blank folders to ensure students have the necessary stationery.

Throughout the year, we work closely with Student Services to help guide students to Discretionary Hardship funding and promote financial support through the SA's fortnightly newsletter – Student News4U.



## Student's Charity Event

The Level 6 Cabin Crew students organised a three-day fundraising event for Valentine's Day to support their trip to Manchester for a residential course. The funds raised were aimed at assisting with both the cost of the trip and providing spending money, ensuring that all students had an equal experience, regardless of their budget. This initiative helps address student poverty, allowing everyone to participate and benefit from this learning opportunity. Additionally, part of the funds raised will be donated to the Beatson charity.

Well done to the students for hosting such a fantastic event!





## Money Monday

The Student President and Vice President held a Student Money Information Day where we handed out leaflets with information about student funding. The Student Association provided various informative leaflets including Your Guide to Student Support, as well as a link to find out more about student funding and to sign the National Union of Student (NUS) petition about improving overall student funding.



## Easter Egg Hunt

To create some fun before the Easter break, the Student President and Vice President went around the College placing pictures of Easter Eggs so that students could participate in an Easter Egg Hunt. Students had the chance to win an Easter Egg or a chocolate bunny if they chose to take part. There was a huge number of students who participated with a winner of the large Easter Egg and plenty of students who won smaller prizes.



## Forthcoming Events

Free Sanitary Product Stall: 2 April 2025

Care Experience Student Lunch: 24 April 2025

## **Chair's Report to the Board of Management**

*South Lanarkshire College*

May 2025

As we approach the final stages of the academic year, I would like to take this opportunity to update you on several key developments, acknowledge recent changes within our governance and executive teams, and offer some personal reflections as we look ahead to the next phase of the College's journey.

The past months have continued to be shaped by the wider tertiary education reform agenda. While this has undoubtedly created uncertainty across the sector, it has also provided glimpses of a more integrated, streamlined, and ambitious tertiary system in Scotland—one that places learner outcomes, regional equity, and institutional collaboration at its core. South Lanarkshire College is well placed to thrive within this emerging landscape, and I remain confident in the strength, professionalism, and resilience of our staff and governance to navigate what lies ahead.

Hot of the press at the time of writing, I warmly welcome the appointment of Gavin Donoghue as the new Chief Executive Officer of Colleges Scotland. Gavin has already made a significant contribution to the sector through his previous leadership within College Employers Scotland, and his deep understanding of the challenges and opportunities facing colleges across Scotland will be invaluable as we navigate a period of continued reform and transition.

[REDACTED]

On a more positive note, the Minister for Higher and Further Education, Graeme Dey MSP, has confirmed that the dissolution of the Lanarkshire Region will proceed on 30 July 2025 subject to Parliamentary approval (scheduled for 28<sup>th</sup> May 2025). This marks a significant and exciting milestone for the College. Independence presents an opportunity to reaffirm our strategic ambitions, strengthen local partnerships, and tailor our offer to better meet the needs of our communities. Further updates will follow in due course.

As part of this transition, I will formally step down as Chair on or before the 30<sup>th</sup> July and have the opportunity to apply for the role of Chair of the new independent College. I have taken the decision to apply and do so with full appreciation that the recruitment process will be open and competitive. Whatever the outcome, I remain wholly committed to ensuring a constructive and stable handover. My continued focus will be on supporting a successful transition and safeguarding the College's long-term interests.

Since our last meeting, we have seen a number of changes to the composition of the Board.

[REDACTED]

We have also received and accepted the resignation of Tom Feely. Tom has made a significant contribution, particularly in his role as Chair of the Audit and Risk Committee, and I know you will join me in expressing sincere thanks for his service.

We have also welcomed Christine Clark to the governance team and are already benefitting greatly from Christine's contributions and valuable experience within the education sector.

Our board recruitment process remains open for applications, and I ask again that all members make every effort to support the interview process.

As our voluntary severance scheme comes close to conclusion, I would like to place on record our collective thanks to those colleagues who have chosen to leave through this process. Their contributions to the life and legacy of the College are deeply valued, and they leave with our very best wishes.

On a more personal and reflective note, I was honoured to attend several events this quarter, including the CLIC Celebration in Glasgow and an exceptional hospitality showcase by our students at the Scottish Parliament. These moments serve as powerful reminders of the transformational impact of further education and the talent that exists within our College.

We also mourn the recent loss of Kayden Moy, a painting and decorating student, whose life was tragically cut short. Our thoughts are with Kayden's family, friends, and classmates. The College community has responded with compassion and dignity, and we will ensure his memory is appropriately honoured.

Finally, as new Chairs have taken up their posts across subcommittees and we prepare for a further round of Board recruitment, I want to express my gratitude for the continued time, energy, and wisdom each of you brings to your role. Your dedication strengthens the College, supports our staff, and enhances the experience of our students.

It remains one of the greatest privileges of my professional life to serve as Chair of this Board. Depending on the outcome of the forthcoming recruitment process, this may be my final report in that capacity. If so, I leave with confidence in the direction of the College and with enduring admiration for the people who make it so special. Whatever the future holds, I will continue to support the College in any way I can.

With sincere thanks,

**Douglas Morrison**

Chair, Board of Management  
South Lanarkshire College

\*GP note - Commercially sensitive information redacted.



## BOARD OF MANAGEMENT MEETING

<b>DATE</b>	4 June 2025
<b>TITLE OF REPORT</b>	Principal's Update
<b>REFERENCE</b>	10.0
<b>AUTHOR AND CONTACT DETAILS</b>	Stella McManus <a href="mailto:Stella.mcmanus@slc.ac.uk">Stella.mcmanus@slc.ac.uk</a>
<b>PURPOSE:</b>	To provide members with information not included on the Board of Management meeting agenda.
<b>KEY RECOMMENDATIONS/ DECISIONS:</b>	Members are recommended to: <ul style="list-style-type: none"> <li>• note that the Regional Strategic Bodies and Regional Colleges (Glasgow and Lanarkshire) Order 2025 has been laid before Parliament and that the date for De Regionalisation is 30 July 2025;</li> <li>• note the appointment of Shona Pettigrew as the Vice Principal for the Student Experience and Innovation;</li> <li>• note the first successful official meeting with the Scottish Funding Council; and</li> <li>• note the wider sector updates.</li> </ul>
<b>RISK</b>	<ul style="list-style-type: none"> <li>• That the College does not keep up with sector reform and pace of change is too slow impacting on future business.</li> </ul>
<b>RELEVANT STRATEGIC AIM:</b>	<ul style="list-style-type: none"> <li>• Successful Students</li> <li>• Highest Quality Education and Support</li> <li>• Sustainable Behaviours</li> </ul>
<b>SUMMARY OF REPORT:</b>	<ul style="list-style-type: none"> <li>• The Regional Strategic Bodies and Regional Colleges (Glasgow and Lanarkshire) Order 2025 was formally laid in Parliament on 1 May 2025, with the formal date for de regionalisation to take place on 30 July 2025.</li> <li>• Scottish Government launched their programme for Government on 6 May and elements focus on the skills and training agenda.</li> <li>• The College had its first formal engagement meeting with the SFC under the new Outcomes and Assurance Framework on 1 May 2025, with no areas of concern raised.</li> <li>• Key priorities for Colleges Scotland have been developed by College Principals, and which will feed into manifestos.</li> <li>• UNISON and Unite members have voted overwhelmingly to accept the refreshed proposals and approach to job evaluation.</li> </ul>

	<ul style="list-style-type: none"><li>• College students hosted an evening at the Scottish Parliament where they prepared and served Scottish produce to the Minister for Higher and Further Education; and the Minister for Veterans.</li></ul>
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## **1. INTRODUCTION**

- 1.1 The purpose of this report is to provide members with information not included on the agenda of the Board Meeting scheduled for 4 June 2025

## **2. DE REGIONALISATION**

- 2.1 The Regional Strategic Bodies and Regional Colleges (Glasgow and Lanarkshire) Order 2025 was formally laid in Parliament on 1 May 2025, a link to the Order can be found here: [The Regional Strategic Bodies and Regional Colleges \(Glasgow and Lanarkshire\) Order 2025](#)
- 2.2 While the Order makes its way through the Parliamentary process, officials and the SFC have stated that they will continue to liaise with the Glasgow City Regional Board and Lanarkshire Board Tri-Partite Groups to ensure the smooth transition from the Regional Boards to the individual regional colleges. It should be noted that South Lanarkshire College is not part of the Lanarkshire Tri Partite Group, but the Scottish Funding Council has kept the College updated.
- 2.3 The College Governance and Workforce Engagement Team at the Scottish Government have also offered to meet the Chair, Governance Professional and I to discuss how they can support us as the work moves forward. The formal date for dissolution is 30 July 2025, and the last Lanarkshire Regional Strategic Board meeting is 9 June 2025.

## **3 VICE PRINCIPAL OF STUDENT EXPERIENCE AND INNOVATION**

- 3.1 The College is delighted to announce the appointment of Shona Pettigrew as the new Vice Principal for Student Experience and Innovation, and she will be starting in June 2025.
- 3.2 Shona joins us from her current role as Director of Enterprise and Knowledge Exchange at Edinburgh College, where she has led transformational initiatives to embed innovation and entrepreneurship across the college community. With a proven track record of developing dynamic, industry-engaged learning environments, Shona brings a wealth of experience in building meaningful partnerships and creating empowering learning environments

## **4 SCOTTISH GOVERNMENT: PROGRAMME FOR GOVERNMENT 2025 / 26**

- 4.1 The Scottish Government published its Programme for Government on 6 May 2025 which is centred around four priority areas of: Growing the Economy, Eradicating Child Poverty, Tackling the Climate Emergency and High Quality and Sustainable Public Services.
- 4.2 There was a focus on skills and training with the introduction of a new Scottish Government-led approach to national skills planning, and the strengthening of regional skills planning to ensure that post school provision becomes more responsive



to Scotland's strategic skills needs and priorities. In addition, the commitment was made to consolidate apprenticeship funding within the Scottish Funding Council by March 2027, and student support funding within the Student Awards Agency Scotland by March 2026.

4.3 Annex A contains an overview of the key areas of focus relating to Education and Skills.

## **5 SCOTTISH FUNDING COUNCIL (SFC) OUTCOMES AND ASSURANCE**

5.1 The College had its first formal engagement meeting with the SFC under the new Outcomes and Assurance Framework on 1 May 2025. The purpose of meeting was to engage with the College for the first of the quarterly engagements referred to in the Guidance for the Outcomes Framework and Assurance Model. [Outcomes Framework and Assurance Model - Scottish Funding Council](#) The main focus for this formal meeting was quality, along with funding regularity/delivery of credits and our recently submitted Self Evaluation and Action Plan.

5.2 There were no concerns raised especially as the College had met its credit target for this year. We raised our concerns over the "new funding" approach and highlighted areas where the College was oversubscribed. The SFC provided excellent feedback on our SEAP and have requested that this is used as an exemplar of best practice with the sector.

## **6 COLLEGES SCOTLAND (CS)**

6.1 Interviews are taking place for a permanent Chief Executive of Colleges Scotland. Following this appointment work will take place to further develop the new governance arrangements at CS.

6.2 There was a session held on 13 May 2025 with Principals (unfortunately I was not able to attend) which considered key priorities of CS and areas to build into manifesto asks. The outcomes of the session included the development of three groups looking at:

- 6.2.1 Recognising Colleges as Anchor Institutions by enabling them to respond to the needs of their regional economies;
- 6.2.2 The establishment of a cross-party funding commission for post 16 education and skills funding; and
- 6.2.3 For Scottish Government to work with the College sector on a workforce of the future transition plan, recognising the changing requirements of industry and the adoption of technology.

## **7 COLLEGES EMPLOYERS SCOTLAND (CES)**

7.1 Following internal governance changes at UNISON and positive discussions with trade unions, refreshed proposals were agreed for progressing National Job Evaluation, including new options for data analysis and collection, and for determining

back-pay. CES was advised by UNISON, Unite and GMB that they put these proposals to their members in consultative ballots which closed on 13 May 2025.

7.2 UNISON and Unite members have voted overwhelmingly to accept the new proposals. However, the GMB has advised that the proposals were not accepted by its members. Work will now begin on developing a full National Job Evaluation Business Case, in partnership with the trade unions, and this will be taken to the Scottish Funding Council and Scottish Government for review and approval.

7.3 Discussions are ongoing with Trade Unions regarding pay awards as well as support staff only National Recognition and Procedures Agreement (NRPA). The NRPA will need to be presented to the Board.

## **8 PARTNERSHIP WORKING**

8.1 The Principal has engaged in the following activities:

- 8.1.1 attended the quarterly meeting with South Lanarkshire Council on 15 May 2025;
- 8.1.2 attended the College Employers Scotland meetings on 14 and 21 May 2025;
- 8.1.3 attended the College Principals' Group with College Scotland on 13 May 2025
- 8.1.4 attended the Colleges Scotland Parliamentary reception on 29 April 2025, hosted by Willie Rennie MSP, with attendance and input also from the Minister for Higher and Further Education; and the Minister for Veterans. James Jamieson (Curriculum Manager) Graeme Paterson (Lecturer) also attended to showcase the heat pump training the College delivers across Scotland;
- 8.1.5 delivered a joint paper with Peter Scott at the Association of Law Teachers Annual Conference at the University of Strathclyde on 10 April 2025;
- 8.1.6 attended the Celebration of Success event for the College Local Innovation Centre project on 28 March 2025;
- 8.1.7 attended the Civil Engineering Academy (CECA) awards ceremony on 27 March 2025;
- 8.1.8 met with Peter Connelly, His Majesty's Inspector of Education on 20 March 2025;
- 8.1.9 attended industry round table discussions relating to Offshore Wind and Construction on 19 March and 25 March 2025 respectively, as organised by Colleges Scotland;
- 8.1.10 attended the Scottish Knowledge Exchange Awards on 19 March 2025;
- 8.1.11 met Donna Stewart, Chief Examiner and Director of Qualifications at SQA, 13 March 2025; and
- 8.1.12 attended exploratory session with Colleges Partnership West on 13 March 2025.

## **9 GOOD NEWS**

9.1 The College hosted an evening at the Scottish Parliament restaurant in celebration of Scottish food and produce. The National Certificate Levels 5 and 6 students, Higher National Certificate and Diploma students from Hospitality, Professional Cookery and Bakery prepared and served all of the food. They were supported by Curriculum Manager Joanne Warwick, Lecturers Gemma Cannon, Paul McDougall and Helen Vass.

9.2 Guests of honour included the Minister for Higher and Further Education; and the Minister for Veterans, Graeme Dey MSP, Co-Chair of the SFC Professor Cara Aitchison as well as SLC Chair Douglas Morrison.

9.3 Two students from the HND in Professional Cookery and National Certificate Level 5 in Hospitality and Events received scholarships from the Savoy Educational Trust, funded by the Savoy Hotel and Hospitality Industry Trust (HIT) Scotland.

9.4 Horticulture students won gold for the Horticultural Craft Challenge from the Incorporation of Gardeners Glasgow presented at Trades Hall. The garden was also on show at the Scottish Garden Festival.

## **10 EQUALITIES**

10.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

## **11 RISK**

11.1 That the College does not keep up with sector reform and pace of change is too slow impacting on future business.

## **12 RECOMMENDATIONS**

12.1 Members are recommended to:

12.1.1 note that the Regional Strategic Bodies and Regional Colleges (Glasgow and Lanarkshire) Order 2025 has been laid before Parliament and that the date for De Regionalisation is 30 July 2025;

12.1.2 note the appointment of Shona Pettigrew as the Vice Principal for the Student Experience and Innovation;

12.1.3 note the first successful official meeting with the Scottish Funding Council; and

12.1.4 note the wider sector updates.

## Scottish Government – Programme for Government 2025/26 Analysis – May 2025

The Scottish Government published its [Programme for Government 2025/26](#) on Tuesday 6 May 2025, with the First Minister setting out the Programme in the Scottish Parliament. The Programme for Government sets out the legislative priorities for the year ahead specifically and the direction of travel generally for the rest of this Parliament.

### Headlines on Colleges and Tertiary Education

*Noted that “To capitalise on economic opportunities, we need people with the skills to grasp them. Our colleges and universities are vital anchor institutions across Scotland. We will work with partners to secure a long-term and sustainable future for further and higher education, developing our skills system for the future”*

- Subject to legislative processes, the Scottish Government will deliver a simplified post-school funding body landscape that is sustainable and efficient, consolidating apprenticeship funding within the Scottish Funding Council by March 2027, and student support funding within the Student Awards Agency Scotland by March 2026.
- Provision of £3.5m so that colleges can deliver the pipeline of skills the economy and public services need, with new programmes focused on care and offshore wind.
- Establish and deliver an Offshore Wind Skills Programme in the college sector, helping to create region-specific training hubs for offshore wind skills.
- Fostering links with universities abroad, encouraging foreign investment in world leading research, and attracting international students and staff, working with the new International Education Trade Envoy, Professor Rachel Sandison OBE and partners.
- Taking forward a review of Sabhal Mòr Ostaig with the aim of providing it a secure future.
- Widening access to higher education for students from the most socio economically disadvantaged communities – towards our goal of 20% of all entrants being from the 20% most deprived communities by 2030.
- Deliver Scotland’s Migration Service and making the continued case for tailored migration routes, including a Scottish Visa, Rural Visa Pilot and Scottish Graduate Visa.

### Skills and Training

- Establishment of a national Recognition of Prior Learning system - formally acknowledging an individual’s skills and knowledge gained through work experience, training, or other learning outside of formal education.

- Introduction of a new Scottish Government-led approach to national skills planning, and strengthen regional skills planning, to ensure that post school provision becomes more responsive to Scotland's strategic skills needs and priorities.
- Publication of a joint offshore wind skills action plan in the autumn, focused on addressing critical skills gaps, in partnership with industry, the STUC, and public sector.
- Investing up to £2m to develop engineering skills in the Glasgow City Region, designed by the Clyde Maritime Cluster in partnership with Skills Development Scotland.
- Reviewing and improving school-age and adult careers support, including better information on career choices, job prospects and earnings.

## Education

Advised that *“Reforming the curriculum, qualifications and assessment will underpin our work to support improved attainment, building on strengths in the system while drawing on new opportunities in a changing world”*.

Also noted that Scottish Government will set out a single combined timeline for this reform in June 2025, providing clarity about next steps for the education system, as well as:

- Establishing Qualifications Scotland and His Majesty’s Inspectorate of Education, subject to passage of the Education (Scotland) Bill – with new measures to ensure more transparency and opportunities for involvement in decision making, restore the trust of people taking qualifications and delivering them, bring greater independence from government, and increase public reporting on areas for improvement in education
- Working with Qualifications Scotland to rationalise the qualifications offer in the senior phase to support clearer learner pathways, more flexible modular courses and deliver an improved and more inclusive educational experience.

Scottish Government will work with local authorities to improve the A-B-Cs – Attainment, Attendance, Behaviour, and the Curriculum – to maximise achievement for all children and young people. Priorities for future reform of school education to be established by the Scottish Government by June 2025, with an experienced headteacher to be appointed to lead this work.

## Climate Change

- Expansion of support for skills to help businesses and the workforce to adapt to zero emission vehicles, with £350,000 to develop capacity in colleges in EV and charge point maintenance and repair and a further £400,000 for a new heavy-duty vehicle just transition initiative.
- Delivery of a new bidding round for the North East and Moray Just Transition Fund – worth up to £8.5 million – focussed on projects that support jobs, skills and economic opportunities.
- Supporting projects through a Climate Engagement Fund, which aims to reach over 7,000 individuals, to build climate knowledge and skills among new audiences.

Colleges  
Scotland  
May  
2025

## BOARD OF MANAGEMENT

<b>DATE:</b>	4 June 2025
<b>TITLE OF REPORT:</b>	Tender Approval – Access Control System
<b>AGENDA ITEM:</b>	14.0
<b>AUTHOR AND CONTACT DETAILS</b>	Vari Anderson, Governance Professional <a href="mailto:Vari.anderson@slc.ac.uk">Vari.anderson@slc.ac.uk</a>
<b>PURPOSE:</b>	To note the Board's approval and authorising the Principal to accept a tender which exceeded delegated authority.
<b>KEY RECOMMENDATIONS/ DECISIONS:</b>	The Board is asked to: <ul style="list-style-type: none"> <li>Note the Board's approval authorising the Principal to accept a tender for the supply and installation of a new Access Control System and ongoing maintenance.</li> </ul>
<b>RISK</b>	That appropriate procurement policies and procedures are not followed when accepting tenders.
<b>SUMMARY OF REPORT</b>	<ul style="list-style-type: none"> <li>The College is seeking to appoint the winning bidder for the tender supply and installation of a new Access Control System which includes the ongoing maintenance of the system.</li> <li>Following a robust tender process overseen by the Procurement Project Manager from APUC, the tender was awarded at a cost over the Principal's delegated authority.</li> <li>The Governance Professional circulated details and cost savings round the Board seeking approval with a clear majority consenting to the tender award.</li> </ul>

## 1. INTRODUCTION

- 1.1 This note sets out the approval process for accepting the winning tender for the supply and installation of a new Access Control System which includes ongoing maintenance. This tender exceeds the delegated authority of the Principal.

## 2 BACKGROUND AND APPROVAL PROCESS

- 2.1 In terms of the Procurement and Threshold Procedures, the Principal can authorise spends up to £125,000. Any amount over this must be approved by the Finance and Resource Committee or the Board.
- 2.2 The winning tender exceeded the delegated authority of the Principal.
- 2.3 The Governance Professional circulated to the Board background information and a approval request. It was not felt necessary to convene a Board meeting and the matter was decided upon via e-mail correspondence whereby the consent of a clear majority was received to approve the winning tender.

Approval	Refusal	No Vote
Douglas Morrison		Peter Sweeney
Scott Coutts		Heather Meighan
Ronnie Smith		Tarryn Robertson
Heather Anderson		Jack Whyte
Kirsty Pinnell		
Anne Doherty		
Jacqueline Morrison		
Catriona Blacker		
Laura Wright		
Jo Gill		
Andriy Strehaliuk		
Scott Gray		

## 3 EQUALITIES

- 3.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report

## 4 RISK

- 4.1 That appropriate procurement policies and procedures are not followed when awarding tenders.

## 5 RECOMMENDATIONS

- 5.1 The Board is asked to:

- 5.1.1 Note the Board's approval authorising the Principal to accept a tender for the supply and installation of a new Access Control System and ongoing maintenance.



### Board of Management

<b>DATE</b>	04 June 2025
<b>TITLE OF REPORT</b>	Management Accounts to 30 April 2025 & Cashflow
<b>REFERENCE</b>	16.0
<b>AUTHOR AND CONTACT DETAILS</b>	<p>Bill McMahon – Management Accountant  <a href="mailto:Bill.McMahon@slc.ac.uk">Bill.McMahon@slc.ac.uk</a></p> <p>Paddy Feechan – Head of Finance  <a href="mailto:Paddy.Feechan@slc.ac.uk">Paddy.Feechan@slc.ac.uk</a></p> <p>Elaine McKechnie – Vice Principal – Finance Resources &amp; Sustainability  <a href="mailto:Elaine.McKechnie@slc.ac.uk">Elaine.McKechnie@slc.ac.uk</a></p>
<b>PURPOSE:</b>	To update the Board on management accounts to 30 <sup>th</sup> April 2025 in conjunction with a projection of cashflow based on actual income and expenditure.
<b>KEY RECOMMENDATIONS/ DECISIONS:</b>	<p>The Board is asked to:</p> <ul style="list-style-type: none"> <li>• note the contents of the report, the financial position for the period and the supporting narrative; and</li> <li>• note the longer term cashflow situation as notified to Scottish Funding Council and the short term cashflow situation as presented to the SLT monthly.</li> </ul>
<b>RISK</b>	<p>The main risks are to:</p> <ul style="list-style-type: none"> <li>• Going concern; that the College cannot maintain financial sustainability and is unable to provide high quality education and support to its students; and that</li> <li>• There are insufficient funds for capital maintenance and maintenance requirements.</li> </ul>
<b>RELEVANT STRATEGIC AIM:</b>	<ul style="list-style-type: none"> <li>• The Highest Quality Education and Support</li> <li>• Sustainable Behaviours</li> </ul>
<b>SUMMARY OF REPORT:</b>	<ul style="list-style-type: none"> <li>• The report contains a summary of income and expenditure for period ended 30 April 2025.</li> <li>• The Board is asked to note a draft operating deficit of £1.105M (£2.010M full year) as at 30 April 2025.</li> <li>• The cash flow report suggests that the College cash balance will track between £1M - £2M each month from now until July 2026.</li> </ul>

## **1 INTRODUCTION**

- 1.1. This paper provides an overview of actual financial results for the period ending 31 December 2024 in conjunction with a projection of cashflow for academic year 2024-25 based on actual income and expenditure to 30 April 2025.

## **2 BACKGROUND**

- 2.1 Learning and teaching core funding in 2024/25 has been maintained at the same level as 2023/24.
- 2.2 The 2.89% funding cut in 2024/25 means that the College needs to be more proactive in managing its cost base and identifying greater commercial income activity to try and protect resources and bring more financial stability to its operations over the next two years.
- 2.3 The ongoing restructure and Voluntary Severance initiative is expected to bring some financial stability to the College in the absence of funding increases. However, the College remains aware of the unavoidable impact of nationally agreed pay awards which will start to encroach on the savings realised through severance within 2-3 years.

## **3 MANAGEMENT ACCOUNTS: OPERATING SURPLUS/(DEFICIT)**

- 3.1 The College has recognised a year-to-date operating deficit of £1.105M. The College expects the full year operating deficit of £2.010M which is consistent with the financial projection presented in the Mid-Year Return (MYR) to the Scottish Funding Council.
- 3.2 While the College minimises expenditure where possible and continually engages in procurement activity to ensure best value in all major contracts, the results have been negatively impacted by a £505K overspend in salaries primarily due to under provision of curriculum pay awards that were concluded in the first quarter of 2024/25 and higher than anticipated temporary lecturing costs.
- 3.3 Moreover, the cost of the VAT correction in respect of prior 4 years' worth of incorrect utility bill charges accounted for a further £178k of expense in September 2024.

## **4 MANAGEMENT ACCOUNTS: INCOME**

- 4.1 Total income of £14.644M has been received YTD, with £11.744M relating to Scottish Funding Council (SFC) grants, representing 80.2% of total income. SFC grant funding accounted for 80.1% of the college's income in 2023/24 (82.6% in 2022/23) and the national average, based on the SFC's review of 2021/22 college data, was 78%.
- 4.2 Funding from the Scottish Funding Council has been received across August – April 2025 in line with monthly drawdown submissions. In recognition of a point raised at the Finance & Resources Committee in May 2025, the College will consider adopting the approach of evenly spreading grant funding across the twelve months of 2025/26 to smooth the impact on income.
- 4.3 Non-recurrent SFC funding of £458K primarily contains provisions for the partial conversion of capital funding to revenue related maintenance funding at 50% as confirmed

by the SFC in December 2024. A pro-rate share of £425K amounting to £319K has been recorded for the nine months to April 2025. Similarly, funding towards the SPPA employer rate pension increase from 23% to 26% was received in February 2025 for year to 31 April 2025, with 9 months of the year being recognised as at 30 April 2025, totalling £154K.

