ANNEX C

GCRB Glasgow Colleges' Regional Board

City of Glasgow College | 60 North Hanover Street | Glasgow G1 2BP | T: +44 (0)141 271 6586

AJ/WO 1415043

Tuesday 14 July 2015

STRICTLY CONFIDENTIAL
Aileen McKechnie
Director of Advanced Learning and Science
Scottish Government
150 Broomielaw
Glasgow G2 8LU

Dear Aileen,

Glasgow Clyde College

I refer to your letter dated 3 July 2015 addressed to the Chair of Glasgow Clyde College, which was copied to GCRB for its information.

The board of GCRB met on the afternoon of 13 July 2015 to consider the contents of your letter and enclosures. Following a very full discussion, the board agreed it wished to draw the following to your attention.

The board recognised that the specific matters set out in your letter are for consideration by Scottish Ministers, that a formal process of engagement and information-seeking is already underway between Scottish Government and the Glasgow Clyde College Board and that GCRB does not have a role in the ministerial decision-making process. However, the board also naturally explored some of the wider implications of your letter and its enclosures for GCRB and its assigned colleges. In considering these, the board trusts that its reflections summarised in the following observations will also be of assistance to you.

I would note at the outset that the board was unanimous in hoping that GCRB will be able to play a useful and positive role for the benefit of Glasgow Clyde College, students and wider stakeholders. As such, the board fully endorses the sentiments contained in paragraph 8 of the executive summary of the Scottish Funding Council's review, which suggests the development of an improvement plan to support the board of Glasgow Clyde College, focusing on the application of good governance processes and procedures.

With regard to the content of the report, the board was aware that it did not have possession of all the facts, both because it only had sight of a redacted copy of the report and because there is possibly other information which is available to the Scottish Government. With that caveat, the board felt that you should be aware that, based on the material available to it, the board was

concerned that issues are differently weighted, it could not see how many of the conclusions are connected with the findings and felt that as a result some of these conclusions appeared to be assumptions or inferences. Perhaps as importantly, the board was concerned that other people might read the reports in the same way.

Although conscious that it is not aware of the detail nor directly involved in the relevant processes underway in relation to Glasgow Clyde College, the board recognised the importance of ensuring that timetables are managed very carefully so that proper regard can be given to the need for 'due process' at all stages.

In relation to the references in the report to GCRB, the board was concerned that it had not had the opportunity to be interviewed on these points so that its perspective could be reflected.

Finally, despite a strongly expressed wish to ensure you were fully sighted on these observations, as I have already indicated there was unanimity that GCRB hopes it can play a positive part in future developments.

Yours sincerely,

[redacted]

[redacted]
Interim Chair

GCRB | Glasgow Colleges' Regional Board

City of Glasgow College | 60 North Hanover Street | Glasgow G1 2BP | T: +44 (0)141 271 6586

AJ/WO 1415046

Wednesday 22 July 2015

Private and Confidential
Aileen McKechnie
Director of Advanced Learning and Science
Scottish Government
150 Broomielaw
Glasgow G2 8LU

Dear Aileen,

Glasgow Clyde College

I write following my letter of 14 July 2015 regarding the consideration by the board of GCRB of your letter and enclosures dated 3 July 2015.

Since then I have received representations from five board members expressing concern about the letter, which can be summarised as follows:

1) The SFC findings, and by extension its recommendations, are not felt to be based on any acceptable standard of evidence and rely heavily on hearsay and inference, which is a more fundamental flaw than as I described it in the letter.

(2)There is a disconnect between the DLA report and the SFC report, and the latter lacks balance and is believed to be biased against Glasgow Clyde College.

(3) Strong views were expressed by members to reject and not support, the core recommendation to remove the Chair of Glasgow Clyde, as they firmly believe the Clyde Chair and Board have acted in good faith.

(4) The GCRB should robustly defend itself against the direct criticisms made of it. Again, there is felt to be a severe lack of evidence (and proper analysis), particularly on the matter of "undue influence". The GCRB was not offered an opportunity to make representations either during the review, or on any draft SFC report before it was submitted to the Scottish Government. This is felt to call into question the issue of proper remit and methodology of the review. There is strong feeling that the GCRB should have been given reasonable time to look into the allegations appropriately and respond in full before the report was submitted to Scottish Government.

Although (1), (2) and (4) above were referred to in my letter of 14 July, the representations I have received state that the language I used insufficiently reflected the strength of feeling on these matters. As these representations are summarised above I hope that allows you to understand the full weight of the views.

In relation to (3) perhaps the strongest view from the representations I have received is that removal of the Chair of the Board of Glasgow Clyde College is unjustified. I had not specifically drawn this single recommendation out for additional comment as I had felt that the concerns around perceived mismatch between evidence and recommendations related to the report as a whole and were already covered under point one. We had also recognised the limited locus of the Board in this matter given that the decisions on such specific matters are for Ministers and there could be significant organisational risk in perceptions of 'inappropriate interference'. However, being struck by the representations and the desire for GCRB to be able to move forward collectively, I feel it is important for Government to be clear on the strength of feeling on this particular issue.

Turning back to my letter of 14 July 2015, as Interim Chair of GCRB I am satisfied that it correctly reflects the concluding section of the board's discussion on 13 July. However, given the representations I have received, I have concluded that it is only right and proper that I ensure you are fully aware of them.

Yours sincerely,

Martin Fairbairn

From: Michael.Cross@scotland.gsi.gov.uk
Sent: 25 August 2015 08:33
To: [redacted]
Cc: Martin Fairbairn
Subject: Official - sensitive: Glasgow Clyde College

Dear [redacted]

I am writing to thank you for your two letters of 14 and 22 July in response to Aileen McKechnie's of 3 July to the Glasgow Clyde College Board.

It may be helpful if I set out the context. The Scottish Funding Council (SFC) conducted a review under section 7C(7) of the Further and Higher Education (Scotland) Act 2005 and was required to report to Ministers. As you know, the SFC recommended that Ministers exercise their powers under section 24 of the Further and Higher Education (Scotland) Act 1992 on the grounds that there had been board failure.

It is of course for Ministers to consider the SFC's report and its conclusions and whether there are grounds to exercise their powers in relation to the College. Naturally, we wanted to seek the views of Clyde board members; and we wanted to keep the GCRB fully informed, given its responsibilities for making appointments to the college board and its duty to monitor the performance of its assigned colleges. We are therefore grateful for the Board's comments, which we are considering carefully.

We will continue to ensure that, as interim chair of GCRB, you receive copies of all relevant correspondence with the College.

With kind regards, and with apologies for the delay in this reply.

Michael

Michael Cross
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