

BOARD OF MANAGEMENT

NOTICE

There will be a meeting of the Board of Management on 6 June 2024 at 1730 hours via Microsoft Teams or in the Boardroom at South Lanarkshire College

AGENDA

Agenda Item	Item	Paper (Yes or No)
1	Apologies for Absence	N PS
2	Declaration of any potential Conflicts of Interest in relation to any Agenda items	N All
3	Minutes of Previous Meetings Minutes of Board of Management 9 March 2023.	Y PS
4	Matters Arising from the Previous Meeting	N PS
5	Reserved Item	
6	Board Recruitment Update	Y PS
7	Honours Nomination	Y SM
	Matters for Discussion	
8	Education Scotland Annual Engagement Visit: His Majesty's Inspector of Education Report	Y SH
9	Chair's Update	Y DM
10	Principal's Update	Y SM
11	Financial Sustainability (Reserved item due to commercially sensitive data)	Y SM
12	12.1 Governance Rolling Review 12.2 Chair and Self-Assessment Feedback 12.3 Board Development Day Feedback	Y PS N Y
13	Student Association Report	Y KW /EH
	For Approval	
14	2024-25 South Lanarkshire College Budget	Y EMcK
15	Draft Report from the Audit and Risk Committee to the Board of Management and Audit Scotland	Y EMcK
16	Fraud and Anti-Corruption Policy	Y EMcK
17	Safeguarding Policy	Y AP
18	Policies for Approval <ul style="list-style-type: none"> • Updated Finance Regulations • Fees Policy 2024-25 • E-Signature Policy • Procurement Policy and Procedures 	Y EMcK
	Matters for Information	
19	College Cashflow	Y EMcK
20	Risk Register	Y EMcK

21	Reports by Chairs of Committees (<i>Although the Chairs' Reports included Unconfirmed Minutes of Committee Meetings these Unconfirmed Minutes are not publishable as they will be published later in final form</i>). <ul style="list-style-type: none"> • Curriculum, Quality and Development • HR • Audit and Risk • Finance and Resources 	Y JG Y HA Y TF Y SC
22	Summation of Actions and Date of Next Meeting: 24 September 2024	
	Any Other Business	

Key:

PS Peter Scott, Governance Professional | **SH** Sarah Halliwell, (His Majesty's Inspector of Education, Education Scotland | **DM** Douglas Morrison, Chair of the Board of Management | **SM** Stella McManus, Principal | **KW** Kayleigh Wither, Student Association President | **EH** Ellie Hamilton, Student Association Vice President | **EMcK**, Elaine McKechnie, Vice Principal Finance, Sustainability and Resources | **AP** Angela Pignatelli, Vice Principal Learning, Teaching and the Student Experience | **GMc** Gary McIntosh, Head of Human Resources | **JG** Professor Jo Gill, Chair of the Curriculum, Quality and Development Committee | **HA** Heather Anderson, Chair of the Human Resources Committee | **TF** Tom Feely, Chair of Audit and Risk Committee | **SC** Scott Coutts, Chair of Finance and Resources Committee

UNCONFIRMED BOM MINUTES

BOARD OF MANAGEMENT

MINUTES

Board of Management Meeting on 7 March 2024 at 1730 hours in the Boardroom at South Lanarkshire College and on Teams

Present

Douglas Morrison (Acting Chair)
Peter Sweeney
Stella McManus
Jo Gill
Heather Anderson
Fiona Whittaker
Ronnie Smith
Anne Doherty
Tarryn Robertson
Paul Brodie
Kayleigh Wither
Ellie Hamilton
Paul Hutchinson (part)

In Attendance

Angela Pignatelli
Elaine McKechnie
Gary McIntosh
Scott Gray (TU Observer)

Paul McGillvery as Governance Professional
Vari Anderson as Minute Taker

AGENDA ITEM

1

Apologies for Absence

Prior to the commencement of the meeting, in the absence of Paul Hutchinson, Chair of the Board, the Board approved Douglas Morrison as acting Chairing Member for this meeting.

Scott Coutts, Graeme Forrester, Tom Feely

2

Declaration of any potential Conflicts of Interest in relation to any Agenda items

The following declaration of potential conflicts of interest were raised:

1. Ronnie Smith advised the Board that he is the Director of Amcol Ltd;
2. Douglas Morrison advised the Board that BE-ST have invested into the low carbon passport which will include the involvement of college staff however it was noted that Douglas has no direct involvement with this project.

3

Minutes of Previous Meeting – 5 December 2023

Duly Adopted.

4	<p>Matters Arising from the Previous Meeting No matters arising that are not covered by other agenda items.</p>
	Matters for Approval
5	<p>The Governance Rolling Review The Board considered the terms of the Rolling Governance Review and noted that the Review has been included as part of the Governance Audit.</p> <p>PMcG advised the Board that as part of the Audit, Henderson Loggie, Internal Auditors, may approach members of the Board for interview.</p>
6	<p>Board Member Conversations The Board having considered the Board Member Conversation Activity paper, approved the approach being considered.</p> <p>It was noted that there is an action in the Rolling Review, under Leadership and Strategy, to provide board members with the opportunity to engage more fully with staff and students and to see the College in action. It was noted that there are different options to undertaking this activity from introductory meetings with Curriculum Managers or Business Support Managers, opportunities (with prior agreement) to visit classrooms or workshops and opportunities to engage with and meet staff in different curriculum/business areas across the College. Interested Board members are asked to contact the Principal or Governance Professional who can link them with relevant members of staff.</p> <p>PS supported and highly recommended the process of visiting the College and advised the Board that attending the College was invaluable to highlight the role of Board Members and to gain an understanding of College operations. PS enquired as to how receptive staff were to the proposal and was advised by SM that at the current stage, staff have not been informed as Board approval was sought first.</p>
7	<p>Ratification of Approval of Tender The Board having considered the paper, confirmed and ratified the decision of the Board of Management on 8 February 2024 to accept a tender for the maintenance of the Heating, Ventilation and Air Conditioning and authorised the Principal to accept a tender for Minor Works.</p> <p>It was noted that electronic agreement was sought by a majority of Board Members (10). During the process, various questions were posed in e-mail correspondence and answered fully and appropriately.</p> <p>The Board gave thanks to the team for robust proposal.</p>
	Matters for Discussion
8	<p>Chair's Update – Reserved Item</p> <p>Details could not be published due to the sensitive nature of the information discussed relating as they do to live Employment Tribunal proceedings .</p>

Principal's Update***Lanarkshire Regional Strategic Body***

The Board noted the updates regarding the Lanarkshire Regional Strategic Body.

The Board were advised that there is currently no timeline for dissolution. The Scottish Funding Council (the SFC) confirmed at the Public Audit Committee in January 2024 that a recommendation for dissolution of the Lanarkshire Region had been made. It was noted at the Audit and Risk and the Curriculum, Quality and Development Committees, of the risk to the College should the regional college not meet its funding targets. For example, this could result in the Region shrinking further and South Lanarkshire College being impacted despite meeting its funding targets.

The Board noted that SM met with the Regional Chair last month and it was felt that a way forward would be to establish a regional group to consider what the Region would look like post dissolution as well as to look at how risks against SLC could be mitigated. RS, as Regional Chair, advised the Board that he was fully in agreement with a group being established and noted that since SM took up post as Principal, collaboration between SLC and NCL has been excellent.

DM acknowledged that dissolution of the Region will be a substantial undertaking that will form a large part of SLC's immediate future. JG queried the timescales for dissolution and was advised by RS, dissolution may not happen quickly and could potentially commence in 18 months-time minimum.

PS raised concerns regarding future-proofing in respect of possible political changes and advised that this is something that needs to be factored in.

Business Planning Approach

The Board noted the approach to business planning.

As an update, SM advised the Board that the SFC published the College mid-year financial forecast return (MYR) 2023-24 on 4 March 2024. In terms of funding, it was noted that the budget for learning and teaching will remain however there is no alternative to the Flexible Workforce Development Fund.

Culture and Transformation

The Board considered and noted the approach to culture and transformation.

The Board noted that the College has went through a period of big changes at senior level and as such, a reset is required. The paper contains 5 recommendations which the College seek to adopt, once implemented, the Human Resources Committee will monitor and measure the success of each recommendation.

SM advised the Board that a refresh of College values is required and the College will be working with an external facilitator to assist with this. It was noted that although the next few months may be challenging, staff will be encouraged to take part in the journey. TR agreed that change is required and supported the proposal, FW agreed and stated that the paper was a great piece

	<p>of work and is fully supportive. There was unanimous support from the Board in respect of the direction of travel. As an action point, SM to ensure that diversity and inclusion is clearly defined in the paper.</p> <p>Industrial Action The Board noted the national pay disputes update.</p> <p>As a further update, SM advised the Board that despite the sector agreeing a national approach to ASOS, the approach has been disappointing with numerous Principals walking back on this. It was agreed by the Principals' that deductions would be made to pay for non-resulting in March and June however many Principals are now only making deductions in June. As a result, the College along with West Lothian and Clyde would be the only colleges to deduct in March. SM was of the opinion that it would be unfair on staff to be targeted as an aggressor by EIS-FELA and following a meeting with EIS-FELA representatives earlier this week, the decision was taken to deduct in June only.</p> <p>The Board supported this approach and advised that no-one wants to be in the current position and a resolution would be beneficial for everyone. DM advised that it was no longer a united front if only three colleges were partaking and fully supported the course of action taken by the College. FW agreed with this sentiment.</p> <p>The Board were advised that the 2023 Graduation ceremony took place on 27 February 2024 which was a great success, and the Board gave thanks to all of those who were involved.</p>
<p>10</p>	<p>Mid-Year Financial Projection The Board noted the terms of the paper and the attachments.</p> <p>It was noted that with a potential 4.7% cut in core grant funding, the College has prepared a projected financial result for 2023/24 and 2024/25 in the form of an income statement, a statement of financial position and a cash flow statement. The report is based on assumptions and the College expects to gain a greater insight when the final budgets are committed in March 2024. Nevertheless, the results indicate continuing deficits to 2024/25 and raise concern over cash flow within the next 1-2 years, pending settlement of pay awards and due to funding cuts and inflationary pressures on our cost base.</p> <p>The Board were advised that due to a high level of funding in the SPF fund, it was announced and approved that there will be a temporary reduction in employer pension contribution for the main employer group of 12.9% from 19.3% to 9.4% for years ending 31 March 2025 and 31 March 2026. The Board noted that this reduction has a significant impact on the College and represents temporary savings of over £411k per annum, based on headcount.</p> <p>DM stated that the College is in a good position in comparison to other Colleges and a high level of assurance is provided by the report, thanks were given to the team for the preparation of the report. RS complimented EMcK on the succinct layout of the report and advised that although the College is in a position it does not want to be in, it is in a good position in relation to other</p>

	<p>colleges in Scotland. DM echoed this and noted that there's a lot of uncertainty.</p> <p>HA enquired as to whether there were any collective sector initiatives to help push for clarity on the situation. SM advised that the 'Think the Unthinkable' group was established a few years ago to look at how the sector can be improved and there's various working groups presenting ideas to the Scottish Government.</p>
<p>11</p>	<p>Mid-Year Learning and Teaching Update The Board noted the terms of the paper.</p> <p>The Board were advised that the College is still performing at the upper 2% tolerance threshold for credits, with 44,472 credits. AP met with NCL and SFC where the question was raised as to whether there would be any flexibility on credits, no assurances were given, and the College was advised it would have to await the guidance being issued at the end of the month however there could possibly be a business case for additional credits.</p> <p>The Board were advised that recruitment has been healthy with an increase in applications to date for 2024/25 – the College is 245 applications up from this time last year. The Board noted that part-time and bitesize courses are showing to be popular with 176 more applications so far this year.</p> <p>Having considered the report, PS queried the process when students withdraw from courses and whether exit interviews are conducted to explore the reasons for withdrawal. AP advised that the curriculum areas with the largest withdrawal number are hospitality and tourism. When a student intimates their withdrawal, course teams reach out to those students to request feedback. It was noted that some students provide full disclosure whilst others do not engage. The Board noted that the main reasons for withdrawing include cost of living, employment opportunities, want to fast-track and mental health and wellbeing. TR echoed this and advised that within her curriculum area most withdrawals are mental health related. PB supported this as a problem across the sector. As an action point, PS and AP to arrange a meeting regarding course withdrawals as this has an impact on a bid received by the Foundation.</p> <p>HA stated that it is great to hear that Curriculum Managers are focusing on bite-size learning as a lot of companies are looking for staff training which does not take staff out of the working environment for a significant period. Further, HA enquired as to whether students could freeze their learning to join the workplace. AP in response advised that being a full time student is not five days per week and the College supports 'earn while you learn' which is a concept being promoted so that students can study and commence employment. AP advised that the model is there however more flexibility is required from the SFC as there is uncertainty as to whether students could lose out on benefits. SM noted that at present the digital transformation/blended learning is being looked at. TR advised that she has had students who have commenced work and the College has worked with these students remotely to assist with submission of College work. It was noted by the Board that the College realises that there's a financial need for students, PB noted that being more dynamic allows students to undertake study whilst working.</p>
<p>12</p>	<p>Quality Enhancement Plan</p>

	<p>The Board considered and noted the terms of the Quality Enhancement Plan (QEP) and the progress made towards the actions. It was noted that there are 9 items requiring actions which sit with AP and the Quality Team for actioning.</p> <p>AP advised the Board that all activity conforms with the external verification process. DM stated that AP is downplaying some of the external verification and there's many positive signals. DM congratulated the team for their work.</p>
<p>13</p>	<p>Student Association Report – Updated</p> <p>The Committee considered the terms of the report and noted the variety of events and activities held by the Student's Association. Over the previous months, the SA have held Halloween events with the 'best dressed' receiving a voucher, a 'Beautifall Bake Sale' and hosted events during the Christmas period along with gathering food donations for Loaves and Fishes and the Student Larder.</p> <p>The SA advised that sales of College hoodies have been very successful and they have limited stock available. In November 2023, the College Way market opened offering 'new to you' clothing to students.</p> <p>The Committee noted that the SA had secured further funding to continue the free breakfast and lunch initiative. The SA advised that they are committed to tackling student poverty and have also reached out to local charities and supermarkets for donations, so far Lidl and Morrisons have responded.</p> <p>In January, the SA held a Refresher's event which was a great success and verbal feedback from students was positive. The event was promoted on social media, the SA newsletter and student Teams Channels.</p> <p>The Committee noted that the SA held various events over the previous few months including:</p> <p>Purple Friday (23 February 10am – 1 pm) as part of LGBT History month where organisations such as Women's Aid and Breathing Space attended the College and stalls provided face painting, button badges and rainbow gym bags. On 22 February 2024, a 'Pride Stride' took place which was led by a Student Officer.</p> <p>BRIT Challenge (24 Jan – 24 March) – to support and improve mental health, fitness and wellbeing of young adults, students and staff events such as themed weekly walks, bingo cards, yoga classes and mindfulness will take place.</p> <p>'LoveYourPlanet' (14 February 2024) – an event to promote climate action with organisations such as Home Energy Scotland and K Woodlands being in attendance. Reusable water bottles and sustainable notebooks were handed out at the event. Further, several students volunteered to take part in litter picking around Campus, with PPE being provided by Facilities. It was noted that the SA have received £1000 from Lanarkshire Climate Hub to support climate change activities in the College. A trip has been planned to Whitelee Windfarm which will be funded through this money and give students the opportunity to take a 45-minute bus tour of the area. Further, a trip will be planned to a recycling plant to allow students to see how recycling is handled. It was noted that due to many students preparing for exams, there is not as much activity planned over the coming months.</p> <p>HA congratulated the SA for all their hard work. DM echoed this and advised that not only do the SA plan an incredible volume of activities, the activities are also high quality and diverse which is incredibly impressive.</p>

	Matters for Information
14	<p>College Cashflow and Quarter 2 Management Accounts The Board noted the financial position for the quarter and the narrative that supports the figures and noted the cashflow situation as notified to the Scottish Funding Council and the SLT monthly.</p>
15	<p>Risk Register Update The Board considered the report and noted the movements in the risk scores since the last Register review, and in particular, the increased risk regarding financial sustainability, failures in financial controls and failure to provide a robust learner experience as a result of bursary payment delays. Of the fifteen risks identified previously and of the post-migration risks contained in the attached register, three scores were increased while two scores were decreased. Inherent risks have remained consistent. The reduction in risk scores in respect of credit target achievement and theft or damage to Management Information Systems were noted by the Committee.</p> <p>The Board noted financial sustainability is the main challenge for the College as is echoed by the Scottish College sector in full along with failure of financial controls in respect of a pension contribution error and failure to promote a robust learner experience as a result of bursary payment delays.</p> <p>HA noted that an additional risk to the College would be risks outwith the College's control. As an action point, EMcK to amend the Risk Register to differentiate the risks between those that the College has control over and those that it does not.</p> <p>The Board gave thanks to EMcK.</p>
16	<p>Reports by Chairs of Committees</p> <ul style="list-style-type: none"> • <u>CQD</u> JG advised the Board that the CQD Committee discussed the SQA systems verification which was a reassuring and affirmative report. Further, the Committee noted the Curriculum and Credits update and were advised of the latest Marketing and Communication information. • <u>HRC</u> The Board noted the Key Points of the Report. HA advised the Board that clarification was provided on the Unpaid Carers Policy and it was noted that the absences through the policy will not have an impact on the College in terms of planning and this will be managed within the current absence process. Further, updates were provided on pensions, ASOS and strike action along with an update regarding the HR system which is now running live in parallel with the current system for testing. It was noted that the number of grievances have increased, HA suggested that the Board focus on the cultural piece previously discussed. DM welcomed the focus on culture, and it was noted that the Board are supportive of the emphasis on culture and the approach taken. • <u>ARC</u> It was noted that an update on the pensions was provided with the external auditors present. • <u>FRC</u> Nothing to note. <p>As an action point, in the absence of the Committee Chair for ARC and FRC, a copy of the minutes have to be uploaded to the SharePoint for consideration by the Board.</p>

	Reserved Items
17	<p>Appointment of the Chair of the Board</p> <p>Details could not be published due to the sensitive nature of the information discussed.</p> <p>Following discussion, the Board recommended DM as the new Chair of the Board and approved documentation (Annex A) to be sent to the Lanarkshire Regional Strategic Board for their ratification. It was noted that PH will remain on the Board, and it was approved that he be co-opted to the ARC Committee.</p> <p>The Board were thereafter requested to open discussions for the position of Vice Chair, Board members were encouraged to consider candidates within the current board who possess the skills, experience, and vision necessary to support the new Chair and contribute to the board's strategic goals.</p> <p>As an action point, PMcG to advise the Board in respect of Committee membership.</p>
18	<p>Board Member Recruitment including Trade Union Recruitment Update</p> <p>Details could not be published due to the sensitive nature of the information discussed.</p> <p>The Board established an appointments committee to which TR, HA and FW will be appointed to. As an action point, PMcG to follow up on current applications to advise applicants that their application is being considered and future steps. As a further action point Board Members to promote the Board vacancies within their networks and via LinkedIn.</p> <p>The Board approved the submission from Trade Union EIS for their appointment to the Board.</p> <p>As an action point, PMcG to investigate whether TU appointments can be for a period of one year. As a further action point, PMcG to prepare and circulate a letter to be issued approving the appointment of the teaching staff representative</p>
19	<p>Pensions Report for Information Only</p> <p>The terms of the report were noted.</p>
	<p>Summation of Actions and Date of Next Meeting</p> <p>The Clerk summarised the actions and decisions and the action points are as minuted above.</p> <p>The next scheduled Board meeting was set for 6 June 2024.</p>
	Any Other Business

BOARD OF MANAGEMENT

DATE	6 June 2024
TITLE OF REPORT	Chair of the Board of Management Update
REFERENCE	09
AUTHOR AND CONTACT DETAILS	Douglas Morrison chair@slc.ac.uk
PURPOSE:	To provide members with information not included on the Board of Management meeting agenda.
KEY RECOMMENDATIONS/ DECISIONS:	Members are recommended to note: <ul style="list-style-type: none"> • the progress on dissolution; • the informal feedback from Education Scotland; • the Board Member and Vice Chair update; • the appointment of Governance Professional; • the progress of one-to-one sessions; and • the ongoing Trade Union action
RISK	<ul style="list-style-type: none"> • That the Code of Good Governance for Scotland's College is not adhered to.
RELEVANT STRATEGIC AIM:	<ul style="list-style-type: none"> • Successful Students • Highest Quality Education and Support • Sustainable Behaviours
SUMMARY OF REPORT:	<ul style="list-style-type: none"> • The report provides an overview of the Chair of the Board of Management's activity as well as relevant sector and college updates.

1. INTRODUCTON

1.1 In my first report as chair, I reflect on a quarter that has represented a personal steep learning curve and a period of change and opportunity for the College.

2. DISSOLUTION OF THE LANARKSHIRE REGION

2.1 The Ministerial announcement regarding dissolution, whilst long expected, has triggered a process in which we move towards a very different relationship with our colleagues across the Lanarkshire region. We will work collaboratively over the coming months to ensure the best possible outcome for our student and stakeholders is realised, whilst ensuring that dissolution is not a fractious split but instead a reimagining of an ever-evolving partnership aligned to common goals.

3. EDUCATION SCOTLAND

3.1 We have received our informal feedback from Education Scotland which paints a picture of a well-run College delivering on the needs and expectations of our students. I wish to note my congratulations and gratitude to Stella, the Executive Team, and the staff for their tireless efforts in ensuring we are supporting our students well. I look forward to the formal publication of feedback and sectoral results in the near future.

4. BOARD OF MANAGEMENT UPDATES

4.1 Following a competitive interview process, you will note from the board pack, that a panel consisting of Jo Gill, Scott Coutts, and I, ably supported by Peter Scott, have recommended that Heather Anderson be appointed as Vice Chair of the board. Subject to your endorsement and relevant approvals from the Regional Strategic Board, this appointment will necessitate a revision of existing committee chair-ship and membership. I am keen not to presume any outcome and so next steps will be considered fully following the board decision on the 6th June.

4.2 We have also interviewed six potential candidates for new board membership, two of whom have been recommended for appointment. Again, subject to board and Regional Board approvals, we will proceed with appointments and prepare another round of applications for two remaining board positions. I am conscious that we have unintentionally strayed from our 50:50 gender split and I am keen that we actively seek greater diversity within our board across all protected characteristics and socio-economic backgrounds. My thanks to Tarryn Robertson, Heather Anderson, and Peter Scott for their contribution to the interview panels.

4.3 Our final appointment of note is that of Peter Scott as our returning Governance Professional. Peter has again responded to our need for an experienced hand and is bringing a welcome structure to board proceedings. My thanks go to Paul McGillivery for his short tenure as our Governance Professional and I wish Paul all the best in his future endeavours.

4.4 At the time of writing, I have met with nine members for one-to-one feedback, with a further two scheduled in advance of our next board meeting. I have found the sessions to represent a rich vein of insight, ambition, and valuable experience which reaffirms my belief that we have a strong and capable board. It is my intention to provide a summary feedback report upon conclusion of the one-to-ones although common themes to date include:

- A common desire to improve connectivity and visibility between the board, staff teams, and students (recognising the critical necessity to avoid becoming operationally engaged).
- A common desire to move towards a more sustainable financial footing through a balanced combination of revenue growth from non-SFC sources alongside the pursuit of additional operational efficiencies. I note the recent success in the Innovate UK Funded College Innovation programme as being an excellent example of how the College can attract new investment whilst remaining true to our mission.
- A strong common desire to bring more value, at an individual level, to the board and to the College as a whole.

4.5 We benefitted from an excellent presentation and workshop from Professor Ross Tuffee in April in which we explored the opportunities presented by the Entrepreneurial Campus activity being led by Scottish Government. The subsequent governance and committee chairs training has also been well received and ensures we continue to invest in our development as a board.

5 TRADE UNION DISPUTES

5.1 On more challenging matters, we remain in ongoing dispute with trade unions relating to the pay deal negotiations managed on our behalf by College Employers Scotland. The sectoral situation is deeply concerning and has been well articulated to the Scottish Government and Scottish Funding Council by representatives from all perspectives. The continuous erosion of investment in the sector has become our most significant risk as a board and will at least hinder, if not undermine, our growth and development ambitions. I have no doubt that we will face challenging decisions over the coming months, but I reinforce in writing my overarching intent to ensure that we work collegiately with our staff and trade union colleagues to work towards a resolution that represents the best interests of our students and of the college sector as a whole.

6 COLLEGE UPDATES

6.1 It is also with great sadness that I note the passing of Denice Fenton, Health and Social Care Lecturer. Denice was a popular and respected member of the team and leaves behind a young family. I understand that the College was well represented at Denice's funeral and thank Stella and the team for the support they have offered to staff and students affected by Denice's passing.

6.2 I offer no substantive update on the status of the Employment Tribunal cases as this point other than to note that there has been no change on previous updates. I have a meeting scheduled with Brian Baverstock on the 6th June alongside Stella, Peter Scott,

and Ronnie Smith, to discuss matters and better understand the next steps and options open to us as a board.

6.3 Finally, I wish to again express my gratitude to both Peter Scott and Vari Anderson who have been sources of support, coordination, and guidance in my early tenure as Chair. Collectively they represent a wealth of knowledge and experience and their commitment to the College is a great source of inspiration.

7 EQUALITIES

7.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

8 RISK

8.1 That the Code of Good Governance for Scotland's College is not adhered to.

9 RECOMMENDATIONS

9.1 Members are recommended to:

- the progress on dissolution;
- the informal feedback from Education Scotland;
- the Board Member and Vice Chair update;
- the appointment of Governance Professional;
- the progress of one-to-one sessions; and
- the ongoing Trade Union action

BOARD OF MANAGEMENT

DATE	6 June 2024
TITLE OF REPORT	Principal's Update
REFERENCE	10
AUTHOR AND CONTACT DETAILS	Stella McManus Stella.mcmanus@slc.ac.uk
PURPOSE:	To provide members with information not included on the Board of Management meeting agenda.
KEY RECOMMENDATIONS/ DECISIONS:	Members are recommended to: <ul style="list-style-type: none"> • note the progress on dissolution; • note the Lanarkshire Regional Strategic Body will be writing to the Scottish Funding Council regarding unmet demand; • to note the college action regarding pay deductions due to action short of strike action and to be mindful of the Code of Governance sections of B8 and B9 as well as C25 relating to High Quality Learning Trade Union relations respectively. • note the Support Staff offer is out for consultation with Unison members.
RISK	<ul style="list-style-type: none"> • That the college does not keep up with sector reform and pace of change is too slow impacting on future business. • That staff relations are impacted negatively through college action regarding action short of strike action
RELEVANT STRATEGIC AIM:	<ul style="list-style-type: none"> • Successful Students • Highest Quality Education and Support • Sustainable Behaviours
SUMMARY OF REPORT:	<ul style="list-style-type: none"> • The Lanarkshire Regional Strategic Body (LRSB) has now been informed that dissolution is progressing, and all stakeholders will be participating in a 12-week consultation. • The LRSB has agreed to write to demonstrate the unmet demand across the Lanarkshire region. • The external environment relating to the pay disputes is very challenging, and details of the national talks are provided. As the Board are aware, while colleges are making individual decisions regarding pay deductions colleges are sharing these decisions collectively, with nearly all colleges making 100% pay deductions for breach of contract. • EIS-FELA are holding a ballot for local industrial action on 3 June 2024 relating to pay deductions.

	<ul style="list-style-type: none">• A further 12 days of national strike action has been announced, and some students are unlikely to achieve in this academic year.• Unison have issued a consultation on the pay offer to their members which closes on 30 May 2024.• Colleges Scotland manifesto has been shared.• The Cabinet Secretary for Social Justice is expected to visit the College on 19 June 2024.
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1. INTRODUCTION

1.1 The purpose of this report is to provide members with information not included on the agenda of the Board Meeting scheduled for 6 June 2024.

2. THE LANARKSHIRE REGIONAL STRATEGIC BODY (LRSB)

2.1 The Minister for Higher Education, Further Education and Veterans wrote to the Sue Webber MSP and Convenor of the Education, Children and Young People Committee on 27 March 2024 to provide an update on post school reform (Annex A). The letter stated that, a decision on the Minister's preferred option for both the Glasgow and Lanarkshire Boards was imminent.

2.2 On 16 May 2024 the Chairs and Principals at the Lanarkshire and Glasgow colleges received a letter Annex B, from the Minister stating that he is proceeding with dissolution and the process will begin with a 12-week consultation. Further information was announced in Parliament on the same day that it is expected that the process will take six-nine months but should be in place by the academic year 2025-26.

2.3 At the last Audit and Risk and Board meetings in February and March 2024 respectively that there was a potential financial risk to the College should the regional college not meet its funding targets. For example, this could result in the Region shrinking further and South Lanarkshire College being impacted despite meeting its funding targets. A letter was written to the Principal of New College Lanarkshire, to request a 0.8% increase in South Lanarkshire College's funding for 2024-25 due to unmet demand. (Annex C)

2.4 Since then, the funding allocation meeting for 2024-25 has taken place between the College and the LRSB with New College Lanarkshire confirming that they too have met their credit target and also have unmet demand. Professor Christopher Moore, Principal of New College Lanarkshire responded to South Lanarkshire College to propose making regional representations to the Scottish Funding Council for an increase in the regional credit allocation (Annex D). Whilst it is unlikely that the region will receive a credit increase at least it is noted that there is significant unmet demand across both colleges in the region.

3 INDUSTRIAL ACTION

3.1 EIS-FELA National Talks Update

3.2 The industrial action which is affecting colleges is due to a dispute over pay. Guided by Fair Work principles, the EIS-FELA has been offered a three-year, consolidated pay rise of £5,000. This is the employers' full and final offer. This £5,000 consolidated pay offer from employers includes the offer of a £2,000 pay rise for Academic Year (AY) 2022/23 and £1,500 for AY 2023/24, together with a £1,500 rise in AY 2024/25.

3.3 College employers have also confirmed that any compulsory redundancies would not be directly related to the pay award, were the full and final offer to be accepted. If accepted, this substantial offer would deliver an 11.5% average pay increase for college lecturers from September, keeping them as the UK's best-paid college lecturers. Those at the start of the National Pay Scale would benefit from a rise of 14.2%.

3.4 EIS-FELA have now revised their pay claim to the following:

3.4.1 Academic Year 2022-23: consolidated pay award of £2000

3.4.2 Academic Year 2023-23 consolidated pay award of £1500

3.4.3 Academic year 2024-25 consolidated pay award of £1500

3.4.4 Academic year 2025-26 consolidated pay award £3000.

3.5 In addition to the consolidated pay elements above, EIS-FELA are also seeking the following:

3.5.1 Reimbursement of monies which have been deducted, or are set to be deducted, from members who have participated in strike action;

3.5.2 A commitment to no compulsory redundancies for academic staff; and

3.5.3 A commitment to full implementation of circulars 04/18 (Transfer to Permanency) and 02/21 (Lecturing Staff National Dispute Resolution) by the end of this academic year.

3.6 EIS-FELA have also given notice for members to undertake a programme of discontinuous strike action which started on 20 May 2024 and continues for a total of nine days. On 27 May 2024 EIS-FELA announced that they will be on strike for the following days in June, 11/06, 12/06, 13/06, 14/06, 17/06, 19/06, 20/06, 21/06, 24/06, 25/06, 27/06 and 28/06.

3.7 The College has put in place measures to mitigate the impact of strikes and all forms of industrial action students' education, however, a lot of students may not be able to complete their courses until after the summer break.

3.8 At the time of writing negotiations are ongoing with the employers demonstrating willingness to negotiate on a 4 year offer, acceptance of full implementation of the circulars and consideration given to wording relating to the no compulsory redundancies.

3.9 Action Short of Strike Action

3.10 On 12 February 2024, the EIS-FELA launched industrial Action Short of Strike, including a resulting boycott. It is anticipated that ASOS will continue until 15 July 2024, though it will end earlier if a resolution to the pay dispute is found. It is also anticipated that EIS-FELA will seek to increase the ASOS mandate before the summer holiday period.

3.11 All colleges are determined to protect the interests of students. They are also determined to avoid a repeat of the situation last year when a resulting boycott

caused significant disruption and was only mitigated thanks to the hard work of college staff and colleagues at partner organisations across the education system. In addition, South Lanarkshire College is now experiencing the impact financially due to construction apprentice progress reviews not being completed, which results in non-payment to the College as well as apprentices as they may not receive a salary increase.

- 3.12 Members are aware from the Board meeting in March 2024 that the College wrote to all staff members on Friday 9 February 2024, to state that taking part in the resulting boycott would be considered a breach of contract and could result in pay deductions. Members are also aware that the EIS-FELA President sent a letter to the sector and the SLC EIS-FELA branch also sent one to the College, to raise a dispute regarding this. Since then, South Lanarkshire College EIS-FELA Branch have informed the College that they have conducted an indicative ballot regarding pay deductions and would likely move towards a statutory ballot. The result of which could be a vote of no confidence in the Principal or Board of Management or local industrial action.
- 3.13 On 27 May 2024 EIS-FELA notified the College of a formal dispute and its intention to hold a statutory ballot for industrial action consisting of strike action which is to take place on 3 June 2024.
- 3.14 At the time of writing the College is hoping to meet with the Branch representatives to explore potential avenues for resolution, however the College would expect that resolution would be to input results.
- 3.15 Deducting pay from staff is never a measure that colleges especially South Lanarkshire College would want to take. However, the risks that another resulting boycott would create for the awarding of qualifications, and the ability of students to progress in their learning journeys and careers is too great. Currently the College has a total of 24,500 outstanding results affecting circa 3,500 students.
- 3.16 All board members should be mindful of the Code of Governance sections of B8 and B9 as well as C25 relating to providing high quality learning and enhancing the student experience and promoting positive partnerships between recognised trade unions and management respectively.
- 3.17 The College would anticipate alongside the vast majority of colleges, to make pay deductions for the last week of term. Results are due to be entered on 14 June 2024, therefore the College would give staff the following week to enter results and make deductions for non-resulting from 24 June 2024 to 28 June 2024. It should be noted that some of these results are outwith the ASOS boycott as they are from block one which was the autumn term.
- 3.18 Given the recent strike date announcement it would mean that the College would only make pay deductions on 26 June 2024 as the other days in that week are strike days.

3.19 ***Business Support Staff National Talks Update***

3.20 The industrial action which has affected colleges is due to a dispute over pay. Following fresh talks and guided by Fair Work principles, the three support staff trade unions (UNISON, Unite and GMB) have been offered a three-year, consolidated pay rise of £5,000. This is the employers' full and final offer.

3.21 This £5,000 consolidated pay offer includes the offer of a £2,000 pay rise for Academic Year (AY) 2022/23 and £1,500 for AY 2023/24, together with a £1,500 rise in AY 2024/25. It has also been agreed that colleges would commit to no compulsory redundancies until 31 August 2024.

3.22 College employers have also confirmed that any compulsory redundancies would not be directly related to the pay award, were the full and final offer to be accepted. If accepted, the proposed three-year pay award would provide an average pay increase of nearly 16% for college support staff from September. For support staff earning less than £25,000, the increase would be 21.5%.

3.23 This offer is currently out for consultation with members, and it closes on 30 May 2024.

4 COLLEGES SCOTLAND

4.1 Colleges Scotland have shared their general election manifesto, which they have asked to be used in communication with stakeholders. It highlights five areas under Westminster control where policy changes could positively impact students and communities. More information can be found here <https://collegesscotland.ac.uk/news/latest/557-general-election-manifesto>

5 PARTNERSHIP WORKING

5.1 The Principal has engaged in the following activities:

- 5.1.1 attended the College Principals Group and College Employers Scotland meetings both online and in Stirling;
- 5.1.2 attended Colleges' Partnership West meetings with New College Lanarkshire, West College Scotland, Glasgow Kelvin College, Clyde College and City of Glasgow College;
- 5.1.3 attended the Innovate UK launch event on 17 May 2024;
- 5.1.4 attended the Strathclyde University Diamond Jubilee dinner on 22 May 2024 at the invitation of Professor Christopher Moore: and
- 5.1.5 met with the Head of Economic Development at South Lanarkshire Council economic development team with the aim of developing a strategic partnership.

5.2 Denice Fenton, Health and Social Care Lecturer at the College passed away suddenly on 30 April 2024. Denice was a huge presence in the College and she will be greatly missed by both staff and students. Her funeral took place on 21 May 2024, which I attended alongside a great number of staff and students.

5.3 The Cabinet Secretary for Social Justice, Shirley-Anne Somerville has requested to visit the College on 19 June 2024. The visit is to mark the roll-out of Carer Support Payment in Lanarkshire, and the work that South Lanarkshire College does in supporting students with caring responsibilities has been identified as being of interest to the Cabinet Secretary.

6 EQUALITIES

6.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

7 RISK

7.1 That the College does not keep up with sector reform and pace of change is too slow impacting on future business.

7.2 That staff relations are impacted negatively through college action regarding action short of strike action.

8 RECOMMENDATIONS

8.1 Members are recommended to:

8.1.1 note the progress on dissolution;

8.1.2 note the Lanarkshire Regional Strategic Body will be writing to the Scottish Funding Council regarding unmet demand;

8.1.3 to note the college action regarding pay deductions due to action short of strike action and to be mindful of the Code of Governance sections of B8 and B9 as well as C25 relating to High Quality Learning Trade Union relations respectively.

8.1.4 note the Support Staff offer is out for consultation with Unison members.

ANNEX A

Minister for Higher and Further Education; and
Minister for Veterans
Graeme Dey MSP



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Sue Webber MSP
Convener
Education, Children and Young People Committee
The Scottish Parliament
Edinburgh
EH99 1SP

By email: ECYP.committee@parliament.scot

27 March 2024

Dear Convener,

UPDATE TO COMMITTEE – POST SCHOOL REFORM

When I appeared before you on 10 January, I committed to providing further information in March on progress on post school reform. The note below provides an update on the key areas I identified for action at my session with you. In addition, I have also provided information on wider work to support delivery of the reform programme.

The progress that is being made shows our ambition to match the recommendations made in James Withers *Fit for the Future: developing a post-school learning system to fuel economic transformation* report and reinforced in the initial priorities set out in our *Purpose and Principles* document.

Developing a national approach to skills planning and strengthening regional approaches

Significant work has started on the commitment we have made for the Scottish Government to take responsibility for skills planning at national level and I welcome the constructive engagement from across the system on this matter. I have led several discussions with Ministerial colleagues, employers, colleges, universities and other stakeholders about how we should approach skills planning in the future.

My officials are aiming to complete an exercise this summer to develop a better understanding of the specific skills needs across the economy and how we can address them, particularly through the education and skills system. This exercise will inform the detailed design of new national skills planning processes by the end of this year.

My officials have also commenced work on determining how skills planning could become more effective at regional levels, so that key stakeholders at local levels can better respond to skills needs according to regional ambitions, whilst remaining aligned with national priorities. In doing so, I have had initial engagement with the Regional Economic Partnership Network. My officials are gathering views from colleges and Regional Economic Partnerships on a future approach, and to identify good practices already in place which we can build on. I will set out further information for partners on our approach towards regional skills planning later in the year.

Simplification of the post-school funding body landscape

I have previously outlined my commitment to simplify the post-school funding body landscape, including understanding the options for a single funding body. As a first step I signalled the intention to bring together funding for student support into one place and funding for apprenticeship provision into one place. My officials have been working on the strategic business case for simplification of the funding body landscape, following HM Treasury Green Book principles.

Simplification of the funding body landscape is one of the key enablers for reform and improvement across a range of priority areas. Delivering this aspect of reform is a clear signal of Ministers' wider commitment and enables different choices to be made on funding for provision and student support – ensuring that more of the investment that we make is directly benefitting learners and employers. I expect to be able to share the detail of the shortlisted options with the Committee shortly, and to set out the next steps we will take to deliver on this commitment.

Student support

Related to this, officials have been considering the impact on, and benefits to, learners in having the student financial support offering in one place. We want to ensure that the system is fair and easy to navigate for students.

Work is underway to review the support available for those studying part time, which we committed to in the 2023-23 Programme for Government. We have already delivered on our PFG commitment to increase the HE student support package to the student equivalent of the Living Wage.

Recognising that there is disparity in support on offer to students in FE and HE, officials are looking at these differences and considering options on how to address this in a way that is fair but also sustainable.

Future development of apprenticeships

As part of our work, my officials are looking at what a future model for apprenticeship delivery could look like, including the role of colleges, independent training providers and employers. We know that the current procurement model for Modern Apprenticeships is complex and resource intensive, so we want to explore alternative options with stakeholders to identify how this process can be streamlined and remain robust.

Graduate Apprenticeships have great potential and scope for further development, so I have asked my officials to set up a Graduate Apprenticeship Enhancement Group to consider how we can expand Graduate Apprenticeships in both volume and the range of occupational areas. Ensuring that Graduate Apprenticeships support our widening access ambitions will be an important part of this work.

Foundation Apprenticeships have a strong role in preparing senior phase pupils for work and future learning. We know that there is some work required on the design of Foundation Apprenticeships to improve consistency of outcomes. The Foundation Apprenticeship Enhancement Group is working with representatives from across the landscape to identify options for improvement and I look forward to seeing the results from that work later in the year.

Developing a clearer and more coherent modus operandi for our national careers offering

I have outlined to Committee previously the importance I place on good quality careers information advice and guidance to help support people make informed choices. I have also set out that through the current careers offer, the work of DYW and mentoring offered by partners including Career Ready that the foundations are already in place.

My immediate focus remains on developing a clearer, coherent offer for learners and also looking to build clearer pathways for employers to support and be involved in shaping the support provided. This does not rule out structural changes to careers delivery. I have met with the Careers Collaborative this week to discuss early priorities. I will continue to work with them to shape a careers offer that supports people of all ages to make informed decisions to find the right path to a rewarding career. I am delighted that Grahame Smith will continue as interim Chair of the Careers Collaborative until the end of the year whilst we work through this transitional period.

Enhancing employer engagement and ensuring their involvement at all points in the system

It remains my ambition that we engage with a wider range of employers - and learners – across a broader span of the education and skills issues where their input will be crucial.

I continue to engage widely with employers on a wide range of issues. I have spoken to a number of businesses the length and breadth of the country, including a roundtable in February with a cross section of employers, which has helped to inform my thinking on how to ensure employers can support the system to work more flexibly as well as how best to maintain their input as we shape the system for the future.

All organisations I have spoken to have signalled their willingness to be involved and work collectively with the institutions in their local and national areas to better develop support. In keeping with my wider approach, I have ensured that colleges and universities have been part of discussions so that both they and employers can work more closely together. I have been greatly encouraged by the approaches already being developed that bring the right partners round the table to discuss issues. I am keen to learn more about examples of where colleges, universities and employers work together to improve outcomes.

In my appearance before you I said I was minded to take forward James Withers' recommendation to wind down the Scottish Advisory Apprenticeship Board.

Our longer term approach to employer engagement is still at an early stage of development. I have however indicated that I do see the merits in a greater role for the private sector in supporting the system and by extension learners.

Exploring how this might work to the benefit of employers and learners will continue to be a significant factor in the discussions we have in the upcoming months.

Improvements to College Regional Collaboration

As discussed at Committee, the College Regional Boards are currently operating sub-optimally for different reasons in different places. My officials are working with SFC to progress work across all Regional Boards. I have received advice from SFC and my officials and I have been undertaking full due diligence on these recommendations, including speaking to the Chairs and Principals of the colleges and Boards. A decision on my preferred option for both the Glasgow and Lanarkshire Boards is imminent.

The Regional Board of the University of the Highlands and Islands is a different matter. I have instigated the assigned colleges to work constructively together, with the support of SFC and the UHI Executive office, to bring forward a recommended option for reform that will put them on a more sustainable footing for the long term.

Most potential options for reform of regional board structures would need legislative change. If myself and the Cabinet Secretary for Education and Skills decide to move towards such reform, this would necessitate a period of formal consultation on our preferred options to ensure we have considered all intended and unintended outcomes prior to a final decision and implementation. The Committee would be able to provide their views throughout any such process.

CLD Review

I understand that Kate Still's Independent Review of CLD is making good progress and remains on track to deliver its report and recommendations by the end of June.

I know that the review has been hearing from many and varied sources, including in focus groups with learners and potential learners in different parts of the country. Two online consultation surveys ran in parallel from 22 January to 3 March, seeking evidence and views from learners and from CLD practitioners, stakeholders, decision-makers, budget-holders, and other related services.

I understand that the response rate for both of those surveys has been very good. I look forward to receiving the report and recommendations in due course, which I will consider alongside CoSLA.

In my statements to Parliament I have noted the balance between making progress whilst ensuring we take the necessary care not to implement measures that have unintended consequences. I am acutely aware that the current structures are supported by dedicated people who, from my experience, are committed to delivering the changes required. That is why I continue to focus part of my engagement on meeting with staff to understand any unintended consequences.

The delivery of reform will be a significant undertaking and will involve partnership working across the post-school landscape and ecosystem. I look forward to continuing to work with the Committee and wider partners in taking forward this critical work.

Given the range of interests in post-school reform I am sharing this update with the Economy and Fair Work Committee and the Public Audit Committee.

A handwritten signature in black ink, appearing to read 'Graeme Deay', is enclosed within a thin black rectangular border.

GRAEME DEY MSP

Minister for Higher Education, Further Education; and Minister for Veterans

ANNEX B

Minister for Higher and Further Education; and Minister
for Veterans
Graeme Dey MSP



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FAO
Glasgow & Lanarkshire Colleges
Chairs and Principals
(by email)

16 May 2024

Dear College Chairs and Principals,

REFORM OF REGIONAL STRATEGIC BODIES – GLASGOW AND LANARKSHIRE COLLEGE REGIONS

I am writing to you to provide an update following reviews and reports on reform of Regional Strategic Bodies within the Glasgow and Lanarkshire college regions.

As set out in the Purpose and Principles publications, I have been clear on the priority I place on reform of our lifelong education and skills system.

I am now in a position to provide an update on plans to progress with reform of Regional Strategic Bodies within the Glasgow and Lanarkshire college regions, and I have announced this decision in Parliament this afternoon.

The first steps in this process will begin with the launch of a consultation, across the sector and beyond, on plans to dissolve the Glasgow Colleges' Regional Board and The Lanarkshire Board and to enable new collaborative arrangements.

In reaching this decision, we have been clear that any changes to existing structures and processes will not weaken oversight or accountability of the Glasgow and Lanarkshire colleges, nor should it weaken regional planning, provision and collaboration. Therefore, we will listen to the feedback from the consultation, and we will consider this as we work with the SFC to reform Regional Strategic Bodies within both the Glasgow and Lanarkshire college regions.

