MINUTE OF MEETING HELD ON 16 SEPTEMBER 2022 AT 11:15

STEM HUB, DUMFRIES CAMPUS

Present:	
Caroline Stuart (CS) - Chair	Danielle Hughes (DH) – Student President
Eddie Black (EB)	Sue Irving (SI)
Gillian Brydson (GB)	Malcolm MacLeod (MMac)
Joanna Campbell (JC) - Principal	Claire McLean (CMc)
Will Dowson (WD)	Susan McLellan (SMc)
Kate Glendye (KG)	Richard Nash (RN)
Ann Hill (AH)	Jamie Ross (JR)
Sharon Hodgson (SH)	
In attendance:	
Michelle Brand (MB) – Minute Secretary	Lorraine Grierson (LG) – Board Secretary
Douglas Dickson (DD) – Vice Principal	Steve Uphill (SU) – Vice Principal
Jill Galloway (JG) – Vice Principal	
Apologies:	
Richie Nicoll (RNi)	Rebecca Plant (RP)

1. **Welcome and Apologies for Absence | Verbal | Chair C. Stuart**

1.1. The Chair welcomed everyone to the meeting and thanked them for their contribution during the Strategic Planning sessions. The Chair thanked SI for taking the time to join remotely from her holiday.

1.2. **Apologies were received from: Richie Nicoll and Rebecca Plant, the meeting was recorded as quorate.**

2. **Declaration of Interest | Verbal | Chair C. Stuart**

The Chair reminded Members to indicate any declaration of interest as appropriate throughout the course of the meeting.

3. **Action Log | BOM09.22-A | L. Grierson**

3.1. LG provided an update, and it was noted that JR was invited and agreed to join the DGC/UWS Planning Team.

3.2. **The Board agreed to all actions now being marked as closed.**

4. **Minute of Meeting held 27 June 2022 | BOM09.22-B | Chair C. Stuart**

A minor edit to the minute to record Malcolm MacLeod's apologies for the previous meeting, otherwise **the minutes were approved as an accurate record of the meeting.**

5. **Matters Arising | Verbal | Chair C. Stuart**

There were no matters arising.

6. **Chairs Report | BOM09.22-C | Chair C. Stuart**

6.1. The Chair provided an overview of their activity since the last meeting.

6.2. The Chair updated the Board on the progress made on the governance work over the summer. **The Board agreed the Governance – Embedding Best Practice work plan.**

6.3. A discussion took place and **the Board agreed to re-engage CDN to undertake the next External Effectiveness Review. The Board agreed this work will commence October 2023 with the Review reporting by January 2024.**

6.4. The Chair advised they will hold board member one-to-one meetings to discuss board member development.

6.5. **Following on from the Strategic Planning Sessions the Board agreed the need to hold an additional meeting of the Board to finalise the Strategic Discussions.**

6.6. **A Doodle poll seeking dates will be circulated to gather availability. It was suggested that Friday (pm) would be the best time for a meeting at the Stranraer Campus.**

6.7. **The Board approved the 2-year schedule of board meetings for the periods 2022-23 and 2023-24 and suggested the December meeting be moved to Stranraer.**

7. **Principal's Report | BOM09.22-D | J. Campbell**

7.1. JC provided an overview of the Report detailing their engagement since the last board meeting.

7.2. The UWS co-location project is on track and progressing.

7.3. JC has met with the new Chief Executive of Dumfries and Galloway Council, Dawn Roberts. They have agreed to continue regular strategic engagement and a follow up discussion has been progressed to see how the college can support any funding bids under the Levelling Up scheme.

7.4. JC and JG continue the Values work with Listening Lunches with staff being arranged after the October break across both sites.

7.5. The Minister Jamie Hepburn will visit Stranraer Campus on 23 September 2022 to discuss the apprenticeship work and pathfinder work.

7.6. JC and the Chair have written to the DFM to request that DGC has a more prominent role within the South of Scotland Convention. **The board were encouraged by this and requested to be kept updated on any response and the ongoing relationship with SOSE.**

7.7. JC provided an overview of the report sharing the outturn of the credits and current position of the ROA.

7.8. DD updated the Board on Vice Principal Learning, Skills and Student Experience areas of responsibility.

7.9. It was noted that for AY21-22 we are currently 1600 credits short of the target and have made provision for potential clawback. This AY22-23 we are finalising arrangements for delivery of 30,889 credits.

7.10. FE student numbers have increased for 2022-23 we have increased our student numbers.

7.11. HE student numbers have seen a slight reduction for 2022-23.

7.12. Extensive work as taken place on the student journey from application to attending college to ensure there are sufficient touch points with students to improve retention figures.

7.13. FE performance AY21-22 increased by 1.5% on the back of a very difficult year.

7.14. The next round of Curriculum Planning meetings are about to take place, the outcome of which will be reported to the Learning & Teaching Committee.

7.15. JG updated the Board on Vice Principal People & Transformation areas of responsibility, more detail on the Transformation Update will be shared in Paper BOM09.22-L later in the agenda.

7.16. There is recognition that the main focus should be on improving digital skills for staff across the College. Discussions are underway with SLT to identify key areas for development within their area. There are a number of areas of excellent practice which can be built upon. The review will lead to a College-wide training development plan focussed on digital skills.

7.17. Pay negotiations continue at a national level and EIS/FELA have submitted a pay claim for 2022/23.

7.18. Both lecturing and support unions having now confirmed acceptance of the Pay and Terms and Conditions Offer 2021/22. This offer represented a £1,000 increase backdated to 1 September 2021. This has been applied (with backpay) for support Staff in the August 2022 payroll.

7.19. A recruitment update was provided further discussion will take place at item 14.

7.20. JG confirmed to the Board that all EDI policies are in place. A discussion among the Board about what is the impact of these policies and actions. The Board were reminded that the [Equality & Diversity Report 2022](#) was published in May following presentation to the Board.

7.21. **The Report was discussed and noted by the Board.**

8. **Strategy Outturn Report | BOM09.22-F | D. Dickson, J. Galloway, S. Uphill**

8.1. Student Experience Strategy embodies the ROA. This report was discussed in depth at the Learning & Teaching Committee. FE performance has increased and the HE performance has changed. The senior teams have analysed this and will be factored into the next phase of curriculum planning about to get underway. These Strategies will be reviewed and

updated once the Ambition 2025. The Board were pleased to see the employer forums taking place.

8.2. **The Report and progress were noted.**

9. **Student Association Report | BOM09.22-G | D. Hughes**

9.1. DH updated the Board that the new team is in place.

9.2. The SA worked alongside the Student Journey team in supporting Student Welcome Days during the summer break. These sessions were for our incoming students to have a tour of the campus facilities and to familiarize themselves with where their classes will be. They were also able to access support services such as Student Advisors, Admissions, Funding etc.

9.3. The SA are working on the launch of the Boost Programme for students. This will focus on boosting students Skills and Wellbeing. This will involve planning events and workshop sessions for students to take part in. The SA are working closely with our Student Councillor on the wellbeing elements and will be working with organisations such as Bridge 2 Business and Skills Development Scotland for the knowledge & skills elements.

9.4. Bridge 2 Business are running an Enterprise Roadshow, which will be visiting our Dumfries Campus on November 17th. The aim of the roadshow is to inspire, connect and support students, along with staff to think about business. The Enterprise Roadshow will bring inspiring enterprise workshops, support organisations, networking opportunities and the chance for students to learn more about how to get into business, but also how they can use business to develop their skills for the future.

9.5. Currently the SA are looking for local entrepreneurs from D&G who want to join a Q&A panel for students about business/enterprise **Board Members are invited to join the panel.**

9.6. There was discussion by the Board about receiving more data within the reporting e.g. from the survey results. It was noted that this was the first survey of the academic year and its focus was on the student journey to College. Further surveys will be undertaken throughout the year.

9.7. It was noted that the Education and Skills Group has no learner voice on it, the Board encouraged DH to write and tell the group she would like to join.

9.8. **The Board thanked DH for the update and noted the report.**

10. **Board Secretary Update | BOM09.22-H | L. Grierson**

10.1. Minor change to staff coming onto the Board, it is proposed that staff can self-nominate without the requirement of two proposers to speed the process. **The Board approved this change.**

11.2 The Board discussed the proposal of having additional TU representatives on the Board and the long-term opportunity and agreed there was time to plan for this properly. **It was agreed to bring a fuller paper to the March board meeting detailing a process.**

11.   **Annual Internal Audit Summary Report | BOM09.22-J | S. Uphill**
          The Report was Noted with no comment.

12.   **SFC Financial Forecast Return | BOM09.22-K | S. Uphill (APPROVAL)**

12.1. Been to F&GP official requirement for the board to agree the forecast prior to submitting to
          the SFC by end of September.

12.2. **Outturn noted for 2021-22.**

12.3. SU provided an overview of the paper. The Board discussed the paper.

12.4. **The Board approved the FFR for submission to the SFC.**

13.   **Transformation Update and VSS Scheme | BOM09.22-L | J. Galloway (APPROVAL)**

13.1. JG provided an overview of the paper explaining the Executive are taking a multi-stranded
          approach. Initial discussions have taken place with SLT colleagues about departmental
          restructuring, with the aim to ensure each structure fits the needs of the college now and
          for the next 5 years.

13.2. VSS requires approval by the SFC. The Board are asked to approve an application to the
          SFC seeking a programme of targeted voluntary severance.

13.3. **A full business case will be presented in December 2022 following the review of
          structure to demonstrate where the Executive feel efficiencies can be realised.**

13.4. An additional level of scrutiny around recruitment has been implemented.

13.5. ....

13.6. **The Board agreed to the strategic use of Fixed term contracts as a vehicle to be
          more agile during the transformation timeline.**

13.7. Discussion among the Board on whether the internal HR structure and skills matrix of staff
          was adequate to ensure the successful delivery of the transformational change.

13.8. **The Board approved progressing an application to the SFC for VSS.**

14.   **Committee Minutes | Item 21.3 | BOM09.22-V | M. MacLeod**
          MMac highlighted to the Board that the last meeting of the Learning & Teaching Committee
          was not quorate. **The Board were reminded of the importance of providing their
          apologies in advance to ensure meetings remain quorate and enable to make
          decisions or rescheduled to another time.**

15.   **Business and Marketing Update | Item 20 | BOM09.22-S | D. Dickson**

15.1. DD provided the Board with an update of the College's Marketing Strategy in support of the
          College's overall growth strategy.

15.2. An update has been presented to the Finance and General Purposes Committee on
          1/09/22 to provide supporting evidence and assumptions that underpin the Marketing
          Strategy and will enable ongoing performance monitoring of progress.

15.3. First Business newsletter was issued, and the data is being analysed and tracked.

15.4. A discussion among the Board about potential restrictions around accreditation and are there different ways to deliver what is required by industry.

15.5. DD advised the Board that the College undertook work to level a qualification for another organisation. This is now being delivered in the majority of secondary schools in Scotland. Our Quality staff are undertaking the assurance work as a billable activity resulting in additional income for the College. More of this type of activity is being considered.

15.6. The Board discussed the paper.

16.7 GB left the meeting at 13:13 hrs.

16. <u>**Student Association Constitution | Item 15 | BOM09.22-M | D. Hughes, K. Glendye**</u>

16.1. Update the Board on the revised structure which includes an additional VP, one for Dumfries campus and one for Stranraer campus.

16.2. The Board approved the paper for sign off by the Chair and Principal.

17. <u>**Strategic Risk Register | Item 16 | BOM09.22-N | L. Grierson**</u>

17.1. LG provided an overview of the changes within the Risk Register.

17.2. CMc left the meeting at 13:26 hrs.

17.3. LG advised the Board that during discussions, the Audit Committee agreed there was no need for a separate Assurance Framework document. Instead, this information could be captured within the existing mitigating actions. **The Board agreed this as an acceptable way forward.**

17.4. LG advised the Board that the Audit Committee noted the changes to the risk register and recommend the Board accept and approve it. **The Board approved the Risk Register.**

18. <u>**Data Protection Policy | BOM09.22-Q | J. Galloway**</u>
The Board noted and approved the Data Protection Policy.

NON-EXEC ONLY (CONFIDENTIAL MINUTE)

19. <u>**Principal's Objectives | Item 17.1 | BOM09.22-P | C. Stuart**</u>

19.1. Recorded in a confidential minute.

19.2. The Chair thanked all on the Remuneration Committee involved in revising the objective structure.

19.3. The Board approved the Principal's objectives.

JC re-joined the meeting

20. <u>**Revised Executive Leadership Structure | Item 16.2 | BOM09.22-X | J. Campbell (CONFIDENTIAL MINUTE)**</u>

20.1. The Board approved the revised Executive Leadership Structure and related salary level for the Vice Principal (Depute) role as part of the annual performance review cycle.

