

EAST AYRSHIRE COUNCIL

CABINET – 21 OCTOBER 2009

MEMORANDUM OF UNDERSTANDING BETWEEN THE UNIVERSITY OF THE WEST OF SCOTLAND AND EAST AYRSHIRE COUNCIL

Report by Executive Director of Educational and Social Services

1. PURPOSE OF REPORT

- 1.1** To seek Cabinet support for a proposed Memorandum of Understanding between the University of the West of Scotland (UWS) and East Ayrshire Council designed to establish a co-operative relationship for the benefit of the Authority and the University.

2. BACKGROUND

- 2.1** The University of the West of Scotland has established across a number of local authorities a Memorandum of Understanding to formalise a co-operative relationship between the University and its local authority partner. The aim of the partnership is to reflect the interest of both institutions in developing links to widen opportunities in access for students and staff and to create enhanced training and development opportunities for both sectors (see appendix 1).
- 2.2** Earlier this year the Chief Executive and Head of Service: Schools met with Paul Martin, Dean, Faculty of Education, Health and Social Services of the University of West of Scotland to discuss the possibility of establishing a Memorandum of Understanding and the Head of Service: Schools was remitted to work with appropriate personnel of the University to further develop the proposal.
- 2.3** The draft agreement acknowledges that the Memorandum of Understanding is designed to demonstrate the intention of both partners to strengthen and develop links but has no legal effect and does not limit either party working with other partners.

3. PURPOSE

- 3.1** Appendix 1 details the purpose of the Memorandum of Understanding, but some of the key themes are bulleted below:
- To explore the potential for future research links and develop joint research projects and governance and further the research network to ensure that both organisations maximise the opportunities for East Ayrshire Partner involvement in research projects and the development of research expertise.

- To establish a mutual programme of East Ayrshire and UWS staff exchange between the University of the West of Scotland and the Local Authority Partner.
- To co-operate in the development and provision of programmes of study to the widest possible range of East Ayrshire staff using various methods for delivery of such programmes.
- To develop educational networks particularly in the context of joint delivery of education and training with additional partners such as local further education colleges.

4. MANAGEMENT OF THE MEMORANDUM OF UNDERSTANDING

4.1 Once the Memorandum of Understanding has been signed, a joint Strategic Partnership Board will be formed, which will be responsible for the overall direction and oversight of the relationship. It is anticipated that this Board will meet every 6 months at a venue alternating between East Ayrshire Council Headquarters and the University of the West of Scotland. Meetings would be chaired by the Chief Executive of East Ayrshire Council, or the Principal and Vice Chancellor for University of West of Scotland, with the hosting convener chairing the meeting.

4.2 In addition to the strategic management board the intention would be to develop a range of strategic development committees to plan, organise, develop and monitor the activities agreed by the Partnership Board. The committees would present business cases and provide 6 month reviews of relevant partnership developments to the Strategic Partnership Board members and the committees will meet quarterly throughout the year alternating venues between East Ayrshire Council Headquarters and the University of the West of Scotland, with the host convener chairing the meeting.

5. FINANCIAL IMPLICATIONS

5.1 The Memorandum of Understanding does not commit the authority to financial expenditure. Any costs would be identified as partnership programmes were agreed.

6. COMMUNITY PLANNING IMPLICATIONS

6.1 The Memorandum of Understanding supports the principles of the Community Plan Improving Lifelong Learning and Community Regeneration.

7. POLICY/LEGAL IMPLICATIONS

- 7.1** The Memorandum of Understanding does not have any policy or legal implications and is not a legally binding contract. Any proposed contract following confirmation of the Memorandum of Understanding would be subject to monitoring by Legal Services.
- 7.2** The Memorandum of Understanding does not preclude joint agreements with any other parties, although it would be expected that all announcements regarding the Memorandum of Understanding or the release of any information pertaining to the Memorandum of Understanding would be agreed jointly before being issued to a third party.
- 7.3** As described in section 9 of the Memorandum of Understanding the UWS and East Ayrshire Council would further agree that disclosure and protection of propriety or confidential information should be governed by a non-disclosure agreement to be signed prior to the first meeting of the Strategic Partnership Board.
- 7.4** The Chief Executive would be the signatory to the Memorandum of Understanding.