It is important to highlight that change of this magnitude will not happen overnight and we recognise the importance of working with the college sector, as well as stakeholders, to get this right.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

INVESTORS IN PEOPLE™
We invest in people Silver



This consultation will go live in the coming weeks and will run for 12 weeks, and a full analysis of responses will be published in due course.

In closing, I want to reiterate to you that I recognise the important role that Scotland's colleges and its workforce make to society, to economic growth and most importantly to improving the life chances of students across Scotland.

And I look forward to working with you as we progress with reform to ensure the best outcomes for learners including developing learner offers that enhance learner's potential in conjunction with understanding of regional and local employer needs.

I hope you find this update helpful, and I will welcome your input to the consultation.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Graeme Deys', is enclosed in a thin black rectangular border.

GRAEME DEY MSP

Minister for Higher and Further Education; and Minister for Veterans

ANNEX C



Professor Christopher Moore
Principal and Chief Executive
New College Lanarkshire

Principal and Chief Executive
Stella McManus
MA, DIP TESOL, BA (HONS)

Dear Christopher

As you are aware for the academic year 2023-24 the Scottish Funding Council rebased credit allocations for all colleges, lowering them by 10%, with a balancing price increase to ensure funding remained unchanged from academic year 2022-23. For the Lanarkshire Region, the reduction in the number was from 180,117 in 2022/23 to 160,890 in 2023/24, which was a circa 10.6% decrease. In addition, the Lanarkshire Region received an additional funding reduction of 0.7% from £52,699,428 to £52,308,500 next year.

For South Lanarkshire College (SLC) this reduction meant that the College decreased from 48,843 credits in 2022-23 to 43,601 credits, a drop of 5,242 credits and £106k. More importantly, this has meant that SLC could not fund circa 700 places and has significant unmet demand within South Lanarkshire.

As the Lanarkshire Colleges Order 2014 sets out, one of the roles of the Regional Strategic Body (RSB) is to fund the college assigned to it. To that end I am requesting on behalf of the South Lanarkshire College Board of Management, that the RSB considers a very slight amendment of 0.8% to the 27.1% grant in aid split in order for SLC to fulfil some of this demand.

The table below proposes a slight adjustment to the grant in aid split.

Actual and Proposed Split	The Lanarkshire Region	New College Lanarkshire	South Lanarkshire College
2023-24 Actual at 27.1%	160,890	117,288	43,601
2024-25 at 27.1%	160,890	117,288	43,601
2024-25 Proposed at 27.9%	160,890	116,002	44,888

I fully appreciate that it is also a very challenging time for New College Lanarkshire and the rest of the college sector. Furthermore, I am sympathetic to the position that New College Lanarkshire is in and the impact that a small % change could have on finances. Therefore, I thank you for your consideration of this amendment.

Yours sincerely

Stella McManus
Principal and Chief Executive

ANNEX D



NEW COLLEGE LANARKSHIRE
Bringing Education Closer

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Town Centre, Cumbernauld G67 1HU
0300-555-80-80 • info@nclan.ac.uk • www.nclanarkshire.ac.uk
Principal & Chief Executive: Professor Christopher M. Moore

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03-May-2024

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Dear Stella,

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Thank you for your letter of April 26th 2024. Please be assured that I understand and fully sympathise with the situation that you have so clearly outlined in your letter.

¶

The situation you describe at South Lanarkshire College bears many similarities to the situation at New College Lanarkshire (NCL). Our current projections show that we will deliver above our 117,288 Credit threshold for AY23/24. This is within the context of having to significantly curtail our part-time and evening class provision compared with AY22/23 in order to accommodate the reduced credit target.

¶

Our Admissions Data shows that we are currently experiencing levels of demand far in excess of recent recruitment cycles. The number of unique applicants we have for full-time Courses has increased by over 1,500 when compared with AY22/23. This position highlights the significant challenges NCL will face to accommodate the demand within the existing Credit allocation, and any change to the current Credit distribution model would serve to further exacerbate this challenge.

¶

I understand from my senior colleagues that there were some positive discussions around highlighting some particularly challenging Curricular areas with a view to collaborating on making regional representations to the SFC for an increase in our regional Credit allocation.

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I would be very happy to support this approach. May I suggest that we, and our senior officers meet in order to firm up such an approach.

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With best wishes

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Yours sincerely

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Professor Christopher Moore
Principal and Chief Executive

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ANNEX E



Dear Stella McManus,

We are writing to inform you that on February 19th 2024, the South Lanarkshire College EIS FELA branch voted unanimously to enter a formal dispute with the college. The basis for this decision is threats received from the college towards staff around deeming due to Action Short of Strike (ASOS).

South Lanarkshire College EIS-FELA Branch demand that the threat outlined on 09/02/24 is withdrawn immediately and that no further such threats are made towards trade union members. The Branch would urge that efforts instead be channelled towards reaching a fair resolution to the National dispute. The branch is disappointed in the college assertions that the threat of deeming is a 'National approach' when it doesn't even extend to the Lanarkshire region.

Branch representatives are happy to meet you to try and resolve this local dispute.

South Lanarkshire College EIS-FELA Branch

ROLLING GOVERNANCE REVIEW DRAFT

The actions to deliver improvement contained in this plan will be developed and implemented to address any previously identified or emerging issues as noted by way of the “Ongoing Review of Governance” at South Lanarkshire College (SLC). This is proceeding following consultation with Board Members and Senior Staff. A RAG system has been used to enable tracking of progress against actions and timescales.

Development Categories	Issue	Action	By Whom and When	Status and Progress Update as at February 2024
Leadership & Strategy	1.1 Conduct in Public Life	Training in New Code of Governance to be provided	Governance Professional January 2023 already completed but Governance Professional to ensure that CDN online training completed by June 2024	The new Code was formally adopted by the Board in January 2023 with a Briefing Paper provided by the then Governance Professional. Induction of all new members was by reference to the new Code and training to Trade Union Observers was likewise based on the new Code. All Board Members should however engage with the online training pack now available via CDN as part of ongoing training.
	1.2 Vision & Strategy	Involve Trade Unions (TUs) on Board	Governance Professional March 2024	While TUs have been observing on SLC board for several months both observers

				have now been appointed to the Board.
	1.3 Performance	Refresh paperwork for self-assessment and evaluation and plan for externally facilitated self-assessment review	Governance Professional December 2024	All now refreshed and good progress made towards externally facilitated self assessment .
	1.4 Corporate Social Responsibility	Improve dialogue & communication with all stakeholders	Principal / Chair March 2024	The College had been issuing a stakeholder newsletter, however, due to the change in Marketing and Communication Managers this stopped. The new Manager started in November 2023 and this will recommence June 2024.
		Board member involvement in the understanding of learning, teaching and assessment. Subject to agreement with teaching staff.	Principal / Vice Principal for Learning and Teaching and the Student Experience. March 2024 for Board approval.	This is to provide an opportunity for Board members to engage with staff and students. They may do this by: <ul style="list-style-type: none"> • Speaking with curriculum managers or support managers; • Informally (and with agreement and notification) pop into classrooms to speak to lecturers and students where appropriate. • Attending (with prior agreement) team meetings.

				Accepted by Board in M proposal will be taken to the Board in March 2024.
2 Quality of Student Experience	2.1 Relevant High-Quality Learning which meets local, regional and national skills needs.	Board members through strategic planning days to undertake a curriculum review.	Principal and Vice Principal for Learning, Teaching and the Student Experience April 2024	At the April Planning Day members participated in a skills planning workshop, with external input. HMI will present to Board following the Annual Engagement Visit, to provide further reassurance, which is likely to take place after Easter.
	2.2 Student and Engagement and Quality Monitoring & Oversight	Work with the Student Association (SA) and Class Reps to improve Quality Monitoring feedback. Identify mechanisms for recognising and rewarding input of student body to support quality	Vice Principal Learning, Teaching and the Student Experience April 2024	Reinstate the Student Parliament with Board members attending where appropriate. Also, through the Board Member Conversations as outlined in 1.4 give members an opportunity to engage with students. The Curriculum and Quality Committee oversees progress of the Quality Enhancement Plan presented.
3 Accountability	3.1 Accountability & Delegation	Involve staff in discussions on facing challenge	Principal and VP for Finance, Resources and Sustainability April 2024	Board Members and management appropriately briefed on Training Day April 2024.

	3.2 Risk Management	Connect risk appetite to risk register	Vice Principal Finance, Resources and Sustainability April 2024	Consult with the Internal Auditors on providing a further risk appetite session due to new board members joining. Potentially at the Strategy Day in April 2024. Then work to consolidate into the risk register.
	3.3 Audit Committee	Membership to be adjusted in line with New Code	Governance Professional [Ongoing]	Implemented but now to be reviewed and clarified in light of Trade Union Membership.
	3.4 Remuneration Committee	Terms of reference to be revisited.	Governance Professional & Chair [Ongoing]	The committee already considers the remuneration of some senior staff as well as the Principal, but this will be clarified as part of an overarching review of all committee terms of reference
	3.5 Financial & Institutional Sustainability	Identify opportunities and address challenges in context of “flat cash” settlement.	Principal and Vice Principals April 2024	At the April planning day review income diversification opportunities with Board members and options for collaboration were discussed and responses now being presented to the Board
Explore options for best use of resources to generate income.				
Explore options for 3 rd sector partnerships.				

		Explore possibility of identifying a university MBA research project for measuring cost -v- value efficiency	Vice Principal for Finance, Resources and Sustainability May 2024	This is being considered at the Tri Partite Group with Scottish Government, Scottish Funding Council and college representatives. Will await the outcome. The College is able to do this through Power BI as part of business planning approaches.
	3.6 Staff Governance	Facilitate regular opportunities for Board members to engage with staff and staff representatives	Principal & Governance Professional [Ongoing]	It will be useful to hear advice from Trade Union Board Members and others
		Improve information flow to appointed staff representatives	Principal & Governance Professional [Ongoing]	Governance Professional publishes meeting minutes to website. But again taking advice from staff and trade Union Members will be helpful with a view to publishing a college wide update on key discussion points following Board meetings, where appropriate.
		Involve appropriately skilled staff by way of attendance at Committee Meetings and also participation in Strategy and Training days	Principal & Governance Professional Training Day – 30 th April 2023	Considerable progress made but always room for discussion on potential for improvement. Members of the Senior team regularly attend Committees to present on items, for example Curriculum and Quality and the Audit and Risk Committee.

4.1 Effectiveness	4.2 Board Chair	Plan for appointment of new Chair in 2024	Principal & Governance Professional June 2024	A recruitment process has resulted in two new Board Members in course of appointment with two others to be recruited the appropriate number of members. A new Chairing member has been appointed as also a new Vice Chair .The current gender imbalance is being addressed
	4.3 Senior Independent Member	Refresh Training & Support	Governance Professional	A new SIP requires targeted training albeit Board Training generally has included this.
	4.5 Board Members	Identify Training needs	Governance Professional April 2024	The 2023 self-assessment identified perceived training needs and feedback from the April Training day and from the 2024 self-assessment will further inform this. Very much work in hand
	4.6 Principal & Chief Executive	Set objectives and identify any training needs.	Chair April 2024	As above
	4.7 Governance Professional	Recruit new postholder	Board [Ongoing]	A candidate was duly appointed but has since moved on for personal and professional reasons. The former Governance Professional has returned to the post however to provide continuity. A longer term

				strategy is now under consideration
		Agree overarching policy on resolving issues around grievance, breach of contract and conflict of interest	Governance Professional / Human Resources Director [Ongoing]	Governance Professional and HR Director to draft policy for consideration by Board. Some slippage due to change in postholder
	4.8 Appointment Induction & Training	New processes in anticipation of TU membership	Governance Professional [Ongoing]	SLC has had TU observers at Committees and Board for several months. Formal induction has now taken place and also special training provided for committee Chairs.
	4.9 Board Evaluation	Revisit and refresh process and procedure	Governance Professional [Ongoing]	The way forward will be informed by an externally facilitated Self-assessment exercise, but new feedback forms are in place with a view to minimising the impact on Board Member time. The GP is currently working with the Chairing Member on refreshing the skills matrix.
5 Relationships & Collaboration	5.1 Partnership Working	Build Collaborative initiatives with Regional Partner	Governance Professional and Principal June 2024	Projects identified for training & development. In addition, the Principal of South Lanarkshire College and the New College Lanarkshire Principal have

				<p>started to meet regularly to consider options.</p> <p>Also, the Skills Led Region Planning sessions facilitated by Colleges Scotland for further collaboration, as well as the College West Partnership.</p>
		Community Development	<p>Principal and Vice Principal for Learning Teaching and the Student Experience.</p> <p>[Ongoing]</p>	<p>The College has already had engagement sessions with South Lanarkshire Council with the senior team, with a further session planned.</p> <p>At the Strategic Planning Day further opportunities for working were discussed for links with the community – including, potentially the Principal and/or the Chairing Member to meet with the new Chief Executive of South Lanarkshire Council.</p>
6 Other	6.1 Equalities	Equalities Awareness Training	<p>Governance Professional</p> <p>Ongoing Training</p>	<p>A dedicated training session has already been provided by the former Governance Professional and is available on the Board Portal, but a refresher might usefully be considered at some future point. The Board manual is in course of being updated and will include a briefing on this topic</p>

	6.2 Student Association Support & Recognition	Student Awards Funding	Management Ongoing Support	Senior staff are already supporting the SA in seeking funding from the Educational Foundation but further mechanisms for rewarding student effort are being considered.
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Schedule of Key Policies & Procedures		
Policy	Date	Due for review
Dignity at work	July 2023	July 2026
Disciplinary Policy & Procedure	July 2023	July 2026
E Signature Policy	June 2024	June 2027
Equality Policy	Nov 2023	Nov 2026
Fee Waiver Policy	July 2023	July 2026
Fees Policy	June 2024	June 2027
Finance Regulations	June 2024	June 2027
Fraud & Anti Corruption Policy	June 2024	June 2027
Grievance Policy & Procedure	July 2023	July 2027
Procurement Policy	June 2024	June 2027
Safeguarding Policy	June 2024	June 2027
Staff Code of Conduct	Oct 2023	Oct 2026
Student Discipline Policy & Procedure	April 2023	April 2026
Whistleblowing Policy	July 2023	July 2026
<i>Note that this element of the Rolling Review is under construction</i>		

BOARD OF MANAGEMENT

DATE:	6 June 2024
TITLE OF REPORT:	Board Development Day Feedback
REFERENCE	12.3
AUTHOR AND CONTACT DETAILS	Peter Scott Peter.scott@slc.ac.uk
PURPOSE:	To provide members with a summary of the feedback from the Board Development Day.
KEY RECOMMENDATIONS/ DECISIONS:	Members are recommended to: <ul style="list-style-type: none"> • note and comment on the feedback received from the Board Development Day; and • note the management next steps relating to preparation of the full strategy
RISK	<ul style="list-style-type: none"> • That the College does not make the relevant strategic changes to future proof the organisation.
RELEVANT STRATEGIC AIMS:	<ul style="list-style-type: none"> • Successful Students • Highest Quality Education and Support • Sustainable Behaviours
SUMMARY OF REPORT:	<ul style="list-style-type: none"> • The paper outlines the feedback received at the Board Development Day and notes starting points, he blockers and a way forward. • It makes links to the Code of Good Governance in particular to areas such as Vision and Strategy, Corporate Social Responsibility, Quality of the Student Experience, Sustainability, Partnership Working, Board Evaluation and Risk Management. • Management will prepare the full strategy document with corresponding key performance indicators for Board approval.

1. INTRODUCTION

1.1 This paper provides a summary of the feedback received on the Board Development Day on 30 April 2024.

2. CONTEXT

2.1 The feedback received is a fair summary as it affects the Board. The points in bold is merely to identify those areas where it was felt that Board Members might have a particular role to play but is in no wise intended to be limiting.

2.2 The end section is intended merely to draw attention to the relevant provisions in the Code of Good Governance and any suggestions are merely intended to prompt discussion.

3 SUMMARY

3.1 *Starting Point*

- Good staff/talent pool with pockets of good practice in the College
- Successful students – motivation, employment skills, public perception -evidenced by student destination feedback
- Curriculum led knowledge and lecturers/educators already motivated to create impact.
- Excellent Education Scotland Reports evidencing high quality learning
- There is a potential 'blank sheet' to create opportunity and new energy available - driven by a new executive team.
- **Better relationships amongst Board, Executive and Staff than previously has been the case**
- Positive response to emergencies such as COVID – evidenced by provision of online learning
- **Untapped opportunities – large campus that is quite often empty – potential for commercial development**
- **Community engagement and impact – evidenced by increasing partnership activity**

3.2 *The Blockers*

- **Potential for resistance to change – not all staff might embrace change and there may be differing attitude/receptiveness to change**
- Many staff already impacted by limited incentives and a high workload
- No college tradition of entrepreneurship - and commercial activity previously discouraged so as to concentrate on “core business
- Responses to the budgetary shortfall may jeopardise management / staff relationships
- **Potential for low engagement in innovation**
- Industrial action linked to unmet pay and conditions claims

3.3 *The Way Forward*

- **To work as one team**
- Creating ownership – staff and students to contribute to creating the strategy
- SLC needs a ‘value’ definition.
- **Inspirational / inspiring staff**
- To understand/address perceptions v reality
- Empower staff to ‘Just do it’ within an appropriate framework.
- Help staff understand, assess and respond to risk.
- Find new/additional incentives for staff, students and community -to motivate and encourage.
- Support staff on the journey by way of
 - Communication (2-way)
 - Get solutions/ideas from staff and student along with a mechanism to capture and enable idea implementations.
 - Create opportunities.
- Embed Entrepreneurism in planning and evaluation.
- **Evaluate value of current activity**
- Adopt thematic focus
- Discover our unique selling point (USP)
- **Align curriculum to industry demand**
- Centre devised qualifications.
- Entrepreneurial support for start-ups
- Vibrant, ‘can do’ culture
- High quality core capability
- Cross selling capability
- Subsidise business start-up
- Build a platform for empowerment
- Ensuring meaningful engagement and consultation
- Leading by example
- **Trust in SLT and BOM**
- **Better sustainable partnerships**
- Recognising current talent and prioritising ideas over financials
- Empowerment
- Open Days/Markets for students to showcase talents
- Use the Arm’s Length Foundation (ALF) where appropriate to create financial headroom/deliver change
- Transparency/openness
- **Further exploitation of existing networks and fostering new ones – commercial activity enhances student experience**
- Working groups to help set achievable outcomes
- Making informed decisions (data/knowledge) – to understand the customer and what the College needs
- Good communication – use of SharePoint
- Financial measures and diversification
- Consideration that financial impact is not just about £/revenue but new opportunities to invest; diversity; re-root; add value and multiplier effect as well as efficiencies.

- Asset utilisation – using campus better – new garden/buildings. Get the wider community involved.
- Blended learning approach.
- Looking at transportation to the college from not/poorly served areas
- NCL have created a staff development academy

4 MEASURING CHANGE

4.1 By way of:

- Effective Feedback Mechanisms
- Effective use of relevant Data
- Targeted Surveys
- Analysis of Returns on Investment

5 LINKS TO KEY PROVISIONS IN THE CODE OF GOOD GOVERNANCE

5.1 The highlighted areas are not the only areas of interest to the Board but may suggest where Board Member support is particularly important.

5.2 Taking key areas from the code of Good Governance:

5.3 Vision & Strategy

5.4 It is not enough to plan reactively – by merely responding to Management initiatives - the Board must be able to contribute positively to debate and discussion. This may mean being more visible to staff and students and engaging with the Senior Management to support and encourage. There may be time constraints but these need to be managed and mechanisms found for participating in planned dialogue.

5.5 Corporate Social Responsibility

5.6 Board members may wish to consider how best to use their networks and contacts to assess social and economic needs and promote social inclusion.

5.7 Quality of the Student Experience Generally

5.8 The analysis suggests that Board Members need to be more visible to students and participation in student activities and perhaps even classroom visits by arrangement with teaching staff would be helpful. Engaging with the Board Member Conversations process as outlined at March 2024 Board meeting might be a useful first step. (Annex A)

5.9 Sustainability

5.10 A refresh of past sustainability training would be useful.

5.11 Board Evaluation

5.12 There is already planned an externally facilitated Board Evaluation and this will be taken forward by the Governance Professional in late June / early July 2024.

5.13 It would be helpful if Board Members could flag up their availability, or lack thereof, over the summer period / early Autumn

5.14 ***Partnership Working***

5.15 It might be helpful to have not merely a Register of interests as required by Law but also a register of useful contacts.

5.16 ***Risk Management***

5.17 It is clear that the Board needs to revisit its risk appetite but current processes for monitoring and managing risk appear robust

6 NEXT STEPS

6.1 The management team will prepare the full strategy document complete with key performance indicators for Board of Management approval in readiness for its launch in 2025.

7 EQUALITIES

7.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report

8 RISK

8.1 That the College does not make the relevant strategic changes to future proof the organization.

9 RECOMMENDATIONS

9.1 Members are recommended to:

9.1.1 note and comment on the feedback received from the Board Development Day;

9.1.2 note the management next steps relating to preparation of the full strategy.

ANNEX A**BOARD OF MANAGEMENT**

DATE	7 March 2024
TITLE OF REPORT	Principal's Update
REFERENCE	
AUTHOR AND CONTACT DETAILS	Stella McManus Stella.mcmanus@slc.ac.uk
PURPOSE:	To provide members with information not included on the Board of Management meeting agenda.
KEY RECOMMENDATIONS/ DECISIONS:	Members are recommended to: <ul style="list-style-type: none">• consider and approve the Board member conversation activity.
RISK	That staff may feel slightly daunted by this activity
RELEVANT STRATEGIC AIM:	<ul style="list-style-type: none">• Successful Students• Highest Quality Education and Support• Sustainable Behaviours
SUMMARY OF REPORT:	<ul style="list-style-type: none">• The proposed Board Member Conversation activity is a way in which Board members can understand the work of the College as well as to provide support and advice to areas of interest to them across the organisation.

1. INTRODUCTION

1.1 The purpose of this report is to introduce Board Members to the concept of Board member conversations.

2. BACKGROUND

2.1 There is an action in the Rolling Review, under Leadership and Strategy, to provide board members with the opportunity to engage more fully with staff and students and to see the College in action. Board members bring a wealth of experience to the College and this approach is to try and utilise this experience. It also allows the Board of Management to be visible across the organisation in a supportive manner. Some Board members have already spent time in areas such Management Information and IT providing advice and support, as well as in Construction.

2.2 The involvement of board members in understanding the work of business support teams as well as teaching, learning and assessment and the experience of students is good practice. It is important that this is not a management practice, but rather allows board members the opportunity to engage with students and staff within the learning environment to understand their experience.

3. BOARD MEMBER CONVERSATION ACTIVITY

3.1 There are different parts to undertaking this activity listed below:

3.1.1 Introductory meetings with Curriculum Managers or Business Support Managers to find out more information about their areas, what works well, the potential challenges they face;

3.1.2 The opportunity, with prior agreement from staff, to visit classrooms or workshops to see the academic teams in action and to have the opportunity to speak to students about their experiences;

3.1.3 To engage with and meet staff in different curriculum areas and business support teams across the College.

3.2 Interested Board members are welcome to contact the Principal or Governance Professional who can link them with the relevant members of staff. Also further guidance or support can be provided to Board members as necessary.

4 EQUALITIES

4.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

5 RISK

5.1 That staff may feel slightly daunted by this activity.

6 RECOMMENDATIONS

6.1 Members are recommended to:

6.1.1 consider and approve the Board member conversation activity.



South Lanarkshire College

Students' Association

Board Report

May 2024

YOUR COLLEGE
 **YOUR WAY**

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Student Engagement

It continues to be a very busy time for the SA. We've celebrated Care Day, Love Your Planet, LGBT History Month, Purple Friday and arranged many more activities!

The Gradu8 Creative and Digital Media class designed badges for the SA as part of a class activity. It was great to see all their creative ideas! We had a chance to meet some of these students and got to see all the work that they had done in their class. Their designs were wonderful, and they deserve great praise for these.

The Student Association set up a stall to promote the BRIT Challenge Bingo Card, along with the College's free yoga classes. We have a large supply of yoga mats which are provided to students who sign up for yoga. The BRIT Challenge is now officially over and finished on March 24.

Before the Easter break, the SA set up a stall where we gave out holiday packs containing pads and tampons, reusable pads, and menstrual cups. We do this before every holiday to make sure that students have access to sanitary products at times that they are not on campus. It also gave us an opportunity to talk about sustainable products.

We have been working very closely with Anne Doherty as part of our Climate Action activity, further details of this are included later in this report. We would like to thank Anne for all her support regarding this activity! Part of this work included organising a litter picking event, information stalls and visits to Whitelee Windfarm. We have already taken one class and plan to take more class groups to the windfarm, where they provide a workshop and a bus tour.

The SA continue to have students come to us with their ideas and suggestions. We have made it a priority to make sure that we try and fulfil these requests from our students. For example, one student came to us with the idea of selfcare kits containing a selfcare timetable or checklist. We have now taken this into consideration and plan on giving these out for Mental Health Awareness Week.

SA Elections

The promotion of the SA elections for AY 2024/25 is now fully underway. We have promoted the elections through the student newsletter, social media, emails to all Curriculum Areas, and various Teams Channels, including the Class Reps channel. The timeline for elections has been promoted to both staff and students and is outlined below.



- **Monday 11th March – Friday 22nd March: Advertising.**
SLC to promote election to all current students. If you would like to nominate yourself for the President or Vice President, see Nominations info below.
- **Monday 25th March – Friday 26th April: Nominations Open.**
Nomination packs will be available from 25 March (on the SLC website and on request from Karen Pirie). Packs must be completed and submitted no later than Friday 26 April.
- **Tuesday 30th April: Candidates Briefing.**
Candidates must attend the briefing where they will be given information on how the election will be run and how they can campaign for votes.
- **Wednesday 1st May – Wednesday 15th May: Voting.**
Voting will take place online on Moodle, and all students will have one vote for their preferred candidates.
- **Thursday 16th May: Checking and Counting.**
SLC Staff will check and count all votes.
- **Friday 17th May: Results.**
Results will be announced.

The deadline for nomination packs is Friday 26th April. The current SA President and SA Vice President look forward to working with the College to ensure a smooth handover to the incoming SA for 2024/25.

We wish good luck to all candidates!

Student Poverty

The Student's Association is committed to tackling student poverty. We continue to ensure our students are fully supported during the current cost of living crisis by providing free soup and sandwich, as well as a healthy breakfast. We rotate this on a weekly basis to make sure that all our students have access to this initiative. Student uptake of this has continued to be very positive with over 3,000 servings to date. Going forward we will be expanding breakfast provision to two servings per week and will be increasing promotion of this invaluable service.

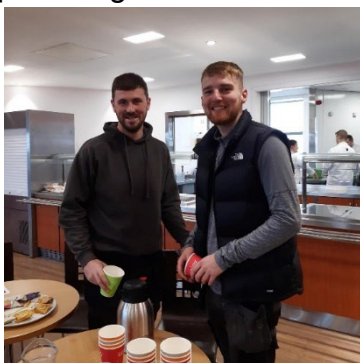
In addition, the SA continue to operate a food larder directly from our office where students can take what they need at any time. This is stocked with non-perishable foods, hygiene products, sanitary products, and stationery. We have also received many generous donations. We are increasing the quantity of orders to ensure students are well supported by the SA Larder.

We would like to express our sincere thanks to the SLC Trust for further funding of this initiative. This will allow us to provide crucial support to students for the remainder of this year and into the next academic year. The SA and our whole team are extremely grateful for this, and we know the students benefit greatly. We are also taking further steps to bolster our larder stock by contacting local companies and supermarkets to ask if they can make donations to the food larder for our students.

The SA are in the process of writing an article on Student Poverty for Think Positive, which will be posted on the Think Positive Hub. In the article we will provide detail on all our initiatives, as well as the College Way Market, to highlight the College's dedication to supporting students during this cost-of-living crisis. This work will be promoted as part of the Student Mental Health Agreement. We look forward to promoting this to students.

Care Day

Care Day took place on 16 February and it's the world's biggest celebration of people with care experience. At the College, we celebrated Care Day by hosting a free hot chocolate and cookie event, arranged student reviews of our Corporate Parenting Plan and one of our teaching staff, Kelly McKenzie, created an article providing an overview of the day and highlighting our



responsibilities as Corporate Parents. The College also created a Care Day 2024 SLC Pledge for staff to sign to show their support.

We promoted this activity on our social media channels and newsletters to highlight as much awareness as possible, as well as encouraging students to go along to the event. It was great seeing so many people take part on the day in support of our care experienced students.



LGBT History Month

February is LGBT History Month and on 23 February, the SA and Student Services hosted a Purple Friday Event. Women's Aid, Terence Higgins Trust, and Breathing Space were all in attendance volunteering at our event. We had our own stall where we handed out rainbow gym bags, pride stickers, rainbow laces, pride face paint, pride flags and LGBT button badges.

The SA also had a tablecloth where many students signed their name in solidarity of the LGBTQ+ community. We would also like to thank our Painting and Decorating Department for creating a LGBTQ+ themed selfie frame.

For this event, our Hair and Beauty Department supplied purple nail painting and hair tinsel. Our Hospitality and Events Department also supplied the students with cakes.



We are incredibly grateful to everyone who helped with such a successful event.

On Thursday 22 February the SA hosted Pride Stride. This was led by our Student Officer Maureen McMullan. We kept a small supply of our freebies for this. We were so happy to see so many students participating. Stella and Angela met with us beforehand to send us off. This was a great opportunity for students to get to know the SA along with the principalship.

We will promote similar free products and activities for Pride Month in June.



Climate Action Activity

Our 'Love your Planet' event was an immense success. The SA gave out reusable water bottles and sustainable notebooks. We also had a recycling game where students would test their knowledge of what goes in certain bins. For this event we received freebies from the Co-op and South Lanarkshire Council to give away to students. Climate Fresk were in attendance giving out "accidentally vegan" sweets and showcasing their workshop. Horticulture Students also had a stall where they displayed compostable foods and different environmentally friendly plants. A huge thank you goes out to everyone who was involved in the event.



On this day we also held a voluntary litter picking event. So many students came to volunteer, and we managed to collect four full bags of rubbish. We took photos of this and posted it on our social media to promote recycling to our students.

We would like to thank Facilities and Building Supervisors for providing PPE and a safety briefing for our students. We're also delighted to announce that vape recycling bins are now available on campus.

We redesigned and displayed the College's Recycling Poster to highlight to students what they should be recycling.

The SA have been organising visits to Whitelee Windfarm for students. So far, we have had one successful visit and are in the process of planning more. This has been made possible due to the funding we generously received from Lanarkshire Climate Action Hub.



International Women's Day

On Friday 8 March it was International Women's Day. This holiday is celebrated annually as a focal point in the women's rights movement. The theme for this year was 'Inspire Inclusion.'

For International Women's Day the Painting and Decorating Department kindly made us a beautiful selfie frame. The SA then went around campus getting photos of students and staff to celebrate this day. We gave out purple heart stickers as well.

It was so great to see everyone's positivity towards this.



Easter Activities

For Easter, the Student Association hosted an Easter egg hunt. We hide paper eggs around the Atrium and Advice Centre with notes telling students to take a photo of each of the eggs to collect their prize from the SA Office. We had a fantastic amount of student engagement from this and ended up running out of easter eggs!

This was a fun activity for our students to take part in before finishing for the Spring Break.



Forthcoming Events

Mental Health Awareness

Mental Health Awareness Week, now in its 24th year, runs from 13-19 May and is hosted by the charity, Mental Health Foundation. We hope to create and hand out selfcare kits to our students during this week.

These packs may contain:

- selfcare checklist
- pen
- mindfulness colouring
- facemask
- eye mask
- healthy recipes with dairy free, gluten free and vegan options
- mental health information
- stress ball

We will be working with students to see what they would like to have in these selfcare packs by asking for their opinion via social media and verbal communication.

The idea for these selfcare packs came directly from a student. We believe this is an amazing idea and a good opportunity to make better connections with our students.

During this event we will also promote our yoga and mindfulness classes, as well as available support in the College.

The theme for Mental Health Awareness Week is 'Movement: Moving more for our mental health.' We hope for our weekly wellbeing walks to continue throughout the remainder of the academic year. This will also be promoted at the stall.

BOARD OF MANAGEMENT

DATE	6 June 2024
TITLE OF REPORT	Final Budget 2024-25
REFERENCE	14
AUTHOR AND CONTACT DETAILS	Elaine McKechnie – VP Finance, Resources & Sustainability Elaine.McKechnie@slc.ac.uk
PURPOSE:	To provide Board with an overview of the Budget for 2024/25 and to seek formal approval of the Budget for use within the Financial Forecast Review (FFR).
KEY RECOMMENDATIONS/ DECISIONS:	Members are asked to: <ul style="list-style-type: none"> • note the assumptions used in the budget setting process; • note and approve the financial projections for 2024-25, inclusive of a Capital expenditure projection, Cash flow and the Statement of Financial Position for 2024-25, for use within the FFR due by end of June 2024.
RISK	The main risks are to: <ul style="list-style-type: none"> • Going concern; that the College cannot maintain financial sustainability and is unable to provide high quality education and support to its students; and that • There are insufficient funds for capital maintenance and maintenance requirements.
RELEVANT STRATEGIC AIM:	<ul style="list-style-type: none"> • The Highest Quality Education and Support • Sustainable Behaviours
SUMMARY OF REPORT:	<ul style="list-style-type: none"> • The report contains a summary of the budget for 2024/25 including assumptions. • The College also asks the Board to note that the Budget presented is expected to represent a worst-case scenario, reflecting some proposed operational changes for 2024-25, to support its wider aim to rationalise and restructure operations to best effect. The College recognises that these inclusions will be subject to consultation and approval prior to any implementation. • The College looks set to recognise a deficit of (£1.3M) in 2024-25 due to ongoing work to rationalise and review operations. • Cashflow continues to be a priority and concern for the College. Cashflow will continue to be depleted in the full and final settlement of pending pay awards.

	<ul style="list-style-type: none"> • Capital expenditure has been identified for 2024-25 ensuring some contingency to any urgent, unplanned works that present. • The College recognises that 2024-25 will be a period of transition for the College and improvements in financial reporting will only help to drive better decision making to ensure the College operates effectively and efficiently within its limited resources.
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1 INTRODUCTION

1.1. This paper provides an overview of the Budget for 2024/25 for which formal approval is sought by the Board. It is the intention of the College to use this budget within the Financial Forecast Review (FFR) due by the end of June 2024.

2 BACKGROUND

2.1 Following the announcement of indicative 2024-25 funding allocations from the Scottish Funding Council (SFC) on 29 March 2024, the College is now able to prepare an anticipated budget more accurately for the year 2024-25, inclusive of a capital expenditure plan, a cashflow statement and a projected statement of financial position.

2.2 The College is facing a further 2.89% funding reduction this year despite the SFC's commitment to retain the core learning and teaching grant at the same levels as 2023-24 through the redistribution of student support funding to better reflect actual usage.

2.3 Instead, cuts in funding have been recognised in the form of the removal of a digital poverty fund, the Mental Health & Wellbeing Transition fund, Sanitary provisions, and a reduction in capital maintenance budgets.

2.4 It is a requirement of College Management that a full budget is prepared and submitted to the Board of Management for approval as part of the Board's commitment to ensuring good governance of the College.

2.5 The College has reported deficits for the last few years and will continue to do so this year and indefinitely going forward if the College does not take a proactive stance to reduce its operating cost and drive commercial income growth. The College needs to reduce expenditure and grow income to generate circa £1m of additional operating surplus.

2.6 The College recognises that substantial savings will be unlikely in 2024-25 as the College embeds plans to restructure its operations but will seek to increase commercial revenue growth and reduce expenditure where possible.

2.7 The Board is reminded that the Budget contained within this paper is expected to represent a worst-case scenario for 2024-25. Several operational changes for 2024-25 have been reflected within the paper and the College understands that while these inclusions will likely support the College's wider aim to rationalise and restructure operations to best effect, any proposed change will be subject to formal consultation prior to implementation.

3 STATEMENT OF COMPREHENSIVE INCOME AND EXPENDITURE

3.1 The Board is asked to note the statement of comprehensive income and expenditure below, suggesting a further full year anticipated deficit of £1.3M.

STATEMENT OF COMPREHENSIVE INCOME AND EXPENDITURE									
			Year ended 31st July 2025	Year ended 31st July 2024	Year ended 31st July 2024	Year ended 31st July 2023	Variance		
	Note	Budget £000	Forecast £000	Budget -	£000		Bud '25 vs Fct '24	Bud '25 vs Bud '24	
Income									
Scottish Funding Council grants	1	15,315	15,223	15,461	15,739		92	(146)	
Tuition fees and education contracts	2	2,853	2,684	2,510	3,022		169	343	
Other income	3	502	417	501	274		86	1	
Investment income	4	20	31	0	15		(11)	20	
Total income		18,691	18,355	18,472	19,050		336	219	
Expenditure									
Staff costs	5	14,423	13,414	13,714	14,732		1,009	709	
Other operating expenses	7	3,996	4,076	4,091	4,068		(80)	(95)	
Donation to charitable trust	8	-	-	-	-		-	-	
Interest and other finance costs	9	1	1	0	(172)		-	1	
Depreciation	10	1,579	1,511	1,428	1,445		68	151	
Total expenditure		19,999	19,002	19,233	20,073		997	766	
(Deficit)/surplus before taxation		(1,308)	(648)	(761)	(1,023)		(661)	(547)	
Taxation	11	-	-	-	-		-	-	
(Deficit)/surplus for the year		(1,308)	(648)	(761)	(1,023)		(661)	(547)	
Actuarial gain in respect of pension scheme		-	-	-	3,603		-	-	
Pension asset cap adjustment		-	-	-	(5,758)		-	-	
Unrealised surplus on revaluation of land and buildings		-	-	-	-		-	-	
Total comprehensive gain for the year		(1,308)	(648)	(761)	(3,178)		(661)	(547)	
Represented by:									
Restricted comprehensive income for the year		-	-	-	-		-	-	
Unrestricted comprehensive income for the year		(1,308)	(648)	(761)	(3,178)		(661)	(547)	
		(1,308)	(648)	(761)	(3,178)		(661)	(547)	

3.1 The initial draft budget was taken to the Finance & Resources Committee on 15 May 2024 and contained a deficit of £846k. It was noted at that meeting that further work required to ensure tuition fee income was accurate.

3.2 The below details the changes in the Budget since that meeting, including a further review of salary and non-salary expenditure based on current information.

3.2.1 Table 1: Reconciliation of Draft Budget 2024/25 to Final Budget 2024/25

Commentary	£
Deficit 15.05.2024	(846)k
Add: 100% provision for SPPA Employer pension contribution rate increase expected to be funded	204k
Less: removal of duplicated tuition fee income	(921k)

Less: removal of mental health grant funding from Foundation as partially funded by SFC mid-year in 2023-24	(17k)
Add: additional investment income based on current interest generating potential	10k
Less: cost of additional roles to support restructure/growth (subject to consultation and approval)	(268k)
Add: reduction of non-sal expenditure based on current trends and projections for 2024-25	530k
Deficit 07.06.2024	(1,308k)

4 INCOME

4.1 The Board is asked to consider the assumptions and limitations of the budget setting process:

4.1.1 As above, income budgets have been prepared based on the funding allocations as advised by the SFC. A summary of the indicative allocations for the Lanarkshire region is contained in appendix 1.

4.1.2 In conjunction with anticipated funding and credit activity targets, the income budgets have been prepared using Power BI, which hosts all financial data in respect of curriculum plans, staff resourcing and anticipated credit and fee income. The College has worked with the curriculum areas since January 2024 to ensure that income projections are as accurate as they can be.

4.1.3 Fee income is anticipated to reach £2.9m (2023/24: £2.7m). An increase in fee rate from £118 to £122 has been reflected. With the continued withdrawal of Flexible Workforce Development Fund in 2024-25, potential losses are expected to be offset by Innovate UK (£177k) and the commercial fee income drive across the college (£125k) (please see 4.1.8 below).

4.1.4 Other income of £502k includes nursery facility provision, scrap sales and bistro/training restaurant supplies, in addition to funding from the Arms-Length Foundation and other grants received and released in line with the completion of College projects to which they relate.

4.1.5 Investment income of £20k relates to bank interest generated from cash reserves which is expected to decline with falling bank interest rates and a reduction in the College's capacity to invest in short term deposits over 2024-25.

4.1.6 Non SFC income includes the position presented to the Board at the Board Development Day on 30 April 2024. Despite the cuts in funding, this is a more encouraging position, noting some new funding streams in the form of the Innovation Fund, as well as anticipated additional provision for SDS Apprenticeship Contracts and full cost recovery fees of £125k.

4.1.7 Where funding has not yet been announced for 2024/25, a prudent approach has been taken and no provision has been made. This refers to the Shared Prosperity Fund and the Employability fund (Rural Academy).

4.1.8 *Table 2 Non – SFC Income*

NON SFC INCOME			
PROGRAMME	INCOME 2022-23	INCOME 2023-24	INCOME 2024-25
Apprenticeship Contract Skills Development Scotland	£411k	£500k	£550k
SNIEF (Scottish and Northern Ireland Plumbing Employers' Federation)	£121k	£127k	£135k
South Lanarkshire Council (Schools Provision)	£225k	£257k	£268k
Shared Prosperity Fund	N/A	£188k	£51k (awaiting funding update)
Employability (the Rural Academy)	£189k	£160k	£40k (awaiting funding update)
University Partnerships	£50k	£73k	£87k
Innovation Fund	N/A	£20k	£177k
Full Cost Recovery (FCR)	N/A	£31k	£125k
TOTAL	£996k	£1,356k	£1,433k

4.1.9 The Board is asked to note that the £125k projection for full cost recovery fees has been set conservatively and the College is anticipating greater income potential from this stream owing to the ongoing work within the Curriculum areas to support its growth.

4.1.10 The Board is also reminded that with the withdrawal of FWDF, the onus is placed back onto the College to try and drive interactions with employer agencies directly as a more commercial opportunity. The College will attempt to drive more commercial activity from strong and well-established relationships with local businesses but recognises that many businesses may not be receptive in the absence of any funding to support the costs.

4.1.11 There is no plan to reinstate European Social Funding (ESF) which was also withdrawn at the end of 2022-23.

4.1.12 As the College sector is unlikely to be granted any discretion to use capital maintenance funding for revenue purposes by the SFC, the College has removed this as a potential income source. For 2023-24, a 25% share of this fund as revenue amounts to £218k. There is no provision for 2024-25.

4.1.13 SFC have previously advised that they would support the SPPA employer pension contribution rate increase from 1 April 2024 from 23% to 26%, which amounts to a circa £204k annualised on cost for the College. This funding stream has not been confirmed however a 100% provision has been made in 2024-25 at this stage.

4.1.14 The College has also provisioned for funded element of job evaluation monies which have been held back from SFC funding this year on the grounds that the Scottish

Government has agreed responsibility for meeting job evaluation commitments. Historically and for the purpose of this budget, a further sum of £177k has been set aside.

5 SALARIES

- 5.1 As advised in the earlier paper presented on financial sustainability, the College is in a transition phase and considering options for potential voluntary severance participation across the College in 2024-25, for which formal approval will be sought from the Regional Board and College Board.
- 5.2 Salary costs at the College account for over 70% of total expenditure (2022/23 74%), which tracks above the sector average of 69% based on the SFC's review of 2021/22 college data.
- 5.3 A voluntary severance exercise can be costly, considering any pension strain costs for any individuals over the age of 55 seeking to leave employment. As pension strain costs are calculated by the pension agencies on a case-by-case basis, there is no way of accurately budgeting for this cost. Similarly, as there is no early evidence to suggest who may or may not apply for voluntary severance, this budget continues to recognise a full year of costs for all staff. The College fully anticipates seeing reductions in salary costs of circa £750k in 2025-26 if enough employee applications are accepted for severance, supporting the College's return to an operating surplus.
- 5.4 The ongoing pay disputes add more uncertainty to the baseline salary costs however the budget has been prepared based on the most up to date expectation of £2,000 for 22/23, £1,500 for 23/24 and £2,000 for 24/25 across all salary points for all staff.
- 5.5 The salaries budget of £14,423k takes account of some of the more imminent plans that the College has lined up to support its journey back to financial sustainability. It should be noted that generally posts that become vacant are only backfilled after careful consideration by the Executive team and the Senior Leadership Team as the Executive Management Team are actively trying to manage costs in this area:
- 5.5.1 The introduction of 4 Level 1 Curriculum posts, likely promoting 4 current curriculum managers into these positions at a total on cost of £20.8k
 - 5.5.2 2 retired posts in 23/24 (1.6 FTE) have been retained within Building Services Engineering to support curriculum delivery.
 - 5.5.3 4 part time facilities support staff positions have been retained to support under resourcing currently in the team because of leavers during 2023/24 (total on cost of £63.3k). With the recruitment of permanent posts for 2024/25 in May 2024, overtime costs in this area should be consequently reduced.
 - 5.5.4 The introduction of 3.2 FTE Inclusive learning officer posts within the Learning and Development team at an expected oncost of £78.4k. However, as an offset, it is anticipated that temporary lecturing costs will be reduced within Learning and Development team to circa £60k.
 - 5.5.5 The alignment of Heads of Business Support area salaries to ensure consistency across the team.

- 5.5.6 The alignment of all Depute Heads of Service role salaries to add greater parity to the salaries in cognisance of the roles and responsibility that each Depute Head role fulfils.
- 5.5.7 The continuation of a temporary administrator position within HR to support the ongoing work on the HR system,
- 5.5.8 The recognition of a full time Governance Professional role as a 1 FTE in place of 0.6 FTE to better support College governance, including a review of College policies and procedure publications within that remit.
- 5.5.9 The continuation of a 0.6 FTE vacant post within the library as carried forward from 23/24 (£17.6k)
- 5.5.10 The continuation of an additional Curriculum Manager post within Police & Legal Studies as carried forward from 23/24 budget (£79.3k)
- 5.5.11 The removal of the Financial Accountant post from within the Finance Team with a replacement Head of Finance role instead, partially funded by an IT admin role that has not been replaced (£nil on cost).
- 5.5.12 The budget also contains an additional £40k for British Sign Language (BSL) interpreters for any students that require them. This has been captured within agency spend.

5.6 The year over year (YoY) increase in salaries budget 24/25 from budget 23/24 of £709k primarily reflects an additional year of pay award accrual of £456k, adaptations to existing or proposed new roles to support restructuring/growth across the College of £245k, the additional SPPA Employer contributions payable due to rate change from 23% to 26% of £204k and other recognised in-year savings of approximately £200k, partially offset by reduction in SPF employer pension rate from 19.3% to 9.4% amounting to £399k annualised saving.