21.   Principal's Pay review and Salary | Item 17 | BOM09.22-O | C. Stuart (CONFIDENTIAL MINUTES)

21.1. *Recorded in a confidential minute.*

21.2. **The Board ratified the pay review and objectives of the Principal.**

21.3. **WD reminded Board Members that he will be in touch as he must undertake a review of the Chair in his capacity as Senior Independent Member.**

22.   Date of the Next Meeting

The date of the next scheduled meeting is agreed as 12th December 2022, on Stranraer Campus.

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Board of Management

Date of Meeting	16 September 2022
Subject of Paper	Chair's Report
Paper No.	BOM09.22-C
Agenda Item	Item 6
FOISA Status	Disclosable
Primary Lead	Caroline Stuart
Date of production	September 2022
Intended Outcome	**Discussion**

Financial Implications:	N
Equality and Diversity Implications:	N
Learning and Teaching Implications	N
Risks Assessed:	Y
Publicly Available:	Y

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Read Time 3 mins

Introduction

1. This report summarises the Chair's activity through July to September 2022 and makes recommendations for the board to agree the date of the next Externally Facilitated Effectiveness Review of governance and sign off the final 2-year Board schedule of meetings.

2. Chairs Activity

2.1. July to September 2022

- ➤ **Strategy Day –** Planning
- ➤ **Joanna Campbell** – Objective setting for 22/23 and 21/22 PDR review
- ➤ **Gillian Bryson** Board Member
- ➤ **Will Dowson** – Board Member
- ➤ **Sue Irving** – Board Member
- ➤ **Eddie Black** – Board Member
- ➤ **Colleges Scotland** – Finance Committee
- ➤ **Colleges Scotland** – Paper submission
- ➤ **CDN** – Paul Holden and Douglas Mundie
- ➤ **UWS** – Marcus Ross, Lucy, Joanna Campbell, Steve Uphill
- ➤ **Wille Mackie, Ross Martin, Paul Smart –** NSET & Strategy Day
- ➤ **Douglas Mundie and Paul Holden** – CDN

2.2 Upcoming in September

- ➤ **Douglas Morrison** – Construction Innovation Centre
- ➤ **Jas P Wilson –** site visit
- ➤ **Colleges Scotland** – Principles and Chairs event
- ➤ **Jamie Hepburn MSP – Minister for Higher and Further Education** – Visit to Stranraer

3. Governance Review

Work has progressed over the summer, and we have made a step change to systems, processes and planning. We now have a 2-year Board schedule of meetings in place that works with the reporting, governance, and accounting cycles. Papers are included in the Board pack for final approval and sign off. The plan is to run through this fiscal year and invite CDN back to commence another Governance review to check and report on progress. Huge thanks go to Lorraine Grierson, Candy Munro and Michelle Brand for all their collective hard work and effort to get this in place for the new academic year.

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4. **Dumfries and Galloway College Governance - Embedding Best Practice**

4.1. The Dumfries and Galloway College Externally Facilitated Effectiveness Review was published in March 2021. Since then, significant progress has been made in addressing the recommendations made in the review and improving the governance arrangements of the college.

4.2. A Board Development Action Plan was developed to progress the recommendations made, and all actions have been completed.

4.3. The internal auditors, RSM, also conducted a review to ensure the College has an appropriate framework in place to demonstrate compliance with the Code of Good Governance for Scotland's Colleges and there is appropriate evidence in place to confirm this. The conclusion of this review was that….

> '….the Board can take substantial assurance that the controls upon which the College relies to manage this area are suitably designed, consistently applied and effective.'

4.4. The Chair and the Board of Dumfries and Galloway College are committed to continual improvement in the governance of the college and embedding best practice in the college governance arrangements.

4.5. This paper sets out a governance development plan which details 'what next' for the strategic leadership of the college.

4.6. The plan identifies areas for further development based on best practice drawn from the wider college sector. It is reassuring to note that during the process of developing this plan many of the recommendations have been successfully completed.

4.7. **The Board is asked to note the significant progress to date and agree**

- **The workplan for 2022-23**
- **The timing for the next External Effectiveness Review (EER). It is proposed that the work starts in October 2023 with the objective of reporting around January 2024.**

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Dumfries and Galloway College Governance - Embedding Best Practice

Area	Date of Next Review	Best Practice Recommendations (from EER Overview Report and other publications)	Dumfries and Galloway Update August 2022	Status	Recommendations / Comments
1. **Quality of Reports to Board and Committees to support effective decision making**	Sept 2022	Board reports should be high quality / low density and provide professional analysis / insight to support effective decision making. Boards and Governance Professionals should ensure that reporting and decision making is strategic i.e., associated with the achievement of the strategic plan, rather than operational	• New Principal's report in place • Performance Report in place • New Board paper template used for all Board papers. • Standardised and improved reporting to Board in place. • Standardised action tracker in place. • Agenda planning improved and now part of Board workplan.		(see 3 & 4 below)
2. **Strategic Planning**	Sept 2022	Strategic planning processes should be robust and result in the Board fully owning the outcome. An annual workplan should be produced for the Board based on requirements of the Code of Good Governance and the necessities of strategic planning, monitoring and review	• Strategic Planning event 15 & 16 September 2022 • Board and Committee Workplan in place, to include strategic planning, self-evaluation and proposed date of next External Effectiveness Review (EER).		In line with the revised Code (due summer 2022) the next EER will be within '3 to 5 years.' *'The board should determine the timing for this externally facilitated review as part of the annual effectiveness review.'* **PROPOSAL** Aim for EER to begin Oct 2023 with EER

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Area	Date of Next Review	Best Practice Recommendations (from EER Overview Report and other publications)	Dumfries and Galloway Update August 2022	Status	Recommendations / Comments
					reporting Jan 2024.
3. **Key Performance Indicators**	June 2023	To monitor progress against strategic objectives the Board should consider a 'dashboard' of strategic KPIs which are tracked.	• New Performance Report in place which includes KPIs and a dashboard		Still scope for improvement to make these reports more focussed and effective for non-Execs (Chair) Review how other organisations report data / use dashboards.
4. **Strategic report writing**	Ongoing	Board papers should be kept under review to ensure that reporting remains strategic i.e., associated with the achievement of the strategic plan.	• New Board paper template used for all Board papers. • Standardised and improved reporting to Board in place.		Board Development Committee minutes stated *'Board Reports improved but more work was required'* Keep under review
5. **Wider use of the governance space**	Ongoing	Boards should make imaginative use of the wider governance space, out with Board meetings, to develop skills and knowledge, support decision making and engage with key stakeholders.	• Strategy Event September 2022 key stakeholders / partners involved. • Board meeting location will be rotated and include campus tours etc – see Board workplan.		Building the new Board 'team' is a priority Important that new Board members build their knowledge of the external environment of the college and the political landscape. Use opportunities to engage with other stakeholders.

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Area	Date of Next Review	Best Practice Recommendations (from EER Overview Report and other publications)	Dumfries and Galloway Update August 2022	Status	Recommendations / Comments
				🟧	Chair plans to invite Board earlier to meetings to have lunch and meet staff and students.
6. **Committee Membership**	June 2023 annually	Committee membership should be kept under review to ensure the best balance of skills and experience.	• Revised committee membership approved at the June 2022 Board.	🟩	Continue to review annually.
7. **Audit Committee**	Ongoing	The Audit Committee develops more learner and learning focussed systems and controls.	• One co-opted member has joined. • Committee membership reviewed.	🟩	Reports now have addition of 'learner & learning implications' element in the cover report.
Area	Date of Next Review	Best Practice Recommendations (from EER Overview Report and other publications)	Dumfries and Galloway • Update August 2022	Status	Recommendations / Comments
8. **Stakeholder Mapping**	2022 - 2023	Stakeholder mapping exercises enable members to better understand the wider operating environment and support effective decision making which supports the development of an external engagement strategy, which should be aligned to the strategic plan and KPIs.	• Strategy Days include key stakeholders. • Stakeholder mapping completed June 2021.	🟧	Schedule time for a wider stakeholder mapping exercise, beyond the key stakeholders involved in strategy days. Consider informal Board sessions to which key speakers on local, regional

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Area	Date of Next Review	Best Practice Recommendations (from EER Overview Report and other publications)	Dumfries and Galloway Update August 2022	Status	Recommendations / Comments
					and national economic development are invited to contribute. Build this in to the annual workplan. (Linked to 5 above)
9. **Board Diversity**	Ongoing	To attract a more diverse range of applicants, which reflect the communities served by the college, colleges should tap into other networks to advertise vacancies, including Changing the Chemistry, local business networks etc.	• College use Aspen to recruit new members with good results.		One further Board member to be recruited (with finance skills) Skills matrix to be updated with new Board member skills.
10. **Role of the Governance Professional**	Sept 2022	Induction training for new Board members to include the role of the Governance Professional and the support and advice that members can expect from their Governance Professional.	• Role of the Governance Professional to be included in induction training.		College Board Induction training scheduled for September 2022.
Area	Date of Next Review	Best Practice Recommendations (from EER Overview Report and other publications)	Dumfries and Galloway • Update August 2022	Status	Recommendations / Comments
11. **Induction Training**	Sept	College based induction and participation in CDN national induction workshops is	• Induction scheduled for September 2022.		Board members to complete the evaluation form and

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Area	Date of Next Review	Best Practice Recommendations (from EER Overview Report and other publications)	Dumfries and Galloway Update August 2022	Status	Recommendations / Comments
	2022	essential in supporting new members become confident and effective in their role. Boards undertake a regular review and assessment of the induction programme for Board members.	• CDN Induction is promoted to new members.		identify where they want to develop their own skills. This will inform the Board skills matrix and the Board Development Plan.
12. Ongoing Training and Development	Ongoing	A Board Development Plan should be in place which details member training and development needs identified in the appraisal meetings. The Development Plan takes account of all key roles on the Board, including Chairs, the SIM and any 'champion' or 'ambassador' roles. This should be linked to the strategic plan and its achievement. Mentoring support for student members and staff members is available.	• Induction training for new members September 2022 • Governance session built into Sept 2022 Strategy Event (CM).		Board Development Plan is being developed and will include team building to establish the new Board team. CDN 2022/23 Governance Development Programme to be shared with members.
13. Transition to new Board 'team'	Sept 2022	When Boards are going through a transition which might include a combination of a new Chair, Principal, Governance Professional and / or new	• Strategic planning event is an opportunity for team building. • Succession planning for key roles is considered by Board		Important to build the new team, especially post virtual meetings, and plan for this in

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Area	Date of Next Review	Best Practice Recommendations (from EER Overview Report and other publications)	Dumfries and Galloway Update August 2022	Status	Recommendations / Comments
		members consideration should be given to building the 'new' Board Team. Succession planning of key roles forms part of the planning process.	Development Committee		the Board workplan.

