



Falkirk Campus, Steeple Suite – 5.00pm

AGENDA

1. Annual Report and Financial Statements 2022/23 Senga McKerr
(Joint item with Finance, Resource & Infrastructure Committee)

(Paper 1 is withheld from publication on the Forth Valley College website under Section 27 Information Intended for Future Publication of the Freedom of Information (Scotland) Act 2002.)
2. Draft External Audit Annual Report to the Board of Management Mazars
(Joint item with Finance, Resource & Infrastructure Committee)

(Paper 2 is withheld from publication on the Forth Valley College website under Section 27 Information Intended for Future Publication of the Freedom of Information (Scotland) Act 2002.)

3. Declarations of interest
4. Apologies

FOR APPROVAL

5. Minutes of meeting of 7 September 2023
6. Matters Arising - None
7. Chairs Report to the Board Lorna Dougall
8. Response to Mazars Letter to those charged with Governance Lorna Dougall
9. College Data Policy David Allison

FOR DISCUSSION

10. Presentation of Internal Audit Reports Wylie and Bissett
 - 10.1 Credits Audit 2022/23
 - 10.2 Student Support Funds 2022 - 2023
 - 10.3 Education Maintenance Allowance 2022-2023
 11. Cyber Security Landscape Graeme Robertson
 12. Progress Report on Audit Recommendations Stephen Jarvie
 13. Risk Management Alison Stewart
-



14. Fuel Change Lessons Learned Recommendations Tracker Alison Stewart

(Paper 14 is withheld from publication on the Forth Valley College website under Section 36 Confidentiality of the Freedom of Information (Scotland) Act 2002.)

15. Compliance Report Stephen Jarvie

16. Review of Risk

17. Any other competent business

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5. Minute of Meeting of 7 September 2023 For Approval

21 November 2023
Audit Committee

On line at 4.30pm

Present: Lorna Dougall (Chair)
Hazel Burt
Kat Graham
Alistair McKean

In Attendance: Kenny MacInnes, Principal
Alison Stewart, Vice Principal Finance and Corporate Affairs (VPFACA)
Michael Speight, Mazars
Ben Fowler, Mazars
Graham Gillespie, Wylie and Bisset
Stephen Pringle, Wylie and Bisset
Stuart Inglis, Henderson Loggie – exited after A/23/006
Stephen Jarvie, Corporate Governance and Planning Officer (CGPO)

A/23/001 Declarations of Interest

None

A/23/002 Apologies

None

A/23/003 Minutes of meeting of 18 May 2023

The minutes of the meeting of 18 May 2023 were approved.

A/23/004 Matters Arising

A/22/036 Update on Internal Audit Investigation (Verbal)

The VPFACA confirmed that the Fuel Change project has been terminated and a lessons learned report would be taken to the Board of Management in September on this topic.

A/23/005 Internal Audit Annual Report

Stuart Inglis presented the annual report from the internal auditors, outlining the audits which had happened in the 2022/23 academic year.

He reported that audit activity over the year had highlighted all areas reviewed as either good or satisfactory and that there was an unqualified credits return.

This has resulted in a clean audit opinion for the College.

a) Members noted the content of the report



5. Minute of Meeting of 7 September 2023 For Approval

21 November 2023
Audit Committee

A/23/006 Presentation of Internal Audit Reports

Stuart Inglis presented three internal audit reports for members' consideration.

Review of Facilities Management Contract

He noted to members that this review was not in the usual format and had been conducted to assist the College by reviewing the current outsourced facilities management (FM) contract to identify opportunities to drive cash savings or performance improvements in the new tender being developed.

Members noted that, when considering services that may be removed from the FM tender and tendering directly with suppliers, there will be an increased management cost for the College and this should be factored into any considerations.

