

Board of Management

Meeting	Finance and General Purposes Committee
Date and time	Thursday 28 October 2021 at 9.00 a.m.
Location	Microsoft Teams

The timings on this agenda are indicative only and the meeting may extend beyond the anticipated finish timings

Board Secretary

21 October 2021

AGENDA

Welcome and Apologies Declarations of Interest

ITEMS FOR DECISION

1. **MINUTES**
 - a. Meeting of the Finance and General Purposes Committee held on 10 June 2021
 - b. Meeting of the Finance and General Purposes Committee held on 01 July 2021
2. **OUTSTANDING ACTIONS**
Action List
3. **TERMS OF REFERENCE**

ITEMS FOR DISCUSSION

4. **CAPITAL MONITORING**
 - a) Capital Budget Monitoring – 31 July 2021
Report by Assistant Principal – Finance & Audit
 - b) Capital Budget Monitoring – 30 September 2021
Report by Assistant Principal – Finance & Audit
5. **REVENUE BUDGET MONITORING**
 - a) Revenue Budget Monitoring – 31 July 2021
Report by Assistant Principal – Finance & Audit
 - b) Revenue Budget Monitoring – 30 September 2021
Report by Assistant Principal – Finance & Audit

- 6. FINANCIAL FORECAST RETURN –**
Report by Assistant Principal – Finance & Audit
 - 7. OPERATIONS AND EXTERNAL RELATIONS REPORT**
Report by Assistant Principal – Operations and External Relations
 - 8. RISK REGISTER**
Verbal Update by Assistant Principal – Finance and Audit
 - 9. HEALTH AND SAFETY UPDATE**
Report by Health and Safety Manager
 - 10. GDPR – 6 MONTHLY UPDATE**
Report by Information Development Manager
 - 11. COMMITTEE EVALUATION FEEDBACK**
Report by Board Secretary
-

ITEMS FOR NOTING

- 12. AOCB**
- 13. DATE OF NEXT MEETING – 20 JANUARY 2022 AT 3.00 P.M.**
Joint Audit and F&GP Committee Meeting

If any member wishes to add an item of business to the Agenda, please inform the Chair and the Board Secretary as soon as possible. Additional items of business will only be considered for inclusion in the agenda in advance of the start of the meeting.

Board of Management

MINUTES of the MEETING of the FINANCE AND GENERAL PURPOSES COMMITTEE held via Microsoft Teams on Thursday 10 June 2021

PRESENT:	Kelly Mackenzie, Chris O'Neil, Donald MacKenzie, Arvinder Kainth, Russell Edwards, Leanne MacKenzie
CHAIR:	Donald MacKenzie
APOLOGIES:	None
ATTENDING:	Assistant Principal – Finance & Audit Assistant Principal – Operations & External Relations Estates & Campus Services Manager Commercial Services and Estates Manager Board Secretary

The Chair welcomed everyone to the meeting.

There were no declarations of interest noted.

1. MINUTES

a. Meeting of Joint Audit & Finance and General Purposes Committee held on 27 January 2021

The minutes of the meeting of the Joint Audit and Finance and General Purposes Committee held on 27 January 2021 were **ACCEPTED** as a correct record and it was **RECOMMENDED** that they be approved and signed by the Chair.

b. Meeting of the Finance and General Purposes Committee held on 27 January 2021

The minutes of the meeting of the Finance and General Purposes Committee held on 27 January 2021 were **ACCEPTED** as a correct record and it was **RECOMMENDED** that they be approved and signed by the Chair.

2. OUTSTANDING ACTIONS

Risk Register: The Committee noted that the Assistant Principal – Finance and Audit had met with the Principal and the Principal's PA to review the risk register. The register has been updated to reflect the cyber incident and Covid-19 and our risks relating to Finance have been reduced.

A discussion took place with regards the cyber incident and how we are attributing and understanding the cost implications of this.

Action: The Committee **AGREED** that this item can be removed from the list.

3. POLICIES FOR APPROVAL

Student Support Funds Policy

Decision: The policy was **APPROVED** and will now be taken to the Board of Management for final approval.

Fee Waiver Policy

Decision: The policy was **APPROVED** and will now be taken to the Board of Management for final approval.

4. CAPITAL MONITORING REPORT

The Assistant Principal – Finance and Audit spoke to the joint report advising that we receive capital funding for the period 01 April – 31 March. It was highlighted to the Committee that we have to commit to all spends by 31 March and spend the funds by 31 July.

The Committee noted and discussed the challenges we have experienced with regards capital spend and how this links to our Estates Strategy.

5. REVENUE BUDGET MONITORING – 30 APRIL 2021

The Assistant Principal – Finance and Audit advised that his report had projected the financial position of the College for the period ended 30 April 2021 and highlighted that this should be considered in light of the 2020-21 Revenue Budget, the Financial Forecast Return and our current financial sustainability following our FRP.

The Committee discussed the impact of Covid-19 and additional funding received and noted that risk analysis for the years 2021-22 and 2022-23 had been carried out.

A lengthy discussion around the ALF (Arm's Length Foundation) took place with the Committee noting that we may be in a position to place any additional monies into this fund. The Committee was provided with a reminder of what the ALF is for and how it is used to benefit the College. The Committee noted that legal advice would be engaged before any monies are committed to the ALF.