Area	Date of Next Review	Best Practice Recommendations (from EER Overview Report and other publications)	Dumfries and Galloway • Update August 2022	Status	Recommendations / Comments
14. Code of Good Governance	Sept 2022	In preparation for the next round of EERs Boards would benefit from an internal review of compliance with the Code of Good Governance.	• D&G Internal Auditors (RSM) reviewed compliance with the Code. • All recommended management actions completed.		Board to decide on the timescale for the next EER following the next round of self-evaluations in Sept 2022. See No 2 above.
15. Each college should review the terms and conditions for the	2022-23	Review to ensure: • sufficient time for delivery of the expectations for the role. • sufficient administrative support for	• National Job Evaluation project still ongoing.		To be built into the Board work plan to review at an appropriate time.

| Governance Professional[1]

(from 'The role and experience of the Governance Professional

as a governance professional in Scotland's Colleges' CDN 2021) | | the expectations for the role.
• appropriate salary for the status and responsibilities of the role. | | |

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[1] **At the time of writing (September 2021) a Job Evaluation process in underway. Any review of terms and conditions would need to be within the context of the outcome of this.**

5   **2022-23 and 2023-24 Schedule of Board Meetings**

5.1 The Board at the June meeting approved the 2022-23 schedule of meetings. However, for operational reasons there are two edits to these dates previously agreed which the Board are asked to note:

- F&GP will now be 15th November 2022; and

- Board will now be 16th June 2023 to align with the Stranraer Graduation

5.2 To align better with the cycle of business **the Board is asked to agree to the Strategic Planning Event taking place in May each year, effective May 2023.** This will allow the Board to undertake any strategy refresh work in advance of the Principal and ELT's objectives being set. The dates for the May 2023 and May 2024 Strategy events are noted on the schedule of meetings.
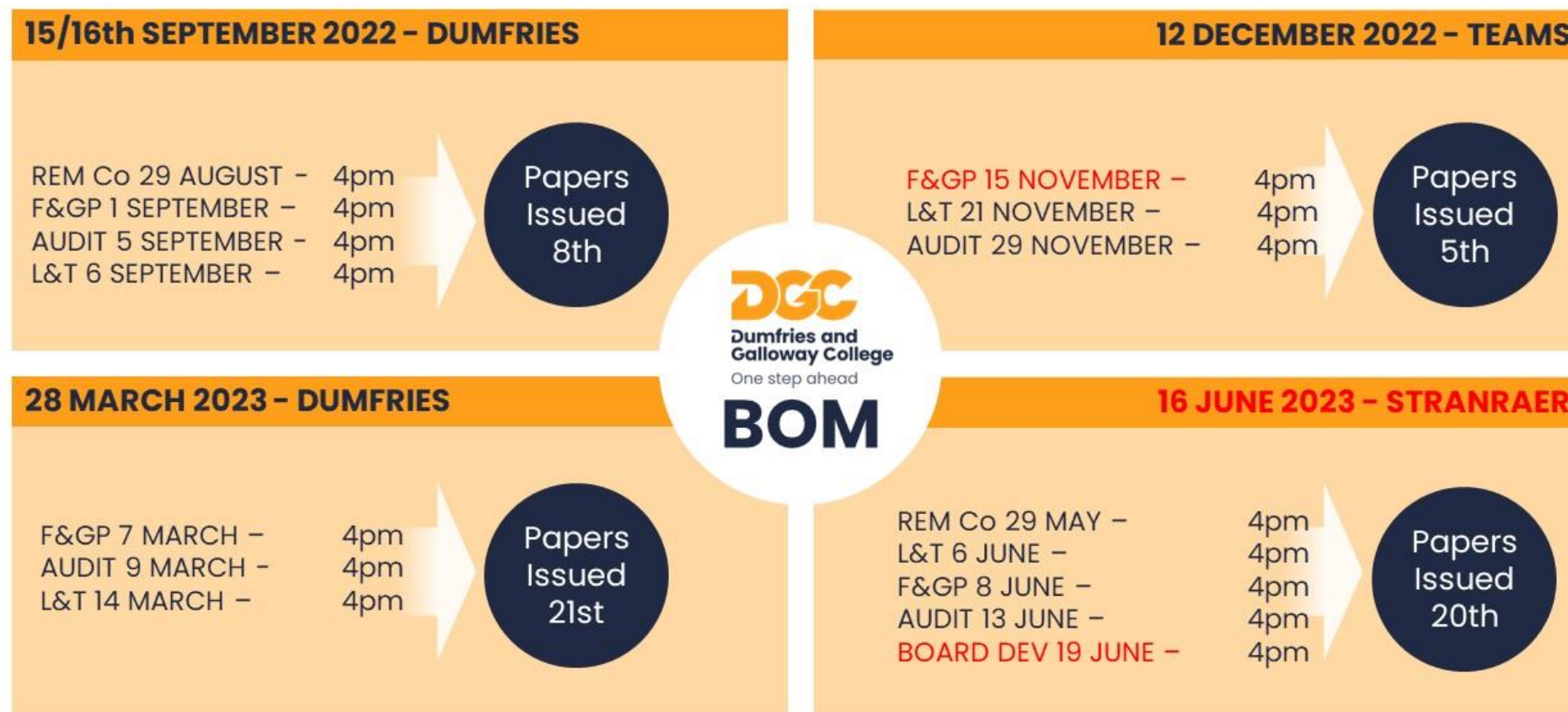
5.3 **The Board is asked to agree the 2023-24 schedule of board meetings.**

5.4 The team will coordinate diary invites for the full 2-year schedule of meetings.

Caroline Stuart
Chair of the Board of Management
September 2022

UPDATED 2022–23 SCHEDULE OF BOARD & COMMITTEE MEETINGS

15/16th SEPTEMBER 2022 – DUMFRIES

REM Co 29 AUGUST – 4pm
F&GP 1 SEPTEMBER – 4pm
AUDIT 5 SEPTEMBER – 4pm
L&T 6 SEPTEMBER – 4pm

→ Papers Issued 8th

12 DECEMBER 2022 – TEAMS

F&GP 15 NOVEMBER – 4pm
L&T 21 NOVEMBER – 4pm
AUDIT 29 NOVEMBER – 4pm

→ Papers Issued 5th

DGC Dumfries and Galloway College
One step ahead
BOM

28 MARCH 2023 – DUMFRIES

F&GP 7 MARCH – 4pm
AUDIT 9 MARCH – 4pm
L&T 14 MARCH – 4pm

→ Papers Issued 21st

16 JUNE 2023 – STRANRAER

REM Co 29 MAY – 4pm
L&T 6 JUNE – 4pm
F&GP 8 JUNE – 4pm
AUDIT 13 JUNE – 4pm
BOARD DEV 19 JUNE – 4pm

→ Papers Issued 20th

Other key dates 2022–23
- Dumfries Campus Graduation – 22nd November 2022
- Stranraer Campus Graduation – 16th June 2023
- Board Strategy Day – 15th May 2023

DRAFT 2023-24 SCHEDULE OF BOARD & COMMITTEE MEETINGS

2 OCTOBER 2023 – DUMFRIES

REM Co 28 AUGUST – 4pm
L&T 4 SEPTEMBER – 4pm
F&GP 7 SEPTEMBER – 4pm
AUDIT 19 SEPTEMBER – 4pm

Papers Issued 25th

11 DECEMBER 2023 – TEAMS

L&T 7 NOVEMBER – 4pm
F&GP 9 NOVEMBER – 4pm
AUDIT 28 NOVEMBER – 4pm

Papers Issued 4th

DGC
Dumfries and Galloway College
One step ahead
BOM

25 MARCH 2024 – DUMFRIES

L&T 13 FEBRUARY – 4pm
F&GP 27 FEBRUARY – 4pm
AUDIT 12 MARCH – 4pm

Papers Issued 18th

14 JUNE 2024 – STRANRAER

L&T 7 MAY – 4pm
F&GP 21 MAY – 4pm
AUDIT 4 JUNE – 4pm
REM CO 6 JUNE – 4pm
BOARD DEV 17 JUNE – 4pm

Papers Issued 7th

Other key dates 2023-24 • Dumfries Campus Graduation – TBC 2023 Graduation • Board Strategy Day – 13th May 2024
• Stranraer Campus Graduation – 14th June 2024

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BOARD OF MANAGEMENT

Date of Meeting	16 September 2022
Subject of Paper	Student Association Report
Paper No.	BOM09.22-G
Agenda Item	Item 10
FOISA Status	Disclosable
Primary Lead	D. Hughes
Date of production	09 September 2022
Intended Outcome	Discussion

Financial Implications:	NO
Equality and Diversity Implications:	N/A
Learner and Learning Implications:	YES
Risks Assessed:	N/A
Publicly Available:	YES

Introduction

The purpose of this report is to showcase the work of the Student Association to the Board of Management.

We have had a fantastic start to the new academic year welcoming in our new Student Association team, and students to the college. It has given us fantastic opportunities to meet with and gain feedback from our students about what they want from us this year.

Activities

New Team
Our new Student Association team started in their posts week commencing 22nd August. The team includes:

- Student Association President – Danielle Hughes
- Vice President of Welfare (Dumfries Campus) – Rebecca Plant
- Vice President of Student Life (Stranraer Campus) – Andrew Ritchie

Welcome Days

We worked alongside the Student Journey team in supporting Student Welcome Days during the summer break. These sessions were for our incoming students to have a tour of the campus facilities and to familiarize themselves with where their classes will be. They were also able to access support services such as Student Advisors, Admissions, Funding etc.

We welcomed around 350 students during this time and received positive feedback from those who attended.

Freshers Events

We arranged a Freshers Fayre in Dumfries through week commencing 22nd August, in Stranraer on 7th September. This welcomed roughly 30 local businesses and organisations to host stalls providing information & freebies to our students during their lunch break.

We have also used this opportunity to try connect directly with students and take suggestions of what they would like to see over this year from the Student Association.

We will be hosting a 'Freshers Week' schedule week commencing Monday 19th September which will include events during lunch breaks and evenings and encourage students to mix with those out with their class groups.

Support Services Presentations

Our Student Association team and Student Engagement Officer have been working alongside the wider Student Journey team to visit classes providing a presentation about the support services offered by the college.

This presentation highlights the resources available on our Student Portal along with the support services available to all students across the college. It also includes an introduction to the Student Association, what we do and how students can get involved.

<u>Boost Programme</u>

We are working on the launch of our Boost Programme for students. This will focus on boosting students Skills and Wellbeing.

This will involve planning events and workshop sessions for students to take part in. We are working closely with our Student Councillor on the wellbeing elements and will be working with organisations such as Bridge 2 Business and Skills Development Scotland for the knowledge & skills elements.

We will continue to provide updates as this programme develops.

<u>Bridge 2 Business Enterprise Roadshow</u>

Bridge 2 Business are running an Enterprise Roadshow, which will be visiting our Dumfries Campus on November 17th.

The aim of the roadshow is to inspire, connect and support students, along with staff to think about business. The Enterprise Roadshow will bring inspiring enterprise workshops, support organisations, networking opportunities and the chance for students to learn more about how to get into business, but also how they can use business to develop their skills for the future.

We will also be looking for local entrepreneurs from D&G who want to join a Q&A panel for students about business/enterprise.

Recommendations

The Board is asked to note the activity undertaken and the progress made by Dumfries and Galloway College's Student Association in the beginning of academic session 2022/23.

Danielle Hughes
Student Association President
August 2022

Board of Management

BOARD OF MANAGEMENT

Date of Meeting	<u>16 September 2022</u>
Subject of Paper	Board Secretary Update
Paper No.	BOM09.22-H
Agenda Item	11
FOISA Status	Disclosable
Primary Lead	L Grierson
Date of production	09 September 2022
Intended Outcome	Discussion

Financial Implications:	NO
Equality and Diversity Implications:	N/A
Learner and Learning Implications:	
Risks Assessed:	N/A
Publicly Available:	YES

Board of Management

1   STAFF MEMBER NOMINATION PROCESS

The Good Governance Steering Group (GGSG) has recommended the following change to the election process for Staff members to the Board. In line with good practice, they suggest removing the requirement for a *proposer and seconder* as this can cause barriers to the nominee. (The guidance is attached at Appendix 1.) The changes to the guidance are detailed below:

CURRENT WORDING

d) Each nomination must be signed by the nominee, the proposer and one other person all being members of the academic or support staff as appropriate.

Nominations are sought to fill the current vacancy. Nominations must come from current members of [**academic/support**] staff. Each nomination will require a proposer and seconder, both also current members of [**academic/support**] staff. The nominee must also prepare a support statement, which should give a brief outline of why they should be elected to the Board.

PROPOSED CHANGE

d) Each nomination must be signed by the nominee.

Nominations are sought to fill the current vacancy. Nominations must come from current members of [**academic/support**] staff. The nominee must prepare a support statement, which should give a brief outline of why they should be elected to the Board. If a potential nominee is on a fixed term or temporary contract we would encourage that nominee to consider the time commitment they could offer the Board.

The Board is asked to approve this change to the nomination process.

2   TRADE UNION OBSERVERS ON BOARDS

In light of Ministerial decisions for two trade union nominated members (one nominated by support staff unions and the other nominated by the teaching staff union) to be included in the board composition, in addition to the elected staff representatives, the GGSG are encouraging boards, as an interim arrangement, to adopt observer status for these appointments. This interim arrangement will also assist with any transition when the legislation is passed by the Scottish Parliament. It is anticipated that the sector will fully implement these changes by August 2023.

The guidance from GGSG is as follows:

All individuals with observer status will act accordingly will adhere to the key principles the *Code of Good Governance for Scotland's Colleges* and *Model Code of Conduct for Members* which includes observing the highest standards of ethical conduct, respecting confidentiality at all times, and complying with all regulations.

Observers will receive information provided to other members of the board (including papers and minutes), however they are not permitted to formally vote on matters submitted for a vote. The chair would also determine if there were any reserved matters that it was not appropriate for an observer to receive papers or be included in discussion.

The procedure for elections and appointments of the TU members is currently being finalised with the GGSG.

The Board is asked to consider observer status for 2 TU members.

3 FURTHER UPDATES

➢ Board Appointments: Ministerial Guidance 2014

- This is currently being revised by the Scottish Government Policy Team and GGSG are currently reviewing the Guidance, with a view to publishing in November 2022.

