

Shadow Board – Shetland Merger Project

Committee	Shadow Board
Subject	Critical milestones to vesting
Action requested	<input type="checkbox"/> For information only <input type="checkbox"/> For discussion <input checked="" type="checkbox"/> For recommendation
Brief summary of the paper	Preparations to propose that vesting takes place on in February 2020
Resource implications [if yes, please provide detail]	Yes Click here to enter text.
Risk implications [if yes, please provide detail]	Yes
Date paper prepared	23-Oct-19
Date of committee meeting	30-Oct-19
Author	Project Manager
Equality and diversity	No
Status	Non-confidential
Freedom of Information Can this paper be included in 'open' business?*	Yes

Recommendation:

- 1) Proceed with the timeline as outlined.

1. Background	
1.1	In January 2019 a vesting date was agreed of 6 th January 2020.
2. Report authors	
2.1	Project Manager
3. Context	
3.1	The vesting date is the date from which all staff become employees of Shetland Institute UHI and all students become students of Shetland Institute UHI.
3.2	The process of becoming an assigned college to University of Highlands and Islands will be initiated from the point of becoming a legal entity, and complete when UHI Court approves its assignation. In other assignations (e.g. Argyll College UHI) colleges operate within the network whilst assignation is finalised and completed. It is therefore not necessary for this to be complete on vesting.
3.3	The new entity must also become an approved body to receive SFC funding. In other assignations North Highland College has acted as an intermediary to receive funds on behalf of the new college and transfer these on a monthly basis to the new college, until assignation is complete. UHI is preparing for this process for the new Shetland Institute UHI.
3.4	Although this is a phoenix merger, many mergers have taken place in Scotland and new assignations to UHI have been achieved. There are many precedents to inform the process for Shetland Institute UHI.
3.5	The timescale for consultation has been raised as a concern. A review of all consultation has been provided in Appendix 1
4. Risks	
4.1	Delaying the establishment of a new entity with a public profile as Shetland Institute UHI also delays our ability to attract external funding and resources.
5. Dependencies	
5.1	Establishment of the legal entity on or before 7 th November allows all other actions as listed to proceed.
5.2	Confirmation by the separate entities (NAFC Board and SIC) within the timeline described is also required.

1. Critical Milestones to Vesting

24 th October	Staff consultation NAFC
30 th October	Shadow Board confirmation to proceed subject to feedback from SFC on the MMBC
31 st October	Staff consultation Shetland College / Train Shetland
1 st November	Advertise for Chair, Board Secretary and other Board roles Company is registered
4 th November	Open opportunity for staff consultation, all staff
6 th November	Further discussion with SFC

7 th November	NAFC Board meet
7 th to 17 th November	SIC governance of sign-off takes place
30 th November	TUPE consultation schedule of dates and meetings confirmed with unions and advised to all staff, to be completed by 30 th January.
27 th November	Shetland Institute UHI Board of Directors meeting
29 th November	Chair/Board Secretary recruitment panel shortlisting
6th December	Target date for MMBC submission if 3rd February is target vesting date
10 th December	Interviews Chair / Board Secretary
w/b 16 th December	Chair induction and introduction to the Board
29 th January	Note date could be shifted to account for up helly aa Chair advises on Board schedule of meetings, Audit Committee recruitment, and confirms establishment/schedule of other committees.
3rd February	Vesting

Appendix 1 Review of Consultation

There were several discrete strands of consultation as follows:

Staff consultation on the MMBC

- 1) Consultation sessions with the Project Manager and staff took place June to September with staff groups / sections. Staff were invited to provide information on their current work and their ideas for future development, including equipment and other priorities. In response:
 - Support staff provided details of their current roles (five staff did not do so)
 - Delivery sections (12) provided canvases describing their current role. They were invited to do so collectively and individually. 5 provided one collective canvas for their section, two provided canvases from individual members of staff and/or covering specific areas of work.
 - Discussions with training/skills/academic delivery sections were distilled into the one-page summaries in the MMBC, section leaders were invited to confirm the content and data. Two sections did not confirm and two sections provided further information to inform further development. For others who confirmed, revisions were made to the content on their section as they requested.
 - Ideas coming forward for future developments (activities, courses, new equipment required) informed the one-page summaries and now inform the fundraising strategy.
 - One section requested additional research of their user group to inform their summary. This request was complied with and done for them.
- 2) 1:1 discussions have taken place with many staff between June and September. These have been informal and enabled deeper learning about strengths, priorities and possibilities, and some of the issues and frustrations staff want to see resolved. This informed the suggestion that a Marketing function in the new college must be a dedicated role; that student accommodation is an essential priority for the new college; deeper analysis of data with staff in the Textile Facilitation Unit and the Canteen to plan for their future development; walk-arounds with staff to look at key facilities and their needs; discussions with staff who have ideas for future activities and how these could be progressed post-merger.
- 3) A staff survey (August 2019) reported to the Board in September 2019 and from which quotes and data are reported in the MMBC; it had a 62% response rate.
- 4) Responses from staff to SUMP bulletins (Staff Update Merger Project). Response has been limited and updates have been less frequent during September/October whilst awaiting key decisions to report to staff.
- 5) In addition to staff consultation above, it is worth remembering that staff have had more involvement in the direction of the merged college than they have ever had in the separate entities: they were involved in the recruitment of the new Principal and they have been represented on the Shadow Board – there are no gold stars for this as it should be standard practice, nevertheless it demonstrates a commitment to involving staff at all levels from governance to delivery.
- 6) The new Principal is now holding discussions with all staff in their current teams, and her information from them is also informing revisions to the draft MMBC and her future development plans. Further consultation sessions are also planned with the new Principal between 31st October to 4th November. Although this may appear to be rushed there is genuine effort to use the views of staff from these sessions in the final revision of the MMBC;

and it builds on all of the consultation above. However, there is every expectation that consultation and dialogue will continue and become a normal part of the organisation's practice.

TUPE Consultation

- Papers to the Shadow Board have already outlined how this will take place in line with legal requirements and good practice.
- HR external input for the Shadow Board will be in place to support this ensuring that the consultation required as the "new employer" is undertaken consistently and is good practice.

Restructuring

- This will take place post-vesting. The staff consultation will be planned carefully with HR external advice supporting the process and ensuring it complies with all legal requirements and good practice.

Student consultation

- June – July meetings with HISA Vice President for HE and CEO of HISA on scope for student involvement, informing the development of priorities within the MMBC for student support and enhancing the student experience.
- August 2019 survey of 18/19 students across all organisations; with 121 responses. Comments and data from this survey have been used throughout the MMBC.
- A further survey of Learning Centre students took place in October 2019 (23 responses). Data from these students have also been used in the MMBC.
- Due to the timing of HISA elections, consultation with 2019/20 student cohort has not been possible. However, it is intended that a consultation event be held between 31/10 and 4/11. The Project Manager addressed all students during their inductions encouraging input into events and opportunities to express their views.

Wider consultation

- Further survey opportunities were advertised in Shetland Times and by poster around all north mainland community shops.
- An employer survey was sent direct to all businesses in the Shetland Business Directory. 38 employers responded. Data and comments are included in the MMBC.
- A schools survey for headteachers' views yielded only 1 response; Shetland parents (of future school leavers) had a response of 13 and adult learners and career-shifters 15 responses.
- Whilst responses to surveys appear low in number, the majority of respondents gave full comments on different aspects of the college and what they need from it. Given the resources available to conduct wider research were very limited, and the timescale equally limited, there is no doubt more that should be done in the future. It is important to recognise that listening to the community and gathering views should be part of normal college activity in which a range of approaches to participation, such as employer panels etc, would all bring richer data informing the Board and senior managers.