5.7 The YoY increase in salaries budget 24/25 from forecast 23/24 of £1,009k largely reflects the above changes but also recognises the additional impact of strike days in year 2023-24, which are expected to reduce total salaries bill by approximately £346k in 2023-24. The budget for 2024-25 does not include any provision for strike days in 2024-25 on the basis that they cannot be accurately estimated.

6 OTHER OPERATING EXPENDITURE

6.1 Full year expenditure of £3,996k is anticipated against a full year expectation for 2023-24 of £4,076k.

6.2 Operating expenditure across 2023-24 and 2024-25 recognises the likelihood of employment tribunal costs, the legal costs of which are being expensed routinely throughout 2023-24 in advance of a potential tribunal later in 2024. It also recognises the added cost of professional fees that have been incurred for pension contribution consultancy and VAT services.

6.3 Nevertheless, operating expenditure for 2024-25 is based on a proposed cut of 10% across each curriculum and business support area, where possible.

6.4 The Board is asked to note that despite current inflation of 2.2%, inflation has been tracking at approximately 4% to date in 2024 and there will be some unavoidable costs in the form of annual incremental increases for services and routine contracts that are likely to run

higher than 2.2%. Example service costs in 2023/24 have seen price increases of circa 5% in some cases.

6.5 Furthermore, many of the curriculum areas during their curriculum planning sessions in January 2024 noted a requirement for small tools and equipment replacements which will fall under their revenue budgets.

6.6 The College would like to remind the Board of the ongoing work within Procurement to bring many areas of our expenditure onto APUC frameworks which should allow the College to control their costs better. As an example, facilities spend on heating, ventilation and air conditioning (HVAC) that has recently been awarded to a key contractor should help to add more clarity and control to costs incurred as opposed to utilising the services of many different contractors with different pricing arrangements. Furthermore, within marketing, a review is being undertaken to review the services employed and level of costs incurred, with the aim that most of this can be brought under an APUC framework to ensure greater spend compliance. While the College cannot conclude that this will bring cost savings, there is an expectation that some savings may present as a direct consequence.

6.7 Depreciation reflects the expected inclusion of £850k of capital funds allocated from the SFC.

7 CAPITAL EXPENDITURE

7.1 The SFC have advised that the College will have access to £850k of funding for capital projects. As highlighted above, this cannot be used for any revenue purposes.

7.2 The SLT recently met to discuss a plan for capital expenditure in 2024/25 and agreed priority spend.

7.3 The Board is asked to specifically note the following:

7.3.1 As part of the work to rationalise and potentially restructure some of the business support areas, the College will seek to undertake some restructuring work within the Principalship corridor (and any other areas) to ensure best use of space.

7.3.2 The recent building survey highlighted some concerns over the external cladding of the building. A £40k provision has been set aside for this work.

7.3.3 The College has committed to invest £50,000 towards a refresh of canteen equipment as part of the recent Tender process.

7.3.4 A contingency fund will be retained to ensure that we have capacity to undertake any urgent and unplanned works that may present. It is prudent to retain some contingency in order that the College can respond quickly and effectively to ensure its ongoing viability. College Management is acutely aware of the issues that can present as buildings age and 2023/24 has flagged some unexpected expenditure in the form of lift repairs, as one example.

7.3.5 The wind and water tightness of the building continues to be a concern and with some improvement work being undertaken in the reception area in the remaining part of 2023/24, there could be scope to install a revolving door to reduce draught.

7.3.6 Initial conversations with Mott McDonald regarding Government funded investment in heat pump technologies have been stalled as Scottish Government have confirmed

they are no longer accepting applications for 23/24. it is therefore more likely that the College will seek to utilise some funding to upgrade its boilers to enhance energy efficiency in the intervening period.

7.3.7 The College also anticipates utilising some contingency funding for finance system upgrade to better support the roll out of more regular and accurate reporting across the College.

7.4 Table 3 Capital expenditure requirements

Curriculum Area	Requirement	Cost including VAT £
Built Environment	Change of use for LG93, currently a Lab that sits in my curricular area.	16,000.00
Built Environment	Large Screen TV required	3,000.00
Built Environment	Plumbing area, depending on room given it may require changes to run curriculum.	16,000.00
Hairdressing, Beauty & Make-up Artistry	Hairdressing salons Backwashes in salon 220,222 & 226 need updated.	10,000.00
Life Sciences	Clever touch screen x 1.	3,200.00
Early Education and Childcare	Hard flooring in Childcare classrooms.	10,000.00
Early Education and Childcare	Outdoor Classroom.	10,000.00
Early Education and Childcare	Air Conditioning R130.	10,000.00
Business Management and Media	Dedicated room to create simulated Digital Media and IT Software	30,000.00
Health and Social Care	Lap top trolley (for 20 laptops).	1,000.00
Hospitality, Events, Police and Legal Studies	Re-fresh of Bistro area.	7,000.00
Wet Trades	Extend Plastering Skills Test bays.	5,000.00
Facilities	Cladding repairs	40,000.00
Facilities	Access Control - initial capital outlay	100,000.00
Facilities	Install, commission and training of staff of Computer Aided Facilities Management System (5 Licences)	5,000.00
Facilities	Canteen investment	50,000.00
HR	Office Reconfigurations (HR, Principalship, Support Areas)	95,000.00
MIS	Student Records System - additional spend for 24/25 estimate	140,000.00
MIS	MIS IT Spend 2024/25	169,560.00
Contingency	e.g. boilers/burners/re-tarmac of car park/revolving front door/Finance System	129,500.00
TOTAL		850,260.00

8 CASH FLOW

8.1 The Board is asked to take note of the likely cashflow position by the end of 2024-25 of £862k. This takes account of suspected pay award settlements and potential legal fees in respect of employment tribunals that are expected to land in the latter part of 2024.

8.2 As mentioned previously, the expectation would be that the College uses 2024-25 to put in place required changes with a view to generating more income potential and cost savings in year, targeting 2025-26 as a period to fully recognising the impact of savings. A period of change inevitably comes at a higher cost in year and the College must manage its way through this period as efficiently as possible.

8.3 The College is hopeful that with the roll out of month end process, more accurate and timely financial reporting will help to quickly identify and rectify any deviations from budgets and will also allow for the early identification of potential for greater income generation to ultimately support its cash flow in the longer-term.

8.4 Table 4 Cashflow

STATEMENT OF CASH FLOWS					
	Year ended 31st July 2025 Budget £000	Year ended 31st July 2024 Forecast £000	Year ended 31st Jul 2024 Budget £000		
Net cash inflow from operating activities					
(Deficit)/surplus for the financial year	(1,308)	(648)	-	(761)	
Adjustments for:					
Depreciation of tangible assets	1,579	1,511	-	1,428	
(Decrease)/Increase in creditors due within one year	459	(2,204)	-	900	
(Increase) in debtors	(177)	527	-	(850)	
Interest payable	1	1	-	-	
Amortisation of deferred capital grants	(1,045)	(918)	-	-	
Early retirement pension payments	-	-	-	-	
Investment Income	(20)	(31)	-	-	
Pension cost less contributions payable	(722)	721	-	(1,018)	
Cash from operations	(1,232)	(1,041)	-	460	
Income taxes paid	-	-	-	-	
Net cash generated from operating activities	(1,232)	(1,041)	-	460	
Cash flows from investing activities					
Investment Income	20	31	-	-	
Purchases of tangible fixed assets	(850)	(735)	-	(550)	
Net cash flows from investing activities	(830)	(704)	-	(550)	
Cash flows from financing activities					
Interest paid	(1)	(1)	-	-	
Government capital grants received	672	735	-	-	
Net cash flow from financing activities	671	734	-	-	
Net increase in cash and cash equivalents	(1,391)	(1,011)	-	(851)	
Cash and cash equivalents at the beginning of the year	2,252	3,263	-	3,100	
Cash and cash equivalents at the end of the year	862	2,252	-	2,249	

10.2 The Statement of Financial Position continues to show the reduction in the College net assets/reserves as a result of growing salary costs, reduced funding and pressures on expenditure in the form of legal and professional costs to support anticipated employment tribunals. Annual, incremental increases to many routine services that the College accesses will continue to exert further pressure on costs.

11 EQUALITIES

11.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

12 RISK AND ASSURANCE

12.1 The main risks are to:

12.1.1 Going concern; that the College cannot maintain financial sustainability and is unable to provide high quality education and support to its students; and that

12.1.2 There are insufficient funds for capital maintenance and maintenance requirements.

Assurances are given by the College that work is progressing to provide greater accuracy and transparency in monthly reporting. Furthermore, the College is committed to monitor its cashflow in both the short and long term and with more robust monthly reporting, the College will continually aim to be proactive in managing its finances against the context of a challenging year due to sectoral funding cuts and general inflationary pressures.

Similarly, the College will ensure that relevant consultation and approval is sought for all inclusions within this budget to ensure full consideration is given to all impacted parties.

13 RECOMMENDATIONS

Members are recommended to:

- note the assumptions used in the budget setting process;
- note and approve the financial projections for 2024-25, inclusive of a Capital expenditure projection, Cash flow and the Statement of Financial Position for 2024-25, for use within the FFR due by end of June 2024.

APPENDIX 1: LANARKSHIRE REGION INDICATIVE FUNDING ALLOCATIONS 2024/25

<u>College Indicative Funding Allocations 2024/25</u>	2023/24 (£)			2024/25 (£)			Reduction (£)				
	LAN	NCL	SLC	LAN	NCL	SLC	LAN	NCL	SLC		
Teaching Funding (net of Job Evaluation)	51,378,151	37,654,172 73.29%	13,723,979 26.71%	51,378,151	37,654,172 73.29%	13,723,979 26.71%	0.00	0.00	0.00		
Mental Health & Wellbeing Transition Fund	125,590	91,555 72.90%	34,035 27.10%	0	0 #DIV/0!	0 #DIV/0!	(125,590) (1)	(91,555) (1)	(34,035) (1)		
Sanitary Products	28,500	20,776 72.90%	7,724 27.10%	0	0 #DIV/0!	0 #DIV/0!	(28,500) (1)	(20,776) (1)	(7,724) (1)		
Capital Maintenance Funding Allocations	3,208,792	2,339,209 72.90%	869,583 27.10%	3,136,800	2,286,727 72.90%	850,073 27.10%	(71,992) (0)	(52,482) (0)	(19,510) (0)		
Digital Poverty	299,755	218,521 72.90%	81,234 27.10%	0	0 #DIV/0!	0 #DIV/0!	(299,755) (1)	(218,521) (1)	(81,234) (1)		
Student Support Funding	16,439,498	11,984,394 72.90%	4,455,104 27.10%	14,923,367	10,879,135 72.90%	4,044,232 27.10%	(1,516,131) (0)	(1,105,259) (0)	(410,872) (0)		
Credits	160,890	117,289 72.90%	43,601 27.10%	160,890	117,289 72.90%	43,601 27.10%	0.00	0.00	(43,601)		
TOTAL	71,480,286	52,308,628	19,171,658	0	69,438,318	50,820,034	18,618,284	0	(2,041,968)	(1,488,595)	(553,373)
OVERALL % REDUCTION YEAR OVER YEAR									(2.86%)	(2.85%)	(2.89%)

Notes

- 1 Assumes 2023/24 splits are continued.
- 2 Standard split is NCL (72.9%), SLC (27.1%) - Teaching Funding arrives at a different % due to the agreement in the Access & Inclusion Premium of £750,000 being split 99.5%/0.5%.
- 3 Job Evaluation now the responsibility of the Scottish Government and removed from 2023/24 Teaching Funding comparative.
- 4 Foundation Apprenticeships to be delivered from Core Credit Allocations.
- 5 FWDF has ceased with no replacement or reinstatement programme planned .

BOARD OF MANAGEMENT

DATE	6 June 2024
TITLE OF REPORT	Updated Report from the Audit and Risk Committee to the Board of Management and Audit Scotland
REFERENCE	15.0
AUTHOR AND CONTACT DETAILS	Elaine McKechnie, Vice Principal – Finance, Resources & Sustainability Elaine.McKechnie@slc.ac.uk
PURPOSE:	<ul style="list-style-type: none"> To summarise the work undertaken by the Audit and Risk Committee for the period from 1 August 2022 to 31 July 2023 as confirmed by the Audit & Risk Committee in November 2023 To provide a summary of work undertaken by the internal and external audit functions of the College across 2022/23 To provide an update on the completion of the 2022/23 Financial Statements including formal publication of accounts in May 2024.
KEY RECOMMENDATIONS/ DECISIONS:	<p>Members are asked to:</p> <ul style="list-style-type: none"> To note that Mr Tom Feely was appointed as the Chair following on from the resignation of the former Chair on 5 December 2023. To note 'risk' was added as a standing item to the Committee's Terms of Reference during the year; and To note satisfactory assurances gained from the College in respect of Governance, risk management and operational controls.
RISK	<ul style="list-style-type: none"> That College governance, strategic risks and controls are not identified, and mitigating actions are not taken to ensure the College can continue to operate efficiently and legally through full compliance with both internal and external audits.
RELEVANT STRATEGIC AIM:	<ul style="list-style-type: none"> Successful Students The Highest Quality Education and Support Sustainable Behaviours
SUMMARY OF REPORT:	<ul style="list-style-type: none"> The College continued to closely monitor all aspects of risk management, control, and governance during the year with Committee membership and Composition requirements being fully met. The Committee continues to work well within its current remit and cooperates fully with Internal, External and non-financial Audit findings and recommendations. The Committee was positive about the arrangements established for the External Financial Audit by Audit Scotland for year ended 31st July 2023 which resulted in an earlier signing date for the accounts of 5 December 2023.

	<ul style="list-style-type: none">• The Financial Statements have also been formally laid before Parliament and have been published in the public domain, effective May 2024.
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1. INTRODUCTION

- 1.1 It is an annual requirement that the Audit and Risk Committee report to the Board of Management every year in order to comply with the Code of Good Governance for Scotland's Colleges. This report primarily considers the academic year of 2022-23 with reference to the completion of the 2022-23 Financial Statements during 2023-24.
- 1.2 The content of this report which reviews the work of the Audit and Risk Committee across the academic year 2022-23 was agreed by the Audit and Risk Committee in November 2023.
- 1.3 Following on from the review and approval of the Financial Statements by the Board in December 2023, the laying before Parliament and the formal publication of those accounts in May 2024, the Audit & Risk committee now brings the report to the Board for final approval.

2 BACKGROUND

- 2.1 This report contains a review of all audit related activity undertaken, including internal, external and non-financial audits, bringing any areas of concern to their attention. The report should provide the Board of Management with assurance that the current control environment is effective to ensure the smooth running of all College affairs. This in turn allows us to adhere to our strategic aims of successful students, high quality education and support and sustainable behaviours.

3 DISCUSSION

3.1 *Meetings and Composition of the Committee*

- 3.2 The Audit and Risk Committee met on five occasions during the year and minutes and associated papers were presented to the Board of Management. The dates of the meetings were: 5 September 2022, 7 November 2022, 6 February 2023, 19 April 2023 and 15 May 2023.
- 3.3 Mr C McLaughlin chaired the Committee throughout the year prior to a new committee member, Mr T Feely, being subsequently appointed post year end in August 2023. Mr Feely assumed the post of Chair effective 6 December 2023.
- 3.4 Ms F Whittaker, Mr D Hogan and Ms A Doherty continued to serve on the Committee throughout the year, but Mr D Hogan resigned effective August 2023.

3.5 Table 1: The Committee attendance record for the year was as follows:

Board Member	5 Sep 22	7 Nov 22	6 Feb 23	19 Apr 23	15 May 23
C. McLaughlin	Y	Y	Y	Y	Y
F. Whittaker	Y	Y	N	Y	Y
D. Hogan*	N	N	N	N	N
A. Doherty	Y	Y	Y	Y	Y
C Gibb (Chair of Finance & Resources Committee)	Y	Y	Y	Y	N
Also attending:					
H Anderson (Board member & Finance & Resources Committee)	N	Y	N	Y	N
D Morrison (Board member & Finance & Resources Committee)	N	Y	N	N	N
Student President	Y	N	Y	Y	N
Acting Clerk/Governance Professional	Y	Y	Y	Y	Y
Principal/Acting Principal	Y	Y	Y	Y	Y
Depute Principal	Y	Y	Y	N	N
Head of Finance	Y	Y	Y	Y	Y
Financial Accountant	N	N	N	N	Y
Chair to the Board	N	Y	Y	N	N
Chair of RSB ARC	N	Y	N	N	Y
Internal Audit	Y	Y	Y	Y	Y
External Audit	Y	Y	Y	Y	Y
Trade Union Observer	N	N	N	N	Y

*Subsequent to publication of the original draft, D Hogan resigned from the Board citing pressure of other business.

3.6 The Financial Statements for the year to 31st July 2022 were presented to the April 2023 meeting of the Committee. Ms Clare Gibb, as Chair of the Finance and Resources Committee, attended the meeting as a representative of that Committee. In addition, Mr Craig McLaughlin also attended the April 2023 meeting of the Finance and Resources

Committee which recommended approval of the audited Financial Statements to the Board of Management. He attended this meeting as a representative of the Audit and Risk Committee.

3.7 At the joint meeting of the two Lanarkshire Region Audit and Risk Committees on 16 November 2021, it was agreed that the Chairs of the respective Committees would be invited to the ARC meetings of the other and this agreement has been in place for the full year of 2022-23. This has proved to be a useful endeavour throughout 2022-23 ensuring appropriate cascade of information to each Committee.

3.8 The Financial Statements for the year to 31st July 2023 were also presented to the November 2023 meeting of the Committee prior to formal approval being granted by the Board on 5 December 2023. The Accounts have since been laid before Parliament and are now published on the Scottish Funding Council (SFC) website as a central source of information for other stakeholders, effective May 2024.

4 TERMS OF REFERENCE

4.1 The remit of the Committee was reviewed in early 2023. Committee Terms of reference now have 'risk' as a standing item which helps to inform the College as to emerging and ongoing risk factors. The Clerk to the Committee was also asked to take on board the possibility of including a 'risk appetite' session in future training initiatives to help better contextualise decisions taken based on varying level of risks that the College might be prepared to absorb. This session was delivered by Internal Audit to the Board in May 2023 (Please see further details below in the 'Risk Management' section).

4.2 *Internal Audit: Henderson Loggie*

4.3 The firm of Henderson Loggie was appointed as internal audit service providers in November 2021 following a tender process for the three academic years to 31 July 2025. The Annual Audit Plan was agreed on 30 March 2022.

4.4 Five internal audit reviews took place across 2022-23 on the following areas, with the results of the latter four being presented at the Committee meeting on 27 November 2023:

4.4.1 Staff Recruitment & Retention (Grade: Satisfactory)

4.4.2 Budgetary Control (Grade: Satisfactory)

4.4.3 Student Support (Credits) (Opinion: Unqualified audit opinion)

4.4.4 Student Support (Funding & Educational Maintenance Allowances (EMA)) (Funding Opinion: Unqualified audit opinion; EMA Opinion: reservation made)

4.4.5 Quality (Grade: Good)

4.5 The audit re the Follow-up of Prior Recommendations, will also be presented to the ARC on 27 November 2023.

4.6 The two mandatory audits for the 2022/23 academic year were the Collection of Student Activity Data (Credits) and Student Funding & Educational Maintenance Allowances (EMAs).

4.7 The Committee noted that of the five reports issued by Henderson Loggie during the year which contained control objective assessments, Quality had no priority gradings at all and systems and controls were concluded as 'Good', which is the highest grading. The residual four reports had no grading issues which were assessed to be "Priority 1", three

were assessed to be “Priority 2” and seventeen were assessed to be “Priority 3”. The report on **Student Activity** (Credits) noted four Priority 3 recommendations.

4.8 The Committee is encouraged by the status of recommendations from 2021/22 cycle of audits, as summarised in the Rolling Audit Recommendation Monitor that has been presented to the Committee throughout the year. The monitor provides the Committee with assurance that recommendations are being addressed internally to ensure compliance with best practice initiatives in each area of review. A review of completed actions was presented by Internal Audit at the meeting on 27 November 2023 and no concerns were raised over final completion of outstanding points.

4.9 The Board is reminded that further Internal Audit assignments have been completed across 2024 and the findings of which will be brought to the Board in the 2023/24 report.

5 ANNUAL REPORT

5.1 A summary of all internal audit work undertaken during the year 2022/23 is dated November 2023 and is contained in the Annual Report, which was presented to and approved by the Audit and Risk Committee on 27 November 2023.

5.2 *Audit Scotland Technical Bulletins*

5.3 Audit Scotland produces quarterly bulletins which include details of audit and finance-related matters and Circulars issued by the Funding Council. Relevant extracts from these Bulletins are presented to Audit Committee meetings for the benefit of members.

5.4 *Other Audits Presented to the Committee*

5.5 Financial and non-financial audits, such as those undertaken by the College’s own Quality Audit Group and external bodies such as Skills Development Scotland (SDS) are presented to the Committee for review.

5.6 *External Audit*

5.7 From 2001/02, the responsibility for arranging and monitoring the external audit of the further education sector passed to Audit Scotland. As noted last year, following a tendering exercise undertaken by that organisation, Audit Scotland was appointed and concluded the financial statements and the annual audit report for year ended 31 July 2023.

5.8 The external audit for 2022/23 progressed well and audit opinions were unmodified indicating that the Financial Statements had been prepared in accordance with relevant legislation.

5.9 *Audit Fees 2022/23*

5.10 A letter from Finance Directors’ Network to Audit Scotland concerning the sharp increase in audit fees was shared with the Committee in May 2023. In response to a query for clarification it was confirmed that the reason given for the substantial increase in professional fees was directly attributable to market forces.

5.11 *Report on the Financial Statements for the year to 31st July 2023*

5.12 The Report was considered at the Committee meeting on 27 November 2023 with final approval from the Board of Management on 5 December 2023.

5.13 The Annual Audit Report from Audit Scotland did highlight some areas for improvement within fixed asset reporting and the Performance Report, Governance Statement and the

Remuneration and Staff Report, which the College has taken on board for 2023/24 Financial Statements production process.

6 COMPLIANCE WITH THE 2016 CODE OF GOOD GOVERNANCE

6.1 Significant progress has been made in the monitoring and review of Governance by the College. The Board has a robust self-evaluation process, as required by The Code of Good Governance for Scotland's Colleges. The 2023 review led to the implementation of a detailed Governance Improvement Plan, focusing on Board induction and training, the creation of an annual work plan for the Board and its committees, membership of Board committees, a revised approach to the reporting of Key Performance Indicators and a focus on diversity in future Board recruitment. This plan was signed off by the Lanarkshire Regional Strategic Body and there is a Rolling Review Programme which will further strengthen its corporate governance arrangements while providing appropriate strategic direction for the College.

6.2 The College reported in its 2021-22 Governance Statement that it had not complied with the Code of Good Governance for the entire year in four areas: Legal minimum membership; availability of minutes and the service of a clerk to the Board; induction; and engagement with internal auditors. Throughout quarterly Committee meetings, the Committee sought assurance of on-going compliance to the Code during 2022-23, which continues to be the case as at current date.

7 CONSOLIDATED FINANCIAL STATEMENTS FOR THE LANARKSHIRE BOARD

7.1 South Lanarkshire College is a legal entity with a Board of Management which is responsible for the governance and management of the College. In addition, it has been determined that each region should produce regional consolidated financial statements in addition to individual college audited accounts. In order to effect the production of Regional accounts, SLC provides the relevant information to New College Lanarkshire. SLC has complied with all information requests for year ended 31st July 2023, resulting in the publication of the consolidated financial statements.

8 REGIONAL ASSURANCE

8.1 The Principal, as the Chief Executive Officer of South Lanarkshire College, is required to give an annual Certificate of Assurance to the Accountable Officer of the Lanarkshire Region which is then forwarded to the Funding Council.

8.2 SLC staff members attend Regional Board and Committee meetings as felt appropriate. In particular, this arrangement applies to the appropriate Audit, Finance and full Board meetings of the Regional Strategic Body to provide information as required.

8.3 It has also been agreed that the two respective Chairs of the Regional College Audit and Risk Committees and Finance and Resources Committees shall be invited to attend the meetings of the other. This has proved to be a worthwhile endeavour in 2022/23, ensuring appropriate cascade of relevant information to each respective Committee.

9 RISK MANAGEMENT

9.1 The College has continued to develop its Risk Management processes, with the Risk Management Group being expanded to include membership from middle management and with the Register itself being reviewed by the Senior Management Team prior to its presentation to the Committee.

9.2 The Vice Principal for Finance, Resources & Sustainability attended the Regional Strategic Risk Group, to present the South Lanarkshire College Strategic Risk Register on 20 November 2023.

9.3 Furthermore, owing to the idea that risk is now firmly a standing item on each Committee's agenda, the exercise undertaken by the Board in May 2023 assigned a risk appetite scoring to each of the following 11 areas of College operations:

- Governance
- Operations
- Legal
- Property
- Finance
- People
- Commercial
- Data and information management
- Technology
- Project/Programme
- Reputational

9.4 The College awaits an update from Internal Audit with next steps as to an effective way to assess the current College risk register against the risk appetite scores devised during that session.

10 MEETING OF THE AUDIT COMMITTEE AND THE INTERNAL AND EXTERNAL AUDIT PROVIDERS

10.1 As per prior year, in line with best practice, and included in the remit of the Audit and Risk Committee, an opportunity for the internal and external audit service providers to discuss any matters which were pertinent members of the Committee, but without the presence of College management, was given at various meetings of the Committee (April 2023). There were no matters of concern raised and both sets of auditors gave positive feedback.

11 OPINION

11.1 The Committee has overseen the internal and external audits of the College based on audit needs and appropriate guidance from bodies such as the Scottish Funding Council, Colleges Scotland and Audit Scotland.

11.2 Based on reports received from the College's internal and external auditors, and on information received from College management, the Committee is of the opinion that the College's internal financial and management systems are adequate and effective. Its arrangements for securing economy, efficiency and effectiveness are also considered adequate and effective.

11.3 The Committee is also of the opinion that there is an ongoing process for identifying, evaluating and managing the College's significant risks and an overview can be found in the Annual Report and Financial Statements.

11.4 The Committee and College management have worked closely with the external auditors during 2022/23 to mitigate the effects of past issues with a view to bringing the production and approval of the Financial Statements back to the original deadline of 31st December. The Committee has also worked closely with College management during the year to ensure that the College remains compliant with the Code of Good Governance for Scotland's Colleges. The appointment of a permanent Governance Professional in September 2023 and a robust handover with the prior Clerk provides the Committee with further assurance that Governance will remain a continued focus and priority for the College going forward.

**Craig
McLaughlin
Former Chair**

Audit and Risk Committee of the Board of
Management (to 5 December 2023)

**Tom Feely
Chair**

Audit and Risk Committee of the Board of
Management (from 6 December 2023)

12 EQUALITIES

12.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

13 RISK AND ASSURANCE

13.1 There is a risk that College governance, strategic risks and controls are not identified, and mitigating actions are not taken to ensure the College can continue to operate efficiently and legally through full compliance with both internal and external audits.

13.2 However, the purpose of the Audit and Risk Committee is to ensure that there is regular review and discussion of all College affairs including governance and operational management and the Committee is confident that sufficient procedures are in place to ensure that the College is fully compliant with the external regulatory environment.

14 COMMUNICATIONS

14.1 This paper is for the Board of Management's consumption and contains the salient points from discussions and interactions with all relevant audit authorities throughout the year. The Committee would ask that the Board of Management take assurance from the work undertaken throughout the year and place confidence in decisions that have been made and actions that have been taken because of audit outcomes. The Committee believes that it is well placed to deliver and meet its aims going forward given the review of governance structures and review processes that are now in place.

15 RECOMMENDATIONS

15.1 Members are recommended to:

- To note that Mr Tom Feely was appointed as the Chair following on from the resignation of the former Chair Mr C McLaughlin on 5 December 2023.
- To note 'risk' was added as a standing item to the Committee's Terms of Reference during the year; and
- To note satisfactory assurances gained from the College in respect of Governance, risk management and operational controls.

BOARD OF MANAGEMENT

DATE	6 June 2024
TITLE OF REPORT	Anti Fraud and Corruption Policy
REFERENCE	16
AUTHOR AND CONTACT DETAILS	Elaine McKechnie, Vice Principal Finance, Resources and Sustainability Elaine.McKechnie@slc.ac.uk
PURPOSE:	To request members to approve the Anti-Fraud and Corruption Policy.
KEY RECOMMENDATIONS/ DECISIONS:	Members are recommended to: <ul style="list-style-type: none"> • Approve the Anti-Fraud and Corruption Policy
RISK	<ul style="list-style-type: none"> • That the College does not have up to date policies in place to safeguard the organisation and ensure the proper use of public funds.
RELEVANT STRATEGIC AIM:	<ul style="list-style-type: none"> • Successful Students • Highest Quality Education and Support • Sustainable Behaviours
SUMMARY OF REPORT:	<ul style="list-style-type: none"> • The report sets out the key principles of the Anti-Fraud and Corruption Policy as well as measures to prevent and minimise fraud. • It also sets out responsibilities for the Board of Management and all College staff. • Furthermore it includes how to report suspicions of fraud, the investigation process, responsibilities for internal controls and related documents.

1. INTRODUCTION

1.1 The purpose of this paper is to provide an overview of the Anti-Fraud and Corruption Policy which sets out the College's position in the prevention of and response to fraud and corruption and helps to ensure the proper use of public funds.

2. THE POLICY

2.1 The policy forms part of the College's internal control and corporate governance arrangements and it applies to all activities undertaken on behalf of the College by members of the Board of Management, Senior Management Team and all staff of the College and its subsidiaries.

2.2 The policy sets out the key elements of the College's policy to combat fraud and corruption which are:

- 2.2.1 An open and honest culture
- 2.2.2 Adequate preventative measures
- 2.2.3 Systems of detection and investigation
- 2.2.4 Understanding and awareness within the College
- 2.2.5 The usage of a "Whistle Blowing" policy

2.3 In addition, it also sets out Prevention Principles which include, appropriate policies and procedures, adequate systems, internal audit, a culture of honesty, staff recruitment and training and the National Fraud Initiative.

2.4 The Policy then sets out the responsibilities for the prevention and minimising of fraud as well as how to identify it and how to report it. It also sets out the investigation process, responsibilities for the internal controls and related documents.

2.5 The Annexes outline a fraud response plan and checklist.

3. NEXT STEPS

3.1 Following approval of this policy all staff will be made aware and training given as appropriate.

4. EQUALITIES

4.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report

5 RISK

5.1 That the College does not have up to date policies in place to safeguard the organisation and ensure the proper use of public funds

6 RECOMMENDATIONS

6.1 Members are recommended to:

6.1.1 Approve the Anti-Fraud and Corruption Policy



South
Lanarkshire
College

East Kilbride

ANTI FRAUD AND CORRUPTION POLICY

May 2024

Version Number: 2.0

Document Information

Procedure Published/Created:	November 2015
Reviewed Date:	May 2024
Owner:	Vice Principal Finance, Resources and Sustainability
Approved by:	Board of management
Equality Impact Assessment:	
Next Review Date:	May 2027

Version History

Version Number	Date	Author	Rationale
1	November 2015	Head of Finance	
2	May 2024	Vice Principal Finance, Resources and Sustainability	

Quick Links

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To find out more about our Vision, Mission and Values click [HERE](#)



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1. INTRODUCTION

- 1.1 One of the essential functions of public sector organisations is to ensure the proper use of public funds. This policy sets out the College's position in the prevention of and response to fraud and corruption.
- 1.2 In developing this policy, the College has taken account of existing external guidance and legislation, including the Scottish Public Finance Manual, UK Corporate Governance Code 2018 and Bribery Act 2010.
- 1.3 The College values its reputation for ethical behaviour and for financial probity and reliability. The College recognises that any involvement in fraud or corruption will reflect adversely on its image and reputation. The College therefore has a zero-tolerance culture to fraud. The College will treat any instances of fraud or corruption by its employees, board members, or contractors as serious breaches of discipline and as potentially criminal acts. Bribery of or by any College employee, board member or contractor for either personal or organisational gain will be similarly treated. The College will cooperate fully with any criminal investigations carried out in response to instances of fraud, corruption or bribery.

2. SCOPE

- 2.1 This policy forms part of the College's internal control and corporate governance arrangements.
- 2.2 The policy applies to all activities undertaken on behalf of the College by members of the Board of Management, Senior Management Team and all staff of the College and its subsidiaries.
- 2.3 It is essential that the Board of Management are made aware of this Policy and its procedures when they join the College and either receive a copy for inclusion in their personal records or have access to this policy online and, in addition, have ready access to all other relevant documents, policies and procedures, which regulate the College's activities.
- 2.4 Action will be taken on a regular basis to remind both the Board of Management and staff of the importance the College places on avoiding and preventing fraud and corruption.

3. DEFINITIONS

- 3.1 Fraud is the illicit gaining of cash or other benefit by deception.
- 3.2 Corruption is the misuse of public office or power for private gain, or misuse of private power in relation to business outside the realm of government.
- 3.3 Acts of bribery or corruption are designed to influence the individual in the performance of their duty and incline them to act dishonestly. The person being bribed is generally someone who will be able to obtain, retain or direct business. This may involve initiatives such as buying or selling, or it may involve the handling of administrative tasks such as licences, customs, visas or taxes. It does not matter whether the act of bribery is committed before or after the activity has been undertaken

4. KEY PRINCIPLES

4.1 The results of fraud and/or corruption can be costly, time-consuming, disruptive and unpleasant. The College, therefore, sees that the overriding principle to be applied is that of prevention. Where this fails, however, then reporting, investigation and, where necessary, sanctions, will be pursued rigorously and swiftly.

4.2 The key elements of the College's policy to combat fraud and corruption are:

- An open and honest culture
- Adequate preventative measures
- Systems of detection and investigation
- Understanding and awareness within the College
- The useage of a "Whistle Blowing" policy

5 PREVENTION PRINCIPLES

5.1 The adoption of proper and adequate measures to prevent fraud and corruption are the responsibility of the Board, the Executive Team and the Senior Leadership Team. Preventative measures can be classified under six broad headings:

5.1.1 Policies and Procedures

The College shall develop, implement and maintain such policies and procedures so as to reduce, as far as possible, the risks from fraud or corruption. These will include:

- Financial Regulations
- Financial Procedures
- Whistle Blowing Policy
- Anti-Bribery Policy

5.1.2 Systems

The College will maintain in place systems which incorporate internal controls, including adequate segregation of duties to ensure that, as far as possible, fraud and corruption can be prevented.

5.1.3 Internal Audit

The College will ensure that it agrees a programme of internal audit assignments to support the systems and procedures already in place and to assist in the reduction of the likelihood of fraud.

5.1.4 Culture

The College will maintain a culture of openness, honesty and accountability. This will be supported by the Whistleblowing Policy.

5.1.5 Staff Recruitment and Training

The College will ensure references are taken up for all permanent and temporary staff. As part of induction, staff will be made aware of all policies and procedures pertinent to their post, including those concerning governance. Training materials will be developed for completion by all staff.

5.1.6 National Fraud Initiative

The College participates in the National Fraud Initiative (NFI), which is a counter fraud exercise across the UK public sector which aims to prevent and detect fraud. The NFI takes place every second year. The exercise is facilitated by Audit Scotland and operates across boundaries and public bodies in different sectors and countries.

Further information is here: <http://www.audit-scotland.gov.uk/our-work/nationalfraud-initiative> The NFI acts as a deterrent to potential fraudsters, identifying errors and fraud which enables appropriate action to be taken.

5.2 The Vice Principal Finance, Resources and Sustainability will communicate the requirements of this Policy to employees at least once a year. Training and refreshers will be provided to all employees on a regular basis to accompany and supplement this annual communication.

5.3 Responsibilities

The overall responsibility for the prevention and minimising of fraud rests with the Principal of the College. However, all staff have a responsibility for the prevention, detection and reporting of fraud. Heads, Associate Principals or any other Manager with responsibility for awarding contracts, making payments, and other financial transactions must ensure they have clear control procedures. It is important that:

- There is adequate separation of duties and proper authorisation processes for payments.
- Staff dealing with these procedures are familiar with them.
- Accounting and other records, such as cash balances, bank balances, physical stock counts, are reconciled with the actual position.
- Staff who are bankrupt or insolvent are not employed on duties which might permit the misappropriation of public funds.

Heads, Associate Principals and any other Managers are responsible for:

- Ensuring that effective internal controls are operating within their areas of responsibility.
- Assessing the types of risk involved in the operations for which they are responsible and responding to minimise the opportunity for fraud.
- Reporting relevant cases to the Vice Principal Finance, Resources and Sustainability

Each member of staff is responsible for:

- Acting with propriety in the use of official resources and the handling and use of public funds.
- Being alert to the possibility that unusual events or transactions could be indicators of fraud.
- Reporting details immediately through the appropriate channel if they suspect that a fraud has been committed or see any suspicious acts or events.
- Cooperating fully with whoever is conducting internal checks or reviews or fraud investigations.

6 IDENTIFICATION OF FRAUD

6.1 Fraud is not always easy to identify. Often suspicion may be raised but it is not acted on and reported. Fraud is often committed where there is:

- Opportunity to commit fraud. This is where internal controls are weak and access to assets and information allows fraud to occur.
- Rationalisation that justifies fraudulent behaviour. This can be for a variety of reasons.
- Motivation or a need for committing fraud. This can be for financial reasons or other motivating factors.

6.2 Managers and staff must always be alert to the risk of fraud, theft and corruptions. Danger signs of fraud include:

- Photocopies of documents where originals would be expected.
- Discrepancies in dates and signatures.
- Unexpected queries from stakeholders or suppliers, e.g. bank account changes.
- Requests for non-standard payments.
- Unexpected trends or results e.g. from reconciliations.
- Excessive spending habits of staff / contractors.
- Inappropriate relationships with suppliers.
- Reluctance of staff to take leave.
- Abnormal travel and subsistence claims, overtime or flexible working patterns.
- Undue possessiveness of or anomalies between work records.
- Pressure from colleagues to avoid normal control procedures.

7 MAKING SUSPICIONS KNOWN

- 7.1 It is important that all staff can report their concerns without fear of reprisal or victimisation and are aware of the means to do so, The Public Interest Disclosure Act 1998 inserts provisions into the Employment Rights Act 1996, which provides protection for those who raise concerns out of public interest for instances of potential fraud. This could range from criminal offences, breaches of legal obligations, miscarriages of justice, danger to health and safety, damage to the environment and/or the deliberate concealing of information about any of these matters.
- 7.2 In the first instance concerns should be raised with the Vice Principal Finance, Resources and Sustainability or with the Principal in the absence of the Vice Principal Finance, Resources and Sustainability.
- 7.3 If the concern is thought to involve the Vice Principal Finance, Resources and Sustainability and/or the Principal, the concern should be raised with the Chair of the Audit Committee via a letter addressed to the Governance Professional marked "For the attention of the Chair of the Audit Committee – Private and Confidential – to be opened by the addressee only".

8 INVESTIGATION

- 8.1 Where a breach of this Policy is notified to the College, the College will investigate the circumstances. All cases of actual or suspected fraud will be vigorously and promptly investigated and appropriate action will be taken. Police Scotland will be informed where considered appropriate. In addition, disciplinary action will be considered not only against those members of staff found to have perpetrated frauds but also against managers whose negligence is held to have facilitated frauds. Both categories of offence can be held to constitute gross misconduct, the penalty for which may include dismissal or summary dismissal. The investigation procedure is contained in Annex A.
- 8.2 In the event that a member of the panel or the Vice Principal Finance, Resources and Sustainability is implicated they will be replaced by another member of the Senior Leadership Team, as identified by the Principal.
- 8.3 In the event that fraud is suspected on the part of contractors, agency workers or by staff involved in agency or contract work on behalf of other bodies, procedures and responsibilities for reporting and investigation are the same as for staff. The College will also inform and involve employing contractors or agencies when appropriate.
- 8.4 Where corruption is suspected, or public funds have been put at risk or lost due to a suspected breakdown of college policies and procedures, the Principal may launch an investigation into the corruption.
- 8.5 Cases of fraud with a value of £5,000 or above should be reported to the Scottish Funding

Council by the Vice Principal Finance, Resources and Sustainability, or the Vice Principal Learning, Teaching and the Student Experience, or the Principal.

8.6 Any investigations must be reported at the next Audit Committee meeting and at the audit clearance meeting for the appropriate financial year.

9 RESPONSIBILITIES

9.1 The South Lanarkshire Board of Management, with oversight from the Lanarkshire Regional Strategic Body is responsible for ensuring the effectiveness of internal control of the College, based on information provided by the Executive Team.

9.2 The Audit Committee is responsible for considering the suitability and effectiveness of this Policy.

9.3 The Senior Leadership Team is responsible for developing appropriate systems of internal control to reduce the likelihood and impact of fraud or corruption.

9.4 The Vice Principal Finance, Resources and Sustainability is responsible:

9.4.1 for implementing and reviewing the Policy; and

9.4.2 ensuring adequate procedures to monitor the implementation of, and ongoing compliance with the Policy.

9.5 All College managers are responsible for ensuring that staff are made aware of their obligations under the Policy.

9.6 The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for the organisation or under its control. All staff members are required to avoid activity that breaches this policy. They must:

- ensure that they read, understand and comply with this policy; and
- raise concerns as soon as possible if they believe or suspect that a conflict with this policy has occurred or may occur in the future.

10 RELATED DOCUMENTS

- Code of Conduct
- Financial Regulations
- Risk Management Framework
- Whistleblowing Policy
- Procurement Policy
- Gifts and Hospitality Register
- Anti-Bribery Policy
- Employee Disciplinary Policy and Procedures
- Cyber Security

11 REVIEW

11.1 This policy will be reviewed every 3 years or whenever Corporate Governance changes affect any part of it.

ANNEX A: FRAUD RESPONSE PLAN

Introduction

Management and staff are likely to have little experience of dealing with fraud and when suspected cases arise, may be unsure of the appropriate action to take. The objectives of this response plan are to:

- **provide a documented framework which the institution can refer to in the event that fraud is suspected or reported; and**
- **ensure that in the event of fraud, timely and effective action is taken to prevent further losses, identify fraudsters, safeguard evidence, minimise publicity, reduce adverse effect on business and learn lessons.**

Fraud investigation checklists for line managers and the fraud investigation group are included at **Annex B**.

Reporting Fraud

All actual or suspected incidents of fraud should be reported without delay to the Vice Principal Finance, Resources and Sustainability or other member of the fraud investigation group. The members are:

- Vice Principal Finance, Resources and Sustainability (Chair)
- Head of Finance
- Head of Human Resources
- Head of Management Information Systems.

When staff report suspected fraud, it is important that their suspicions are treated seriously and that all details provided by the reporting employee are recorded accurately and in a timely manner. They should be repeated back to the reporting employee to confirm understanding. It is essential that staff are put at ease, since the decision to report the suspected fraud may be traumatic for the individual concerned. Those reporting frauds should be assured that all information will be dealt with in the strictest confidence and that anonymity will be preserved if requested, unless that is incompatible with a full and fair investigation stage.

Any staff member involved should also be reminded that under no circumstances is it appropriate to speak or write to representatives of the press, television, radio or another third party about the suspected fraud/theft. Care needs to be taken that nothing is done that could give rise to an action for defamation of character should the investigation disprove any allegations against an individual or group.. Only the Principalship can respond to press enquiries.

Once the Vice Principal Finance, Resources and Sustainability has recorded the details of the case, they should, within 24 hours, hold a meeting of the fraud investigation group to decide on the initial response.

At this stage management should also take whatever steps are necessary to prevent further losses, for example by changing procedures or suspending payments without compromising the quality of evidence or alerting the fraudsters.

Initial Enquiry

On receiving the details of the suspected fraud, the fraud investigation group should undertake as limited review as necessary to establish whether further action needs to be taken. This will normally be an investigation, led by internal audit. The decision by the group to initiate a special investigation shall constitute authority to internal audit to use time provided in the internal audit plan for special investigations, or contingency time, or to switch internal audit resources from planned audits.

If this initial investigation suggests that suspicions are confirmed, the group will decide which body is best placed to undertake further investigative work and will inform the Principal, the Chair of Audit Committee, Chair of the South Lanarkshire College Board of Management and the Chair of the Regional Board, auditors, the funding body and the police as appropriate. The circumstances in which the College must inform the funding body of actual or suspected fraud are set out in the funding body audit code of practice. The Vice Principal Finance, Resources and Sustainability is responsible for informing the funding body of any such incidents.

Prevention of Further Loss

Where the initial investigation provides reasonable grounds for suspecting a member or members of staff of fraud, the fraud investigation group will need to decide how to prevent further loss. Fraudulent or corrupt activity is regarded as a breach of contract and where there are reasonable grounds for suspicion must be acknowledged, for example their right to union representation and to be informed of the reason for their suspension.

It may be necessary to plan the timing of suspension to prevent the suspects from destroying or removing evidence that may be needed to support disciplinary or criminal action. Suspect(s) should be supervised at all times before leaving the college's premises, offices and all college equipment should be returned.

Advice should be obtained on the best means of denying access to the College while suspects remain suspended (for example by changing locks and informing security staff not to admit the individuals to any part of the premises). Similarly, access permissions to the college's computer systems should be withdrawn without delay.

Internal Audit should consider whether it is necessary to investigate systems other than that which had given rise to suspicion, through which the suspect may have had opportunities to misappropriate the college's assets.

At this stage, the College should decide if external parties including the funding body and the police are to be involved. Delays in contacting the police may prejudice future enquiries and alerting them immediately is important since they will be able to advise the College on how best to proceed and the most effective methods to gather evidence.

Conducting a Fraud Enquiry

Once it has been agreed that there is sufficient evidence to justify a fuller investigation, the fraud investigation group should meet with the police where appropriate to decide who is best placed to undertake further investigation. Should it be decided that an internal investigation is appropriate, either in tandem with a police investigation or on its own, it is important that it is undertaken by individuals with experience of fraud investigations. This is most likely to be internal auditors, supported as necessary by the institution's staff, who may have specialist knowledge, and external specialists where appropriate. Where fraud and corruption are suspected, contact by the Vice Principal Finance, Resources and Sustainability with the local fraud squad should be considered in order to agree an appropriate course of action.