➢ 2016 Code of Good Governance for Scotland's Colleges
- The Code has been under review periodically over the last 2 years and we should have a final copy in the very near future.

4 CDN GOVERNANCE PROGRAMME

Below is a list of induction dates for board members to attend as this is mandatory, together with a link to the overall governance training available through CDN.

Board Member Induction, 13 September 2022
- https://eu.eventscloud.com/website/8949/
Board Member Induction, 22 November 2022
- https://eu.eventscloud.com/website/8951/
Board Member Induction, 24 January 2023 (evening workshop)
- https://eu.eventscloud.com/website/8956/
Board Member Induction, 7 March 2023
- https://eu.eventscloud.com/website/8958/
Board Member Induction, 25 April 2023
- https://eu.eventscloud.com/website/8959/

CDN Governance
Programme 2022.23 F

Recommendations
Item 1 - The Board is asked to approve this change to the nomination process.
Item 2 - The Board is asked to consider observer status for 2 TU members.

Lorraine Grierson
Secretary to the Board
Sept 2022

APPENDIX 1

GOOD GOVERNANCE STEERING GROUP for SCOTLAND'S COLLEGES

GOOD PRACTICE GUIDE FOR ELECTION OF STAFF MEMBERS TO BOARDS

Approved June 2022

Appointment of Teaching (Academic) and Non-Teaching (Support) Staff Members to the Board of Management of .... College

Election Rules

1   In accordance with Schedule 2 to the Further and Higher Education (Scotland) Act 1992 ("Schedule 2), the Board must include two members of staff. One shall be appointed by being elected by the teaching ("academic") staff of the college from amongst their own number and the other shall be appointed by the non-teaching ("support") staff of the college from amongst their own number.

2   Paragraph 3B(1) of Schedule 2 provides that such elections must be held in accordance with rules made by the Board.

3   Before making, varying or replacing these Election Rules, the Board must, as required under 3B of Schedule 2, consult the representatives of any trade union which the Board recognises as being, or which otherwise appears to the Board to be, representative of the academic/support staff of the College.

4   Having consulted relevant representatives as required under paragraphs 3(B)(2) and (3) of Schedule 2, these election rules have been made by the Board under paragraph 3(B)(1) of Schedule 2. These rules were made by the Board on .... [Date] and come into effect on ...... [Date].

5   For the purposes of these election rules, staff groups are defined as follows:

- **Teaching Staff/Academic Staff** – all staff (including Managers) who are on the academic staff payroll.
- **Non-Teaching Staff/Support Staff**– all staff (including Managers) who are on the support staff payroll.

6   Appointments shall proceed as follows:

(a) The appointment shall be made by election administered by the Returning Officer (the Returning Officer shall normally be the Governance Professional. Where the Governance Professional is unavailable, the Board must appoint another staff member to act as Returning Officer).

(b) The Returning Officer shall communicate to staff any vacancies that arise and request nominations for membership from the Academic or Support Staff as relevant.

(c) Such nominations must be received by the Returning Officer by the date specified in the communication, being not less than fourteen days from the date of the communication.

(d) Each nomination must be signed by the nominee.

(e) If more than one nomination is received, the Returning Officer shall thereafter arrange for an election to be conducted using an appropriate electronic system and shall notify each member of the academic or support staff of the college as appropriate of the names of the nominees and the process to be followed.

(f) The election shall be completed by the date and time specified in the notice issued by the Returning Officer being not less than seven days from the date of the issue of the notice of the election. Only academic members of staff may vote for the academic member and only support staff may vote for the support staff member. All staff members who are eligible to vote shall each be entitled to one vote.

7   The following rules shall be followed as regards counting votes:

(a) The Returning Officer shall offer each nominee the opportunity to be present or represented at the counting of votes.

(b) The counting of votes shall take place within 24 hours of the time set for the close of the election and shall be done by the Returning Officer in the presence of such nominees or their representatives as have chosen to attend.

(c) The nominee receiving the most votes shall be declared elected.

(d) In the event of a tie the election shall be decided by the drawing of cards or lots amongst the nominees with the most number of votes.

(e) In the event of elections for academic and support staff members being held concurrently, the counting of votes shall be done as a separate and consecutive process for each election.

(f) The Returning Officer may use such staff of the College as may be necessary to assist in the counting of votes.

(g) The names of the persons elected shall be reported to the next meeting of the Board after the election, and announced to all staff.

The 'counting of votes' may be a physical count of ballot papers where a paper system has been used, or the opening of an electronic report where an electronic voting system has been used.

8   The following rules shall apply in the event of a vacancy arising in respect of the appointment for a staff member:

(a) In the event of an election requiring to be held because of the expiry of the term of office of the respective members of the Board the procedures set out above shall be completed no later than four weeks prior to the date of expiry.

(b) In the event of an election requiring to be held because of a resignation or death of the respective members of the Board the procedures set out shall be completed no later than eight weeks after the vacancy occurs. The eight weeks excludes College vacation periods to ensure that all staff have the opportunity to participate.

Good Governance Steering Group
June 2022

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BOARD OF MANAGEMENT

Date of Meeting	<u>16 September 2022</u>
Subject of Paper	Student Association Constitution
Paper No.	BOM09.22-M
Agenda Item	Item 15
FOISA Status	Disclosable
Primary Lead	D. Hughes
Date of production	06 September 2022
Intended Outcome	Approval

Financial Implications:	N/A
Equality and Diversity Implications:	N/A
Learner and Learning Implications:	YES
Risks Assessed:	N/A
Publicly Available:	YES

BOARD OF MANAGEMENT 16.09.22

Introduction

Paragraph B7 of the Code of Good Governance states that "The college board must review the written constitution of its students' association at least every five years. Appendix 1 shows the proposed Constitution. This includes the restructured roles in Student Association:

- President of Education
- Vice President of Welfare
- Vice President of Student Life

Also included is the Class Rep restructure with Leads Reps now attending Student Association chaired meetings with key staff that cover:

- Learning and Teaching
- Services to Support Students
- Campus and Environment

The Constitution has been reviewed with the Student Association, the Performance Manager and Class Reps.

Following the L&T Committee meeting recommendations, the relevant changes have been made to reflect that the Vice President positions are shared with 1 role at each campus.

Recommendations

The Board of Management are asked to approve

Danielle Hughes
Student Association President
September 2022

BOARD OF MANAGEMENT 16.09.22

Appendix 1:

Table of Contents

DGC Constitution

Name and Status

The Board of Management of Dumfries and Galloway College agree that there shall be a Students' Association working on behalf of learners. The Dumfries and Galloway Students' Association is an unincorporated Association with exempt charitable status.

Aims and Objectives

- To work with College Board of Management and College Management to promote learner engagement.
- To provide a positive role model for learners.
- To promote student campaigns for example, citizenship, equality & diversity and health, promoting positive behaviour.
- To promote and support activities which will enhance the student experience of the College.
- To meet with the Lead Reps at least once per block to hear student views to support all other aims and objectives.

These aims and objectives shall be practiced without discrimination on the grounds of gender, age, race, sexual orientation, disability or medical condition, religion and belief, gender reassignment, pregnancy and maternity and marriage and civil partnership, except that action may be taken to promote equality of opportunity.

Mission Statement

The Student Association's mission is to engage with the college community, to promote learning, respect for self and others and responsible citizenship.

Members

The Association's members are:

- All students aged 16 and over who are registered at Dumfries and Galloway College unless they expressly wish to withdraw; and
- The appointed Sabbatical Officers.

Association members cannot transfer their membership to anyone else. Membership will automatically end when:

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- the member ceases to be a registered student; or
- the member provides written notice to the Association that they do not wish to be a member of the Association; or
- because of a college or association process, membership is removed from a student.

Association members may make use of all facilities and take part in educational, social, sporting, and cultural activities recognised by the Association. Association members may also speak and vote at Association meetings, stand and vote in elections, and hold office in clubs and societies.

Powers

The Association has the powers to:

- Provide and promote activities, services, and facilities to members.
- Raise funds and receive grants and donations.
- Trade whilst carrying out any other objectives and carry on any other trade   which is not expected to lead to taxable profits.

Property and Money

Funds and property must only be used to help in the pursuit of achieving the objectives of the Association. This extends to include the provision of reasonable expenses to students attending College Board of Management meetings, and any other meetings and events relevant to their work and the work of the Association.

Sabbatical Officers cannot receive any money or property from the Association except:

- Their salary.
- Their reasonable expenses which are subject to the approval of an appropriate staff member of the college.

The appropriate staff member, acting through the College Board, will be able, in pursuit of its aims and objectives, to open bank accounts in the name of the Students' Association on behalf of the Executive Committee. The appropriate staff member will supervise all Association finances and ensure that proper books of account are maintained. The Students' Association finances should be subject to audit at the request of the Board of Management or any of its sub-committees.

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The appropriate staff member will be responsible for ensuring that the annual budget, amendments to the budget, audited accounts and all other short- term financial reports and financial proposals are discussed and approved by the President.

The College Finance Department will ensure that a copy of the Students' Association budget and the final accounts will be given promptly to the College Board each financial year for approval. This is in line with all other College departments as per College financial audit procedures.

The financial year of the Students' Association will run from 1st August to 31st July of the next College calendar year.

Code of Practice

All Student Association activities will be carried out within the guidelines of equality and diversity and will always promote positive behaviour. Members of the Student Association will avoid unacceptable behaviour that brings the college into disrepute. Anyone identified as acting in a manner that causes this to happen may be subject to the college Disciplinary Procedure, a consequence of which could be the removal of students' association membership or student status.

This would prohibit persons from taking part in future activities or being elected as a Sabbatical Officer, unless it is agreed by College management that it would be beneficial in rehabilitating the student. A copy of the Disciplinary Procedure can be obtained from AdminNet, Performance team or Sabbatical Officers. Please refer to the separate Student Association Code of Practice document which also contains Staff information. These procedures will be discussed during the training programme for newly appointed executive officers at the start of each session.

Complaints Procedure

The Association will follow the Complaints Handling Procedure implemented by Dumfries and Galloway College. A copy can be obtained from AdminNet, Performance Team or Sabbatical Officers. This procedure will be discussed during the training programme for newly appointed executive officers at the start of each session.

Opting Out

Every student has the right to choose not to be a member of the Association. The request to opt out must be put in writing to the Executive Committee.

Any student who chooses to opt out of the Association will not be permitted to stand for President or Vice President or participate in any of the decision-making processes of the Association.

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Any student who opts out of the Association will still have the right to attend Association organised events and participate in the activities of clubs and societies. Students with unacceptable behaviour or subject to college disciplinary procedures will not be eligible to participate in organised events and activities of clubs and societies unless it has been agreed by College Management and the Executive Committee that this would be beneficial in rehabilitating the student.

Declaration

This Constitution has been revised in partnership with members of the Executive Committee in position in session 2022/23 and signed by the current student President and by the Board representative. This signed constitution supersedes all other constitutions and will be subject to review at least every 5 years.

Signed on behalf of Executive   President:

....

Signed on behalf of Board of Management Chair:

....

Election Regulations

This section outlines the rules for elections for all positions in the Association. It also outlines the procedure to follow if a vacancy occurs in any Executive Committee position.

When elections should happen

- Elections for President of Education, Vice President of Welfare and Vice President of Student Life will take place before the end of May for each session. Where there is an agreement to elect a sabbatical officer, no person shall hold a major office position, or paid elected Association office, for more than two years in total, in accordance with the 1994 Education Act.
- The dates of elections shall be publicised across College Campuses.
- Where a vacancy arises, it may be appropriate for a re-election to take place, depending on the nature and timing of the vacancy. There cannot be co-option of a paid role or the major office holder positions.

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⤵ Those standing for election must have enrolled in a college course that year.

Elections

Appointment of Sabbatical Officers shall be by election process and all current college students will be entitled to vote by secret ballot. The Student Association Executive Committee shall agree the appointment of an independent Deputy Returning Officer, who shall not be a member of the student body or Association, to conduct the elections and shall satisfy itself that the elections to Executive Committee positions are fairly and properly carried out.

Nominations for the President of Education, Vice President of Welfare and Vice President of Student Life shall take place via Nomination forms and must be proposed. Prospective candidates are not able to nominate themselves.

Sabbatical Officers must be current college students at the time of election

Voting Procedures

Candidates who wish to stand for election or re-election for Sabbatical Officer positions at the college will be invited to produce a manifesto and will take part in an election campaign, which will be organised and monitored by the Deputy Returning Officer and their deputies to ensure fairness and democracy.

Following the nomination process, students will have the opportunity to vote. The candidate receiving the highest number of valid votes in each case will be declared the winner

Counting and Declaring Votes

Students may only vote once. Any student who is identified as voting twice will have their vote declared void.