Action: An update on the ALF will be provided to the next Committee meeting.

The Committee welcomed the explanation around the current position and gave their thanks to the Assistant Principal – Finance and Audit and the Finance Team for all their work.

6. MID YEAR FORECAST RETURN

The Assistant Principal – Finance and Audit advised that the mid-year forecast return had been submitted to SFC and that retrospective approval was sought.

Decision: The Committee **APPROVED** the submission of the mid-year forecast return to SFC.

7. FINANCE STRATEGY

The Assistant Principal – Finance and Audit advised the Committee that our external auditors expect us to engage with a report published by the SFC in October 2020. The Committee noted that the salient points from this report were highlighted at the beginning of the strategy.

Decision: The Committee **AGREED** that the points which have been highlighted by the Assistant Principal – Finance and Audit should be included within our Finance Strategy.

8. FINANCE APPROVAL THRESHOLDS

The Assistant Principal – Finance and Audit spoke to his report which proposed new finance approval thresholds following a review of our processes in the wake of our SMT restructure.

Decision: Following discussion the Committee **APPROVED** the proposed finance approval thresholds.

9. EXTERNAL RELATIONS AND OPERATIONS UPDATE

The Assistant Principal – Operations and External Relations spoke to her report highlighting to the Committee our current level of modern apprenticeships, the FWDF income, our commercial short courses income, our curriculum plan, resource efficiency and our KPI matrix.

Action: The Assistant Principal – Operations and External Relations will liaise with Leanne MacKenzie, out with the meeting, to discuss our secured bid to encourage more women into STEM careers.

10. LEASE FOR HARBOURSIDE CONSTRUCTION CENTRE

The Committee noted the lease for the Harbourside Construction Centre. The Assistant Principal – Operations and External Relations advised that work on the welfare facilities within the property is due to begin. The Committee noted that an asbestos survey on the property had been carried out and following this minor material is due to be removed from the property. The Committee noted that a fire risk assessment is also to be carried out.

11. RISK REGISTER

The Assistant Principal – Finance and Audit reiterated that he had met with the

Item 01a.

Principal and the Principal's PA to review the risk register. The register has been updated to reflect the cyber incident and Covid-19 and our risks relating to Finance have been reduced.

12. ANNUAL CHAIR AND COMMITTEE EVALUATION

Donald MacKenzie left the meeting at this point.

The Board Secretary took the Committee through the Chair Evaluation noting the responses.

Donald MacKenzie joined the meeting at this point.

The Committee went through the Committee Evaluation with the Board Secretary noting the responses.

The Committee noted that a summary of all actions from the evaluations will be taken to the October Board for discussion.

13. DATE OF NEXT MEETING

The Committee noted that the Revenue Budget and Capital Expenditure for 2021/22 were due to be approved. These are being worked on and a further meeting is to be arranged to discuss and approve these once they are available. A possible date of 1st July 2021 at 9.00 a.m. was agreed.

Signed by the Chair: _____

Date: _____

Board of Management

MINUTES of the EXTRAORDINARY MEETING of the FINANCE AND GENERAL PURPOSES COMMITTEE held via Microsoft Teams on Thursday 01 July 2021

PRESENT: Chris O'Neil, Donald MacKenzie, Russell Edwards, Leanne MacKenzie
CHAIR: Donald MacKenzie
APOLOGIES: Kelly MacKenzie, Arvinder Kainth
ATTENDING: Assistant Principal – Finance & Audit
Assistant Principal – Operations & External Relations
Commercial Services and Estates Manager
Finance Manager
Board Secretary

The Chair welcomed everyone to the meeting.

There were no declarations of interest noted.

1. FEES 2021-22

The Assistant Principal – Finance and Audit presented the Committee with the proposed fees for 2021-22 highlighting the work that has been undertaken to align the fees of Inverness and North Highland College.

A lengthy discussion which focused on consistency within the sector, flexibility, market competition, specialist courses and fee waivers took place.

Action: Following discussions the Finance Manager advised that she would circulate the RUK FE FT Student Information for this Academic Year to the Committee.

Decision: The Committee **APPROVED** the draft fees for 2021-22. These will now be taken to the Board of Management for final approval.

The Finance Manager left the meeting.

2. REVENUE BUDGET 2021-22

The Assistant Principal – Finance and Audit presented the Committee with the revenue budget for the year 01 August 2021 – 31 July 2022.

The Assistant Principal – Finance and Audit highlighted to the Committee the adjusted operating position and the outturn in respect of this year. The Assistant Principal – Finance and Audit explained to the Committee the methodology which has been used to prepare the budget, the reallocation of

Item 01b.

HE and new developments within FE, increases within the RAM, impact from the cyber incident, increase in teaching costs, impact of Covid-19 in respect of undelivered credit targets and losses within the refectory, debt collection, potential estate savings and additional IT costs and needs.

A lengthy discussion took place which focussed on the unitary charge, additional monies which have been made available for the sector due to Covid-19, RAM and MicroRAM and the leasing of the Harbourside property.

Decision: The Committee **APPROVED** the revenue budget for 2021-22. This will now be taken to the Board of Management for final approval.

3. FINANCIAL FORECAST RETURN – PERIOD TO 31 JULY 2022

The Assistant Principal – Finance and Audit presented the Committee with the Financial Forecast Return for the period to 31 July 2022 and explained that the figures within this return are taken from the revenue budget, the estimated outturn and capital budgets.