The VPIC confirmed this would be kept under consideration. He also informed members that AECOM have also been appointed as consultants to support the College in developing the new contract.

a) Members noted the content of the report

Quality Assurance

Stuart Inglis presented the report on quality assurance, reporting that the outcome of the audit was a rating of good and that there were no recommendations made.

The VPLSE commented that the College welcomed the report and thought it was reflective of the processes in place.

The Principal commented on the level of activity that has been devoted towards addressing maladministration and commended the Head of Learning and Quality and the project team involved.

Members welcomed the report and recommended that this be passed to the Learning & Student Experience committee meeting.

a) Members noted the content of the report

Follow Up Review

Stuart Inglis presented the annual follow up review. He reported that good progress had been made and outlined the number of completed, live and recommendations passed their implementation date.

Members noted that the Committee had previously noted that the timescales for addressing recommendations were sometimes too ambitious and that the timescales need to give a realistic amount of time to complete a recommendation.



5. Minute of Meeting of 7 September 2023 For Approval

21 November 2023
Audit Committee

The Chair noted her and the Committee's thanks to Stuart and the team at Henderson Loggie for the support they have provided to the Committee over their tenure.

a) Members noted the content of the report

A/23/007 Review of Committee Remit

The VPFAA presented the remit of the Committee for member's consideration, noting that it was good practice to review the remit annually.

a) Members considered and approved the Committee remit

A/23/008 Risk Management Policy

The CGPO presented an update to the College Risk Management policy. He noted that the document had been changed to reflect title changes and to include the risk appetite of the Board of Management.

Members queried the risk culture within the College and the CGPO gave a brief overview of how risk is highlighted and escalated within the College.

Members suggested that it would be useful to consider how other organisations manage risk culture within their staff. The Principal agreed that this would be looked into.

a) Members approved the Risk Management Policy

A/23/009 Audit Needs Assessment

Stephen Pringle, Wylie and Bisset, presented members with the audit needs assessment (ANA) for 2023/24. He outlined how this had been developed based on the College risk register, previous audit activity and through a session with the College Senior Management Team (SMT).

He outlined the content of the report and the proposed audits for the year.

The CGPO informed members that the ANA document that had been provided to members was not the final version. He apologised for the error and outlined the changes to the document.

Members agreed that the final version should be circulated to members electronically.

a) Members approved the audit needs assessment



5. Minute of Meeting of 7 September 2023 For Approval

21 November 2023
Audit Committee

A/23/010 Governance Statement

The VPFACA presented members with the governance statement that forms part of the College accounts. She noted it was good practice for the Committee to consider this ahead of the November meeting when the accounts are presented as this allows for any changes members agree to be incorporated.

a) Members considered and approved the content of the governance statement

A/23/011 Audit Committee Self Assessment

The Chair presented the annual self assessment report and checklist to members.

She highlighted that the Board Secretary arrangements in place in the College do not match the checklist and that this was with Board agreement. The VPFACA confirmed the Board Secretary arrangements would come to the full Board for their annual consideration of the effectiveness of the arrangements.

a) Members approved the self assessment document

A/23/012 Progress Report on Audit Recommendations

The CGPO presented the report on the current status of audit recommendations. He confirmed that the two recommendations rated as partially completed in the follow up review report would be re added to the tracker.

a) Members noted the content of the report

A/23/013 Risk Management

The VPFACA presented the College strategic risk register. She noted that there had been some changes since it was last presented and outlined what these were.

She highlighted that the student accommodation risk had been reduced with the accommodation providers appointment but noted that there were currently some issues being resolved and that this may increase the risk again.

She confirmed to members that risk 12 had been reduced as a result of the consultation exercise being completed and savings realised without compulsory redundancies.

Members recommended that the College explore alternative accommodation options in case these should be needed.

a) Members noted the content of the report



5. Minute of Meeting of 7 September 2023 For Approval

21 November 2023
Audit Committee

A/23/014 National Fraud Initiative

The VPFACA presented a paper outlining the National Fraud Initiative exercise which had been completed within the College, with the results outlined in the paper.

a) Members noted the content of the report

A/23/015 Review of Risk

No new risks identified

A/23/016 Any Other Competent Business

Mazar's Update

Michael Speight, Mazars, introduced his colleague Ben Fowler to the Committee.