- 4.4 Fees of £2.470M reflect all course fees, vocational courses, school provisions and commercial income for the year 2024/25; including an assessment of CITB, SNIPEF, Modern Apprenticeships and SAAS funding due to the 30 April 2025.
- 4.5 Other contracts of £231K contain £73K in respect of Numeracy funding to 30 April 2025 and £157K in respect of Employability Hub (formerly Rural Academy).
- 4.6 Other revenue grants contain income of £170K in respect of UKRI Innovate UK funding to 30 April 2025 and £7K in respect of 'Go Radio' sponsorship from the Foundation, enabling students to take part in a sector-wide competition to become 'Podstars'. The income is recognised in full.
- 4.7 Other income of £39K primarily contains £37K in respect of the Nursery rental.
- 4.8 The release of deferred capital grants is income recognised from capital funding. Assets are depreciated which creates an expense and so the funding for such purchases is released as income at the same time to offset the depreciation expense.
- 4.9 Investment income of £41k includes £14k in respect of bank interest generated on the Treasury Reserve account which expired in early February 2025. No further deposit of funding has been made into a treasury reserve account however plans are underway to investigate options for greater interest generation.

## **5 MANAGEMENT ACCOUNTS: EXPENDITURE**

- 5.1 Wages and salaries are £11,355 YTD, being over budget by £775K. This is partly due to the under provision of curriculum salary pay awards that were settled in the first quarter of 2024/25. The overspend on teaching department salaries amounted to £388K alone. The residual overspend reflects voluntary severance payouts that have been made in March and April 2025, totalling £360K.
- 5.2 Expected full year wages and salaries are likely to be £15.340M based on up-to-date information regarding pension strain costs under the recent voluntary severance scheme. Pension strain costs for support staff over the age of 55 who have voluntarily opted to leave the College are significantly higher than previously anticipated.
- 5.3 Non salary expenditure/overheads of £4.394M (versus £4.183M budget) are overspent by £211K.
  - 5.3.1 Central services expenditure is overspent by £147K. This contains an expense of £195k for legal fees in relation to the Employment Tribunals which concluded in December 2024.

- 5.3.2 Property expenditure is over budget by £120K which largely reflects the cost of the utility bill VAT correction from the previous four years, amounting to £178k.
- 5.3.3 Net depreciation refers to the cost of depreciation that is met through self-funding initiatives as opposed to specific grant funding received and amortised at the same rate as the underlying asset depreciation. Following the removal of the £10M residual value from the College building in the end of year statutory accounts, it is recognised that there will now likely be an increased net depreciation charge across the year of circa £200K, a portion of which has been recognised in the financial results to 30 April 2025 (£150K).
- 5.3.4 In contrast, academic supplies and cross college costs remain underspent against budget by £95K combined year to date, which reflects the ongoing work to reduce expenditure and the heightened focus on ensuring procurement compliance to drive better value for money. The College expects to recognise these savings by year end given any expenditure across the residual 3 months of the academic year is now more likely to relate to 2025-26 and can be deferred from the operating budgets for 2024-25.

## **6 CASH FLOW**

- 6.1 The College makes its cashflow return to the Funding Council each month. This incorporates its required drawdown, based on the grant in aid allocation, and it also incorporates a cashflow forecast for the year. The latest submission was made on 14 May 2025. The next submission is due 13 June 2025 and is currently being prepared.
- 6.2 The Committee is asked to note:
- 6.2.1 The removal of the £1M potential settlement of employment tribunal claims following the announcement of the Tribunal outcomes.
- 6.2.2 The estimated residual cash outflow of circa £1M in respect of the settlement of voluntary severance payouts, which has been phased across May – July 2025. As above, £360K has already paid out in March and April 2025.
- 6.3 The College had £2.7M of funds in the bank as at the end of April 2025. Allowing for SFC continued funding and the remaining voluntary severance payouts above, the cashflow projection at section 10 suggests the College will operate within a range of £1M - £2M in funds each month until Jul 2026 following the potential conclusion of these large payouts. As a rule of thumb, the College will always want to try and hold at least enough funding each month to pay its employees the following month, which will be nearer £1.4M in cash reserves (including tax and NI cash implications).
- 6.4 The College reinforces its commitment to a review of investment banking facilities including the scoping out of a project to hold money in a higher interest generating account.
- 6.5 The College will continue to closely monitor cashflow monthly and bring updates on a timely basis.

## 7 MANAGEMENT ACCOUNTS TO 30 APRIL 2025

SOUTH LANARKSHIRE COLLEGE		Period Ended 30th Apr 2025			Year ended 31st July 2025		
Management Accounts for the period ended 30th April 2025	Note	Actual £'000	Budget £'000	Variance £'000	Forecast £'000	Budget £'000	Variance £'000
<b>INCOME</b>							
<b><u>Scottish Funding Council grants</u></b>							
SFC recurrent grant		10,430	10,635	205	13,724	13,724	0
SFC non recurrent grants - other		458	291	(167)	619	388	(231)
Release of government capital grants		555	527	(28)	805	805	0
FE and HE Childcare		301	305	3	402	406	4
<b>Total</b>		<b>11,744</b>	<b>11,758</b>	<b>13</b>	<b>15,550</b>	<b>15,323</b>	<b>(227)</b>
<b><u>Tuition fees and education contracts</u></b>							
UK Higher Education students		528	644	116	704	858	154
Non EU Higher Education students		16	10	(7)	22	13	(9)
UK Further Education students		1,293	864	(429)	1,551	1,152	(399)
SDS contracts		402	425	24	536	567	31
Other contracts		231	198	(33)	308	264	(44)
<b>Total</b>		<b>2,470</b>	<b>2,141</b>	<b>(329)</b>	<b>3,121</b>	<b>2,854</b>	<b>(267)</b>
<b><u>Other Income</u></b>							
Other revenue grants		170	92	(79)	227	122	(105)
Other income		39	106	67	51	141	90
Release of ERDF deferred capital grant		72	72	0	96	96	0
Release of Scottish Government deferred capital grant		104	104	0	139	139	0
Release of Energy Saving Partnership deferred capital grant		4	4	(0)	5	5	(0)
Release of Business Stream deferred capital grant		0	0	0	0	0	0
Release of SLC Foundation capital grant		0	0	0	0	0	0
<b>Total</b>		<b>389</b>	<b>377</b>	<b>(12)</b>	<b>518</b>	<b>503</b>	<b>(15)</b>
<b>Investment Income</b>		<b>41</b>	<b>15</b>	<b>(26)</b>	<b>44</b>	<b>20</b>	<b>(24)</b>
<b>Total Income</b>		<b>14,644</b>	<b>14,291</b>	<b>(353)</b>	<b>19,189</b>	<b>18,700</b>	<b>(489)</b>
<b>EXPENDITURE</b>							
<b><u>Staff Costs</u></b>							
Teaching departments		7,163	6,718	(444)	9,650	8,959	(691)
Teaching services		1,682	1,543	(139)	2,242	2,085	(157)
Administration and central services		1,440	1,264	(176)	2,020	1,911	(109)
Premises		714	701	(14)	952	968	16
Other support services		356	355	(2)	475	500	25
		<b>11,355</b>	<b>10,580</b>	<b>(775)</b>	<b>15,340</b>	<b>14,423</b>	<b>(917)</b>
						0	
<b><u>Non Salary Expenditure</u></b>							
Property		1,140	1,020	(120)	1,520	1,360	(160)
FE and HE Childcare		301	305	3	402	406	4
Net Depreciation		1,185	1,184	(1)	1,580	1,579	(1)
Central Services		725	578	(147)	967	771	(196)
Marketing		116	75	(41)	154	100	(54)
Academic supplies		866	923	58	1,154	1,231	77
Cross College Costs		61	98	37	81	131	50
		<b>4,394</b>	<b>4,183</b>	<b>(211)</b>	<b>5,858</b>	<b>5,577</b>	<b>(281)</b>
<b>Total Expenditure</b>		<b>15,749</b>	<b>14,763</b>	<b>(986)</b>	<b>21,198</b>	<b>20,000</b>	<b>(1,198)</b>
<b>Surplus / (Deficit)</b>		<b>(1,105)</b>	<b>(472)</b>	<b>632</b>	<b>(2,010)</b>	<b>(1,300)</b>	<b>709</b>

## 8 SHORT TERM CASH FLOW PROJECTION

South Lanarkshire College				
Short term cash flow forecast				
May-25				
Balance at 30 April 2025	A	2,737,962	Note anticipated balance of £3.1M (some severance payouts were settled in April 2025 which weren't expected to occur until May/June 2025)	
		Expected	Actual	
Inflow				
SFC grant in aid drawdown		1,097,918		Month 10 of drawdowns
SFC student support drawdown		323,539		Month 10 of drawdowns
SFC Capital Grant		68,006		Month 10 of drawdowns
SFC SPPA 26% Pension Uplift		0		Month 10 of drawdowns
		1,489,463		
Other (inc. fees)		250,000		
Expected inflow for May 2025	B	1,739,463		
Outflow				
Salaries - net pay		(775,000)		Payable 23th May 25 (26th May is a bank holiday)
Salaries - deductions		(500,000)		Employee & employer salary contributions for Apr 25 payable in May 25
Student support		(323,539)		
Purchase ledger		(200,000)		
Capital grant expenditure		(50,000)		
Expected outflow for May 2025	C	(1,848,539)		
Movement during the month	(B - C) = D	(109,076)		
Expected cash at 31 May 2025	(A - D) = E	2,628,886		
Sums ring-fenced & carried forward from financial year 2023/24 & 2024/25				
Salary award		0		Residual CAPEX spend for 24-25 across May-Jul 2025
Capital expenditure		619,260		
ESF clawback provision		0		
Building retention		32,000		
Student funding to be repaid		0		
Apprentice support fund		6,000		
	F	657,260		
Cash provisions for items carried within 2024/25 budget				
Professional fees		50,000		Includes £50K provision
ET		128,000		Estimation of potential ET costs now removed however College remains aware of potential Appeals process*
Voluntary Severance		1,000,000		Estimation of residual cash outlay across May-Jul 2025
	G	1,178,000		
Funds to be retained from cash balance				
	(F + G) = H	1,835,260		
Free funds forecast at 31 May 2025	(E - H) = J	793,626	Note: one month's salaries = £1.3m	

## 9 MONTHLY CASHFLOW (Last submission date of 14 May 2025)

### 10 Table 1 Cashflow projection

	Current	Forecast														Totals		Totals	
	May-25	Jun-25	Jul-25	Aug-25	Sep-25	Oct-25	Nov-25	Dec-25	Jan-26	Feb-26	Mar-26	Apr-26	May-26	Jun-26	Jul-26	Total	Total	Total	Total
	Current	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	FY 2024-25	AY 2024-25	FY 2025-26	AY 2025-26
<b>RDEL</b>																			
Income from foundation (revenue)																0	0	0	0
Other Income excluding EMA (revenue)	562,052	150,000	600,000	136,870	182,280	300,000	90,000	425,000	662,948	125,000	329,500	350,000	562,052	200,000	745,500	3,627,514	4,043,401	4,107,242	4,109,150
RSB funding																0	0	0	0
<b>Total RDEL income (excluding drawdown)</b>	<b>562,052</b>	<b>150,000</b>	<b>600,000</b>	<b>136,870</b>	<b>182,280</b>	<b>300,000</b>	<b>90,000</b>	<b>425,000</b>	<b>662,948</b>	<b>125,000</b>	<b>329,500</b>	<b>350,000</b>	<b>562,052</b>	<b>200,000</b>	<b>745,500</b>	<b>3,627,514</b>	<b>4,043,401</b>	<b>4,107,242</b>	<b>4,109,150</b>
Wages and Salaries	1,475,000	1,675,000	1,654,755	1,150,000	1,230,000	1,230,000	1,230,000	1,230,000	1,230,000	1,230,000	1,230,000	1,230,000	1,230,000	1,230,000	1,230,000	15,047,935	16,513,159	15,954,108	14,680,000
restructuring costs																0	0	0	0
Other Operating Expenditure excl EMA	200,000	350,000	504,572	400,000	459,936	550,000	450,000	300,000	400,000	300,000	351,455	250,000	350,000	400,000	448,545	5,147,789	5,197,676	4,544,417	4,659,936
NPD Unitary charges (paid by colleges)																0	0	0	0
Return of funds to SFC (Clawback, SSF etc)																0	0	0	0
																0	0	0	0
																0	0	0	0
																0	0	0	0
																0	0	0	0
Donation to Foundation																0	0	0	0
High priority backlog- resource																0	0	0	0
Lifecycle maintenance resource	0	0	0			0	0	0	0	0	0		0	0	0	0	0	0	0
Student Support expenditure (excluding EMA)	384,858	232,134	0	320,466	465,087	363,981	323,539	404,423	303,318	323,538	462,696	483,539	493,981	467,052	0	4,458,851	4,441,311	4,044,432	4,411,620
<b>Total RDEL expenditure</b>	<b>2,059,858</b>	<b>2,257,134</b>	<b>2,159,327</b>	<b>1,870,466</b>	<b>2,155,023</b>	<b>2,143,981</b>	<b>2,003,539</b>	<b>1,934,423</b>	<b>1,933,318</b>	<b>1,853,538</b>	<b>2,044,151</b>	<b>1,963,539</b>	<b>2,073,981</b>	<b>2,097,052</b>	<b>1,678,545</b>	<b>24,654,575</b>	<b>26,152,146</b>	<b>24,542,958</b>	<b>23,751,556</b>
<b>Net RDEL expenditure (a)</b>	<b>-1,497,806</b>	<b>-2,107,134</b>	<b>-1,559,327</b>	<b>-1,733,596</b>	<b>-1,972,743</b>	<b>-1,843,981</b>	<b>-1,913,539</b>	<b>-1,509,423</b>	<b>-1,270,370</b>	<b>-1,728,538</b>	<b>-1,714,651</b>	<b>-1,613,539</b>	<b>-1,511,929</b>	<b>-1,897,052</b>	<b>-933,045</b>	<b>-21,027,061</b>	<b>-22,108,745</b>	<b>-20,435,717</b>	<b>-19,642,406</b>
<b>CDEL</b>																			
Income from foundation (capital)																0	0	0	0
Proceeds of sale of fixed assets																0	0	0	0
Other income (capital)	196,998	196,998	196,998	20,000	56,297	26,507	50,000	12,006	35,007	10,504	90,566	97,759	197,759	174,757	120,718	259,080	850,073	891,880	891,880
<b>Total CDEL income</b>	<b>196,998</b>	<b>196,998</b>	<b>196,998</b>	<b>20,000</b>	<b>56,297</b>	<b>26,507</b>	<b>50,000</b>	<b>12,006</b>	<b>35,007</b>	<b>10,504</b>	<b>90,566</b>	<b>97,759</b>	<b>197,759</b>	<b>174,757</b>	<b>120,718</b>	<b>259,080</b>	<b>850,073</b>	<b>891,880</b>	<b>891,880</b>
Backlog maintenance capital																0	0	0	0
Lifecycle maintenance capital																21,744	0	0	0
Digital poverty																62,507	0	0	0
Other capital expenditure (land, buildings, fixtures, IT)	103,091	120,000	410,993	37,417	18,451	43,924	32,256	10,006	6,676	9,921	57,983	171,070	171,070	171,070	162,035	174,829	850,073	891,880	891,880
Work in Progress (Assets Under Construction)																0	0	0	0
Surrender of proceeds																0	0	0	0
<b>Total CDEL expenditure</b>	<b>103,091</b>	<b>120,000</b>	<b>410,993</b>	<b>37,417</b>	<b>18,451</b>	<b>43,924</b>	<b>32,256</b>	<b>10,006</b>	<b>6,676</b>	<b>9,921</b>	<b>57,983</b>	<b>171,070</b>	<b>171,070</b>	<b>171,070</b>	<b>162,035</b>	<b>259,080</b>	<b>850,073</b>	<b>891,880</b>	<b>891,880</b>
<b>Net CDEL expenditure (b)</b>	<b>93,907</b>	<b>76,998</b>	<b>-213,995</b>	<b>-17,417</b>	<b>37,846</b>	<b>-17,417</b>	<b>17,744</b>	<b>2,000</b>	<b>28,331</b>	<b>583</b>	<b>32,583</b>	<b>-73,311</b>	<b>26,690</b>	<b>3,687</b>	<b>-41,317</b>	<b>-0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>ODEL</b>																			
<b>Capital Loan/Lennartz Repayments (c)</b>																0	0	0	0
<b>EMA</b>																			
EMA income	9,550	13,500	5,580	2,340	540	1,320	2,640	8,370	11,580	4,830	20,785	0	9,550	13,500	5,580	92,725	95,185	83,495	81,035
EMA expenditure	13,500	5,160	540	0		2,610	8,370	12,390	4,020	7,800	10,380	4,890	13,500	5,160	540	88,260	88,320	70,320	69,660
<b>Net EMA (d)</b>	<b>-3,950</b>	<b>8,340</b>	<b>5,040</b>	<b>2,340</b>	<b>540</b>	<b>-1,290</b>	<b>-5,730</b>	<b>-4,020</b>	<b>7,560</b>	<b>-2,970</b>	<b>10,405</b>	<b>-4,890</b>	<b>-3,950</b>	<b>8,340</b>	<b>5,040</b>	<b>4,465</b>	<b>6,265</b>	<b>13,175</b>	<b>11,375</b>
<b>Total Net Outflows/(Inflows) (a) + (b) + (c) + (d)</b>	<b>-1,407,849</b>	<b>-2,021,796</b>	<b>-1,768,282</b>	<b>-1,748,673</b>	<b>-1,934,358</b>	<b>-1,862,688</b>	<b>-1,901,525</b>	<b>-1,511,443</b>	<b>-1,234,479</b>	<b>-1,730,925</b>	<b>-1,671,663</b>	<b>-1,691,740</b>	<b>-1,489,190</b>	<b>-1,885,025</b>	<b>-969,322</b>	<b>-21,022,596</b>	<b>-22,102,480</b>	<b>-20,422,541</b>	<b>-19,631,031</b>
<b>Opening Bank Balance</b>	<b>2,752,994</b>	<b>2,842,969</b>	<b>2,500,581</b>	<b>2,038,505</b>	<b>2,196,527</b>	<b>2,168,864</b>	<b>2,022,202</b>	<b>1,836,703</b>	<b>1,850,616</b>	<b>2,522,832</b>	<b>1,745,254</b>	<b>645,600</b>	<b>1,241,896</b>	<b>1,278,062</b>	<b>1,109,063</b>				
<b>Net Cash Available</b>	<b>1,345,145</b>	<b>821,173</b>	<b>732,298</b>	<b>289,832</b>	<b>262,169</b>	<b>306,176</b>	<b>120,677</b>	<b>325,260</b>	<b>616,137</b>	<b>791,906</b>	<b>73,591</b>	<b>-1,046,139</b>	<b>-247,294</b>	<b>-606,963</b>	<b>139,741</b>				
<b>SFC Cash Drawdown Total</b>	<b>1,497,824</b>	<b>1,679,408</b>	<b>1,306,207</b>	<b>1,306,695</b>	<b>1,306,695</b>	<b>1,716,026</b>	<b>1,716,026</b>	<b>1,525,356</b>	<b>1,906,695</b>	<b>953,348</b>	<b>572,009</b>	<b>2,288,035</b>	<b>1,525,356</b>	<b>1,716,026</b>	<b>1,334,684</b>	<b>18,972,543</b>	<b>19,452,362</b>	<b>18,786,994</b>	<b>19,066,951</b>
<b>Closing Bank Balance</b>	<b>2,842,969</b>	<b>2,500,581</b>	<b>2,038,505</b>	<b>2,196,527</b>	<b>2,168,864</b>	<b>2,022,202</b>	<b>1,836,703</b>	<b>1,850,616</b>	<b>2,522,832</b>	<b>1,745,254</b>	<b>645,600</b>	<b>1,241,896</b>	<b>1,278,062</b>	<b>1,109,063</b>	<b>1,474,425</b>				

## **11 EQUALITIES**

- 11.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

## **12 RISK AND ASSURANCE**

- 12.1 The main risks are:

12.1.1 Going concern; that the College cannot maintain financial sustainability and is unable to provide high quality education and support to its students; and that

12.1.2 That there are insufficient funds for capital maintenance and maintenance requirements.

12.2 Assurances continue to be given by the College that work will continue to progress monthly reporting development across 2025-26. Furthermore, the College is committed to monitoring its cashflow in both the short and long term and with more robust monthly reporting, the College will continually aim to be proactive in managing its finances against the context of a challenging year due to sectoral funding cuts and general inflationary pressures.

## **13 RECOMMENDATIONS**

- 13.1 The SLT is asked to:

13.1.1 note the contents of the report, the financial position for the period and the supporting narrative; and

13.1.2 note the longer term cashflow situation as notified to Scottish Funding Council and the short term cashflow situation as presented to the SLT monthly.



### BOARD OF MANAGEMENT

<b>DATE</b>	4 June 2025
<b>TITLE OF REPORT</b>	SLC Strategic Risk Register Commentary
<b>REFERENCE</b>	17.0
<b>AUTHOR AND CONTACT DETAILS</b>	Elaine McKechnie, Vice Principal – Finance, Resources & Sustainability <a href="mailto:Elaine.mckechnie@slc.ac.uk">Elaine.mckechnie@slc.ac.uk</a>
<b>PURPOSE:</b>	To provide members with an update to the risk management arrangements of the College.
<b>KEY RECOMMENDATIONS/ DECISIONS:</b>	Members are recommended to: <ul style="list-style-type: none"> <li>• review and approve the strategic risk analysis contained in the College's Strategic Risk Register and the commentary therein; and</li> <li>• note 3 increased risk scorings since February 2025 in respect of the College having insufficient capital funds, risks to business interruption and its ability to ensure learners progress onto positive destinations.</li> </ul>
<b>RISK</b>	<ul style="list-style-type: none"> <li>• That College strategic risks are not identified, and mitigating actions are not taken.</li> </ul>
<b>RELEVANT STRATEGIC AIM:</b>	<ul style="list-style-type: none"> <li>• Successful Students</li> <li>• The Highest Quality Education and Support</li> <li>• Sustainable Behaviours</li> </ul>
<b>SUMMARY OF REPORT:</b>	<ul style="list-style-type: none"> <li>• Of the fifteen risks identified, 3 post mitigation scores have increased.</li> <li>• The highest risks for the College continue to be financial sustainability and, to an extent, remains outside of the control of College, owing to Government funding restrictions. However, the College continues to encourage full cost recovery and commercial delivery of programmes to bolster income streams.</li> <li>• The College acknowledges that there is insufficient funding for capital and maintenance works and as the Campus continues to age, there is likely to be a higher demand for capital funding to support renovations.</li> <li>• The restructure in the College has also delayed the ability to train the Senior Leadership Team (SLT) in Business Interruption processes. While the College recognises that it can react well to Campus closures, it cannot evidence that it has robust procedures in place for longer term business continuity without the completion of essential training.</li> <li>• Students failing to engage with the bursary assessment process as early as possible continues to cause delays in students receiving funding which can adversely affect attendance and progression to a positive destination. There are also students who are still waiting for needs assessments. Proposed changes to the structure of the Extended Learning</li> </ul>

	Support team will likely mitigate some of the risk to students in failing to progress onto positive destinations however this is not yet in place.
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## **1 INTRODUCTION**

- 1.1. This paper provides a commentary on the College's strategic risk register as reviewed by the Risk Management Group (Senior Leadership Team) on 24 April 2025. The risk register is an important document that demonstrates the College's commitment to the establishment and maintenance of effective governance and control arrangements.
- 1.2. Commentary has been added to each risk to justify decisions to maintain risks at current levels where required. The Audit and Risk Committee reviewed and considered the Risk Register updates at its recent meeting on 6 May 2025.

## **2. RISK ONE - FINANCIAL SUSTAINABILITY**

- 2.1 Post-mitigation risk remains at 20. The political landscape is not within the control of the College and as grant funding makes up over 70% of total income, financial sustainability for the College and the wider sector remains a challenge.
- 2.2 Indicative funding allocations for 25/26 were announced in April 2025 and largely represent a flat cash scenario with only a minimal £45k increase in learning & teaching grant funding. The College has tried to mitigate the risk of financial stability through its restructure and voluntary severance scheme and is now aiming for a small deficit or break-even financial position for 25/26.
- 2.3 The College continues to diversify income streams through the provision of full cost recovery courses and has been encouraged by the Scottish Government intended 60% funding for NI increases in 25/26.

## **3. RISK TWO - FAILURE OF FINANCIAL CONTROLS**

- 3.1. Post mitigation risk remains at 10. This is below the inherent risk rating of 15 inferring that the management of financial controls is within the responsibility of the College.
- 3.2. The newly appointed Head of Finance is now in post, offering an enhancement to the financial control environment.
- 3.3. However, it is recognised that new systems such as Itrent (Payroll System) and Unit-E (Student record systems) which will have financial interactions are not fully operational yet and so the College has maintained risk scorings to reflect that the financial control environment will only be more fully supported when these systems are completely integrated with the finance system.

## **4. RISK THREE - CREDIT TARGET**

- 4.1. The post mitigation risk remains at 5, with inherent risk remaining at 15.
- 4.2. The credit target for the 2024-25 academic year is 43,600, and SLC is currently sitting at 43,810 credits, so 210 credits over target. There is also potential for additional credits up to 164, which will be generated by short courses between March and June 2025. This means SLC are expected to claim 43,974 by the end of the academic year which is above target and within the 2% upper threshold. These credit numbers are subject to audit.

- 4.3. MA monitoring continues following the changes in the PI from the previous risk review. Monthly finance and resources meetings continue to assure that all external contracts (incl. MA's) are closely monitored. If there are any risk emerging, there are changes made to support these contracts.

## **5. RISK FOUR – THERE IS A BREACH OF LEGISLATION AND ASSOCIATED REGULATIONS**

- 5.1. The College continues to be confident that its arrangements for legislation compliance (including GDPR, HR, Quality and Finance) means that it can record a lower risk score. The latest review has not flagged any concerns or requirement to change the inherent risk score or the post mitigation score.
- 5.2. Members are asked to note that the description of this risk has been enhanced to include HR, Quality and Finance so as to ensure that it is broader in scope.