An independent Deputy Returning Officer will be appointed to ensure the integrity of the voting system and will validate the election results. NUS will be appointed as Returning Officer

Student Association Executive Committee

The main functions of the Executive shall be:
⤵ The President of Education, Vice President of Welfare and Vice President of Student Life shall be responsible for the day-to-day running of the Association in accordance with the terms of the Constitution. The Executive will be responsible for leading activities or performing tasks in line with the values of the Student Association

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- 7 The Vice President positions shall be filled by a student from each Campus – one Vice President from Stranraer campus, and one Vice President from the Dumfries Campus.
- 7 Promoting learner engagement is one of the main functions of the Executive. The Executive will be invited and expected to attend various College committees. This will be discussed with individuals prior to election and training will be provided for successful candidates.
- 7 Support and guidance for the Executive will be provided in partnership with the College and external organisations who may contribute to the training programme.

Roles and Remits

The Executive Committee shall consist of the following positions:
- 7 President of Education
- 7 Vice-President of Welfare
- 7 Vice-President of Student Life

Role of President
The President shall be the prime representative of the Student Association and will work with student representatives, including the Lead reps, and staff to involve as many students as possible in Association activities. The President shall act as student representation on the Board of Management. A job description for the position of President shall be provided to prospective candidates prior to the election. The President shall be accountable to the Performance Manager in the first instance and to the wider student body.

Role of Vice President
The Vice President shall act as a member of the Executive and work with the President, student representatives, including the Lead Reps, and staff to involve as many students as possible in Association activities. One Vice President shall act as the second member of the College Board of Management. The Vice President shall assist the President in all aspects of Association organisation. Any member of the Executive attending committee meetings must always respect the confidentiality of the position. A full job description for both Vice-President roles shall be provided to prospective candidates prior to the election.

Meeting Regulations

Formal Executive meetings shall be held at least twice per term. The President will Chair the meetings in many cases. An agenda will be produced by the President and a Minute of each formal meeting will be taken by staff, if requested.

- 7 Formal meetings shall be held at least once per term between the Executive and the Lead Reps. An agenda will be produced.

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⌐ At times members of the Executive Management Team, members of staff or individual student representatives or students may be invited or express an interest in attending Executive meetings. If possible, they will be asked to identify items for discussion in advance of the meeting and will be advised of the outcome of any specific agenda item by the President.

Finance Regulations

Dumfries and Galloway College Board of Management will allocate the Association an agreed amount of funding at the start of each session. The Association will work within this allocation or if a particular campaign is identified then fund raising may be an agreed option. Any distribution of funds for campaigns will be agreed through the Executive and approved by Performance Manager.

Clubs and Societies

At the start of each session the Vice President of Student Life will make request to the student body on the type of clubs that would interest them. Once identified, discussion will take place between the Executive, the Lead Reps and appropriate staff on arrangements required, including any support from staff.

Input from the Executive may be required to facilitate the club and continued arrangements. Should there be a cost incurred this will be discussed by the President and Executive to agree what action is required.

Lead Reps

There will be regular meetings between the Executive and Lead Reps facilitated through Performance team.

The Lead Reps will be the link between Class Reps and the Executive to identify student issues and concerns. The Lead Reps will also ensure student opinions are included in the overall aims and objectives of the Executive.

The Executive will update the Lead Reps on the progression and implementation of the Association's Operational Plan.

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BOARD OF MANAGEMENT

Date of Meeting	16 September 2022
Subject of Paper	Strategic Risk Register
Paper No.	BOM09.22-N
Agenda Item	Item 16
FOISA Status	Disclosable
Primary Lead	L Grierson
Date of production	09 September 2022
Intended Outcome	**Approval**

Financial Implications:	Yes
Equality and Diversity Implications:	N/A
Learner and Learning Implications:	Yes
Risks Assessed:	Yes
Publicly Available:	Yes

Board of Management 16.09.22

Introduction

Attached is the Risk Register for overview by the Board of Management.

1. Purpose of Report

1.1 The Principal and Executive Leadership Team routinely review the Strategic Risk Register to reflect the risks the College is facing and the mitigation that will be applied to each risk. Risks are also circulated to relevant committees for their scrutiny and recommendations to Audit committee.

1.2 There are 4 risks which are assigned to the Board of Management and changes are noted below.

Risk 1- Failure of College strategy to meet the needs of Dumfries and Galloway Region and/ or national priorities. **No change recorded.**

Risk 2 – Legal actions; serious accident; incident or civil/criminal breach. **No change recorded.**

Risk 5 - Business Continuity Incident – Fire, Systems, Emergency Procedures, Health. **No change.**

Risk 6 - Failure to meet regulatory obligations. No change to ratings but figures have been reversed ie 5/3 to 3/5, 5/1 to 1/5. **No change.**

1.3 FGP have reviewed Risk 3 and 7 and recommend changes to ratings to reflect the difficult financial climate. These 2 risks will go to the next Audit Committee for deep-dive scrutiny.

Risk 3 - Failure to achieve institutional sustainability. **Net increased to 4/5 as the FFR is showing a deficit in the budget.**

Risk 7 – Failure to achieve effective Industrial Relations. T**he gross ratings to 5/4 and the net ratings increased to 4/3.**

Recommendations

The Board is recommended to consider the current risks assigned to the Board of Management and approve.

L. Grierson
Secretary to the Board of Management
9 September 2022

Board of Management 16.09.22

RISK REGISTER

RISK DEFINITION		ORIGINAL TASK				RESIDUAL RISK					
No	Risk	Likelihood	Impact	Total	Risk Level	Likelihood	Impact	Total	Risk Level	Risk Appetite	Trend
Responsible Person – Principal											
1	Failure of College strategy to meet the needs of Dumfries and Galloway Region and/or national priorities (BoM)										
		4	4	16	🟥	3	3	9	🟧		=
2	Legal actions; serious accident; incident or civil/criminal breach (BoM)										
		5	3	15	🟧	3	2	6	🟩		=
Responsible Person - VP Finance, Strategy and Sustainability											
3	Failure to achieve institutional sustainability (FGP)										
		4	5	20	🟥	4	5	20	🟥		^
4	Financial Fraud (AUD)										
		4	3	12	🟧	3	2	6	🟩		=
5	Business Continuity Incident – Fire, Systems, Emergency Procedures, Health (BoM)										
		4	4	16	🟥	4	3	12	🟧		=
6	Failure to meet regulatory obligations (BoM)										
		3	5	15	🟧	1	5	5	🟩		=
12	Health and Safety (BoM)										
		4	5	20	🟥	3	4	12	🟧		NEW
Responsible Person – Vice Principal People and Transformation											
7	Failure to achieve effective Industrial Relations (FGP)										
		5	4	20	🟥	4	3	12	🟧		^
11	Failure to achieve and maintain systems and operable and secure ICT (AUD)										
		4	5	20	🟥	3	4	12	🟧		NEW
Responsible Person - VP Learning, Skills and Student Experience											
8	Failure to achieve highest academic performance levels (LT)										
		4	4	16	🟥	3	4	12	🟧		=
9	Failure to adhere to academic compliance arrangements (LT)										
		4	3	12	🟧	2	2	4	🟩		=
10	Failure to achieve an effective student experience (LT)										
		3	4	12	🟧	2	4	8	🟩		=

KEY: ASSESSMENT OF RISKS

Risks which should be monitored by the Risk Management Group: Scores: 1 – 8 Minor Risk
Risks to be brought to the attention of SMT and the Board of Management: Scores: 9 - 15 Significant Risk
Risks to be reported to, and monitored by, Board of Management: Scores: 16 – 20 Major Risk
Risks to be reported to, and monitored by, Board of Management: Scores: 21 – 25 Fundamental Risk

Risk Score Matrix

Impact

	5	10	15	20	25
	4	8	12	16	20

3	6	9	12	15
2	4	6	8	10
1	2	3	4	5

Likelihood

FULL SUPPORTING DOCUMENTATION ATTACHED IN ADMIN CONTROL

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Strategic Objective:	Risk No: 1

Reference to Departmental Risk Registers:	Strategic
Owner:	Principal
Description of the Risk:	Failure of College strategy to meet the needs of Dumfries and Galloway Region and/or national priorities
What are the possible consequences if the risk was to emerge?	Loss of credibility, unable to meet economic and societal needs of region, curriculum not fit for purpose, College will not meet funding targets and will not remain financially sustainable

Numerical Scoring of Gross Risk (i.e., without controls in place)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 4/5	What is the predicted **IMPACT** of the risk?	(B) 4/5	What is the total risk score? (A x B)	16/25
The **GROSS** risk is therefore: (low/medium/high)	**Major Risk**				

Control Measures

What controls/procedures are in place to reduce the likelihood and impact of the risk to a more acceptable level?	**Mitigation**
	• Robust strategic planning aligned to local and national priority areas • Effective environmental scanning at Board, SLT and also as member of regional groups • Participation in cross region stakeholder groups e.g CPP, REP, ESSG, CCLG • Clear links between strategy and practice monitored through strategy outurn reports • Curriculum Planning aligned to ministerial letter of guidance, RSIPs, SDS Skills actional plans and national policy drivers • Concerted demands for increased activity levels based on skills analysis of region linked to economic requirements
	Monitoring
	• Robust monitoring of activity targets via ROA and reported quarterly to SFC • Clear performance metrics for all strategic outcomes and linked to individual performance targets reviewed on regular basis • Amendment of strategic direction/plans to government policy and regional economic strategy • Membership of key strategic groups • Ongoing engagement and reporting to SFC • Ongoing engagement and reporting to SDS

Numerical Scoring of NET Risk (i.e., with controls in place) (2 cont.)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 3/5	What is the predicted **IMPACT** of the risk?	(B) 3/5	What is the total risk score? (A x B)	9/25

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Risk Status	Meeting 1 SIG	Meeting 2	Meeting 3	Meeting 4

MEETING	AMENDMENTS TO RECORD
1	No Change
2	
3	
4	

No.	Risk and Risk Appetite	Avoid	Averse	Cautious	Moderate	Open	Hungry
1	Failure to meet the needs of the region						
4	Financial Fraud						
6	Failure to meet regulatory obligations						

Strategic Objective:	Risk No: 2

Reference to Departmental Risk Registers:	Strategic
Owner:	Principal
Description of the Risk:	Legal actions; serious accident; incident or civil/criminal breach
What are the possible consequences if the risk was to emerge?	Financial loss to the college, impact on reputation and potential criminal / civil legal proceedings

Numerical Scoring of Gross Risk (i.e., without controls in place)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 5/5	What is the predicted **IMPACT** of the risk?	(B) 3/5	What is the total risk score? (A x B)	15/25
The **GROSS** risk is therefore: (low/medium/high)	**Significant Risk**				

Control Measures

What controls/procedures are in place to reduce the likelihood and impact of the risk to a more acceptable level?	**Mitigation** • Adherence to legislative and good practice requirements • Positive Union relations and staff communication • Ongoing management development programmes • Mandatory staff training on regulatory compliance areas • External legal advice contract in place and used where appropriate • Whistleblowing Policy
	Monitoring • Monitoring and reporting in key areas – e.g., H&S, equalities, employee engagement, post-Covid arrangements • Continuous professional development • Internal audit programme • Staff surveys

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Numerical Scoring of NET Risk (i.e., with controls in place)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 3/5	What is the predicted **IMPACT** of the risk?	(B) 2/5	What is the total risk score? (A x B)	6/25

Risk Status	Meeting 1 MIN	Meeting 2	Meeting 3	Meeting 4

MEETING	AMENDMENTS TO RECORD
1	No change.
2	
3	

No.	Risk and Risk Appetite	Avoid	Averse	Cautious	Moderate	Open	Hungry
2	Legal actions; serious accident; incident or civil/criminal breach						

Strategic Objective:	Risk No: 3 Financial Sustainability

Reference to Departmental Risk Registers:	Financial
Owner:	VP Finance, Strategy and Sustainability
Description of the Risk:	Failure to achieve institutional sustainability
What are the possible consequences if the risk was to emerge?	The college will be unable to continue, becomes insolvent, contravening governance requirements by SG, Section 22, Reputational damage to Board and F&GP

Numerical Scoring of Gross Risk (i.e., without controls in place)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 4/5	What is the predicted **IMPACT** of the risk?	(B) 5/5	What is the total risk score? (A x B)	20/25
The **GROSS** risk is therefore: MIN/SIG/MAJ/FUND	**Major Risk**				

Control Measures	

What controls/procedures are in place to reduce the likelihood and impact of the risk to a more acceptable level?	**Mitigation**
	• Protection of funding through dialogue with SFC
	• Robust annual budget- setting and multi-year financial strategic planning
	   • Effective budgetary control
	   • Monitoring of Credits achieved vs target
	• Judicious monitoring of costs
	   • Continual analysis of student requirements based on need
	Monitoring