He also outlined some developments he had been discussing with the VPFACA including the local government pension scheme and also that Audit Scotland have requested a review of the governance of Arm's Length Foundations.

He also mentioned RAAC which had recently been in the news in relation to public buildings. The VPIC confirmed that a review had been undertaken and that there was none in the College campuses.

a) Member's noted the content of the update

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7. Chairs Report to the Board of Management For Approval

21 November 2023
AUDIT COMMITTEE

1. Purpose

To present to members the annual report from the Chair of the Audit Committee to the Board of Management.

2. Recommendation

That members approve the attached report

3. Background

The Chair of the Audit Committee presents a report of the Committee's activities on an annual basis.

As this report is linked directly to the associated financial year, the information within the attachment covers the 12 month period from 1 August 2022 to 31 July 2023 period

4. Resource Implications (Financial, People, Estates and Communications)

None – all audit activity is fully budgeted and progress against agreed activity is monitored and reported to the Audit Committee.

5. Equalities

Assessment in Place? –No

Not applicable to this report

6. Communities and Partners

Not applicable to this report

7. Risk and Impact

Please complete the risk table below. Risk is scored against Likelihood x Impact, with each category scored from Very Low through to Very High. Risks should be robustly scored and, if the combined score (Likelihood x Impact) is higher than the Board Risk appetite for the risk category identified, additional justification must be provided on why this risk is necessary.

If the paper is an approval, please reflect on whether the approval will have any direct or indirect impact for any other areas of operational activity internally or externally within the College – No



7. Chairs Report to the Board of Management For Approval

21 November 2023
AUDIT COMMITTEE

	Likelihood	Impact
Very High (5)		
High (4)		
Medium (3)		
Low (2)	X	X
Very Low (1)		

Total Risk Score – 4

The College has a Strategic Risk appetite for categories of risk as defined by the Board of Management. Decisions being taken at LMT/SMT/Board level must have cognisance of this. Please indicate the single most relevant risk category in the table below.

BoM Risk Categories & Risk Appetite (Select one area only)			
Cautious <15		Open 15> <20	Eager >20
Governance	X	Strategy	People
Legal		Financial	Project/Programme
Property		Reputational	
		Technology	

Failure to adequately check internal systems via the internal audit service could lead to systemic errors or inefficiencies. The Internal Audit function, overseen by the Audit Committee, ensures that adequate assurances are received.

Is the score above the Board Risk Appetite level? - No

Risk Owner – Ken Thomson

Action Owner – Alison Stewart

Paper Author – Stephen Jarvie

SMT Owner – Alison Stewart



7. Chairs Report to the Board of Management For Approval

21 November 2023
AUDIT COMMITTEE

ANNUAL REPORT OF THE AUDIT COMMITTEE TO THE BOARD OF MANAGEMENT

1. Introduction

This report covers the 12 month period from 1 August 2022 to 31 July 2023. Committee attendance was as follows:

Name	Attendance Record
Lorna Dougall (Chair)	3 of 3 meetings
Hazel Burt	3 of 3 meetings
Paul Devoy	1 of 3 meetings
Alistair McKean	2 of 3 meetings
Emma Meredith	2 of 3 meetings

The Committee met on the following dates:

8 September 2022
15 November 2022
18 May 2023

2. Internal Audit

Internal Audit is governed by the Code of Audit Practice, as published by the Scottish Funding Council (SFC). The Code requires the Internal Auditors to adopt a risk-based approach to the programme, and to undertake follow-up work to ensure that all recommendations accepted by College management have been implemented.