Decision: The Committee **APPROVED** the Financial Forecast Return. This will now be taken to the Board of Management for final approval.

4. CAPITAL BUDGET 2021-22

The Assistant Principal – Finance and Audit presented the Committee with the Capital Budget for the period 2021-22 highlighting to the Committee the additional Covid-19 monies received and providing an explanation as to how capital funds are allocated to us.

The Committee was advised of the lifecycle of the capital budget noting that we have to commit to spends by 31 March and have spent the funds by 31 July. A discussion on the constraints and delays that we face took place with the Committee noting the impact of Covid-19 and the challenges of receiving approval from GTEIL.

Decision: The Committee **APPROVED** the Capital Budget for 2021-22. This will now be taken to the Board of Management for final approval.

5. DATE OF NEXT MEETING

Thursday 28 October 2021 at 9.00 a.m.

Signed by the Chair: _____

Date: _____

Item 02

Outstanding Actions from Finance and General Purposes Committee

Item	Action	Responsibility	Time Line	Actioned
10 June 2021				
Revenue Budget - ALF	An update on the ALF and additional monies committed to it to be brought to the next meeting.	AP – F&A	September 2021	
External and Operations Relations – STEM Bid	The Assistant Principal – Operations and External Relations to liaise with Leanne MacKenzie to discuss our secured bid to encourage more women into STEM careers.	AP – O&ER	Summer 2021	

Subject/Title:	Terms of Reference
Author: [Name and Job title]	Lisa Ross Board Secretary
Meeting:	F&GP Committee
Meeting Date:	28 October 2021
Date Paper prepared:	21 September 2021
Brief Summary of the paper:	Terms of Reference with suggested amendments. These amendments were discussed during the committee review meeting.
Action requested: [Approval, recommendation, discussion, noting]	Discussion and then recommendation for approval by the Board of Management.

Item 04

Link to Strategy: Please highlight how the paper links to, or assists with:: <input type="checkbox"/> compliance <input type="checkbox"/> partnership services <input type="checkbox"/> risk management <input type="checkbox"/> strategic plan <input type="checkbox"/> new opportunity/change	Governance Compliance		
Resource implications:	Yes / No If yes, please specify:		
Risk implications:	Yes / No If yes, please specify: Operational: Organisational:		
Equality and Diversity implications:	Yes/No If yes, please specify:		
Student Experience Impact:	Yes/No If yes, please specify:		
Consultation: [staff, students, UHI & Partners, External] and provide detail	N/A		
Status – [Confidential/Non confidential]	Non-Confidential		
Freedom of Information Can this paper be included in “open” business* [Yes/No]	Yes		
*If a paper should not be included within “open” business, please highlight below the reason.			
Its disclosure would substantially prejudice a programme of research (S27)		Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	
Its disclosure would substantially prejudice the commercial interests of any person or organisation (s33)		Its disclosure would constitute a breach of confident actionable in court (s36)	
Its disclosure would constitute a breach of the Data Protection Act (s38)		Other (Please give further details)	

Further guidance on application of the exclusions from Freedom of Information legislation is available via

<http://www.itspublicknowledge.info/ScottishPublicAuthorities/ScottishPublicAuthorities.asp> and

http://www.itspublicknowledge.info/web/FILES/Public_Interest_Test.pdf

Finance and General Purposes Committee - Terms of Reference

Membership

Not less than five Members of the board of Management including the Chair and Principal who are members *ex officio*.

Quorum

Three members of the Committee entitled to vote upon the items before the meeting.

Frequency of Meetings

The Committee shall meet no less than four times each year.

Remit

The Committee has overall responsibility (within the Financial Memorandum between the College and the Regional Strategic Body) for the direction and oversight of the College's financial affairs.

The Committee has responsibility for the College's existing buildings and estates.

The Finance and General Purposes Committee shall:

1. Monitor the financial position of the college and report to the Board on any necessary action
2. To receive and consider information on non core grant supported activity including international student and business development activities
3. Keep the College Financial Regulations under review.
4. Review, approve and monitor the implementation of the College's finance and estates strategies and associated plans, and to submit appropriate reports and recommendations to the Board.
5. Review the effectiveness of financial management and control within the College.
6. Receive and approve the annual revenue and capital budgets and final accounts for recommendation to the Board.
7. Make recommendations to the Board regarding the level of tuition fees and other charges.
8. Monitor student recruitment and any actions identified.
9. Approve the write-off of bad debts in accordance with both the limits set in the Scheme of Delegation and the authority which the Committee has delegated to the EMT in respect of bad debts.
10. Consider, and contribute to, the overall risk management strategy of the college.
11. Ensure compliance with relevant College policies and financial statutory and regulatory requirements;
12. Consider and report on Shared Services in so far as they relate to the provision of such services under the remit of this committee
13. Consider and report on issues of procurement giving consideration to value for money

Item 03

14. Consider and recommend to the Board on all matters relating to the operation of the Arms Length Foundation
15. Ensure that the college's existing buildings and estates are fit for purpose and are maintained to an appropriate standard, meeting all relevant regulatory requirements including the effective provision of Health and Safety arrangements to meet all legislative requirements.
16. Consider and report on any other financial matters which the Board may delegate or refer from time to time.
17. Data Protection arrangements.