For internal investigations, the fraud investigation group should agree the following:

- detailed remit and scope for the investigation; for example, is it to confirm that there is sufficient evidence to support the allegations, to gather evidence for the police, or does the institution wish to quantify the total potential loss?
- who should undertake the investigation
- reporting procedures and deadlines
- a programme of regular meetings

There is a clear requirement to record all details fully, accurately and in a manner that is accessible. The police should be able to advise on an appropriate recording format. Developing a simple form to log all events and contacts made will provide a quick summary, ease the recording process and provide documented support for any future enquiries or possible prosecution.

Recovery of Losses

It is important that any losses incurred by the institution are fully and accurately recorded and that costs are correctly apportioned. In addition to the direct cost of losses attributable to fraud, all costs associated with enquiries should be recorded. These will be required under loss reporting procedures and may also be required by the courts if the decision to prosecute is taken and in determining any assessment of costs or compensation and insurance recoveries.

Where the loss is substantial, legal advice should be obtained without delay about the need to freeze the suspect's assets through the court, pending conclusion of the investigation. Legal advice should also be obtained about prospects for recovering losses through the civil court, where the perpetrator refuses repayment.

Staffing Issues

A major objective in any fraud investigation will be that the perpetrators will have formal action taken against them, to act as a deterrent to other personnel. The institution must follow disciplinary procedures against any member of staff who had committed fraud.

The institution will normally pursue the prosecution of any such individual. Of crucial importance is the need to conduct enquiries within the parameters of relevant laws and regulations. Employees have certain statutory rights, and if infringed, the likelihood of success of disciplinary action is diminished. It is vital, therefore, that any interviews with suspects are undertaken strictly in accordance with established procedures. No interviews should take place without first seeking advice from the police and from the Director of People Services on the relevant procedures and rules to be followed. In particular all those involved in interviewing suspects should have knowledge of the 1984 Police and Criminal Evidence Act.

Internal audit will need to:

- maintain familiarity with the institution's disciplinary procedures, to ensure that evidence requirements will be met during any fraud investigation.
- establish and maintain contact with the police where appropriate.
- establish whether there is a need for audit staff to be trained in the evidence rules for interviews under the Police and Criminal Evidence Act.
- ensure that staff involved in fraud investigations are familiar with and follow rules on the admissibility of documentary and other evidence in criminal proceedings.

If fraud is proven which involves staff, appropriate disciplinary action will be taken. Such action may be considered not only against those found to have perpetrated the fraud, but also against managers whose negligence may have facilitated it.

Reporting During the Investigation

The fraud investigation group should provide a confidential report to the Chair of the South Lanarkshire College Board of Management, Chair of the Regional Board, the Chair of Audit Committee, the Principal and the external audit partner at least monthly, unless the report recipients request a lesser frequency. The scope of the report should include:

- quantification of losses
- progress with recovery action
- progress with disciplinary action

- progress with criminal action
- estimate of resources required to conclude the investigation
- actions taken to prevent and detect similar incidents

Any variation from the approved fraud response plan, together with reasons for the variation, should be reported promptly to the chairs of both the governing body and the audit committee.

In the event that there may be potentially damaging publicity to the College and/or to the suspect, the Principal, on behalf of the Board of Management, should prepare, at an early stage, a press release giving the facts of any suspected occurrence and any actions taken to date. For example, suspension, although the name of the staff member suspended pending investigations should not be released to the press.

Concluding an Investigation

At the end of a case, irrespective of the outcome, it is important that the progress of the investigation is reviewed to see what lessons can be learned and to assess the effectiveness of the action taken. Such reviews will help identify any weaknesses in internal control that initially led to the fraud and should highlight any deficiencies in these systems for reporting and investigating, enable more effective future enquiries and precipitate changes to internal procedures designed to prevent reoccurrence.

On completion of a special investigation, a written report should be submitted to the Audit Committee for consideration and discussion containing:

- a description of the incident, including the value of any loss, the people involved, and the means of perpetrating the fraud.
- the measures taken to prevent a recurrence.
- any action needed to strengthen future responses to fraud, with a follow-up report on whether or not the actions have been taken.

This report will normally be prepared by internal audit.

References for Employees Disciplined or Prosecuted for Fraud

The staff handbook includes a requirement that any request for a reference for a member of staff who has been disciplined or prosecuted for fraud should be referred to the Head of HR and Development. The Director of People Services should prepare any answer to a request for a reference having regard to employment law.

Review of the Fraud Response Plan

This plan will be reviewed for fitness of purpose at least annually or after each use. Any need for change will be reported to the Audit Committee for approval.

ANNEX B

Checklist for Line Managers

The following is a checklist of points for consideration following the reporting of an alleged fraud to management:

- Do not rush in – consider all options and plan the approach.
- Establish the facts without alerting anyone.
- Maintain confidentiality.
- Make an immediate note of everything reported. Repeat these notes to whoever is reporting the details to ensure clear understanding.
- Take steps to minimise any immediate further losses.
- Secure any evidence.
- Inform the Vice Principal Finance, Resources and Sustainability or member of the fraud investigation group.

Checklists for the Fraud Investigation Group

The following is a checklist of points for consideration following the reporting of an alleged fraud by line management to a member of fraud investigation group:

- Convene a meeting of the group to consider the allegation.
- Conduct an initial investigation to establish the substance of the allegation.
- Consider legal implications.
- If substantiated, inform the Principal, etc.
- Agree if further investigation is required and who will undertake it.
- Agree a remit and establish scope and reporting deadlines for the investigation.
- Ensure the investigating team has adequate resources, including secure storage.
- Prepare for interviews thoroughly.
- Ensure existing staff disciplinary procedures are followed.
- Secure any evidence.
- Assume the worst-case scenario in terms of losses and staff involved.
- If not already requested to undertake the investigation, inform the police and the funding body as appropriate.
- Hold regular progress meetings at which progress and agreed action are documented.
- Identify all internal and external sources of information for evidence.



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BOARD OF MANAGEMENT

DATE:	May 2024
TITLE OF REPORT:	Updated Safeguarding Policy and Procedures
REFERENCE	17
AUTHOR AND CONTACT DETAILS	Rose Harkness, Head of Student Services rose.harkness@slc.ac.uk
PURPOSE:	To provide Members with the updated Safeguarding Policy and Procedures.
KEY RECOMMENDATIONS/ DECISIONS:	Members are recommended to note <ul style="list-style-type: none"> • the updated Safeguarding Policy and Procedures for approval; • that the policy and procedures include updated safeguarding network members; • the inclusion of an adult protection section; and • the role clarification for Curriculum.
RISKS	<ul style="list-style-type: none"> • The College does not comply with child/adult protection/ safeguarding legislation and national guidelines. • Safeguarding disclosures/incidents are not dealt with appropriately leaving the College at risk of legal challenge and reputational damage.
RELEVANT STRATEGIC AIM:	<ul style="list-style-type: none"> • Successful Students • The Highest Quality Education and Support • Sustainable Behaviours
SUMMARY OF REPORT:	<ul style="list-style-type: none"> • Updated Safeguarding Policy and Procedures for approval. • Updated safeguarding network membership. • Further information on adult protection legislation and referral process. • Safeguarding role clarification for Curriculum.

1. INTRODUCTION

1.1 This paper provides an update on the recently revised Safeguarding Policy and Procedures. The College is committed to providing a safe, supportive learning environment for all and aims to work effectively and collaboratively with partner agencies to ensure it fully complies with safeguarding legislation and national guidance.

1.2 The College has robust safeguarding and attendance and behaviour policies. The Safeguarding Policy clearly states that safeguarding is the responsibility of all staff. This update seeks to remind all staff of their responsibilities when dealing with challenging behaviour or any student issues.

2. UPDATE OF SAFEGUARDING NETWORK MEMBERS

2.1. An update on the College's safeguarding network membership to encompass staffing changes in curriculum areas, Student Association, and departments.

3. INCLUSION OF AN ADULT PROTECTION SECTION

3.1. An update to the College's existing safeguarding policy and procedures following a peer review by Child/Adult Protection Officers in South Lanarkshire Council. Feedback provided included a recommendation to add a section on adult protection guidance and the referral arrangements.

3.2. To note the College's ongoing effective partnership with South Lanarkshire Council Child/Adult Protection teams to help inform college safeguarding arrangements.

4. ROLE CLARIFICATION FOR CURRICULUM

4.1. Due to an increase in the number of referrals to Student Services and not all of these are safeguarding issues, they may be behavioural in nature instead, this update seeks to remind all staff of their responsibilities when dealing with challenging behaviour or any student issues.

4.2. The Curriculum is responsible for all behaviour and safeguarding matters, however, at all stages Student Services and Lead Safeguarding Officers can be consulted and called upon to provide guidance, advice, and support.

5 RISK

5.1 That the College does not meet its legislative statutory duties.

5.2 That the College does not meet its attainment targets due to increased safeguarding and mental health and wellbeing withdrawals.

6 EQUALITIES

6.1 The College acknowledges that students with Protected Characteristics are at greater risk of having a serious mental health and wellbeing concern.

6.2 Having a long-term mental health condition is recognised under equality legislation (Equality Act 2010) and that the College has a duty to make reasonable adjustments to help support learners.

7 RECOMMENDATIONS

Members are recommended to note:

- the updated Safeguarding Policy and Procedures for approval;
- that the policy and procedures include updated safeguarding network members;
- the inclusion of an adult protection section;
- the role clarification for Curriculum; and
- note the updated Safeguarding Policy and Procedures.



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SAFEGUARDING POLICY AND PROCEDURES

Document Information

Procedure Published/Created:	April 2023
Reviewed Date:	May 2024
Owner:	Rose Harkness (Head of Student Services)
Approved by:	Senior Leadership Team (SLT) Curriculum Quality and Development (CQD) Committee Board of Management
Equality Impact Assessment:	May 2024
Next Review Date:	May 2025

Version History

Version Number	Date	Author	Rationale
1.0	April 2023	Rose Harkness Karen Pirie	
2.0	May 2024	Rose Harkness	Updating safeguarder information. Adult Protection and Guidance section added. Role clarification for Curriculum.

Quick Links

We are inclusive and diverse, and this is one of our values.

We are committed to the FREDIE principles of Fairness, Respect, Equality, Diversity, Inclusion and Engagement.

To find out more about FREDIE click [HERE](#)

To find out more about our Vision, Mission and Values click [HERE](#)



Need help with accessibility? Click [HERE](#) to view our accessibility pages.

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1. Purpose and Aim

South Lanarkshire College is committed to providing a safe, supportive learning environment for all and complies with legislation and national guidance to ensure the safety of staff and students, whilst widening access and promoting inclusiveness and diversity. The College recognises that it has a moral and statutory duty to promote the health and welfare of those receiving education and training through the College.

Safeguarding is everyone's responsibility, and all staff are committed to recognising and reporting all concerns related to child protection, welfare and wellbeing and are appropriately trained to remain vigilant and spot signs of all forms of abuse and maltreatment.

As such, we promise to:

- Be observant and alert to signs of all forms of abuse.
- Be curious and question explanations offered by parents / carers / learners / staff and visitors.
- Be compassionate, honest and clear.
- Ask for support when we feel there is a limit of our experience / skills.
- Follow College policies and procedures linked to safeguarding referrals.
- Work together with other agencies when appropriate to ensure support for young people and their families is effective and helps improve person-centred outcomes.

The purpose of this policy is to safeguard and promote the welfare of children, young people and adults at risk at South Lanarkshire College.

2. Scope

This Policy pertains to the safety and wellbeing of children, young people and adults at risk. While child protection procedures may be considered for a person up to the age of 18, the legal boundaries of childhood and adulthood are variously defined. There are overlaps.^[1]

- Children, as defined by current legislation, are those under 18 years of age.^[2]
- Young People or Adults at Risk, are those over the age of 16 and could incorporate staff members, volunteers, visitors, partner representatives and designated persons. An 'adult at risk' is someone who is unable to safeguard their own wellbeing, property, rights or other interests; is at risk of harm and because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.^[3]

It should be noted that a person may have a disability, physical and/or mental health condition and be fully capable of safeguarding their personal wellbeing and interest. It is the whole of an adult's at risk particular circumstances which can combine to make them more vulnerable to harm than others and a proportionate response to the situation should always be taken.

Safeguarding and promoting the welfare of children, young people and adults at risk is defined for the purposes of this policy as:

- Protecting from maltreatment.
- Preventing impairment of children's mental and physical health or development.
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care.
- Taking action to enable all young people to have the best outcomes.
- Ensure the College approach is person-centred, and trauma-informed, considering always what is in the best interest of the person involved.
- Safeguard both preventatively and responsively;

[1] National Guidance for Child Protection in Scotland 2021

[2] Children (Scotland) Act 1995

[3] The Adult Support and Protection (Scotland) Act 2007

- Ensure the suitability of adults who have contact with children.
- Promote good health, effective management of medical conditions, and the development of self-care in children, young people and adults at risk.
- Have clear standards of behaviour for staff / volunteers and children / young people.
- Manage behaviour by anticipating possible concerns, prevention strategies, and clear, fair responses to challenging behaviour.
- Maintain records that document safeguarding concerns over time, including low-level worries about a child, young person or adults at risk that together may paint a picture of concern
- Work effectively and collaboratively with child protection and safeguarding statutory agencies.
- Ensure that all policies and procedures relating to safeguarding and wellbeing are updated in collaboration with the Board of Management.

Vulnerable Groups

To ensure that all College students receive equal protection the College will give special consideration to children, young people and adults at risk who are particularly vulnerable, especially:

- Mental health concerns
- Carers
- Transgender children / young people
- Affected by parental substance misuse, domestic violence, or parental mental health needs
- Care Experienced
- Asylum seekers
- Lone Parents
- Learners who identify as LGBTQ+
- Living away from home
- Estranged from family
- Homelessness
- Vulnerable to being bullied, or engaging in bullying
- Living in temporary accommodation
- Live transient lifestyles
- Living in chaotic and unsupportive home situations
- Vulnerable to discrimination on the grounds of race, ethnicity, religion, disability or sexuality
- At risk of sexual exploitation
- Do not have English as a first language
- Veterans and Service Leavers
- At risk of female genital mutilation (FGM)
- At risk of forced marriage
- At risk of being drawn into extremism

This list provides examples of additional vulnerable groups and is not exhaustive.

Staff with concerns about a student, staff member or receive a disclosure regarding actions or behaviour of a third party should complete the appropriate Safeguarding Reporting Forms (Appendix G) and contact the Safeguarding Lead, Depute or appointed Safeguarding Contacts as detailed in Section 7 – Safeguarding Staff.

3. Context

The College will be guided by the [National Guidance for Child Protection in Scotland 2021](#) and adhere to key legislation, [The Children \(Scotland\) Act 1995](#), [The Adult Support and Protection \(Scotland\) Act 2007](#), [The Children and Young People Act \(Scotland\) Act 2014](#) and [Section 26 of the Counter –Terrorism and Security Act 2015](#) and take cognisance of other legislation, national guidelines (Appendix A) as well as relevant College policies and procedures (Appendix B).

Where relevant, applicants, employees and volunteers at the College will be members of the Protection of Vulnerable Groups Scheme (the PVG Scheme) which has been introduced by [The Protection of Vulnerable Groups \(Scotland\) Act 2007](#). Students on placement as part of their course who require to be members of the PVG scheme will be processed by the College.

What does the College mean by Child Protection and Safeguarding?

- Child Protection - The processes involved in consideration, assessment and planning of required action, together with the actions themselves, where there are concerns that a child may be at risk of harm from abuse, neglect or exploitation.
- Safeguarding - This is a much wider concept than child protection and refers to promoting the welfare of children, young people and adults at risk. It encompasses protecting from maltreatment, preventing impairment of their health or development, ensuring that they are growing up in circumstances consistent with the provision of safe and effective care, and taking action to enable all children, young people and protected adults to have the best outcomes. Child protection is part of this definition and refers to activities undertaken to prevent children suffering, or likely to suffer, significant harm.

There is a distinctive approach to safeguarding in Scotland linked to [Getting It Right for Every Child \(GIRFEC\)](#) which promotes action to improve the wellbeing of every child and young person. Safeguarding is a golden thread that runs through the curriculum. The aim is to support the development of learners' knowledge, skills and resilience to keep themselves safe and protected, and to develop an understanding of the world so that they can respond to a range of issues and potential risky situations arising throughout their lives. As such, it permeates many features of the education experience including leadership, values, vision, the curriculum, learning and teaching, positive relationships and building learner resilience.

The College safeguarding approach is directed by [The Human Rights Act 1998](#) (HRA) which sets out the fundamental rights and freedoms that everyone in the UK is entitled to and contains the Articles and protocols of the [United Nations Convention on the Rights of the Child \(Incorporation\)\(Scotland\) Bill](#). It compels public organisations to respect and protect an individual's human rights when they make individual decisions about them. In addition, Colleges have obligations under the [Equality Act 2010](#). According to the Equality Act, colleges must not unlawfully discriminate against people because of their sex, race, disability, religion or belief, gender reassignment, pregnancy and maternity, or sexual orientation (protected characteristics).

4. Policy Statement

South Lanarkshire College believes that everyone has a responsibility to promote and safeguard the welfare of children, young people and adults at risk and that all college users should have a safe and supportive environment within which they can prosper and thrive. The College is committed to providing staff with the training, knowledge and understanding required to achieve this. The College actively promotes equality and is committed to eliminating discrimination, harassment and victimisation.

It also recognises that some children, young people and adults at risk are additionally vulnerable as a result of, for example, past experiences, the impact of discrimination, their communication needs or other circumstances. The College is, therefore, also committed to ensuring explicit consideration is given to the diverse needs of College students and staff in relation to all safeguarding decisions.

5. Key Principles

South Lanarkshire College will promote the safeguarding of all college users and in particular children, young people and adults at risk from harm, abuse, exploitation or radicalisation.

The College will achieve this by:-

- Listening to children, young people and adults at risk, respecting them and providing support to those involved in a referral in adherence to this policy.
- Ensuring that all adults have a clear understanding of their legal and moral obligations to safeguard and protect children, young people and adults at risk from harm, abuse and exploitation.
- All reasonable steps being taken to prevent foreseeable harm to children, young people and adults at risk.
- Ensuring robust staff recruitment practices are in place and all adults with access to children and adults at risk are deemed fit to work with them.

- Being pro-active in promoting good lines of communication and ensuring that all students, parents, carers and partner agencies are familiar with the College's Safeguarding Policy and Procedures.
- Providing effective and ongoing staff development opportunities for all staff to develop their skills and knowledge in relation to the safeguarding and protection of children and adults at risk.
- Working effectively with key partners and other agencies.
- Ensuring clear reporting procedures are in place and that all adults understand their obligations to report concerns about a child or adult at risk to South Lanarkshire College's Safeguarding Lead or Depute Safeguarding Lead.
- Building a safeguarding culture where staff, students and all other College users know how they are expected to behave and know how to, and feel comfortable with, sharing concerns.
- Adopting a proactive approach to prevent inappropriate behaviour and working to ensure that all adults understand the boundaries of appropriate behaviour. Reference: Staff Code of Conduct and Good Practice; Gender-Based Violence Prevention and Support Policy; Student Behaviour, Attendance and Punctuality Policy and Code of Conduct.

6. Responsibilities

The South Lanarkshire College Board of Management and Principal has overall strategic responsibility for this Policy and for ensuring the College meet all legislative requirements pertaining to children, young people and adults at risk and that related policies and procedures are implemented and maintained.

All staff, as part of their normal duties and activities, have a safeguarding responsibility and will be made aware of their obligation to understand and adhere to the policy and engage in mandatory training.

The College has appointed senior members of staff to take overall responsibility for the policy (Vice Principals) and has also appointed a nominated Safeguarding Lead (Head of Student Services) and Depute Safeguarding Lead (Curriculum Manager Learning Development) to manage the College Safeguarding Network and oversee operational practice of the policy.

The Safeguarding Lead is responsible for:

- the oversight of safeguarding and child protection issues within the College;
- instituting any investigation into safeguarding issues or allegations of child abuse;
- determining the means of making an appropriate College response to any safeguarding issues or allegations of child abuse which may include:
 - making a recommendation to the Principal / Vice Principal / Curriculum of suspension of a person against whom allegations have been made;
 - Referral of the allegation to an external agency (e.g. Social Work or Police Scotland);
 - Informing parents, guardians or carers of any allegations of abuse or, in those cases where the matter has been referred by an external agency, deciding in conjunction with that agency what information will be conveyed to the parents, guardians or carers and at what stage;
 - keeping records relating to safeguarding and child protection issues;
 - designating other full-time members of the College staff to cover for absences or to act on behalf of the Lead and Depute;
 - support staff development in College safeguarding procedures; and
 - support the Safeguarding Network and act as the Chair of the College Safeguarding Group to support safeguarding and child protection activity across the College.

7. Safeguarding Staff

The following members of staff have overall responsibility for Safeguarding:

Senior Safeguarding Staff			
Name:	Angela Pignatelli	Email:	angela.pignatelli@slc.ac.uk
Job Title:	Vice Principal Learning, Teaching and the Student Experience Safeguarding Senior Manager in Charge		
Name:	Elaine McKechnie	Email:	elaine.mckechnie@slc.ac.uk
Job Title:	Vice Principal Finance, Resources and Sustainability Safeguarding Senior Manager in Charge		
Name:	Rose Harkness	Email:	rose.harkness@slc.ac.uk
Job Title:	Head of Student Services Safeguarding Lead		
Name:	Pauline Heeley	Email:	pauline.heeley@slc.ac.uk
Job Title:	Curriculum Manager Learning Development Depute Safeguarding Lead		

College Safeguarding Network

All staff at the College should be familiar with the Safeguarding Policy. It clearly defines safeguarding, and highlights that there is a dedicated safeguarding network who act as a point of contact for providing safeguarding and child/adult protection expertise and advice to help support staff and students. This includes the Curriculum Manager for each curriculum area and a designated safeguarder in each of the College departments.

Curriculum Role

The Curriculum is responsible for all behaviour and safeguarding matters, however, at all stages Student Services and Lead Safeguarding Officers can be consulted and called upon to provide guidance, advice and support.

Safeguarding Team			
College Safeguarders – Curriculum Areas			
Name:	Katie Orchiston	Email:	katie.orchiston@slc.ac.uk
Job Title:	Curriculum Manager Health and Social Care		
Name:	Joanne Warwick	Email:	joanne.warwick@slc.ac.uk
Job Title:	Curriculum Manager Hospitality, Events, Police and Legal Service		
Name:	Angela Reid	Email:	angela.reid@slc.ac.uk
Job Title:	Curriculum Manager Early Education and Childcare		
Name:	Margaret Campbell	Email:	margaret.campbell@slc.ac.uk
Job Title:	Curriculum Manager Hairdressing, Beauty and Make-up		
Name:	Rhona Keys	Email:	rhona.keys@slc.ac.uk
Job Title:	Curriculum Manager Social Services and Care		
Name:	Liz Woods	Email:	liz.woods@slc.ac.uk
Job Title:	Curriculum Manager Business Management, Media, and Tourism		
Name:	James Jamieson	Email:	james.jamieson@slc.ac.uk_

Job Title:	Curriculum Manager Building Service Engineering		
Name:	Nicola Murray	Email:	nicola.murray@slc.ac.uk
Job Title:	Curriculum Manager Built Environment		
Name:	Alisdair McTavish	Email:	alisdair.mctavish@slc.ac.uk
Job Title:	Curriculum Manager Carpentry and Joinery		
Name:	Fraser Waugh	Email:	fraser.waugh@slc.ac.uk
Job Title:	Curriculum Manager Wet Trades		
Name:	Lisa Doonan	Email:	lisa.doonan@slc.ac.uk
Job Title:	Curriculum Manager Quality		

College Safeguarders – Services to Support Learners & Departments			
Name:	Mandy Murray	Email:	mandy.murray@slc.ac.uk
Job Title:	Depute Head of Student Services		
Name:	Karen Pirie	Email:	karen.pirie@slc.ac.uk
Job Title:	Guidance and Support Advisor		
Name:	Hazel McArdle	Email:	hazel.mcardle@slc.ac.uk
Job Title:	Guidance and Support Advisor		
Name:	Gary McIntosh	Email:	gary.mcintosh@slc.ac.uk
Job Title:	Head of Human Resources		
Name:	Chris Sumner	Email:	chris.sumner@slc.ac.uk
Job Title:	Head of Management Information Systems		
Name:	Craig Ferguson	Email:	craig.ferguson@slc.ac.uk
Job Title:	Head of Facilities		
Name:	Karen McFarlane	Email:	karen.mcfarlane@slc.ac.uk
Job Title:	Rural Academy Alternative Funding		
Name:	Natalie Black	Email:	natalie.black@slc.ac.uk
Job Title:	Finance Assistant		
Name:	Catriona Blacker	Email:	catriona.blacker@slc.ac.uk
Job Title:	Student President		

Appendix A – Legislation and National Guidance

UNRC

[United Nations Convention on the Rights of the Child \(Incorporation\)\(Scotland\) Bill](#)

Legislation defining certain offences against children

- [Children and Young Persons \(Scotland\) Act 1937, section 12](#)
- [Prohibition of Female Genital Mutilation \(Scotland\) Act 2005](#)
- [Female Genital Mutilation \(Protection and Guidance\) \(Scotland\) Act 2020](#)
- [Sexual Offences \(Scotland\) Act 2009](#)
- [The Protection of Children and Prevention of Sexual Offences \(Scotland\) Act 2005](#)
- [Human Trafficking and Exploitation \(Scotland\) Act 2005](#)
- [Civic Government \(Scotland\) Act 1982](#)
- [Children \(Equal Protection from Assault\) \(Scotland\) Act 2019](#)

Legislation on managing adults who may pose a risk to children.

- [Criminal Justice and Licensing \(Scotland\) Act 2010](#)
- [Domestic Abuse \(Scotland\) Act 2011](#)
- [Domestic Abuse \(Scotland\) Act 2018](#)
- [Protection from Abuse \(Scotland\) Act 2001](#)
- [Abusive Behaviour and Sexual Harm \(Scotland\) Act 2016](#)

Legislation on criminal proceedings and witness supports

- [Criminal Procedure \(Scotland\) Act 1995](#)
- [Victims and Witnesses \(Scotland\) Act 2014](#)
- [Age of Criminal Responsibility \(Scotland\) Act 2019](#)
- [Forensic Medical Services \(Victims of Sexual Offences\)](#)

Additional Legislation

- [Children \(Scotland\) Act 2020](#)
- [Children \(Scotland\) Act 1995](#)
- [Children's Hearings \(Scotland\) Act 2011](#)
- [Children and Young People \(Scotland\) Act 2014](#)
- [Counter Terrorism and Security Act 2015 \(section 26\)](#)
- [Disclosure \(Scotland\) Act 2020](#)
- [Mental Health \(Care and treatment\) \(Scotland\) Act 2003](#)
- [Anti-Social Behaviour \(Scotland\) Act 2004](#)
- [Adult Support and Protection \(Scotland\) Act 2007](#)
- [Adoption and Children \(Scotland\) Act 2007](#)
- [Equality Act 2010](#)
- [The Forced Marriage etc \(Protection and Jurisdiction\) \(Scotland\) Act 2011](#)
- [General Data Protection Regulation \(GDPR\)/Data Protection Act 2018](#)

Emergency legislation under regular review

- [Coronavirus \(Scotland\) Act 2020 – Guidance on looked after children and children's hearings provisions](#)

Proposed legislation currently being considered by the Scottish Parliament

- [Domestic Abuse \(Protection\) \(Scotland\) Bill](#)

National Guidelines

- [Protecting Children: A Shared Responsibility: A Guidance on Inter-agency Cooperation – Scottish Office, 1998](#)
- [It's everyone's job to make sure I'm alright' – Scottish Executive, November 2002](#)
- [Legislation outlined Annex C of 'Protecting Children and Young People Framework for Standards' – Scottish Executive, March 2004](#)
- [National Guidance for Child Protection Scotland 2021](#)
- [Getting it right for every child \(GIRFEC\) National Practice Model – 2022](#)

Appendix B – College Policies and Procedures

College Policies and Procedures

- Bullying and Harassment Policy
- Confidentiality Policy
- Code of Conduct & Good Practice
- Data Protection – CCTV Policy
- Disclosure of Criminal Convictions Policy
- Freedom of Information Policy
- Gender-Based Violence Prevention & Support Policy
- Health and Safety Policy
- ICT Email & Internet Policy
- ICT Policy
- Learner Support Policy
- Physical Intervention Code of Conduct & Good Practice
- Recruitment and Selection Policy
- Student Code of Conduct
- Student Carer Policy & Support Plan
- Student Behaviour, Attendance and Punctuality Policy
- Staff Disciplinary Policy

Appendix C – Definition of Abuse and Safeguarding Situations

General Definition of Abuse ^[4]

Abuse and neglect are forms of maltreatment. Abuse or neglect may involve inflicting harm or failing to act to prevent harm. Children, young people and adults at risk may be maltreated at home; within a family or peer network; in care placements; institutions or community settings; and in the online and digital environment. Those responsible may be previously unknown or familiar, or in positions of trust. They may be family members. Children may be harmed pre-birth, for instance by domestic abuse of a mother or through parental alcohol and drug use.

Categories of Abuse

The College recognises there are many types of abuse. These include:-

Physical Abuse

Physical abuse is the causing of physical harm to a child or young person or adult at risk. Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child they are looking after.

Emotional Abuse

Emotional abuse is persistent emotional ill treatment that has severe and persistent adverse effects on a child's emotional development. 'Persistent' means there is a continuous or intermittent pattern which has caused, or is likely to cause, significant harm. Emotional abuse is present to some extent in all types of ill treatment of a child, but it can also occur independently of other forms of abuse.

Neglect

Neglect consists of persistent failure to meet a child's basic physical and/or psychological needs, which is likely to result in the serious impairment of the child's health or development. There can also be single instances of neglectful behaviour that cause significant harm. Neglect can arise in the context of systemic stresses such as poverty and is an indicator of both support and protection needs. 'Persistent' means there is a pattern which may be continuous or intermittent which has caused or is likely to cause significant harm. However, single instances of neglectful behaviour by a person in a position of responsibility can be significantly harmful. Early signs of neglect indicate the need for support to prevent harm.

Child Sexual Abuse

Child sexual abuse (CSA) is an act that involves a child under 16 years of age in any activity for the sexual gratification of another person, whether or not it is claimed that the child either consented or assented. Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening.

Child Sexual Exploitation

Child sexual exploitation (CSE) is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a person under 18 into sexual activity in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact. It can also occur through the use of technology. Children who are trafficked across borders or within the UK may be at particular risk of sexual abuse.

Online Abuse

Online child abuse is any type of abuse that occurs in the digital environment and the internet, facilitated through technology and devices such as computers, tablets, mobile phones, gaming devices and other online-enabled devices.

Criminal Exploitation

Criminal exploitation refers to the action of an individual or group using an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity in exchange for something the victim needs or wants, or for financial or other advantage of the perpetrator or facilitator. Violence or the threat of violence may feature. The victim may have been criminally exploited, even if the activity appears

[4] National Guidance for Child Protection in Scotland 2021

consensual. Child criminal exploitation may involve physical contact and may also occur through the use of technology. It may involve gangs and organised criminal networks. Sale of illegal drugs may be a feature. Children and vulnerable adults may be exploited to move and store drugs and money. Coercion, intimidation, violence (including sexual violence) and weapons may be involved.

Female Genital Mutilation (FGM)

This extreme form of physical, sexual and emotional assault upon girls and women involves partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons. Such procedures are usually conducted on children and are a criminal offence in Scotland. FGM can be fatal and is associated with long-term physical and emotional harm.

Forced Marriage

A forced marriage is a marriage conducted without the full and free consent of both parties and where duress is a factor. Duress can include physical, psychological, financial, sexual, and emotional abuse. Forced marriage is both a child protection and adult protection matter. Child protection processes will be considered up to the age of 18. Forced marriage may be a risk alongside other forms of so called 'honour-based' abuse (HBA). HBA includes practices used to control behaviour within families, communities, or other social groups, to protect perceived cultural and religious beliefs and/or 'honour'.

Child Trafficking

Child trafficking involves the recruitment, transportation, transfer, harbouring or receipt, exchange or transfer of control of a child under the age of 18 years for the purposes of exploitation. Transfer or movement can be within an area and does not have to be across borders. Examples of and reasons for trafficking can include sexual, criminal and financial exploitation, forced labour, removal of organs, illegal adoption, and forced or illegal marriage.

Recognition of Abuse

Staff, both teaching and support, because of their day-to-day contact with individuals, are well placed to observe outward symptoms of abnormality or change in appearance, behaviour, learning pattern or development. Such symptoms may be due to a variety of other causes, including bereavement, domestic violence or other changes in family circumstances, or drug, alcohol or solvent misuse. Sometimes, however, they may be due to child abuse.

For example, the following may be noticeable:

- Bruises, particularly bruises of a regular shape which may indicate the use of an implement such as a strap, or the marks of a hand, lacerations, bite marks or burns.
- Possible indicators of physical neglect, such as inadequate clothing, poor growth, hunger, poor hygiene.
- Possible indicators of emotional abuse, such as excessive dependence, attention seeking, self-harming.
- Possible indicators of sexual abuse – physical signs such as bruises, scratches or bite marks, or behavioural such as precocity, withdrawal or inappropriate sexual behaviour.

Other possible signs are:

- Withdrawn behaviour.
- Agitated or anxious behaviour.
- Student being isolated by other students.
- Student isolating him/herself from fellow students.
- Inappropriate/improper dress.
- Unkempt, unwashed, smelly.
- Overly anxious to please.
- Bruising and minor injuries.
- Frequent absences for admission to hospital.
- Atypical incidence of absence from college.
- Sudden changes in behaviour, eg secretiveness.
- Atypical aggressive, acting-out behaviour.
- Precocious sexual behaviour.

Any of the above may be accompanied by marked deterioration in performance or increased absenteeism – both of which can in themselves be indicators of abuse. No list of symptoms can be exhaustive. Also, alternative medical, psychological or social explanations may exist for the signs and symptoms described.

Adult Support and Protection Guidance ^[5]

Most adults, who might be considered to be at risk of harm, manage to live their lives without experiencing harm. Often this is with the assistance of caring relatives, friends, carers, professional agencies or volunteers. However, some people will experience harm such as physical harm, psychological harm, sexual harm or exploitation of their finances or property. The Adult Support and Protection (Scotland) Act 2007 was introduced to maximise the protection of adults at risk of harm.

The [West of Scotland Inter Agency Support and Protection Practice Guidance](#) provides an overview of the process to support and protect when harm happens to an adult at risk. It details the action to be taken by agencies when harm is identified; the timescales for referrals; the process of inquiries and investigations and case conferences. This guidance does not place any governance expectations on agencies in the same way as local procedures agreed by the multi agency Adult Protection Committees. However, what it does is bring together in one document, a process that follows the legislation, the relevant Code of Practice, and the actions that should be taken by the public agencies to meet their duties under the 2007 Act. It can be used by all agencies, especially the voluntary and private sector agencies, knowing that each Adult Protection Committee who signed up, has agreed in principle that it reflects local practice and local procedures.

The document:

- Recognises existing legislation to protect adults
- Focuses on the 2007 Act
- Contains information on the definition of harm and common indicators
- Outlines guidance for intervention

The addition of the Adult Support and Protection (Scotland) Act 2007 (the 2007 Act) means there is a concise legal framework to facilitate further the protection of adults at risk of harm through the measures contained in Part 1 of the Act.

Adult Support and Protection (Scotland) Act 2007

Adult at risk Section 3(1) defines an 'adult at risk' as adults who:

- are unable to safeguard their own well-being, property, rights or other interests;
- are at risk of harm, and
- because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

It is important that all three elements of this definition must be met, or that there are grounds for believing all three elements may be met, for an adult to be deemed an adult at risk and for interventions to take place under the 2007 Act. It is the whole of an adult's particular circumstances that can combine to make them more vulnerable to harm than others.

Principles

The principles must be taken into account at all stages of any intervention and emphasise the importance of striking a balance between an adult's right to freedom of choice and the risk of harm to that person.

Any intervention must be reasonable, necessary, proportionate and legal.

A public body or office holder must be satisfied that any intervention will provide:-

- Benefit to the adult which could not reasonably be provided without intervening in the adults affairs and;
- Is, of the range of options likely to fulfil the object of the intervention, the least restrictive to the adult's freedom

In addition, in considering a decision or course of action, the public bodies or office holders must also have regard to the following:-

- The adult's ascertainable wishes and feelings (past and present).
- Any views of the adult's nearest relative, primary carer, guardian or attorney and any other person who has an interest in the adults well being or property.
- The importance of the adult participating as fully as possible in the performance of the function and providing the adult with such information and support as is necessary to enable the adult to participate.

[5] <https://www.east-ayrshire.gov.uk/Resources/PDF/W/West-of-Scotland-Inter-Agency-ASP-Guidance.pdf>

- The importance of the adult not being, without justification, treated less favourably than the way in which a person who is not an adult at risk of harm would be treated in a comparable situation.
- The adult's abilities, background and characteristics.

Values

In general terms, the following values underpin any intervention in the affairs of adults deemed to be at risk and in need of protection under this multi agency guidance:

- Every adult has a right to be protected from all forms of abuse, neglect and exploitation.
- The welfare and safety of the adult takes primacy in relation to any inquiry or investigation.
- Every effort should be made to enable the individual to express their wishes and make their own decisions to the best of their ability recognising that such self-determination may involve risk.
- Where it is necessary to override the wishes of the adult or make decisions on his/her behalf for their own safety (or the safety of others) this should be proportionate and least restrictive.

Partnership agencies subscribing to this guidance for the protection of adults at risk will also adhere to:

- Actively working together within the value base of dignity, privacy, choice, safety, realising potential, equality and diversity.
- Actively promoting individual choice and the well being of adults at risk through service provision.
- Actively work together within an interagency framework to provide the best outcomes for adults at risk.
- Acting in a way which supports the rights of the individual to lead an independent life based on personal choice.
- Recognising people who are unable to make their own decisions and/or to protect themselves and their assets.
- Interventions should be legal, necessary and proportionate.
- Decisions should be defensible, recorded and have a clear rationale.

Duty to Report

Public agencies have a duty to report any suspected or actual harm to an adult at risk. This should occur within 1 working day of the concerns being noted.

Contact details for each authority can be found [here](#).

Gender-based Violence (GBV)

For the purpose of this policy, we use the Scottish Government's definition of gender-based violence. Gender-based violence describes a range of behaviours that includes: intimidation, harassment, online abuse, intimate image sharing, domestic abuse, physical and emotional abuse, stalking, sexual assault and murder. The term also includes commercial sexual exploitation and so-called 'honour based' violence, including, female genital mutilation, forced marriages and 'honour' crimes.^[6]

GBV is a function of gender inequality. It takes the form of actions that result in physical, sexual, and psychological harm or suffering to women and girls, or affront to their human dignity, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. It is men who predominantly carry out such violence, and women who are predominantly the victims of such violence. By referring to violence as 'gender based' this definition highlights the need to understand violence within the context of women's and girl's subordinate status in society. Such violence cannot be understood, therefore, in isolation from the norms, social structure and gender roles within the community, which greatly influence women's vulnerability to violence.^[7]

Although gender-based violence affects more women and girls, it also impacts men and boys, and those in the LGBTQ+ community. We recognise that gender-based violence is an issue across all of society and we are fully committed to ensuring our campus is safe for everyone. In addition, the College seeks to provide a caring and timely response to those who have been impacted by gender-based violence. In everything that we do, the College will consistently send out a strong message that gender-based violence has no place in our college community or wider society.

These can include, but are not limited to:

- Physical, sexual and psychological violence (for example physical assault and sexual assault, coercive control etc.)

[6] <https://www.gov.scot/publications/equally-safe-scotlands-strategy-prevent-eradicate-violence-against-women-girls/>

[7] Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls

- Unwanted and unwelcome, sexual or gender-based verbal, written, online and/or physical conduct.
- Sexual harassment and intimidation at college, work and in the public areas
- Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health and safety of any other person.
- Discrimination, as defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of gender.
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another.
- Bullying, defined as repeated and/or severe aggressive behaviour likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally.
- Violence between those in an intimate relationship (this includes romantic relationships, dating, domestic, and/or relationship violence). Intimate relationship violence is a pattern of abusive behaviour in any relationship that is used by one partner to gain or maintain power and control over intimate partners. Intimate partner violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person.
- Stalking, defined as a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear of their safety or the safety of others e.g. unwanted gifts, sms messages, through social media.
- Dowry related violence – Dowry includes gifts, money, goods or property given from the bride's family to the groom or in-laws before, during or any time after the marriage. Dowry is a response to explicit or implicit demands or expectations of the groom or his family.
- Forced and Child Marriages – Forced marriage is when a person faces physical pressure to marry (e.g. threats, physical violence or sexual violence) or emotional and psychological pressure (e.g. made to feel like they are bringing shame on their family).
- Honour crimes involve physical, emotional, psychological, financial and sexual abuse, including murder, committed by people who want to defend the reputation of their family or community.
- FGM (Female Genital Mutilation), also known as female genital cutting and female circumcision, is the ritual removal of some or all of the external female genitalia.

Signs that indicate someone may have been impacted by gender-based violence. These can include, but are not limited to:

- There may be obvious effects of physical violence e.g. bruising
- Explanations for injuries/incidents that occur that are 'explained away' by the victim
- Poor attendance or presenteeism
- Changes in behaviour
- Interruptions at college, e.g. repeated upsetting calls/texts/emails
- May cry or be very anxious
- Uncharacteristic distraction, problems with concentration
- Depression/suicidal ideation
- Fear of partner/references to anger
- Expresses fear about leaving children home alone with partner
- Appears to be isolated from friends and family
- Needing regular time off for 'appointments'

It is important not to make assumptions as some of the above indicators may be indicative of other concerns unrelated to abuse. The context within which they occur is therefore an important consideration.

For further information and support, visit the College's designated webpage for [Preventing Gender-Based Violence](#).

Prevention of Radicalisation

As of July 2015, the [Counter-Terrorism and Security Act 2015](#) placed a new duty on education providers. Under section 26 of the Act, colleges are required, in the exercise of their functions, to have due regard to the need to prevent people from being drawn into terrorism. This duty is known as the Prevent Duty.

In Scotland, this duty is met through Prevent Multi-Agency Panels (PMAP). The term 'Prevent Multi-Agency Panels' (or 'PMAP') refers to the local authority led support and the duty as set out in section 36 of the CTSA 2015. This is separate and distinct from police-led Prevent case management. This programme aims to work with the individual to address their specific vulnerabilities, prevent them becoming further radicalised and possibly entering the criminal justice system because of their actions. The PMAP process forms a key part of Prevent. The process adopts a multi-agency approach to identify and provide support to individuals who are at risk of being drawn into terrorism. There is no fixed profile of a terrorist, so there is no defined threshold to determine whether an individual

is at risk of being drawn into terrorism.

It is recognised that radicalisation can occur to an individual from any section of society and is not particular to any racial, ethnic or social group. It is further recognised that in many instances the process of radicalisation is essentially one of grooming by others.

Possible signs of radicalisation include:

- The individual's views become increasingly extreme regarding another section of society or government policy
- The individual becomes increasingly intolerant of more moderate views
- The individual expresses a desire/intent to take part in or support extremist activity
- They are observed downloading, viewing or sharing extremist propaganda from the web
- They become withdrawn and focused on one ideology
- The individual may change their appearance, their health may suffer (including mental health), and they may become more isolated from family, friends, peers or social groups.

Mental Health and Wellbeing

The College has an important role to play in supporting the mental health and wellbeing of students and staff.

Mental health problems can, in some cases, be an indicator that a person has suffered or is at risk of suffering abuse, neglect or exploitation.

All staff should also be aware that mental health problems can, in some cases, be an indicator that someone has suffered or is at risk of suffering abuse, neglect or exploitation. Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences (ACE's), this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these children's experiences, can impact on their mental health, behaviour, and education.

Only appropriately trained professionals should attempt to make a diagnosis of a mental health concern. Staff, however, are well placed to observe on a day-to-day basis and identify those whose behaviour suggests that they may be experiencing a mental health concern or be at risk of developing one. Immediate action should be taken in response to any mental health concerns and a referral made to a College Safeguarder. Action should also be taken where there is a safeguarding concern already present, through reporting the concern to Student Services staff in the Student Advice Centre or in serious circumstances the Safeguarding Lead / Depute Safeguarding Lead as with any other safeguarding concern.

The College has a number of staff trained in Mental Health First Aid and ASIST (Applied Suicide Intervention Skills Training) providing immediate help and support to those who need it.

For help and support at the College during office hours telephone: 01355 807780 (ask for Student Services or an ASIST trained member of staff) or email student.support@slc.ac.uk. For staff specific support contact Human Resources by emailing humanresources@slc.ac.uk

Students and staff experiencing issues with mental health and/or be in crisis can be supported to contact their GP or emergency services as well as information and advice on external specialist support agencies. This includes concerns with health and psychological difficulties, anxiety, depression, self harm, or suicide ideation.

For information and support, contact Student Services by emailing student.support@slc.ac.uk. Visit the College's designated webpage for [Mental Health and Wellbeing](#).

To find out more about the support available at the College, use the links below:

- [Student Mental Health and Wellbeing - Supported Pathways to Wellness](#)
- [Student Mental Health Agreement 2022-24](#)
- [Student Support Pocket Guide](#)
- [Student Mental Health Strategy](#)

Appendix D – Safeguarding Procedures

INTRODUCTION

The purpose of these safeguarding procedures is to ensure that concerns about the welfare of children, young people and adults at risk in the College are dealt with sensitively, effectively and efficiently.

They will provide step-by-step guidance on how to respond to a concern.

South Lanarkshire College will ensure that every member of staff:

- Reads and understands the Safeguarding Policy and Procedures that include the mandatory reporting duty of all child/adult protection and safeguarding concerns.
- Knows the names of the Senior Safeguarding Staff / Safeguarding Lead / Depute Safeguarding Lead and wider Safeguarding Network.
- Will undergo mandatory safeguarding training as part of the staff induction process and through refresher training. The training will cover:
 - Their personal responsibility/Staff code of conduct/teaching standards.
 - Understand the definitions of all forms of abuse, physical abuse, emotional abuse, sexual abuse and neglect etc.
 - The need to be vigilant in identifying cases of abuse at the earliest opportunity.
 - How to support and respond to a child, young person or adult at risk who discloses significant harm (either actual or likely).
 - Prevent Duty referral process.
 - Their understanding of professional boundaries and what constitutes inappropriate behaviour.
- Knows their duty linked to unsafe practices, regarding young people or adult at risk, by a colleague.
- Undertakes appropriate discussion with parents and carers.
- Monitor internet usage in classrooms and knows how to recognise and respond to inappropriate internet use.
- Respects and adheres to the South Lanarkshire College Code of Conduct.