Audit Provider:

Henderson Loggie were the College Internal Auditors, with their appointment ending on 31 July 2023. Their charge for the period was £23,124. (Fees are based upon the degree of responsibility and skill of staff, and the time involved in the work. Fees for additional services or assignments are agreed separately in advance).

Annual Report on Audit Activities: The Internal Auditor's report on audit activities carried out during the year 2022-23 was considered by the Audit Committee at its 7 September 2023 meeting. Internal Audit assignments for this period were carried out broadly in accordance with the Audit Plan presented to the Audit Committee on 15 November 2022 and approved electronically following the meeting.

Achievements: The audit assignments were identified based upon a review of the College risk register, the identification of new systems being implemented within the College and those audits (i.e. credits) required on a rolling basis.

The specific audit reports produced for each assignment made recommendations for the improvement of internal procedures and controls, and each recommendation was given an agreed target date for implementation. The monitoring of internal audit recommendations is a standing agenda item on Audit Committee agendas.



7. Chairs Report to the Board of Management For Approval

21 November 2023
AUDIT COMMITTEE

Effectiveness: While identifying one area within the College which was classified as requires improvement, on the basis of the other work undertaken during the year the auditors have expressed an overall opinion that the College has –

“adequate and effective arrangements for risk management, control and governance. Proper arrangements are in place to promote and secure Value for Money.”

3. External Audit

Audit Provider: Mazars.

Auditors Report: The External Auditor’s report on the Financial Statements for the year 2022-2023 is included in the papers. The audit was carried out during October/November 2023.

Management Letter: During the course of the audit the Auditors performed overviews of the key financial systems of the College to assess their adequacy for the purposes of ensuring that accurate, timely and complete accounting records were being maintained. The recommendations resulting from this exercise are set out in the report of the External Auditor.

4. Other Matters

During the past 12 month period, in addition to receiving reports from the Internal and External Auditors, the Committee also considered the Risk Register and treatment of significant risks.

The Audit Committee also met with the Internal and External Auditors without College staff in attendance at their meeting of 21 November 2023.

5. Adequacy and Effectiveness

The Committee accepts the views of the internal and external auditors that Forth Valley College’s internal financial and management systems are adequate and that the Board of Management’s responsibilities have been satisfactorily discharged.

Lorna Dougall
Chair
7 December 2023



MAKING LEARNING WORK

Michael Speight

Director

Mazars LLP

5th Floor, 3 Wellington Place,

Leeds,

LS1 4AP

21 November 2023

Dear Mr Speight

Thank you for your letter of 16 August 2023 to the Audit Committee of Forth Valley College of Further and Higher Education.

The Audit Committee has reviewed the content of your letter and agreed the following responses to your queries.

1) How does the Committee, in its role as those charged with governance, exercise oversight of management's processes in relation to:

Undertaking an assessment of the risk that the financial statements may be materially misstated due to fraud or error (including the nature, extent and frequency of these assessments);

The Audit Committee relies on a number of measures to obtain comfort in relation to the financial statements. These include –

- The work undertaken by Internal and External auditors, as guided by the Audit Committee, into providing assurance on the efficacy of College controls
- The College Anti-Fraud policy
- The regular reports taken to the Finance Committee, which would highlight unexpected and/or significant expenditure
- The joint annual meeting between the Audit and Finance Committee's to consider the annual accounts at which the external auditors provide written assurance as to the accuracy and materiality of the accounts
- The Audit Committee also meets at least annually in private with both Internal and External Auditors who can raise any concerns they might have without College management being present

Identifying and responding to risks of fraud in the organisation, including any specific risks of fraud which management have identified or that have been brought to its attention, or classes of transactions, account balances, or disclosure for which a risk of fraud is likely to exist;

Along with the anti-fraud policy referred to in the previous response, all Committee and Board papers have a requirement for risk to be identified along with mitigating actions. Committee members take

Kenny MacInnes, Principal & Chief Executive, Forth Valley College
Forth Valley College of Further & Higher Education

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Drip Road, Stirling, FK8 1SE

cognisance of risks which are identified in this manner and, should a risk be deemed too high, the Committee would not approve the item under consideration.