## **6. RISK FIVE - CAPITAL FUNDING REQUIREMENTS**

- 6.1. There has been no change to the inherent risk scoring in April 2025 at 12, but post-mitigation risk is now higher at 12 (previously 8).
- 6.2. The College acknowledges that there is insufficient funding for capital and maintenance works and as the Campus continues to age, there is likely to be a higher demand for capital funding to support renovations.
- 6.3. In the last quarter, ongoing concerns have been voiced regarding the robustness of the existing cladding and a further issue with one of the lifts in the College has caused the lift to be out of order for a period of 4-6 weeks.
- 6.4. Mitigations include quarterly CAPEX meetings to ensure progress is being made on capital projects that are priority. Additionally, the budget for 25/26 indicates a 4.9% increase in capital funding, amounting to a further £50k.
- 6.5. However, the College recognises that it needs to implement a capital investment plan and related policy to ensure that projects are planned and scheduled across the year and processes for the approval of large-scale works are being followed. This is in progress for review in 2025.

## **7. RISK SIX – THERE IS A BREACH OF LEGISLATION AND ASSOCIATED REGULATIONS IN RESPECT OF HEALTH AND SAFETY.**

- 7.1. The inherent risk score remains at 12 in April 2025, signifying the impact of a potential breach of legislation and regulation on being able to continue as a viable entity. Post-mitigation risk remains at 8.
- 7.2. Staff resource continues to work to capacity to get through policies and procedures updates as required. Regular H&S Committee meetings take place internally to ensure follow up and closure of key actions raised. Compliance with H&S related audits and inspections is standard practice at the College.

## **8. RISK SEVEN – BUSINESS INTERRUPTION**

- 8.1. Inherent risk score remains at 6, with a slight increase to post-mitigation risk score at 6 (previously 3).

8.2. The restructure in the College has delayed the ability to train the Senior Leadership Team (SLT) while changes to staffing are occurring. Once all postholders are appointed and the restructure is in place, the College will go through BCP testing with the SLT with AJ Gallaghers, the insurance provider.

8.3. While the College recognises that it can react well to storms and unexpected Campus closures and staff can perform their duties remotely, it cannot evidence that it has robust procedures in place for longer term business continuity without the completion of training for a broader range and severity of incidents (e.g. fire, flood damage).

## **9. RISK EIGHT - DAMAGE TO THE INTEGRITY OF MANAGEMENT INFORMATION SYSTEMS**

9.1. The risk scoring has been maintained at 6 (inherent risk) and 3 (post-mitigation risk) respectively for April 2025.

9.2. As per last quarter, the College is aware that to keep this as an area green, completion of the audit recommendation for incident response for SLT and continual staff training will need to be maintained.

## **10. RISK NINE – FAILURE TO ACHIEVE ACCEPTABLY HIGH LEVELS OF LEARNING AND TEACHING AND ASSESSMENT**

10.1. There has been no change to the risk scoring as at April 2025 (inherent risk 8 and post-mitigation risk 4). The word 'Assessment' has been added to the risk description to capture the quality aspect of learning and teaching.

10.2. The plans for restructure within the Quality department that are underway, coupled with the quality element that is now formally embedded within the Curriculum Manager role, will help to mitigate against this risk in due course.

## **11. RISK TEN - THERE IS A FAILURE TO PROVIDE AN ENGAGING AND EFFECTIVE EMPLOYEE JOURNEY**

11.1. There has been no change to inherent risk scoring from January 2025 remaining at 8; and a post-mitigation risk remaining at 4 in April 2025.

11.2. There has been an engaging Consultation process to support the restructure of the College and its voluntary severance programme. Human Resource roles will now include enhanced engagement with employees and managers across the College. Furthermore, the College continues to engage with College Employers Scotland and trade unions during this period of change for support staff representation.

## **12. RISK ELEVEN - THERE IS A FAILURE TO SAFEGUARD THE HEALTH AND WELLBEING OF STAFF AND STUDENTS**

12.1. There has been no change to risk scorings from January 2025, with inherent risk at 9 and post-mitigation risk remaining at 3.

12.2. As advised previously, this is a positive area for the College and Student and Staff wellbeing and safety continues to be of utmost importance. Policies and procedures are well embedded, and the College is currently undertaking the welfare student internal audit with Henderson Loggie.

- 12.3. The College remains up to date with new legislation, such as Martyn's law, and is reviewing the potential to invest in security guard presence on Campus as a further mitigation against this risk.

### **13. RISK TWELVE - THERE IS A FAILURE TO PROVIDE A ROBUST LEARNER EXPERIENCE TO SUPPORT ONWARD PROGRESSION**

- 13.1. There has been no change to the inherent risk scoring from January 2025 (staying at 8) however post-mitigation risk has been raised from 8 to 12.
- 13.2. Students failing to engage with the bursary assessment process as early as possible continues to cause delays in students receiving funding which can adversely affect attendance and attainment. However, it is noted that the Bursary team have worked conscientiously to support bursary applications, and much progress has been made across the last year.
- 13.3. There are also students who are still waiting for needs assessments and while these cases are outstanding, there is a risk to those students in being able to complete their studies with appropriate support and ultimately progressing to positive destinations post-College.
- 13.4. However, as advised previously, mitigations include the review of Extended Learning Support (ELS) at the College as part of the restructure which will further support the student experience.

### **14. RISK THIRTEEN - FAILURE OF CORPORATE GOVERNANCE**

- 14.1. No further change to inherent risk as at April 2025 (currently 8) with post-mitigation risk at 4.
- 14.2. All corporate governance arrangements are up to date and the Governance Professional continues to ensure continuity of the programme of work across the year to ensure compliance with the Code.
- 14.3. The College continues to be well supported by the Governance Professional, ensuring that due process is being followed.

### **15. RISK FOURTEEN – ADVERSE REPUTATIONAL RISK**

- 15.1. There is no change to the inherent risk scoring as at April 2025 (currently 16) and post-mitigation risk remaining at 12.
- 15.2. The employment tribunal concluded in December 2024 with the result going in favour of the College. However, the College remains vigilant to a potential appeals process and so makes no change to its risk scorings in this intervening period.

### **16. RISK FIFTEEN – THE MEETING OF NET ZERO SUSTAINABILITY PRIORITIES**

- 16.1. The inherent risk scoring has been maintained at 9 in April 2025, with post-mitigation risk remaining at 6. It will be increasingly difficult for the College to drive forward with larger capital investments to support net zero if funding is not available. The description of the risk has been altered slightly to include reference to Scottish Government sustainability priorities.
- 16.2. The Scottish Government is currently consulting with stakeholders to inform the new statutory guidance for reporting on climate change duties under the Climate Change

(Scotland) Action 2009. The Climate Change Leads are working with the Environmental Association of Universities and Colleges to compile the College's response.

16.3. The College, through its Climate Change Action Team, continues to demonstrate a healthy engagement with all internal and external requirements in respect of environmental sustainability.

16.4. As set out in the planned restructure for the College, a 0.5 FTE Sustainability Officer post will be created. This position should mitigate risk further by enabling the College to have a dedicated resource to establish more sustainable practices and to identify available funding streams.

## **17. CYBER RISK REGISTER**

17.1. Members are asked to note that actions outstanding have now been completed, mainly supporting risks that were already green.

17.2. There are no changes to the scoring in this risk register. The focus is now on improving logging which should resolve some of the higher risks in the register.

## **18. DATA PROTECTION ICO ACCOUNTABILITY TRACKER**

18.1. Members are asked to note that the following:

18.1.1 items marked as Green have increased from 245 up to 256 (72% to 72%)

18.1.2 Items marked as in progress or not started (Amber or Red) have gone from 77 (58 and 19) down to 66 (51 and 15). This is 23% down to 19%

18.2 The movement of the green items increasing and the red/amber items decreasing shows an improvement in data protection governance. The College is having regular data protection group meetings and moving forward with a better understanding of our colleges data with record of processing activities (ROPA's) within in each department.

## **19. EQUALITIES**

19.1. There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

## **20. RISK AND ASSURANCE**

20.1. That College strategic risks are not identified, and mitigating actions are not taken.

## **21. RECOMMENDATIONS**

21.1. Members are recommended to:

21.1.1 review and approve the strategic risk analysis contained in the College's Strategic Risk Register and the commentary therein; and

21.1.2 note 3 increased risk scorings since February 2025 in respect of the College having insufficient capital funds, risks to business interruption and its ability to ensure learners progress onto positive destinations.

## **APPENDICES**

**Document 07.1      The College's Strategic Risk Register**

<b>Document 07.2</b>	<b>SLC Cyber Risk Register</b>
<b>Document 07.3</b>	<b>SLC Data Protection ICO Accountability Tracker</b>
<b>Document 07.4</b>	<b>Regional Strategic Risk Register (Feb 2025)</b>

### Human Resources Committee

<b>DATE</b>	15 May 2025
<b>TITLE OF REPORT</b>	Disciplinary Procedure – Extension and Recommendation
<b>REFERENCE</b>	18.0
<b>AUTHOR AND CONTACT DETAILS</b>	Gary McIntosh, Head of Human Resources gary.mcintosh@slc.ac.uk
<b>PURPOSE:</b>	For members to consider and approve an extension to the Disciplinary Procedure review, and note the required alignment with a new, National Policy and Model Procedure.
<b>KEY RECOMMENDATIONS/ DECISIONS:</b>	Members are recommended to: <ul style="list-style-type: none"> <li>• approve the extension of the review date for the College's Disciplinary Procedure to enable full alignment with the National Disciplinary Policy and Model Procedure;</li> <li>• note that a revised procedure will be presented to the Committee for approval in autumn 2025 following consultation; and</li> <li>• note the establishment of a working group to support the consultation and revision process.</li> </ul>
<b>RISK</b>	The following risks apply: <ul style="list-style-type: none"> <li>• Delaying the review without a formal decision could create uncertainty and potential employee relations challenges.</li> <li>• Proceeding with a review now, before full alignment with the national Policy and Model Procedure, could risk producing a procedure that is inconsistent with sector expectations and subject to subsequent challenge.</li> <li>• Approving the extension mitigates these risks by providing clarity and supporting a collaborative approach.</li> </ul>
<b>RELEVANT STRATEGIC AIM:</b>	<ul style="list-style-type: none"> <li>• Successful Students</li> <li>• The Highest Quality Education and Support</li> <li>• Sustainable Behaviours</li> </ul>
<b>SUMMARY OF REPORT:</b>	<ul style="list-style-type: none"> <li>• This paper seeks approval from the Committee to formally extend the current review date for the Disciplinary Procedure.</li> <li>• It follows the recent Joint Negotiating Committee (JNC) discussions with trade unions, where it was requested that the review would take place once the National Disciplinary Policy and Model Procedure was issued.</li> </ul>



	<ul style="list-style-type: none"> <li>• The National Policy and Model Procedure was released in April 2025, with an implementation date of 1<sup>st</sup> August 2025.</li> <li>• An extension to the review date is now required to enable appropriate alignment, in line with the 1<sup>st</sup> August 2025 implementation date.</li> <li>• There is a conflict between the Constitution and Scheme of Delegation, and the Disciplinary Procedure, for the roles of Principal &amp; Chief Executive and the Governance Professional.</li> </ul>
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## 1. INTRODUCTION

- 1.1. This paper outlines the context and rationale for extending the review date of the Disciplinary Procedure. It seeks formal Committee agreement to ensure compliance with national expectations and to support effective employee relations.

## 2 BACKGROUND

- 2.1 The College's current Disciplinary Procedure (copy enclosed with this paper) had been scheduled for review in June 2024. There was an error that alerts expiring Policies and Procedures, which has now been resolved.
- 2.2 At the Joint Negotiating Committee (JNC) meeting with locally recognised trade unions, it was agreed that the review should be deferred until the national sector-wide Disciplinary Policy and Model Procedure was available.
- 2.3 The National Disciplinary Policy and Model Procedure has now been issued in April 2025, with an agreed sector-wide implementation date of 1 August 2025. Copy enclosed with this paper. Trade Unions expect local procedures to align as closely as possible with the national model to support consistency across the college sector.
- 2.4 For the roles of Principal & Chief Executive and the Governance Professional, paragraphs 405-414 of a [recent tribunal hearing](#) concluded that a conflict exists between the [Constitution](#) & [Scheme of Delegation](#), and the Disciplinary Procedure, with the ruling being that the Constitution and Scheme of Delegation must take precedence because they determine what the Board, and its members have power to do.

## 3 DISCUSSION

- 3.1 It is proposed that the College extends the review date for the Disciplinary Procedure to align with the implementation timeline of the national policy. This will allow sufficient time to review the national model in detail, undertake consultation with trade unions, and amend the College's procedure as required. Failure to appropriately align could result in industrial relations difficulties and potential non-compliance with sector expectations.
- 3.2 A working group comprising Management, HR, and trade union nominees will be established to oversee the review and consultation process. It is anticipated that a revised local Disciplinary Procedure will be presented for Committee approval in early autumn 2025, following full consultation.
- 3.3 Following advice from Shepperd and Wedderburn, the solicitors dealing with the Tribunal case, regarding how the Disciplinary Procedure should be updated for the Principal & Chief Executive and Governance Professional roles, then it could be updated to reflect the different approach for those roles, or to include the wording along the lines of:
- 3.3.1 *"This procedure is only in respect of staff members appointed by the College. The Principal and Governance Professional can only be dealt with by the Board, no other parties are authorised to engage or make decisions regarding these positions."*
- 3.4 Clarification should also be given to the appointment of the Principal & Chief Executive and the Governance Professional roles, which also require full Board of Management

approval. The new National Policy and Model Procedure applies to all employees and does not differentiate for any role. There is potential challenge on this matter when engaging with trade unions on the Disciplinary Procedure.

#### **4 RESOURCE IMPLICATIONS**

- 4.1 There are no significant additional resource implications anticipated from extending the review date.
- 4.2 Staff time will be required to support the consultation process and implement any agreed changes to documentation and training.

#### **5 EQUALITIES**

- 5.1 An Equality Impact Assessment will be conducted on the revised procedure to ensure there are no unintended discriminatory impacts.
- 5.2 There are no new matters for people with protected characteristics which arise from consideration of the report.

#### **6 RISK**

- 6.1 The following risks apply:
  - 6.1.1 Delaying the review without a formal decision could create uncertainty and potential employee relations challenges.
  - 6.1.2 Proceeding with a review now, before full alignment with the national Policy and Model Procedure, could risk producing a procedure that is inconsistent with sector expectations and subject to subsequent challenge.
  - 6.1.3 Trade union disagreement when seeking to amend the approach for the Principal & Chief Executive and the Governance Professional roles.
  - 6.1.4 Approving the extension mitigates these risks by providing clarity and supporting a collaborative approach.

#### **7 COMMUNICATIONS**

- 7.1 Once approved, the extension to the review date will be communicated formally to staff and trade union representatives.

#### **8 RECOMMENDATIONS**

- 8.1 Members are recommended to:
  - 8.1.1 approve the extension of the review date for the College's Disciplinary Procedure to enable full alignment with the National Disciplinary Policy and Model Procedure.
  - 8.1.2 note that a revised procedure will be presented to the Committee for approval in autumn 2025 following consultation.
  - 8.1.3 decide on a preferred route for the roles of Principal & Chief Executive and Governance Professional, for both disciplinary and recruitment matters.
  - 8.1.4 note the establishment of a working group to support the consultation and revision process.



South  
Lanarkshire  
College  

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East Kilbride

# **DISCIPLINARY PROCEDURE**

## **Managing concerns**

Version Number: 1.0

## Document Information

<b>Procedure Published/Created:</b>	15 <sup>th</sup> June 2022
<b>Reviewed Date:</b>	n/a
<b>Owner:</b>	Human Resources
<b>Approved by:</b>	Board of Management
<b>Equality Impact Assessment:</b>	TBC
<b>Next Review Date:</b>	15 <sup>th</sup> June 2024

## Version History

Version Number	Date	Author	Rationale
1.0	15 <sup>th</sup> June 2022	G McIntosh	Replaces previous procedure

## Quick Links

We are inclusive and diverse, and this is one of our values.

We are committed to the FREDIE principles of Fairness, Respect, Equality, Diversity, Inclusion and Engagement.



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To find out more about our Vision, Mission and Values click [HERE](#)



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## 1.0 Introduction

South Lanarkshire College (the “College”) seeks to ensure that all our employees work in a safe and professional environment.

The Disciplinary Procedure is designed to ensure fair, transparent and consistent treatment of all staff when handling issues related to concerns about employees.

*Should the concern be as a direct result of a performance issue, this will be deemed as “capability” and will be dealt with under the Capability Procedure.*

During the implementation of this policy, the College may defer to another policy depending on what is shared, for example the Absence Policy or the Reasonable Adjustments Policy. If appropriate, this policy will either be closed in writing or will be adjourned to allow the other policy to conclude. If a grievance is raised while a disciplinary is taking place, the College may pause the disciplinary procedure and deal with the grievance first or, alternatively, deal with both matters at the same time, depending on the situation.

If the disciplinary matter is deemed to be a criminal matter the police will be informed.

This procedure aligns with the ACAS guidelines on disciplinary and grievance procedures. Should the ACAS guidelines or legal requirements change, the policy will be revised to take these changes into account.

## 2.0 Objectives

The objectives of this procedure are to:

- Provide a structured and transparent approach to enable the handling of conduct or behavioural concerns of employees.
- Ensure a fair and consistent approach to managing and responding to employee concerns.
- Identify opportunities for the College to deal with concerns as a result of your employment.

## 3.0 Scope

This Procedure applies to all employees of the College and provides a mechanism for disciplinary matters to be handled promptly, transparently, fairly and consistently.

The Disciplinary Procedure will be used where there are potential issues of misconduct. This procedure does not apply to cases where an employee fails to perform to the required standard as a result of lack of skill, capability or training or has genuine sickness absence or where an illness or other condition causes or contributes to performance issues. In those cases, reference should be made to the Capability Procedure.

There may be cases where it will be appropriate to treat poor performance as a misconduct issue e.g., in cases of negligence or carelessness.

## 4.0 Principles

The Principles of this Procedure are:

- The College will seek to resolve conduct issues at the lowest possible level and informal action will be considered, where appropriate, to resolve problems;
- Some meetings may be audio recorded if agreed by all parties. Otherwise, covert recording is not permitted.
- No disciplinary action will be taken against an employee until the issue has been fully investigated to establish the facts of the case;
- For formal action, an employee will be advised of the nature of the complaint against them and will be given the opportunity to state their case before any decision is made at a disciplinary meeting;
- Employees will be provided with written copies of evidence and witness statements, under normal circumstances, in advance of a disciplinary meeting;
- Witnesses should be informed that a copy of their statement will be provided to the employee;
- At all formal stages of the procedure an employee will have the right to be accompanied by a trade union representative, work colleague or an official employed by a Trade Union;
- Employees may seek additional support or advice from the Human Resources Department;
- Employees will be provided with appropriate time off to attend the Employee Counselling Service to support them through the process;
- In certain situations, employees may be accompanied by an additional companion if agreed by all parties in order to assist the process e.g. an employee with a disability or if there is a language barrier;
- All meetings should be conducted courteously and fairly
- Where possible and practicable in the circumstances, an officer of the College who has been involved in any investigation into alleged misconduct will not be involved in either the disciplinary or the appeal hearing and any officer who has heard a disciplinary or dismissal hearing will not be involved in any appeal hearing.
- No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of contractual or statutory notice (non-exhaustive examples of misconduct and gross misconduct are contained within the Disciplinary Procedure but any employee in

doubt of their responsibilities or expected standards of conduct should speak to their line manager);

- An employee will have the right to appeal against any disciplinary sanction;
- Notwithstanding the stages of disciplinary sanction set out in the procedure, the procedure may be implemented at any stage, without the College being required to start with the lowest disciplinary sanction if the employee's alleged misconduct warrants this; and
- The College and its employees should raise and deal with issues promptly and should not unreasonably delay meetings, decisions or confirmation of those decisions.

## 5.0 Confidentiality

The College aims to deal with disciplinary matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter. A failure to do so may result in disciplinary action, up to and including dismissal.

An employee who provides a statement will be advised that the individual who is subject to the investigation will normally be told the name(s) of any witness(es) who provides evidence relevant to the allegation(s) against them, unless in exceptional circumstances the College determines that the identity of a witness should remain confidential, for example in cases of sexual harassment or where an individual has provided evidence on the condition that anonymity is preserved.

In such cases the College will endeavour to ensure that the employee is provided with a fair opportunity to respond to any allegation(s) made against them and, if this is not possible, will ensure that a determination is made as to the appropriate weight to be placed on any such evidence in light of any prejudice caused to the employee as a result of anonymity being preserved. The decision not to disclose the name(s) of a witness(es) will be discussed with the employee, and/or their Trade Union representative where appropriate.

## 6.0 Right to be accompanied

The employee has the right to be accompanied at any formal stage of the procedure by a trade union representative, work colleague or an official employed by a Trade Union.

Under this procedure, the employee does not have the right to be accompanied by anyone else (such as spouse, partner, other family member or legal representative) unless agreed otherwise as set out above in Section 4.

To exercise the statutory right to be accompanied the employee must make a reasonable request. The employee should provide enough time for the College to deal with the companion's attendance at the meeting and make clear in advance the name of the companion where possible and whether the individual is a Trade Union representative or work colleague.

The role of a companion is limited. A companion is entitled to put forward the employee's case, sum up their case and respond on their behalf to any view expressed at the hearing. An employee will also be able to confer with their companion during the hearing.

The companion cannot answer questions on behalf of the employee or address the hearing if the employee indicates that they do not wish the companion to do so. The companion cannot use their powers in any way which prevents the employer from explaining its case or which prevents any other person at the hearing from contributing to it.

The companion's role is not to give evidence on behalf of the employee.

The role of the companion is to advise and take notes. They may respond on the employee's behalf to a view expressed at the hearing but they have no legal right to answer questions on the employee's behalf.

The companion does have a legal right to address the hearing and may ask questions.

Reasonable time to confer privately with an employee either in the hearing room during the hearing and/or outside it should be given to the companion.

An employee who has been requested to accompany a fellow employee employed by the College and has agreed to do so should be permitted to take a reasonable amount of paid time off to fulfil that responsibility. That should not only cover the hearing but some time before and after the hearing to confer with the employee. The same applies to a trade union official.

When a chosen companion is not available to attend on the date proposed for the hearing the employee can postpone the hearing and offer an alternative time and date so long as it is reasonable and falls before the end of the period of five working days, beginning with the first working day after the first date proposed by the College. In proposing an alternative date, the employee should have regard to the availability of the relevant people. The location of timing of any alternative hearing should be convenient to both employee and employer.

## 7.0 Suspension

The College may decide to suspend the employee from work as a precautionary measure pending the outcome of investigation. Any such decision will be taken after consideration of relevant factors including but not being limited to:

- The nature and seriousness of the allegation and the likelihood of the allegations being established;
- The risks to the College and/or employees, students or other third parties of the employee's continued presence in the workplace;
- The risk of a recurrence of the behaviour that is the subject of the

- allegations; and
- Any impact or prejudice that may be caused by the employee's continued presence in the workplace, in particular in relation to the employer's ability to conduct an investigation

The suspension will be for no longer than is necessary to investigate the allegations and the College will confirm the arrangements to the employee in writing. The initial period of suspension will normally be for no more than 10 working days. After this period the decision will be reviewed. If necessary, the period of suspension may be extended for a further 10 working days, after which the decision will again be reviewed. Any decision to suspend will be kept under review. While suspended the employee should not visit the College premises or contact any employees, clients, learners, suppliers or contractors associated with the disciplinary investigation or offence under investigation unless authorised to do so.

Suspension of this kind is a precautionary measure, not a disciplinary penalty and does not imply that any decision has already been made about the allegations. The employee will continue to receive full basic salary and benefits during the period of suspension.

An alternative to suspension, where appropriate, would be to relocate the individual under investigation to another work location.

Employees will be provided with information on the support available to them through the Employee Counselling Service. Employees will receive information during their absence similar to any employee who is absent for any other reason.

## **8.0 Alcohol and Drug Misuse**

The College may suspend disciplinary action under certain circumstances in respect of an offence related to alcohol or substance misuse in accordance with the terms of the College's Policy Statements on Alcohol, Drug and Substance Abuse.



## **9.0 Overlapping Disciplinary and Grievance Cases**

Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related, it may be appropriate to deal with both issues concurrently.

## **10.0 Records**

The College will keep a file with all written information relating to the disciplinary case. The records will be treated as confidential and kept in accordance with our data retention policy which can be obtained from the staff portal.

The details of every disciplinary case will be maintained for monitoring purposes. The College will publish general statistics relating to the number of disciplinaries each year. No personal data is published as part of this process.

## **11.0 Training**

Training and coaching of investigators and Chairs operating the procedure will be provided. Representatives of the College's recognised Trade Unions will be invited to attend such training. Advice and guidance on the application of the Disciplinary Procedure will be provided by Human Resources.

## **12.0 Disciplinary Procedure**

### **12.1 Informal Procedure**

Where practicable and/or deemed appropriate by the College, misconduct will normally be managed, or resolved, informally in the first instance.

Informal action will normally be carried out by the employee's direct line manager or supervisor.

It will take the form of a discussion between the employee and the line manager or supervisor with the objective of resolving any issues, encouraging and helping the employee to improve and identify whether additional training, coaching and advice may be needed is required. Informal resolution may also take the form of an informal warning or direction.

Both parties should fully understand the outcome of the discussion and that the formal processes may start if there is a recurrence of the misconduct or where other misconduct issues arise or where there is no improvement or if any improvement fails to be maintained.

Arrangements will be made to review progress over a specified period where appropriate. Where improvement is required both parties must understand what needs to be done, how the conduct will be reviewed, and over what period. The line manager will confirm in writing what has been decided.

Brief notes of any agreed informal sanction or action should be kept for reference purposes by the line manager and a copy provided, where appropriate, to the employee. The discussion is not a disciplinary meeting and any warning issued whether orally or in writing is informal.

## **12.2 Formal Procedure**

The formal disciplinary procedure will be used when informal resolution is not deemed appropriate or when informal attempts to address the issue have not proven possible or effective.

Line Managers should discuss the case with a member of the Human Resources Department prior to invoking the formal disciplinary procedure.

## **12.3 Investigation**

The College will investigate alleged misconduct, without unreasonable delay and within an agreed timescale, to establish the facts in any particular case. The investigation will be carried out by the appropriate person, refer to Table 1, with support and advice from a member of the Human Resources Department.

The employee will normally be told that the investigation will be taking place (unless there are circumstances in which this would not be appropriate), the allegation(s) which is the subject of investigation, the anticipated timescale and their right to be accompanied by a trade union representative, work colleague or an official employed by a Trade Union during any meeting to discuss the area(s) of concern.

The purpose of an investigation is for the College to establish a fair and balanced view of the facts relating to any allegations against an employee, before deciding whether to proceed with a disciplinary meeting.

The amount of investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from the employee and any witnesses and reviewing relevant documents.

Investigative interviews are solely for the purpose of fact-finding and no decision on disciplinary action will be taken until after a disciplinary meeting has been held.

Employees must cooperate fully and promptly in any investigation the College deems to be necessary. This will include informing the College of the names of any relevant witnesses, disclosing any relevant documents to the College and attending investigative interviews if required.