The Safeguarding Lead / Depute Safeguarding Lead will disclose any information about a learner to other members of staff on a need-to-know basis.

All staff should be able to reassure individuals that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting any form of abuse and/or neglect. Nor should they ever be made to feel ashamed for making a report.

All staff should be aware that young people and vulnerable adults may not feel ready or know how to tell someone that they are being abused, exploited or neglected, and/or they may not recognise their experiences as harmful. For example, children may feel embarrassed, humiliated, or threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This should not prevent staff from having a professional curiosity and speaking to their Safeguarding Lead / Depute Safeguarding Lead / Curriculum Safeguarder if they have concerns about a young person or adult at risk, as it is also important that staff determine how best to build trusted relationships with young people and vulnerable adults which facilitate communication.

Concerns may arise because:

- Abuse is disclosed;
- There are suspicions or indicators that a child, young person or adult at risk is being abused;
- There are observable changes in behaviour that may relate to abuse;
- A young person may abuse or radicalise another young person;
- The behaviour of a member of staff towards a young person causes concern or there is suspicion that a staff member or volunteer is harming a child/young person/adult at risk.

These procedures apply to everyone in the College.

The procedures are mandatory. Child protection is the responsibility of every adult. The publication [It's everyone's job to make sure I'm alright](#) Scottish Executive, 2002 and subsequent updated guidelines published in 2017 [It's still everyone job to make sure I'm alright](#) emphasises the need for all of us to take responsibility in order to protect children and young people.

HOW TO RESPOND IF SOMEONE DISCLOSES ABUSE, GBV OR RADICALISATION

All staff are expected to do the following:

LISTEN carefully and remain calm; do not express shock or embarrassment.

DO NOT guarantee confidentiality and be clear that you will act sensitively and explain what will happen next.

GIVE REASSURANCE that you are taking the information seriously.

DO NOT ask leading questions.

DO NOT examine any physical injuries.

DO NOT attempt to investigate the allegations yourself.

NEVER JUDGE even if the allegation is against a colleague.

RECORD what was said, also note the date, time, and place that the conversation took place.



All staff must follow College procedures for recording and storing sensitive information.

If an allegation is brought to your attention as a member of staff, you should:

- Be honest and transparent in relation to your professional responsibilities, for example, make it clear that you may have to share information with others.
- Allow the child/young person/adult at risk to speak without interruption.
- Listen to what the child/young person/adult at risk says and show that you take them seriously.
- Consult/inform the Safeguarding Lead/Depute Safeguarding Lead/Curriculum Safeguarder ensuring that you communicate all the information accurately.
- Stay calm – do not rush into inappropriate action.
- Reassure the child/young person/adult at risk – confirm that you know how difficult it must be to confide.
- Ensure that you clearly understand what the child/young person/adult at risk has said – so that you can refer.

In all cases, go straight to the Safeguarding Lead / Depute Safeguarding Lead / Curriculum Safeguarder.

ALLEGATIONS AGAINST STAFF

A student may make an allegation against a member of staff. If an allegation is made, the member of staff receiving the allegation will immediately inform the Safeguarding Lead / Depute Safeguarding Lead.

Whenever an allegation against any member of staff is received by the Safeguarding Lead, advice should be sought from Head of Human Resources and the Principal's Office.

If the allegation involves the Safeguarding Lead the matter should be reported to the Vice Principal's (Senior Safeguarding Manager in Charge) and Head of Human Resources.

If the allegation is against the Principal, the concerns must be reported to the Clerk to the Board of Management, Vice Principal's, Safeguarding Lead and Head of Human Resources.

The Safeguarding Lead should be alerted to cases in which it is alleged that a person has:

- Behaved in a way that has harmed, or may have harmed a child, young person, or adult at risk.
- Possibly committed a criminal offence against or related to a child, young person, or adult at risk.
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children, young people, or adults at risk.

This applies to paid employees, volunteers, casual/agency staff, and self-employed workers who will have contact with children, young people and adults at risk as a part of their role.

The Safeguarding Lead ensures that all allegations or concerns about professionals or adults working or volunteering with children are recorded appropriately, monitored, and progressed in a timely and confidential way.

The Safeguarding Lead provides advice and guidance to employers and voluntary organisations, liaising with the police and other agencies and monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process. Any allegations or concerns must be reported to the Safeguarding Lead / Depute Safeguarding Lead within 24 hours (or one working day) of it coming to notice.

The Safeguarding Lead / Depute Safeguarding Lead will provide Curriculum and Department Safeguarders ongoing guidance, help and support. The consultation process allows for concerns to be evaluated objectively and to ascertain whether similar concerns may have been raised but not met the threshold for investigation.

CURRICULUM ROLE CLARIFICATION

There has been an increase in the number of referrals to Student Services and not all of these are safeguarding issues, they may be behavioural in nature instead. Staff should familiarise themselves with the [Attendance and Behaviour Policy](#) which is also available in the documents library on the Portal.

Please see below for what should happen:

- If a lecturer has a concern that they cannot deal with themselves then they should speak to their Curriculum Manager.
- If the Curriculum Manager requires advice or support, they should speak to the appropriate Associate Principal. If it is a clear safeguarding issue, such as a disclosure of abuse, Prevent Duty concern or an immediate risk to life, as defined by the Safeguarding Policy, then you should follow the Safeguarding Flowchart as set out in Appendix E of the Policy.

The Curriculum is responsible for all behaviour and safeguarding matters, however, at all stages Student Services and Lead Safeguarders can be consulted and called upon to provide guidance, advice, and support.

CONTACT WITH PUPILS IN PARTNER SCHOOLS / ON OUTREACH

It is normal practice that school pupils will be taught in discrete groups and where this is not the case a risk assessment will be undertaken.

If you are working in a school at the time the allegation of abuse is made, the school's child protection procedures should be followed, and you should advise the Safeguarding Lead that you have filed a report with the School's Child Protection Practitioner.

If you are working in College or in a College outreach base, the College Safeguarding Procedures should be followed.

RECORDING INFORMATION

Complete appropriate Safeguarding Reporting Forms within acceptable timescales (see example proforma at Appendix G) which can also be found in the Documents section of the Staff Portal.

Observe standard guidelines for holding sensitive information in accordance with current legislation.

All recorded information must be handled sensitively. All conventions of confidentiality must be adhered to at all times.

Storage and access of information will be managed by the Safeguarding Lead. Records will be retained for a period of three years.

REFERRING INFORMATION TO RELEVANT AGENCIES

External referrals for example to Police Scotland or Social Work would normally be made by either the Safeguarding Lead / Depute Safeguarding Lead or a member of the wider Safeguarding Network. If the staff member suspects that the child, young person or adult at risk is in immediate danger, they will contact the Police straightaway by dialling 999. All incidents and actions will be reported to the Safeguarding Lead / Depute Safeguarding Lead in a timely manner

In line with the requirements of the PVG (Scotland) Act 2007, if the College is made aware of criteria for referral being met or previously having been met before the PVG Act came into force, the Safeguarding Lead or Head of Human Resources will make a referral to Disclosure Scotland.

CONFIDENTIALITY

In accordance with current legislation, the welfare of the child, young person or adult at risk is paramount.

Only a restricted number of people within the institution should have access to information that involves child/adult protection and safeguarding issues.

Information should be shared on a 'need to know' basis in accordance with current legislation and Codes of Practice.

[Data Protection Act \(DPA\) 2018](#) controls how personal information is used by organisations, businesses or the government and is the UK's implementation of the General Data Protection Regulation (GDPR).

The DPA (2018) does not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare and protect the safety of children, young people, or adults at risk. This falls under a common law duty of care where the College deem the circumstances to be in the public interest necessary to protect students and staff.

When deciding whether information needs to be shared with staff within the setting or with other agencies, staff should take account of the following principles, bearing in mind that the most important consideration is whether sharing information is likely to support the safeguarding and protection of a child, young person or adult at risk:

- Necessary and Proportionate
- Relevant
- Adequate
- Accurate
- Timely
- Secure
- Recorded

Staff should consider when they share information, how and how much they share, and where possible they should be transparent about the fact that they are sharing. It is important to acknowledge that sharing of all information that could be regarded big or small is essential for the protection of the child, young person, or adult at risk.

Although the process for deciding whether to share information is the same within and outside the setting, in terms of proportionality and the need to know, sharing information with practitioners from other agencies needs to be documented. It is reasonable for staff to discuss day-to-day concerns about students with colleagues in order to ensure that general needs are met in college. However, staff should report all child/adult protection and safeguarding concerns to the Safeguarding Lead. The person receiving the referral will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis.

The Safeguarding Lead / Depute Safeguarding Lead or Curriculum Safeguarder will normally obtain consent from the student/or parents/carers to share sensitive information within the College or with outside agencies. Where there is good reason to do so, the Safeguarding Lead / Depute Safeguarding Lead or Curriculum Safeguarder may share information without consent, and will record the reason for not obtaining consent. If any member of staff receives a request from a student / parent/carer to see child/adult protection / safeguarding records, they will refer the request to the Data Protection Officer. Every effort will be made to prevent unauthorised access to sensitive information.

ONLINE SAFETY / REMOTE LEARNING

Staff and students commonly use electronic equipment including mobile phones, tablets and computers daily to access the internet and share content and images via social networking sites such as Facebook, Twitter, MSN, Tumblr, Snapchat, TikTok and Instagram. Those technologies and the internet are a source of fun, entertainment, communication and education. Unfortunately, however, some adults and young people will use those technologies to harm children and the use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm.

The breadth of issues within online safety is considerable, but can be categorised into four areas of risk:

- Content: being exposed to illegal, inappropriate or harmful material; for example, pornography, fake news, racist or radical and extremist views;
- Contact: being subjected to harmful online interaction with other users; for example, commercial advertising as well as adults posing as children or young adults; and
- Conduct: personal online behaviour that increases the likelihood of, or causes, harm; for example, making, sending and receiving explicit images, or online bullying;
- Commerce: risks such as online gambling, inappropriate advertising, phishing and or financial scams.

The College's online IT Acceptable Use Policy explains how we try to keep students and staff safe in college and protect and educate learners in the safe use of technology. The College has appropriate filters and monitoring systems in place to protect children from potentially harmful online material. We will complete an annual review of our online safety policy which will be supported by an annual risk assessment. This will consider and evaluate any emerging risks our students face when participating in online activity.

Cyberbullying and sexting by learners will be treated as seriously as any other type of bullying and will be managed through the Attendance, Behaviour and Punctuality Policy, Student Code of Conduct and the GBV Prevention and Support Policy.

It is essential that information is shared with parents and carers which outlines how online learning is being delivered. This should include explicit details of sites that will be accessed, staff that pupils will interact with, and how this is being monitored. There must also be robust strategic oversight to ensure that monitoring systems are effective, and that staff are able to identify and report concerns.

HOW TO KEEP PEOPLE INFORMED AND INVOLVED IN THE PROCESS

In accordance with the principles of current legislation, the views of the child/young person/adult at risk will be taken into account when considering risk, adversity and protective factors. Cultural sensitivity and competence is necessary in considering the family reference point

All students will be provided with information on the College's safeguarding procedures during induction and in appropriate college publications.

The Safeguarding Lead / Depute Safeguarding Lead / Curriculum Safeguarder will keep the child/young person/adult at risk informed while the matter is within the jurisdiction of the College.

The Safeguarding Lead / Depute Safeguarding Lead / Curriculum Safeguarder will take account of the views of the child/young person/adult at risk involved in the process.

SUPPORT AND STAFF DEVELOPMENT

The College will provide initial, on-going and appropriate training to all staff members on the Safeguarding policy and associated procedures.

The College will support staff by providing an opportunity to talk through any concerns with the Safeguarding Lead / Depute Safeguarding Lead and offer reasonable appropriate support from external agencies if requested.

The College will offer support to the wider College Safeguarding Network if requested.

Appendix E – Safeguarding Flowchart

In the College there are a number of key groups of staff who are likely to receive a safeguarding disclosure.

Those in key roles may include:

- Student Support Services
- Academic Staff
- Extended Learning Support
- Reception and Library Staff
- Student Association Officers
- Facilities Staff
- IT Staff
- Human Resources Staff

There are also a number of mechanisms in place for staff and students to make a safeguarding / GBV / mental health and wellbeing disclosure which include:

- Report and Support
- Student support email – student.support@slc.ac.uk
- Staff support email – humanresources@slc.ac.uk
- Academic guidance meeting
- Staff support meeting
- Tell Us @ SLC
- Student Advice Centre

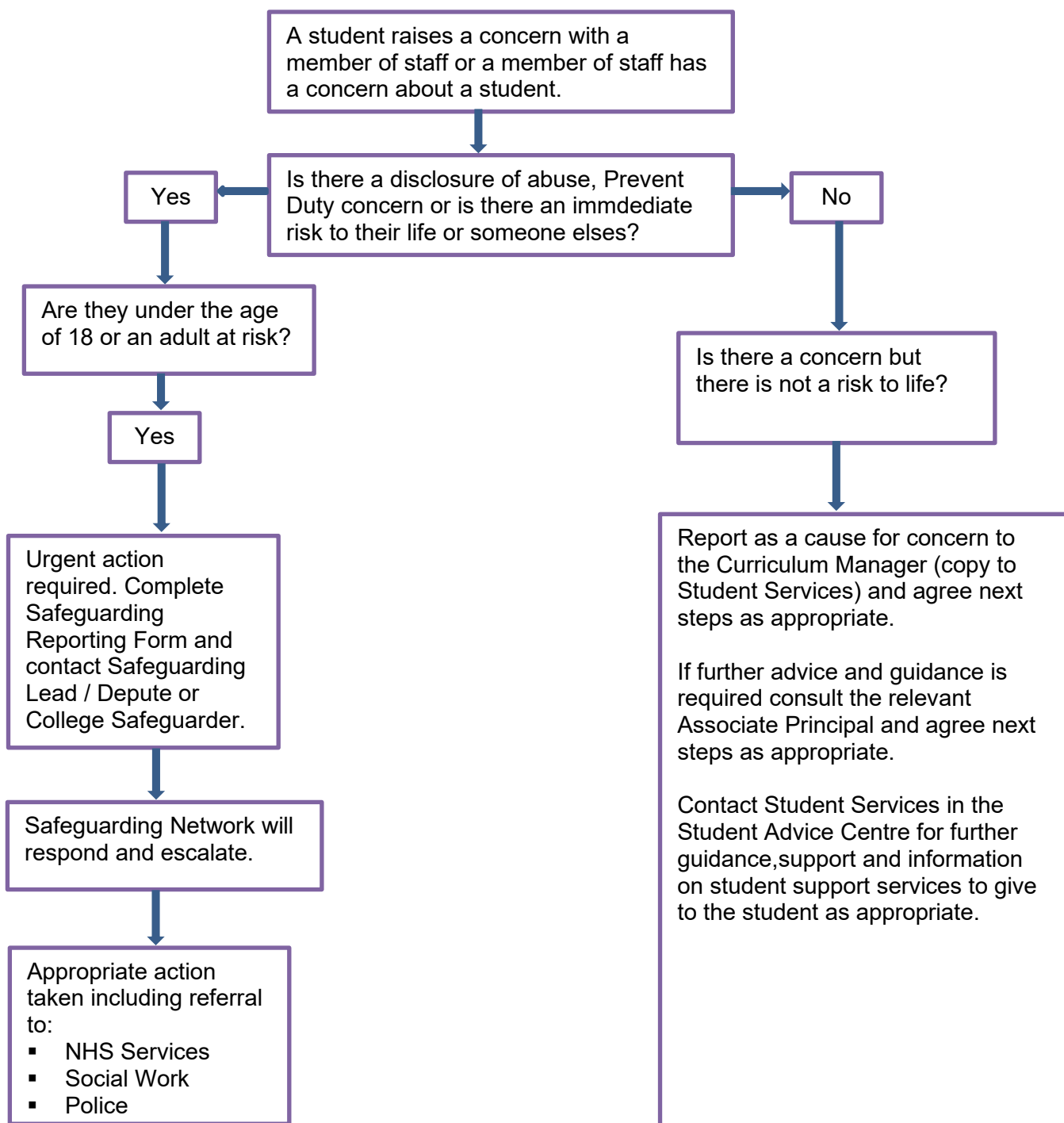
Once a disclosure is made, and the member of staff has collated the appropriate information (Safeguarding Reporting Forms – Appendix G) this will be then passed to the Safeguarding Lead / Depute Safeguarding Lead / Curriculum Safeguarder for further investigation and action. In most cases, when a disclosure is made this will be passed directly to the Safeguarding Lead / Depute Safeguarding / Curriculum Safeguarder to take forward.

College Safeguarders include:

- Vice Principals (Senior Safeguarding Officers)
- Head of Student Services (Safeguarding Lead)
- Curriculum Manager for Support for Learning (Depute Safeguarding Lead)
- Depute Head of Student Services
- Guidance and Support staff in Student Services
- Curriculum Manager for each curriculum area
- Head of Human Resources
- Head of Facilities
- Head of MIS
- Student President (Student Association)
- Designated safeguarder for each of the following functional areas: Finance, Alternative Funding

College Safeguarders do not respond in isolation and will work collaboratively when responding to safeguarding disclosures. Staff should adopt a holistic, trauma informed approach to ensure the College responds effectively in the most appropriate way to fully support the individual.

The following flowchart provides the key elements of the safeguarding response pathway.



References

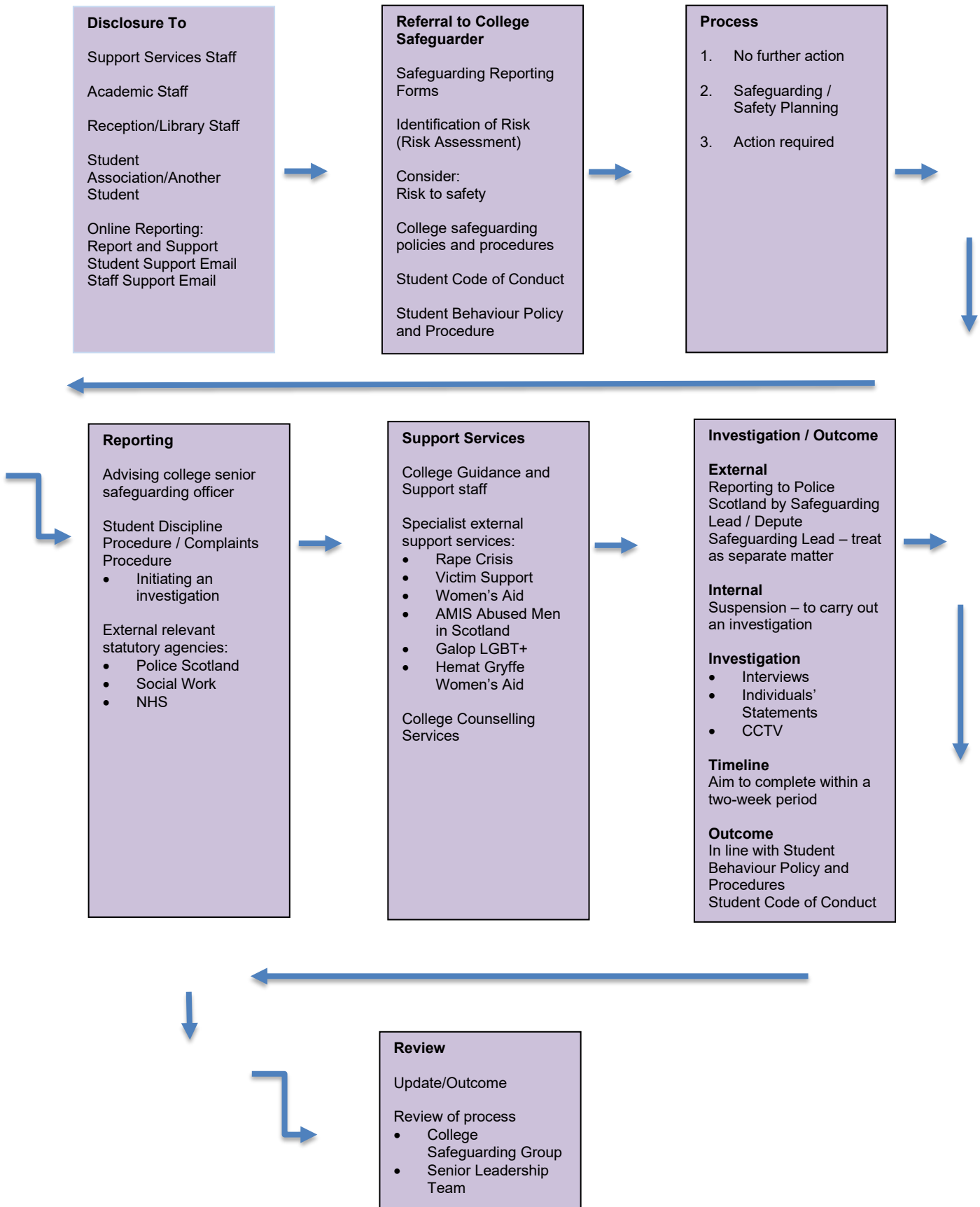
- Examples of abuse – Physical, Emotional, Financial, Sexual and Neglect.
- Risk to life – When someone has a suicide plan or is in the process of ending their life.
- Risk to life by threatening violence

A Protected Adult is defined as someone over the age of 16 and,

- is unable to safeguard themselves, their property, rights or other interests, and
- is at risk of harm, and
- because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than others who are not so affected.

Appendix F – Gender-Based Violence (GBV) Flowchart

The following flowchart provides the key elements of the GBV response pathway.



Appendix G – Safeguarding Reporting Forms

Remember to maintain strict confidentiality and store this form securely.

Section A: Reporter's Name and Information

Your Name	
Your Position	
Office Location	
Phone Number	
Email Address	
What is your reason for completing this form? Select one option below.	
Concerns about a student	<input type="checkbox"/> <i>Now complete Section B</i>
Disclosure from a student	<input type="checkbox"/> <i>Now complete Section C</i>
Concerns about someone responsible for students	<input type="checkbox"/> <i>Now complete Section D</i>

Section B: Concerns for or about a student

Student's Name		
Student's Date of Birth		
Student's Reference Number		
Student's Contact Number		
Name of School (if applicable)		
Is the student a child, a vulnerable adult or neither?	A child	<input type="checkbox"/>
	A vulnerable adult	<input type="checkbox"/>
	Neither	<input type="checkbox"/>
Your Concerns (Include as much relevant detail as possible including reasons for concern, name(s) of person(s) involved, dates and times, any discussion that has taken place.)		
Please now pass the form to the Safeguarding Lead		

Section C: Disclosure from a student

Student's Name		
Student's Date of Birth		
Student's Reference Number		
Student's Contact Number		
Name of School (if applicable)		
Is the student a child, a vulnerable adult or neither?	A child	<input type="checkbox"/>
	A vulnerable adult	<input type="checkbox"/>
	Neither	<input type="checkbox"/>
Date and time of disclosure		
What did the student tell you? Record exactly what the student said in their own words and any questions you asked if the situation needed clarified. Continue on separate sheet if necessary.		
Provide any additional relevant information. Examples may include changes in the student's behaviour, any observations prior to the disclosure etc.		
Please now pass the form to the Safeguarding Lead		

Section D: Concerns about someone responsible for students

Person of Concern's Name	
Person of Concern's Position	
Your Concerns (Include as much relevant detail as possible including reasons for concern, name(s) of person(s) involved, dates and times, any discussion that has taken place.)	
Please now pass the form to the Safeguarding Lead	

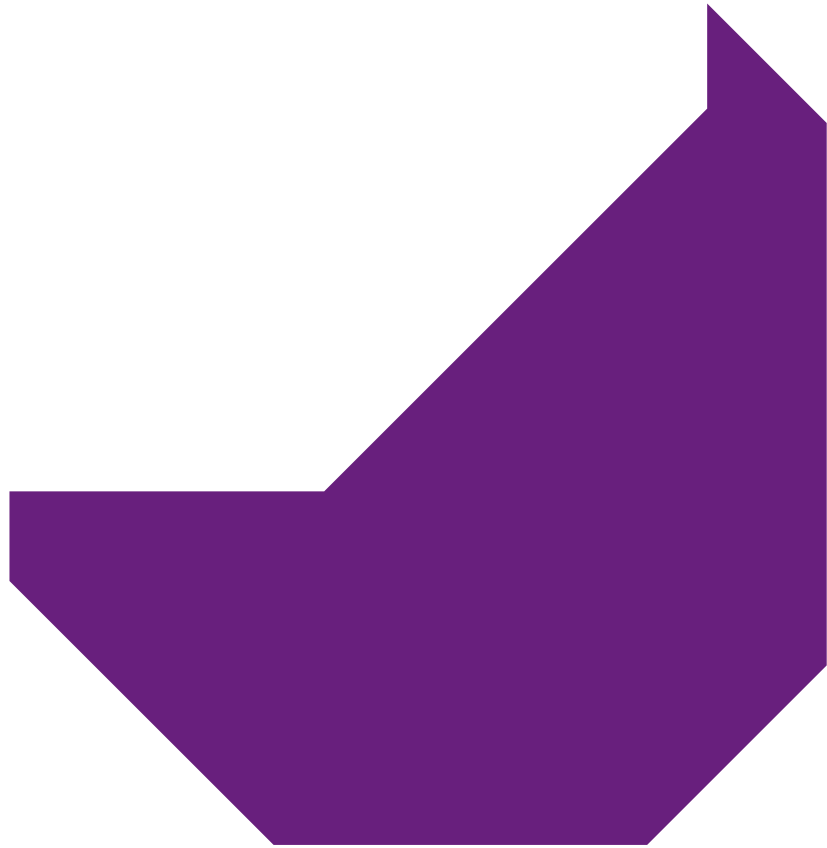
Section E: Safeguarding Lead

Safeguarding Lead's Name		
Consultation Undertaken		
Decision Made	No further action	<input type="checkbox"/>
	Continued monitoring	<input type="checkbox"/>
	Formal referral	<input type="checkbox"/>
Rationale for Decision		
Formal Referral Details Include details of which agency has been informed, including name and contact number where possible.		
Formal Referral Date		
Senior Management Liaison Include details of which member of Senior Management has been made aware of the situation, any discussions that took place and the date the exchanges took place.		
Safeguarding Lead's Signature		
Date of Reporting Form Closure		



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BOARD OF MANAGEMENT

DATE	6 June 2024
TITLE OF REPORT	Finance Regulations review – May 2024
REFERENCE	18.1
AUTHOR AND CONTACT DETAILS	Elaine McKechnie Elaine.mckechnie@slc.ac.uk
PURPOSE:	To update the Committee on changes made to the existing Finance Regulations to reflect more recent operational changes and requirements.
KEY RECOMMENDATIONS/ DECISIONS:	The Committee is asked to: <ul style="list-style-type: none"> • note and approve the changes reflected in the Finance Regulations update at May 2024; and • advise of any observations or concerns that they would also like to be addressed in these regulations, if any.
RISK	<ul style="list-style-type: none"> • The existence of Finance regulations attempts to prevent issues such as financial fraud, market manipulation, and excessive risk-taking, which can lead to financial instability. • They also aim to maintain stakeholder confidence and reduce the risk of reputational damage of the College by ensuring the stability of college controls and protecting our students and businesses from any fraudulent activities.
RELEVANT STRATEGIC AIM:	<ul style="list-style-type: none"> • Successful Students • The Highest Quality Education and Support • Sustainable Behaviours
SUMMARY OF REPORT:	<ul style="list-style-type: none"> • The Finance Regulations are a necessary part of the College's overall control and good governance system. • Several changes have been proposed within this iteration of the Finance Regulations to take account of the new Vice Principal posts, changes to delegation of authority, the roll out of an e-signature policy and updates to the purchase order thresholds, banking signatories and banking administrators.

1. INTRODUCTION

- 1.1. This paper provides an overview of the changes reflected in the May 2024 review of the Finance Regulations.

2 BACKGROUND

- 2.1 Finance Regulations are a necessary part of the College's control and good governance system, ensuring that policies and procedures are suitably designed and documented to protect the College from risks of fraud, theft and mismanagement of public funds.

3 DISCUSSION

- 3.1 The main updates to the Finance regulations in May 2024 are highlighted in red within the Regulations and while not exhaustive, include the following key updates:

- 3.1.1 Recognition of the formation of the Executive Team, consisting of the Principal, the Vice Principal – Learning, Teaching and the Student Experience and the Vice Principal – Finance, Resources & Sustainability.
- 3.1.2 The Responsibilities of the Management Team, from Principal, Vice Principals, Associate Principals, Heads of Business Support Functions and Curriculum Managers at section 2.
- 3.1.3 An update for a link to be inserted to the Procurement Strategy and Policy for 2024-25 at section 6.
- 3.1.4 An update in Section 7 acknowledging that the revised codes of conduct for Board members and staff deal specifically with gifts and hospitality and any such must be advised to the Governance Professional who will keep a record of such and make that record available for public inspection on request. There is no Register on the website as college policy discourages such and accordingly there are currently no reportable gifts and / or hospitality.
- 3.1.5 A reference to the College's e-signature policy at section 9 (awaiting Board approval).
- 3.1.6 An update in section 10 for annual Fee setting and a reference to the Fee Policy for 2024-25.
- 3.1.7 Banking arrangements in section 12 also include an update to indicate the increased reliance of BACS processing platforms, such as BACSTEL-IP, for the distribution of payments in place of outdated cheques.
- 3.1.8 A further update in section 12 to acknowledge the role of the Head of Finance in seeking greater interest generating potential on any limited, short term cash reserves.
- 3.1.9 The terminology in respect of a cash 'imprest' has been removed and replaced with a reference to cash 'floats' which better reflects current practice at section 13. The College does not utilise cash floats on a large scale however it does acknowledge that there are circumstances that lend themselves well to a cash float, such as the Students' Association.
- 3.1.10 Section 16 refers the reader to the separate Procurement Policy and Procedures link.
- 3.1.11 Section 17 includes an amendment to the Head of Finance being the main point of contact for both Internal and External Audit with some authority to delegate some communication to the senior members of the Finance Team where appropriate.
- 3.1.12 Section 22 reflects on the Student Association's remit being guided by these Finance Regulations with an acknowledgement of annual training that is delivered to the representatives to ensure compliance with procedures.

- 3.1.13 Generally, within the regulations, a revision to the Principal being the main delegated authority for authorisation of purchase orders has been reflected. As noted in a recent internal Audit finding by Henderson Loggie, this structure has the potential to create a bottleneck of often low value orders that await Principal approval. This update of the Finance Regulations suggests that the Vice Principals and the Associate Principals can authorise a greater volume of purchase orders in place of the Principal.
- 3.2 The appendices also include updates to procurement thresholds for purchase orders, delegated authorities, changes to bank signatories and banking administrator rights as is required within the Internet banking facility.
- 3.3 Bank signatories now reflect the Principal, Vice Principals and the Head of Finance, acknowledging that the requirement for signing cheques is very outdated and the only requirement for signatories now is for the purposes of loans and standing order requests.
- 3.4 Banking administrators reflect a wider group of finance staff who require access to Internet banking for the purpose of their role. On approval of these regulations, a further review of access user rights in the Internet Banking facility will be conducted over the summer 2024 by the Finance team to ensure that users only have necessary access levels.

4 RESOURCE IMPLICATIONS

- 4.1 As acknowledged in section 21 of the Finance Regulations, the regulations relate to all staff. The Vice Principal – Finance, Resources & Sustainability, is ultimately responsible for communicating the Financial Regulations to staff and monitoring their ultimate application.
- 4.2 The regulations will be subject to annual review by the Head of Finance in conjunction with the Vice Principal – Finance, Resources & Sustainability and will be brought to subsequent committees for discussion and approval.

5 EQUALITIES

- 5.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

6 RISK AND ASSURANCE

- 6.1 The existence of Finance regulations attempts to prevent issues such as financial fraud, market manipulation, and excessive risk-taking, which can lead to financial instability.
- 6.2 They also aim to maintain stakeholder confidence and reduce the risk of reputational damage of the College by ensuring the stability of college controls and protecting our students and businesses from any fraudulent activities.

7 RECOMMENDATIONS

- 7.1 The Committee is asked to:

- 7.1.1 note and approve the changes reflected in the Finance Regulations update at May 2024; and

7.1.2 advise of any observations or concerns that they would also like to be addressed in these regulations, if any.

BOARD OF MANAGEMENT

DATE	6 June 2024
TITLE OF REPORT	Fees Policy 2024/25
REFERENCE	18.2
AUTHOR AND CONTACT DETAILS	Elaine McKechnie Elaine.mckechnie@slc.ac.uk
PURPOSE:	To advise Members of the College's Fee Policy for 2024/25 and the seek approval for the proposed Fee rates for 2024/25.
KEY RECOMMENDATIONS/ DECISIONS:	Members are asked to: <ul style="list-style-type: none"> • advise of any observations or concerns that they would also like to be addressed prior to the formal publication of this Policy; and • note and approve the content of the Tuition Fee Policy for 2024/25, including the proposed fee rates for 2024/25 in appendix 1.
RISK	The absence of a Fee Policy puts the College at: <ul style="list-style-type: none"> • Risk of failure to comply with regulatory requirements to properly account for public funds; • Risk of failure to safeguard assets in the form of income; • Risk of failure to properly inform students and businesses of fee structures and procedures in place at the College, potentially risking student recruitment and retention and • Risk of inaccurate financial reporting.
RELEVANT STRATEGIC AIM:	<ul style="list-style-type: none"> • Successful Students • The Highest Quality Education and Support • Sustainable Behaviours
SUMMARY OF REPORT:	<ul style="list-style-type: none"> • The Tuition Fee Policy is a necessary source of information for all College stakeholders. • The Tuition Fee Policy covers the following main areas: <ul style="list-style-type: none"> Fee Setting Fee Structure Fee Status and Determination Funding Fee Payment and Collection Method of Fee Payment Fee Refunds Fee Complaints

	<ul style="list-style-type: none">• The Tuition Fee Policy will be revised annually by the Head of Finance with inputs from the Senior Leadership Team prior to Board approval.• The Tuition Fee Policy has been prepared in consultation with the Regional/New College Lanarkshire (NCL) Fee Policy to ensure some consistency in approach. It should be noted that NCL combine both the Fee and Fee Waiver Policy into one Policy while SLC separate these policies.• The committee are advised that a draft Fee Waiver Policy for 2024-25 will be brought to the FRC in August 2024 once Scottish Funding Council (SFC) guidance has been issued.
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1 INTRODUCTION

1.1. This paper provides an overview of the proposed Tuition Fee Policy for 2024-25 that has yet to be published.

2 BACKGROUND

2.1 A Tuition Fees Policy is a necessary source of College fee information for all stakeholders; from students to businesses and staff. The absence of a Fee Policy can create confusion and inconsistency over procedures to be followed.

2.2 The Tuition Fee Policy takes account of both the needs of the student and the College's need to ensure collection of tuition fees and other fees in an efficient and timely manner.

3 DISCUSSION

3.1 The College has not recently published a formal Tuition Fee Policy to support its annual operations and owing to the continued financial pressures facing the College and the requirement to protect College funds, the Finance Team has sought to rectify this by setting out the following key elements within a Policy:

- 3.1.1 Fee Setting
- 3.1.2 Fee Structure
- 3.1.3 Fee Status and Determination
- 3.1.4 Funding
- 3.1.5 Fee Payment and Collection
- 3.1.6 Method of Fee Payment
- 3.1.7 Fee Refunds
- 3.1.8 Fee Complaints

3.2 Pertinent points from within the Fee Policy include:

- 3.2.1 Fee Setting: The Head of Finance will initiate the formal review of Fee rates through the Senior Leadership Team each year prior to Board approval.
- 3.2.2 Fee Structure: Outside of fees that are advised by Scottish Funding Council, SAAS and other government agencies, the Alternative Funding team, in conjunction with Curriculum Management, has discretion to set prices for other activity based on a robust course costing mechanism currently in use. Commercial, full cost courses are expected to realise a minimum contribution of 30%.
- 3.2.3 Fee Status and Determination: Tuition fees are charged at rates depending on student residency, nationality and immigration status.
- 3.2.4 Funding: The Policy recognises the withdrawal of Individual Training Accounts (ITAs) from 2024/25 funding. The Policy also acknowledges the 20% staff discount for staff undertaking courses, as advised as part of an HR update in January 2024.
- 3.2.5 Fee Payment and Collection: The Policy acknowledges the widespread use of PayPal in collecting fees prior to the start date of a course.
- 3.2.6 Method of Fee Payment: The Policy acknowledges the reduced incidence of cheque payment, with cash/credit/debit card being more prominent. The Policy sets out the College's process for initiating proceedings with a debt recovery agency.

3.2.7 Fee Refunds: Refunds will apply when the College has withdrawn a course from its curriculum offering. In general, refunds will not apply when a student decides to leave a course although will be granted at manager's discretion should circumstances be out with the student's control. Refunds may also be subject to a £40 administration fee which would be deducted from the balance of the fee to be returned to the business or individual.

3.2.8 Fee Complaints: The Policy includes a section for Fee Complaints in recognition of the College's recently updated Complaints Handling Procedures.

4 RESOURCE IMPLICATIONS

4.1 As acknowledged above, the Tuition Fee Policy is relevant to all staff, students and wider stakeholder groups. The Vice Principal – Finance, Resources & Sustainability is ultimately responsible for ensuring the publication and communication of the Tuition Fee Policy following its approval by the Board each year.

4.2 The Committee are asked to note that the Tuition Fee Policy has been prepared in consultation with the Regional/New College Lanarkshire Tuition Fee and Fee Waiver Policy to ensure consistency in approach. South Lanarkshire College continue to hold two separate policies for Tuition Fees and Fee Waivers.

4.3 The College will present its Fee Waiver Policy to the Committee in August 2024 when final guidance for 2024-25 has been issued by the Scottish Funding Council.

5 EQUALITIES

5.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

6 RISK AND ASSURANCE

6.1 The absence of a Tuition Fee Policy puts the College at:

6.1.1 Risk of failure to comply with regulatory requirements to properly account for public funds;

6.1.2 Risk of failure to safeguard assets in the form of income;

6.1.3 Risk of failure to properly inform students and businesses of fee structures and procedures in place at the College, potentially risking student recruitment and retention; and

6.1.4 Risk of inaccurate financial reporting.

7 RECOMMENDATIONS

7.1 Members are asked to:

7.1.1 advise of any observations or concerns that they would also like to be addressed prior to the formal publication of this Policy; and

7.1.2 note and approve the content of the Tuition Fee Policy for 2024/25, including the proposed fee rates for 2024/25 in appendix 1.

BOARD OF MANAGEMENT

DATE	6 June 2024
TITLE OF REPORT	Electronic-Signature (E-Signature) Policy
REFERENCE	18.3
AUTHOR AND CONTACT DETAILS	Elaine McKechnie Elaine.mckechnie@slc.ac.uk
PURPOSE:	To advise the Committee on a proposed E-signature Policy for the College
KEY RECOMMENDATIONS/ DECISIONS:	The Committee is asked to: <ul style="list-style-type: none"> advise of any observations or concerns that they would also like to be addressed in this Policy, if any; and note and approve the contents of the E-Signature Policy.
RISK	An e-signature policy mitigates against risks to: <ul style="list-style-type: none"> College operational efficiencies, security, productivity and speed, improving the user experience through fast availability of legal proof. The environment through reduction in paper and ink-based signatures.
RELEVANT STRATEGIC AIM:	<ul style="list-style-type: none"> Successful Students The Highest Quality Education and Support Sustainable Behaviours
SUMMARY OF REPORT:	<ul style="list-style-type: none"> The E-Signature Policy has been developed in recognition of the changing landscape in which the College operates. Many contractual dealings are now concluded by way of an E-Signature, which improves the efficiency of contract conclusion and enables a faster transition into an extended or new contract. The E-Signature Policy is governed by Scots Law and as such, any contractual obligations with other non-Scottish domiciled agencies should be considered in the context of their own legal jurisdiction whilst still acknowledging that this Policy would apply. The College will use Adobe Sign for e-signing purposes which has the same legal compliance guidance as DocuSign (another reputable e-signing platform) .

1. INTRODUCTION

1.1. This paper provides an overview a proposed E-Signature Policy.

2 BACKGROUND

2.1 The E-Signature Policy has been developed in recognition of the changing landscape in which the College operates. Electronic signatures are valid and commonplace for many business transactions and legal processes, which improves the efficiency of contract conclusion and enables a faster transition into an extended or new contract.

2.2 An E-Signature Policy also ensures commitment to environmental concerns through a reduction in paper and ink usage.

3 DISCUSSION

3.1 The Policy sets out the following key areas for consideration:

3.1.1 Examples of E-Signatures

- Simple electronic signature
- Advanced electronic signature
- Qualified electronic signature

3.1.2 Validity of E-Signatures

3.1.3 Requirements of E-Signatures

3.1.4 Legal impact of E-Signatures

3.1.5 Precautionary Measures

3.1.6 Related Policies

3.2 A simple electronic signature will most likely be used by the college, primarily typing a name into an email, electronically pasting a signature (e.g. in the form of an image) into an electronic version of a contract or an electronic signature on an e-signing platform with audit trail capability.

3.3 A simple electronic signature is a valid form of execution for most types of documents.

3.4 The policy exists to ensure that neither the College nor any individual is misrepresented; suffers loss of reputation; or is exposed to any liability or other adverse consequence through the unauthorised use of electronic signatures.

3.5 This policy applies to all full time and part time employees on a permanent or fixed term contract, and to associated persons working for the College such as secondees, agency staff, contractors and others employed under a contract of service.

3.6 The Policy is covered by Scots Law. If the document to be signed is governed by another law, advice from the local jurisdiction should be sought as to whether and how e-signature may be used.

4 RESOURCE IMPLICATIONS

- 4.1 For e-signing the College will use Adobe Sign. Adobe Sign has the same legal compliance guidance as another well-known and reputable platform, DocuSign.
- 4.2 The College use of Adobe Sign will be limited to British and European countries only. This adds an additional layer of protection to College operations.
- 4.3 In terms of licensing, the College will not be required to pay separately for the platform; instead paying a fee per transaction. The College purchases a bundle at the beginning of the year and each time a signature or document is completed, a fee will be charged against that bundle (similar to a mobile phone text bundle).
- 4.4 Training will be required for all staff to ensure the effective use of Adobe Sign. Adobe Sign is also integrated with Microsoft Teams and can be further integrated with the new HR system and other systems. Further consideration of system integration and the roll out of training will be scheduled following approval of this Policy by the Committee.

5 EQUALITIES

- 5.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

6 RISK AND ASSURANCE

- 6.1 An e-signature policy mitigates against risks to:
 - 6.1.1 College operational efficiencies, security, productivity and speed, improving the user experience through fast availability of legal proof.
 - 6.1.2 The environment through reduction in paper and ink-based signatures.

7 RECOMMENDATIONS

- 7.1 The Committee is asked to:
 - 7.1.1 advise of any observations or concerns that they would also like to be addressed in this Policy, if any; and
 - 7.1.2 note and approve the contents of the E-Signature Policy.



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ELECTRONIC- SIGNATURE POLICY

The use of Electronic signatures ('E-signatures') within the College

Version Number: 1.0

Document Information

Procedure Published/Created:	April 2024
Reviewed Date:	May 2024
Owner:	Elaine McKechnie
Approved by:	
Equality Impact Assessment:	TBC
Next Review Date:	May 2026

Version History

Version Number	Date	Author	Rationale
1.0	06 May 2024	Elaine McKechnie	A guide for the use of e-signatures within the College to improve efficiency and reduce paper usage

Quick Links

We are inclusive and diverse, and this is one of our values.

We are committed to the FREDIE principles of Fairness, Respect, Equality, Diversity, Inclusion and Engagement.



To find out more about FREDIE click [HERE](#)

To find out more about our Vision, Mission and Values click [HERE](#)



Need help with accessibility? Click [HERE](#) to view our accessibility pages.

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Foreword

In its Report Electronic Execution of Documents (2019), the Law Commission concluded that electronic signatures were valid for many business transactions and legal processes. Nevertheless, the Report also recognised that numerous uncertainties existed which have hindered the use of eSignatures and limited the confidence of professionals and individuals in their use. These uncertainties potentially hold back some parties from adopting electronic signatures

Scots Law is not identical to English Law, but the Report was echoed in an article in the Journal of the Law Society of Scotland (October 2020). In Scotland, very few contracts require to be in writing [Requirements for Writing (Scotland) Act 1995] and, of the few which do, most can be created by way of informal writing. Scots Law remains closely aligned to EU Law – specifically eIDAS Reg. (910/2014)

The Covid-19 pandemic also demonstrated that the use of existing technology can be extended to accommodate issues of immediacy and lack of physical presence, such as the way that witnessing the signing of wills can currently be done remotely (whereas pre-pandemic this was not legally possible).

Signing electronically can eliminate many of the impractical logistics of signing in wet ink and allows all parties to sign a document within seconds of being invited to do so. Moreover, at a time when Climate Change and carbon reduction initiatives are at the forefront of many business operations, a move to e-signatures may also reduce the administrative burden of printing and physically signing documentation, thereby reducing both ink and paper usage.

It should be noted however that electronic signatures can only be appended to electronic contracts and cannot be added to contracts in hard copy only.

Purpose

This policy has been written to address concerns in using e-signatures. These can exist in many different forms and not just as digital images of hand-written signatures.

The usual concerns centre around whether or not:-

- The named person is the actual signatory
- The document was tampered with the e signature was added
- The e signature itself was tampered with
- The e signature can subsequently be proved

The policy is to ensure that neither the College nor any individual:

- is misrepresented;
- suffers loss of reputation; or
- is exposed to any liability or other adverse consequence through the unauthorised use of electronic signatures.

Following the requirements of this policy is essential and any breach may lead to disciplinary action being taken. Such a breach may result in summary dismissal.

Scope

This policy applies to all full time and part time employees on a permanent or fixed term contract, and to associated persons working for the College such as secondees, agency staff, contractors and others employed under a contract of service.

Under the Electronic Communications Act 2000 and the Electronic Signatures (Scotland) Regulations 2014 , the legal definition of an "e-signature" is as follows:

Anything in electronic form which is:

- (a) Incorporated into or otherwise logically associated with any electronic communication or electronic data; and
- (b) Purports to be so incorporated or associated for the purpose of being used in establishing the authenticity of a communication or data, the integrity of the communication or data, or both.

Digital signatures, which use cryptographic techniques and protect an entire document by detecting any change at all after "signature", are not covered by this policy.

This guide also only covers Scots law. If the document to be signed is governed by another law, advice from the local jurisdiction should be sought as to whether and how e-signature may be used.