The College is also a participant in the National Fraud Initiative (NFI). The NFI provides external checks to identify potential instances of fraud.

Additionally, any expenditure of £25k or over is managed via the contracted APUC procurement specialists. This ensures quality, independent procurement advice and systems is adhered to for material levels of expenditure. 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 Financial Memorandum. Authority to review and approve the College procurement policies is devolved to the Finance Committee who approved the most recent version at their 14 June 2022 meeting, with copies of the policies going to the full Board of Management for information on 23 June 2022.

Communicating to employees of views on business practice and ethical behaviour (for example by updating, communicating and monitoring against the organisation's code of conduct); and

The primary method of communication is via the Policies approved by the Board which clearly set out the conduct and actions expected of staff members.

Communicating to those charged with governance the processes for identifying and responding to fraud or error?

The Anti-Fraud Policy outlines the required notifications. In relation to errors, this would be communicated by the relevant member of the senior management team or the Board Secretary/Depute Board Secretary as appropriate.

2) How does the Committee oversee management processes to identify and respond to the risk of fraud and possible breaches of internal control? Is the Committee aware of any breaches of internal control during 2022/23?

Beyond the Anti-Fraud Policy, the Audit Committee reviews and approves the internal audit plan which is based in part on the College risk register. The Audit Committee meets privately with the Internal and External Auditors each year so any matters of concern can be raised then without management being present if necessary.

3) Has the Committee knowledge of any actual, suspected or alleged fraud during the period 1 August 2022 to 31 July 2023?

Yes – a suspected fraud was reported to the Chair of the Audit Committee in April 2023. The Anti-Fraud and Anti-Corruption Policy was enacted. The internal auditors were appointed to investigate and the matter was considered fully by the Audit Committee and the Board of Management.

4) Has the Committee any suspicion that fraud may be occurring within the organisation? Please provide details. No

- **Has the Committee identified any specific fraud risks within the organisation? No**
- **Does the Committee have any concerns that there are areas within the organisation that are at risk of fraud? No**
- **Are there particular locations within the organisation where fraud is more likely to occur? Areas of risk would be Finance, payroll and IT departments, however, internal controls mitigate this risk**

5) Is the Committee satisfied that internal controls, including segregation of duties, exist and work effectively?

- **If not, where are the risk areas?**
- **What other controls are in place to help prevent, deter or detect fraud?**

Yes - internal scheme of delegation in place along with Financial Regulations which are reviewed and approved by the Finance Committee. Monthly budget monitoring, and quarterly forecasting ensures there is no unexpected expenditure and IT asset register maintained.

6) Is the Committee satisfied that staff are encouraged to report their concerns about fraud, and the types of concerns they are expected to report?

Yes - The College has a comprehensive Whistleblowing Policy in place for all staff. Additionally, in line with the Code of Good Governance adopted by the Board of Management, the Board Secretary and Depute Board Secretary both have a duty to report issues of concern to the Board which would include instances of fraud.

At the September 2023 Board Meeting – the board approved that the Board Secretary and SMT members should meet annually with the Senior Independent Member of the Board.

7) From a fraud and corruption perspective, what are considered by the Committee to be high risk posts within the organisation?

How are the risks relating to these posts identified, assessed and managed?

High risk posts identified are; the Principal, members of SMT, Director of Finance, Head of IT, Finance Manager, Payroll lead and Supply Chain Manager. The risks relating to these post are identified through the level of authority the post holders have and is managed through the scheme of delegation, financial regulations and segregation of duties within procedures.

8) Is the Committee aware of any related party relationships or transactions that could give rise to instances of fraud? No

How are the risks associated with fraud related to such relationships and transactions mitigated?