If, after investigation, it is deemed that no further action is to be taken the employee will be notified of this in writing. The outcome will be recorded and any evidence collected during the investigation will be destroyed.

Where, after investigation, it is established that there is a case to answer the employee will be invited in writing to attend a disciplinary meeting.

## **12.4 Notification of a Disciplinary Meeting**

The notification to attend a disciplinary meeting will contain sufficient information about the alleged misconduct and the possible consequences to enable the employee to reasonably prepare to answer the case at a disciplinary meeting. An employee will normally receive seven (7) working days advance notification of the date of the meeting. Evidence will be provided with the notification. The notification will give details of the time and venue for the disciplinary meeting, confirm who will be present and advise the employee of their right to be accompanied at the meeting should they wish. In the case of part-time staff the disciplinary meeting, where possible, should be within the employee's normal working hours.

If an employee's trade union representative, work colleague or an official employed by a Trade Union cannot attend the employee may offer a reasonable alternative time within five (5) working days of the original date.

Where an employee is unable or unwilling to attend a disciplinary meeting without good cause the College may make a decision on the evidence available. If the failure to attend is related to a disability or health reason the College may seek the advice of its Occupational Health Service before deciding how to proceed.

## **12.5 Disciplinary Meeting**

Both management and employees (and their companion(s)) will make every effort to attend the meeting. A guide to conducting a disciplinary hearing is attached as appendix 1.

The disciplinary meeting will normally be attended by:

- (a) the individual chairing the meeting (the 'Chair') - The Chair will be

appointed taking into account the potential outcomes and the authority levels set out in Table 2. It will be for the Chair to hear and assess the evidence for and against the allegations and make a decision based on the evidence presented. The College reserves the right to appoint a panel consisting of a minimum of two where this is felt to be appropriate;

- (b) the person who conducted the investigation ('the Investigating Officer');
- (c) a representative from Human Resources – to provide advice and support to the Chair and take notes;
- (d) the employee;
- (e) the employee's trade union representative, work colleague or an official employed by a Trade Union (if requested by the employee); and
- (f) relevant witnesses as previously identified when required to provide evidence.

At the meeting the following process will be followed:

- the Chair will introduce those present and explain the purpose and format of the meeting outlining the alleged misconduct and the potential sanctions;
- the Investigating Officer will be invited to present the case and respond to any questions posed by the chair or the employee;
- the employee will set out their case, respond to the allegations be given a reasonable opportunity to ask questions, present evidence and call relevant witnesses;
- both the Chair and the employee will be given an opportunity to raise points about the evidence provided by the Investigating Officer or witnesses.

Where the College or the employee intends to call relevant witnesses they should give advance notice that they intend to do this.

The College will normally rely either on statements and/or the terms of any investigatory report produced by the Investigating Officer but may call witnesses where this is considered appropriate depending on the specific circumstances of the case.

Summary Notes of formal meetings will be taken and not a verbatim record.

Copies of these notes will, where practicable, be given to the employee within ten College working days and they should inform the College if they wish to comment on the accuracy of the notes within seven (7) College working days of receiving them. Comments made by the employee in respect of the notes will be added as an addendum and the notes themselves will not be amended.

## **12.6 Adjournment**

The Chair or Appeal Chair will have discretion to adjourn any disciplinary hearing or appeal hearing as deemed necessary. This decision is entirely at the discretion of the Chair or Appeal Chair and may be made after a request by the employee or representative of the College or otherwise as deemed necessary.

## **12.7 Reaching a Decision and Potential Outcomes**

At the end of the disciplinary meeting, the Chair will normally adjourn the meeting before making a decision, see section 5 of appendix 1. Following the adjournment, the Chair may issue an oral decision. If the Chair is unable to reach an immediate decision following the meeting, they are entitled to deliberate on the decision prior to issuing a decision in writing. Written notification of the outcome will normally be issued within ten [10] working days of the meeting, or earlier if reasonably practicable, together with an explanation of any disciplinary action to be taken and notification that the employee has the right of appeal.

The penalties imposed must be reasonable in all circumstances and must consider the nature of the misconduct, any disciplinary record, any mitigation advanced by the employee and be consistent with penalties imposed in similar cases.

The College reserves the right to impose sanctions at any level, or to skip levels, depending on the circumstances of the case.

The potential outcomes are as follows:

- No Action – after the meeting the Chair may decide that there is no action to take.
- First Warning – this will be confirmed in writing. This will usually be appropriate for a minor act of misconduct. A record of the warning will be kept but it will be disregarded for disciplinary purposes after 6 months subject to the employee achieving and sustaining satisfactory conduct.
- Final Written Warning – this will normally be issued if:
  - it is more serious misconduct than that which would warrant a first written warning;
  - there is further misconduct of a similar nature; or
  - during the currency of an existing warning for a similar offence.

This will be in writing and set out of the nature of the misconduct and the change in behaviour required and the right of appeal. It will also warn that further incidents of misconduct may lead to dismissal (or some other action short of dismissal) and will refer to the right of appeal. A copy of this written record will be kept but disregarded for disciplinary purposes after 12 months subject to the employee achieving and sustaining satisfactory conduct.

- Dismissal (with notice) – this will normally be issued if there is still further misconduct during the currency of a Final Written warning. Dismissal decisions can only be taken by a nominated officer and the employee will be provided in writing with reasons for dismissal the date on which the employment will terminate and right of appeal.
- Summary Dismissal (without notice) – this will normally be issued where the employee has committed an act of gross misconduct.
- Action short of dismissal – this can be issued as an alternative to dismissal and will normally be accompanied with a Final Written warning.

Action short of dismissal includes:

- demotion (permanent or temporary) as an alternative to dismissal, and the dismissal is clearly justified in the circumstances;
- redeployment to an alternative role or section without loss in remuneration;
- recalculation, reduction and deduction from pay (cases of unauthorised leave or misclaims).



The employee will receive written details of the misconduct, will be warned that dismissal could result if there are further incidents of misconduct and will be advised of the right of appeal. A copy of this written record will be kept but disregarded for disciplinary purposes after 12 months subject to achieving and sustaining satisfactory conduct.

There may be exceptional cases where the College deems it appropriate to extend the period for which any warning remains 'live', and the College reserves the right to implement an extension of the duration of the warning where this is deemed appropriate by the College. Full reasons for this decision will be provided to the employee in the written notification of the outcome where this right is exercised.

The Chair will produce a written report articulating a justification for the decision reached and the sanction applied.

## **13.0 Appeals against Disciplinary Action**

An employee will have the right to appeal against disciplinary action if they feel that the action taken against them is wrong or unjust. An appeal, for example, may be on the grounds of new evidence, undue severity/level of sanction or alleged breach of College procedure. The appeal should be submitted in writing to Human Resources, stating the full grounds for the appeal within seven (7) College working days of the date on which they were informed of the decision.

Appeals should be heard without unreasonable delay. The appeal will be dealt with impartially and wherever possible, chaired by a person who has not previously been involved in the case and is more senior to the chair of the disciplinary meeting, in accordance with Table 1 (the 'Appeal Chair').

Both management and employees (and their companion(s)) will make every effort to attend the appeal meeting. At the appeal meeting, the Appeal Chair will introduce those present and explain the purpose and format of the meeting. The employee will be

allowed to set out the grounds of their appeal and further questions may be asked by the chair as appropriate. The process outlined in section 12.5 will be followed.

Following the appeal meeting the Appeal Chair may:

- (a) confirm the original decision; or
- (b) revoke the original decision; or
- (c) substitute an alternative sanction.

The Appeal Chair will inform the employee in writing of their final decision as soon as possible after the adjournment of the appeal meeting and usually within seven (7) working days of the appeal meeting. The College acknowledges the impact of that a formal process may have on an employee's health and wellbeing and will endeavour to progress the process within a reasonable timescale.

Where a sanction of dismissal is applied the appeal will be heard by a panel consisting of a College Leader and two members of the Board or its Standing Committees. It should be noted that the appeal hearing will take place as soon as reasonably practicable given the external commitments of members of the Board and its Standing Committees.

There shall be no further right of appeal.

## **14.0 Misconduct and Gross Misconduct**

The following are examples of matters that will normally be regarded as misconduct or gross misconduct.

### **14.1 Misconduct**

Matters that will normally be regarded as Misconduct and will be dealt with under the Disciplinary Procedure include:

- a) minor breaches of College policies or procedures;
- b) minor breaches of the employment contract;
- c) damage to, or unauthorised use of, College property;
- d) persistent, unauthorised lateness;

- e) unauthorised or unacceptable high levels absence from work;
- f) failure to follow reasonable management instructions;
- g) excessive use of College telephone for personal calls;
- h) excessive personal e-mail, internet usage or social media;
- i) deliberate negligence in the performance of duties;
- j) unauthorised disclosure of confidential information; or
- k) smoking in no-smoking areas;

The list is intended as a guide and is not exhaustive or exclusive.

## **14.2 Gross Misconduct**

Gross misconduct is a serious breach of contract and includes misconduct which, in the College's opinion, is likely to prejudice College business or reputation or irreparably damage the working relationship and trust between employer and employee.

An employee can be summarily dismissed for a first offence which is considered to constitute gross misconduct. Should an employee be dismissed for gross misconduct the dismissal is without notice or payment in lieu of notice.

The following are some of the offences the College considers to be gross misconduct:

- serious misuse of College property or name;
- Posting social media content that has the sufficient potential to or does bring the College into disrepute, or reflects negatively on the College, colleagues or learners (in line with the College's ICT Acceptable Use Policy and other related policies);
- bullying or cyber bullying (actual or threatened);
- acts of indecency or sexual harassment, at, but not limited to, work, social events associated with the College, attendance at external events or on residential;
- unacceptable use of obscene, abusive or offensive language (including language of a discriminatory nature);
- actual or threatened violence, or behaviour which provokes violence;
- deliberately accessing internet sites containing pornographic,

- offensive or obscene material;
- bringing the College into disrepute;
- causing loss, damage or injury through serious negligence;
- theft, or unauthorised removal of College property or the property of an employee, contractor, customer or member of the public;
- falsification of records or other College documents including those relating to obtaining employment;
- fraud, forgery or other dishonesty, including fabrication of expense claims and timesheets;
- acceptance of bribes or other secret payments arising out of employment;
- deliberate and serious damage to College buildings, fittings, property or equipment, or the property of an employee, contractor, customer or member of the public;
- conviction for a criminal offence that in the College's opinion may affect our reputation or our relationships with our employees, customers or the public, or otherwise affects suitability to remain an employee;
- possession or use of non-prescribed drugs on College premises or during working hours;
- Consumption of alcohol on College premises or during working hours, other than on occasions approved by the College;
- incapacity at work brought on by alcohol or non-prescribed drugs;
- refusal to carry out reasonable management instructions, repeated or serious disobedience of instructions, or other serious act of insubordination;
- serious neglect of duties, or a serious or deliberate breach of employment contract or the College's policies or procedures;
- serious or repeated breach of health and safety rules or serious misuse of safety equipment or otherwise endangering the health and safety of themselves, colleagues and/or third parties;
- deliberate breach of statutory rules affecting employment;
- unauthorised use or disclosure of confidential information;
- unauthorised use, processing or disclosure of personal data contrary to the College Data Protection Policy;
- unauthorised access to or use of computer data or computer hardware or copying of software, other than when authorised in the employee's normal course of employment;
- harassment of or discrimination against employees, contractors, clients or members of the public on the grounds of their protected characteristic(s);
- giving false information as to qualifications or entitlement to work

(including immigration status) in order to gain employment or other benefits;

- knowingly taking parental, paternity or adoption leave when not eligible to do so for a purpose other than supporting a child;
- victimising another employee who has raised concerns, made a complaint or given evidence information under other College policies;
- serious misuse of College information technology systems (including misuse or developed or licensed software, use of unauthorised software and misuse of email and the internet);
- undertaking unauthorised paid or unpaid employment during paid working hours.

The list is intended as a guide and is not exhaustive.

## 15.0 Criminal Charges or Convictions

An employee should not be dismissed or otherwise disciplined solely because they have been charged with or convicted of a criminal offence. The question to be asked in such cases is whether the employee's conduct or conviction merits action because of its employment implications.

Where it is thought the conduct warrants disciplinary action the following guidance should be borne in mind:

- the College should conduct a brief preliminary investigation of the facts, come to a view about them and consider whether the conduct is such as to warrant instigating the disciplinary procedure;
- where the conduct requires prompt attention, the College need not await the outcome of the prosecution before taking fair and reasonable action;
- where the police are called in, they should not be asked to conduct any investigation on behalf of the College, nor should they be present at any meeting or disciplinary meeting.

In some cases, the nature of the alleged offence may not justify disciplinary action, for example because the employee is in custody. In these cases, the College should

decide whether, in light of the needs of the College, the employee's job can be held open. Where a criminal conviction leads, for example to the loss of a license so that continued employment in a particular job would be illegal, the College should consider whether alternative work is appropriate and available.

Where an employee, charged with or convicted of a criminal offence, refuses or is unable to cooperate with the College's disciplinary investigations and proceedings, this should not deter the College from taking action. The employee should be advised in writing that unless further information is provided, a disciplinary decision in accordance with the Disciplinary Procedure will be taken on the basis of the information available and could result in dismissal.

The employee will be advised that, where this is deemed appropriate in the circumstances, they may instruct their trade union representative, work colleague or an official employed by a Trade Union to act on their behalf or submit written representations for the College to consider prior to making its decision.

## **16.0 Alcohol and Drug Misuse Recovery Programme**

The College may suspend disciplinary action in respect of an offence related to alcohol or substance misuse.

In accordance with the terms of the College's Policy on Alcohol, Drugs and Substance Abuse, an employee with such a problem should be given the opportunity of accepting referral to the counselling services arranged by the College. If the Employee Counselling Service and the employee accept that an alcohol or drug problem exists and providing the employee undertakes to co-operate and successfully undertakes the recovery programme, disciplinary action will be suspended in respect of the offence which led to the referral.

The College reserves the right to proceed with any disciplinary process in circumstances where the allegation made against the employee is sufficiently serious or unrelated to the problem identified, even where an underlying alcohol or drug problem exists. Each case will be determined on its own facts.

## 17.0 Adjustments to Procedure

The College will endeavour to adhere to the time limits specified in the above procedure, however, this may not be practicable in the specific circumstances. Accordingly, the College reserves the right to extend any applicable time periods. In circumstances where it is not practicable to adhere to the above procedure within the time limits specified or within a reasonable period, the College will modify the procedure as appropriate and will notify the employee of the reasons for the delay and will keep the employee updated as to progress at reasonable intervals.

## 18.0 Reasonable adjustments

Reasonable adjustments may be made to this procedure where an employee is suffering from a disability as defined by the Equality Act 2010.

## 19.0 External Agencies

**Employee Counselling Service** - PAM Assist - College Intranet

**ACAS** (Advisory, Conciliation and Arbitration Service) Telephone: 08457 47 47 47

Minicom: 08456 06 16 00

## Table 1

### Disciplinary Referral Guide

<b>Category of Employee</b>	<b>Investigation (Stated Designation or Above)</b>	<b>Hearing Chair</b>	<b>Appeal Chair</b>
Principal	Clerk to the Board	Ad hoc committee (Human Resources Committee)	Ad hoc committee (Board of Management)
Depute Principal	Principal	Ad hoc committee (Human Resources Committee)	Ad hoc committee (Board of Management)
Associate Principal or Head of Department	Depute Principal	Principal (or nominated member of the Board)	Nominated member of the Board
Depute Head of Faculty	Associate Principal	Depute Principal	Principal
Curriculum Managers or Line Manager	Associate Principal or Head of Department	Depute Faculty	Principal
Lecturers	Curriculum Manager	Associate Principal	Depute Principal
Support Staff	Line Manager	Head of Department or equivalent from another Support Department	Depute Principal

It should be noted that the circumstances of the particular case may require another person to undertake the roles indicated in the table.

Where a sanction of dismissal has been applied and where an appeal against the decision has been submitted the appeal will be heard by a panel consisting of a College Leader and two members of the Board or Standing Committees.



## Table 2

### Authorised Level of Disciplinary Action

Designation	Level of Disciplinary Action
Line Manager or equivalent from another Support Department or Curriculum Manager	Informal Warning; Verbal Warning; or Written Warning.
Associate Principal (or Depute), Head of Department (or (Depute)	Informal Warning; Verbal Warning; Written Warning; Final Written Warning; and Recommendation for Dismissal.
Depute Principal	Suspension; Informal Warning; Verbal Warning; Written Warning; Final Written Warning; Recommendation for Dismissal; Dismissal.
Principal (or in the Principal's absence the Depute Principal)	Suspension; Informal Warning; Verbal Warning; Written Warning; Final Written Warning; Recommendation for Dismissal; Dismissal.
Ad hoc committees of the Human Resources Committee and the Board of Management Or Nominated Board Member	Suspension; Informal Warning; Verbal Warning; Written Warning; Final Written Warning; Recommendation for Dismissal; and Dismissal (Board of Management Only).



South  
Lanarkshire  
College

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East Kilbride

### Human Resources Committee

<b>DATE</b>	15 May 2025
<b>TITLE OF REPORT</b>	Disciplinary Procedure – Extension and Recommendation
<b>REFERENCE</b>	18.0
<b>AUTHOR AND CONTACT DETAILS</b>	Gary McIntosh, Head of Human Resources gary.mcintosh@slc.ac.uk
<b>PURPOSE:</b>	For members to consider and approve an extension to the Disciplinary Procedure review, and note the required alignment with a new, National Policy and Model Procedure.
<b>KEY RECOMMENDATIONS/ DECISIONS:</b>	Members are recommended to: <ul style="list-style-type: none"> <li>• approve the extension of the review date for the College's Disciplinary Procedure to enable full alignment with the National Disciplinary Policy and Model Procedure;</li> <li>• note that a revised procedure will be presented to the Committee for approval in autumn 2025 following consultation; and</li> <li>• note the establishment of a working group to support the consultation and revision process.</li> </ul>
<b>RISK</b>	The following risks apply: <ul style="list-style-type: none"> <li>• Delaying the review without a formal decision could create uncertainty and potential employee relations challenges.</li> <li>• Proceeding with a review now, before full alignment with the national Policy and Model Procedure, could risk producing a procedure that is inconsistent with sector expectations and subject to subsequent challenge.</li> <li>• Approving the extension mitigates these risks by providing clarity and supporting a collaborative approach.</li> </ul>
<b>RELEVANT STRATEGIC AIM:</b>	<ul style="list-style-type: none"> <li>• Successful Students</li> <li>• The Highest Quality Education and Support</li> <li>• Sustainable Behaviours</li> </ul>
<b>SUMMARY OF REPORT:</b>	<ul style="list-style-type: none"> <li>• This paper seeks approval from the Committee to formally extend the current review date for the Disciplinary Procedure.</li> <li>• It follows the recent Joint Negotiating Committee (JNC) discussions with trade unions, where it was requested that the review would take place once the National Disciplinary Policy and Model Procedure was issued.</li> </ul>

	<ul style="list-style-type: none"> <li>• The National Policy and Model Procedure was released in April 2025, with an implementation date of 1<sup>st</sup> August 2025.</li> <li>• An extension to the review date is now required to enable appropriate alignment, in line with the 1<sup>st</sup> August 2025 implementation date.</li> <li>• There is a conflict between the Constitution and Scheme of Delegation, and the Disciplinary Procedure, for the roles of Principal &amp; Chief Executive and the Governance Professional.</li> </ul>
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## 1. INTRODUCTION

- 1.1. This paper outlines the context and rationale for extending the review date of the Disciplinary Procedure. It seeks formal Committee agreement to ensure compliance with national expectations and to support effective employee relations.

## 2 BACKGROUND

- 2.1 The College's current Disciplinary Procedure (copy enclosed with this paper) had been scheduled for review in June 2024. There was an error that alerts expiring Policies and Procedures, which has now been resolved.
- 2.2 At the Joint Negotiating Committee (JNC) meeting with locally recognised trade unions, it was agreed that the review should be deferred until the national sector-wide Disciplinary Policy and Model Procedure was available.
- 2.3 The National Disciplinary Policy and Model Procedure has now been issued in April 2025, with an agreed sector-wide implementation date of 1 August 2025. Copy enclosed with this paper. Trade Unions expect local procedures to align as closely as possible with the national model to support consistency across the college sector.
- 2.4 For the roles of Principal & Chief Executive and the Governance Professional, paragraphs 405-414 of a [recent tribunal hearing](#) concluded that a conflict exists between the [Constitution](#) & [Scheme of Delegation](#), and the Disciplinary Procedure, with the ruling being that the Constitution and Scheme of Delegation must take precedence because they determine what the Board, and its members have power to do.

## 3 DISCUSSION

- 3.1 It is proposed that the College extends the review date for the Disciplinary Procedure to align with the implementation timeline of the national policy. This will allow sufficient time to review the national model in detail, undertake consultation with trade unions, and amend the College's procedure as required. Failure to appropriately align could result in industrial relations difficulties and potential non-compliance with sector expectations.
- 3.2 A working group comprising Management, HR, and trade union nominees will be established to oversee the review and consultation process. It is anticipated that a revised local Disciplinary Procedure will be presented for Committee approval in early autumn 2025, following full consultation.
- 3.3 Following advice from Shepperd and Wedderburn, the solicitors dealing with the Tribunal case, regarding how the Disciplinary Procedure should be updated for the Principal & Chief Executive and Governance Professional roles, then it could be updated to reflect the different approach for those roles, or to include the wording along the lines of:
- 3.3.1 *"This procedure is only in respect of staff members appointed by the College. The Principal and Governance Professional can only be dealt with by the Board, no other parties are authorised to engage or make decisions regarding these positions."*
- 3.4 Clarification should also be given to the appointment of the Principal & Chief Executive and the Governance Professional roles, which also require full Board of Management

approval. The new National Policy and Model Procedure applies to all employees and does not differentiate for any role. There is potential challenge on this matter when engaging with trade unions on the Disciplinary Procedure.

#### **4 RESOURCE IMPLICATIONS**

- 4.1 There are no significant additional resource implications anticipated from extending the review date.
- 4.2 Staff time will be required to support the consultation process and implement any agreed changes to documentation and training.

#### **5 EQUALITIES**

- 5.1 An Equality Impact Assessment will be conducted on the revised procedure to ensure there are no unintended discriminatory impacts.
- 5.2 There are no new matters for people with protected characteristics which arise from consideration of the report.

#### **6 RISK**

- 6.1 The following risks apply:
  - 6.1.1 Delaying the review without a formal decision could create uncertainty and potential employee relations challenges.
  - 6.1.2 Proceeding with a review now, before full alignment with the national Policy and Model Procedure, could risk producing a procedure that is inconsistent with sector expectations and subject to subsequent challenge.
  - 6.1.3 Trade union disagreement when seeking to amend the approach for the Principal & Chief Executive and the Governance Professional roles.
  - 6.1.4 Approving the extension mitigates these risks by providing clarity and supporting a collaborative approach.

#### **7 COMMUNICATIONS**

- 7.1 Once approved, the extension to the review date will be communicated formally to staff and trade union representatives.

#### **8 RECOMMENDATIONS**

- 8.1 Members are recommended to:
  - 8.1.1 approve the extension of the review date for the College's Disciplinary Procedure to enable full alignment with the National Disciplinary Policy and Model Procedure.
  - 8.1.2 note that a revised procedure will be presented to the Committee for approval in autumn 2025 following consultation.
  - 8.1.3 decide on a preferred route for the roles of Principal & Chief Executive and Governance Professional, for both disciplinary and recruitment matters.
  - 8.1.4 note the establishment of a working group to support the consultation and revision process.



South  
Lanarkshire  
College  

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East Kilbride

# **DISCIPLINARY PROCEDURE**

## **Managing concerns**

Version Number: 1.0

## Document Information

<b>Procedure Published/Created:</b>	15 <sup>th</sup> June 2022
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## Version History

Version Number	Date	Author	Rationale
1.0	15 <sup>th</sup> June 2022	G McIntosh	Replaces previous procedure

## Quick Links

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We are committed to the FREDIE principles of Fairness, Respect, Equality, Diversity, Inclusion and Engagement.



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## 1.0 Introduction

South Lanarkshire College (the “College”) seeks to ensure that all our employees work in a safe and professional environment.

The Disciplinary Procedure is designed to ensure fair, transparent and consistent treatment of all staff when handling issues related to concerns about employees.

*Should the concern be as a direct result of a performance issue, this will be deemed as “capability” and will be dealt with under the Capability Procedure.*

During the implementation of this policy, the College may defer to another policy depending on what is shared, for example the Absence Policy or the Reasonable Adjustments Policy. If appropriate, this policy will either be closed in writing or will be adjourned to allow the other policy to conclude. If a grievance is raised while a disciplinary is taking place, the College may pause the disciplinary procedure and deal with the grievance first or, alternatively, deal with both matters at the same time, depending on the situation.

If the disciplinary matter is deemed to be a criminal matter the police will be informed.

This procedure aligns with the ACAS guidelines on disciplinary and grievance procedures. Should the ACAS guidelines or legal requirements change, the policy will be revised to take these changes into account.

## 2.0 Objectives

The objectives of this procedure are to:

- Provide a structured and transparent approach to enable the handling of conduct or behavioural concerns of employees.
- Ensure a fair and consistent approach to managing and responding to employee concerns.
- Identify opportunities for the College to deal with concerns as a result of your employment.

## 3.0 Scope

This Procedure applies to all employees of the College and provides a mechanism for disciplinary matters to be handled promptly, transparently, fairly and consistently.

The Disciplinary Procedure will be used where there are potential issues of misconduct. This procedure does not apply to cases where an employee fails to perform to the required standard as a result of lack of skill, capability or training or has genuine sickness absence or where an illness or other condition causes or contributes to performance issues. In those cases, reference should be made to the Capability Procedure.

There may be cases where it will be appropriate to treat poor performance as a misconduct issue e.g., in cases of negligence or carelessness.