	• Regular monitoring of budgets • Regular review of financial strategy and non-core income sensitivity • Financial forecast requires a clear programme of transformation to achieve financial sustainability • Greater ownership of budgets with Managers • Dialogue with SFC regarding impact of COVID-19 on financial sustainability • Continuous monitoring of demand v funding allocation of student funds

Numerical Scoring of NET Risk (i.e., with controls in place) (2 cont.)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 4/5	What is the predicted **IMPACT** of the risk?	(B) 5/5	What is the total risk score? (A x B)	20/25

Risk Status	Meeting 1 MAJ	Meeting 2	Meeting 3	Meeting 4

MEETING	AMENDMENTS TO RECORD
1	No changes. FGP recommendation to increase Net scoring from 3/5 to 4/5 to reflect deficit budget.
2	
3	
4	

No.	Risk and Risk Appetite	Avoid	Averse	Cautious	Moderate	Open	Hungry
3	Failure to achieve institutional sustainability						

trategic Objective:	Risk No: 4 Fraud

Reference to Departmental Risk Registers:	Financial
Owner:	VP Finance, Strategy and Sustainability
Description of the Risk:	Financial Fraud
What are the possible consequences if the risk was to emerge?	Financial Loss, Loss of reputation, impact to financial sustainability

Numerical Scoring of Gross Risk (i.e., without controls in place)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 4/5	What is the predicted **IMPACT** of the risk?	(B) 3/5	What is the total risk score? (A x B)	12/25
The **GROSS** risk is therefore: MIN/SIG/MAJ/FUN	**Significant Risk**				

Control Measures	
What controls/procedures are in place to reduce the likelihood and impact of the risk to a more acceptable level?	**Mitigation** • Strong financial controls: segregation of duties and review of transactions • Review of impact of any changes in structure or duties • Public Interest Disclosure (Whistleblowing) Policy **Monitoring** • Continuous review of financial controls • Implementation of Internal Audit recommendations

Numerical Scoring of NET Risk (i.e., with controls in place) (2 cont.)					
What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 3/5	What is the predicted **IMPACT** of the risk?	(B) 2/5	What is the total risk score? (A x B)	6/25

Risk Status	Meeting 1 MIN	Meeting 2	Meeting 3	Meeting 4

MEETING	AMENDMENTS TO RECORD
1	Mitigation deleted: Adherence to procurement processes and internal approval processes Monitoring deleted: • Regular review of costs and budgets /Transactional data sample testing / Monthly review of payroll
2	
3	
4	

No.	Risk and Risk Appetite	Avoid	Averse	Cautious	Moderate	Open	Hungry
4	Financial Fraud						

Strategic Objective:	Risk No: 5

Reference to Departmental Risk Registers:	Organisational
Owner:	VP Finance, Strategy and Sustainability
Description of the Risk:	Business Continuity Incident – Fire, Systems, Emergency Procedures, Health Threats
What are the possible consequences if the risk was to emerge?	Serious impact to the college's ability to operate and deliver education to students, safeguarding of staff and students, impact to financial sustainability of college, loss of reputation

Numerical Scoring of Gross Risk (i.e., without controls in place)					
What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 4/5	What is the predicted **IMPACT** of the risk?	(B) 4/5	What is the total risk score? (A x B)	16/25
The **GROSS** risk is therefore: (low/medium/high)	**Major Risk**				

Control Measures

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What controls/procedures are in place to reduce the likelihood and impact of the risk to a more acceptable level?	• Sound systems of administration • Documented disaster recovery procedures • Staff CPD on business continuity themes • Monitoring Public Health Advice • Increased awareness of climate emergency issues • Planning careful phasing of changes to processes, systems, and equipment • Effective management of ICT estate and Asset Register in place • Effective management of systems and GDPR
	Monitoring • Adherence to local and national Public Health Guidance • Communication to stakeholders • Liaison with SFC and Colleges Scotland – COVID-19 response groups • Separate COVID -19 – Risk Register /BCT Plan in place • Climate Emergency College Group (includes Student Representatives) • SA Climate awareness activities • Regular review/reporting on milestones, systems effectiveness etc. • Regular CPD for all staff • Rolling programme of routine updates to systems and equipment • Business Continuity Plan including scenario testing • Active data protection monitoring and auditing

Numerical Scoring of NET Risk (i.e., with controls in place) (2 cont.)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 4/5	What is the predicted **IMPACT** of the risk?	(B) 3/5	What is the total risk score? (A x B)	12/25

Risk Status	**Meeting 1** **SIG**	**Meeting 2**	**Meeting 3**	**Meeting 4**

MEETING	AMENDMENTS TO RECORD
1	No change.
2	
3	
4	

No.	Risk and Risk Appetite	Avoid	Averse	Cautious	Moderate	Open	Hungry
5	Business Continuity Incident- Fire, Systems, Emergency Procedures, Health						

Strategic Objective: **Risk No: 6**

Reference to Departmental Risk Registers:	Organisational /Governance
Owner:	VP Finance, Strategy and Sustainability
Description of the Risk:	Failure to meet regulatory obligations

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What are the possible consequences if the risk was to emerge?	Loss of reputation, impact to financial sustainability, Government bodies intervention

Numerical Scoring of Gross Risk (i.e., without controls in place)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 3/5	What is the predicted **IMPACT** of the risk?	(B) 5/5	What is the total risk score? (A x B)	15/25
The **GROSS** risk is therefore: (low/medium/high)	**Significant Risk**				

Control Measures

What controls/procedures are in place to reduce the likelihood and impact of the risk to a more acceptable level?	**Mitigation** • Prevent, Health and Safety and Safeguarding training • Staff awareness and contingency planning • Engagement/practice sharing with local agencies
	Monitoring • Business Continuity Plan including scenario testing • Information sharing with local agencies • HR monitors staff numbers trained

Numerical Scoring of NET Risk (i.e., with controls in place) (2 cont.)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 1/5	What is the predicted **IMPACT** of the risk?	(B) 5/5	What is the total risk score? (A x B)	5/25

Risk Status	Meeting 1 MIN	Meeting 2	Meeting 3	Meeting 4

No.	Risk and Risk Appetite	Avoid	Averse	Cautious	Moderate	Open	Hungry
6	Failure to meet regulatory obligations						

Strategic Objective:	Risk No: 7

Reference to Departmental Risk Registers:	Organisational
Owner:	Vice Principal People and Transformation.
Description of the Risk:	Failure to achieve effective Industrial Relations
What are the possible consequences if the risk was to emerge?	Financial loss, impact to ability to effectively teach, industrial action, loss of reputation.

Numerical Scoring of Gross Risk (i.e., without controls in place)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 5/5	What is the predicted **IMPACT** of the risk?	(B) 4/5	What is the total risk score? (A x B)	20/25
The **GROSS** risk is therefore:					

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MIN/SIG/MAJ/FUN	**Major Risk**

Control Measures

What controls/procedures are in place to reduce the likelihood and impact of the risk to a more acceptable level?	**Mitigation**
	• Staff awareness and contingency planning • Engagement/practice sharing with local agencies • NRPA • Representation at Employers Association • Updated VP Structure in place – VP People and Transformation in post • Industrial action suspended • LJNC in place
	Monitoring
	• Regular union/management dialogue • Regular employee engagement monitoring • Open communication with staff • EA Circulars

Numerical Scoring of NET Risk (i.e., with controls in place) (2 cont.)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 4/5	What is the predicted **IMPACT** of the risk?	(B) 3/5	What is the total risk score? (A x B)	12/25

Risk Status	**Meeting 1** **SIG**	Meeting 2	Meeting 3	Meeting 4

MEETING	AMENDMENTS TO RECORD
1	Net likelihood reduced to 4 (net of 5 suggests controls having no impact and are therefore not appropriate) - impact increased to 2. Gross and Net impact increased following 010922 meeting
2	
3	
4	

No.	Risk and Risk Appetite	Avoid	Averse	Cautious	Moderate	Open	Hungry
7	Failure to achieve effective Industrial Relations						

Strategic Objective:	Risk No: 8

Reference to Departmental Risk Registers:	Organisational
Owner:	VP Learning Skills and Student Experience
Description of the Risk:	Failure to achieve highest academic performance levels

What are the possible consequences if the risk was to emerge?	Loss of reputation in the region, financial sustainability, ability to attract future students and educational partners

Numerical Scoring of Gross Risk (i.e., without controls in place)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 4/5	What is the predicted **IMPACT** of the risk?	(B) 4/5	What is the total risk score? (A x B)	16/25
The **GROSS** risk is therefore: MIN/SIG/MAJ/FUN	**Major Risk**				

Control Measures

What controls/procedures are in place to reduce the likelihood and impact of the risk to a more acceptable level?	**Mitigation** - Clear quality arrangements and priority actions - Continuous self- evaluation and action planning - Audit of core packs - Performance enhancement measure target areas with retention issues - Rigorous CPD arrangements in place - Regular classroom observation and learner feedback **Monitoring** - Comprehensive monitoring of key PIs and student/staff feedback - Self-evaluation for enhancement on a block-by-block basis. - External review and validation findings - CMs monitor PIs for their area - Identification of qualifications that can be delivered online and those that require practical facilities.

Numerical Scoring of NET Risk (i.e., with controls in place) (2 cont)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 3/5	What is the predicted **IMPACT** of the risk?	(B) 4/5	What is the total risk score? (A x B)	12/25

Risk Status	Meeting 1	Meeting 2	Meeting 3	Meeting 4

MEETING	AMENDMENTS TO RECORD
1	No Change
2	
3	
4	

No.	Risk and Risk Appetite	Avoid	Averse	Cautious	Moderate	Open	Hungry
8	Failure to achieve highest academic performance levels						

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Strategic Objective:	Risk No: 9

Reference to Departmental Risk Registers:	Organisational
Owner:	VP Learning Skills and Student Experience
Description of the Risk:	Failure to adhere to academic compliance arrangements, eg awarding bodies, Education Scotland
What are the possible consequences if the risk was to emerge:	Loss of reputation, financial loss, loss of ability to deliver and develop new courses, loss of ability to issue international visas and impact on student certification.

Numerical Scoring of Gross Risk (i.e. without controls in place)

What is the predicted LIKELIHOOD of the risk occurring?	(A) 4/5	What is the predicted IMPACT of the risk?	(B) 3/5	What is the total risk score? (A x B)	12/25
The GROSS risk is therefore: MIN/SIG/MAJ/FUN	**Significant risk**				

Control Measures

What controls/procedures are in place to reduce the likelihood and impact of the risk to a more acceptable level?	**Mitigation**
	- Robust strategic planning and monitoring - Effective environmental scanning - Strong partnerships - Clear links between strategy and practice - Internal verification systems
	Monitoring
	- Cycle of internal verification, block by block - External review findings and action plans

Numerical Scoring of NET Risk (i.e. with controls in place)   (2 cont)

What is the predicted LIKELIHOOD of the risk occurring?	(A) 2/5	What is the predicted IMPACT of the risk?	(B) 2/5	What is the total risk score? (A x B)	4/25

Risk Status	Meeting 1	Meeting 2	Meeting 3	Meeting 4

MEETING	AMENDMENTS TO RECORD
1	No Change
2	
3	
4	

No.	Risk and Risk Appetite	Avoid	Averse	Cautious	Moderate	Open	Hungry
9	Failure to adhere to academic compliance arrangements						

Strategic Objective:	Risk No: 10

Reference to Departmental Risk Registers:	Organisational
Owner:	VP Learning, Skills and Student Experience *(Inc Infrastructure/Marketing/ICT)*
Description of the Risk:	Failure to achieve an effective student experience
What are the possible consequences if the risk was to emerge?	Loss of reputation in the region, financial sustainability, ability to attract future students, ability to retain students and potential to limit student progression.