8. RECOMMENDATIONS

- 8.1** It is recommended that members:
- (i) approve the establishment of a Memorandum of Understanding between the University of the West of Scotland and East Ayrshire Council;
 - (ii) be updated periodically on the progress in relation to the Memorandum of Understanding.
 - (iii) Otherwise, note the contents of this report.

Graham Short
Executive Director of Educational and Social Services

GS/AS
29 September 2009

LIST OF BACKGROUND PAPERS

Nil

Members requiring further information should contact Andrew Sutherland, Head of Service: Schools, Tel: (01563) 576126.

IMPLEMENTATION OFFICER

Andrew Sutherland, Head of Service: Schools

Appendix 1



Memorandum of Understanding

Between

University of the West of Scotland, Scotland, UK

and

East Ayrshire Council

Preamble

- 1 This Memorandum of Understanding confirms the intention to establish a co-operative relationship between the University of the West of Scotland and East Ayrshire Council which will be to the benefit of both institutions staff and their students. This Partnership reflects the interests of both institutions in developing links, which will widen opportunities and access for students and staff and create enhanced opportunities for both institutions.
- 2 The parties agree and acknowledge that this Memorandum of Understanding is intended to demonstrate the intention of both Partners to strengthen and develop links between the University of the West of Scotland and East Ayrshire Council and shall have no legal effect. It is the intention of the Parties that following and subject to further discussion and agreement these points of principle be recorded in a legally binding agreement as soon as possible.
- 3 A full written agreement, signed by the Secretaries (or equivalent) of the University of the West of Scotland and East Ayrshire Council –will be required before any formal collaboration commences.

Memorandum of Understanding

1. The specific objectives of the co-operative relationship to be established by this Memorandum of Understanding between the University of the West of Scotland and East Ayrshire Council will be as follows:
 - To develop common approaches for the delivery of existing and new education and training including professionally-accredited degree courses and CPD at UWS to meet the needs of East Ayrshire Council staff.
 - To explore the potential for future research links and develop joint research projects and governance and further the research network to ensure that both organisations maximise the opportunities for Local Authority Partner involvement in research projects and the development of research expertise.
 - To establish a mutual programme of Local Authority and UWS staff exchange between the University of the West of Scotland and East Ayrshire Council.
 - To co-operate in the development and provision of programmes of study to the widest possible range of Local Authority staff using various methods for delivery of such programmes.
 - To support and extend a programme of joint appointments where this enhances the quality of education and training as well as local authority services through the recruitment and retention of key staff to University of the West of Scotland.
 - To develop educational networks particularly in the context of joint delivery of education and training with additional partners such as local further education colleges.
2. This Memorandum of Understanding also confirms the intention to establish a joint Strategic Partnership Board, responsible for the strategic direction and oversight of the relationship. The Strategic Partnership Board will meet every six months with the venue alternating between East Ayrshire Council headquarters and the University of the West of Scotland. Meetings will be chaired by the Chief Executive for the Local Authority Partner or the Principal and Vice Chancellor for the University of the West of Scotland with the hosting Convenor chairing the meeting.
3. In addition, there is an intention to establish strategic development committees to plan, organise, develop and monitor the activities agreed by the Strategic Partnership Board. The Strategic Partnership committees will present business cases and provide six month reviews of relevant Partnership developments to the Strategic Partnership Board members. The Strategic Development Committees will meet quarterly throughout the year, alternating

between East Ayrshire Council and University of the West of Scotland with hosting Convenor chairing the meeting.