## 4.0 Principles

The Principles of this Procedure are:

- The College will seek to resolve conduct issues at the lowest possible level and informal action will be considered, where appropriate, to resolve problems;
- Some meetings may be audio recorded if agreed by all parties. Otherwise, covert recording is not permitted.
- No disciplinary action will be taken against an employee until the issue has been fully investigated to establish the facts of the case;
- For formal action, an employee will be advised of the nature of the complaint against them and will be given the opportunity to state their case before any decision is made at a disciplinary meeting;
- Employees will be provided with written copies of evidence and witness statements, under normal circumstances, in advance of a disciplinary meeting;
- Witnesses should be informed that a copy of their statement will be provided to the employee;
- At all formal stages of the procedure an employee will have the right to be accompanied by a trade union representative, work colleague or an official employed by a Trade Union;
- Employees may seek additional support or advice from the Human Resources Department;
- Employees will be provided with appropriate time off to attend the Employee Counselling Service to support them through the process;
- In certain situations, employees may be accompanied by an additional companion if agreed by all parties in order to assist the process e.g. an employee with a disability or if there is a language barrier;
- All meetings should be conducted courteously and fairly
- Where possible and practicable in the circumstances, an officer of the College who has been involved in any investigation into alleged misconduct will not be involved in either the disciplinary or the appeal hearing and any officer who has heard a disciplinary or dismissal hearing will not be involved in any appeal hearing.
- No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of contractual or statutory notice (non-exhaustive examples of misconduct and gross misconduct are contained within the Disciplinary Procedure but any employee in

doubt of their responsibilities or expected standards of conduct should speak to their line manager);

- An employee will have the right to appeal against any disciplinary sanction;
- Notwithstanding the stages of disciplinary sanction set out in the procedure, the procedure may be implemented at any stage, without the College being required to start with the lowest disciplinary sanction if the employee's alleged misconduct warrants this; and
- The College and its employees should raise and deal with issues promptly and should not unreasonably delay meetings, decisions or confirmation of those decisions.

## 5.0 Confidentiality

The College aims to deal with disciplinary matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter. A failure to do so may result in disciplinary action, up to and including dismissal.

An employee who provides a statement will be advised that the individual who is subject to the investigation will normally be told the name(s) of any witness(es) who provides evidence relevant to the allegation(s) against them, unless in exceptional circumstances the College determines that the identity of a witness should remain confidential, for example in cases of sexual harassment or where an individual has provided evidence on the condition that anonymity is preserved.

In such cases the College will endeavour to ensure that the employee is provided with a fair opportunity to respond to any allegation(s) made against them and, if this is not possible, will ensure that a determination is made as to the appropriate weight to be placed on any such evidence in light of any prejudice caused to the employee as a result of anonymity being preserved. The decision not to disclose the name(s) of a witness(es) will be discussed with the employee, and/or their Trade Union representative where appropriate.

## 6.0 Right to be accompanied

The employee has the right to be accompanied at any formal stage of the procedure by a trade union representative, work colleague or an official employed by a Trade Union.

Under this procedure, the employee does not have the right to be accompanied by anyone else (such as spouse, partner, other family member or legal representative) unless agreed otherwise as set out above in Section 4.

To exercise the statutory right to be accompanied the employee must make a reasonable request. The employee should provide enough time for the College to deal with the companion's attendance at the meeting and make clear in advance the name of the companion where possible and whether the individual is a Trade Union representative or work colleague.

The role of a companion is limited. A companion is entitled to put forward the employee's case, sum up their case and respond on their behalf to any view expressed at the hearing. An employee will also be able to confer with their companion during the hearing.

The companion cannot answer questions on behalf of the employee or address the hearing if the employee indicates that they do not wish the companion to do so. The companion cannot use their powers in any way which prevents the employer from explaining its case or which prevents any other person at the hearing from contributing to it.

The companion's role is not to give evidence on behalf of the employee.

The role of the companion is to advise and take notes. They may respond on the employee's behalf to a view expressed at the hearing but they have no legal right to answer questions on the employee's behalf.

The companion does have a legal right to address the hearing and may ask questions.

Reasonable time to confer privately with an employee either in the hearing room during the hearing and/or outside it should be given to the companion.

An employee who has been requested to accompany a fellow employee employed by the College and has agreed to do so should be permitted to take a reasonable amount of paid time off to fulfil that responsibility. That should not only cover the hearing but some time before and after the hearing to confer with the employee. The same applies to a trade union official.

When a chosen companion is not available to attend on the date proposed for the hearing the employee can postpone the hearing and offer an alternative time and date so long as it is reasonable and falls before the end of the period of five working days, beginning with the first working day after the first date proposed by the College. In proposing an alternative date, the employee should have regard to the availability of the relevant people. The location of timing of any alternative hearing should be convenient to both employee and employer.

## 7.0 Suspension

The College may decide to suspend the employee from work as a precautionary measure pending the outcome of investigation. Any such decision will be taken after consideration of relevant factors including but not being limited to:

- The nature and seriousness of the allegation and the likelihood of the allegations being established;
- The risks to the College and/or employees, students or other third parties of the employee's continued presence in the workplace;
- The risk of a recurrence of the behaviour that is the subject of the



- allegations; and
- Any impact or prejudice that may be caused by the employee's continued presence in the workplace, in particular in relation to the employer's ability to conduct an investigation

The suspension will be for no longer than is necessary to investigate the allegations and the College will confirm the arrangements to the employee in writing. The initial period of suspension will normally be for no more than 10 working days. After this period the decision will be reviewed. If necessary, the period of suspension may be extended for a further 10 working days, after which the decision will again be reviewed. Any decision to suspend will be kept under review. While suspended the employee should not visit the College premises or contact any employees, clients, learners, suppliers or contractors associated with the disciplinary investigation or offence under investigation unless authorised to do so.

Suspension of this kind is a precautionary measure, not a disciplinary penalty and does not imply that any decision has already been made about the allegations. The employee will continue to receive full basic salary and benefits during the period of suspension.

An alternative to suspension, where appropriate, would be to relocate the individual under investigation to another work location.

Employees will be provided with information on the support available to them through the Employee Counselling Service. Employees will receive information during their absence similar to any employee who is absent for any other reason.

## **8.0 Alcohol and Drug Misuse**

The College may suspend disciplinary action under certain circumstances in respect of an offence related to alcohol or substance misuse in accordance with the terms of the College's Policy Statements on Alcohol, Drug and Substance Abuse.

## **9.0 Overlapping Disciplinary and Grievance Cases**

Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related, it may be appropriate to deal with both issues concurrently.

## **10.0 Records**

The College will keep a file with all written information relating to the disciplinary case. The records will be treated as confidential and kept in accordance with our data retention policy which can be obtained from the staff portal.

The details of every disciplinary case will be maintained for monitoring purposes. The College will publish general statistics relating to the number of disciplinaries each year. No personal data is published as part of this process.

## **11.0 Training**

Training and coaching of investigators and Chairs operating the procedure will be provided. Representatives of the College's recognised Trade Unions will be invited to attend such training. Advice and guidance on the application of the Disciplinary Procedure will be provided by Human Resources.

## **12.0 Disciplinary Procedure**

### **12.1 Informal Procedure**

Where practicable and/or deemed appropriate by the College, misconduct will normally be managed, or resolved, informally in the first instance.

Informal action will normally be carried out by the employee's direct line manager or supervisor.

It will take the form of a discussion between the employee and the line manager or supervisor with the objective of resolving any issues, encouraging and helping the employee to improve and identify whether additional training, coaching and advice may be needed is required. Informal resolution may also take the form of an informal warning or direction.

Both parties should fully understand the outcome of the discussion and that the formal processes may start if there is a recurrence of the misconduct or where other misconduct issues arise or where there is no improvement or if any improvement fails to be maintained.

Arrangements will be made to review progress over a specified period where appropriate. Where improvement is required both parties must understand what needs to be done, how the conduct will be reviewed, and over what period. The line manager will confirm in writing what has been decided.

Brief notes of any agreed informal sanction or action should be kept for reference purposes by the line manager and a copy provided, where appropriate, to the employee. The discussion is not a disciplinary meeting and any warning issued whether orally or in writing is informal.

## **12.2 Formal Procedure**

The formal disciplinary procedure will be used when informal resolution is not deemed appropriate or when informal attempts to address the issue have not proven possible or effective.

Line Managers should discuss the case with a member of the Human Resources Department prior to invoking the formal disciplinary procedure.

## **12.3 Investigation**

The College will investigate alleged misconduct, without unreasonable delay and within an agreed timescale, to establish the facts in any particular case. The investigation will be carried out by the appropriate person, refer to Table 1, with support and advice from a member of the Human Resources Department.

The employee will normally be told that the investigation will be taking place (unless there are circumstances in which this would not be appropriate), the allegation(s) which is the subject of investigation, the anticipated timescale and their right to be accompanied by a trade union representative, work colleague or an official employed by a Trade Union during any meeting to discuss the area(s) of concern.

The purpose of an investigation is for the College to establish a fair and balanced view of the facts relating to any allegations against an employee, before deciding whether to proceed with a disciplinary meeting.

The amount of investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from the employee and any witnesses and reviewing relevant documents.

Investigative interviews are solely for the purpose of fact-finding and no decision on disciplinary action will be taken until after a disciplinary meeting has been held.

Employees must cooperate fully and promptly in any investigation the College deems to be necessary. This will include informing the College of the names of any relevant witnesses, disclosing any relevant documents to the College and attending investigative interviews if required.

If, after investigation, it is deemed that no further action is to be taken the employee will be notified of this in writing. The outcome will be recorded and any evidence collected during the investigation will be destroyed.

Where, after investigation, it is established that there is a case to answer the employee will be invited in writing to attend a disciplinary meeting.

## **12.4 Notification of a Disciplinary Meeting**

The notification to attend a disciplinary meeting will contain sufficient information about the alleged misconduct and the possible consequences to enable the employee to reasonably prepare to answer the case at a disciplinary meeting. An employee will normally receive seven (7) working days advance notification of the date of the meeting. Evidence will be provided with the notification. The notification will give details of the time and venue for the disciplinary meeting, confirm who will be present and advise the employee of their right to be accompanied at the meeting should they wish. In the case of part-time staff the disciplinary meeting, where possible, should be within the employee's normal working hours.

If an employee's trade union representative, work colleague or an official employed by a Trade Union cannot attend the employee may offer a reasonable alternative time within five (5) working days of the original date.

Where an employee is unable or unwilling to attend a disciplinary meeting without good cause the College may make a decision on the evidence available. If the failure to attend is related to a disability or health reason the College may seek the advice of its Occupational Health Service before deciding how to proceed.

## **12.5 Disciplinary Meeting**

Both management and employees (and their companion(s)) will make every effort to attend the meeting. A guide to conducting a disciplinary hearing is attached as appendix 1.

The disciplinary meeting will normally be attended by:

- (a) the individual chairing the meeting (the 'Chair') - The Chair will be

appointed taking into account the potential outcomes and the authority levels set out in Table 2. It will be for the Chair to hear and assess the evidence for and against the allegations and make a decision based on the evidence presented. The College reserves the right to appoint a panel consisting of a minimum of two where this is felt to be appropriate;

- (b) the person who conducted the investigation ('the Investigating Officer');
- (c) a representative from Human Resources – to provide advice and support to the Chair and take notes;
- (d) the employee;
- (e) the employee's trade union representative, work colleague or an official employed by a Trade Union (if requested by the employee); and
- (f) relevant witnesses as previously identified when required to provide evidence.

At the meeting the following process will be followed:

- the Chair will introduce those present and explain the purpose and format of the meeting outlining the alleged misconduct and the potential sanctions;
- the Investigating Officer will be invited to present the case and respond to any questions posed by the chair or the employee;
- the employee will set out their case, respond to the allegations be given a reasonable opportunity to ask questions, present evidence and call relevant witnesses;
- both the Chair and the employee will be given an opportunity to raise points about the evidence provided by the Investigating Officer or witnesses.

Where the College or the employee intends to call relevant witnesses they should give advance notice that they intend to do this.

The College will normally rely either on statements and/or the terms of any investigatory report produced by the Investigating Officer but may call witnesses where this is considered appropriate depending on the specific circumstances of the case.

Summary Notes of formal meetings will be taken and not a verbatim record.

Copies of these notes will, where practicable, be given to the employee within ten College working days and they should inform the College if they wish to comment on the accuracy of the notes within seven (7) College working days of receiving them. Comments made by the employee in respect of the notes will be added as an addendum and the notes themselves will not be amended.

## **12.6 Adjournment**

The Chair or Appeal Chair will have discretion to adjourn any disciplinary hearing or appeal hearing as deemed necessary. This decision is entirely at the discretion of the Chair or Appeal Chair and may be made after a request by the employee or representative of the College or otherwise as deemed necessary.

## **12.7 Reaching a Decision and Potential Outcomes**

At the end of the disciplinary meeting, the Chair will normally adjourn the meeting before making a decision, see section 5 of appendix 1. Following the adjournment, the Chair may issue an oral decision. If the Chair is unable to reach an immediate decision following the meeting, they are entitled to deliberate on the decision prior to issuing a decision in writing. Written notification of the outcome will normally be issued within ten [10] working days of the meeting, or earlier if reasonably practicable, together with an explanation of any disciplinary action to be taken and notification that the employee has the right of appeal.

The penalties imposed must be reasonable in all circumstances and must consider the nature of the misconduct, any disciplinary record, any mitigation advanced by the employee and be consistent with penalties imposed in similar cases.

The College reserves the right to impose sanctions at any level, or to skip levels, depending on the circumstances of the case.

The potential outcomes are as follows:

- No Action – after the meeting the Chair may decide that there is no action to take.
- First Warning – this will be confirmed in writing. This will usually be appropriate for a minor act of misconduct. A record of the warning will be kept but it will be disregarded for disciplinary purposes after 6 months subject to the employee achieving and sustaining satisfactory conduct.
- Final Written Warning – this will normally be issued if:
  - it is more serious misconduct than that which would warrant a first written warning;
  - there is further misconduct of a similar nature; or
  - during the currency of an existing warning for a similar offence.

This will be in writing and set out of the nature of the misconduct and the change in behaviour required and the right of appeal. It will also warn that further incidents of misconduct may lead to dismissal (or some other action short of dismissal) and will refer to the right of appeal. A copy of this written record will be kept but disregarded for disciplinary purposes after 12 months subject to the employee achieving and sustaining satisfactory conduct.

- Dismissal (with notice) – this will normally be issued if there is still further misconduct during the currency of a Final Written warning. Dismissal decisions can only be taken by a nominated officer and the employee will be provided in writing with reasons for dismissal the date on which the employment will terminate and right of appeal.
- Summary Dismissal (without notice) – this will normally be issued where the employee has committed an act of gross misconduct.
- Action short of dismissal – this can be issued as an alternative to dismissal and will normally be accompanied with a Final Written warning.

Action short of dismissal includes:

- demotion (permanent or temporary) as an alternative to dismissal, and the dismissal is clearly justified in the circumstances;
- redeployment to an alternative role or section without loss in remuneration;
- recalculation, reduction and deduction from pay (cases of unauthorised leave or misclaims).



The employee will receive written details of the misconduct, will be warned that dismissal could result if there are further incidents of misconduct and will be advised of the right of appeal. A copy of this written record will be kept but disregarded for disciplinary purposes after 12 months subject to achieving and sustaining satisfactory conduct.

There may be exceptional cases where the College deems it appropriate to extend the period for which any warning remains 'live', and the College reserves the right to implement an extension of the duration of the warning where this is deemed appropriate by the College. Full reasons for this decision will be provided to the employee in the written notification of the outcome where this right is exercised.

The Chair will produce a written report articulating a justification for the decision reached and the sanction applied.

## **13.0 Appeals against Disciplinary Action**

An employee will have the right to appeal against disciplinary action if they feel that the action taken against them is wrong or unjust. An appeal, for example, may be on the grounds of new evidence, undue severity/level of sanction or alleged breach of College procedure. The appeal should be submitted in writing to Human Resources, stating the full grounds for the appeal within seven (7) College working days of the date on which they were informed of the decision.

Appeals should be heard without unreasonable delay. The appeal will be dealt with impartially and wherever possible, chaired by a person who has not previously been involved in the case and is more senior to the chair of the disciplinary meeting, in accordance with Table 1 (the 'Appeal Chair').

Both management and employees (and their companion(s)) will make every effort to attend the appeal meeting. At the appeal meeting, the Appeal Chair will introduce those present and explain the purpose and format of the meeting. The employee will be

allowed to set out the grounds of their appeal and further questions may be asked by the chair as appropriate. The process outlined in section 12.5 will be followed.

Following the appeal meeting the Appeal Chair may:

- (a) confirm the original decision; or
- (b) revoke the original decision; or
- (c) substitute an alternative sanction.

The Appeal Chair will inform the employee in writing of their final decision as soon as possible after the adjournment of the appeal meeting and usually within seven (7) working days of the appeal meeting. The College acknowledges the impact of that a formal process may have on an employee's health and wellbeing and will endeavour to progress the process within a reasonable timescale.

Where a sanction of dismissal is applied the appeal will be heard by a panel consisting of a College Leader and two members of the Board or its Standing Committees. It should be noted that the appeal hearing will take place as soon as reasonably practicable given the external commitments of members of the Board and its Standing Committees.

There shall be no further right of appeal.

## **14.0 Misconduct and Gross Misconduct**

The following are examples of matters that will normally be regarded as misconduct or gross misconduct.

### **14.1 Misconduct**

Matters that will normally be regarded as Misconduct and will be dealt with under the Disciplinary Procedure include:

- a) minor breaches of College policies or procedures;
- b) minor breaches of the employment contract;
- c) damage to, or unauthorised use of, College property;
- d) persistent, unauthorised lateness;

- e) unauthorised or unacceptable high levels absence from work;
- f) failure to follow reasonable management instructions;
- g) excessive use of College telephone for personal calls;
- h) excessive personal e-mail, internet usage or social media;
- i) deliberate negligence in the performance of duties;
- j) unauthorised disclosure of confidential information; or
- k) smoking in no-smoking areas;

The list is intended as a guide and is not exhaustive or exclusive.

## **14.2 Gross Misconduct**

Gross misconduct is a serious breach of contract and includes misconduct which, in the College's opinion, is likely to prejudice College business or reputation or irreparably damage the working relationship and trust between employer and employee.

An employee can be summarily dismissed for a first offence which is considered to constitute gross misconduct. Should an employee be dismissed for gross misconduct the dismissal is without notice or payment in lieu of notice.

The following are some of the offences the College considers to be gross misconduct:

- serious misuse of College property or name;
- Posting social media content that has the sufficient potential to or does bring the College into disrepute, or reflects negatively on the College, colleagues or learners (in line with the College's ICT Acceptable Use Policy and other related policies);
- bullying or cyber bullying (actual or threatened);
- acts of indecency or sexual harassment, at, but not limited to, work, social events associated with the College, attendance at external events or on residential;
- unacceptable use of obscene, abusive or offensive language (including language of a discriminatory nature);
- actual or threatened violence, or behaviour which provokes violence;
- deliberately accessing internet sites containing pornographic,

- offensive or obscene material;
- bringing the College into disrepute;
- causing loss, damage or injury through serious negligence;
- theft, or unauthorised removal of College property or the property of an employee, contractor, customer or member of the public;
- falsification of records or other College documents including those relating to obtaining employment;
- fraud, forgery or other dishonesty, including fabrication of expense claims and timesheets;
- acceptance of bribes or other secret payments arising out of employment;
- deliberate and serious damage to College buildings, fittings, property or equipment, or the property of an employee, contractor, customer or member of the public;
- conviction for a criminal offence that in the College's opinion may affect our reputation or our relationships with our employees, customers or the public, or otherwise affects suitability to remain an employee;
- possession or use of non-prescribed drugs on College premises or during working hours;
- Consumption of alcohol on College premises or during working hours, other than on occasions approved by the College;
- incapacity at work brought on by alcohol or non-prescribed drugs;
- refusal to carry out reasonable management instructions, repeated or serious disobedience of instructions, or other serious act of insubordination;
- serious neglect of duties, or a serious or deliberate breach of employment contract or the College's policies or procedures;
- serious or repeated breach of health and safety rules or serious misuse of safety equipment or otherwise endangering the health and safety of themselves, colleagues and/or third parties;
- deliberate breach of statutory rules affecting employment;
- unauthorised use or disclosure of confidential information;
- unauthorised use, processing or disclosure of personal data contrary to the College Data Protection Policy;
- unauthorised access to or use of computer data or computer hardware or copying of software, other than when authorised in the employee's normal course of employment;
- harassment of or discrimination against employees, contractors, clients or members of the public on the grounds of their protected characteristic(s);
- giving false information as to qualifications or entitlement to work

(including immigration status) in order to gain employment or other benefits;

- knowingly taking parental, paternity or adoption leave when not eligible to do so for a purpose other than supporting a child;
- victimising another employee who has raised concerns, made a complaint or given evidence information under other College policies;
- serious misuse of College information technology systems (including misuse or developed or licensed software, use of unauthorised software and misuse of email and the internet);
- undertaking unauthorised paid or unpaid employment during paid working hours.

The list is intended as a guide and is not exhaustive.

## 15.0 Criminal Charges or Convictions

An employee should not be dismissed or otherwise disciplined solely because they have been charged with or convicted of a criminal offence. The question to be asked in such cases is whether the employee's conduct or conviction merits action because of its employment implications.

Where it is thought the conduct warrants disciplinary action the following guidance should be borne in mind:

- the College should conduct a brief preliminary investigation of the facts, come to a view about them and consider whether the conduct is such as to warrant instigating the disciplinary procedure;
- where the conduct requires prompt attention, the College need not await the outcome of the prosecution before taking fair and reasonable action;
- where the police are called in, they should not be asked to conduct any investigation on behalf of the College, nor should they be present at any meeting or disciplinary meeting.

In some cases, the nature of the alleged offence may not justify disciplinary action, for example because the employee is in custody. In these cases, the College should

decide whether, in light of the needs of the College, the employee's job can be held open. Where a criminal conviction leads, for example to the loss of a license so that continued employment in a particular job would be illegal, the College should consider whether alternative work is appropriate and available.

Where an employee, charged with or convicted of a criminal offence, refuses or is unable to cooperate with the College's disciplinary investigations and proceedings, this should not deter the College from taking action. The employee should be advised in writing that unless further information is provided, a disciplinary decision in accordance with the Disciplinary Procedure will be taken on the basis of the information available and could result in dismissal.

The employee will be advised that, where this is deemed appropriate in the circumstances, they may instruct their trade union representative, work colleague or an official employed by a Trade Union to act on their behalf or submit written representations for the College to consider prior to making its decision.

## **16.0 Alcohol and Drug Misuse Recovery Programme**

The College may suspend disciplinary action in respect of an offence related to alcohol or substance misuse.

In accordance with the terms of the College's Policy on Alcohol, Drugs and Substance Abuse, an employee with such a problem should be given the opportunity of accepting referral to the counselling services arranged by the College. If the Employee Counselling Service and the employee accept that an alcohol or drug problem exists and providing the employee undertakes to co-operate and successfully undertakes the recovery programme, disciplinary action will be suspended in respect of the offence which led to the referral.

The College reserves the right to proceed with any disciplinary process in circumstances where the allegation made against the employee is sufficiently serious or unrelated to the problem identified, even where an underlying alcohol or drug problem exists. Each case will be determined on its own facts.

## 17.0 Adjustments to Procedure

The College will endeavour to adhere to the time limits specified in the above procedure, however, this may not be practicable in the specific circumstances. Accordingly, the College reserves the right to extend any applicable time periods. In circumstances where it is not practicable to adhere to the above procedure within the time limits specified or within a reasonable period, the College will modify the procedure as appropriate and will notify the employee of the reasons for the delay and will keep the employee updated as to progress at reasonable intervals.

## 18.0 Reasonable adjustments

Reasonable adjustments may be made to this procedure where an employee is suffering from a disability as defined by the Equality Act 2010.

## 19.0 External Agencies

**Employee Counselling Service** - PAM Assist - College Intranet

**ACAS** (Advisory, Conciliation and Arbitration Service) Telephone: 08457 47 47 47

Minicom: 08456 06 16 00

## Table 1

### Disciplinary Referral Guide

<b>Category of Employee</b>	<b>Investigation (Stated Designation or Above)</b>	<b>Hearing Chair</b>	<b>Appeal Chair</b>
Principal	Clerk to the Board	Ad hoc committee (Human Resources Committee)	Ad hoc committee (Board of Management)
Depute Principal	Principal	Ad hoc committee (Human Resources Committee)	Ad hoc committee (Board of Management)
Associate Principal or Head of Department	Depute Principal	Principal (or nominated member of the Board)	Nominated member of the Board
Depute Head of Faculty	Associate Principal	Depute Principal	Principal
Curriculum Managers or Line Manager	Associate Principal or Head of Department	Depute Faculty	Principal
Lecturers	Curriculum Manager	Associate Principal	Depute Principal
Support Staff	Line Manager	Head of Department or equivalent from another Support Department	Depute Principal

It should be noted that the circumstances of the particular case may require another person to undertake the roles indicated in the table.

Where a sanction of dismissal has been applied and where an appeal against the decision has been submitted the appeal will be heard by a panel consisting of a College Leader and two members of the Board or Standing Committees.



## Table 2

### Authorised Level of Disciplinary Action

Designation	Level of Disciplinary Action
Line Manager or equivalent from another Support Department or Curriculum Manager	Informal Warning; Verbal Warning; or Written Warning.
Associate Principal (or Depute), Head of Department (or (Depute)	Informal Warning; Verbal Warning; Written Warning; Final Written Warning; and Recommendation for Dismissal.
Depute Principal	Suspension; Informal Warning; Verbal Warning; Written Warning; Final Written Warning; Recommendation for Dismissal; Dismissal.
Principal (or in the Principal's absence the Depute Principal)	Suspension; Informal Warning; Verbal Warning; Written Warning; Final Written Warning; Recommendation for Dismissal; Dismissal.
Ad hoc committees of the Human Resources Committee and the Board of Management Or Nominated Board Member	Suspension; Informal Warning; Verbal Warning; Written Warning; Final Written Warning; Recommendation for Dismissal; and Dismissal (Board of Management Only).



South  
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East Kilbride

### Human Resources Committee

<b>DATE</b>	15 May 2025
<b>TITLE OF REPORT</b>	Grievance Procedure - Extension
<b>REFERENCE</b>	19.0
<b>AUTHOR AND CONTACT DETAILS</b>	Gary McIntosh, Head of Human Resources gary.mcintosh@slc.ac.uk
<b>PURPOSE:</b>	For members to approve an extension to the review of the Grievance Procedure, to allow for a National Policy to be implemented first.
<b>KEY RECOMMENDATIONS/ DECISIONS:</b>	Members are recommended to: <ul style="list-style-type: none"> <li>• approve an 18-month extension from today's Committee meeting;</li> <li>• note that an earlier review may be initiated should a National Grievance Policy be published in the interim; and</li> <li>• approve ongoing monitoring of national developments and regular updates to the Committee on progress.</li> </ul>
<b>RISK</b>	The following risks apply: <ul style="list-style-type: none"> <li>• There is a risk that the absence of a refreshed procedure could be perceived as a failure to maintain updated policies; however, this is mitigated by the agreement of trade unions to await national guidance.</li> <li>• Failing to extend the review formally could create uncertainty for staff and managers regarding the status of the procedure.</li> <li>• Approving the extension will provide clarity, maintain confidence, and uphold positive employee relations.</li> </ul>
<b>RELEVANT STRATEGIC AIM:</b>	<ul style="list-style-type: none"> <li>• Successful Students</li> <li>• The Highest Quality Education and Support</li> <li>• Sustainable Behaviours</li> </ul>
<b>SUMMARY OF REPORT:</b>	<ul style="list-style-type: none"> <li>• This paper seeks the Committee's approval to formally extend the review date of the Grievance Procedure by 18 months from the date of this Committee meeting.</li> <li>• Although the review was originally scheduled for June 2024, an administrative error meant that no alert was generated to prompt this review.</li> <li>• It has been agreed at the Joint Negotiating Committee (JNC) that trade unions would prefer to await the publication of a National Grievance Policy before undertaking local changes.</li> </ul>

	<ul style="list-style-type: none"><li>• As no national policy is currently available, a formal extension is now required.</li></ul>
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## **1. INTRODUCTION**

- 1.1. This paper outlines the context and rationale for extending the Grievance Procedure review date – a copy of the current Procedure is enclosed with this Paper.
- 1.2. The extension will ensure that any future review is informed by sector-wide developments and undertaken collaboratively with trade unions.