Finance and General Purposes Committee

Title:	Capital Budget Monitoring 31 July 21		
Meeting and date:	28 October 2021		
Author:	Roderick M Ferrier, Assistant Principal, Finance and Audit		
Link to Strategic Plan:	Yes – monitors operational finance that links to strategic		
Resource implications:	Yes If yes, please specify: • Finance		
Risk assessment:	Yes If yes, please specify: Financial: Yes Operational: Yes Organisational: Yes		
Equality and Diversity Issues:	N/A		
Status – Confidential / Non Confidential	Confidential		
Freedom of Information Can this paper be included in “open” business	No		
If a paper should not be included within “open” business, please highlight below the reason.			
Its disclosure would substantially prejudice a programme of research (S27)	<input type="checkbox"/>	Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	<input type="checkbox"/>
Its disclosure would substantially prejudice the commercial interests of any person or organisation (S33)	<input checked="" type="checkbox"/>	Its disclosure would constitute a breach of confidence actionable in court (S36)	<input type="checkbox"/>
Its disclosure would constitute a breach of the Data Protection Act (S38)	<input type="checkbox"/>	Other (Please give further details)	<input type="checkbox"/>
For how long must the paper be withheld? (Express as either the time which needs to pass or a condition which needs to be met.)			

Recommendation(s):

That members note the capital funding and spend for the year ended 31 July 2021.

Purpose of report

Advise the Committee of the Capital Budget for the year ended 31 July 2021.

Finance and General Purposes Committee

Title:	Capital Budget Monitoring 30 September 2021		
Meeting and date:	28 October 2021		
Author:	Roderick M Ferrier, Assistant Principal, Finance and Audit		
Link to Strategic Plan:	Yes – monitors operational finance that links to strategic		
Resource implications:	Yes If yes, please specify: • Finance		
Risk assessment:	Yes If yes, please specify: Financial: Yes Operational: Yes Organisational: Yes		
Equality and Diversity Issues:	N/A		
Status – Confidential / Non Confidential	Confidential		
Freedom of Information Can this paper be included in “open” business	No		
If a paper should not be included within “open” business, please highlight below the reason.			
Its disclosure would substantially prejudice a programme of research (S27)	<input type="checkbox"/>	Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	<input type="checkbox"/>
Its disclosure would substantially prejudice the commercial interests of any person or organisation (S33)	X	Its disclosure would constitute a breach of confidence actionable in court (S36)	<input type="checkbox"/>
Its disclosure would constitute a breach of the Data Protection Act (S38)	<input type="checkbox"/>	Other (Please give further details)	<input type="checkbox"/>
For how long must the paper be withheld? (Express as either the time which needs to pass or a condition which needs to be met.)			

Recommendation(s):

That members note the capital funding and spend (mostly proposed) for the two months ended 30 September 2021. This should also be considered in the light of 2021-22 Capital Budget.

Purpose of report

Advise the Committee of the Capital Budget for the two months ended 30 September 2021.

Finance and General Purposes Committee

Title:	Revenue Budget Monitoring 31 July 2021		
Meeting and date:	28 October 2021		
Author:	Roderick M Ferrier, Assistant Principal, Finance and Audit		
Link to Strategic Plan:	Yes – monitors operational finance that links to strategic		
Resource implications:	Yes If yes, please specify: • Finance		
Risk assessment:	Yes If yes, please specify: Financial: Yes Operational: Yes Organisational: Yes		
Equality and Diversity Issues:	N/A		
Status – Confidential / Non Confidential	Confidential		
Freedom of Information Can this paper be included in “open” business	No		
If a paper should not be included within “open” business, please highlight below the reason.			
Its disclosure would substantially prejudice a programme of research (S27)	<input type="checkbox"/>	Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	<input type="checkbox"/>
Its disclosure would substantially prejudice the commercial interests of any person or organisation (S33)	X	Its disclosure would constitute a breach of confidence actionable in court (S36)	<input type="checkbox"/>
Its disclosure would constitute a breach of the Data Protection Act (S38)	<input type="checkbox"/>	Other (Please give further details)	<input type="checkbox"/>
For how long must the paper be withheld? (Express as either the time, which needs to pass or a condition, which needs to be met.)			

Recommendation(s):

That members note the financial position of the College for the year ended 31 July 2021. This should also be considered in the light of 2020-21 Revenue Budget, College Financial Forecast Return, and financial sustainability.

Purpose of report

Advise the Committee of the Revenue Budget for the year ended 31 July 2021.

Finance and General Purposes Committee

Title:	Revenue Budget Monitoring 30 September 2021		
Meeting and date:	28 October 2021		
Author:	Roderick M Ferrier, Assistant Principal, Finance and Audit		
Link to Strategic Plan:	Yes – monitors operational finance that links to strategic		
Resource implications:	Yes If yes, please specify: • Finance		
Risk assessment:	Yes If yes, please specify: Financial: Yes Operational: Yes Organisational: Yes		
Equality and Diversity Issues:	N/A		
Status – Confidential / Non Confidential	Confidential		
Freedom of Information Can this paper be included in “open” business	No		
If a paper should not be included within “open” business, please highlight below the reason.			
Its disclosure would substantially prejudice a programme of research (S27)	<input type="checkbox"/>	Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	<input type="checkbox"/>
Its disclosure would substantially prejudice the commercial interests of any person or organisation (S33)	<input checked="" type="checkbox"/>	Its disclosure would constitute a breach of confidence actionable in court (S36)	<input type="checkbox"/>
Its disclosure would constitute a breach of the Data Protection Act (S38)	<input type="checkbox"/>	Other (Please give further details)	<input type="checkbox"/>
For how long must the paper be withheld? (Express as either the time, which needs to pass or a condition, which needs to be met.)			