Background and Context

Manual signatures can be captured by various types of equipment including scanners, photocopiers and fax machines. Once acquired, signatures can be transmitted electronically and copied between files, as well as being printed on paper documents.

An electronic document, such as an email, Word file or fax, containing a digitised signature is nowadays considered to be no different from a paper one which has been signed manually.

It is therefore important that individuals use images of their own signatures with care and that there are controls over the use of other people's digitised signatures. From a legal perspective there is normally no need to include an image of a signature in a document. The (typed) text at the end of an email acts as a signature if it meets the requirements in a) and b) above. This applies to the College's standard emails.

Examples of E-Signatures

According to the Law Society of Scotland's *Guide to Electronic Signatures (Third Edition)*, an electronic signature is defined as "data in electronic form which is attached to or logically associated with other data in electronic form and which is used by the signatory to sign". This means that some electronic data has been used by a person to sign or otherwise signify agreement or consent. Electronic signatures can take several different forms. The three main types of electronic signature are:

Simple electronic signature

The most basic form of electronic signature and the one that will likely be most used by the College, including:

- Using a finger or stylus to sign on a pad when a parcel is delivered;
- Clicking an onscreen button such as 'I agree', 'Submit' or ticking a box saying 'I accept the terms and conditions';
- Typing your name into an email;
- Electronically pasting a signature (e.g. in the form of an image) into an electronic version of a contract or:
- An electronic signature on an e-signing platform with audit trail capability. Currently the **College uses Adobe Sign as its preferred e-signing platform.**

Such signatures are not self-proving but the last of these is clearly most capable of proof

Advanced electronic signature

Advanced electronic signatures (AES) are more secure since the signatory has a greater level of control over their use and any change to the signature is detectable.

They are:

- Uniquely linked to the signatory;
 - Capable of identifying the signatory;
 - Created using means that the signatory can maintain under their sole control;
- and
- Linked to the data to which they relate in such a manner that any subsequent change in the data is detectable.

Qualified electronic signature

The highest standard of electronic signature is a qualified electronic signature (QES). This is the most secure type of signature and involves the signatory's identity being verified by a qualified trust service provider before the signatory is issued with a QES.

Validity of E-Signatures

Section 1(2) of the Requirements of Writing Act (Scotland) 1995 Act sets out certain documents which must be made in writing.

- Contracts relating to ownership & lease of land and buildings;
- Testamentary Writing;
- Gratuitous Contracts; and
- Some Trusts.

Unless there is a specific statute covering a particular type of document, there is no statutory requirement as to how documents that are not covered by section 1(2) should be executed. A simple electronic signature is a valid form of execution for those types of documents.

For the avoidance of doubt Contracts of Employment in Scotland do not require to be in writing although written particulars of employment require to be issued to the employee.

Requirements of E-Signatures

Images of signatures should be used only when essential.

Though it is only a small deterrent to copying images of signatures, they should be sent outside the organisation in PDF files rather than emails, Word documents or spreadsheets which carry a risk of manual interference.

The PDF files should be created with the highest levels of protection.

Documents containing the image of another person's signature must not be sent without the express agreement of the person concerned, unless prior delegation and

clearance procedures have been agreed. In addition:

- such agreement, including the list of recipients, must be obtained in advance for each document.
- the content of the document must not be changed after authorisation to issue it has been obtained
- once such a document has been sent, it must not be sent again (or to additional recipients) without further explicit authorisation.

Legal impact of E-Signatures

As above, under the Requirements of Writing (Scotland) Act 1995, e-signatures are valid under Scots Law.

- It is possible to commit the College to contracts using electronic signatures;
- An electronic signature could be used in court as evidence of the Authenticity of the communication or document if it is separately confirmed; and
- the signature is a means of authenticating the communication document. (Section 7 of the Electronic Communications Act 2000).

It should also be noted that where a non-Scottish entity executes a document governed by Scots law, an electronic signature (of the appropriate type) by that entity would be valid under Scots law. However, in these situations, advice from the local jurisdiction (e.g. an opinion from local counsel) should be obtained in case there are any local law requirements that would (a) prevent, restrict or otherwise impact the ability of the entity to sign using an electronic signature; or (b) affect whether or how the contract could be enforced against the non-Scottish entity, particularly if overseas assets could be involved.

Precautionary Measures

It should be noted that it is possible for e-mails to be “spoofed” i.e. appear to be sent by someone other than the true sender, and for this reason a degree of caution needs to be exercised when accepting e-mails from third parties.

If there is any doubt as to the authenticity of an electronic communication, it should in the first instance be reported to the IT helpdesk for further investigation.

Related Policies

As stated in the College's Internet, Intranet and email access – acceptable use policy: "Users must keep passwords secret and must not disclose them to anyone. Passwords must not be sent over the Internet."

Individuals are responsible for the care of IT assets in their control and are held to be fully responsible for their actions when using IT systems. It is not acceptable to send an email logged on as another person. Both disclosure of a personal password and use another person's password are potentially serious disciplinary offences.

Pending Board approval, this policy will be operational from May 2024 and will be reviewed no later than May 2026. This policy does not form part of the contract of employment.



South
Lanarkshire
College

East Kilbride

BOARD OF MANAGEMENT

DATE	6 June 2024
TITLE OF REPORT	Draft Procurement Policy and Procedures
REFERENCE	18.4
AUTHOR AND CONTACT DETAILS	Sue Hampshire, Supply Chain Manager Sue.hampshire@slc.ac.uk
PURPOSE:	To advise and seek approval from the Committee for updates to the draft Procurement Policy and Procedures.
KEY RECOMMENDATIONS/ DECISIONS:	The Committee is asked to: <ul style="list-style-type: none"> advise of any observations or concerns that they would also like to be addressed in this Policy, if any; and note and approve the contents of the Procurement Policy and Procedures.
RISK	A Procurement Policy and Procedures mitigates against risks to: <ul style="list-style-type: none"> College operational efficiencies, ensuring quality, cost savings and effective management of resources. Corruption and misuse of public funding, protecting the interests of the College and its wider stakeholders
RELEVANT STRATEGIC AIM:	<ul style="list-style-type: none"> Successful Students The Highest Quality Education and Support Sustainable Behaviours
SUMMARY OF REPORT:	<ul style="list-style-type: none"> The Procurement Policy and Procedures are well established at the College and have been reviewed in May 2024 to reflect changes that have been made in the Finance Regulations. This helps to ensure consistency in understanding of procurement activity by all College staff. The Supply Chain Manager would like to acknowledge that this documentation is in draft and will still be subject to formal review by APUC Ltd but would welcome comments from the Committee at this stage.

1. INTRODUCTION

1.1. This paper provides an overview of the draft Procurement Policy and Procedures.

2 BACKGROUND

2.1 The Procurement Policy and Procedures are well-established at the College and are an integral source of information to better inform compliance in all procurement activity at the College.

2.2 The purpose of the Policy is to:

- 2.2.1 Maintain the highest ethical standards linked to procurement matters and the expenditure of public funds; Ensuring a uniformed approach to Procurement through compliance with the procurement procedures;
- 2.2.2 Ensure that College procurement activity is transparent, effective, efficient and provides value for money;
- 2.2.3 Promote and implement best practice sustainable procurement principles.
- 2.2.4 Embrace collaborative opportunities;
- 2.2.5 Drive continuous improvement;
- 2.2.6 Promote equality and diversity in relation to procurement matters; and
- 2.2.7 Comply with all legislative obligations in relation to procurement, including the requirements of the Public Contracts (Scotland) Regulations 2015, the Procurement Reform (Scotland) Act 2014, and the Procurement (Scotland) Regulations 2016 and all subsequent amendments.

2.3 The Procedures that follow it consider the practical application of the Policy.

3 DISCUSSION

3.1 The Policy makes links to Finance Policies and Finance Regulations.

3.2 The main changes to Procedures relate to the following:

- 3.2.1 Updates to table A – Goods & Services Thresholds and table B – Works to align with the delegated levels of authority as set out in the Finance Regulations
- 3.2.2 The introduction of a Procurement Initiation Form for regulated procurement as contained within the Procedures (section 12).
- 3.2.3 At section 14 Approval, a reference has been made to page 32 of the Finance Regulations with purchase order levels of authorisation.

4 RESOURCE IMPLICATIONS

4.1 Training will be required for all staff to ensure the effective use of the Procurement Policy and Procedures. Training will targeted for September 2024.

4.2 The Policy and Procedures have also still to be formally reviewed by APUC Ltd however the Supply Chain Manager would welcome any comments on them at this stage.

5 EQUALITIES

5.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

6 RISK AND ASSURANCE

6.1 A Procurement Policy and Procedures mitigates against risks to:

6.1.1 College operational efficiencies, ensuring quality, cost savings and effective management of resources.

6.1.2 Corruption and misuse of public funding, protecting the interests of the College and its wider stakeholders.

7 RECOMMENDATIONS

7.1 The Committee is asked to:

7.1.1 advise of any observations or concerns that they would also like to be addressed in this Policy, if any; and

7.1.2 note and approve the contents of the Procurement Policy and Procedures.



South
Lanarkshire
College

East Kilbride

Procurement Policy & Procedures

May 2024

Version Number: 1.0

Document Information

Procedure Published/Created:	18/04/2024
Reviewed Date:	17/04/2025
Owner:	Finance
Approved by:	FRC
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Version History

Version Number	Date	Author	Rationale
1.0	18/04/2024	Sue Hampshire	Procurement

Quick Links

We are inclusive and diverse, and this is one of our values.

We are committed to the FREDIE principles of Fairness, Respect, Equality, Diversity, Inclusion and Engagement.



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To find out more about our Vision, Mission and Values click [HERE](#)



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Procurement Policy

1. Purpose

1.1 The purpose of this Procurement Policy is to:

- **Maintaining the highest ethical standards linked to procurement matters and the expenditure of public funds;**
- **Ensuring a uniformed approach to Procurement through compliance with the procurement procedures;**
- **Ensuring that College procurement activity is transparent, effective, efficient and provides value for money;**
- **Promote and implement best practice sustainable procurement principles.**
- **Embracing collaborative opportunities;**
- **Driving continuous improvement;**
- **Promote equality and diversity in relation to procurement matters.**
- **comply with all legislative obligations in relation to procurement, including the requirements of the Public Contracts (Scotland) Regulations 2015, the Procurement Reform (Scotland) Act 2014, and the Procurement (Scotland) Regulations 2016 and all subsequent amendments.**

2. Scope

2.1 This Procurement Policy applies to all purchases of goods, services or works made by/on behalf of the College. The Policy must be adhered to by all College employees with any aspect of purchasing responsibility in their job role, including Associate Principals, Curriculum Managers, Head of Service, Depute Head of Service, budget holders, requisitioners and administrators.

2.2 The Policy should be read in conjunction with the following related College Policies/Procedures/Regulations:

- **SLC Procurement Strategy**
- **SLC Procurement Procedures**
- **Scheme of delegation as approved by the Finance & Resources Committee/ Board of Management.**
- **SLC Finance Regulations**
- **Gifts and Hospitality Policy**
- **Free Issues/Donated Goods Policy**
- **Anti Bribery Policy**
- **Anti-Fraud Policy**
- **Whistleblowing Policy**

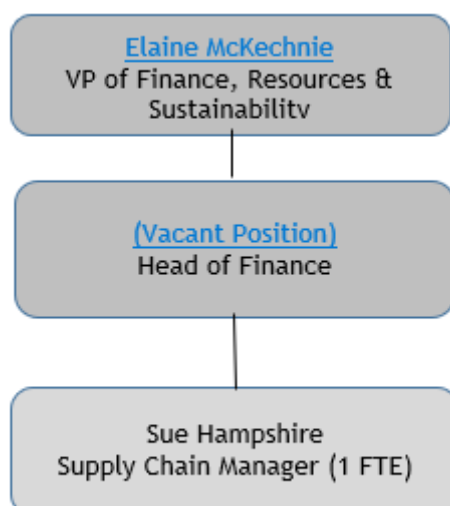
2.3 There should be clear separation of budgetary authority and procurement authority. Budget holders should have authority to initiate purchasing/procurement activity by specifying their requirements and providing budgetary authority for the expenditure. The authority to purchase (Delegated Purchasing Authority (DPA)) and ultimately place the purchase order should be conducted separately.

2.4. Any proposal to award a contract over £25,000 without competition must be approved in advance by the Scottish Funding Council, in accordance with the requirements of the

Scottish Public Finance Manual (SPFM). A Single Source Justification Form must be completed and approved prior to the award of such contracts.

2.5 Any external consultancy contracts with a value of £50,000 aggregated over 4 years must be approved in advance by the Scottish Funding Council, in accordance with the requirements of the Scottish Public Finance Manual (SPFM).

3. Procurement Structure



4. APUC/Supply Chain Manager

11.1.4 It is the responsibility of the Supply Chain Manager, under the line management of the Head of Finance, to ensure that the College complies with all relevant procurement legislation.

5. The Board of Management

5.1 The Board of Management has delegated responsibility for continuous review of the operation of the Financial Regulations inclusive of the Procurement Policy and Procedures to the Finance and Resources Committee and Audit and Risk Committee.

5.2 The Board of Management shall ensure that any funding from SFC is used only in support of activities permitted by the legislative framework which governs Scottish Colleges the [Post 16 Education \(Scotland\) Act 2013](#) , the [Charities and Trustee Investment \(Scotland\) Act 2005](#) - and any other conditions, which the SFC may prescribe from time to time. This is checked by external auditors as part of the annual review.

For further information please refer to the [SLC Financial Regulations](#).

6. Responsibilities/ Authority to Procure

- 6.1 This Policy has been approved by the College Finance Committee/Board of Management.
- 6.2 The Vice Principal of Finance, Resources and Sustainability is accountable for the implementation of this Policy and for continuous review of the Procurement Policy and submitting any changes to the College Finance & Resources Committee/ Board of Management for approval.
- 6.3 The Supply Chain Manager is responsible for the effective operation of this Policy and will ensure that appropriate Procedures are in place and embedded.
- 6.4 The Supply Chain Manager is responsible for managing the Colleges procurement activity and compliance with all legislation/regulatory/ best practice requirements.
- 6.5 The Associate Principals and Heads of Service are responsible for ensuring that all purchasing activity within their areas is carried out in line with this Policy, associated legislation, and regulations.
- 6.6 All College employees with any aspect of purchasing/procurement responsibility in their job role are responsible for adhering to the Policy and complying with associated Procedures.
- 6.7 Any breach of this Procurement Policy shall be investigated. Failure by any employee to comply with this Policy may give rise to disciplinary procedures.

7. Purchase Orders

- 7.1 A Purchase Order and/or Contract creates a legal agreement between the College and a Supplier.
- 7.2 All purchases and Contracts must be approved by a Budget Holder and authorised by a member of the Principalship in line with their level of procurement authority. In the absence of the Principalship, the Head of Finance may authorise the purchase or contract.
- 7.3 Purchase Orders and Contracts must be in writing or electronic signature and signed by an authorised signatory. They must only be approved by the person authorised to sign off to the level of expenditure in line with the SLC Financial Regulations Levels of Authorisation process. See 6.18- Approvals (p21).
- 7.4 The College accepts no liability for verbal orders, orders made through a personal credit card or by other means which have not been subject to the College's procurement procedures.

8. College Building

- 8.1 No changes shall be made to the fabric of the college building without the prior consent of the Principalship.

9. Key principles

9.1 Maintaining the highest ethical standards linked to procurement matters and the expenditure of public funds.

9.2 All procurement shall be carried out in line with relevant legislation, regulations, procurement guidance documents and internal governance to minimise the risk of legal challenge to the College.

9.3 Staff involved in procurement shall abide by the College's internal policies on

- **Gifts and Hospitality**
- **Free issue/ Donated Goods Policy**
- **Anti-bribery**
- **Fraud**
- **Whistleblowing**

This Policies can be found under SLC Finance in [SharePoint](#)

9.4 The College shall have in place a declaration of impartiality and confidentiality for those involved in procurement procedures.

9.5 The College has a statutory duty, as defined by the Equalities Act 2010, to advance equality of opportunity in all of its functions, including procurement. The College remains responsible for meeting its obligations under the various statutes even when an external contractor provides one or more of the College's functions. Members of staff involved in procurement will take account of the following objectives when placing business with any supplier/contractor:

9.6 Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010.

9.7 Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.

9.8 Ensure that the goods, works, and services are provided in a way that meets the needs of all users.

9.9 Ensuring a uniformed approach to Procurement through compliance with the procurement procedures.

7

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9.9

9.9.1 A set of robust and current Procurement Procedures and Guidance Documents shall be in place easily accessible to staff via the internet/intranet.

9.9.2 A dedicated web page shall be in place to ensure that current information is readily available for college staff and external suppliers.

- 9.9.3 A standard set of College Terms and Conditions shall be used to minimise contractual risk. Where a Framework Agreement is used, the procurement shall be carried out under the already agreed Framework Terms and Conditions.
- 9.9.4 The College shall ensure that Payment Terms of 30 days are met.
- 9.10 Ensuring that College procurement activity is transparent, effective, efficient and provides value for money.
- 9.10.1 The College shall publish a Procurement Strategy and Procurement Annual Report on its website.
- 9.10.2 In line with the Procurement Procedures, the College shall use Public Contracts Scotland (PCS) - Quick Quote, Public Contracts Scotland (PCS) and Find a Tender to ensure transparency in advertising quotations and tenders providing suppliers with maximum access to college contract opportunities. Clear and precise language shall be used when conducting a procurement procedure.
- 9.10.3 Where legally required, the College shall clearly state evaluation based on price and quality criteria, a scoring methodology and weightings ensuring transparency in how each procurement process shall be awarded and achieving value for money.
- 9.10.4 The College shall have in place standard procurement templates to ensure process efficiency.
- 9.10.5 The College shall optimise the use of electronic tools such as Pecos and Hunter to maximise e-procurement efficiencies and monitor procurement savings.
- 9.11 Embedding sustainability principles and practices including promoting innovation, community benefits and social value
- 9.11.1 The College shall seek to deliver sustainable outcomes through Procurement where relevant.
- 9.11.2 Procurement Procedures and Guidance Documents shall reflect the requirement of the Sustainable Procurement Duty for Regulated Procurements considering how the College:
- **Can improve the economic, social, and environmental wellbeing of the authority's area.**
 - **Can facilitate the involvement of small and medium enterprises, third sector bodies and supported businesses in the process, and.**
 - **Can promote innovation.**
- 9.11.3 For Regulated Procurements, through the use of a Project Strategy, a sustainability test shall be carried out to identify any economic, social, and environmental factors above that can be considered as part of a procurement procedure.
- 9.11.4 For Regulated Procurements, through the use of a Project Strategy and market research, consideration shall be given to the procurement approach and allowance of innovative proposals from the market.

- 9.11.5 The College shall use PCS which shall help maximise access to College contract opportunities by SMEs, supported businesses and third sector bodies.
- 9.11.6 Consideration shall be given to Community Benefits for all procurements >£4m and for lesser value when considered appropriate.
- 9.11.7 Consideration shall be given to the whole life cost of products and services.
- 9.11.8 Consideration shall be given to the circular economy principles when procuring including consideration of whether it is necessary to purchase at all, exploration of alternatives such as sharing resources or equipment with other departments or public bodies, re-using, repairing or refurbishing existing goods. Where appropriate, we will consider specifying goods and/or materials that are designed for long-term use that can be easily disassembled, re-used or re-cycled and made with a high content of recycled materials. We will specify minimum packaging, reusable packaging and packaging take-back.
- 9.11.9 As an organisation who is a Real Living Wage employer, the College recognises the value of a well-motivated and dedicated workforce both in its own organisation and in those of its suppliers. The College will consider, before undertaking a procurement, whether it is relevant and proportionate to include a question on fair work practices along with other relevant criteria, whilst ensuring the appropriate balance between quality and cost of the contract or whether to include the real Living Wage as a contract condition, paying regard to the statutory guidance including the application of the living wage.
- 9.11.10 The College will make use of appropriate standards and labels in its procurements to take account of fair and ethical trading considerations as well as considering equivalent offerings from suppliers that can demonstrate they can meet the specified criteria without necessarily having the specific certification where relevant.
- 9.11.11 The College shall ensure that food procurement is conducted with the highest regard to legislation and animal welfare;
- 9.11.12 Consideration shall be given to climate change impact and how the procurement can contribute to carbon emission reduction targets where relevant.
- 9.11.13 The College will work with its suppliers to ensure commitment to the Sustain Supply Chain Code of Conduct.
- 9.11.14 As an affiliate member of Electronics Watch which works to improve worker's rights in public sector supply chains, the College, through its membership, shall continue its contribution to the wider ethical procurement agenda.
- 9.11.15 Procurement shall participate in College and Sector Sustainability Forums and contribute to the wider sustainability agenda within the College.

9.12 Embracing collaborative opportunities

- 9.12.1 The College will seek to maximise opportunities to collaborate in the procurement of goods, services or works where it can be demonstrated that such collaboration delivers the best overall value for money solution to meet the College's needs.
- 9.12.2 Collaboration will include the use of Framework Agreements which have been procured by collaborative procurement organisations such as Advanced

Procurement for Universities and Colleges (APUC) Ltd and the Scottish Government.

9.12.3 Collaboration shall also include maximising opportunities to work across College departments to deliver contracts for commonly purchased goods and services, such as stationery, materials, equipment or consumables where there are currently no contracts in place.

9.13 Driving continuous improvement

9.13.1 Suppliers

9.13.1.1 The College shall have in place a standard approach to Contract Management.

9.13.1.2 The approach to Contract Management shall be proportionate for both the College and the supplier. Through this approach, the College shall ensure that there is a single point of responsibility for the contract, that contract obligations are met with mechanisms in place to ensure that continuous improvement and best value are delivered throughout the contract period.

9.13.1.3 Procurement will work in conjunction with relevant stakeholders to implement and manage the Contract Management process on a contract-by-contract basis.

9.13.1.4 An important aspect of Contract Management is feedback from college stakeholders, which can be captured in various ways including surveys, email or verbal feedback.

9.13.1.5 Details of the Contract Management process can be found in the Procurement Procedures -13. Contract Management (pg.23).

9.13.2 Procurement

9.13.2.1 The College participates in the Operation Procurement Review (OPR) which is a Scottish Government Assessment of the College's procurement practices. The OPR assessment takes place every 2 years and focuses on the policies and procedures driving procurement compliance and performance. Following the OPR assessment, the College receives feedback and an action plan with recommendations to continually improve performance, based upon best practice.

9.13.2.2 Furthermore, although not a legal obligation for the College, as part of the Procurement Reform (Scotland) Act 2014, the College shall publish an Annual Procurement Report disclosing how its procurement activity has complied with its published Procurement Strategy.

9.13.3 Complying with all legislative and regulatory obligations in relation to procurement

9.13.3.1 The College will ensure that it complies with the following procurement legislation and all subsequent amendments:

- Public Contracts (Scotland) Regulations 2015;
- Procurement Reform (Scotland) Act 2014;
- Procurement (Scotland) Regulations 2016.

10. Procurement Contact

10.1 Supply Chain Manager: Sue Hampshire

10.2 The Supply Chain Manager can be contacted on: procurement@slc.ac.uk or sue.hampshire@slc.ac.uk

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Procurement Procedures

11. Prior to Procurement

11.1 Before commencing a procurement, Purchasers shall consider the following:

11.1.1 Sustainable Procurement and the Circular Economy

Sustainable Procurement is 'a process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment'.

A circular economy is part of the solution to our global climate emergency, one in which products, services and systems are designed to maximise their value and minimise waste. It is an all-encompassing approach to life and business, where everything has value, and nothing is wasted. It can be explained as 'make, use, remake' as opposed to 'make, use, dispose'.

To assist in meeting the College's policy in embedding sustainable practices and principles into Procurement including the circular economy, Purchasers should consider:

- Is it necessary to procure at all?
- Recycling – can you recycle current equipment?
- Sharing resources – can you share equipment with another dept or College?
- Quantities – consider the amount that you require to procure, what is actually needed to negate surplus purchases and waste?
- New vs refurbished – can you consider a refurbished, repaired, or renewed piece equipment rather than new?
- Climate impact – consider the impact of your procurement on climate change e.g., ultra-low emission vehicles, renewable energy and heat, and low carbon buildings and materials.
- Whole life cost – consider the whole life cost of your product.
- End of equipment life – consider the waste implications of your procurement and if at the end of a product's life, can it be reused, refurbished, remanufactured?
- Innovative approach – explore a different way of doing things.
- Supported businesses and third sector market – can you consider including a supported business or third sector supplier?

11.1.2 Budget

The Budget Holder shall ensure that funds are spent in line with the Procurement Policy and this Procurement Procedure.

The Budget Holder shall work with the Supply Chain Manager to forward plan expenditure providing sufficient time to always ensure compliance with procurement procedures and demonstrable value for money.

11.1.3 **Determining the Contract Value**

Purchasers must ensure that they consider the total value of the procurement. If the total expenditure for multiple purchases with one supplier exceeds £50,000 ex vat (Goods and Services) or £2,000,000 ex vat (Works) over a period of four years, the Supply Chain Manager must be contacted to manage the procurement process.

11.1.4 **Framework Agreements**

If there is an existing framework/contract available for the requirement, the suppliers on the framework/contract should be contacted for a quotation. Where the suppliers are ranked on a framework/contract you can contact the first ranked supplier, then the 2nd, 3rd, etc, ranked supplier where appropriate. Where there are no ranked suppliers on a framework/contract, all suppliers should be contacted for a competitive quotation.

Current SLC Contract Register can be found [here](#)
Current Framework Agreements can be found [here](#)

When placing a purchase order through a framework agreement, the framework agreement reference number shall be quoted on the Purchase Order.

Contact the Supply Chain Manager to gain access to the Buyers Guide for your selected framework agreement.

Please note: An award letter will need to be prepared by the Supply Chain Manager and signed by the principal to enable this contract to proceed.

11.1.5 **Procurement Initiation Form**

A Procurement Initiation Form requires to be completed by the Stakeholder and authorised by the Supply Chain Manager. This form will be approved by the Head of Financial Function prior to commencing procurement procedures 3 – 6 in Table A below, and procurement procedures 5-6 Table A and 10-12 in Table B below.

11.1.6 **General Data Protection Regulation (GDPR)**

Purchasers shall always consider the GDPR implications and the impact that this may have on their purchase. A formal process is in place for procurement procedure 5 – 6 in Table A below through use of the Project Strategy and 10 - 12 in Table B. Further advice can be sought from the Data Protection Officer for procurement procedures 1-4 and 7-9.

11.1.7 **Cyber Security**

Purchasers shall always consider the Cyber Security implications and the impact that this may have on their purchase. A formal process is in place for procurement procedures 5–6 in Table A below through use of the Project Strategy and 10-12 in Table B. Further advice can be sought from the IT Dept for procurement procedures 1-4 and 7-9.

11.1.8

Declaration of Impartiality and Confidentiality

Any person involved in a procurement procedure 5-6 and 10-12 must complete a declaration of Impartiality and confidentiality form declaring that there is no conflict of interest in participating in the process. Once this have been signed the Tender submissions will be provided to enable you to commence the evaluation process.

Where a conflict of interest is subsequently discovered but not been declared, this may result in disciplinary action.

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12. Procurement Threshold and Procedures

The following procurement thresholds and procedures shall apply:

Table A – Goods & Services Thresholds

(Please note that all the thresholds are ex VAT)

Procurement Procedure No.	Level of Expenditure	Procurement Procedure Description
1	£0-£999	Low Value Quote - The budget holder shall have the discretion to decide whether or not to obtain quotations, but value for money must always be obtained. Approved by Curriculum Manager, Depute Head of Department Authorised by the Head of Department
2	£1,000 - £9,999	3 Price Comparison or 3 Written Quotation Approved by Head of Department Authorised by the Associate Principal for Lecturing Staff Authorised by the Vice Principal for Support Staff
3	£10,000 - £19,999	3 Written Quotation – / or use of a Framework Agreement <i>PECOS orders of the value of 10k + reviewed by Head of Finance.</i> Approved by Head of Department Authorised by the Vice Principal
4	£20,000 - £49,999	PCS- Quick Quote. 3 or more quotes advertised on Quick Quotes to named suppliers./ or use of a Framework Agreement <i>PECOS orders of the value of 10k+ reviewed by Head of Finance.</i> Approved by Head of Department Authorised by the Vice Principal
5	£50,000 – £177,897	Regulated Tender via PCS – Public Contracts Scotland Open Tender Advert <i>Procurement Initiation Form Required</i> <i>PECOS orders of the value of 10k+ reviewed by Head of Finance.</i> £50,000 - £99,999 – Approved by the Head of Department Authorised by the Vice Principal £100,000 - £125,000 – Approved by the Vice Principal Authorised by the Principal Over £125,000 requires approval from the Finance and Resources Committee.
6	£177,897>	High Value Regulated Tender via PCS/Find a Tender <i>Procurement Initiation Form Required</i> <i>PECOS orders of the value of 10k+ reviewed by Head of Finance.</i> Approval is required from the Finance and Resources Committee Once Approved Authorisation to sign the Contract is given to the Principal.

**** Please note that this threshold approval and authorisation process is in line with the SLC Financial regulations ****

Table B – Works Thresholds

(Please note that all the thresholds are ex VAT)

Procurement Procedure No.	Level of Expenditure	Procurement Procedure Description
7	£0-£999	Low Value Quote - The budget holder shall have the discretion to decide whether or not to obtain quotations, but value for money must always be obtained. Approved by the Curriculum Manager or Depute Head of Department Authorised by the Head of Department
8	£1,000 - £9,999	3 Price Comparison or Written Quotation Approved by the Head of Department Authorised by the Associate Principal for Lecturing Staff Authorised by the Vice Principal for Support Staff
9	£10,000 - £49,999	3 Written Quotation – / or use of a Framework Agreement Approved by the Head of Department Authorised by the Associate Principal for Lecturing Staff Authorised by the Vice Principal for Support Staff
10	£50,000 – £1,999,999	Quick Quote via PCS – 5 or more Quotes advertised to named suppliers/ Contractors. / or use of a Framework Agreement £50,000 - £99,999 – Approved by the Head of Department Authorised by the Vice Principal £100,000 - £125,000 – Approved by the Vice Principal Authorised by the Principal Over £125,000 requires approval from the Finance and Resources Committee.
11	£2m – £4,447,447	Regulated –Tender via PCS – Public Contracts Scotland Open Tender Advert <i>Procurement Initiation Form Required</i> Requires approval from the Finance and Resources Committee Once Approved Authorisation to sign the Contract is given to the Principal.
12	£4,447,447 >	High Value Regulated Tender via PCS/Find a Tender - Will advertise in the Find a Tender (FTS) portal following the most appropriate process. <i>Procurement Initiation Form Required</i> Requires approval from the Finance and Resources Committee Once Approved Authorisation to sign the Contract is given to the Principal.

12.1 Low Value Quick Quote - £0 - £999 – Goods & Services (Procurement Procedure 1 & 7) - Approved by the Curriculum Manager/ Depute Head of Department -Authorised by the Head of Department.

Where the total expenditure is less than £999, in the first instance you should check for an existing framework or contract as detailed within (*section 6.1.4 – Framework Agreements p.g.10*). If there is a framework or contract available, you should contact the Supplier(s) for a quotation. *If you do require further information regarding access to [Framework Agreements](#) please contact Procurement with the reference number to*

the Framework Agreement of your choice and a Buyer's Guide will be made available for your use.

If there is not an existing framework or contract available, 3 suppliers can be contacted via the telephone or email for a quotation for a competitive quote for comparative purposes with the award based on best value. Please ensure that you have a record of the quotations received from the suppliers.

A supplier quotation must correspond with the College specification to ensure the price quoted includes all requirements.

Please note that when you approach the suppliers /contractors it must be a like for like quotation.

Once this exercise has been completed, a Purchase Order shall be placed through *Pecos* and a copy of the quotations attached to the Purchase Order. If you do not attach your quotations your order will not be processed by Finance.

This process will be managed by the department lead.

12.2 **3 Price Comparison or 3 Written Quotation- £1,000-£9,999 – Goods and Services (Procurement Procedure 2&8) Approved by Head of Department – Authorised by the Associate Principal for Lecturing Staff / Authorised by the Vice Principal for Support Staff.**

Where the total expenditure is greater than £1,000 but less than £9,999, in the first instance you should check for an existing framework or contract as detailed in *section 6.1.4. Framework Agreements p.g.10*) If there is a framework or contract available, you should contact the Supplier(s) for a quotation.

If there is not an existing framework or contract available, a minimum of three quotations must be sought, via either the telephone or email, and recorded and retained as back-up to the requisition.

Quotations are normally carried out based on price criteria only with award based on lowest price. Where there is an exceptional requirement to use criteria other than price, the criteria must be clearly stated with appropriate weightings in documentation to suppliers.

Once this exercise has been completed, a Purchase Order shall be placed through *Pecos* and a copy of the quotation attached to the Purchase Order. Once this exercise has been completed, a Purchase Order shall be placed through *Pecos* and a copy of the quotations attached to the Purchase Order.

This process will be managed by the department lead.

12.3 **3 Written Quotations or use of Framework - £10,000-£19,999 – Goods & Services (Procurement Procedure3) – PECOS orders of the value of 10K+ are reviewed by the Head of Finance – Approved by Head of Department and Authorised by the Vice Principal.**

Where the total expenditure is greater than £10,000 but less than £19,999, in the first instance you should check for an existing framework or contract as detailed in section 6.1.4. *Framework Agreements p.g.10*). If there is a framework or contract available, you should contact the Supplier(s) for a quotation.

If there is not an existing framework or contract, a minimum of three written/by e-mail quotations can be sought. If there are not three appropriate suppliers who can quote, please refer to procurement for guidance.

Quotations are normally carried out based on price criteria only with award based on lowest price. Where there is an exceptional requirement to use criteria other than price, the criteria must be clearly stated with appropriate weightings in documentation to suppliers with a clear scoring methodology.

Once this exercise has been completed, a Purchase Order shall be placed through *Pecos* and a copy of the quotation attached to the Purchase Order.

The Supply Chain Manager shall be contacted to assist in this process if required.

- 12.4 **PCS- Quick Quote. 3 or more quotes advertised on Quick Quotes to named suppliers.- £20,000 - £49,999 – Goods & Services (Procurement Procedure 4) – PECOS orders of the value of 10K+ are reviewed by the Head of Finance – Approved by Head of Department and Authorised by the Vice Principal.**

Where the total expenditure is greater than £20,000 but less than £49,999, in the first instance you should check for an existing framework or contract as detailed in section 6.1.4 *Framework Agreements p.g.10*). If there is a framework or contract available, you should contact the Supplier(s) for a quotation.

11.1.5

If there is not an existing framework or contract, a minimum of three quotations must be sought, using the Quick Quote process where possible, via Public Contracts Scotland. Where it is not possible to use Public Contracts Scotland, written/by e-mail quotations can be sought. If there are not three appropriate suppliers who can quote, please refer to procurement for guidance.

Quotations are normally carried out based on price criteria only with award based on lowest price. Where there is an exceptional requirement to use criteria other than price, the criteria must be clearly stated with appropriate weightings in documentation to suppliers with a clear scoring methodology.

Once this exercise has been completed, a Purchase Order shall be placed through *Pecos* and a copy of the quotation attached to the Purchase Order.

The Supply Chain Manager shall be contacted to assist in this process.

- 12.5 **Regulated Tender via PCS – Public Contracts Scotland Open Tender Advert - £50,000- GPA (£177,897) – Goods & Services (Procurement Procedure 5)**

(£50,000 - £99,999 – Approved by the Head of Department - Authorised by the Vice Principal)

(£100,000 - £125,000 – Approved by the Vice Principal - Authorised by the Principal.)

(Over £125,000 requires approval from the Finance and Resources Committee. Once Approved Authorisation to sign the Contract is given to the Principal.)

Where the total expenditure is greater than between £50,000 but less than £177,897 and is for the purchase of goods or services, in the first instance the Supply Chain Manager shall check for an existing framework or contract.

If there is a framework or contract available, the Supply Chain Manager shall determine the Procurement Route (i.e. Direct Award, Ranked, and Mini Competition). If there is a direct award/ranked option, the Supply Chain Manager will issue a formal contract notice on Public Contracts Scotland and update the Contracts Register.

If there is not an existing framework or contract, the process will be a tender procedure as per the Procurement Journey subject to the Procurement Reform (Scotland) Act 2014 and Procurement (Scotland) Regulations 2016. The Supply Chain Manager shall manage this process.

A Procurement Initiation Form shall be completed by the Dept and sent to the Supply Chain Manager.

A Project Strategy shall be completed by the Supply Chain Manager in conjunction with the Dept which considers market research, procurement approach, timescales, Sustainable Procurement Duty, General Data Protection Regulations, cyber security implications, other risks and how these shall be mitigated during the tender process.

Evaluation criteria shall be based on the Most Economically Advantageous Tender (MEAT) with clearly stated price/quality evaluation criteria, weightings and a scoring methodology in the tender document. The College is legally obligated to advertise the tender on Public Contracts Scotland (PCS). Once the tender process is completed, an award notice shall be placed on PCS in line with the Scottish Procurement Regulations. Once awarded, the final contract details shall be submitted to the public facing Contract Register.

A tender outcome report shall be written by the Supply Chain Manager and approved by an authorised signatory.

A Purchase Order shall be placed through Pecos quoting the tender reference number.

The Supply Chain Manager will manage the process relating to this level of procurement.

12.6 High Value Regulated Tender for Goods and Services via PCS/Find a Tender (Procurement Procedure 6) PECOS orders of the value of 10k+ reviewed by Head of Finance. Approval is required from the Finance and Resources Committee - Once Approved Authorisation to sign the Contract is given to the Principal.

Where the total expenditure is greater than **£177,897**, and is for the purchase of goods and services, in the first instance the Supply Chain Manager shall check for an existing framework or contract.

If there is a framework or contract available, the Supply Chain Manager shall determine the Procurement Route (i.e. Direct Award, Ranked, and Mini Competition). If there is a direct award/ranked option, the Supply Chain Manager will issue a formal contract notice on Public Contracts Scotland and update the Contracts Register.

If there is not an existing framework or contract, the process will be a tender procedure subject to the Public Contracts (Scotland) Regulations 2015.

A Procurement Initiation Form shall be completed by the Dept and sent to the Supply Chain Manager.

A Project Strategy shall be completed by the Supply Chain Manager in conjunction with the Dept which considers market research, procurement approach, timescales, Sustainable Procurement Duty, General Data Protection Regulations, cyber security implications, other risks and how these shall be mitigated during the tender process.

Evaluation criteria shall be based on the Most Economically Advantageous Tender (MEAT) with clearly stated price/quality evaluation criteria, weightings and a scoring methodology in the tender document. The College is legally obligated to advertise the tender on Find a Tender service via PCS. Once the tender process is completed, an award notice shall be placed on PCS in line with the Scottish Procurement Regulations. Once awarded, the final contract details shall be submitted to the public facing Contract Register.

A tender outcome report shall be written by the Supply Chain Manager and approved by an authorised signatory.

A Purchase Order shall be placed through Pecos quoting the tender reference number.

The Supply Chain Manager will manage the process relating to this level of procurement.

12.7 3 Written Quotation – / or use of a Framework Agreement £10,000 - £49,999– (Procurement Procedure 9) Approved by Head of Department – Authorised by the Associate Principal for Lecturing Staff / Authorised by the Vice Principal for Support Staff.

Where the total expenditure is greater than £10,000 but less than £19,999, in the first instance you should check for an existing framework or contract as detailed in section 6.1.4. [Framework Agreements](#) p.g.10. If there is a framework or contract available, you should contact the Supplier(s) for a quotation.

11.1.6

If there is not an existing framework or contract, a minimum of three quotations must be sought, using the Quick Quote process where possible, via Public Contracts Scotland. Where it is not possible to use Public Contracts Scotland, written/by e-mail quotations can be sought. If there are not three appropriate suppliers who can quote, an open tender will be undertaken via the Supply Chain Manager.

11.1.7

Quotations are normally carried out based on price criteria only with award based on lowest price. Where there is an exceptional requirement to use criteria other than price, the criteria must be clearly stated with appropriate weightings in documentation to suppliers with a clear scoring methodology.

11.1.8

Once this exercise has been completed, a Purchase Order shall be placed through Pecos and a copy of the quotation attached to the Purchase Order.

11.1.9

All Purchase orders over £10k are reviewed by the Head of Finance however the approval is still the responsibility of the Principal.

All Contracts must be signed by the Principal in line with the Levels of Authorisation please refer to **Table C** – Levels of Authorisation within 7.11.

11.1.10

The Supply Chain Manager shall be contacted to assist in this process.

12.8 **Quick Quote via PCS (Works) – 5 or more Quotes advertised to named suppliers/ Contractors. / or use of a Framework Agreement - £50,000 - £1,999,999 (Procurement Procedure 10)**

(£50,000 - £99,999 – Approved by the Head of Department - Authorised by the Vice Principal)

(£100,000 - £125,000 – Approved by the Vice Principal - Authorised by the Principal.)

(Over £125,000 requires approval from the Finance and Resources Committee. Once Approved Authorisation to sign the Contract is given to the Principal.)

Where the total expenditure is greater than between **£50,000** but less than **£1,999,999** and is for the purchase of works, in the first instance the Supply Chain Manager shall check for an existing framework or contract.

If there is not an existing framework or contract, works quotations should be sought in line with the Construction Procurement Handbook assessing the risk of the works required and determining the most appropriate process whether using quotation documentation or tender documentation. Where the procurement is deemed high risk, **Procedure 10** should be followed.

A minimum of five quotations or tenders must be sought advertised to named Suppliers /Contractors, using the Quick Quote process where possible, via Public Contracts Scotland.

If there is not an existing framework or contract, the process will be a tender procedure as per the Procurement Journey and in line with the Construction Procurement Handbook subject to the Procurement Reform (Scotland) Act 2014 and Procurement (Scotland) Regulations 2016.

A Procurement Initiation Form shall be completed by the Dept and sent to the Supply Chain Manager.

A Project Strategy shall be completed by the Supply Chain Manager in conjunction with the Dept which considers market research, procurement approach, timescales, Sustainable Procurement Duty, General Data Protection Regulations, cyber security implications, other risks and how these shall be mitigated during the tender process.

Evaluation criteria shall be based on the Most Economically Advantageous Tender (MEAT) with clearly stated price/quality evaluation criteria, weightings and a scoring methodology in the tender document.

Once the Quotation process is completed, A tender outcome report shall be written by the Supply Chain Manager and approved by the principal or by the Board of Management if over **£125k**.

When awarded, the final contract details shall be submitted to the public facing Contract Register.

Once this exercise has been completed, a Purchase Order shall be placed through Pecos and a copy of the quotation/tender attached to the Purchase Order.

The Supply Chain Manager will manage the process relating to this level of procurement.

12.9 **Regulated –Tender via PCS – Public Contracts Scotland Open Tender Advert - £2m - £4,447,447 (Procurement Procedure 11) Requires approval from the Finance and Resources Committee - Once Approved Authorisation to sign the Contract is given to the Principal.**

Where the total expenditure is greater than **£2,000,000** but less than **£4,447,447** and is for the purchase of works, in the first instance the Supply Chain Manager shall check for an existing framework or contract.

If there is a framework or contract available, the Supply Chain Manager shall determine the Procurement Route (i.e., Direct Award, Ranked, and Mini Competition). If there is a direct award/ranked option, the Supply Chain Manager will issue a formal contract notice on Public Contracts Scotland and update the Contracts Register.

If there is not an existing framework or contract, the process will be a tender procedure as per the Procurement Journey and in line with the Construction Procurement Handbook subject to the Procurement Reform (Scotland) Act 2014 and Procurement (Scotland) Regulations 2016.

A Procurement Initiation Form shall be completed by the Dept and sent to the Supply Chain Manager.

A Project Strategy shall be completed by the Supply Chain Manager in conjunction with the Dept which considers market research, procurement approach, timescales, Sustainable Procurement Duty, General Data Protection Regulations, cyber security implications, other risks and how these shall be mitigated during the tender process.

Evaluation criteria shall be based on the Most Economically Advantageous Tender (MEAT) with clearly stated price/quality evaluation criteria, weightings and a scoring methodology in the tender document. The College is legally obligated to advertise the tender on Public Contracts Scotland (PCS). Once the tender process is completed, an award notice shall be placed on PCS in line with the Scottish Procurement Regulations. Once awarded, the final contract details shall be submitted to the public facing Contract Register.

A tender outcome report shall be written by the Supply Chain Manager and approved by The Finance and Resource Committee.

A Purchase Order shall be placed through Pecos quoting the tender reference number with Contract Award letter attached.

The Supply Chain Manager will manage the process relating to this level of procurement.

12.10 **High Value Regulated Tender via PCS/Find a Tender - Will advertise in the Find a Tender (FTS) portal following the most appropriate process £4,447,447 > (Procurement Procedure 12) Requires approval from the Finance and Resources Committee - Once Approved Authorisation to sign the Contract is given to the Principal.**

Where the total expenditure is greater than **£4,447,447**, and is for the purchase of works, in the first instance the Supply Chain Manager shall check for an existing framework or contract.

If there is not an existing framework or contract, the process will be a tender procedure subject to the Public Contracts (Scotland) Regulations 2015 and in line with the Construction Procurement Handbook(<https://www.gov.scot/publications/construction-procurement-handbook/>).

A Procurement Initiation Form shall be completed by the Dept and sent to the Supply Chain Manager.

A Project Strategy shall be completed by the Supply Chain Manager in conjunction with the Dept which considers market research, procurement approach, timescales, Sustainable Procurement Duty, General Data Protection Regulations, cyber security implications, other risks and how these shall be mitigated during the tender process.

Evaluation criteria shall be based on the Most Economically Advantageous Tender (MEAT) with clearly stated price/quality evaluation criteria, weightings and a scoring methodology in the tender document. The College is legally obligated to advertise the tender on Find a Tender service via PCS. Once the tender process is completed, an award notice shall be placed on PCS in line with the Scottish Procurement Regulations. Once awarded, the final contract details shall be submitted to the public facing Contract Register.

A tender outcome report shall be written by the Supply Chain Manager and approved by The Board of Management.

A Purchase Order shall be placed through Pecos quoting the tender reference number with Contract Award letter attached.

The Supply Chain Manager will manage the process relating to this level of procurement.

13 Single Source Justification form for <£25k

13.1 Where there is only one prospective supplier who can supply the goods, services or works this shall be documented on a single source justification form, attached as Appendix 5, providing a narrative as to why only one supplier can provide the requirement. This method of acquisition is an exceptional process exists.

It should not be used to avoid competition or where decisions to procure have been postponed and insufficient timelines to procure through collaborative agreements or the procurement procedures.