Numerical Scoring of Gross Risk (i.e., without controls in place)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 3/5	What is the predicted **IMPACT** of the risk?	(B) 4/5	What is the total risk score? (A x B)	12/25
The **GROSS** risk is therefore: MIN/SIG/MAJ/FUND	**Significant Risk**				

Control Measures

What controls/procedures are in place to reduce the likelihood and impact of the risk to a more acceptable level?	**Mitigation** • Clear arrangements for applications, onboarding and retention • Continuous self- evaluation and action planning by support and teaching areas • Performance enhancement measure target areas with retention issues • Evaluation of the experience via SFC arrangements • Support areas preparedness for marketing, applications and infrastructure • Teaching packs in place
	Monitoring • Comprehensive monitoring of student feedback block by block • Review of AY start • Scrutiny of student satisfaction and engagement survey by curriculum areas • Performance enhancement scrutiny through SFC /ES evaluation • Audit of preparedness by Performance • Monitoring of teaching packs and awarding body audits

Numerical Scoring of NET Risk (i.e., with controls in place) (2 cont)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 2/5	What is the predicted **IMPACT** of the risk?	(B) 4/5	What is the total risk score? (A x B)	8/25

Risk Status	Meeting 1	Meeting 2	Meeting 3	Meeting 4

MEETING	AMENDMENTS TO RECORD
1	No Change
2	
3	
4	

No.	Risk and Risk Appetite	Avoid	Averse	Cautious	Moderate	Open	Hungry
10	Failure to achieve an effective student experience						

strategic Objective:	Risk No: 11

Reference to Departmental Risk Registers:	Organisational
Owner:	VP People and Transformation
Description of the Risk:	Failure to achieve and maintain systems and operable and secure ICT
What are the possible consequences if the risk was to emerge?	Serious impact to the college's ability to operate and deliver education to students, financial loss, loss of data and reputation

Numerical Scoring of Gross Risk (i.e., without controls in place)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 4/5	What is the predicted **IMPACT** of the risk?	(B) 5/5	What is the total risk score? (A x B)	20/25
The **GROSS** risk is therefore:Min/Sig/Maj/Fun	**Major**				

Control Measures

What controls/procedures are in place to reduce the likelihood and impact of the risk to a more acceptable level?	Mitigations • Documented disaster recovery procedures • Cyber Incident disaster recovery plan • Staff CPD on business continuity areas including Cyber security • Firewalls and antivirus software in place
	Monitoring • Penetration Testing to identify system vulnerabilities • Rolling programme of routine updates to systems and equipment • Regular security monitoring/testing • Active ICT/data security monitoring and cyber security policy • "Exercise in a box" programme in planning stages

Numerical Scoring of NET Risk (i.e., with controls in place) (2 cont)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 3/5	What is the predicted **IMPACT** of the risk?	(B) 4/5	What is the total risk score? (A x B)	12/25

Risk Status	Meeting 1	Meeting 2	Meeting 3	Meeting 4

MEETING	AMENDMENTS

1	**No change to scoring – additional monitoring in place**
2	
3	
4	

No.	Risk and Risk Appetite	Avoid	Averse	Cautious	Moderate	Open	Hungry
11	Failure to achieve and maintain systems and operable and secure ICT						

Strategic Objective:	Risk No: 12

Reference to Departmental Risk Registers:	Organisational
Owner:	VP Finance, Strategy and Sustainability
Description of the Risk:	Failure to meet regulatory health & safety obligations
What are the possible consequences if the risk was to emerge?	Loss of reputation, financial penalties, criminal liability (corporate and individual)

Numerical Scoring of Gross Risk (i.e., without controls in place)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 4/5	What is the predicted **IMPACT** of the risk?	(B) 5/5	What is the total risk score? (A x B)	20/25
The **GROSS** risk is therefore: (low/medium/high)	Major Risk				

Control Measures

What controls/procedures are in place to reduce the likelihood and impact of the risk to a more acceptable level?	Mitigation: Reporting and review procedure including "near miss" Health and Safety IOSH training for staff Regular communication on responsibilities Specific communication at time of increased risk e.g.Covid, building works, adverse weather
	Monitoring: Regular, formal Health & Safety Committee

Numerical Scoring of NET Risk (i.e., with controls in place) (2 cont)

What is the predicted **LIKELIHOOD** of the risk occurring?	(A) 3/5	What is the predicted **IMPACT** of the risk?	(B) 4/5	What is the total risk score? (A x B)	12/25

Risk Status	Meeting 1 SIG	Meeting 2	Meeting 3	Meeting 4

MEETING	AMENDMENTS TO RECORD
1	New Risk
2	
3	
4	

No.	Risk and Risk Appetite	Avoid	Averse	Cautious	Moderate	Open	Hungry
12	Health & Safety compliance						

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Date of Meeting	16 September 2022
Subject of Paper	Data Protection Policy
Paper No.	BOM09.22-Q
Agenda Item	Item 18
FOISA Status	Disclosable
Primary Lead	J Galloway
Date of production	Sep 22
Intended Outcome	Discussion

Financial Implications:	N/A
Equality and Diversity Implications:	N/A
Learner and Learning Implications:	
Risks Assessed:	N/A
Publicly Available:	YES

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Introduction

The Data Protection Policy has recently been reviewed.

Recommendations

For Board of Management Approval

J Galloway
VP People and Transformation
September 2022

DATA PROTECTION POLICY

Responsibility: Vice Principal People and Transformation

Issue Date:

Equality Impact Assessment:

Version: 1

Table of Contents

Data Protection Policy

1.   Introduction

This Policy outlines how Dumfries and Galloway College ("the College") will fulfil its obligations as a Data Controller and where applicable, a Data Processor, under current legislative provisions for data protection, including the EU General Data Protection Regulation ("GDPR"), the Data Protection Act

2018 ("DPA 2018") and such guidance as may be issued by the UK Information Commissioner.

2. Purpose

The purpose and benefits of this policy are to raise awareness of the College's data protection arrangements to ensure that a common and consistent approach is adopted in relation to the management of information and the protection of personal data in order that:

- Information is collected, processed, held, transferred and disposed of appropriately;
- Staff are aware of their rights and responsibilities in relation to information handling;
- Appropriate mechanisms are in place to ensure that individuals whose personal information the College hold, are advised of their rights.

3. Policy Statement

In undertaking the business of the College, we create, gather, store and process large amounts of data on a variety of data subjects (individuals) including students (potential, current and former), staff, customers / suppliers and members of the public. This includes personal and special categories of personal data, which are subject to data protection laws.

With the ability to collect and process data comes a responsibility to ensure that this is collected, used and stored appropriately. The College must, therefore, ensure that data is managed in line with relevant legislation and guidance and that those involved in data handling and processing are aware of their responsibilities.

The College is committed to applying the principles of data protection and other requirements of data protection law to the management of all personal data at all stages of its lifecycle.

4.   Scope

This policy applies to:

- All data created or received in the course of college business in all formats, of any age. "Data" shall include personal and special category data; and also confidential and commercially sensitive data;
- Data held or transmitted in physical (including paper) and electronic formats;
- Data transmitted in verbal format (e.g. in conversation, in a meeting, or over the telephone).

Who is affected by the policy?
- College staff (which includes contractors, temporary staff and anyone else who can access or use data, including personal and special categories of data, in their work for the college);
- Non-staff data subjects (these include, but are not confined to): prospective applicants; applicants to programmes and posts; current and former students; alumni; former employees; family members where emergency or next of kin contacts are held, members of the Board of Management and the College committees, volunteers, potential and actual donors, customers, people making requests for information or enquiries, complainants, professional contacts and representatives of funders, partners and contractors.

Where the policy applies:
- This policy applies to all locations from which college data is accessed, including home use and overseas.

This procedure is to be implemented at all College sites and applies to all staff processing candidate records.

5.   Responsibilities

All users of college information (staff, students, volunteers and other users) are responsible for:

- Completing relevant training and awareness activities provided by the College to support compliance with this Data Protection Policy and other relevant procedures;

- Taking all necessary steps to ensure that no breaches of information security result from their actions;

- Reporting all suspected information security (data) breaches or incidents promptly so that appropriate action can be taken to minimise harm;

- Informing the college of any change to the information that they have provided in connection with their studies or employment, for instance, changes of address or bank account details.

Data Security

- All personal data processed by the College is only accessible to those members of staff who need to use the information in the performance of their role.
- Personal data is secured in locked filing systems within lockable rooms with controlled access where appropriate.
- Personal data which is held electronically is password protected and is subject to the College's ICT Policy Framework.
- Staff are required to keep computer passwords confidential.
- Staff should lock computers when leaving their desks.
- Staff should not leave manual records containing personal information where they can be accessed by those without authority to do so.
- Individual members of staff required to handle sensitive data in the course of their employment at the College will have a confidentiality clause contained within their written Terms and Particulars of Employment, which will explicitly state that unauthorised disclosure or a breach of the Data Protection and Data Security Policy may result in disciplinary action.

- Access to sensitive personal data and personal data of College staff is strictly controlled and held in a secure area to which access is restricted. Similar arrangements are in place for learners' personal data where it is held within faculties or corporate services such as Student Funding or Information Systems.

Clear Desk Arrangements

The College encourages a 'clear desk' approach for those involved in handling personal data in the course of their duties. All staff with access to personal data should ensure that when work areas are unattended, no personal data or sensitive information is left unsecured.

The Principal of the College has ultimate accountability for the College's compliance with data protection law and for ensuring that the Data Protection Officer (DPO) is given sufficient autonomy and resources to carry out their tasks effectively.

The Vice Principal People and Transformation is responsible for:

- Acting as the contact for the Executive Team and ensuring that the College and staff comply with Data Protection legislation;
- Reporting to the Principal, the Audit Committee, Board of Management, and Executive Team on relevant risks and issues;
- Maintaining relevant HR policies and procedures to support compliance with data protection law;
- Ensuring that staff roles and responsibilities are clearly defined in terms of data protection and that staff contracts reflect this.

The Director Digital Services is responsible for:

- Ensuring the security of all centrally managed IT systems and services operated by the College and the protection of electronic data;
- Promoting good practice in IT security among staff;
- Ensuring that IT security risks related to data protection are captured on the College risk registers;

- Ensuring that controls are in place to manage the physical security of the College, including CCTV, taking account of relevant data protection laws and risks.

The Director of Estates and Sustainability is responsible for:

- Ensuring that controls are in place to manage the physical security of the College, including CCTV, taking account of relevant data protection laws and risks.

The Director of Finance and Planning is responsible for:

- Maintaining relevant student administration policies and procedures;
- Oversight of the management of student records and associated personal data across the College in compliance with data protection law.

The designated College Officer with operational responsibility for Data Protection is responsible for:

- Managing internal data protection activities and ensuring that procedures are in place for individuals to exercise any of their rights;
- Working with the DPO and senior managers to develop and implement appropriate data protection policies and procedures.

The Data Protection Officer (DPO) is responsible for:

- Informing and advising senior managers and all members of the college community of their obligations under data protection law;
- Promoting a culture of data protection, e.g. through supporting training and awareness activities;
- Reviewing and recommending policies, procedures, standards, and controls to maintain and demonstrate compliance with data protection law and embed privacy by design and default across the College;
- Advising on data protection impact assessment and monitoring its performance;

- Monitoring and reporting on compliance to the Executive Team, the Board of Management and committees as appropriate;
- Ensuring that Records of Processing and Third party sharing activities are maintained;
- Providing a point of contact for data subjects with regard to all issues related to their rights under data protection law;
- Monitoring personal data breaches, and recommending actions to reduce their impact and likelihood of recurrence;
- Acting as the contact point for and cooperating with the Information Commissioner's Office (ICO) on issues relating to processing.

Where permissible under the legislation, some of these duties may also be undertaken by the designated College Officer with operational responsibility for data protection.

All Managers are responsible for:

- Promoting a culture of data protection compliance across the College and within their area of responsibility;
- Implementing the policy in their Faculty or Service, and for adherence by their staff;
- Ensuring that those processing data in their roles are supported in doing so appropriately.

All Managers are responsible for implementing this policy within their business areas for adherence by staff. This includes:

- Assigning generic and specific responsibilities for data protection management;
- Managing access rights for information assets and systems to ensure that staff, contractors and agents have access only to such personal data is necessary for them to fulfil their duties;
- Ensuring that all staff in their areas of responsibility undertake relevant and appropriate training and are aware of their responsibilities for data protection;
- Ensuring that staff responsible for any locally managed IT services liaise with college's IT staff to put in place equivalent IT security controls;

- Assisting the designated College Officer with operational responsibility for data protection, and the DPO, in maintaining accurate and up to date records of data processing activities;
- Ensuring that they and their staff cooperate and support the designated College Officer with operational responsibility for data protection, and the DPO, in relation to subject access requests and other requests relating to personal data where the data is managed by their business area;
- Recording data protection and information security risks on the Organisational Risk Register and escalating these as necessary.

As part of the College's internal audit programme, the Audit Committee will instruct the College's Internal Auditors to audit the management of personal information, data protection risks and the College's compliance with relevant data protection laws.

6. Data Protection Principles

Under data protection laws the College is responsible for, and must be able to demonstrate compliance with the six data protection principles under the GDPR.

The College will ensure that all data processing for which it is responsible is conducted in line with these principles and this policy documents how this will be achieved in practice.