- 4 Where any collaborative activity has significant resource implications for one institution, the financial issues will be dealt with separately in a Schedule to the Collaboration Agreement. Such financial issues will be dealt with in line with procedures for academic quality assurance of the University of the West of Scotland.
- 5 The University of the West of Scotland and East Ayrshire Council will each identify and nominate a link person for developing the collaborative relationship at the first meeting of the Strategic Partnership Board. They will be responsible for ensuring effective inter-institutional activity and will ensure communication links are effective and that inter-institutional activities are progressing to the satisfaction of both institutions. A key relationship will be that formed between the link persons of each institution.
- 6 This Memorandum of Understanding comes into effect from the date below and will remain in place for a period of 12 months (unless otherwise stated). As noted in the Preamble above, no formal collaboration other than discussions between staff should commence without a full collaboration agreement being concluded.
- 7 Implementation of the provisions of this Memorandum of Understanding shall be the subject of further communication between both parties.
- 8 This Memorandum of Understanding does not preclude joint arrangements with other parties. However, all announcements regarding this Memorandum of Understanding, the relationship established herein, and/or release of any information pertaining hereto shall require the mutual consent of both parties.
- 9 The University of the West of Scotland and East Ayrshire Council further agree that the disclosure and protection of proprietary or confidential information shall be governed by a Non Disclosure Agreement to be signed prior to the first meeting of the Strategic Partnership Board.
- 10 The Memorandum of Understanding is acknowledged by the parties hereto.

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Subscribed on behalf of University of
the West of Scotland

.....
Subscribed on behalf of East
Ayrshire Council

Date:

Date:

STRATEGIC PARTNERSHIP BOARD

The strategic direction and oversight of the Partnership will be the responsibilities of a Strategic Partnership Board (SPB). The SPB will be established to:

- Agree developments within the Partnership.
- Oversee and monitor implementation.
- Review the benefits and lessons learned.

The Board will meet twice during each year, on a six month cycle, alternating between the Local Authority's headquarters and the University of the West of Scotland, with the hosting Chief Executive or Principal chairing the meeting.

Membership

Ex-officio Members	From East Ayrshire Council: Chief Executive Officer; Director of Educational and Social Services, Head of Service: Schools, Head of Service: Community Support; From UWS: Principal and Vice Chancellor, Vice Principal (Research & Commercialisation) and Dean of Faculty of Education, Health and Social Sciences, Head of School of Education; Head of School of Health, Nursing and Midwifery and Head of School of Social Sciences.
Co-opted Members	The Board may co-opt up to three members as may be decided by the Board for periods specified by the Board.
Secretary to the Board	The link persons nominated for East Ayrshire Council and University of the West of Scotland at the first meeting of the SPB will share the duties of Secretary.

Quorum

The quorum of the committee shall be one third of the members.

Periods of Office

- i) "Ex-officio" members will remain members as long as they hold the appropriate office.
- ii) The Chair will alternate between the Chief Executive for Local Authority Partner and the Principal and Vice Chancellor for University of the West of Scotland.

- iii) Appointed members will normally be nominated for a period of three years and will be eligible for re-nomination.

Constitution

The Strategic Partnership Board shall be constituted to ensure that the membership has:

- a) Appropriate experience;
 - b) A wide range of research experience and research-based publications;
 - c) Subject expertise to reflect the range of disciplines in which research projects and CPD provision to East Ayrshire Council staff will be provided, as far as this is reasonably practicable;
- and
- d) Familiarity with the University of the West of Scotland and East Ayrshire Council regulations

Terms of Reference

- a) To agree developments within the Partnership.
- b) To oversee and monitor implementation.
- c) To review the benefits and lessons learned.
- d) To agree the overall quantifiable measures for assessing the success of the Partnership and review performance against these metrics on a half yearly basis.
- e) To review business cases for potential Partnership initiatives and annual reviews of Partnership developments presented by academic and/or service leads from both University of the West of Scotland and East Ayrshire Council.
- f) The Board may authorise the Chair to act on its behalf in appropriate circumstances.