## **2 BACKGROUND**

- 2.1 The College's Grievance Procedure was due for review in June 2024.
- 2.2 Due to an administrative error, no system alert was issued to highlight the upcoming expiry, which has since been corrected to prevent recurrence.
- 2.3 Discussions at the Joint Negotiating Committee (JNC) confirmed that trade unions would prefer not to revise the local Grievance Procedure until a National Grievance Policy is issued.
- 2.4 To date, no National Grievance Policy has been published, and there is no confirmed timeline for its issue.
- 2.5 In order to maintain positive industrial relations and ensure sector consistency, it is proposed to formally extend the review date by 18 months from the date of this Committee meeting.

## **3 DISCUSSION**

- 3.1 Extending the review period allows the College to wait for any national developments before undertaking a full review.
- 3.2 This approach is consistent with JNC expectations and avoids unnecessary local changes that may soon be superseded by national policy.
- 3.3 Should a National Grievance Policy be issued within the 18-month extension, an earlier review can be brought forward in agreement with the JNC.
- 3.4 In the absence of national guidance, the current procedure will remain in place and operational.

## **4 RESOURCE IMPLICATIONS**

- 4.1 There are no immediate resource implications associated with extending the review date.
- 4.2 Resource implications will be identified and managed at the point of formal review, including consultation and implementation activities.

## **5 EQUALITIES**

- 5.1 An Equality Impact Assessment will be undertaken at the time of the review to ensure that any updated Grievance Procedure continues to promote fairness and comply with legal obligations.
- 5.2 Delaying the review to allow for national policy alignment will support consistency and equity across the sector.
- 5.3 There are no new matters for people with protected characteristics which arise from consideration of the report.

## **6 RISK**

- 6.1 The following risks apply:

- 6.1.1 There is a risk that the absence of a refreshed procedure could be perceived as a failure to maintain updated policies; however, this is mitigated by the agreement of trade unions to await national guidance.
- 6.1.2 Failing to extend the review formally could create uncertainty for staff and managers regarding the status of the procedure.
- 6.1.3 Approving the extension will provide clarity, maintain confidence, and uphold positive employee relations.

## **7 COMMUNICATIONS**

- 7.1 Once approved, the extension will be communicated to staff and trade unions through established JNC channels.

## **8 RECOMMENDATIONS**

- 8.1 Members are recommended to:
  - 8.1.1 approve an 18-month extension from today's Committee meeting;
  - 8.1.2 note that an earlier review may be initiated should a National Grievance Policy be published in the interim; and
  - 8.1.3 approve ongoing monitoring of national developments and regular updates to the Committee on progress.



South  
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College  

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East Kilbride

# **GRIEVANCE PROCEDURE**

## **Hearing your concerns**

Version Number: 1.0

## Document Information

<b>Procedure Published/Created:</b>	15 <sup>th</sup> June 2022
<b>Reviewed Date:</b>	TBC
<b>Owner:</b>	Human Resources
<b>Approved by:</b>	Board of Management
<b>Equality Impact Assessment:</b>	TBC
<b>Next Review Date:</b>	15 <sup>th</sup> June 2024

## Version History

Version Number	Date	Author	Rationale
1.0	TBC	G McIntosh	Replace previous procedure

## Quick Links

We are inclusive and diverse, and this is one of our values.

We are committed to the FREDIE principles of Fairness, Respect, Equality, Diversity, Inclusion and Engagement.



To find out more about FREDIE click [HERE](#)

To find out more about our Vision, Mission and Values click [HERE](#)



Need help with accessibility? Click [HERE](#) to view our accessibility pages.



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## 1.0 Introduction

South Lanarkshire College (the “College”) want to ensure that all employees feel supported and enabled in their role, included being listened to should there be any concerns. The Grievance Procedure is designed ensure fair, transparent and consistent treatment of all staff when handling issues related to concerns raised by employees.

The College is committed to listening and investigating concerns raised by all employees, whether they are raised about other employees, Board members, customers, clients or others who you engage with as a result of your employment.

During the implementation of this procedure, the College may defer to another policy/procedure depending on what evidence is shared, for example the Absence Policy or the Reasonable Adjustments Policy. If the grievance could be a criminal matter the police will be informed. If appropriate, this policy will either be closed in writing or will be adjourned to allow the other policy to conclude. If a grievance is raised while a disciplinary is taking place consideration may be given to suspending the disciplinary procedure and deal with the grievance first or, alternatively, we may deal with both at the same time, depending on the situation and matters raised.

Going through a grievance procedure can be emotionally impactful. Therefore, the College will encourage employees to leverage wellbeing options available to them such as counselling and occupational health. Employees can discuss these confidentially with any member of the human resources team. The College will consider requests for reasonable adjustments to support the wellbeing of an employee.

This procedure aligns with the ACAS guidelines on disciplinary and grievance procedures. Should the ACAS guidelines or legal requirements change, the implementation of this policy will take these changes into account.

## 2.0 Objectives

The objectives of this policy are:

- Provide a structured and transparent approach to enable employees to raise concerns and receive a conclusion to the concern(s) raised.
- Ensure a fair and consistent approach to managing and responding to employee concerns.
- Identify opportunities for the College to deal with concerns as a result of your employment.

## 3.0 Scope

This Procedure applies to all employees of the College and provides a mechanism for grievances to be dealt with promptly, fairly and consistently. The College encourages a policy of open communication and consultation when problems and concerns arise in the workplace. Employees should try to resolve any grievance informally with their line manager or the individual(s) concerned in the first instance prior to instigation of the formal procedures outlined below.

## 4.0 Principles

- The College will seek to resolve issues at the lowest possible level of the procedure (where appropriate) and informal action may be considered, where appropriate, to resolve matters.
- The College will make every effort to deal with and resolve grievances as quickly as possible and at the appropriate management level.
- No decisions on the outcome of a formal grievance will be made before the matter has been fully investigated.
- All employees have the right to express a grievance relating to their employment. A grievance may be raised by an individual, a couple of individuals or collectively where a group or groups of employees are affected by the same work-related issue. If two or more employees have an identical grievance, they can use the procedure outlined in section 14 to raise a collective grievance. Employees using this procedure collectively cannot then raise an individual grievance on the same issue.
- Where working relationships are a factor in any grievance, additional support will be considered and, if appropriate, will be offered for example where employees wish to take part in mediation to resolve matters.
- Any matters relating to a collective dispute raised by Trade Union

representatives on behalf of all staff within the staff group whom they represent, should be raised in accordance with the Recognition and Procedures Agreement (the "RPA"). The procedure within the RPA should be followed.

- At all formal stages of the grievance process, parties have the right to be accompanied by a Trade Union representative or an official employed by a Trade Union or a workplace colleague.
- If an informal grievance is raised verbally which subsequently is taken forward as a formal grievance, the details must be recorded in writing before proceeding.
- During the formal Grievance Procedure, the individual raising the grievance, and any person against whom a grievance has been submitted, will have the opportunity to state their case.
- A grievance hearing is not the same as a disciplinary hearing and is an opportunity for discussion and dialogue which may produce a satisfactory resolution to the complaint.
- At no stage in the procedure can any party record a meeting or hearing, using audio or video recording equipment, without the prior agreement of all present.
- An employee who is dissatisfied with the outcome or remedy proposed in the first instance will have a right of appeal.
- The College's Equality policy will be observed in relation to all grievance related processes.

## **5.0 Confidentiality**

At all stages of a grievance, those involved in the grievance and/or the investigation must bear in mind the need for confidentiality in order to preserve the integrity of the process and out of respect for those involved. However, this does not preclude employees from discussing the matter with their staff representative or with the Employee Counselling Service.

## **6.0 Right to be accompanied**

All employees, whether it is the person raising the grievance or the individual whom the grievance is against or a witness, have the right to be accompanied to meetings forming part of the formal grievance process (including investigation meetings and appeals) by either a Trade Union representative, an official employed by a Trade Union or a workplace colleague. The companion will be permitted to address the meeting to put and

sum up the employee's case, respond on behalf of the staff member to any views expressed and confer with the employee during the meeting, but will not be entitled to answer questions on behalf of the person raising the grievance, address the hearing if the person raising the grievance does not wish it or prevent the person against whom the grievance is raised from explaining their case.

To exercise the statutory right to be accompanied the person raising the grievance must make a reasonable request. The person raising the grievance should provide enough time for the College to deal with the companion's attendance at the meeting and make clear in advance the name of the companion where possible and whether the individual is a Trade Union representative, an official employed by the Trade Union or a work colleague.

Those who are being interviewed as part of the investigation are also entitled to ask to be accompanied by a Trade Union representative, an official employed by a Trade Union or a workplace colleague. Any request to be accompanied should be reasonable.

## 7.0 Records

Summary Notes of formal meetings will be taken and it will not be a verbatim record. Copies of these notes will be given to the relevant parties present within five (5) working days of the meeting, where possible. The person raising the grievance or those providing a statement will be given the opportunity to comment on the accuracy of the notes within five (5) working days of receiving them. It is normally expected that all documentation including witness statements will be shared with relevant parties (except where the College has to withhold some information to protect a witness or due to another legal requirement). Witnesses shall be informed that any information they provide may be shared with the person raising the grievance.

Records will be treated as confidential and kept in accordance with the College Retention Schedule and the General Data Protection Regulation and the Data Protection Act 2018 which gives employees the right to request and have access to certain personal data.

Records will include:

- the nature of the grievance;
- what was decided and actions taken;
- the reason for the actions taken;
- whether an appeal was lodged;
- the outcome of the appeal; and
- any subsequent developments.

Notes of informal meetings may also be taken where appropriate.

## **8.0 Malicious Grievances**

The purpose of the grievance procedure is to ensure that the appropriate channels are available through which employees can raise genuine concerns.

Where, after an investigation, a grievance is found to be vexatious or malicious, or where there is a continued pattern of unfounded complaints by the same employee, the person raising the grievance may be subject to investigation under the College Disciplinary Procedure and subject to disciplinary action, which could in some circumstances lead to dismissal, if there is sufficient evidence to support such action. Further guidance and advice can be obtained by speaking to Human Resources.

## **9.0 External Assistance**

The College reserves the right to recruit assistance from an external source to assist with the resolution of a grievance, depending on the nature of the issue and the exigencies of the service, for example an external mediator or other suitably qualified individual or organisation. This will be with the mutual agreement of both parties where appropriate.

## **10.0 Overlapping Grievance and Disciplinary Proceedings**

If the employee raises a grievance during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance. However, it may be appropriate to deal with the two concurrently if they are related, there is no obligation on the College to suspend a disciplinary process pending the outcome of a grievance process; this is merely an option open to it.

## **11.0 Grievance Procedure**

### **11.1 Informal Procedure**

Employees should try to resolve their grievance informally with their line manager or with the individual(s) concerned in the first instance prior to proceeding to the formal procedure. The employee should request a meeting with the line manager or the employee concerned as soon as possible after the issue has arisen or occurs. In circumstances where the grievance is against the employee's line manager, the employee can approach their next line manager or another manager, in a similar position, in the College.

If it is not possible to resolve a grievance informally then the employee will have the right to raise the matter through the formal procedure. Employees may seek advice from a member of management at an appropriate level, a Human Resources representative or a representative of their Trade Union.

If the employee wishes to raise the matter formally they should do so without unreasonable delay and the procedure outlined below should be followed.

Only in exceptional circumstances will an employee be able to proceed directly to the formal procedure without having first attempted to resolve the matter informally.



## **11.2 Formal Procedure**

Any formal grievance relating to an employee's work, working environment or working relationships should be raised with the appropriate manager in accordance with the Grievance Referral Guide, Table 1. This manager will be the Investigating Officer.

A formal grievance must be set down in writing detailing the nature of the alleged grievance on a Grievance Form, appendix 1 and submitted to the appropriate manager identified in Table 1.

When submitting a formal grievance, the employee should include a concise summary of the issue(s); specify the outcome they are seeking; and the steps they have taken to resolve the issue informally or an explanation as to why this was not possible.

Where employees have difficulty expressing themselves because of language or other difficulties they may seek assistance from their trade union representative, from a workplace colleague or Human Resources to submit the grievance.

The manager upon receipt of a formal written grievance should inform Human Resources and arrange a meeting to discuss the matter/take advice within five (5) College working days. A template is available from Human Resources.

In certain circumstances where a grievance raised refers to a change, for example in working practices, the status quo may be maintained until the grievance procedure is exhausted. This will exclude matters involving Health and Safety or a breach of legislation.

## **11.3 Communication**

The manager who is acting as the Investigating Officer should write to the person raising the grievance without unreasonable delay to confirm the arrangements for a grievance meeting, advise them how they intend to manage the process, the stages involved and their right to be accompanied to the grievance meeting by a Trade Union representative,

an official employed by a Trade Union or a workplace colleague. The grievance meeting will be held without unreasonable delay after the College has received the grievance.

All reasonable steps shall be taken to ensure that the procedure progresses as efficiently as is reasonably practicable. Any delay to the procedure will be identified and communicated as timeously as possible to concerned parties.

In the event that the person raising the grievance can identify a conflict of interest or a sufficient reason that the Investigating Officer delegated to hear the grievance should not be involved they should notify the Head of Human Resources. The Head of Human Resources shall advise within seven (7) College working days as to whether this conflict of interest necessitates another manager hearing the grievance.

All parties involved should make every effort to attend the grievance meeting.

If a complainant or their Trade Union representative or official employed by a Trade Union or workplace colleague is unable to attend on a proposed date the person raising the grievance can suggest another date so long as it is reasonable and is not more than five (5) College working days, beginning with the first College working day after the date originally proposed by the Investigating Officer. This five (5) day time limit may be extended by mutual agreement but within a reasonable timescale.

The person against whom the grievance is raised, will be invited to meet with the Investigating Officer who will advise them that a grievance has been submitted, they will provide the person against whom the grievance is raised with either a copy of the written grievance, or inform them of the content relating to them and outline the stages involved in the process, so that the person against whom the grievance is raised is fully informed of the grievance raised against them.

The Investigating Officer should recognise the potential distress that a formal grievance can cause for a respondent, and therefore must act with sensitivity when letting them know about the grievance raised against them.

The person against whom the grievance is raised should also be made aware of their right to seek support from their Trade Union and, where appropriate, the Employee Counselling Service.

At all stages of a grievance, those involved in the investigation must bear in mind the need for confidentiality in order to preserve the integrity of the process and out of respect for any other colleagues involved. However, this does not preclude employees from discussing the matter with their representative, or with the Employee Counselling Service.

## **11.4 Investigation**

The Investigating Officer will invite the person raising the grievance to a meeting to hear their grievance and this will take place as soon as reasonably practicable. Once they have heard the content of the grievance they may wish to interview others, and this will be done through separate meetings.

A Human Resources Representative shall be present at all formal meetings of the Grievance Procedure.

## **11.5 Grievance Meeting**

The Investigating Officer shall open the meeting by introducing all parties present and by stating the role of the participants. In normal circumstances this will include:

- the Investigating Officer;
- the employee and their Trade Union representative or official employed by a Trade Union or a workplace colleague; and
- a Human Resources representative – to provide advice and support to the Investigating Officer and take notes.

The Investigating Officer shall secure the agreement of the parties present that all deliberations will remain strictly confidential.

The person raising the grievance will be invited to explain their grievance and how they would like to see it resolved. In all circumstances any information must be related directly to the facts of the grievance. The Investigating Officer should sum up the main points at the conclusion of the meeting.

If the Investigating Officer reaches a stage in the meeting where they require to seek advice or feel that further investigation is necessary the meeting should be adjourned to get advice or make further investigation. The meeting should be reconvened within an agreed timescale and as soon as reasonably practicable.

The Investigating Officer will meet with the person against whom the grievance is raised separately who will be informed of the content of the grievance and provided with the opportunity to respond. The person against whom the grievance is raised will be informed that a copy of their statement may be provided to the employee during the process. The person against whom the grievance is raised has the right to be accompanied by a Trade Union representative, an official employed by a Trade Union or a workplace colleague and should be advised accordingly. The Investigating Officer should sum up the main points at the conclusion of the meeting.

The Investigating Officer has the right to consult, individually or collectively, all concerned parties and to undertake further such discussions or investigation deemed appropriate at his/her discretion prior to issuing a formal response to the findings of the meeting.

Witnesses and concerned parties will be informed that a copy of their statement may be provided to the person raising the grievance at some stage during the investigation or process.

The Investigating Officer will be required to examine the evidence and to base their decision on the evidence available. They will endeavour to establish the facts of the case as thoroughly as possible and to exercise judgement in the event of any of the facts remaining in dispute. In such circumstances any conclusions must be reached on the basis of the balance of probabilities. The Investigating Officer will produce a report detailing their findings; the basis for their decision; and any recommendations where appropriate to resolve the grievance.

The outcome of the grievance will be issued in writing along with the report as soon as reasonably practicable and if possible within ten (10) College working days of the grievance meeting. Any delay with the issuing of the grievance response will be identified and communicated as timeously as possible to all concerned parties.

## **11.6 The outcome of an Investigation**

The outcome could be that:

- i) the grievance is not upheld, and no further formal action will be taken;
- ii) only part of the grievance is upheld, and part not upheld, and any appropriate action will be taken;
- iii) the grievance is upheld in full, and appropriate action will be taken.

If a grievance has been upheld and it may have an impact on working relationships the Investigating Officer should meet with the line manager/individual to confirm their decision and invite them to discuss the implications in relation to any further potential action.

Further action in these circumstances may include for example:

- i) mediation;
- ii) training and/or development activities; and
- iii) coaching or mentoring.

In most cases the College would anticipate that the Investigating Officer's decision to be final and for the matter to come to a close. However, in some circumstances the person raising the grievance may remain aggrieved and they can appeal against the decision or remedy proposed by the Investigating Officer concerned.

The person raising the grievance should be advised of their right to appeal and informed of the next stage of the procedure in accordance with the Grievance Referral Guide, Table 1.

Where a grievance has not been upheld and the person raising the grievance has not appealed against the decision the Investigating Officer should ensure that all employees involved in the process are aware that it has been brought to an end.

## **12.0 Grievance Stage One Appeal**

In the event that the person raising the grievance feels that their grievance has not been satisfactorily resolved they may appeal in writing using the Grievance Stage One Appeal Form, appendix 2. The person raising the grievance should inform the Head of Human Resources in writing of their intention to submit an appeal within five (5) College working days of receiving the written decision of the grievance. The completed Grievance Stage One Appeal Form should be submitted within ten (10) College working days of receipt of the written decision of the grievance. The Grievance Appeal Form should state the grounds of the appeal and should be submitted to the Head of Human Resources who will advise the appropriate senior manager as indicated in Grievance Referral Guide, Table 1 (the "appeal manager"). The appeal will be heard as soon as reasonably practicable, normally not later than three weeks after the appeal has been lodged. If necessary, this time limit may be extended through mutual agreement.

The College should write to the person raising the grievance without unreasonable delay to confirm the arrangements for an appeal hearing, including the date on which it will be heard and the place it will be heard.

Prior to any appeal meeting the employee will be reminded of their right to be accompanied by a Trade Union representative, or official employed by a Trade Union or a workplace colleague.

### **12.1 Grounds for Appeal**

Grounds of appeal will normally come under one of the headings set out below although there may be other relevant grounds of appeal not mentioned which may be considered by the College.

- Relevant new evidence not previously considered: This is where the employee can provide relevant new evidence which was not available at

the time of the original investigation.

- Breach of procedure: This is where the employee identifies areas of the procedure which were not followed, and which could have influenced the final outcome.
- Decision or remedy unreasonable: This is where the employee considers that the decision or remedy is unreasonable.

## **12.2 Appointment of person hearing Appeal**

A senior manager (the "appeal manager") will be appointed to hear the appeal in accordance with the Grievance Referral Guide, Table 1 and will be given access to all paperwork generated from the original grievance. Wherever possible the appeal manager will not be the Investigating Officer and will not otherwise have been involved in the grievance previously.

The person raising the grievance will be provided with copies of the evidence relied upon by the Investigating Officer prior to the appeal meeting.

The appeal manager must decide if the appeal is a rehearing of the original grievance or simply an evaluation of the evidence and the fairness of the decision taken. A rehearing may be considered appropriate for example where there has been an alleged procedural error earlier in the process.

The appeal manager may decide to carry out further investigation, if necessary, including further meetings with the parties involved, before they are able to make a decision. Witnesses and concerned parties will be informed that a copy of their statement may be provided to the person raising the grievance at some stage during the appeal process.

A member of Human Resources will provide appropriate support and advice for the appeal manager throughout the process. A member of Human Resources will attend the appeal meeting to provide advice and support to the appeal manager and to take notes.

## 12.3 Outcome of the Stage One Appeal

The outcome of the appeal meeting will be issued in writing as soon as reasonably practicable, and if possible within ten (10) College working days of the appeal meeting. In addition to issuing the outcome in writing, the appeal meeting may be reconvened to explain any action which the College intends to take. The purpose of the reconvened meeting is not for the appeal manager to explain in detail why they reached the decision or put forward the proposed remedy. The reconvened meeting is to afford the employee the opportunity to discuss the decision or remedy proposed not how the decision or remedy was reached.

The possible outcomes of the appeal are as follows:

- Appeal upheld;
- Appeal partially upheld;
- Appeal not upheld.

If the person raising the grievance remains dissatisfied with the response they may intimate their continuing dissatisfaction in writing on Grievance Stage Two Appeal Form, appendix 3 within ten (10) College working days of receipt of the outcome of the appeal at stage one. The Grievance Stage Two Appeal Form should be submitted to the Head of Human Resources who will inform the appropriate senior manager as indicated in the Grievance Referral Guide, Table 1 (the "second appeal manager")

The appeal process timescale will commence once the person raising the grievance has confirmed to the Head of Human Resources or that they have received the appropriate Grievance Stage Two Appeal Form.

The person raising the grievance may only submit a second appeal and proceed to Stage Two of the procedure on the basis of:

- a breach of the procedure during the Stage One Appeal procedure;
- relevant new evidence being submitted which was not available to the appeal manager in the course of Stage One of the appeal procedure;



and/or the employee feels that the decision of the Stage One appeal is perverse or unreasonable.

## **13.0 Grievance Stage Two Appeal**

Upon receipt of the Grievance Stage Two Appeal Form a meeting shall be arranged by the appropriate manager (but not necessarily take place) within five (5) College working days. The person raising the grievance shall be informed in advance of the date, time and place of the meeting.

If a stage two appeal is to be heard by an ad hoc Committee (as detailed in Table 1) of the Board of Management the employee should still submit the Grievance Stage Two Appeal Form to the Head of Human Resources. A meeting of the ad hoc committee shall normally be arranged (but not necessarily take place) within ten (10) working days. The meeting shall take place within a reasonable time scale however this will be dependent upon the availability of Board Members. The person raising the grievance shall be informed in advance of the date, time and place of the meeting.

An ad hoc Committee of the Board of Management shall comprise of three members, to include a Chair of a standing committee. The Chair of the Board, the Principal, Staff Representatives and Student Representatives shall be excluded from such a Committee.

The person raising the grievance will be required to provide the second appeal manager or ad hoc Committee hearing the stage two grievance appeal, in addition to the Grievance Stage Two Appeal Form, copies of all forms and correspondence connected with the grievance to which they have access. The appeal manager will provide details of what steps have been taken or proposed to resolve the issue.

The appeal process timescale will commence upon once the person raising the grievance has confirmed to Human Resources that they have received the appropriate Grievance Stage Two Appeal Form.

The appeal meeting will be conducted in line with section 11.5. The person raising the grievance will be reminded of their right to be accompanied by a Trade Union representative, an official employed by a Trade Union or workplace colleague.

At the conclusion of Stage Two there is no further right of appeal and the decision made at this stage is final.

## **14.0 Collective Grievance**

A collective grievance is defined as a grievance held in common by two (2) or more members of staff who are not members of a recognised Trade Union. Staff using this procedure must be aware that they cannot then use the Individual Grievance Procedure for raising the same issue.

Any matters relating to a collective dispute raised by Trade Union representatives on behalf of all staff with the staff group whom they represent should be raised in accordance with the Recognition and Procedures Agreement (the "RPA"). For the purposes of the RPA, a collective grievance is defined as a grievance held in common by two (2) or more members of staff represented by a recognised Trade Union and supported by a College Branch Office Bearer. Where such a collective grievance arises relating to terms and conditions of employment, the procedure within the RPA should be followed.

### **14.1 Definitions**

Issues that may cause a collective grievance could include problems concerning terms and conditions of employment or working practices, health and safety, working relationships, bullying and harassment and/or discrimination. This list is not exhaustive or exclusive.

### **14.2 Procedure**

#### **14.2.1 Informal – Collective Stage**

A collective grievance should, in the first instance, be raised with the immediate supervisor/manager who should discuss the issue and make appropriate arrangements to investigate. As a general rule, a response will be provided within seven (7) College working days. If the grievance involves the line manager it should be raised with their manager in accordance with the Grievance Referral Guide, Table 1. One representative from the group of staff raising the grievance should raise it with the manager on behalf of those involved.

### **14.2.2 Formal – Collective Grievance**

If the grievance is not resolved informally to the satisfaction of the staff members concerned and they wish to take it further, then they must put their issue in writing using the Collective Grievance Form, appendix 4, to Human Resources who will advise the appropriate senior manager as indicated in the Grievance Referral Guide, Table 1. The matter may be presented to Human Resources by two representatives of the group of staff involved accompanied by their Trade Union representative or by two members of the Trade Union on behalf of that staff group.

The written submission must cover the following points:

- The specific cause of the grievance;
- The specific staff involved in the grievance (not necessarily by name but in enough detail, i.e. job titles, department / curriculum area, etc. for it to be quite clear who is affected and who is not); and
- The name(s) of the representative(s) nominated or elected by the staff to act as their spokesperson/s. A meeting will be arranged as soon as possible, or at least within ten working days, when the staff representative(s) and management will meet to discuss what can be done to settle the grievance. The staff representatives will be informed in advance of the meeting of the date, time and place of the meeting.
- The meeting will be conducted in line with section 11.5.