This must also genuinely mean that there is only one supplier and not just be convenient to use a particular supplier. Supporting evidence will need to demonstrate

market testing, enquiries to other providers or provide evidence that only one supplier exist.

This process shall apply when:

7.14.1 The goods, services or works can only be provided by one supplier where reasons meet the stipulations of the Public Contracts (Scotland) Regulations 2015, Procurement Reform (Scotland) Act 2014 and Procurement (Scotland) Regulations 2016.

The single source justification form shall be approved by an authorised signatory and sent to the Supply Chain Manager for authority to proceed prior to commitment to a supplier.

Any further commitment to a supplier including purchase order or contract shall be signed by an appropriate level of authority for the expenditure value in line with the financial procedures/Level of Authorisation.

13.2 **Single Source Justification that exceeds £25k (Scottish Funding Council Approval)**

The Scottish Funding Council (SFC) has requirements that apply to the expenditure in excess of £25,000 (excluding VAT) for non-competitive procurements and for any Consultancy contracts that are in excess of £100,000 (excluding VAT). Approval must be obtained from SFC prior to committing expenditure to a supplier. The details of the supplementary SFC requirements can be found in the relevant SFC publications.

Advice shall be sought from the Supply Chain Manager on single source justification and use of this procedure.

Any procurements that meet the single source justification procedure shall also require a Purchase Order through Pecos.

If the SFC approve the Single Source Justification for either a one off or the value in aggregate over a four-year period over £50k ex VAT for goods and services and £2,000,000 ex vat for works, a contract award notice shall be published on PCS and added to the Contracts Register as required under the Scottish Procurement Regulations.

The publication of this public notice advertises our purchasing activity to other suppliers who could challenge the College's activity, if they feel that we have breached procurement regulations and treated them unfairly by awarding a contract without competition.

13.3 **Emergency Procurement**

In cases of a genuine “**emergency**”, such as unforeseen damage and Health and Safety concerns, in these very exceptional circumstances the College can circumvent procurement procedures. Advice shall be sought from the Supply Chain Manager or Head of Finance.

Where the value is over **£50,000** for goods and services and **£2,000,000** for works either as a one-off purchase or over a period of four years, a contract award notice

shall be published on PCS and added to the Contracts Register as required under the Scottish Procurement Regulations.

13.4 External Funding Guidelines

When external funding has been granted a procurement process aligned to the Public Contracts (Scotland) regulations 2015, the Procurement Reform (Scotland) Act 2014 and the Scottish Government Procurement Journey (as applicable to the value of spend) requires to be followed for any funding awarded externally.

13.5 Terms and Conditions

All procurements must be on the basis of the College Terms and Conditions unless otherwise agreed by the Supply Chain Manager. Staff must not sign the College to supplier terms and conditions.

All Contracts must be reviewed by the Supply Chain Manager prior to issue to a Supplier.

14. Approval

- 14.1 A Purchase Order and/or Contract creates a legal agreement between the College and a Supplier.

Purchase Orders and Contracts must be in writing and signed by an authorised signatory. They must only be approved by the person authorised to sign off to the level of expenditure in line with the Financial Regulations/Levels of Authorisation.

The College accepts no liability for verbal orders, orders made through a personal credit card or by other means which have not been subject to the College's procurement procedures.

No changes shall be made to the fabric of the college building without the prior consent of the Principalship.

Table C - Refer to Appendix 1 - Levels of Authorisation - SLC Finance Regulations pg. 32

REQUISITION VALUE	PREPARED BY	APPROVED BY	AUTHORISED BY
To the value of £999	Staff member	Depute Head of Department /CM	Head of Department
Between £1,000 – £4,999	Staff member	Head of Department	Associate Principal (lecturing staff) Vice Principal (support staff)
Between £5,000 - £49,999	Staff member	Head of Department	Vice Principal*
Between £50,000 - £125,000	Procurement/Staff member	Head of Department	Vice Principal
Over the value of £125,000	Procurement/Staff member	Board of Management	Principal following Board approval

15. Developing a Specification

The specification of a quotation or tender sets out the College requirements to allow suppliers to submit a quotation or tender response. A good specification is clear, concise, without ambiguity and future proofed.

Guidance has been developed to assist Faculties and Departments in the development of a specification. This is attached as Appendix 2.

16. Evaluating a Tender

The College is open to external scrutiny in the conduct of its procurement procedures. Procurement procedures are governed by a legal and regulatory framework where the College process can be subject to challenge by suppliers. A procurement procedure must be transparent and fair throughout.

The College may be asked for feedback from suppliers on the outcome and it is imperative that the scoring and comments from tender panel members are robust to withstand scrutiny. The Supply Chain Manager shall provide feedback to suppliers on all regulated procurements.

Guidance has been developed to assist with staff involved in evaluating a tender. This is attached as **Appendix 3**.

17. Notification of Contract Award Decision (Higher Value Regulated Procurement Threshold nos. 6 & 12)

When you are ready to award your tender the Supply chain Manager will send a specific notification to tenderers (the Standstill Notice), which commences a standstill period.

By using a standstill notice the Supplier Chain Manager must inform each tenderer as soon as possible of the contract award decision reached.

The standstill period is 10 days where the standstill notice is sent to all tenderers by electronic means. The 10 days end at midnight at the end of the 10th day after that on which the last notice is sent.

A standstill period can be waived under the following conditions:

- Only one bidder
- Use of a Framework Agreement (as the Framework Agreement has already been through the standstill process)

If unsuccessful tenderers have any concerns about the process, and/or its outcome, they will raise them during the standstill period.

18. Debriefing

A supplier can request a debrief in the form of a letter. This letter will contain agreed comments taken from the moderation meeting. That is why it is important that all evaluation comments are robust to withstand scrutiny.

19. Award and Contract Award

You can award the contract:

- once the standstill period has elapsed with no challenge from unsuccessful tenderers
- when you have obtained internal approvals from the Principal/Board of Management (if applicable)

Publication of a Contract Award Notice is mandatory for all higher value regulated procurement threshold exercises.

20. Contract Management

Contract Management is the process by which a contract or agreement is managed to ensure effective supplier performance and contract compliance. Procurement has developed a standard approach to contract and supplier management for use on college contracts. This standard approach will assist in identifying and managing contract risks, drive contract compliance and performance, realise anticipated benefits, minimise scope creep, facilitate continuous improvement and improve market awareness.

Once a contract is in place, the lead dept shall take ownership of the contract and manage this aligned to the standard approach. Procurement shall assist in the management of strategic contracts.

Guidance has been developed which aims to simplify the steps and provides templates of the various documents used within this process. This is attached as Appendix 4.

21. New Supplier Forms

Before completing a new Supplier Form, ensure that the supplier is not already on PECOS by checking with Accounts Payable.

If a new supplier is required, the following information should be provided:

- Full company name – not just a trading name;
- Company registration number if they are a limited company (this should be consistent with above);
- VAT number if VAT registered;
- Full postal address;
- Telephone and email details;
- Details of the type of purchase / supplier selection and quotation process;
- Bank details.

This form will not be processed if:

- Not signed by Head of Service
- No bank details.
- No description of Goods, Services or Works.

All supplier details must be provided on Company headed paper before it will be processed by Finance.

Please note this is an internal document for Finance purposes and should not be sent to the Supplier for completion.

22. Training

The Supply Chain Manager can also offer training for the following on an individual or group basis:

Procurement: Overview – Induction Training
Procurement: Budget Holders – Procuring within SLC
Procurement: Board Members – How SLC procure.
Contract management: How to manage a contract.

Bespoke one 2 one training can be provided on request.

23. Appendices

The following appendices are attached and should be read in conjunction with this policy and procedure:

Appendix 1 – Procurement Flowchart
Appendix 2 – Writing a Specification Guidance
Appendix 3 – Evaluation a Tender Guidance
Appendix 4 – Contract Management Guidance
Appendix 5 – Single Source Justification Form
Appendix 6 – Procurement Initiation Form

20. Definitions

Advanced Procurement for Universities and Colleges (APUC Ltd)	means APUC (Advanced Procurement for Universities and Colleges) Limited is the procurement Centre of expertise for Scotland's Universities and Colleges.
Construction Procurement Handbook	Is guidance for public sector contracting authorities on the procurement of construction works.
Contract	means a formal agreement between Contracting Parties (college and contractor/supplier) to provide goods, services or works.
Contract Award Notice	means a notice that is published on Public Contracts Scotland which notifies the general public that a contract has been awarded.
Contract Notice	means a notice that is published on Public Contracts Scotland which notifies the general public of a contract opportunity.
Contract Term	means contract commitment for a maximum period of 4 years or as defined in the Contract.
Direct Award	means where a contract can be issued to one supplier via a Framework Agreement without seeking other quotations/bids from other contractors/suppliers.
Find a Tender	is an electronic contracts advertising portal which contains details of public contracting opportunities across the UK.
Framework Agreement	means an existing agreement where the suppliers/contractors have been vetted for qualification and the suppliers/contractors have been appointed to deliver the services.
Invitation to Quote	means an invitation to quote is issued via PCS to a minimum of 3 Contractors/Suppliers to seek a formal quotation.
Invitation to Tender	is issued via PCS to interested Contractors/Suppliers for Regulated Procurements to seek a formal bid.
Legislation	means the Procurement Legislation which includes Public Contracts (Scotland) Act 2015, Procurement Reform (Scotland) Act 2014 & Procurement (Scotland) Regulations 2016 and any subsequent amendments.
Mini Competition	means a process where you can request quotations from the suppliers/contractors from a Framework Agreement.
Procurement Journey	is Scottish Government guidance for public sector buyers who procure goods, services and care and support services.

Public Contracts Scotland (PCS)	is an electronic Scottish contracts advertising portal which contains details of contracting opportunities within Scottish Local Authorities, NHS Scotland, the Scottish Government; Agencies and Non-Departmental Public Bodies, Higher and Further Education and the Emergency Services
Public Contracts Scotland Tender (PCS-T)	PCS-Tender is the national e-Tendering system and is centrally funded by the Scottish Government. The system is a secure and efficient means for buyers and suppliers to manage tender exercises online. It is used mainly for Regulated Contracts.
Ranked	where a Contract can be issued to the supplier who is listed as the 1 st Ranked Supplier via a Framework Agreement without seeking other quotations/bids from other Contractors/Suppliers
Regulated Procurement	means when the estimated value of the goods, services and works exceeds the thresholds as detailed in Section 3 of this document, procurement procedures 6-9.
Scottish Funding Council (SFC)	is the national, strategic body with responsibility for funding further and higher education, research and other activities in Scotland's Colleges, universities and other higher education institutions. Its funding decisions support the Scottish Government's national priorities.



South
Lanarkshire
College

East Kilbride

BOARD OF MANAGEMENT

DATE	6 June 2024
TITLE OF REPORT	Quarter 3 Management Accounts & Cashflow
REFERENCE	19
AUTHOR AND CONTACT DETAILS	Elaine McKechnie – VP Finance, Resources & Sustainability Elaine.McKechnie@slc.ac.uk
PURPOSE:	To update Committee on actual financial results for the quarter ending 30 April 2024 in conjunction with a projection of cashflow based on actual income and expenditure to 30 April 2024.
KEY RECOMMENDATIONS/ DECISIONS:	Members are asked to: <ul style="list-style-type: none"> • note the financial position for the quarter and the narrative that supports the figures; • note the cashflow situation as notified to Scottish Funding Council and the SLT monthly
RISK	The main risks are to: <ul style="list-style-type: none"> • Going concern; that the College cannot maintain financial sustainability and is unable to provide high quality education and support to its students; and that • There are insufficient funds for capital maintenance and maintenance requirements.
RELEVANT STRATEGIC AIM:	<ul style="list-style-type: none"> • The Highest Quality Education and Support • Sustainable Behaviours
SUMMARY OF REPORT:	<ul style="list-style-type: none"> • The report contains a summary of income and expenditure for third quarter to 30 April 2024 resulting in a YTD deficit of £639k. The full year expected position is a deficit of £748k. • There is still some work to be undertaken to fully embed a month end process by the last quarter of the year. The process will aim to provide for all income and expenditure in the correct period. • Nevertheless, the accounts reflect all relevant financial data as held in the system to 30 April 2024. • The cash flow report submitted to the SFC is yet again a stark reminder of how precarious College funds will be once salary awards and general ongoing inflationary pressures are factored in. While there may be circa £2.3m in the bank at the of the year, with further cuts to

	<p>grant funding in real terms, this would be eroded in 2024-25 in the absence of a strategic review and rationalisation of operations in the current year.</p> <ul style="list-style-type: none">• The Committee should also be encouraged by the work that is on-going to monitor cash flow and realise additional income through bank accounts with greater interest earning potential.• Cashflow continues to be a priority and concern for the College.
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1. INTRODUCTION

- 1.1. This paper provides an overview of actual financial results for the quarter ending 30 April 2024 in conjunction with a projection of cashflow for academic year 2023-24 based on actual income and expenditure to 30 April 2024.

2 BACKGROUND

- 2.1 The financial results to 30 April 2024 and the cashflow contained within this paper continue to paint a familiar picture within the wider College sector, with depleted income levels and rising costs owing to a variety of generic inflationary pressures and geopolitical factors.
- 2.2 The preliminary budget announcements for 2024/25 announced at the end of March 2024 did bring some good news in the form of the maintenance of learning and teaching core funding in 2024/25 at the same level as 2023/24. However, this is only one of several income lines.
- 2.3 Overall, the College is facing a further 2.89% funding cut this year and with predicted deficits set to continue this year and beyond, the College needs to be more proactive in managing its cost base and identifying greater commercial income activity to try and protect resources and bring more financial stability to its operations over the next two years.

3 ASSUMPTIONS AND LIMITATIONS

- 3.1 The Committee is asked to consider the limitations of the management accounts process at this current stage in the academic year; primarily:
 - 3.1.1 The management accounts have been prepared as at 05 May 2024. Utilising Power BI modules, progress has been made in identifying the potential value of income at each calendar month end and work is ongoing to embed this information into a more formal month end process by the last quarter of the year.
 - 3.1.2 The financial data within the accounts has been verified to the accounting system as at 30 April 2024. While some of the more material adjustments have been made for amounts that relate to the period but have not yet been realised, full provision of accruals and prepayments for income and expenditure has not been factored into the management accounts for quarter ending 30 April 2024. Finance are currently enhancing this feature of monthly reporting for subsequent quarterly outputs and is now targeting the last quarter of the year for implementation by May 2024 month end.
 - 3.1.3 As per January 2024, the full year budget deficit of £761k reflects the least likely scenario of a 3% salary per annum award at this stage, given that no such increase has yet been agreed.
 - 3.1.4 The budget to 30 April 2024 has been phased to take account of known factors while other lines of the income and expenditure budget are a 9-month pro-ratio of the full year expected totals.
 - 3.1.5 The full year forecast for 2023/24 has been adjusted to take account of the more realistic salary settlements of £3,500 per annum for lecturing staff and £1,500 per

annum for support staff by the end of 2023-24. Furthermore, the forecast continues to reflect the budget for capital expenditure and net depreciation expense in the absence of monthly fixed asset reporting.

- 3.1.6 The Committee is reminded that the full year deficit of £748k in these management accounts is not the same as the forecasted financial statement full year deficit of £917k, as found in the financial modelling paper. This is because, as noted above, the management accounts do not currently incorporate all monthly income and expenditure deferrals and accruals and the financial statement deficit was intended to more accurately reflect the final statutory accounts position, with estimates of annual adjustments in respect of fixed asset depreciation and previously deferred grant funding balances being released to the income statement in the current year.

4 MANAGEMENT ACCOUNTS: OPERATING SURPLUS/(DEFICIT)

- 4.1 Being mindful of the limitations above, the College recognised an operating deficit of £639k YTD, primarily reflecting the increasing cost base facing the College. As noted previously, such financial pressures are being felt sector-wide and this result emphasises the requirement for closer monthly financial monitoring.

5 MANAGEMENT ACCOUNTS: INCOME

- 5.1 Total income of £12,557k has been received YTD, with £10,263k relating to Scottish Funding Council (SFC) grants, representing 81.7% of total income. SFC grant funding accounted for 82% of the college's income in 2022/23 (81% in 2021/22) and the national average, based on the SFC's review of 2021/22 college data, was 78%.
- 5.2 Funding from the Scottish Funding Council of £10,263k has been receipted across August – April 2024 in line with monthly drawdown submissions.
- 5.3 As noted previously, FWDF contains a £31k release of an overprovision in respect of 22/23 FWDF monies during the second quarter. This has been partially offset by the receipt of £15k in the first quarter for 22/23 FWDF additional offers from the SFC.
- 5.4 Fees of £1,486k are more reflective of the anticipated levels for this point in the year as most of the invoicing for August and January intakes has now been completed.
- 5.5 Alternative Funding of £130k primarily represents a provision for residual modern and foundation apprenticeship income and £20k of Innovate UK funding.
- 5.6 Other income of £697k includes £350k of SDS Modern Apprenticeship income, £130k of UK Shared Prosperity Fund income for numeracy skills, £11k for Lanarkshire Communities Climate Action Hub, £156k for Rural Academy and £44k in respect of rent from the Nursery space; all realised during the 2nd and 3rd quarters.

6 MANAGEMENT ACCOUNTS: EXPENDITURE

6.1 Wages and salaries are £9,348k YTD, being under budget by £205k. Despite additional temporary lecturing activity in the curriculum staffing side in the early part of 2024, there are approximately £200k of in-year savings within business support; primarily due to leavers and some roles that have not been backfilled. The YTD actual spend includes a provision of £2m for salary awards for 21/22, 22/23 and 23/24 despite the awards not yet been agreed.

6.2 Non salary expenditure/overheads of £3,848k (versus £3,565k budget) are overspent by £283k YTD. Property spend is overspent by £305k reflecting increased utility prices and general inflationary increases impacting on routine service and maintenance contracts; further impacted by the increasing age of the building and the requirement to access services more frequently. Similarly, academic supplies are overspent by £62k, reflecting raw material cost increases during the cost-of-living crisis; timber, metal and other building supplies. As per the first and second quarter, while some adjustments have been made, these results do not include full adjustments for elements of costs that should be deferred into future periods or incorporated into this quarter and the Finance team is targeting the incorporation of these provisions and adjustments in full for May 2024 month end.

6.3 Despite central services coming under budget by £77k YTD, a further provision of £100k has been recognised this quarter in respect of any legal representation fees that are accruing monthly for employment tribunal costs, together with a £25k accrual in respect of accountancy consultancy charges for the employee pension contribution correction.

6.4 As previously advised, the capital funds from SFC of £218k reflect the intention of the College to utilise 25% of its full capital funding allowance on routine facility maintenance and servicing works. The residual 75% (£652k) will be capitalised on capital expenditure projects undertaken during 2023/24.

6.5 Net depreciation refers to the cost of depreciation that is met through self-funding initiatives as opposed to specific grant funding received and amortised at the same rate as the underlying asset depreciates. No depreciation is formally recognised mid-year as fixed assets tend to be reconciled at year end only. This will be reviewed as part of the month end process. The prior year net depreciation figure for 2022-23 was £593k and against a budget of £620k. Therefore, a pro-rated value of £480k has been assumed at the 9-month stage as a reasonable estimate.

7 CASH FLOW

7.1 The College makes its cashflow return to the Funding Council each month. This incorporates its required drawdown, based on the grant in aid allocation, and it also incorporates a cashflow forecast for the year.

7.2 The Committee are asked to note that due to the earlier scheduling of this meeting on 15 May 2024, the cashflow reflected in the paper is the College's April 2024 submission. The May 2024 submission is only due on 15 May 2024 which falls after the required date of distribution for these papers.

- 7.3 The attached document covers the College's April drawdown and forecast and contains assumptions on the phasing of major capital expenditure spends. As per the first and second quarter of the year, it again highlights that the cash position will be precariously balanced by the end of the year, even with expected flat cash salary awards of £3,500 and £1,500 for lecturing staff and support staff respectively. Despite continued cash reserves of circa £2.3m on this submission, the lack of control around the setting of salary rates and the potential for further increases will likely to continue to erode cash balances through 2024-25, in the absence of a strategic review taking place this year to rationalise expenditure and seek initiatives for income growth and income diversification.
- 7.4 The College continues to monitor its cashflow regularly and creates opportunity for some bank interest generation on balances held via bi-weekly transfers between the current account and a current reserve account with higher interest generation potential.
- 7.5 With Committee approval in March 2024, the £750k on a 4-month short term deposit account that expired 02/04/2024 was reinvested including the previously achieved interest of £10,412.88. The interest rate has fallen to 3.91% from 4.12% but is still expected to generate a further £9,937.87 on expiry on 02/08/2024.
- 7.6 The College cash flow continues to be a priority and concern for the College. The Finance team bring greater awareness of cashflow to the Senior Leadership Team (SLT) monthly to help guide and influence more financially astute decision making across all operations. The SLT continues to be presented with a short term monthly cashflow for the forthcoming month, with explanation given for any material deviation each month.

8 QUARTERLY MANAGEMENT ACCOUNTS TO 30 APRIL 2024

Management Accounts to 30th Apr 2024		Note	9 Months to Apr 2024			12 Months to Jul 2024		
			2023/24			2023/24		
			<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>Forecast</u>	<u>Budget</u>	<u>Variance</u>
			<u>£'000</u>	<u>£'000</u>	<u>£'000</u>	<u>£'000</u>	<u>£'000</u>	<u>£'000</u>
INCOME								
	SFC - Grant in Aid	1	9,869	9,869	0	13,724	13,724	(0)
	SFC - ESF	2	(41)	260	(302)	396	375	21
	SFC - Capital (Revenue)	3	218	653	(435)	218	870	(653)
	SFC - Salaries Contribution	4	133	133	(0)	177	177	0
	SFC - Other	5	85	0	85	0	0	0
	Total SFC income		10,263	10,915	(652)	14,515	15,146	(631)
	FWDF	6	(15)	240	(255)	504	360	144
	Fees	7	1,481	1,353	128	1,982	1,726	256
	Alternative Funding	8	130	155	(25)	130	207	(77)
	Other income	9	697	52	646	68	69	(1)
	Total Income		12,557	12,715	(159)	17,199	17,508	(309)
EXPENDITURE								
Wages & Salaries								
	Recurrent		9,215	9,397	182	13,464	13,507	43
	SFC - salaries contribution		133	133	0	177	177	0
	Pension Provision		0	23	23	30	30	0
		10	9,348	9,552	205	13,671	13,714	43
Non Salary Expenditure								
	Property	11	1,025	720	(305)	1,277	960	(317)
	SFC - Capital		674	653	(22)	218	870	653
	SFC - Other	Contra	0	0	0	0	0	0
	Net Depreciation	12	465	465	0	620	620	0
	Central Services	13	653	730	77	1,076	950	(126)
	Marketing	14	59	95	36	94	130	36
	Academic supplies	15	924	862	(62)	928	970	42
	Cross College Costs	16	47	40	(7)	62	55	(7)
			3,848	3,565	(283)	4,276	4,555	279
	Total Expenditure		13,196	13,117	(78)	17,946	18,269	323
	Surplus / (Deficit)		(639)	(402)	(237)	(748)	(761)	13

9 MONTHLY CASHFLOW SUBMITTED TO THE SFC (15 April 2024)

Monthly cashflow forecast:	SLC				April														
Actual													Current	Forecast				Totals	
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Total	Total	
RDEL	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Current	Forecast	Forecast	Forecast	FY 2023-24	AY 2023-24	
Income from foundation (revenue)																	0	0	
Other income excluding EMA (revenue)	403,167	753,057	118,176	129,917	72,714	125,923	287,117	86,900	421,489	1,116,156	125,320	325,635	84,666	116,883	98,438	92,401	3,965,569	2,953,641	
RSB funding			0	0													0	0	
Total RDEL income (excluding drawdown)	403,167	753,057	118,176	129,917	72,714	125,923	287,117	86,900	421,489	1,116,156	125,320	325,635	84,666	116,883	98,438	92,401	3,965,569	2,953,641	
Wages and Salaries	1,114,313	862,776	859,528	1,291,830	585,862	783,317	768,856	1,016,108	1,095,290	1,083,736	1,060,104	1,051,266	1,333,059	1,286,056	1,339,862	1,844,458	11,572,986	13,247,975	
restructuring costs																	0	0	
Other Operating Expenditure excl' EMA	263,048	746,556	633,368	487,770	523,772	655,974	639,319	499,318	327,597	355,073	294,369	297,124	115,000	280,000	250,000	300,000	5,723,288	4,537,546	
NPD Unitary charges (paid by colleges)																	0	0	
Donation to Foundation																	0	0	
High priority backlog- resource																	0	0	
Lifecycle maintenance resource							0	0	0	0	116,476	0	20,205	26,940	26,940	26,940	116,476	217,500	
Student Support expenditure (excluding EMA)	613,208	361,088	88,679	0	0	117,468	213,919	800,409	411,604	275,252	377,126	339,016	614,876	321,744	294,675	291,489	3,597,770	4,057,579	
Total RDEL expenditure	1,990,570	1,970,420	1,581,574	1,779,600	1,109,635	1,556,759	1,622,094	2,315,836	1,834,491	1,714,061	1,848,075	1,687,406	2,083,140	1,914,740	1,911,477	2,462,888	21,010,520	22,060,600	
Net RDEL expenditure (a)	-1,587,403	-1,217,363	-1,463,398	-1,649,683	-1,036,921	-1,430,836	-1,334,977	-2,228,936	-1,413,003	-597,905	-1,722,755	-1,361,771	-1,998,473	-1,797,857	-1,813,039	-2,370,487	-17,044,951	-19,106,960	
CDEL																			
Income from foundation (capital)																	0	0	
Proceeds of sale of fixed assets																	0	0	
Other income (capital)	176,519				216,892		81,693	86,105									561,209	384,690	
Total CDEL income	176,519	0	0	0	216,892	0	81,693	86,105	0	0	0	0	0	0	0	0	561,209	384,690	
Backlog maintenance capital					74,454	120,860	76,329						45,425	45,425	45,424		271,643	407,917	
Lifecycle maintenance capital		99,311			125,000						8,802		27,447	27,778	27,778	27,778	233,113	244,583	
Digital poverty													40,617	20,309	20,309		0	81,234	
Other capital expenditure (land, buildings, fixtures, IT)	265,305		74,503	436,808				86,105	42,720								905,441	128,825	
Work in Progress (Assets Under Construction)																	0	0	
Surrender of proceeds																	0	0	
Total CDEL expenditure	265,305	99,311	74,503	436,808	199,454	120,860	76,329	86,105	42,720	0	8,802	0	113,489	93,512	93,511	27,778	1,410,197	862,559	
Net CDEL expenditure (b)	-88,786	-99,311	-74,503	-436,808	17,439	-120,860	5,364	0	-42,720	0	-8,802	0	-113,489	-93,512	-93,511	-27,778	-848,988	-477,868	
ODEL																			
Capital Loan/Lennartz Repayments (c)																		0	
EMA																			
EMA income	4,370	4,770	8,430	7,500	2,340	0	1,320	2,640	8,370	11,580	4,830	20,785	10,380	4,400	5,100	8,700	76,935	80,445	
EMA expenditure	4,770	8,430	7,500	390	0	1,350	2,610	8,370	12,390	4,020	7,800	10,380	4,400	5,100	8,700	6,500	68,010	71,620	
Net EMA (d)	-400	-3,660	930	7,110	2,340	-1,350	-1,290	-5,730	-4,020	7,560	-2,970	10,405	5,980	-700	-3,600	2,200	8,925	8,825	
Total Net Outflows/(Inflows) (a) +(b)+(c) +(d)	-1,676,589	-1,320,334	-1,536,971	-2,079,381	-1,017,142	-1,553,046	-1,330,903	-2,234,666	-1,459,743	-590,345	-1,734,527	-1,351,366	-2,105,982	-1,892,068	-1,910,150	-2,396,065	-17,885,013	-19,576,003	
Opening Bank Balance	3,250,188	3,278,599	3,712,701	3,784,962	3,261,244	3,811,637	3,438,714	3,482,603	2,969,092	3,232,859	4,191,664	4,381,069	4,331,201	3,964,593	3,516,971	3,197,843			
Net Cash Available	1,573,599	1,958,265	2,175,730	1,705,581	2,244,102	2,258,591	2,107,811	1,247,937	1,509,349	2,642,513	2,457,137	3,029,703	2,225,218	2,072,525	1,606,822	801,778			
SFC Cash Drawdown Total	1,705,000	1,754,436	1,609,232	1,555,663	1,567,535	1,180,123	1,374,792	1,721,155	1,723,509	1,549,151	1,923,931	1,301,498	1,739,375	1,444,446	1,591,021	1,538,105	18,966,026	18,654,642	
Closing Bank Balance	3,278,599	3,712,701	3,784,962	3,261,244	3,811,637	3,438,714	3,482,603	2,969,092	3,232,859	4,191,664	4,381,069	4,331,201	3,964,593	3,516,971	3,197,843	2,339,883			

10 SHORT TERM MONTHLY CASH FLOW FORECAST TO SLT MAY 2024

South Lanarkshire College			
Short term cash flow forecast			
May 2024			
Balance at 30 April 2024	A	4,524,312	Note anticipated actual balance of £4,233,000 in prior month
		Expected	Actual
Inflow			
SFC grant in aid drawdown		1,195,729	Month 10 of drawdowns
SFC student support drawdown		248,717	Month 10 of drawdowns
SFC other grant drawdown		0	Month 10 of drawdowns
		1,444,446	
Other (inc. fees)		175,000	
Expected inflow for May 2024	B	1,619,446	
Outflow			
Salaries - net pay		(600,000)	Payable 24th May 24
Salaries - deductions		(468,000)	Employee & employer salary contributions for Apr 24 payable in May 24.
Student support		(248,717)	
			Total outstanding commitments = £305k + £43K aged creditor balance at 30 Apr 2024 (anticipated to be payable prior to end of May 2024)
Purchase ledger		(348,000)	
Grant expenditure			
Expected outflow for May 2024	C	(1,664,717)	
Movement during the month	(B - C) = D	(45,271)	
Expected cash at 31 May 2024	(A - D) = E	4,479,041	
Sums ring-fenced & carried forward from financial year 2022/23			
Salary award at 1 September 2022		707,000	
Job evaluation - unfunded		678,000	
Capital expenditure		0	Per CAPEX schedule - full £1m earmarked in 2022/23 has been spent
ESF clawback provision		131,000	
Building retention		32,000	
Student funding to be repaid		0	
Apprentice support fund		6,000	
	F	1,554,000	
Provisions for items not in 2023/24 budget			
Professional fees		350,000	Includes £50K provision for pension consultancy
ET		500,000	Estimation of potential ET costs, unconfirmed
Difference between 5% and 3% salary award		260,000	
	G	1,110,000	
Funds to be retained from cash balance			
	(F + G) = H	2,664,000	
Free funds forecast at 31 May 2024	(E - H) = J	1,815,041	Note: one month's salaries = £1.2m
Major contract income receivable in respect of previous financial years			
CITB income		0	
		0	
SNIPF income		0	
Major contracts income receivable		0	

11 EQUALITIES

11.1 There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

12 RISK AND ASSURANCE

12.1 The main risks are to:

12.1.1 Going concern; that the College cannot maintain financial sustainability and is unable to provide high quality education and support to its students; and that

12.1.2 There are insufficient funds for capital maintenance and maintenance requirements.

12.2 Assurances continue to be given by the College that work will progress to provide greater accuracy and transparency in monthly reporting for the final quarter of the year. Furthermore, the College is committed to monitoring its cashflow in both the short and long term and with more robust monthly reporting, the College will continually aim to be proactive in managing its finances against the context of a challenging year due to sectoral funding cuts and general inflationary pressures.

13 RECOMMENDATIONS

Members are recommended to:

- note the contents of the report, the financial position for the quarter and the narrative that supports the figures; and
- note the longer term cashflow situation as notified to Scottish Funding Council and the short term cashflow situation as presented to the SLT monthly.



BOARD OF MANAGEMENT

DATE	6 June 2024
TITLE OF REPORT	SLC Strategic Risk Register Commentary
REFERENCE	20
AUTHOR AND CONTACT DETAILS	Elaine McKechnie, Vice Principal – Finance, Resources & Sustainability Elaine.mckechnie@slc.ac.uk
PURPOSE:	To provide members with an update to the risk management arrangements of the College.
KEY RECOMMENDATIONS/ DECISIONS:	Members are recommended to: <ul style="list-style-type: none">• Note the movements in risk scores since the last Register review, and particularly the increased risk re capital funding maintenance.• Note the reduction in risk score in respect of credit target achievement.• review and approve the strategic risk analysis contained in the College's Strategic Risk Register and the commentary therein.
RISK	<ul style="list-style-type: none">• That College strategic risks are not identified, and mitigating actions are not taken.
RELEVANT STRATEGIC AIM:	<ul style="list-style-type: none">• Successful Students• The Highest Quality Education and Support• Sustainable Behaviours
SUMMARY OF REPORT:	<ul style="list-style-type: none">• Of the fifteen risks identified, one score has decreased in relation to credit target achievement.• One score has been increased in relation to capital funding requirements.• While the main challenges for the College continue to be financial sustainability as is echoed by the Scottish College sector in full, the College is encouraged by its ability to achieve its credit target and reach the upper limit of 2%. The College does however remain aware of the requirement to maintain the fabric of its estate to ensure its continuity as an effective learning establishment for students and with further cuts to funding announced, this represents a further risk to its achievement of the goal.

1. INTRODUCTION

- 1.1. This paper provides a commentary on the College's strategic risk register. The risk register is an important document that demonstrates the College's commitment to the establishment and maintenance of effective governance and control arrangements.
- 1.2. The register is reviewed internally by the senior leadership team for updates on a quarterly basis. Inherent and post-mitigation risk levels have been assessed at a similar level to the previous quarter, reflecting current information available as at April 2024

2. RISK ONE - FINANCIAL SUSTAINABILITY

- 2.1 Post-mitigation risk has been maintained at 16.
- 2.2 Against the backdrop of a £1M deficit result in the 2022/23 financial statements, preliminary budgets for 24/25 now look to confirm flat cash for the sector, maintaining core learning and teaching grants and credit activity at 23/24 levels.
- 2.3 While the activity target for 2023/24 has been achieved, the increase in activity does not translate into additional funding. Therefore, the College continues to maintain financial sustainability risk rating from January 2024.
- 2.4 Having undertaken the financial modelling exercise in January 2024, the College is now taking plans for financial sustainability to the FRC and Board. The College is encouraged by its credit target achievement and has reached the upper threshold limit of 2%.
- 2.5 Work is on-going to embed regular monthly management reporting of results to better support decision making as part of the strategic review. A month end cycle will be initially rolled out for May 2024 month end.

3. RISK TWO - FAILURE OF FINANCIAL CONTROLS

- 3.1. Post mitigation risk has been maintained at 9.
- 3.2. The College continues to be conscious of the added scrutiny on the organisation regarding financial controls and works closely with external and internal audit teams to identify risks and mitigate against them.
- 3.3. A recent investigation by internal audit into pension contributions payable from 2015 onwards has highlighted an operational failure to consistently apply revised pension contribution rates for a group of part time employees, primarily resulting in several overpayments into pension schemes and corresponding underpayments of PAYE.
- 3.4. An independent payroll consultant has been appointed and work is now underway to correct the errors. Management provides regular communications to stakeholders advising of progress and staff have been given assurance that corrective action is being taken as soon as the independent payroll consultant has reformed all calculations for affected individuals.
- 3.5. Lessons have been learned from the incident and processes have been changed to mitigate the risk of a subsequent financial control failure.

4. RISK THREE - CREDIT TARGET

- 4.1. The post mitigation risk has been reduced 9 to 6. Following January 2024 enrolments, the College has met its core credit target for 2023/24 and has reached the upper threshold of 2%.

5. RISK FOUR – THERE IS A BREACH OF LEGISLATION AND ASSOCIATED REGULATIONS

- 5.1. The College continues to be confident that its arrangements for and in particular, GDPR, means that it can record a lower risk score. The latest review has not flagged any concerns or requirement to change this risk score.
- 5.2. A recent cyber security incident in March 2024 involving a staff member's email account does not change this score as the level of response and the use of the processes in place prevented a wider attack on the College. A full report from the incident response team has been finalised and the College Board are to be cited on the details of the incident at the next meeting of the Audit and Risk Committee on 9 May 2024.

6. RISK FIVE - CAPITAL FUNDING REQUIREMENTS

- 6.1. There has been an increase from 6 to 9 in risk scorings in April 2024.
- 6.2. The previously anticipated 3% increase in capital funding has been revised to a 2.2% decrease as advised in the budget announcements at the end of March 2024. This is due to funding that has been ringfenced for the development of the Dunfermline campus.
- 6.3. The overall impact of the cut for the College is a £20k reduction from £870k in 23/24 to £850k in 24/25.
- 6.4. As the College building continues to age, there are concerns over the external fabric with repairs works required to external cladding and windows to ensure water and wind resistance.
- 6.5. As noted in January 2024, the College had achieved funding for pre-capital works which currently looks to support more heavily with the decarbonisation agenda, with up to £5m Scottish Government funding available across 24/25 and 25/26. Nevertheless, the College is hoping to take a more 'fabric first' approach to any remedial works and as at April 2024, discussions are ongoing both internally and with the consultancy agency, Mott McDonald, to ensure that the proposed approach to secure Government funding for capital works also fits with the College priority to ensure the wind and water tightness of the building.
- 6.6. The College continues to reduce its capex footprint where feasible, ensuring that only essential works are undertaken because of the financial situation.
- 6.7. The current uncertainty around the allocation of any potential funding, together with the heightened maintenance costs of the building as it ages over time, supports an overall increase in this risk score.

7. RISK SIX – THERE IS A BREACH OF LEGISLATION AND ASSOCIATED REGULATIONS

- 7.1. As per risk four, the College remains confident that its current arrangements mean it can record a risk score that is not of immediate concern. No change currently required.
- 7.2. All staff are working towards the completion of health and safety training modules. The internal first aid process has been revised and regular meetings take place to ensure compliance and effectiveness of the process.

8. RISK SEVEN – BUSINESS INTERRUPTION

- 8.1. The College is confident that its arrangements for business continuity allows it to report an acceptable level of risk, although further training for both staff and Board members is required. No change to risk scores required as at April 2024.
- 8.2. As at April 2024, business continuity planning (BCP) documents have been updated for direct contacts to the college (managers, health & safety and marketing etc.). Work has

started with HEFESTIS to improve the overall BCP documentation. The next review of the risk register will contain a progress update.

9. RISK EIGHT - DAMAGE TO THE INTEGRITY OF MANAGEMENT INFORMATION SYSTEMS

- 9.1. The risk scoring has been maintained at 3 in April 2024.
- 9.2. Cyber essentials and cyber controls continue to be monitored and a review of policies and procedures needs to take place to maintain current levels of confidence. The impact remains high however the probability of risk has been lowered due to actions that were identified as part of the audit being closed down.
- 9.3. Furthermore, the incident mentioned at risk 4 suggests that the current risk mitigations in place are working. Phishing, pen testing and updates to incident response are all in progress.

10. RISK NINE – FAILURE TO ACHIEVE ACCEPTABLY HIGH LEVELS OF LEARNING AND TEACHING

- 10.1. There has been no change to the risk scoring as at April 2024.
- 10.2. As highlighted in November 2023, the College's internal audit providers recently undertook a review of Quality Assurance and there were no recommendations in the draft report.
- 10.3. The results from the thematic Care review in early 2024 were very positive and preparation is now underway for the Annual Engagement Visit in May 2024, through which the College will fully support enquiries and seek to further demonstrate its commitment to achieving high levels of learning and teaching.

11. RISK TEN - THERE IS A FAILURE TO PROVIDE AN ENGAGING AND EFFECTIVE EMPLOYEE JOURNEY

- 11.1. There has been no change to this risk scoring at April 2024.
- 11.2. Post COVID and with the return to campus, it has been easier to deliver a more effective HR service, particularly with a new HR Strategy having been formulated, approved and in the process of being implemented.
- 11.3. HR have also bolstered the current payroll administration by training additional staff to become fully conversant with payroll operations and calculations. This also helps to ensure continuity of payroll services to employees in the event of payroll staff absence.
- 11.4. The purchase of a new HR system will support the delivery of the strategy and the project is continuing to progress well with implementation scheduled for Summer 2024.
- 11.5. The College is also progressing with a new employee engagement framework, including an initial employee engagement action plan.

12. RISK ELEVEN - THERE IS A FAILURE TO SAFEGUARD THE HEALTH AND WELLBEING OF STAFF AND STUDENTS

- 12.1. No change to risk scorings at April 2024.
- 12.2. The College is mindful of the strain on staff and students over COVID and the current challenges regarding cost-of-living crisis that will add to concerns. Additional resources have been brought in to assist both staff and students. As reported previously, the new HR management system, once implemented, will assist with the management of employee wellbeing and development.

- 12.3. As regards student welfare, the College applied to the Arm's Length Foundation (ALF) for assistance in supporting the funding two additional Counsellor posts in 23/24 and was successful in its bid. The ALF continues to support subsidised food for students, whilst the clothing exchange "shop" set up by students is proving popular.
- 12.4. As previously advised, further funding of circa £31k was announced by SFC in September for the 2023/24 session to address Student Mental Health and Wellbeing and this will allow the College to enhance its service to students.
- 12.5. The ALF continues to support bids and health and wellbeing initiatives continue.

13. RISK TWELVE - THERE IS A FAILURE TO PROVIDE A ROBUST LEARNER EXPERIENCE TO SUPPORT ONWARD PROGRESSION

- 13.1. This risk has been maintained at 9 as at April 2024.
- 13.2. The delay in processing bursary payments has caused some level of student withdrawal as students could not afford to financially support their studies in the absence of bursaries.
- 13.3. The sector still has unresolved disputes with both the support and lecturing staff union. ASOS and industrial strike action continues to take place across 2023/24 putting student results at risk. Nevertheless, student progression continues to be strong.
- 13.4. As a result of the delays in bursary processing, an internal review of the staffing levels within the bursary team has been undertaken, also identifying 'lessons learned' from the process to ensure greater efficiency in processing bursary applications going forward. There is acknowledgement that the team need to be able to process a larger number and frequency of bursary applications in line with the changing profile of shorter, sharper delivery of courses.
- 13.5. As at April 2024, the Team has been granted approval from Senior Leadership Team (SLT) to convert a temporary bursary assistant role to a permanent role.

14. RISK THIRTEEN - FAILURE OF CORPORATE GOVERNANCE

- 14.1. No further change to this risk as at April 2024 despite the resignation of the Governance Professional in April 2024, the previous interim Governance Professional has returned with immediate effect ensuring continuity of service.
- 14.2. The review of the enhancements in corporate governance has allowed the overall risk rating to be maintained at current level. As advised previously, this was supported by the internal audit provider review of the Governance Improvement Plan which was considered and approved by the Audit and Risk Committee at its November 2022 meeting. The report was rated "Good" in terms of level of assurance, this being the highest rating possible, with only two low level recommendations. It was subsequently decided that any outstanding items would be picked up in the rolling programme of Governance development. The review of Governance by the internal audit service providers that began in February 2024 is expected to conclude in the coming weeks.
- 14.3. With the appointment of a new Chair of the Board, the College is confident that this enhanced level of Governance can be maintained given appropriate and key staffing appointments are now in place. Furthermore, a refresh of committees and the induction of Trade Union representatives as Board members are currently in train.

15. RISK FOURTEEN – ADVERSE REPUTATIONAL RISK

- 15.1. There is no change to this risk scoring as at April 2024. The College acknowledges that there are potential reputational issues that may adversely affect the standing of the College and / or its financial sustainability and is actively engaged in mitigation.

- 15.2. A communication plan has been put in place in the event of an issue and the internal audit into publications and communication that took place in April 2024 has rendered a satisfactory outcome.
- 15.3. External expertise is also being used to support the Marketing and Communications team.

16. RISK FIFTEEN – THE MEETING OF NET ZERO TARGETS

- 16.1. The Scottish Government has set targets for public bodies with respect to meeting net zero targets. No change to this risk scoring has been identified at April 2024.
- 16.2. This progress to net zero will be monitored not only by senior management and the Board of Management, but also by the College's Sustainability Group.
- 16.3. The College has drafted a new Climate Change Emergency Action Plan and has set up a Climate Change Action Team in January 2024 which will continue to support the College in its environmentally sustainable pursuits. The Action Team is currently formulating a project plan and will initiate meetings with sub-groups to help meet its objectives in due course.
- 16.4. As mentioned at risk 5, the College has utilised the consultancy services of Mott McDonald to devise an appropriate schedule of work to potentially secure Scottish Government funding for its decarbonisation of the estate agenda. As at April 2024, it looks likely that the College could secure some funding for this endeavour however the practicalities and logistics of making a bid that will also fit with the 'fabric first' approach of the College continue to be explored.

17. EQUALITIES

- 17.1. There are no new matters for people with protected characteristics or from areas of multiple deprivation which arise from consideration of the report.

18. RISK AND ASSURANCE

- 18.1. That College strategic risks are not identified, and mitigating actions are not taken.

19. RECOMMENDATIONS

- 19.1. Members are recommended to:
- Note the movements in risk scores since the last Register review and, in particular, the increased risk re capital funding maintenance.
 - Note the reduction in risk scores in respect of credit target achievement.
 - review and approve the strategic risk analysis contained in the College's Strategic Risk Register and the commentary therein.