Recommendation(s):

That members note the Revenue Budget monitoring for the two months ended 30 September 2021. This should also be considered in the light of 2021-22 Revenue Budget.

Purpose of report

Advise the Committee of the Revenue Budget for the two months ended 30 September 2021.

Finance and General Purposes Committee

Title:	Financial Forecast Return 2021		
Meeting and date:	28 October 2021		
Author:	Roderick M Ferrier, Assistant Principal, Finance and Audit		
Link to Strategic Plan:	Yes – monitors operational finance that links to strategic		
Resource implications:	Yes If yes, please specify: • Finance		
Risk assessment:	Yes If yes, please specify: Financial: Yes Operational: Yes Organisational: Yes		
Equality and Diversity Issues:	N/A		
Status – Confidential / Non Confidential	Confidential		
Freedom of Information Can this paper be included in “open” business	No		
If a paper should not be included within “open” business, please highlight below the reason.			
Its disclosure would substantially prejudice a programme of research (S27)	<input type="checkbox"/>	Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	<input type="checkbox"/>
Its disclosure would substantially prejudice the commercial interests of any person or organisation (S33)	<input checked="" type="checkbox"/>	Its disclosure would constitute a breach of confidence actionable in court (S36)	<input type="checkbox"/>
Its disclosure would constitute a breach of the Data Protection Act (S38)	<input type="checkbox"/>	Other (Please give further details)	<input type="checkbox"/>
For how long must the paper be withheld? (Express as either the time which needs to pass or a condition which needs to be met.)			

Recommendation(s):

That members approve the FFR 2021.

Purpose of report

Present to the Committee the FFR 2021.

Subject/Title:	Operations & External Relations Report
Author: [Name and Job title]	Georgina Parker
Meeting:	Finance and General Purposes Committee
Meeting Date:	28 th October 2021
Date Paper prepared:	29 th September 2021
Brief Summary of the paper:	<p>This paper provides a summary of performance reports presented to the Operations and External Relations Committee in September, where relevant to the Finance and General Purposes Committee.</p> <p>MA income for 2021/22 increased for the fifth consecutive year. MA income is slightly below profile for period 2.</p> <p>The final FE Credit performance for 2020/21 is confirmed at 81.4% of allocation.</p> <p>FE Credits are close to profile for this time of year but there is some risk. FA has under-recruited and may result in clawback. HE enrolment is close to target.</p> <p>Estates and Commercial Services summaries are provided.</p> <p>KPI matrix measures relevant to F&GP will be presented at the committee.</p>
Action requested: [Approval, recommendation, discussion, noting]	Discussion.

Item 07

Link to Strategy: Please highlight how the paper links to, or assists with:: <input type="checkbox"/> compliance <input type="checkbox"/> partnership services <input type="checkbox"/> risk management <input type="checkbox"/> strategic plan <input type="checkbox"/> new opportunity/change			
Resource implications:	Yes / No If yes, please specify:		
Risk implications:	Yes / No If yes, please specify: Operational: Organisational:		
Equality and Diversity implications:	Yes/No If yes, please specify:		
Student Experience Impact:	Yes/No If yes, please specify:		
Consultation: [staff, students, UHI & Partners, External] and provide detail			
Status – [Confidential/Non confidential]	Confidential		
Freedom of Information Can this paper be included in “open” business* [Yes/No]	No		
*If a paper should not be included within “open” business, please highlight below the reason.			
Its disclosure would substantially prejudice a programme of research (S27)		Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	
Its disclosure would substantially prejudice the commercial interests of any person or organisation (s33)	Y	Its disclosure would constitute a breach of confident actionable in court (s36)	
Its disclosure would constitute a breach of the Data Protection Act (s38)		Other (Please give further details)	

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http://www.itspublicknowledge.info/web/FILES/Public_Interest_Test.pdf

Finance and General Purposes Committee

Subject/Title:	Health and Safety Report
Meeting and date:	Finance and General Purposes Committee 28 th Oct 2021
Author:	Health and Safety Manager
Link to Strategic Plan:	
Cost implications:	No
Risk assessment:	No

Recommendation(s)

For discussion

Purpose of report

To provide the Finance and General Purposes Committee with an update on consolidated Health & Safety issues over the reporting period.

RIDDOR

There were no RIDDOR reportable incidents since the previous meeting.

Accident/Incident/Near miss/Fire Reporting

The incidents recorded for the quarter are significantly lower than previous reporting periods prior to the closure of the College, where there had been a sustained upward trend of incident reporting, with the vast majority being minor in nature. Where the primary issues recorded were self-reported illness of students rather than injury due to accident. There have been no accident-related injuries or events reported during the period.

