

Shadow Board – Shetland Merger Project

Committee	Shadow Board
Subject	MMBC consultation
Action requested	<input type="checkbox"/> For information only <input checked="" type="checkbox"/> For discussion <input checked="" type="checkbox"/> Special Resolution
Brief summary of the paper	Shadow Board to review material on consultation and instruct the Colleges to consult on the MMBC.
Resource implications [if yes, please provide detail]	Yes Capacity to develop materials, conduct consultations and develop report
Risk implications [if yes, please provide detail]	No
Date paper prepared	15-May-20
Date of committee meeting	20-May-20
Author	Principal Designate
Equality and diversity	No
Status	Non-confidential
Freedom of Information Can this paper be included in 'open' business?*	Yes

Recommendation: The Shadow Board instructs Shetland College and Train Shetland and NAFC to consult with staff, students and stakeholders on the Ministerial Merger Business Case

Recommendation: To ensure that the consultation is as efficient and effective as possible the Shadow Board should recommend to the Colleges that this consultation should be run as a joint programme overseen by the Merger Working Group

Context

The next stage of the merger activities is the formal consultation programme. The consultation should involve staff, students and stakeholders feeding back on the MMBC. To follow the suggested timeline this is allotted a window starting on 20th May and should result in a consultation feedback report to be returned to the SFC by 12th August.

An extract from the SFC Merger Guidance is included below as Appendix 1.

The groups suggested for consultation are outlined in the Table below. Given the close nature of Shetland it would be wasteful for both Colleges to contact all of these groups separately as indicated in SFC guidance and so a suggestion of responsibilities is given in table below. The Merger Working Group would be an appropriate group to take oversight of this process.

Table of indicative consultation approach:

Group to be consulted	Suggested Organisation approach	Notes
Students	Single approach	Students have been organised into single organisation for some time – HISA appropriate route to advise
Staff	Dual approach – SC, NAFC separately	
Stakeholders		
Key Industry sector employers	Dual approach	To ensure maximum coverage suggest both colleges are active in approaching employers
Shetland Islands Council	Single approach	
Service Industry Providers	NAFC	No external services at SC
Universities	Single approach	UHI, Aberdeen, St Andrews (any others?)
Scottish Parliament and Scottish MPs at Westminster	Single approach	
Trade Unions and Staff Associations	Dual approach – SC, NAFC separately	
Schools	Single approach	
Equality and diversity groups and charities	Single approach	

Suggested Methodology

A draft summary document is provided alongside this document that can be sent to groups to be consulted with. The full MMBC will be available on the Merger Website.

An open-end questioning approach is suggested for use, whether responses are sought online, in writing or in virtual meetings. The following is an indicative set of questions for the Shadow Board to comment on:

- Do you support our plans to bring tertiary education in Shetland together in one organisation?
- What are the benefits of the merger and has the rationale for merger been made clear?
- What changes or improvements had you hoped to see that you think the proposal has not considered?
- The governance arrangements for the merger are contentious, what are your views on these?
- The proposed name for the new College is Shetland Institute UHI, are you content with this or if not what would be your suggested name?
- Do you have any further comments?
- Would you like to have a follow up discussion?

Appendix 1

SFC Merger Guidance

Consultation and ongoing communication

Colleges seeking to merge or federate will need to undertake their own formal consultation with staff and students and stakeholders early in the merger discussions. It is vital to the success of a merger. It is usual to allocate a period of 12 weeks for this consultation process. The timing for this exercise is important. Some groups of colleges seeking to merge have also held a consultation event as part of the process.

A very specific matter which should be taken into account is The Transfer of Undertakings (Protection of Employment) Regulations 2006 and the consultation obligations that this imposes.

Although we recommend that the colleges move forward with an early formal consultation process we also suggest that they develop an ongoing communication and engagement strategy (one for internal and one for external stakeholders).

Learning from previous mergers SFC suggests that colleges seek additional communications expertise to provide support. It might include opportunities for staff at different colleges to meet each other, visit the other college(s), Forums, Blogs and to meet with the Principals. Similarly, opportunities for staff to meet each other throughout the process will assist with building up a new culture and reduce feelings of mis-trust. The more staff feel some ownership of this process the more likely it is to be successful. Ongoing internal communication will allow the flow of information from staff and students to continue and will create further engagement opportunities. Experience from past mergers suggests that internal communications are only as good as the last communication provided and as such it is vital to ensure that communications are constantly updated, particularly if there are delays in certain processes.

SFC also recommends that:

- Staff and student representatives are invited to join the Partnership Board;
- The work of the Partnership Board (Shadow Board) is kept as open and transparent as possible and included regular communications updates to staff on progress;
- Colleges invite their staff and student representatives to contribute to the development of the staff communication and engagement strategy and the student strategy;
- Colleges provide regular and consistent opportunities for staff and students to speak to the Principals about the merger proposal and its impacts;
- Staff and students are involved in the development of the merger proposal; and
- Staff and students are involved in agreeing what needs to be in place for Vesting Day.

At some point the Scottish Government will consult on the merger. Further details on the precise nature of the consultation can best be dealt with by direct discussions with government officials.

The name and the brand

The name of the college is crucial from both an internal and external perspective. Stakeholders and local communities may have particular views on the potential impact of any name change.

Formal Consultation Process

The formal consultation process involves Students, staff and stakeholders.

Stakeholders may include:

- Employers, Service industry providers
- Key Industry sector employers
- Finance and Business sector
- Universities
- Local government
- Scottish Parliament and Scottish MPs at Westminster
- Trade unions and staff associations
- Equality and diversity groups and charities
- Schools