### **14.2.3 Collective Grievance Appeal Stage One**

If still unresolved, the employees may appeal in writing using the Collective Grievance Stage One Appeal Form, appendix 5. The employees should inform the Strategic Leadership Team in writing of their intention to submit an appeal within five (5) College working days of receiving the written decision of the collective grievance. The completed Collective Grievance Stage One Appeal Form should be submitted within ten (10) College working days of receipt of the written decision of the collective grievance.

Grounds of appeal will normally come under one of the headings set out below although there may be other relevant grounds of appeal not mentioned which may be considered by the College.

- Relevant new evidence not previously considered: This is where the employees can provide relevant new evidence which was not available at the time of the original investigation.
- Breach of procedure: This is where the employees identify areas of the procedure which were not followed, and which could have influenced the final outcome.
- Decision or remedy unreasonable: This is where the employees consider that the decision or remedy is unreasonable.

A written record of the meeting held according to section 14.2.2 should be agreed and sent to the Head of Human Resources who will arrange an appeal. The appeal panel will consist of a member of the College Leadership Team and two members of the Operational Management / Curriculum Management Team (OM/CM Team).

The appeal meeting will take place as soon as possible following the process in section 14.2.2 and usually no later than two weeks after receipt of the written Collective Grievance Stage 1 Appeal form. The staff and staff representatives will be informed in writing in advance of the appeal meeting of the date, time and place of the meeting.

The purpose of this panel will not be to rehear the original grievance, unless this will remedy any earlier procedural deficiencies or there is another compelling reason to do so, but to consider any new facts or information which could change the previous decision on the grievance.

The appeal meeting will be carried out in accordance with section 11.5.

Following the appeal meeting the decision will be notified in writing to the staff concerned and their representative(s).

If management and the staff members concerned are unable to resolve the dispute through stage one of the appeal procedure, staff members may submit a second appeal and proceed to the Collective Grievance Appeal Stage Two of the procedure on the basis only of the following:

- a breach of the procedure during the Collective Stage One Appeal;
- relevant new evidence being submitted which was not available to the appeal panel in the course of Collective Grievance - Stage One of the

- procedure; and/or
- the staff members feel that the decision of the appeal panel is perverse or unreasonable.

#### **14.2.4 Collective Grievance Appeal Stage Two**

Upon receipt of the Collective Grievance Stage Two Appeal Form, appendix 6 a meeting shall be arranged (but not necessarily take place) within five (5) College working days. The staff and their representatives shall be informed of the date, time and place of the meeting.

If the Stage Two Appeal is to be heard by an ad hoc Committee (as detailed in Table 1) of the Board of Management, the staff members should still submit the Collective Grievance Appeal Stage Two form to the Head of Human Resources. A meeting of the ad hoc committee shall normally be arranged (but not necessarily take place) within ten (10) College working days. The meeting shall take place within a reasonable time scale however this will be dependent upon the availability of Board Members. The staff and their representatives the appeal shall be informed in advance of the date, time and place of the meeting.

An ad hoc Committee of the Board of Management shall comprise of three members, to include a Chair of a Standing Committee. The Chair of the Board, the Principal, Staff Representatives and Student Representatives shall be excluded from such Committee

The staff members will be required to present the grievance to the panel at the hearing and any evidence. Any written documentation must be submitted in advance of the hearing to the Head of Human Resources no later than 3 College working days prior to the hearing. Management will provide any ad hoc Committee hearing the grievance, in addition to the Collective Grievance Appeal Form Two, copies of all forms and correspondence connected with the grievance. The appeal panel will provide details of what steps have been taken or proposed to resolve the issue.

The appeal process timescale will commence once the employees or their representatives have confirmed to Human Resources that they have received the appropriate Collective Grievance Appeal Stage Two form.

The appeal meeting will be conducted in line with section 11.5.

Following the collective stage two appeal meeting the decision will be notified in writing to the staff concerned and their representative(s).

If the parties are unable to resolve the issue(s) through the Collective Stage Two appeal then the parties may agree to seek conciliation or arbitration through a mutually agreed independent third party. Failure to reach agreement on selection of a third party will result in referral to the Advisory, Conciliation and Arbitration Service (ACAS).

All parties to any dispute should, wherever possible, reach agreement on interim arrangements to allow work to continue while the procedure is being followed.

In certain circumstances where a collective grievance raised refers to a change, for example in working practices, the status quo may be maintained until the grievance procedure is exhausted. This will exclude matters involving Health and Safety or a breach of legislation.

**Table 1 - Grievance Referral Guide**

Aggrieved Employee	Informal Stage	Formal Stage	Stage 1 - Appeal	Stage 2 - Appeal
Principal	Chair of Board of Management	Ad hoc Committee of the Human Resources Committee	Ad hoc Committee of the Board of Management	Ad hoc Committee of Chair of Chairs
Depute Principal	Line Manager	Ad hoc committee (Human Resources Committee)	Ad hoc committee (Board of Management)	Ad hoc committee of Chair of Chairs
Associate Principal or Head of Department	Line Manager	Principal (or nominated member of the Board)	Principal or Ad hoc committee (Human Resources Committee)	Ad hoc committee (Human Resources Committee) or Ad hoc committee (Board of Management)
Depute Head of Faculty	Line Manager	Associate Principal or Head of Department	Depute Principal	Principal or Ad hoc committee (Human Resources Committee)
Curriculum Manager or Line Manager	Line Manager	Associate Principal or Head of Department	Depute Principal	Principal
Lecturers or Support Staff	Line Manager	Curriculum Manager or Line Manager	Associate Principal or Head of Department	Depute Principal
All Staff - Collective	Line Manager	College Leadership Team – panel consisting of two members	Senior Leadership Team – panel consisting of two members	Ad hoc committee (Human Resources Committee) or Ad hoc committee (Board of Management)

**Note** An ad hoc Committee of the Human Resources Committee, Board of Management or Chair of Chairs shall comprise of three members, to include a Chair or Vice Chair of a standing committee. The Chair of the Board, the Principal, Staff Representatives and Student Representatives shall be excluded from such Committee. The Vice Chair will Chairing member of the Chair of Chairs. It may be agreed by all parties to deviate from the above structure under certain circumstances.



**Table 2 – Grievance Raised Against**

<b>Grievance Raised Against</b>	<b>Informal Stage</b>	<b>Stage 1</b>	<b>Stage 1 - Appeal</b>	<b>Stage 2 - Appeal</b>
Principal	Chair	Ad hoc committee of Human Resources Committee	Ad hoc Committee of Board of Management	Ad hoc Committee of Chair of Chairs
Depute Principal	Principal	Vice Chair	Ad hoc committee of Human Resources Committee	Ad hoc Committee of Board of Management
Associate Principal or Head of Department	Depute Principal	Principal	Ad hoc committee of Human Resources Committee	Ad hoc committee of Human Resources Committee or Ad hoc Committee of Board of Management
Depute Head of Faculty	Associate Principal from other Faculty	Associate Principal or Head of Department	Depute Principal	Principal or Ad hoc committee of Human Resources Committee
Curriculum Manager or Line Manager	Depute Head of Faculty	Associate Principal or Head of Department	Depute Principal	Principal
Lecturer or Support Staff	Curriculum Manager	Curriculum Manager or Line Manager	Associate Principal or Head of Department	Depute Principal

**Note**

An ad hoc Committee of the Human Resources Committee, Board of Management or Chair of Chairs shall comprise of three members, to include a Chair or Vice Chair of a standing committee. The Chair of the Board, the Principal, Staff Representatives and Student Representatives shall be excluded from such Committee. The Vice Chair will Chairing member of the Chair of Chairs. It may be agreed by all parties to deviate from the above structure under certain circumstances.

## Appendix 1 – Grievance Form

### Application for Consideration of Grievance

You should in the first instance aim to resolve a grievance informally with your line manager or as near the point of origin as possible.

Employee Name: \_\_\_\_\_

Job Title: \_\_\_\_\_

Section/Faculty: \_\_\_\_\_

Trade Union (where applicable): \_\_\_\_\_

Nature of Grievance:

Full details - you must set out the nature of the grievance and the basis for it providing as much information as possible including date(s), time(s) and the name(s) of any individual(s) concerned. This should include references to incidents, documents and evidence where possible. Continue on a separate sheet if necessary.

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Prior to invoking the formal procedure you should first have tried to resolve the matter informally.

What steps did you take to attempt to resolve the grievance informally?

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Manager's Name: \_\_\_\_\_ Date of meeting(s): \_\_\_\_\_

If you have not taken steps to resolve the issue informally what were your reasons for not doing so?

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What was the result of any discussions held with your line manager or the individual(s) concerned in this connection?

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What steps do you feel could be taken by the College to assist to resolve this complaint?

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Evidence

Documentation in support of grievance attached      Yes/No

If no, why not?

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List documents and purpose:

Name of Witness(es) to be interviewed, if any.

Name:

Title:

Relevance of evidence (brief outline):

Name:

Title:

Relevance of evidence (brief outline):

Name:

Title:

Relevance of evidence (brief outline):

Name:

Title:

Relevance of evidence (brief outline):

I apply for my grievance to be formally investigated under Stage 1 of the College Grievance Procedure.

My representative will be: \_\_\_\_\_

Employee's signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix 2 - Grievance Stage One Appeal Application

You have the right to appeal and to proceed to Stage One Appeal of the Grievance Procedure on the following grounds:

- you can demonstrate a breach of the procedure during the Formal Grievance process;
- you have relevant new evidence which was not available during the course of the formal grievance procedure; and/or
- you feel that the decision is perverse or unreasonable.

There may be other grounds of appeal which the College would consider.

You should submit your appeal within ten College working days of receipt of the grievance decision or proposed remedy.

Employee Name: \_\_\_\_\_

Job Title: \_\_\_\_\_

Department/Faculty: \_\_\_\_\_

Trade Union (Where applicable): \_\_\_\_\_

### Nature of Appeal

**I wish to progress my grievance to Stage One Appeal of the grievance procedure on the following grounds.**

I am dissatisfied with the decision or proposed remedy stated in form Grievance Form and appeal against the decision or remedy on the following grounds (continue on a separate sheet if necessary):

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I will submit in writing by (date) .....

- any questions for the investigating officer or witnesses; and
- any documentation relevant to my case.

I apply for my grievance to be considered under Stage One – Appeal

My representative will be: \_\_\_\_\_

Employee's signature: \_\_\_\_\_

Date: \_\_\_\_\_

The Grievance Form Stage 1 or a copy of your original letter stating the grounds for your grievance must be attached along with any other or documentation.

## Appendix 3 – Grievance Stage Two Appeal Application

You have the right to appeal and to proceed to Stage Two Appeal of the Grievance Procedure on the following grounds:

- you can demonstrate a breach of the procedure during the Appeal Stage One;
- you have relevant new evidence which was not available during the course of the Appeal Stage One of the procedure; and/or
- you feel that the decision is perverse or unreasonable.

You should submit your appeal within ten College working days of receipt of the appeal, stage one decision or proposed remedy.

Employee Name: \_\_\_\_\_

Job Title: \_\_\_\_\_

Department/Faculty: \_\_\_\_\_

Trade Union (Where applicable): \_\_\_\_\_

### Nature of Appeal

**I wish to progress my grievance to Stage Two - Appeal of the grievance procedure on the following grounds.**

I am dissatisfied with the decision or proposed remedy and appeal against the decision or remedy on the following grounds (continue on a separate sheet if necessary):

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I will submit in writing by (date) .....

- any questions for the investigating officer, stage one appeal manager or witnesses; and
- any documentation relevant to my case.

I apply for my grievance to be considered under Appeal Stage Two

My representative will be: \_\_\_\_\_

Employee's signature: \_\_\_\_\_

Date: \_\_\_\_\_

The Grievance Form and the outcome of the Appeal Stage One or a copy of your original letter stating the grounds for your grievance must be attached along with any other documentation.

I understand and accept that at the conclusion of the Appeal Stage Two there is no further right of appeal and the decision made at this stage is final.

Employee's signature: \_\_\_\_\_

Date: \_\_\_\_\_



Appendix 4 – Collective Grievance

Application for Consideration of Grievance.

Employees should in the first instance aim to resolve a grievance informally with their line manager or as near the point of origin as possible.

Employee Names & Job Title(s):	
Department/Curriculum Area:	
Trade Union (where applicable):	

Nature of Grievance:

Full details - staff must set out the nature of the collective grievance and the basis for it providing as much information as possible including date(s), time(s) and the names of any individuals concerned. This should include references to incidents, documents and evidence where possible. Continue on a separate sheet if necessary.


**Prior to invoking the formal procedure the staff group should first have tried to resolve the matter informally.**

What steps did the staff members take to attempt to resolve the grievance informally?

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Manager's Name: \_\_\_\_\_ Date of meeting(s): \_\_\_\_\_

If you have not taken steps to resolve the issue informally what were the reasons for not doing so?

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What was the result of any discussions held with your line manager or the individual(s) concerned in this connection?

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What steps do you feel could be taken by the College to assist resolve this complaint?

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Evidence

Documentation in support of grievance attached      Yes/No

If no, why not?

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List documents and purpose:

**Name of Witness(es) to be interviewed, if any.**

Name:

Title:

Relevance of evidence (brief outline):

Name:

Title:

Relevance of evidence (brief outline):

Name:

Title:

Relevance of evidence (brief outline):

Name:

Title:

Relevance of evidence (brief outline):

We apply for our grievance to be formally investigated under the Collective Grievance Procedure of the College.

Our representative will be: \_\_\_\_\_

Employees' signature:

Date: \_\_\_\_\_

## Appendix 5 – Collective Grievance Stage One Appeal Application

You have the right appeal and to proceed to Stage One Appeal of the Grievance Procedure on the following grounds:

- you can demonstrate a breach of the procedure during the Grievance process;
- you have relevant new evidence being which was not available to the Chair in the course of the grievance procedure; and/or
- you feel that the decision is perverse or unreasonable.

You should submit your appeal within ten working days of receipt of this decision or proposed remedy.

Employee Name(s) and Job Title(s):	
Department/Curriculum Area:	
Trade Union (where applicable):	

### Nature of Appeal

**We wish to progress our collective grievance to Stage One Appeal of the collective grievance procedure on the following grounds.**

We are dissatisfied with the decision or proposed remedy stated in the response and appeal against the decision or remedy on the following grounds (continue on a separate sheet if necessary):

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We will submit in writing by (date) .....

- any questions for the investigating officer or witnesses; and
- any documentation relevant to our case.

We apply for our collective grievance to be considered under Grievance Appeal Stage One

Our representative will be: \_\_\_\_\_

Employees' signature:

Date: \_\_\_\_\_

The Collective Grievance Form or a copy of your original letter stating the grounds for your grievance must be attached along with any other or documentation, including the outcome response issued to you by management.

## Appendix 6 – Collective Grievance Stage Two Appeal Application

You have the right appeal and to proceed to Stage Two Appeal of the Grievance Procedure on the following grounds:

- you can demonstrate a breach of the procedure during the Grievance process;
- you have relevant new evidence being which was not available to the Chair in the course of the grievance procedure; and/or
- you feel that the decision is perverse or unreasonable.

You should submit your appeal within ten working days of receipt of this decision or proposed remedy.

Employee Name(s) and Job Title(s):	
Department/Curriculum:	
Trade Union (where applicable):	

### Nature of Appeal

**We wish to progress our collective grievance to Stage Two Appeal of the collective grievance procedure on the following grounds.**

We are dissatisfied with the decision or proposed remedy stated in the response and appeal against the decision or remedy on the following grounds (continue on a separate sheet if necessary):

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We will submit in writing by (date) .....

- any questions for the investigating officer or witnesses; and
- any documentation relevant to our case.

We apply for our collective grievance to be considered under Stage Two

Appeal Our representative will

be:

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Employees' signature:

Date:

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The Collective Grievance Form or a copy of your original letter stating the grounds for your grievance must be attached along with any other or documentation, including the outcome response issued to you by management to your Collective Grievance and the outcome of the Grievance Appeal Stage One.





South  
Lanarkshire  
College

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East Kilbride

### Human Resources Committee

<b>DATE</b>	15 May 2025
<b>TITLE OF REPORT</b>	Public Interest Disclosure (Whistleblowing) Policy & Procedure – Revised
<b>REFERENCE</b>	20.0
<b>AUTHOR AND CONTACT DETAILS</b>	Gary McIntosh, Head of Human Resources <a href="mailto:gary.mcintosh@slc.ac.uk">gary.mcintosh@slc.ac.uk</a> Vari Anderson, Governance Professional <a href="mailto:vari.anderson@slc.ac.uk">vari.anderson@slc.ac.uk</a>
<b>PURPOSE:</b>	To review a proposed update to the Public Interest Disclosure (Whistleblowing) Policy and Procedure and approve an extension to the current Policy and Procedure.
<b>KEY RECOMMENDATIONS/ DECISIONS:</b>	Members are recommended to: <ul style="list-style-type: none"> <li>• approve a 12-month extension to the current Public Interest Disclosure (Whistleblowing) Policy and Procedure, from 15 May 2025;</li> <li>• note that a full review will be undertaken, with a revised Policy and Procedure to be presented in due course; and</li> <li>• note that no changes are being proposed for approval at this time.</li> </ul>
<b>RISK</b>	The following risks apply: <ul style="list-style-type: none"> <li>• A failure to update the Policy and Procedure in line with legislative changes could expose the College to legal and reputational risks.</li> <li>• Proceeding with consultation before final approval mitigates this risk and demonstrates a proactive approach to governance and compliance.</li> <li>• A formal extension ensures there is no perceived gap in the College's commitment to supporting whistleblowers during the consultation period.</li> </ul>
<b>RELEVANT STRATEGIC AIM:</b>	<ul style="list-style-type: none"> <li>• Successful Students</li> <li>• The Highest Quality Education and Support</li> <li>• Sustainable Behaviours</li> </ul>
<b>SUMMARY OF REPORT:</b>	<ul style="list-style-type: none"> <li>• This paper seeks the Committee's approval to extend the current Public Interest Disclosure (Whistleblowing) Policy and Procedure by 12 months from 15 May 2025, to allow for formal consultation with trade unions on a proposed updated version.</li> <li>• This extension will allow for a more comprehensive review of the Policy and Procedure at a later date.</li> </ul>

## **1. INTRODUCTION**

- 1.1. This paper outlines the context for the review of the Public Interest Disclosure (Whistleblowing) Policy and Procedure.
- 1.2. Due to internal review scheduling, a 12-month extension to the current Policy and Procedure is now requested. This extension will allow sufficient time to carry out a full and thorough review before presenting any updated document for consideration.

## **2 BACKGROUND**

- 2.1 The College's Public Interest Disclosure (Whistleblowing) Policy and Procedure was scheduled for review in October 2024.
- 2.2 Due to an administrative error, no system alert was generated to highlight the upcoming expiry; this error has since been resolved to prevent recurrence.
- 2.3 A substantial review of the Policy and Procedure is planned to ensure it remains compliant with legislative requirements and best practice.

## **3 DISCUSSION**

- 3.1 The Public Interest Disclosure (Whistleblowing) Policy and Procedure plays a critical role in protecting individuals who raise concerns about wrongdoing within the College.
- 3.2 To enable appropriate consultation and to avoid a gap in policy coverage, a 12-month extension to the existing Policy and Procedure from 15 May 2025 is requested.
- 3.3 If consultation progresses swiftly, earlier approval and implementation of the revised Policy and Procedure may be possible.

## **4 RESOURCE IMPLICATIONS**

- 4.1 There are no significant resource implications associated with extending the review date.
- 4.2 Staff and trade union time will be required to facilitate the consultation process, review feedback, and implement the update Policy and Procedure.

## **5 EQUALITIES**

- 5.1 An Equality Impact Assessment will be completed following consultation with trade unions.
- 5.2 The revised Policy and Procedure aims to promote fairness, transparency, and accessibility for all staff.
- 5.3 There are no new matters for people with protected characteristics which arise from consideration of the report.

## **6 RISK**

- 6.1 A failure to update the Policy and Procedure in line with legislative changes could expose the College to legal and reputational risks.
- 6.2 Proceeding with consultation before final approval mitigates this risk and demonstrates a proactive approach to governance and compliance.
- 6.3 A formal extension ensures there is no perceived gap in the College's commitment to supporting whistleblowers during the consultation period.

## **7 COMMUNICATIONS**

- 7.1 Staff will be advised that the current Public Interest Disclosure (Whistleblowing) Policy remains in effect.
- 7.2 Internal communications to staff will be issued following final approval, ensuring that all employees are aware of their rights and protections under the updated procedure.

## **8 RECOMMENDATIONS**

- 8.1 Members are recommended to:
  - 8.1.1 approve a 12-month extension to the current Public Interest Disclosure (Whistleblowing) Policy and Procedure, from 15 May 2025;
  - 8.1.2 note that a full review will be undertaken, with a revised Policy and Procedure to be presented in due course; and
  - 8.1.3 note that no changes are being proposed for approval at this time.

## BOARD MEETING

<b>DATE</b>	4 June 2025
<b>TITLE OF REPORT</b>	Learning Teaching and Student Experience Committee Chair's Report for the South Lanarkshire College Board and the Lanarkshire Regional Strategic Body
<b>REFERENCE</b>	22.1
<b>AUTHOR AND CONTACT DETAILS</b>	Prof Jo Gill, Chair of the Learning Teaching and Student Experience (LTSE) Committee <a href="mailto:Jo.Gill@slc.ac.uk">Jo.Gill@slc.ac.uk</a>
<b>PURPOSE</b>	To provide the Board with a report from the LTSE Chair, including matters discussed during the CQD (LTSE) meeting on 22 <sup>nd</sup> February 2024.
<b>BOARD ACTIONS / POINTS TO NOTE</b>	Members are asked to: <ul style="list-style-type: none"> <li>• note achievement of the credit target and working within the upper threshold of the 2% tolerance; and</li> <li>• note the curriculum restructure;</li> </ul>
<b>KEY POINTS</b>	<p><b>Student Association Report</b></p> <ul style="list-style-type: none"> <li>• The Committee noted the number and variety of events and activities held by the Student's Association including Refreshers, Love Your Planet, LGBT History Month, Time to Talk, Easter Egg Hunt, Student Poverty and Men's Mental Health.</li> <li>• Student engagement with the Student Association remains high, feedback forms were handed out to students during the Refreshers event and the Committee were delighted to hear that 100% positive feedback was received.</li> <li>• The Committee were advised of the L6 Cabin Crew event and the Manchester residential visit which raised funds for the Beatson Charity. Money matters advice sheet and funding information are keep updated, available, and a good uptake was noted.</li> </ul> <p><b>Learning Teaching and Student Experience Update</b></p> <ul style="list-style-type: none"> <li>• Members were informed that the College had achieved the credit target of 43,600, currenting sitting at 43,810 credits, 210 credits over target, this being subject to the year-end audit.</li> <li>• The Committee were advised of the first SFC Outcome Framework &amp; Assurance Model (OF&amp;AM) Engagement meeting taking place on Thursday 1<sup>st</sup> May 2025.</li> </ul>


	<ul style="list-style-type: none"> <li>• The Committee noted the new curriculum management structure document following two Associate Principal retirements and the new focussed management tier consisting of one Head of Curriculum, one Deputy Head of Curriculum and eight Curriculum Quality Managers.</li> <li>• The appointment of the new Vice Principal (Student Experience and Innovation)</li> <li>• The Committee were advised of retention rates dropping slightly to 90%, mainly due to withdrawals in FT FE programmes. Data continues to be monitored and managed by the Head of Quality.</li> <li>• The Committee acknowledged the particularly busy period of change, and thanks were extended to all colleagues involved around retaining good momentum</li> </ul> <p><b>Deep Dive: Apprenticeships</b></p> <ul style="list-style-type: none"> <li>• The Apprenticeship Manager presented an overview of apprenticeships at the college, highlighting both the challenges and the success. The Committee were advised of the 2025/26 key challenges including recruitment within construction, affordability including the National Minimum Wage, complexities with SDS, and income impacts.</li> <li>• Discussion points included the SFC funding change. Management fees (Plumbing &amp; Gas) issues, and complexities of achievement rate calculations (</li> </ul> <p><b>Quality Update</b></p> <ul style="list-style-type: none"> <li>• Standard quality update but with focus on External Verification Activity, as there was backlog due to last year's ASOS activity.</li> </ul> <p><b>Scotland's Tertiary Quality Enhancement (Tertiary Quality Enhancement Review (TQER)</b></p> <ul style="list-style-type: none"> <li>• As per the Board's request, Members considered the new approach and potential risks to the college. The overview presented was useful, however, it was evident that further clarity will be needed from QAA as the new approach is implemented.</li> <li>• Members are reassured by the College's approach to quality.</li> </ul> <p><b>Meeting the Support Needs of Learners in Scotland's Colleges</b></p> <ul style="list-style-type: none"> <li>• The Committee considered the paper, noting that demographics have massively changed. The link to the Education Scotland report confirms that Students do not always disclose their requirements for additional support.</li> <li>• Discussion included data sharing, potential differences to the University sector, the Fitness to Student process introduced</li> </ul>
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	<p>last year, Duty of Care, Counselling Services, including the impact on resourcing, and working in partnership with the Students Association.</p> <p><b>SLC Digital Strategy 2025-2030</b></p> <ul style="list-style-type: none"> <li>• The Committee had requested to understand more about how the new Digital Strategy was being used by curriculum teams. A presentation was given on the use of One Note to deliver Carpentry and Joinery courses.</li> <li>• Discussion included process for feedback, recordings, digital passport for practical assessments. Also podcasts, video checklist, downloading and exporting into following year(s) and onto the student's own OneDrive account for future reference. Students are embracing the system, which lecturers can use to monitor the student's progress and follow up where necessary.</li> </ul> <p><b>Developing the Young Workforce</b></p> <ul style="list-style-type: none"> <li>• The Committee considered and noted that discussions are taking place with the local authority regarding courses on offer for next year.</li> <li>• Members noted the small horticulture portfolio and excellent community involvement with thanks.</li> </ul> <p><b>Marketing and Communications Update</b></p> <ul style="list-style-type: none"> <li>• The Committee noted the summary of activity over the last 3 months including the successful CLIC events, which will continue until March 2026 following extension of funding.</li> <li>• Members noted social media usage including LinkedIn, consideration of a new Sky TV advert and the positive launch of the SLC and Go Radio Podstars competition.</li> </ul> <p><b>Complaints Quarterly Report</b></p> <ul style="list-style-type: none"> <li>• The Committee noted the terms of the report and confirmation that Q3 complaints closed within the required timeframe, one being referred onto SPSO, which was not upheld.</li> <li>• The Committee noted complaints can consist of anything, noting examples of related topics being covered under the Appeal Process or Engagement Policy</li> </ul> <p><b>Any Other Business</b></p> <ul style="list-style-type: none"> <li>• The Committee gave thanks to Ann Baxter and the previous AP role holders (David Innes and Myra Sisi) who have now retired.</li> </ul>
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## BOARD MEETING