On appointment all board members and members of the senior management team are required to complete a register of interest which is updated annually and published on the College website. Additionally, as per the Code of Conduct for Further Education Boards adopted on 25 February 2022, all Board Members have a responsibility to notify the College of any change in circumstances that is registerable within 1 month of the change. As part of the procurement processes, individuals involved with tender evaluations, are required to notify any conflicts of interest. Any related parties would be identified through this process. There are no related parties that we would considered to be significant. All transactions with related parties are reviewed as part of the annual accounts process and are of a routine nature in terms of the College's business.

9) Is the Committee aware of any entries made in the accounting records of the organisation that it believes or suspects are false or intentionally misleading? Are there particular balances where fraud is more likely to occur? No

Is the Committee aware of any assets, liabilities or transactions that it believes were improperly included or omitted from the accounts of the organisation? No

Could a false accounting entry escape detection?

Unlikely due to scheme of delegation, segregation of duties and robust budget monitoring and reporting.

Are there any external fraud risk factors which are high risk of fraud? Yes

Quarterly update on cyber security which is presented to LMT and audit Committee highlights areas of risk and mitigating actions.

10) Is the Committee aware of any organisational, or management pressure to meet financial or operating targets? No

Is the Committee aware of any inappropriate organisational or management pressure being applied, or incentives offered, to you or colleagues to meet financial or operating targets?

The Audit Committee is aware that the College continues to operate in a challenging financial environment whilst having ambitious operational targets in order to achieve its Outcome Agreement with the Scottish Funding Council. It is not the impression of the Committee however that this would result in management malfeasance to achieve these targets.

11) How does the Committee gain assurance that all relevant laws and regulations have been complied with. For example:

- **Is the Committee aware of the process management has in place for identifying and responding to changes in laws and regulations?**
- **What arrangements are in place for the Committee to oversee this process?**
- **Is the Committee aware of the arrangements management have in place, for communicating with employees, non-executive directors, partners and stakeholders regarding the relevant laws and regulations that need to be followed?**
- **Does the Committee have knowledge of actual or suspected instances where appropriate laws and regulations have not been complied with, and if so is it aware of what actions management is taking to address it?**

The Audit Committee gains assurance via a rolling programme of internal audits which examine areas within the College for legislative compliance and the implementation of best practice. The Audit Committee is aware of non-compliance during 2022/23 in relation to procurement practices which was raised at the Finance in November 2023 and the Board in December 2023.

12) Is the Committee aware of any actual or potential litigation or claims that would affect the financial statements?

Only potential claim is an employment tribunal claim.

13) How has the Committee assessed and satisfied itself that it is appropriate to adopt the going concern basis in preparing the financial statements?

Over 70% of the College's activities are funded by the Scottish Government through the Scottish Funding Council (SFC) to provide Higher and Further Education. The Board of Management and the Executive Team are responsible for ensuring that these funds are used to meet this purpose and the operations within the College to achieve this support ensuring financial sustainability of the College.

No notification from the Scottish Funding Council on behalf of the Scottish Government has been received to suggest that the higher and further education provision within Forth Valley College is no longer a going concern.

Management have prepared a detailed assessment of going concern which will be considered at the Finance Committees prior to the meeting considering the Annual Report.

14) Has the Committee identified any events or conditions since the assessment was undertaken which may cast significant doubt on the organisation's ability to continue as a going concern? No

I hope the above responses meet your requirements. Should you require further clarification, please do not hesitate to contact me via Alison Stewart (alison.stewart@forthvalley.ac.uk)

Yours sincerely

Lorna Dougall

Chair

Audit Committee

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1. Purpose

A full review has been undertaken of the College Data Policy and related procedures. This paper asks that Audit Committee members review and approve the revised College Data Policy.

2. Recommendation

That members approve the attached Data Policy.