Principle 1: Personal data shall be processed fairly, lawfully and transparently

This means that the College will:

- Only collect and use personal data in accordance when we have a lawful basis to do so (see section 7, Lawful Basis for Processing);
- Treat people fairly by using their personal data for specific purposes and in a way that they would reasonably expect;
- Rely on consent, as the legal basis for processing, only where we obtain specific, informed and freely given consent, that is affirmative

and documented; and can be easily withdrawn at any time.

Principle 2: Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; ('purpose limitation').

This means that the College will:

- � ensure that if we collect personal data for one purpose (e.g. to provide advice on study skills), we will not reuse this data for a different purpose that the individual did not agree to or expect (e.g. to promote goods and services for an external supplier);
- inform data subjects about the specific purposes of processing and tell them what we are doing with their personal data.

Principle 3: Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation').

This means that the College will:

- Only collect personal information where it is necessary so that we can deliver our functions and services;
- Reduce risks of disclosure by anonymising personal data wherever necessary, (e.g. when using it for statistical purposes), so that individuals can no longer be identified;
- Review the data we hold and where appropriate delete what we do not need.

Principle 4: Personal data shall be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy').

This means that the College will:

- Take all reasonable steps to ensure the personal data we hold is

accurate and record the source of that data (e.g. from data subject or partner organisation);

🡒 Have processes in place to ensure that incorrect data is rectified or erased as soon as possible;

🡒 Update personal data where appropriate, (e.g. when informed of a change of address our records will be updated accordingly).

Principle 5: Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; ('storage limitation').

This means that the College will:

🡒 Only keep personal data for as long as necessary for the purpose it was collected for; and destroy records securely in a manner appropriate to their format;

🡒 Apply agreed retention periods to all records containing personal data;

🡒 Have appropriate processes in place to comply with individuals' requests for erasure under the 'right to be forgotten'.

Principle 6: Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

This means that the College will:

🡒 Have robust organisational measures in place to protect personal data, including physical and technical security measures (e.g. secure rooms and storage where appropriate, an ICT Security Policy and ICT Acceptable Use Policy;

🡒 Control access to personal data so that staff, contractors and other people working in the College can only see the personal data that is necessary for them to fulfil their duties;

🡒 Require all College staff, contractors, students and others who have access to personal data in the course of their work to complete data

protection training, supplemented as appropriate by procedures and guidance relevant to their specific roles;

🔸 Implement a Data Breach Procedure to manage, investigate and, where applicable, report security incidents to the ICO and data subjects affected.

The Accountability Principle

Accountability is central to GDPR. The College must take responsibility for what it does with personal data and how it complies with the above principles. The College is required to maintain necessary documentation of all processing activities; implement appropriate security measures (technical and organisational); perform Data Protection Impact Assessments (DPIAs) and designate a DPO.

7.   Lawful Basis For Processing

To be able to process data lawfully, the College must ensure that all processing falls within one or more of the lawful bases (conditions for processing) as set out in Article 6 of the GDPR. These are:

🔸 **Consent** – An individual has provided clear consent for the processing of their personal data for one or more specified purposes;

🔸 **Contract** – The processing of the personal data is necessary to fulfil a contract that the College has with an individual;

🔸 **Legal Obligation** – Processing of data is necessary to comply with the law, other than to fulfil a contractual reason;

🔸 **Vital Interests** – Processing of data is necessary to protect someone's life;

🔸 **Public Task** – Processing is necessary for the College to perform a public interest task or to fulfil its official functions, where the task or function has a clear legal basis;

🔸 **Legitimate Interests** – Processing is necessary for the College's legitimate interests or the legitimate interests of a third party, unless the need to protect an individual's personal data overrides those legitimate interests.

At each point that the College collects data, the lawful basis for processing will be made clear.

8. Privacy Notices

The College will use privacy notices to let data subjects know what is done with their personal data. The text of all privacy notices will be consistent across the College and will confirm what the lawful basis is for the processing of the data.

Privacy notices are published on the college website and are made available to individuals from their first point of contact with the College.

Any processing of staff or student data beyond the scope of the standard privacy notices will mean that a separate privacy notice is required.

We will regularly review these privacy notices and will inform the data subjects of any changes that may affect them.

9. Data Subjects Rights And Subject Access Requests

Data subjects have the following rights under data protection law:

- The right to be informed;
- The right of access;
- The right to rectification;
- The right to erasure;
- The right to restrict processing;
- The right to data portability;
- The right to object;
- Rights in relation to automated decision making and profiling.

These rights are explained in further detail in the Data Subject Rights Procedure.

The College will uphold Data Subject Rights (DSRs) and have appropriate processes and procedures in place to ensure these rights can be actioned if an individual makes a request. It is important to note that some rights have certain conditions that must be met for the rights to apply.

Individuals always have the right to request access to their personal data that the College holds (known as making a Subject Access Request (SAR). Any data subject may make such a request and receive a copy of their information usually free of charge and within one month of their request. For further details see 'Guide – How to make a Subject Access Request' and 'Subject Access Request Procedure'.

When an individual makes any request to exercise any of their rights then the designated College Officer with operational responsibility for data protection must be informed immediately, so this can be recorded and processed accordingly. **All requests must be answered within one month.**

The College will maintain a central DSR Register to demonstrate for audit and reporting purposes that we are meeting the deadlines for handling all requests. The DSR Register will be held securely by the designated College Officer with operational responsibility for data protection.

The College will also ensure it communicates to all data subjects their right to lodge a complaint with the ICO.

10. *Data Protection Impact Assessment (DPIAs)*

Where the College proposes to introduce or amend new systems or working practices that have implications for its data protection arrangements, a DPIA will be completed to assess these implications, manage risk and to consider what control measures are appropriate to ensure that data remains protected and all processing remains compliant with the principles set out above.

Where any relevant new project or system is being considered the DPO must be advised at the earliest opportunity in order that they can consider the proposal and determine whether a Data Protection Impact Assessment is

required. For further information please contact the DPO via the data protection mailbox dpo@dumgal.ac.uk.

11. Staff Training

The College will provide initial data protection training for all staff (existing and new), with additional specialist training given to staff in areas with specific responsibilities for processing personal data and sensitive information. Periodic refresher training will be given to all staff.

Completion of initial and refresher training in data protection will be mandatory for all College staff.

12. Data Sharing

In the performance of its duties in relation to the employment of staff and the services provided to learners, the College is required to share information with external organisations. Example bodies with whom the College may be required to share or give access to data include:

Scottish Government	Scottish Funding Council
Awarding Bodies	Education Scotland
Skills Development Scotland	HMRC
Pension Funds	Trades Unions
Local Authorities	Insurance Companies
Legal Advisers	Scottish Public Services Ombudsman
Auditors	Suppliers of services, such as College systems
General Teaching Council Scotland (GTCS)	

In all such cases where personal data is shared externally, the College will ensure that appropriate safeguards are in place through agreed protocols or data sharing agreements by College Officer with operational responsibility for data protection.

12.1 Transfer of Data/Information Cross Campus

College staff may only share the personal data we hold with another member of staff if the recipient has a job-related need to know. Most data processed by the College is available via relevant College systems at any campus to those who require access and there should be no need for such data to be transferred by staff using portable means. (For further information about the use of USBs, portable hard drives and the transfer of manual files) see Data Security and the ICT Security Policy

12.2 Data Sharing with the Police and Statutory Agencies

There is a particular exemption within the data protection legislation relating to requests for access to personal information received from the police, law enforcement agencies and other bodies with statutory functions to detect or prevent crime. Such requests should normally be made in writing and signed by someone of sufficient authority within the agency requiring the information.

If you receive a request from such an agency, you must consult with a member of the Executive Management Team who will make the decision whether personal information should be released.

12.3 Disclosure of data to third parties

The College must ensure that personal data is not disclosed to unauthorised third parties which includes family members. All staff and students should exercise caution when asked to disclose personal data held about an individual to a third party. Disclosure must be relevant to, and necessary for, the conduct of College business.

Requests for information in relation to an individual will only be accepted if produced in writing, on company-headed paper. The reason for making the request and, where appropriate, the legal basis for the request must be detailed. Where appropriate, a statement from the data subject consenting to disclosure to the third party should accompany the request.

If there is any doubt as to whether it is legitimate to disclose personal information to a third party, staff should seek advice from their line manager who will consult with the designated College Officer with operational responsibility for data protection, a member of the Executive Management Team, or the DPO as necessary.

13. Data Security

The following general principles apply at all times to all data managed by the College, whether the data are personal and/or special category data; confidential business data; or commercially sensitive data:

- All college users of data must ensure that all data, and specifically personal and special category data, they hold is kept securely;
- Users must ensure data is not disclosed to any unauthorised third party in any form either accidentally or otherwise (including verbal disclosure);
- Desks should be left clear at the end of each working day; paperwork shall be locked away when not in use;
- Portable devices (laptops, memory sticks, external hard drives) should not be left unattended.

For further information see ICT Security Policy/ICT Acceptable use Policy

14. Data Retention and Disposal

The College will develop a College wide Data Retention Schedule. This sets out the basis on which information can be retained and documents retention periods; as set out in legislation or in line record keeping requirements set by relevant statutory bodies.

Personal data must only be kept for the specified retention period. Once information is no longer needed it should be disposed of securely.

The College has appropriate measures in place for the deletion and disposal of personal data. Manual records are shredded and disposed of as

"confidential waste" and arrangements are in place to permanently erase the hard drives of redundant electronic equipment.

15. *Data Breaches*

While the purpose of this policy is to ensure that the College's data protection arrangements are effective and well understood, it is also important to recognise the behaviours and actions that would be considered as breaches of the policy and the consequences of any such breach. The following occurrences are considered breaches of this policy:

- Unlawful procurement of information by anyone not entitled to access such information;
- Unfair processing i.e. processing information for a purpose other than that for which it was provided;
- Processing of inaccurate information, particularly if information was known to be inaccurate or steps could have been taken to ensure accuracy;
- Unlawful disclosure i.e. sharing of information with anyone not entitled to receive it or loss of any data subject to this policy;
- Collection, storage or processing of inadequate, irrelevant or excessive information.

The College will take all necessary steps to reduce the likelihood of Personal Data Breaches and to reduce the impact of any incidents involving personal data that do occur.

In line with the College's Data Breach Procedure all personal data breaches (suspected and actual) must be reported your Line Manager and the designated College Officer with operational responsibility for data protection immediately. If a breach is likely to result in a risk to the rights and freedoms of an individual, the DPO must be informed as the College is required to report to the ICO within 72 hours of notification.

The College will record all data incidents and reportable breaches. We will use these events as 'learning points' as part of the continual improvement of our data handling processes.

The College is committed to a culture which encourages early identification of personal data incidents and which provides appropriate training and support to individuals involved. However, the College will, where deliberate or wilful behaviour leads to a data protection incident, take appropriate disciplinary action and/or report the matter to the police, in line with relevant HR policies.

16. Risks of non-compliance

The penalties for a breach of the GDPR are significant. This may include penalties of up to €20m or 4% of global annual turnover for the most serious breaches of the law; plus claims for compensation and damage to reputation.

Misuse of personal data, through loss, disclosure or failure to comply with the data protection principles and the rights of data subjects, may result in significant legal, financial and reputational damage for the College.

Non-compliance with the data protection principles, or any concerns over data protection, must immediately be reported to dpo@dumgal.ac.uk and to your Line Manager.

17.   Monitoring and review

The College will review its practices and guidance on a regular basis to ensure that they reflect our commitment to ensuring fair, consistent and lawful management of data. This policy will be reviewed every three years to reflect legislative requirements, recommendations and identified good practice.

18. Linked Policies/Related Documents

This policy should be read in conjunction with the College's:

- [ICT Security Policy](#)
- [ICT Acceptable Use Policy](#)
- [Data Breach Procedure](#)
- [Subject Access Request Procedure](#)
- [Guidance Note – How to make a Subject Access Request](#)
- [Disciplinary Policies and Procedures](#)
- [SQA – Systems verification](#)

19. Distribution

All Staff

Repository

Revision Log		
Date	Section	Description
December 2021	19 – Distribution	Quality Manual changed to Repository
01.04.22	Responsibility (Front Cover) and 5.	Changed from Vice Principal Business Development and Corporate Services to Vice Principal People and Transformation
01.04.22	Responsibility 5.	Job titles changed to reflect change in organisational structure
01.04.22	12.2	Executive Management Team changed to Executive Leadership Team

THIS FORM TO BE UPDATED WHENEVER THERE IS A CHANGE IN ANY SYSTEM DOCUMENT				
Document Name	Document Owner	Revision Number	Date of Issue	Date of Withdraw
Data Protection Policy	Vice Principal People and Transformation	1		