<b>DATE</b>	4 <sup>th</sup> June 2025
<b>TITLE OF REPORT</b>	Human Resources Committee (HRC) Chair's Report
<b>REFERENCE</b>	22.2
<b>AUTHOR AND CONTACT DETAILS</b>	Heather Anderson, Chair of HRC <a href="mailto:Heather.Anderson@slc.ac.uk">Heather.Anderson@slc.ac.uk</a>
<b>PURPOSE</b>	To provide the Board with a report from the HRC Chair, including matters discussed during the HRC meeting on 15 <sup>th</sup> May 2025.
<b>BOARD ACTIONS / POINTS TO NOTE</b>	<p>The Board is asked to note Key Points, especially:</p> <ul style="list-style-type: none"> <li>• The Committee reviewed and discussed a sector employment update (reserved item).</li> <li>• The potential conflict between the Board delegate authority approach and the SLC Disciplinary procedure was discussed (reserved item)</li> <li>• The following policy &amp; procedure review date extensions were agreed: <ul style="list-style-type: none"> <li>○ extend the review date of the Disciplinary Procedure to 1<sup>st</sup> August 2025, to allow the College and Trade Unions colleagues to align it with the newly issued national Disciplinary Policy and Model Procedure.</li> <li>○ extend the review date of the Grievance Procedure for 18months, to allow the national Policy and any Model Procedure to be finalised and then localised to the College.</li> <li>○ three-month extension on the review date of the Public Interest Disclosure (Whistleblowing) Policy and Procedure, until the next HR Committee meeting. The College are currently getting input from other colleges and will then align its Policy and Procedure to widespread, best practice.</li> </ul> </li> <li>• The Committee reviewed the HR Quarterly Update and Health &amp; Safety Quarterly Update.</li> <li>• An update on progress from the Voluntary Severance and Consultation process was provided (reserved item).</li> </ul>
<b>KEY POINTS</b>	<p><b><i>Sector Employment Updates (Reserved Item)</i></b></p> <ul style="list-style-type: none"> <li>• Conversations are taking place on the National Recognition and Procedures Agreement (NRPA), where UNISON and UNITE are seeking a separate agreement for Support Staff, but which GMB (the third of three support staff trade unions) is not in agreement. GMB and EIS-FELA (Lecturers Trade Union) are looking to remain with the current agreement.</li> <li>• <i>Support Staff Job Evaluation</i> project (which is based on a job evaluation exercise as of 2018) may have an agreement on how to proceed and conclude on the project,. By majority vote,</li> </ul>



	<p>UNISON and UNITE members agreed to the proposed approach, which includes making re-assessments, back-payments, payments for former employees and how to manage situations where people have changed roles since 2018. GMB indicated that their members are voting.</p> <ul style="list-style-type: none"> <li>• Support Staff pay claim is progressing through negotiations, including considerations of any implications of the Public Sector Pay Policy.</li> </ul> <p><b><i>Disciplinary Procedure (Reserved Item)</i></b></p> <ul style="list-style-type: none"> <li>• As well as discussing the extension of the date for reviewing the Disciplinary Procedure, members of the Committee also discussed a potential conflict between Governance documents (Constitution and Scheme of Delegation) with the Disciplinary Procedure for the roles of Principal &amp; Chief Executive and the Governance Professional.</li> <li>• Pending final conclusion of the employment tribunal, it was concluded by the HRC that, in line with conversations with the SLC lawyers, the organisational structure of SLC and the Tribunal findings, that the Disciplinary Procedure needs to support a different approach for the roles of Principal &amp; Chief Executive and the Governance Professional.</li> <li>• It was noted that the new Disciplinary Policy and Procedure applies to all employees and, by definition, provides no alternative approach for the Principal &amp; Chief Executive and the Governance Professional.</li> <li>• The Committee is keen that there is clarity and transparency on the approach taken for each role in the College and that it is right to capture the specific case for Principal &amp; Chief Executive and the Governance Professional in the Procedure. How best to achieve this is to be investigated and proposed to the HRC (e.g. a statement in the procedure, an order of precedence for SLC governance, policies, procedures etc.)</li> <li>• It was noted that the Grievance Procedure for Principal &amp; Chief Executive and the Governance Professional also needs to be reviewed to understand and resolve any potential discrepancies.</li> </ul> <p><b><i>Voluntary Severance (VS) and Consultation (Reserved Item)</i></b></p> <ul style="list-style-type: none"> <li>• </li> </ul> <p><b><i>Quarterly HR Report</i></b></p> <ul style="list-style-type: none"> <li>• No significant new issues to note. Data Analysis capability is now available for the iTrent system; this will facilitate reporting</li> </ul>
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	<p>and monitoring; a review of available data and reports to be included in an HRC before the end of 2025.</p> <ul style="list-style-type: none"> <li>• There is an ongoing tender process for an Employee Assistance Program and Occupational Health services.</li> <li>• UNISON branch remains under regional supervisions.</li> </ul> <p><b><i>Quarterly Health and Safety Report</i></b></p> <ul style="list-style-type: none"> <li>• Within the new SLC organisational structure, H&amp;S will come under the remit of HR.</li> <li>• A report was shared and discussed on the historic ventilation issues in the Painting and Decorating workshops; the situation will continue to be monitored.</li> <li>• There has been an increase of 3 accidents for this reporting period, bringing it to a total of 40 minor accidents.</li> <li>• There were no RIDDOR incidents.</li> <li>• There were 5 near misses.</li> <li>• There were no fire alarm activations over the reporting period.</li> </ul>
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## BOARD OF MANAGEMENT

<b>Date</b>	4 June 2025
<b>TITLE OF REPORT</b>	Audit & Risk Committee Chair's Report for the South Lanarkshire College Board and the Lanarkshire Regional Strategic Body
<b>REFERENCE</b>	22.3
<b>AUTHOR AND CONTACT DETAILS</b>	Peter Sweeney, member of the Audit & Risk Committee <a href="mailto:peter.sweeney@slc.ac.uk">peter.sweeney@slc.ac.uk</a>
<b>PURPOSE</b>	To provide the Board with a Report from the ARC Chair including matters discussed during the ARC Meeting on 6 May 2025
<b>BOARD ACTIONS / POINTS TO NOTE</b>	<p>The Board is asked to note key points, especially:</p> <ul style="list-style-type: none"> <li>• The Committee noted the outcome from the Internal Audit of Payroll (<b>Reserved Item: Commercially Sensitive</b>).</li> <li>• The progress made with the SLC Audit Recommendations monitor.</li> <li>• The work carried out in respect of the Strategic Risk Register and cyber risk register, for which three scores had been updated over the last quarter.</li> <li>• An update from Internal Audit on UK Public Sector Internal Audit Changes effective 1 April 2025.</li> <li>• Draft External Audit Plan for 2024/25</li> <li>• Results from the 2024/25 National Fraud Initiative</li> <li>• The progress update of the Pension issue (<b>Reserved Item: Commercially Sensitive</b>)</li> <li>• The Governance Rolling Review, including the appointment of 3 additional Board members during the last quarter.</li> <li>• The College's achievement in achieving Cyber Essentials Basic accreditation.</li> </ul>

## KEY POINTS

### INTERNAL AUDIT OF PAYROLL

#### *Reserved Item – Commercially Sensitive*

- The Committee noted the outcome from the Internal Audit of Payroll. 1 recommendation has been made for the College to establish a procedure for processing changes to employee bank details, for which the College has committed to closing the recommendation by 31 May 2025.
- The overall internal audit opinion given was 'satisfactory'. Assurances were given that the new payroll system iTrent is functioning well and will support with the enhancement of many controls through more automated processes.

### ROLLING AUDIT RECOMMENDATIONS COMMENTARY AND MONITOR

- The Committee noted the work that has been done to address the recommendations to date. In the last quarter, 6 recommendations have been closed off.
- The 12 Payroll & Pension internal review recommendations were added to the monitor from Feb 2025, of which 5 were fully closed in the period.
- The Committee noted that the recent voluntary severance scheme launch and ongoing restructure has absorbed significant time and priority for many support staff departments, which has caused some temporary slippage on previously targeted dates for completion. These will be prioritised for completion over the next quarter.

### RISK MANAGEMENT

- Of the 15 risks identified, the Committee noted 3 increased scores across the last quarter.
- While the main challenges for the College continue to be financial sustainability, this is already categorised as a very high risk which is, to some extent, outside of the control of the College owing to funding restrictions.
- The Committee noted insufficient funding for capital and maintenance works and as the Campus continues to age, there is likely to be a higher demand for capital funding to support renovations
- The restructure in the College has also delayed the ability to train the Senior Leadership Team (SLT) in Business Interruption processes. While the College recognises that it can react well to Campus closures, it cannot evidence that it has robust procedures in place for longer term business

	<p>continuity without the completion of essential training and so risk score was increased accordingly.</p> <ul style="list-style-type: none"><li>• The Committee recognised that students who fail to engage with the bursary assessment process as early as possible can adversely affect their attendance and progression to a positive destination. There are also students who are still waiting for needs assessments. Proposed changes to the structure of the Extended Learning Support team will likely mitigate some of the risk to students in failing to progress onto positive destinations however this is not yet in place. As a result, this risk score was increased.</li></ul> <p><b>UK PUBLIC SECTOR INTERNAL AUDIT CHANGES: 1 APRIL 2025</b></p> <ul style="list-style-type: none"><li>• The Committee welcomed David Archibald, Partner at Henderson Loggie who presented on UK Public Sector Internal Audit Changes that are in place from 1 April 2025, following the implementation of Global Internal Audit Standards (GIAS) in place of Public Sector Internal Audit Standards (PSIAS).</li><li>• The Committee was advised that the new Standards set heightened expectations on the Audit Committee, Board and Senior Management to champion the role of Internal Audit and ensure internal audit remains effective and independent. As a result, the Committee must drive impact, uphold integrity, enhance communication and evaluate the effectiveness of itself in conforming to GIAS.</li><li>• The changes also ensure appropriate expertise is used when conducting internal audit, which has a broader scope than just financial implications and may, for example, call upon Cyber trained professionals to undertake an internal audit of Cyber processes at a College.</li><li>• The Committee noted thanks to David Archibald for his insightful presentation.</li></ul> <p><b>EXTERNAL AUDIT PLAN 2024-25</b></p> <ul style="list-style-type: none"><li>• The Committee noted the contents of the Annual Audit Plan which had been drafted in conjunction with the College. The Committee thanked Andrew Kerr, Senior Audit Manager, at Audit Scotland for preparing and presenting the item.</li><li>• The Annual Audit Plan advised of the scope of the audit and the responsibilities of both the College and External Audit to prepare accurate reports and financial statements with controls in place to mitigate the risk of significant misstatement.</li></ul>
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- The Audit fieldwork will commence in October 2025 with a proposed timeline for completion by end of November 2025.

#### **NATIONAL FRAUD INITIATIVE: RESULTS 2024/25**

- The Committee considered the outcomes from the recent NFI exercise. As a publicly funded body, the College is obligated to participate in the UK Government's matching exercise known as the National Fraud Initiative (NFI) every 2 years
- An upload of relevant information on personnel and supplier transactions was initially made on the NFI website by the College in respect of the 24/25 exercise.
- The Committee noted that there were 68 matches (2022/23 306 matches) identified as a result of the data upload and on review, none were found to indicate any potential fraud issue.

#### **PENSIONS UPDATE**

*Reserved Item Commercially Sensitive.*

- The Committee received a written update of the progress of the work being undertaken on the plan for correction of pension contribution errors for part time staff as previously advised.
- The College continues to work with Henderson Loggie on the swift resolution of all employee cases to minimise impact on staff and expedite communication with relevant pension agencies and authorities where appropriate.
- The initial scope of the project was completed by the end of February 2025 as targeted. However, a further outcome from the investigation was found in respect of errors around some part-time support staff rates. Those calculations should be concluded by the end of July 2025.

#### **GOVERNANCE ROLLING REVIEW**

- The Committee noted the updates to the Rolling Review.
- The Committee noted the implications of the February 2025 Employment Tribunal ruling, requiring Disciplinary Policies and Recruitment Procedures to be amended in respect of the Principal and Governance Professional. Updated policies and procedures are being considered by the Human Resources Committee during this Committee cycle.
- The Committee also gave thanks to the previous Chair, Mr Tom Feely, who has stood down from his position as Chair of the Audit & Risk Committee and as a Board member for

both personal and professional reasons. The Committee noted the value of his contributions in his time with the College and wished him well in his future endeavours.

### **CYBER ESSENTIALS CERTIFICATE**

- The Committee was pleased to note that the College had achieved Cyber Essentials Basic accreditation. The accreditation is achieved in conjunction with Jisc cyber security team who have guided the SLC IT staff through the new cyber essentials format and challenges.
- The College will now seek to undertake the second part of this accreditation, Cyber Essentials Plus, within the next 3 months in order that the College is fully accredited by the end of July 2025.
- Thanks were paid to the SLC IT Team for their hard work on this endeavour and in particular to Gavin Munro, Depute MIS Manager, who led the review.

### **Conclusion**

The College has continued to closely monitor all aspects of risk management, control and governance. The Committee remains of the opinion that the College's internal financial and management systems are adequate and effective. Further, the Committee is of the view that there is an ongoing process for identifying, evaluating and managing the College's significant risks.

## BOARD OF MANAGEMENT

<b>Date</b>	4 June 2025
<b>TITLE OF REPORT</b>	Finance and Resources Committee Chair's Report for the South Lanarkshire College Board and the Lanarkshire Regional Strategic Body
<b>REFERENCE</b>	22.4
<b>AUTHOR AND CONTACT DETAILS</b>	Laura Wright, Chair of Finance and Resources Committee L.Wright@slc.ac.uk
<b>PURPOSE</b>	To provide the Board with a Report from the FRC Chair including matters discussed during the FRC Meeting on 13 May 2025.
<b>BOARD ACTIONS / POINTS TO NOTE</b>	<p>The Board is asked to note key points, especially:</p> <ul style="list-style-type: none"> <li>• Cashflow and Accounts to 31 March 2025, noting the potential for large £1m payouts in the form of Voluntary Severance settlements</li> <li>• The Quarterly update from Procurement, noting thanks to the Procurement Manager for her work in this area</li> <li>• The Quarterly update from Facilities, noting valuable contributions from internal College staff who have expertise in energy consumption and reduction measures and could explain the graphs and charts more clearly.</li> <li>• The Quarterly update from the Climate Change Action Team (CCAT) with successful partnership linkages,</li> <li>• A Voluntary Severance Progress update was provided to the Committee <b>(Reserved Item – Commercially Sensitive)</b>.</li> <li>• The Committee considered the capital expenditure plan</li> <li>• The Committee was advised of the legal expenditure to date for the employment tribunal. <b>(Reserved Item – Commercially Sensitive)</b>.</li> <li>• The Quarterly Update from CLIC Innovate UK confirming that the College has now entered into phase 2 of the project</li> </ul>



	<ul style="list-style-type: none"> <li>• Consideration and agreement of the Draft Budget 2025-26 for remit to the Board for final approval, noting that the deficit should not be a target for the year.</li> <li>• A discussion of the Mid-Year Review and its supporting commentary for retrospective approval by the Board following its submission to the SFC on 9 April 2025.</li> </ul>
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<b>KEY POINTS</b>	<p><b>CASHFLOW AND ACCOUNTS TO 31 MARCH 2025</b></p> <ul style="list-style-type: none"> <li>• The Committee noted that the College had not been able to prepare accounts to 30 April 2025 owing to time constraints in meeting regional reporting requirements.</li> <li>• The Committee was asked to note a draft deficit of £1.116M (£2.036M full year) as at 31 March 2025. The key points discussed were:</li> <li>• Accruals for prior years' pay awards had not been sufficient to cover the final pay bill for lecturing staff and a further £280k has been expensed as expenditure.</li> <li>• The recent voluntary severance exercise is likely to add additional expense of circa £225k to the payroll in the form of pension strain costs and the higher than anticipated number of roles being released.</li> <li>• The correction of the Utilities VAT issue previously reported has accounted for an overspend within property expenses (£143k year to date).</li> <li>• Depreciation is expected to be circa £200k higher in 24/25 due to the removal of the residual value for the College building and this is driving a proportionate increase in expense versus budget (£83k).</li> <li>• The cash flow report now suggests circa £1.3M in expected severance payouts before the end of academic year 2024/25. As a result, the Committee was advised that the College cashflow will likely track between £1M and £2M each month from now until July 2026.</li> <li>• The Committee was reminded that owing to the result of the Employment tribunal in March 2025, cashflow projections had improved.</li> </ul>
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#### **QUARTERLY UPDATE – PROCUREMENT**

- The Committee noted that 4 tenders awarded of which 2 were via Framework Agreement 1 via open tender and 1 extension of an existing agreement.
- Access Control has been awarded with a potential saving of £98k over a period of 3 years.
- The Committee was encouraged to note via the Annual Report for 23/24 that 92% of total procurement expenditure has been made through a compliant procurement process. This is made up of approximately 40.51% of the College's contracted spend which is through local contracts and quotations managed by departments and approximately 51.49% is through Collaborative Framework Agreements.
- The Committee asked that a summary of the number of frameworks that engage with local businesses be provided at a future meeting in line with the College's procurement strategy to support local enterprise.
- The Committee was again encouraged to hear about the contract savings and thanks were given to the Procurement team for their efforts in increasing procurement compliance and reporting.

#### **QUARTERLY UPDATE – FACILITIES**

- The Committee noted the terms of the report acknowledging that RAG status of service providers continues to be monitored and escalated where there are performance concerns.
- The Committee noted a variety of planned preventative maintenance had taken place in this reporting period, with further preparations being made to undertake capital expenditure work over the holiday period.
- The charts being used for the College's energy consumption, solar PV generation, waste and water provide a visual representation usage. Key challenge is finding additional ways to offset our energy usage where possible, given the significant increase in energy costs. As noted previously, the Committee had been keen to further analyse the data trends within the charts and graphs. The Committee welcomed the Sustainability Leads at the College to present the graphs and charts directly to the Committee on 13 May 2025, which greatly enhanced reporting of the subject matter.

#### **QUARTERLY UPDATE: CLIMATE CHANGE ACTION TEAM (CCAT)**

- The Depute Head of Curriculum advised the Committee that the CCAT continues to lead efforts addressing climate change across the College.
- The Climate Change Emergency Action Plan on the College website is monitored monthly by the CCAT. Seven actions were identified during the reporting period with four completed.
- Good practice continues to be shared at CCAT meetings and across the College. The Committee noted a Scottish Government led consultation on the Public Bodies Climate Change Duties Report had been underway to gather views to help inform Statutory Guidance for public bodies, to support them in putting the climate change duties into practice. The College submitted its response on 12 May 2025 based on advice and guidance from EAUC.
- The Committee noted that the College remains committed to preparing a Climate Change Risk Register.
- A draft Sustainability Policy has been prepared by the Climate Change Leads and is subject to approval by the Senior Leadership Team and the Board of Management.

#### **VOLUNTARY SEVERANCE: PROGRESS UPDATE**

##### ***Reserved Item (Commercially Sensitive)***

- The Committee noted that the Voluntary Severance Scheme had concluded on 28 February 2025.
- The College received 52 applications for Voluntary Severance in total. The College approved 35 applications, inclusive of 11 applications for which additional SFC approval was sought due to the intended settlement representing more than 2 years' worth of salary cost.
- 29 out of 35 approvals represent a gross combined annualised saving of £1.315M. Savings from the residual 6 roles have been set aside to service added costs of alternative job roles and therefore have not been factored in as a full saving.
- As part of the financial feasibility work, the College is also seeking to bring pay parity to roles ensuring that similarly entitled roles carry the same salary where

appropriate. This comes at a cost of £324K, resulting in a net annualised saving of £991K.

- Pension strain costs of approved applications account for £303K. The College has agreed with the pension agency to pay strain costs over three years to conserve cash flow.
- Payback on severance approvals ranges from 3 months to 36 months, with most roles paying back within 12 months (77%).
- The College remains aware of the appeals process for which severance costs and savings may change.

#### **CAPITAL EXPENDITURE**

- The Committee noted that the College has already spent £231,057 on capital works in the 8 months to 31 March 2025.
- Imminent pipeline works include a Clevertouch Screen Replacement £41,160, Lapsafe Lockable Cabinets £40,000 (approx.), Health and Social Care Mannequin investment £37,298, Refurbishment of Painting & Decorating Workshops £30,000 (approx.) and Polytunnel replacement at £28,000 (approx.).
- The College anticipates spending its Capital Departmental Expenditure Limits (CDEL) funding of £425,233k in full by 31 July 2025. The Resource Departmental Expenditure Limits (RDEL) funding of £425,037 is absorbed within revenue budgets.
- Internal quarterly capex meetings have reconvened to ensure appropriate allocation of the SFC budget across 2024/25 and the Committee noted that the next meeting will take place on 15 May 2025 to confirm residual plans for 2024-25 capital works and budgets for 2025-26.

#### **LEGAL FEE ANALYSIS**

##### ***Reserved Item (Commercially Sensitive)***

- The Committee noted that the College has spent [REDACTED] in respect of legal fees for employment tribunals since 2021/22

- [REDACTED]

	<ul style="list-style-type: none"> <li>• The College remains aware of a potential appeals process and the Committee noted a potential outlay of £128,000 should an appeal be upheld.</li> </ul> <p><b>CLIC INNOVATE UK: A PROGRESS UPDATE</b></p> <ul style="list-style-type: none"> <li>• The Committee noted The UKRI CLIC project entered its Phase 2 from 1st April 2025 for another 12 months to 31st March 2026.</li> <li>• The Committee was encouraged to learn that the CLIC Project has been shortlisted as Finalist for the Herald (Further and) Higher Education Award under 2 categories: <ul style="list-style-type: none"> <li>• Outstanding Business Engagement in Colleges Award</li> <li>• Innovative Use of Technology Award</li> </ul> </li> <li>• The awards ceremony takes place in Glasgow on 29 May 2025.</li> </ul> <p><b>DRAFT BUDGET 2025/26</b></p> <ul style="list-style-type: none"> <li>• The Committee noted that the College anticipates a draft operating deficit of £817k in 2025-26. This is an adjusted draft operating deficit of £243k.</li> <li>• Cashflow will continue to be depleted in the full and final settlement of pending pay awards, partially funded National Insurance increases and pension increases. The college expects to end the year with circa £1.5M in the bank by 31 July 2026.</li> <li>• The Committee noted that provisional capital works had been identified for 2025-26 and further updates would be presented to Board on 04 June 2025.</li> <li>• The Committee discussed the proposed further deficit for 2025/26 and while understanding of the factors behind it, the Committee has asked that the College do not treat the budget as a target and continue to drive innovative and lean practices at the College to support financial growth.</li> <li>• The Committee was supportive of the intention to bring the draft budget for 2025/26 to the Board for final approval on 04 June 2025.</li> </ul> <p><b>DRAFT MID YEAR RETURN (MYR) 2024-25</b></p> <ul style="list-style-type: none"> <li>• The Committee noted a projected full year operating deficit is £2.002M (Adjusted operating full year deficit of £692K).</li> </ul>
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	<ul style="list-style-type: none"> <li>• The operating deficit increase from budget 2024/25 of £1.301M to £2.002M is largely due to under accrual of pay awards settled in year (£0.440M); £0.225M anticipated overspend on voluntary severance payouts pending SFC approval; a further £0.208M anticipated depreciation expense as a result of the removal of a residual value from the Campus and an increase of £0.134M in operating expenditure as a result of additional VAT expenditure incurred because of a retrospective correction of applicable input VAT % on utility bills.</li> <li>• The balance sheet reflects an increase in cash balances to £2.002M from £0.823M due to conclusion of employment tribunals in the College's favour, together with reduction in creditor balances.</li> <li>• The Cashflow balance is largely consistent with the latest SFC Cashflow and Drawdown report submitted in March 2025 with a circa £1.9M cash balance expected as at 31 July 2025.</li> <li>• The Committee noted that the review of financial ratios within the MYR remains largely consistent with FFR 2024/25 initial expectations.</li> <li>• The Committee was supportive of the MYR being remitted to the Board for final approval.</li> </ul>
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GP note - commercially sensitive information redacted.

## BOARD MEETING

<b>DATE</b>	4 June 2025
<b>TITLE OF REPORT</b>	Board Member Update
<b>REFERENCE</b>	23.0
<b>AUTHOR AND CONTACT DETAILS</b>	Vari Anderson Vari.anderson@slc.ac.uk
<b>PURPOSE:</b>	To update Board Members on the recent resignation of a non-executive board member
<b>KEY RECOMMENDATIONS/ DECISIONS:</b>	Members are recommended: <ul style="list-style-type: none"> <li>To note the resignation of a non-executive board member and the implications on the Board and Committee membership</li> <li>To promote vacant Board Member positions within their networks</li> </ul>
<b>RISK</b>	<ul style="list-style-type: none"> <li>With insufficient non-executive committee membership, the College will be in breach of section C.7(d) of the Code of Good Governance for Scotland's Colleges.</li> </ul>
<b>RELEVANT STRATEGIC AIM:</b>	<ul style="list-style-type: none"> <li>Successful Students</li> <li>Highest Quality Education and Support</li> <li>Sustainable Behaviours</li> </ul>
<b>SUMMARY OF REPORT:</b>	<ul style="list-style-type: none"> <li>Notes the resignation of Tom Feely from the Board effective as of 22 April 2025</li> <li>Notes the implications on the Board and Committee membership</li> </ul>

## **1. INTRODUCTION**

- 1.1 This paper records the resignation of a non-executive board member and the implications on the Board and Committee membership.

## **2. BACKGROUND**

- 2.1 On 22 April 2025, Non-Executive Board Member Tom Feely, notified the Chair of the Board of his intention to resign from the Board of Management due to professional commitments. It was confirmed that this resignation would be effective from 22 April 2025.
- 2.2 In terms of the Further and Higher Education (Scotland) Act 1992, the Board remain compliant, noting that the minimum number of Board Members is 15.
- 2.3 In February 2025, an advert was posted on the South Lanarkshire College website and on LinkedIn to attract new Board members following previous resignations. As of the date of writing, 28 April 2025, no applications have been received for the vacant Board Member roles. The closing date has been removed from the vacancy advertisement and the application pack will remain available on the SLC website. Board Members are encouraged to share this vacancy with their networks.

## **3. IMPLICATIONS**

- 3.1 Tom Feely was a member of the Audit and Risk Committee which will remain quorate and with a voting majority. It should be noted that over the summer period, committee membership may be refreshed.

## **4. RISK**

- 4.1 With insufficient non-executive committee membership, the College will be in breach of section C.7(d) of the Code of Good Governance for Scotland's Colleges

## **5. EQUALITIES**

- 5.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

## **6. RECOMMENDATIONS**

- 6.1 The Committee is recommended to:
- To note the resignation of a non-executive board member and the implications on the Board and Committee membership; and
  - To promote vacant Board Member positions within their networks