There have been no fire related events during the reported period. As the reopening of the College estate continues revised, fire and emergency arrangements are in place – these arrangements are being reviewed prior to the commencement of the new term in line with the forecasted higher occupancy in College premises.

COVID-19 Arrangements

The College is currently operating in line with national and sector guidance and as such, mandated physical distancing has been removed from the College COVID-19 Operations Protocol. To mitigate the absence of mandated physical distancing, face coverings are to be worn (by those not exempt) at all times while inside College buildings, other than when seated and eating/drinking in an eating/drinking in a designated area or as the sole occupant of an office/room. The protocol regarding face coverings is in line with national guidance, though the College may choose to continue with mandated face coverings in the event there is a relaxation at national level.

Health & Safety Department Resource

A request for resource to assist the Health & Safety Manager in the form of a Health & Safety Officer was submitted to and subsequently approved by the Staff Resourcing Panel in October '21. The Health & Safety Officer role will be offered on an initial 12-month, full-time contract basis, with the resource requirement subject to ongoing review based upon demands of the Health & Safety Department. The role is being prepared for advertising at the time of writing this report. The SRP submission papers accompany this report and provide further detail and context on the rationale and functions of the Health & Safety Officer.

Health & Safety Management Strategy

The purpose of the Health & Safety strategy is to provide a framework for cultural enhancement by placing specific and directed responsibility for its delivery upon line managers, which in turn encourages engagement of the wider workforce through respective teams. Of importance to the College as an organisation is the subsequent effect that it will have on the student body, with all staff, but particularly student facing functions, 'role modelling' safety. The USHA HASMAP system provides an enabling framework, as well as a means of measuring performance at functional to organisational level.

Key Strategical Elements

- H&S Management System – HASMAP Standard
 - Auditing Schedule
 - Stress Management Standards
- Management System Platform – SHE Replacement
 - Arrangements for use – H&S Manual
- H&S Training & Competencies Framework
 - Professional Development/HR collaboration
- H&S Procedures & arrangements – H&S Manual
 - TU consultation, Committee endorsement

Health & Safety Management System

The College intends to utilise the USHA HASMAP standard as the framework upon which the Health & Safety Management System operates, which will involve scaled auditing at functional, departmental and organisational levels, contributing to and driving an overall improvement of the Health & Safety culture. Information regarding the USHA HASMAP standard and auditing system accompanies this paper. The use of the USHA HASMAP standard has been approved by both the College EMT and the Audit Committee. The implementation of the HASMAP system is a fundamental tenet of the proposed Health & Safety Officer role, which will include, but not be limited to, auditing existing arrangements and providing support in the implementation of corrective actions.

Health & Safety Management System Software

Along with other subscribed partner institutions (North Highland College, West Highland College, Moray College and Executive Office), the College has entered into a 12-month extension of the existing SHE Software contract (beginning Feb 2021). While this scenario may not have been the preferred option at the outset of a previous collaborative procurement process (which intended to

involve all UHI partner organisations), it has provided a formal means of managing and administrating Health & Safety information.

The group of current SHE users have formed a working group to identify and procure a suitable replacement for the current system, though any collaborative procurement is dependent upon an agreement of shared functional requirements – in the event that this is not possible, the College is prepared to enter into a lone agreement with a HSMS provider. The selection process for a supplier is underway and initial supplier presentations are taking place in August and September '21 – from these presentations, two suppliers have been selected to provide demonstration once these have taken place a shortlist of preferred suppliers will be invited to provide further demonstrations, which are ongoing at the time of writing this report. The successful supplier will replace the current SHE system in February '22; though will be procured prior to the Christmas Holidays to allow for system configuration and training.

Training and Competencies

To aid in enabling line managers fulfilling their Health & Safety obligations within the HSMS, heads and depute heads of School have successfully undertaken the 'IOSH Managing Safely' training course. The undertaking of this course provides a solid understanding on the requirements of line managers with regards to occupational Health & Safety legislation and best practice - feedback from those undertaking the course has been highly positive and evidenced through a galvanised approach to ownership of Health & Safety responsibilities within the College schools.

The College has recently signed a contract with a new training provider to replace the 'Safetyhub' platform. The new system is called IHASCO, and while it shares common features with Safetyhub, it provides a more modern and user-friendly interface for both users and administrators of the system. Further details on the plans for IHASCO training curriculum delivery will be finalised in the coming weeks, though in broadest terms, the plan is to separate the curriculum into quarterly training sections, with 2-3 modules being completed per quarter.

There will be a continued implementation of IOSH training across College functions, prioritising those with direct involvement in the management of Health & Safety within the College, specifically, non-curriculum management, Technicians and lecturing staff involved in 'higher risk' curriculum delivery. The intention is to formalise this within a wider Health & Safety training matrix, which will provide a basis of ongoing Health & Safety training for roles and functions within the College, as well as a basis to provide ongoing Continuous Professional Development.

Health & Safety Procedures and Arrangements

The Health & Safety Manual which was 'published' in 2017 is continues to be reviewed to ensure it is appropriate for the College Operations. In the coming weeks the resources of the Health & Safety Department are going to be focussed on the finalising of the manual – this may result in a de-prioritising of all but urgent or critical by the department, co-operation and understanding by all on this matter would be appreciated.