APPENDICES

Document 10.2 The College's Strategic Risk Register

Document 10.3 SLC Strategic Risk Register in detail

Strategic Risk Register

Dated reviewed by Risk Management Group 23 April 2024
 Dated reviewed by SLT 23 April 2024
 Next date of review 13 August 2024

No.	Date Raised	Link to Quality Indicators / Strategic Aim	Description	Impact Rating (1-4)	Probability Rating (1-4)	Risk Score	Previous submission risk score	Movement since last submission	Implications	Mitigation Action	Post-mitigation impact	Post-mitigation probability	Post-mitigation score	Previous submission mitigation score	Movement since last submission	Progress To Green: Key Actions	Comments
1	26/04/2021	J	That the College cannot maintain financial stability	4	4	16	16	0	That the College would not be able to meet its financial obligations and /or that investment in student activity could not be maintained to an appropriate level.	Jan 2023 Awaiting indicative funding for the next academic year in March 2023. Indications are flat cash funding scenarios relating a real cut. Value for Money Group meeting on 25th January 2023. Apr 2023 Value for Money Group focus on staffing efficiencies and more robust Curriculum Planning model for 2023/24. Flat cash Grant in Aid settlement confirmed, but with additional cut in activity & funding for the Region. June 2023 "Flat cash" settlements for 2024/25 and 2025/26 confirmed by SFC. Board approved a deficit budget for 2023/24 only. Management working towards balanced budget. January 2024 Financial Modelling being undertaken, review of curriculum and ensuring areas that meet demand are promoted. Full cost targets increased.	4	4	16	16	0	August 2023 Curriculum Planning model being used to monitor staffing. Improved and enhanced budget monitoring procedures being introduced for 2023/24. October 2023 On track to meet credit target for 2023-24. January 2024 Work on-going to embed regular monthly management reporting of results to highlight areas of financial concern. April 2024 The College is taking plans for financial sustainability to the FRC and Board. Credit target has been achieved and reached upper limit of 2% tolerance.	April 2024 Final allocation received for Lanarkshire Region for 2024-25, meeting in place to agree allocation with URSG. Work continues on future proofing the college through diversifying income.
2	26/04/2021	3.1, 3.2, 3.5, 3.6	That there is a failure of financial controls	4	2	8	8	0	Insufficient or incorrect information available to senior management and the Board of Management; potential for fraud.	August 2023 Finance Dept team enhanced with permanent appointment of Management and Financial Accountants. Additional support re Procurement from APUC until December 2023. Extensive work has been undertaken in conjunction with Governance Professional to update policies and procedures. Review of timetable of activities of the Audit and Risk Committee and Finance and Risk Committee now drawn up. Additional work has been undertaken by internal audit service on policies and procedures in 2022/23 and 2023/24.	3	3	9	9	0	Closer scrutiny of previous internal audit recommendations, both via senior management and the Audit and Risk Committee. Introduction of new approach to control, assurance and risk management arrangements. April 2023 Review of governance to be undertaken by internal auditors in summer of 2023 August 2023 Pay controls in place, not replacing staff who have left the organisation, allowed for curriculum adjustments to be made, curriculum staff redeployed to other areas should there be overstaffing. Consideration given when staff leave whether this replacement needs to be FT, PT or whether it is needed. Curriculum Plan is very tightly planned, with finance and curriculum teams working together to prepare budgets for the year. October 2023 Audit Scotland audit in progress currently with no concerns raised to date. January 2024 Internal audit in progress regarding pensions and payroll procedures. April 2024 The internal audit into payroll & pensions matters is ongoing. Audit conclusions and recommendations are anticipated to be issued to the College during May and June 2024.	Introduction of formal ARC monitoring on an ongoing basis. August 2023 Positive follow up Section 22 review by Scottish Parliament January 2024 Internal audit reviews of procurement and finance procedures scheduled for April 2024. An internal audit of pension and payroll has flagged an error in pension contributions for some staff members since 2015. Payroll consultant to be employed to review all affected employees and reperform calculations to correct the situation. HR reviewing internal payroll processes to mitigate further risks that might result in an incident of a similar nature. April 2024
3	26/04/2021	1.6, 2.2, 2.4	That there is failure to meet Credit target and /or failure to retain major public and private contracts.	3	2	6	12	-6	Clawback of SFC activity funding and shortfall in income. Failing to meet credit targets on a consistent basis may affect annual activity allocation. Failure to meet maintain ESF records to substantiate our claim is likely to affect income	Student activity is monitored on a weekly basis by senior management via the SLT meetings, with those weekly reports being made available to faculty and admissions staff; Additional enhanced reporting in use through Power BI to monitor real time information. August 2023 Region has a 10.7% decrease in activity target for 2023/24. Colleges now have a 2.0% leeway re meeting activity targets. January 2024 College highly likely to exceed credit target but will be confirmed following the completion of the January enrolment cycle by 31 January 2024. April 2024 College will meet target.	3	1	9	6	-3	October 2022 Scenario planning and forecasting under way for the 2022/23 academic year; New website being launched in November 2022 to support with recruitment and learner journey. April 2023 Progress being made, but dependent on planned activity. August 2023 2022/23 target met; Curriculum Plan model now operational with all courses for 2023/24 incorporated; accurate monitoring now enhanced. October 2023 College on track to meet target for 2023-24. January 2024 College is on track to meet credit target. April 2024 Target achieved.	August 2023 2022/23 credit target achieved. 10.0% sectoral decrease in credit target for 2023/24, plus additional 0.7% Regional decrease. 2.0% target achievement tolerance and positive change in retention tolerance announced for 2023/24. In addition only 80% clawback should there be an issue. January 2024 Successful internal reporting of credit activity through Power BI enables real-time assessment of actual credit target achievement. April 2024 The College has met the credit target and is within the upper 2% tolerance. There is unmet demand.
4	26/04/2021	2.1, 2.5, 3.4, 3.6	That there is a breach of legislation and associated regulations (incl. GDPR)	2	3	6	6	0	Breach or leak of sensitive data impacting on college reputation.	Data Protection Officer in place to advise on general Data Protection Regulation; Staff mandatory training and policies in place and actively marketed to heighten awareness; Compliance/audit checks in place; GDPR policies currently being updated as part of College-wide policy refresh exercise; Training planned for all staff on legislative and regulatory issues, including conflict of interest, bribery and corruption and security of assets. August 2022 A suite of new policies have been developed and/or updated; Multi factor authentication in train; Cyber security Essentials status obtained; Training completed on conflict of interest etc as above and data protection and GDPR. October 2022 Cybersecurity audit completed satisfactorily. College is now undertaking penetration testing; All staff conference in August; all staff completed mandatory training on GDPR; Data Protection portal is now live. April 2023 New retention policy has been agreed and published. Cyber Essentials plus was successfully completed in Feb October 2023 GDPR TES develop training issued to all staff, ICO framework and ROPA for each department currently being completed. Jan 2024 Work has begun on ROPA's (records of processing) and the ICO accountability framework has been completed giving SLT a confidence of data protection controls. Cyber security frameworks and changes continue to be reviewed and we are confident in the controls that are in place from the NCS 10 things	2	2	4	4	0	Apr 2023 Retention Documentation has been issued, further actions will be completed including communication of this guide for all managers to control the documentation Cyber risk framework is being updated in June this year to ratify the score in this sheet. (Cyber risk can be escalated if important issues arise in that review) Jan 2024 Complete ROPA's in all departments for understanding data management April 2024 ICO accountability framework has been completed. Tasks from this framework have been started, the overall score of the framework will be issued to SLT in the coming weeks. Areas of work already progressed are the ROPA and document management controls. No change in score as ICO accountability framework has displayed good governance in our current position Recent cyber security incident does not change this score as the level of response and the use of the processes in place prevented a wider attack on the college. The full report is in the incident response team and the board have a paper going to the ARC to summarise the attack.	Data protection team have worked through a number of ROPA with each area and are currently pulling together Info Asset Register. Records Retention Policy now complete and published, actions will follow this publication via communication of this policy to improve document governance.
5	26/04/2021	2.1, 2.2, 2.6, 3.5	That there are insufficient funds for capital project and maintenance requirements	4	2	8	8	0	The College estate is of an age that requires constant monitoring and an appropriate level of funding to address major issues (e.g. building envelope, heating and cooling, lifts, security equipment, etc.)	SFC undertook a condition survey and has allocated funds over a five year period to address backlog maintenance and dilapidation works. The College appointed professional advisors to assist in the management of the projects which have been undertaken. College has enhanced its procurement arrangements to ensure that all major items of expenditure are reviewed by a senior management committee, thus ensuring value for money as well as an additional level of control over non salary spend. As part of our approach to the introduction of a Strategic Investment Plan, the College is currently considering introducing its own estate condition survey, given the age of the building and the number of significant repairs now being required. August 2023 CAPEX projects prioritised and completed within budget allowing for future works within remaining ringfenced funds. January 2024 CAPEX spend being closely scrutinised and only essential capital spend must be incurred as a result of financial situation facing the College Sector.	3	3	9	6	3	Current planning is to utilise cash holding to fund an infrastructure investment programme. August 2023 Following completion of CAPEX works, funding remains for future works October 2023 College has also submitted a funding application to the Scottish Government Energy Efficiency Grant scheme to support with building fabric first approaches, which would provide possible future cap ex funds for the estate. April 2024 Following completion the building survey the college is seeking funding to decarbonise the estate, it is being investigated to ascertain if that would support a fabric first approach.	Central funding received in 2020/21 and 2021/22 allowed the College to address major repairs and renewals sooner than originally planned. This includes a major upgrade to the fabric of the roof, which would be most vulnerable to possible issues associated with the natural lifespan of the building. August 2023 Various works completed over previous months within confines of funding whilst leaving sufficient amount for future required works. Cladding repairs are expected to be the next significant work. Additional funds have been allocated for next year. SFC capital funding allocation for 2023/24 should be sufficient for short term projects & maintenance January 2024 Funding received for Pre-capital works and looking at future funding initiatives for enhanced environmental sustainability of College estate. Initial budget announcements also suggest there may be a 3% increase in capital funding for Colleges in 24/25 but yet to be confirmed.
6	26/04/2021	1.1, 1.2, 1.3, 1.4, 2.1, 3.1, 3.3	That there is a failure to meet statutory and legislative health and safety as well as safeguarding requirements.	3	3	9	9	0	Impacts on safety of all employees and students leading to serious injury or death. Unable to protect our most vulnerable students.	Health and Safety Committee meet regularly to monitor health and safety arrangements and any issues are raised. Staff induction in place on H&S; Separate COVID risk register in place to monitor operational arrangements; Facilities Teams and H&S Officer ensure all risk assessments are updated annually; Regular reporting on Health and Safety to HR Committee as part of their remit requirements; Full review of Health and Safety Policy and Procedures being undertaken; Lead Safeguarding Officers in place and appropriate training in place; Safeguarding group meets regularly. August 2023 H&S Policy reviewed and updated over summer break. Continued quarterly H&S committee meetings planned including representation of cross college departments for 2023/24 April 2024 Health and Safety Committee continues to meet, regular walk arounds with the TU H&S reps ongoing and reports to HR Committee.	3	2	6	6	0	August 2023 There is a new Safeguarding Policy and Fitness to Study Policy approved by the Board in June 2023. Training for Health and Safety and Safeguarding will be rolled out to all staff in August through the mandatory online modules. October 2023 Updated safeguarding processes to clarify roles and spread low level behavioural issues to curriculum. April 2024 All staff are working on completion of updated health and safety online training modules. First Aid process revised and regular meetings taking place.	

Strategic Risk Register

Dated reviewed by Risk Management Group 23 April 2024
 Dated reviewed by SLT 23 April 2024
 Next date of review 13 August 2024

No.	Date Raised	Link to Quality Indicators / Strategic Aim	Description	Impact Rating (1-4)	Probability Rating (1-4)	Risk Score	Previous submission risk score	Movement since last submission	Implications	Mitigation Action	Post-mitigation impact	Post-mitigation probability	Post-mitigation score	Previous submission mitigation score	Movement since last submission	Progress To Green: Key Actions	Comments
7	26/04/2021	2.1, 2.5, 2.6, 3.5, 3.6	That there is business interruption due to major disaster, IT failure etc	4	2	8	8	➔ 0	Impacts on the college's ability to provide a service to its users as well as potential financial and performance impacts.	Business Continuity Plan for College in place. Business interruption insurance in place. Member of HEFESTIS and benefit from shared intelligence. August 2022 Internal audit for cybersecurity completed. Updated Microsoft Licence of AS allows for enhanced protection. October 2022 AS licence in place and multi factor authentication in place. April 2023 Board briefing for cyber security due on the 2nd of May, satisfying cyber audit points. October 2023 Cyber Security information will be placed into the next risk about theft of major systems. This is business continuity updates, this will be worked on in the new year. Update for the next risk management meeting Jan 2024 Cyber security controls continue to be improved following the cyber risk framework. Work started on the BCP and incident response documentation as it was considered since these are established. Shared sector approach in place through HEFESTIS and advanced intelligence. Robust and regular testing of IT systems Business continuity plans in place for IT and MIS areas. Annual certification with Cyber Essentials Plus Incident response training Jan 2024 Cyber essentials and cyber controls continue to be monitored, a review on the policies and procedures needs to take place to maintain current levels of confidence. The score can be lower at this review due to the actions being closed down from the audit. Impact remains high, however the probability of the risk can be lowered	3	2	6	6	➔ 0	Existing business continuity arrangements being reviewed in light of recent events. Key estates risks now been identified and have been or are being resolved. Further training for incident response for board members needs to be considered and scheduled (Scenario training) Jan 2024 A review of BCDR documentation is to be completed in the next few months to update mitigation controls. April 2024 Basic Business continuity documents have been updated for direct contacts to the college (managers, h&s and marketing etc.). However work has started with the HEFESTIS share to improve the overall BCP documentation. Risk score has not changed, progress update will be in the next review of the risk register.	The College had a developed Business Continuity Plan embedded prior to the COVID pandemic and has built on that via infrastructure improvements and additions utilising additional SFC ring-fenced funding. August 2023 Update of Business Continuity Planning Documentation will be completed by December 2023. April 2024 Target for Basic BCP documentation was completed in Dec 2023, the overall plans are going to be reviewed and updated with the changes we have complete (mentioning new systems e.g. phone system etc) ETA is to be confirmed once work with HEFESTIS is complete.
8	26/04/2021	2.1, 2.5, 2.6, 3.5, 3.6	That there is a theft of, or damage to, Management Information System (incl. cyber-crime)	3	2	6	6	➔ 0	Impacts on the college's ability to provide a service to its users as well as potential financial and performance impacts.	Annual certification	3	1	3	3	➔ 0	Jan 2023 Cyber Essentials Basic has been complete and college is compliant. Cyber Essentials Plus to be completed FEB 2023 Close off from H&L Cyber audit actions by the summer, which should change the position of this task. April 2023 Cyber Essentials complete, Cyber training planned for the Board on the 2nd of May. Planned asset tracking update due in July 2023 to ratify the buildings equipment checks. October 2023 Another Cyber Essentials Achieved for another year. Going through a 0365 health check and reviewing the cyber risk framework for an update for progress. This risk will be driven through the cyber security aspects rather than business continuity Jan 2024 Review of documentation for IT and cyber will be completed over the next few months April 2024 As per the update to Risk 4, the recent incident has not adjusted this score, but displayed that the mitigations in place are working. Phishing, Pen testing and updates in incident response are all in progress. August 2023 Current challenges with missing outcomes due to ASOS, as yet there is not a national approach to ASOS, and there has been no communication from the Scottish Funding Council. The impact of this may mean that results nationally will not be available in March 2024	College successfully completed its Dec 2022 Cyber security audit with no issues. Incident Response Policy Updated Pen testing to be reviewed and purchased in the next few months
9	26/04/2021	1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 2.3	That there is a failure to achieve high standards of learning and teaching.	4	2	8	8	➔ 0	Impacts on the student experience, the college's reputation and Education Scotland risk ratings. Impacts on student recruitment leading to financial risk.	October 2023 Self Evaluation currently being written. January 2024 Care Review and HMI Inspectorate visits planned for early 2024 to assess learning environment. April 2024 Thematic Care review was very positive. Preparations under way for the Annual Engagement Visit	2	2	4	4	➔ 0	October 2023 Self Evaluation currently being written. January 2024 Care Review and HMI Inspectorate visits planned for early 2024 to assess learning environment. April 2024 Thematic Care review was very positive. Preparations under way for the Annual Engagement Visit	Annual Engagement Visit from Education Scotland taking place Feb 2023. January 2024 HMI Inspectorate visit planned for early 2024.
10	26/04/2021	2.1, 2.3, 2.6, 3.1, 3.3, 3.4	That there is a failure to provide an engaging and effective employee journey.	4	2	8	8	➔ 0	Impact on the employee experience and could result in high turnover, high absence rates, disengagement, poor employee relations and industrial relations matters, poor performance of employees and subsequently a poor experience for students and negative impact on college reputation.	October 2022 Accreditations achieved to date include: Disability Confident Employer and Leaders in Diversity. The re-accreditations of Investors in People and We Invest in Wellbeing are currently being progressed; Ongoing review of the employee journey, process optimisation and automation. Consideration for a new HR System; Refreshed policies and procedures include: Attendance Management and Support Procedure; Disciplinary Procedure; Grievance Procedure and the Public Interest Disclosure Policy and Procedure. January 2023 Employee Journey being mapped out and associated procedures being drafted, with a view of lean process management and consideration of both automation and employee experience. People Managers being trained on disciplinary, grievance and investigations by ACAS. Review of payroll and pensions process. April 2023 The College now has We Invest in Well Being Platinum. August 2023 New integrated HR & Payroll system on track to be implemented in 2023. Pension reporting streamlined. October 2023 More resilience in HR team with regards to learning how to do payroll. January 2024 Wider HR team now trained to administer payroll.	3	2	6	6	➔ 0	The College is working on the implementation of a new HR system that will enhance experience, automate manual tasks. April 2023 New HR system is in the process of implementation. January 2024 New HR system progressing. April 2024 The College is progressing a new employee engagement framework, including an initial employee engagement action plan.	
11	04/02/2022	2.1, 2.3, 2.5, 2.7, 3.1, 3.2, 3.4, 3.6 / Aim 1	That there is a failure to safeguard the health and wellbeing of staff and students.	3	3	9	9	➔ 0	Impacts on the health and wellbeing of staff and students. This could result in high absence, disengagement and higher withdrawal rates for students. Risk of serious harm to the individual if the appropriate safeguarding action is not taken. This would significantly impact the student and staff experience leading to potential risk of legal action, complaints and having a negative impact on the college reputation.	Ongoing effective development of safeguarding and health and wellbeing support for staff and students. Safeguarding / GBV Prevention / Corporate Parenting / Carers Support policies and procedures in place. Specialised staff in Student Services and HR responding to concerns or issues. Criminal Convictions and PVG is undertaken as part of the employee recruitment process. Safeguarding, Prevent and Corporate Parenting training is mandatory as part of the staff induction process. Safeguarding including Prevent, Corporate Parenting, Mental Health & Wellbeing information and videos part of the Learner Induction process. College Safeguarding Group is a cross-college group which has both student and staff membership - this groups meets quarterly. GBV Prevention Strategy and Action Plan / Corporate Parenting Plan in place which is monitored by the Safeguarding Group. Other mitigations include: •Student Support email address. Same day response, including responses to financial and emotional crisis support. •Guidance and support staff available on campus for in person support on same day appointment basis. •Staff are trained in Mental Health First Aid and ASIST •Dissemination and attendance of external safeguarding training opportunities, such as those provided by CDN, •Counselling Service for staff and students. •Weekly Yoga and Mindfulness classes for staff and students •Online Togetherall resource for staff and students •Same day response provided via dedicated student support email, including responses to financial and emotional crisis support. •Guidance and support / line management staff available on campus for in person support on same day appointment basis. •Annual safeguarding, health and wellbeing calendar of events •College Mental Health Group and LGBT Champion Group in place •Peer support groups for staff and students	3	2	6	6	➔ 0	October 2022 Additional staff in Student Services to help support well-being. Student Support Strategy in progress. Employ an organisation to facilitate staff return to work is now being used to support. "We invest in wellbeing" survey issued to staff as part of Investors in People application with action plan formulated to deal with results.. August 2023 Funding approved by the SLC Trust (ALF) for two posts to support student and staff health and wellbeing. This is for Guidance & Support and Counselling. Pending SFC Mental Health Funds to support student health and wellbeing to be published for 2023-24. October 2023 ALF approved funding for soup and a sandwich, with a further bid being submitted to the October ALF meeting. Pop up second hand shop now open to support students. January 2024 A further bid has been approved by the ALF for soup and sandwich free breakfast and lunch initiatives, together with funding for a Horticultural Garden space to promote both positive mental and physical health benefits for staff and students. Pop up second hand shop has been successful to date. April 2024 ALF initiatives continue to be successful, health and well being initiatives continue.	
12	26/04/2021	1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 2.5, 2.6, 2.7, 3.1, 3.3	That the College cannot provide a robust learner experience supporting them onto their final destinations.	4	2	8	8	➔ 0	Relates to application and recruitment experience, students not receiving the appropriate or accurate information or the necessary access to support such as financial or health and wellbeing. Recruitment impacted by outdated systems impacting the experience. Also any delays to bursaries, additional IT equipment and discretionary support may impact.	Applications are monitored by the Student Services Team, review of application and enrolment system in train. Financial and emotional support offered by the Team. Team undertake regular training to provide the best possible service and to keep up to date with changes. Power BI now being used for curriculum planning and to ensure a more efficient application process. Other mitigations include •Same day response provided via dedicated student support email, including responses to financial and emotional crisis support. •Guidance and support staff available on campus for in person support on same day appointment basis. •Ongoing review of new Admissions electronic system to ensure smooth transition from application to enrolment. Additional work to be undertaken in this area via regular working group meetings. •Staff attendance at new Mental Health First Aid training, as provided by SLC. •Dissemination and attendance of external training opportunities, such as those provided by CDN, etc. •Review potential increase in counselling and guidance/support provision to ensure reduction in waiting times for emotional support. •Bursary software under review with developers. •Support being provided to SA including additional recruitment of new VP. •Provision of long term laptop loans via Library service to facilitate engagement in class and coursework. Reinforced links between the student association, class reps and quality team so directly links back to the learner More opportunities for students to undertake study skills in this academic year and it has now been introduced into twilight sessions. August 2023 The vast majority of applications and students are progressed on a timely basis, however, further actions are being taken to ensure consistency across the college. Updated Student Association Student Mental Health Agreement (SMHA) produced. January 2024 Late payment of bursaries in the first academic term impacted on student retention as some students could not support their studies	3	3	9	9	➔ 0	October 2023 CEIAS workshops being delivered across all areas of the curriculum and more sessions being delivered by SDS in the College. Core skills project launched in August 2023 to support FT FE students in particular achieve a standard of literacy and numeracy. April 2024 Further strengthening of the team to support with ensuring students receive student support timely. The SLT recently approved the conversion of a previously temporary bursary assistant role to a permanent role. Progression continues to be strong.	January 2024 Internal process has been reviewed for 'lessons learned' from the administration of student bursaries to ensure quick dissemination of funding going forward.

Strategic Risk Register

Dated reviewed by Risk Management Group 23 April 2024
 Dated reviewed by SLT 23 April 2024
 Next date of review 13 August 2024

No.	Date Raised	Link to Quality Indicators / Strategic Aim	Description	Impact Rating (1-4)	Probability Rating (1-4)	Risk Score	Previous submission risk score	Movement since last submission	Implications	Mitigation Action	Post-mitigation impact	Post-mitigation probability	Post-mitigation score	Previous submission mitigation score	Movement since last submission	Progress To Green: Key Actions	Comments
13	26/04/2021	3.1, 3.2, 3.4, 3.5, 3.6	That there is a failure of Corporate Governance arrangements	4	2	8	8	➔ 0	That the College would fail in its duties as a public body and charity to adhere to statutory expectations. Risk to business delivery; risk to reputation; risk to effective relations between SLC and NCL e.g. given journey towards dissolution and risk of distraction or tension and ensuing impact on operational delivery.	Effective training and development for all staff, including in relation to compliance; Effective T&D for the Board, given 10 new members, building on the recommendations of the EER and including consideration of culture and values of Board. Advice sought from appropriate bodies (SFC, IA, Good Governance Steering Group). Planning for the transition to dissolution will be important to ensure that we have the right systems, processes and relationships in place to take up position as a Regional college. Work already in train to identify agreed actions; SFC has established a liaison group involving themselves, Scottish Government and the two colleges. The Audit and Risk Committee are overseeing a formal, quarterly review of all audit recommendations on a rolling basis to ensure that all actions agreed are completed appropriately and according to timetable. August 2023 Staggered appointment of new board members. October 2023 Appointed a new permanent Governance Professional in September 2023. April 2024 Governance Rolling Review updated and going to Board in June 2024 for further review. Governance Audit in train. IPrevious Interim Governance Professional returns due to permanent postholder having to leave for personal reasons. No break in service. Board Development day on Future Proofing the College: Entrepreneurship and Innovation	3	2	6	6	➔ 0	August 2023 5 new Board members appointed over the summer. Board Development day held in August to being strategic planning. October 2023 Appointed a permanent Governance Professional in September 2023 who has completed all CDN Induction training and is part of the Governance Professionals Group. Is also having a detailed handover with the Interim Governance Professional. January 2024 Recruitment process launched to replace board members who have left. Audit of governance also to be undertaken by Henderson Loggie in February 2024. April 2024 Interim Governance Professional returned, no disruption to role. New Chair appointed and has been inducted. Refresh of committees and induction of new TU Board Members in train.	Acting Chair and Acting Principal in place. The latter of which has extensive experience of corporate governance and was part of the group responsible for the drafting and review of the Code of Good Governance for Scottish Colleges. Recommend decoupling corporate governance risk with the ongoing investigations. This would include: Reputational damage risk Financial Risk. Both the Clerk to the Board and the Chair of Audit and Risk Committee to be consulted. August 2023 Potential further organisational risk and adverse media due to activity following the investigation. Recruitment of senior roles within the college, provided feedback which demonstrated that candidates were not "put off" from working at the College.
14	24/01/2023	2.3, 3.2, 3.3	That there is a reputational risk to the College.	4	4	16	16	➔ 0	That potential students, staff or Board members are deterred from enrolling / joining the College. That the College suffers financial loss from a decrease in activity or loss of access to potential income streams.	Staff development sessions on, for example, inclusiveness and diversity being part of mandatory training for staff; Regular staff meetings including annual all-staff conference; College has complaints procedure, clearly highlighted on website; Extensive governance training for senior staff and Board members being delivered as part of a rolling programme of development April 2024 Crisis Communication Plan being developed and positive good news stories released.	3	4	12	12	➔ 0	Strategy being developed to ensure that "good news" stories are gathered centrally and distributed accordingly, particularly via social media; The implications of impending decrease in allocation of central funding or activity to be managed accordingly in terms of publicity and student / staff perception and morale; Action plan being formulated to address issues raised in staff survey October 2023 College is aware of potential legal issues being raised which may impact on the reputation. Communication plan is being put in place to support. April 2024 External expertise being used to support the Marketing and Comms Team	October 2023 The new Marketing Manager starting in Nov 2023 will work on communication plan both internal and external.
15	26/10/2023	2.6, 2.7, 3.1, 3.2, 3.4, 3.5, 3.6	That the College is not on track to meet the Scottish Government net zero targets.	3	3	9	9	➔ 0	College has drafted a new Climate Change Emergency Action Plan, based on the Further and Higher Education road map, which will go to the Finance and Resources Committee on 27 November 2023 College works very closely with the Energy Skills Partnership to deliver on national skills agendas. College submits the Public Body Climate Change report submitted annually and monitors data.	College has drafted a new Climate Change Emergency Action Plan, based on the Further and Higher Education road map, which will go to the Finance and Resources Committee on 27 November 2023 College works very closely with the Energy Skills Partnership to deliver on national skills agendas. College submits the Public Body Climate Change report submitted annually and monitors data.	3	2	6	6	➔ 0	LED lighting replacement programme. The replacement of 1900 lights to LED fittings. Additional Solar Panels fitted. The PV system comprise of 300 panels to give an additional output of 150kW. Scottish Green Public Sector Estate Decarbonisation Scheme. The College has engaged with Mott MacDonald regarding pre capital works to investigate the Central Government Energy Efficiency Capital Grant Fund 2023/2024 to support the College's journey to NET Zero.	Note the College was not built with net zero in mind so the College is working on finding solutions through the funding being offered by the Scottish Government to support with a fabric first approach. January 2024 The College has also formed a Climate Change Action Team (CCAT) group to set out and deliver a project plan for further initiatives that will be undertaken to support the goal of net zero targets by 2040. This includes car charging ports, air tightness of the building, water conservation and aeration measures and further ground source heat pumps, to name but a few.

Risk Key
 Low 1-4
 Medium 5-11
 High 12-16

Risk Key
 1-4
 5-11
 12-16

BOARD OF MANAGEMENT

DATE	6 June 2024
TITLE OF REPORT	Curriculum, Quality and Development Committee Chair's Report
REFERENCE	21
AUTHOR AND CONTACT DETAILS	Jo Gill
PURPOSE:	To provide the Board with a report from the Chair of the Curriculum, Quality and Development (CQD) Committee from the meeting held on 7 May 2024
KEY POINTS	<p>Board Members are asked to note the following updates from the reports presented for discussion and information.</p> <p><i>Student Association Report:</i></p> <ul style="list-style-type: none"> • Excellent initiatives to support student poverty and cost of living crisis were noted such as free breakfast and lunch provision; • The Student Elections which were underway and promoted through the student newsletter, social media, curriculum areas, Teams channels including the Class Reps channel. • Other activities to date include Care Day, LGBT History Month, Climate Action Activity, International Women's Day, Easter Activities and Mental Health Awareness. <p><i>Curriculum, Quality and Development Update:</i></p> <ul style="list-style-type: none"> • The Committee noted the update on the College credit position which is likely to outturn at 44,363 within the 2% upper tolerance threshold. From a regional perspective it was noted that the future credit split has not yet been agreed however South Lanarkshire College met with New College Lanarkshire who are experiencing a similar ethical challenge in not being able to meet local demand. An agreement was reached to adopt a joint approach and a regional positioning on this to the Scottish Funding Council (SFC) as the next stage in addressing the clear local demand; • An update on strike action was provided indicating that the impact of strike action affects 3,500 students. In addition, it was noted that, under Action Short of Strike (ASOS), progress reports CARs (Candidate Achievement Records) which are a requirement of CITB were not being completed now. • Education Scotland updates included a special note of thanks to Early Education and Childcare and Health and

Social Care Teams on a positive Education Scotland Thematic Review and the then upcoming Education Scotland Annual Engagement Visit (AEV).

- The concerns around the Quality Assurance Agency (QAA) were noted, particularly around the lack of specific information in relation to the measures of the new quality framework. Information to date focuses on process and not the impact to learners, the involvement of industry, the impact to key groups such as 16-19 year olds nor the skills agenda.

Performance Indicators report for 2022/23:

- The Committee were pleased to learn of the real success story in relation to the attainment rates for FE at both FT and PT level for 2022 to 2023 session. FE FT attainment is 73% which is a 12% increase on the previous year with attainment FE PT at 82% which is an 8% increase.
- There has been a slight decline in HE attainment however the committee were assured that action planning has taken place in some areas and further action planning is underway on this.

Quality Processes 2022-23:

- It was noted that the student voice remains central to the College's self-evaluation processes, and sustained engagement is evident;
- The course team and curriculum review process is continuing;
- The Quality Audit Group activity is underway;
- External qualification verification and quality assurance activity for 2023-24 is in progress;
- Qualification approval activity for 2023-24 is on-going;
- Quality continues to engage with external partners to promote enhancement, develop practice and knowledge share with internal and external partners.

Developing the Young Workforce Update:

- The committee were provided with a summary of the GradU8 programmes for 24/25;
- Foundation Apprenticeship provision has expanded with the introduction of one new framework in IT Software and the reintroduction of Accountancy;
- Only the Creative and Digital Media returning students are being funded via core credits. All other frameworks are included within the Consortium Agreement with South Lanarkshire Council and have generated £228, 831 of commercial income for the College;
- Due to significant drop in demand senior phase independent options offered to St Ninian's High School will not be delivered in 2024/25;
- The College will not continue to infill small number of pupils from East Renfrewshire in 24/25;

- The College continues to engage with schools to showcase SLC as a viable next step in their education and attends a range of school events where possible.
- The College will continue to engage with DYW.

Marketing and Communications Update:

- The Committee were updated on the huge success of the February (Class of 2023) Graduation Ceremony, March Open Evening and ongoing social media strategies;
- Updates were provided on the three-day photoshoot resulting in over 600 new stock images, the implementation of the updated Photography & Filming Consent Form (now an online document) and Privacy Notice.
- It was noted that there is an increase in applications for August 24 start courses; that the implementation of August 24 Recruitment Campaign has taken place and the committee expressed their congratulations as regards the Awards and Positive News Stories

Complaints Handling Update:

- The Committee noted the increase of nine complaints received in Quarter 3 of 2023/24 compared to 2022/2023 and that lessons learned are completed and a system to gather feedback from complainants is in place;
- “Complaints Handling: a Guide for Staff” was approved by the Senior Leadership Team;
- The 2022/2023 Complaints Handling Action Plan is progressing.

BOARD MEETING

DATE	6 th June 2024
TITLE OF REPORT	Human Resources Committee (HRC) Chair's Report
REFERENCE	21
AUTHOR AND CONTACT DETAILS	Heather Anderson, Chair of HRC Heather.Anderson@slc.ac.uk
PURPOSE	To provide the Board with a report from the HRC Chair, including matters discussed during the HRC meeting on 16 th May 2024.
BOARD ACTIONS / POINTS TO NOTE	<p>The Board is asked to note Key Points, especially:</p> <ul style="list-style-type: none"> • The Committee considered and was broadly supportive of a draft Redeployment and Redundancy Policy and Procedure which would be taken forward to the JNC as part of the normal consultation process • Update on the Pensions Contributions project. • Update on the handling of the increased number of employee relations matters (grievances & disciplinaries), including the engagement with an independent investigator. • Financial Wellbeing Guides for staff were created and issued, in collaboration with trade unions. • National escalations in industrial relations continue, for both UNISON and EIS-FELA. UNISON has currently paused strike action to allow members to consider an offer. EIS-FELA has 9 planned strike days and are continuing with action short of strike action activities. • A visit from Environmental Health in response to a complaint submitted directly to South Lanarkshire Council. • The new HR & Payroll System has passed stage gate 3 and is preparing to go live. Parallel runs are continuing, with go-live likely in June 2024. • The Senior Leadership team are working on a Employee Engagement Action Plan, addressing the root cause detractors identified from the College's employee engagement framework. • The College has implemented a British Sign Language (BSL) Action Plan (2023 – 2029) which will be reported on through the Equality Group.
KEY POINTS	<p><i>Pension Contribution – Internal Audit Findings and Project Plan (Although this was a Reserved Item the following can be published without compromising confidentiality of personal data)</i></p> <ul style="list-style-type: none"> • Background; The College's Internal Auditors, Henderson Loggie, confirmed that the College did not implement a change to

employee pension contribution rates in 2015 which affects part-time staff.

- Following the Internal Audit Findings, the College has engaged with Henderson Loggie in assessing and correcting any pension contribution discrepancies.
- A Project Plan was been agreed and shared with Trade Unions and relevant staff members.
- Henderson Loggie added an additional due diligence stage, which considered the process and data integrity, both of which were identified project risks. This delayed the commencement of the first Project Sprint (“batch”) by 34-calendar-days. There is confidence in the new process, post due diligence amendments, and this has been implemented. The first batch of employees are with Henderson Loggie for their checks.
- Both pension agencies have confirmed the same solution, which is to reimburse the employee for any overpayments. Individual discussions will be held with relevant staff.
- The College is going to have an early engagement with HMRC at this stage. External Audit advised that there is a possibility of a fine from HMRC (no indication of likelihood or scale) – ARC to be informed.

Employee Relations (Although this was a Reserved Item the following can be published without compromising confidentiality of personal data)

- The College had an increased incidence of grievances and disciplinaries at beginning of 2024.
- The management team have been working to understand contributing factors and root causes.
- The College has concluded several processes, has one ongoing grievance and one ongoing disciplinary. In addition, a number of grievances appear to be connected, with the potential of the number of grievances & collective grievances escalating. The College has engaged an independent investigator to look into these items and report back with recommendations.
- The independent investigation is separate, but complimentary, to planned training and cultural change activities.

Quarterly HR Report

- No significant new issues to note
- The College implemented Financial Wellbeing Guides for employees, in collaboration with trade unions.
- With few exceptions, the College is on track to complete the mandatory training suite that was implemented this year, to bridge a historic gap in mandatory training.
- National escalations in industrial relations continue. UNISON is currently pausing strike action to allow members to consider the current offer from employers. EIS-FELA are continuing with discontinuous strike action and action short of strike action, with the frequency of the strike action increasing.

Quarterly Health and Safety Report

- The fire door issues have been rectified but a long-term solution is still required.
- Ventilation issues were raised in the Painting and Decorating workshops, investigations have been undertaken and, where relevant, measures are being put in place.
- The College received a visit from Environmental Health, following a complaint that had been made. As they were unfounded the visit became inspection. Ten actions were recommended which have been subsequently completed.
- Lift use had to be drastically reduced due to a health and safety issue.
- There has been a slight increase in the number of accidents for this reporting period.
- There were three fire alarm activations over the reporting period.

Absence Management

- Continues to remain higher than benchmark data.
- Long-term sickness continues to drive these numbers.
- Direct salary cost of £91,192 (compared to £121,301 in February 2024 report) of lost time due to absences. The contribution areas remain the same as previous report.
- It is anticipated that the new HR system will provide enhanced rigour of the Attendance Management & Support Procedure, as data will be visible to line managers.

HR System Project

- The project has now passed stage gate 3. Parallel runs continue, with a payroll “go live” month targeted in June 2024.
- Sickness Absence records was the largest challenge for the new system, due to administrative errors. This has not impacted on any employee, it has been administrative only and the error rate has reduced month on month in the parallel run.
- The initial modules to ‘go live’ will be the employee data, payroll module and recruitment. Training, performance and equality monitoring will follow initial implementation, which are scheduled to be rolled out over the summer holiday period.

Employee Engagement – Culture Action Plan

- The Senior Leadership Team are currently developing an Action Plan, based on the root cause detractors from the Employee Engagement framework.

Local Recognition and Procedure Agreement (LRPA)

- The College and its recognised trade unions are progressing through the review of the proposed LRPA. Currently the College is considering changes to the engagement levels (i.e. whether trade unions should be informed, consulted or negotiated with) for different items, as well as considering the implementation of side tables for specific matters that only affect one trade union.
- Both trade unions are due to submit the proposed, required hours for their local committee members.

British Sign Language (BSL) Action Plan 2023 - 2029

- The College has implemented its BSL action plan for the period 2023 to 2029, aligned to its legal obligations.
- A BSL video version of the report will be created and put online.
- A working group for the BSL Action Plan implementation will report to the Equality Group, who will subsequently update the HR Committee.

AOB (Reserved Item)

With sadness and condolences to the family, the HRC note the sudden passing of a popular staff member. Tributes have been left at the College and the Management are providing support to staff and students,

AUDIT & RISK COMMITTEE

Report of the Committee Chair for the June Board 2024

Matters Arising from ARC Proceedings

The unconfirmed Minutes of the May Meeting are attached

Audit Scotland SLC External Audit Plan 2023-24

The Committee considered the above paper as submitted by the External Auditors.

On a point of detail, the Committee was advised by the Auditors that the implementation of iTrent, the new HR system, will require audit scrutiny, should the new system go live during the existing financial year. The College confirmed that it was targeting a go-live date of June 2024.

The Board should note, therefore that once the system is operational, Audit Scotland will look for evidence of the parallel processes run to gain assurance over the accuracy and capability of the new system compared to the previous system. Audit Scotland expect to have a walkthrough of the key controls no later than October 2024.

The terms of the draft Annual Audit Plan are already on the Board Portal and are in terms as might be expected.

SLC Internal Audit Progress 2023-24

The Committee considered the terms of the update and noted the recommendations made in the review of Publicity and Communications.

As a direct consequence of this audit, it was confirmed that management is now working towards producing a Marketing and Communications Strategy underpinned by a Marketing and Communications Enhancement Plan. We are already compliant with best practice, of course, and overall I have seen nothing in the Report that would give me cause for concern.

Marketing and Communications Audit

The terms of the report raised no concerns.

Purchasing/Creditors Audit

Arising out of discussion the Committee was pleased to note that management was looking at updating the Business Continuity Plan. Pending that update, it was comforting to hear that the risk profile conducted when a procurement process is underway and mitigates potential risks insofar as reasonably practicable.

Rolling Audit Recommendations Commentary & Monitor

The Committee noted the considerable work done on this to date.

Although there are some matters outstanding this is work in progress and I am confident that, from a systemic perspective, management is working to a clear and achievable timetable.

I echo the Committee's recognition of the work done by Chris Sumner and his team. I await further updates as to the likelihood of the HR system implementation by June 2024, a target that management believe to be achievable at this stage.

The update status on all recommendations is a valuable and much appreciated tool and I do congratulate all concerned.

Risk Management – Risk Register

The Committee noted the movements in risk scores since the last Register review and in particular, the increased risk in respect of capital funding maintenance. It was noted that there was a reduction in risk score in respect of credit target achievement. The Committee reviewed and **approved** the strategic risk analysis contained in the College's Strategic Risk Register and the commentary therein.

Of concern however is the additional risk in respect of significant unmet demand in the local area due to credit allocation. The Committee noted that circa 700 applications have had to be rejected due to the College not having enough credits to enable courses to be provided.

Management is clearly doing all it can to persuade SFC to reallocate credits – but this is a risk outwith the control of this college.

National Fraud Initiative 2022/23 Completion

The Committee noted the contents of the report and took assurances from the clearance of matches identified which rendered no potential fraud issues.

These were predominantly in relation to suppliers and payroll.

VAT on Utilities – Azets Review January 2024

The Committee noted the contents of the report and supported the next steps of the process to ensure effective resolution of the issue. The Committee were assured by the College that it will seek to eliminate any further breach of VAT requirements through a review of its key VAT processes and through more regular consultation with Azets. The Committee accepts that management is doing the best it can to resolve this historical issue and the remedial action being taken seems entirely appropriate. I would ask the Board to note however that this was an operational failure in 2018.

Pension Update

Although this is a reserved matter and comment on the detail is inappropriate, I have given this no small thought.

Again the reality is that this was a historic operational failure going back, in this case, to 2015. Management is dealing with this effectively and efficiently.

As an **action point**, I would urge the Board to accept that the current management team is entirely blameless in this matter but nonetheless must call upon that team to report back to the Board on the processes and procedures they have in place to ensure that any historic lapses have been, or are capable of being, identified and remediated as appropriate.

My Committee would be failing in its duty if, in the face of clear evidence of historic failure, it did not seek to review the reliability and integrity of the systems now in place to remediate the failings of the past.

I can see no alternative but to recommend to the Governance Professional the reporting of both the VAT and Pension issues in the Annual Governance Statement and in that light I would fully expect the Chairing Member, the Principal and the Governance Professional to work together to give comfort to the Board that all is being done that can be reasonably expected.

I do feel obligated to test the reliability and integrity of the framework in place to address this matter. I am guided in this by the Audit and Assurance Committee Handbook

Governance Rolling Review

This is already an agenda item but I would comment that visibility of process is key and I fully endorse this initiative.

FINANCE AND RESOURCES COMMITTEE

Report of the Committee Chair for the June Board 2024

Matters Arising from FRC Proceedings

The unconfirmed Minutes of the May Meeting are attached

Financial Sustainability

The Committee considered a paper submitted by the Principal. Although not for publication at that time the Committee was supportive and felt that the content should be taken forward to the Board.

The Committee wished it recorded that the Board Should be mindful of the provisions in the Code of Good Governance in respect of Staff Governance as to working in partnership with the Unions and ensuring the fair and effective management of all staff. There were financial challenges ahead but everything must be done to mitigate the impact on staff and students.

Quarterly Update on Procurement

It was great to see that sustainable behaviours were included in the Procurement Action Plan but it was observed that in at least one university procurement accounted for around 70% of the total carbon footprint. The best information suggests that in any environmental quality management scheme it is essential to benchmark the carbon footprint of suppliers wherever possible.

Finance Regulations

The Committee noted with approval the update to the Finance Regulations.

The Regulations had been scheduled for review but the update was such as could be commended to the Board as consistent with best practice.

Fees Policy 2024-25

The proposed fee rates were entirely appropriate and fully in line with Regional Policy.

In competition with private providers – with smaller overheads and lower staff costs – it was difficult to be fully aligned with the commercial sector but, in an effort to be competitive, commercial full cost course were now expected to realise a minimum contribution of 30% as opposed to the former 100%.

E Signature Policy

This was a major new policy which recognised the changing IT landscape.

The college would use Adobe Sign which had the same security rating as the more expensive equivalents used in the private sector.

Procurement Policies and Procedures

This was another major policy review. The previous review had been part of the Governance Improvement Plan and it was reassuring to see that major policies are under constant review according to a clear operational plan.

Quarter 3 Management Accounts

Savings were clearly being made and management were to be commended for their efforts.

The main point to note was that wages and salaries were under budget by £250K – under explanation that this was attributable to a combination of leavers and some posts not being backfilled.

Cashflow Report

This was fully consistent with sound financial management. The cashflow projections continue to be based on the settlement of pay awards by end of 2023-24, which may not be realistic given ongoing dispute. Nevertheless, it was noted that while there may be circa £2.3m in the bank at the end of the year, this will be eroded further in 2024-25 in the absence of a strategic review and rationalisation of operations.

Quarterly Update – Facilities

This is already an agenda item but I would comment that visibility of process is key and I fully endorse this initiative .

Steady progress here on all fronts.

Worthy of note was the successful bid for £60K from the Scottish Government for survey for future decarbonisation works.

The Board should note also that in aiming to meet Net Zero, the college is working in partnership with Construction BE-ST, Edinburgh College and South Lanarkshire Council

Quarterly Update Climate Change Action Plan

Partnership again was key.

The College had embarked on a staff recruitment drive for the Climate Change Action Team and was working on links with the Lanarkshire Communities Climate Change Network.

Worthy of special mention was attendance by the College at the College Employers Scotland Finance Directors Network Annual Conference, at which the Curriculum Manager for

Building Services Engineering, James Jamieson, presented the College's sustainability journey to date and took part in a 3-strong panel discussion with public and private sector colleagues, chaired by Elaine McKechnie, Vice Principal – Finance, Resources and Sustainability.

In response to the quarterly update, I suggested that the College might also consider the roll out of training on sustainable practices within its suite of annual training programmes and agreed to pass on information on one such provider.

SFC Mid-Year Return – Commentary and Submission

The Committee noted the terms of the report and in particular noted the methodology used to input financial projections based on the financial modelling paper presented in February 2024 and retrospectively supported the commentary provided to the SFC.

The financial ratios within the MYR are largely consistent and suggest an on-going reliance on Funding Council Grants which account for 82% of total income and non-Funding Council Grants representing 18%. The 2% increase in non-Funding Council Grants recognises the ongoing work of the College to better support commercial activity in the form of 'full cost recovery' with local business and partnerships.

Capital Expenditure Plan

The Committee noted that the level of capital investment identified by management matched the available funds.

The College had been able to reprioritise the budget to ensure that the lift remedial work could be carried out as quickly as possible.

SFC Indicative Funding Allocations 2024-25

There were no surprises within the publication albeit since the date of the committee a consultation to de-merge the regions has been announced. It will be important that the College goes forward in partnership with all of the Colleges operating in Lanarkshire and the Greater Glasgow area.