Finance & General Purposes Committee

Subject/Title:	Data Protection & GDPR Compliance
Meeting and date:	28 th October 2021 at 9am
Author:	Suzanne Stewart, Information Development Manager
Decision, Discussion or Noting:	Discussion and Decision (in relation to Governance Risk)
Link to Strategic Plan:	
Cost implications:	Yes / No (delete as applicable) If yes, please specify: Failure to comply could result in ICO fine
Risk assessment:	Yes / No (delete as applicable) If yes, please specify: Financial: Potential fine Operational: Failure to adhere to systems and procedures exposes the college to risk Organisational: Potential reputational damage resulting from data breach or ICO action

Recommendation(s)

It is recommended the committee note the report and provide any necessary feedback.

Purpose of report

To inform the committee of actions taken to ensure on-going compliance with the UK Data Protection Act 2018 and the UK GDPR and any associated risks.

Main body of information

Compliance checking remains challenging whilst working in a remote environment. The nature of the Data Protection Officer (DPO) role is wide and varied and often, reactive. Some reactive work takes priority due to legally imposed timescales and/or legal requirements to act and this can impact over planned compliance work. Unfortunately, a hefty subject access request involving redaction of several thousand records wiped out a couple of months activity.

Procurement

Compliance with GDPR for procurement of goods and services has been busy to ensure things are in place for the start of the new academic year. Monthly meetings are now in place between the DPO and APUC/procurement staff to enable work to be better planned and ensure a shared understanding of what is required, when. Work has started to address GDPR compliance with some devolved procurement of goods/services e.g. contracts due for renewal. General staff awareness of the risks is lacking. Awareness raising will be a drip feed process and will start with a written data protection update/bulletin to staff which will be circulated at the start of November. The GDPR compliance assessment can be time

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consuming. It involves assessments of the information security arrangements in place when personal data is processed by contractors and/or their sub-processors.

Personal Data Registers

Work on the data registers is now behind schedule. A reminder has been sent to all managers to update the registers and re-submit by the end of November. It is a legal requirement for the college to hold a complete up to date register of all personal data processing.

Data protection contacts have been identified in all departments to help drive this work forward.

System Compliance

The college has a number of areas where special category data (e.g. health data, criminal records etc.) is processed and compliance with data security and records management requires monitoring/auditing against procedures. The areas affected are HR, Admissions, Supported Education and Estates (management of contractors). A change over in staff responsibilities in the supported education department led to dialogue with the DPO and advice and guidance was provided. Staff are now better informed and systems of control are much improved. Systems will require auditing after Christmas to ensure sufficient time has lapsed for procedures to be implemented.

An audit of the management of sub-contractors (GDPR) in the Estates department is currently being planned for November. It is anticipated this will lead to discussion regarding GTFM and their sub-contractors and who is responsible for assuring compliance to the same standards. This is not a straightforward situation and has the potential to be exposing the college to risk. There are also safeguarding matters that may require consideration.

Data Breaches

There have been 6 data breaches since the start of the new academic year. All 6 were email related.

2 occurred because the sender forgot to use the bcc function and shared all recipients names and email addresses (some of which were personal email accounts). One group were made aware everyone in the email shared the same personal circumstance.

1 occurred because the sender didn't delete the email string of messages before replying. A student was copied into the latest message and the string contained data regarding a different student, further down the trail.

1 confidential email was sent to the incorrect recipient who shared the same name as the person the message was intended for.

1 email regarding a couple of students was intended only for staff but a different student was cc'd into the message in error. The staff member had not switched off the function in Outlook that auto completes names. They typed a student's name in the cc box to obtain their ID number and omitted to delete it prior to pressing send.

1 email intended for staff only was copied to a student group. The content made the student group aware of another student who had a support plan in place.

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None of the above were reportable to the ICO. All data subjects were advised of the situation and matters were appropriately dealt with.

ICO Accountability Framework

The ICO has recently made their accountability framework available. The framework contains a self-assessment tool and an activity tracker that organisations can utilise to monitor their compliance progress.

The DPO is currently reviewing the content with a view to implementing it shortly. It is anticipated this will provide a wider overview of the college's compliance and enable better focus on the areas of information risk.

Governance – Information Risk

Last academic year, there was a confidential process undertaken involving a few board members, that continued for several months. The process exposed the college to unnecessary high risks on different levels (data/information security, financial & reputational). Sufficient time has now passed to enable objective reflection on the procedures that were followed, to ensure there is some organisational learning taken forward by the full Board. I recommend the process is reviewed as a case study (staff development event) to allow for open discussion and a full understanding of the impact of actions and of poor governance arrangements.

I have raised this matter as the DPO has a legal duty (Articles 38 & 39 of UK GDPR refer) to report to the highest management level regarding information risk. This situation must not be repeated.

I would welcome the opportunity to be involved in such an exercise with the Board.

Subject/Title:	Chair & Committee Evaluation Feedback
Author: [Name and Job title]	Lisa Ross Board Secretary
Meeting:	F&GP Committee
Meeting Date:	28 October 2021
Date Paper prepared:	20 October 2021
Brief Summary of the paper:	Feedback on the F&GP Chair and Committee Evaluation.
Action requested: [Approval, recommendation, discussion, noting]	Discussion and Noting

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Link to Strategy: Please highlight how the paper links to, or assists with:: <input type="checkbox"/> compliance <input type="checkbox"/> partnership services <input type="checkbox"/> risk management <input type="checkbox"/> strategic plan <input type="checkbox"/> new opportunity/change	Governance Compliance.		
Resource implications:	Yes / No If yes, please specify:		
Risk implications:	Yes / No If yes, please specify: Operational: Organisational:		
Equality and Diversity implications:	Yes/ No If yes, please specify:		
Student Experience Impact:	Yes/ No If yes, please specify:		
Consultation: [staff, students, UHI & Partners, External] and provide detail	N/A		
Status – [Confidential/Non confidential]	Non-Confidential		
Freedom of Information Can this paper be included in “open” business* [Yes/No]	Yes		
*If a paper should not be included within “open” business, please highlight below the reason.			
Its disclosure would substantially prejudice a programme of research (S27)		Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	
Its disclosure would substantially prejudice the commercial interests of any person or organisation (s33)		Its disclosure would constitute a breach of confident actionable in court (s36)	
Its disclosure would constitute a breach of the Data Protection Act (s38)		Other (Please give further details)	

Further guidance on application of the exclusions from Freedom of Information legislation is available via

<http://www.itspublicknowledge.info/ScottishPublicAuthorities/ScottishPublicAuthorities.asp> and

http://www.itspublicknowledge.info/web/FILES/Public_Interest_Test.pdf

Background

The F&GP Chair and Committee Evaluations were carried out within the committee meeting held on 10 June 2021. Six members of the Committee were in attendance and provided feedback and comment on the Committee Evaluation. The Chair excused himself from the meeting whilst the Chair Evaluation was carried out.

Chair Feedback

The completed evaluation documentation for the F&GP Chair has been passed to the Interim Chair of the Board of Management for feedback to be delivered to them. However, there were no issues raised and all present provided positive feedback with regards the Chair.

Committee Feedback

A copy of the feedback from the Committee is attached as Appendix 1.

The feedback received made reference to the review of the Terms of Reference as part of the committee review. This review has been carried out and the updated Terms of Reference have been made available to Committee Members for comment.

Action Required

Committee Members highlighted the need to check whether any additional training is required. Our training programme is currently being updated and additional training is being sought as part of this.

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Appendix 1



Finance and General Purposes Committee Evaluation completed by the F&GP committee collectively on 10 June 2021.

Good Practice	Yes	No	N/A	Comments/Action
Composition, Establishment and Duties of the Committee				
Does the Committee meet regularly in accordance with the Board Standing Orders?	Y			
Does the Committee consistently have a quorum?	Y			
Do all Committee members attend meetings regularly?	Y			
Does the Committee have enough members?	Y			The Committee advised that there was a good balance of Board Members with appropriate background knowledge and EMT and Senior Officers from IC.
Does at least one of the Committee members have a background relevant to the remit of the Committee?	Y			Chair – Donald MacKenzie has relevant background.
Have new Committee members received all necessary training?	Y			The Committee noted that training for the Committee is usually learned through attending meetings. However it was agreed that the Board Secretary would look at training over the summer to see if there was specific training available. It was noted that the finance induction which was provided to budget holders could be made available to Board Members.
Does the Committee report regularly to the Board?	Y			

Good Practice	Yes	No	N/A	Comments/Action
Terms of reference				
Does the Committee have written terms of reference?	Y			

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Do the terms of reference include all aspects of the Committee's role?	Y			The Committee advised that our ToR provide flexibility for the Committee. It was noted that guidance for audit provided a good explanation of what is expected of committees and governing bodies.
Does the membership of the Committee need to be changed?		N		The Committee welcomed the addition of senior members of IC to the meetings.
Are the terms of reference adopted by the full Board and reviewed annually?	Y			Due to be reviewed over the Summer.

Good Practice	Yes	No	N/A	Comments/Action
Compliance with the Law and Regulations				
Does the Committee have a mechanism to keep it aware of topical legal and regulatory issues?	Y			Background of EMT members and Chair highlights all legal and regulatory issues. SFC updates are issued to all members.

Good Practice	Yes	No	N/A	Comments/Action
Internal Control				
Does the Committee monitor to ensure that risk is controlled?	Y			
Does the Committee regularly review relevant strategic plans?	Y			
Does the Committee consider the level of detail and information it receives appropriate?	Y			The Committee highlighted the level of detail that was provided with regards the FRP.
Are appropriate internal performance measures monitored by the Committee?	Y			KPI's in progress.
Is the Committee addressing all matters delegated to it by the Board and under its terms of reference?	Y			

Good Practice	Yes	No	N/A	Comments/Action
Administrative arrangements				
Does the Committee have an independent secretary?	Y			Board Secretary
Are Committee papers	Y			The Committee highlighted the

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distributed in sufficient time for members to give them due consideration?				need to ensure that papers are circulated 7 days prior to the meeting. The Committee noted that AdminControl has assisted with this. The review of the committee structure and cycle will also allow for EMT and Managers to streamline the reports which they are being asked to provide.
Are Committee meetings scheduled prior to important decisions on specific matters being made?	Y			The Committee noted that we have an annual schedule of meetings however further meetings are able to called if required.
Is the timing of Committee meetings discussed with all involved?	Y			Committee members have sight of the timetable for meetings for the year ahead in advance. These are agreed at Board Level.