3. Background

The current College Data Policy was approved by the Board of Management in 2018 as the College prepared for the introduction of the General Data Protection Regulation (GDPR). Since then the College has left the EU, which saw the introduction of the UK General Data Protection Regulation (UK GDPR). In the main, UK GDPR regulations are similar to EU GDPR regulations with some modifications. The attached policy has been re-written to reflect current UK Data Protection Regulations, to reflect the maturity of Data Protection since the introduction of GDPR, and to simplify (where possible) our existing policy.

4. Key Considerations

The College is obliged to comply with the UK's Data Protection Regulations as set out within the UK General Data Protection Regulations (UK GDPR), and follow the data protection principles of:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Security
- Accountability

This policy outlines the College's approach to the management of personal data, particularly special category and criminal conviction data processed by the College.

5. Resource Implications (Financial, People, Estates and Communications)

There is potential for the College to face financial fines, which could be significant, if Data Protection regulations are not adhered to. Following the guidance provided by the attached policy and procedures will significantly lower this risk.

The mandatory staff training covering Data Protection is being re-written and updated to reflect the current regulations, and the revised policy and procedures will be made available, and communicated to all staff. A change is currently being piloted which would delay the immediate sending of emails to help mitigate an email being sent to an incorrect person. This will be included within the revised training materials.



6. Equalities

Assessment in Place? – Yes

Equalities Impact Assessment report is attached.

7. Communities and Partners

Not applicable.

8. Risk and Impact

Please complete the risk table below. Risk is scored against Likelihood x Impact, with each category scored from Very Low through to Very High. Risks should be robustly scored and, if the combined score (Likelihood x Impact) is higher than the Board Risk appetite for the risk category identified, additional justification must be provided on why this risk is necessary.

	Likelihood	Impact
Very High (5)		
High (4)		
Medium (3)		X
Low (2)	X	
Very Low (1)		

Total Risk Score – 6

The College has a Strategic Risk appetite for categories of risk as defined by the Board of Management. Decisions being taken at LMT/SMT/Board level must have cognisance of this. Please indicate the single most relevant risk category in the table below.

BoM Risk Categories & Risk Appetite (Select one area only)			
Cautious <15	Open 15> <20	Eager >20	
Governance	Strategy	People	
Legal	Financial	X Project/Programme	
Property	Reputational		
	Technology		

There is potential for the College to face financial fines, which could be, if Data Protection regulations are not adhered to. Following the guidance provided by the attached policy and procedures will significantly lower this risk.

Is the score above the Board Risk Appetite level? No

Risk Owner – LMT

Action Owner – LMT

Paper Author – David Allison

SMT Owner – David Allison



College Data Policy

Status:	Draft
Date of Version:	March 2023
Responsibility for Contents:	VP Infrastructure & Communications
Responsibility for Review:	Corporate Governance and Planning Officer
Review Date:	March 2026

1.0 Purpose

This document and associated procedures referred to in this document outlines Forth Valley College's ('the College') approach to the management of personal data, particularly special category and criminal conviction data processed by the College, as required by the UK General Data Protection Regulation (UK GDPR), Article 9 and the Data Protection Act 2018, Schedule 1, Part 4.

2.0 Policy Statement

Forth Valley College processes special category and criminal conviction data as part of its statutory duties under employment and social protection law, and for reasons of substantial public interest. The College will detail its procedures for compliance with the principles of Article 5 of the UK GDPR, and outline its policies as regards retention and erasure of this data.

3.0 Responsibility for the Implementation of this Policy and Associated Procedures

This policy applies to all College staff processing personal data, special category personal data, protected characteristics data, and criminal convictions data.

4.0 Definitions

4.1 Criminal conviction data is the data processed relating to criminal convictions and offences, or related security measures (UK GDPR, Article 10). The most common processing of this data in the College is when staff are checked for recorded criminal convictions with Disclosure Scotland under the [Protecting Vulnerable Groups \(PVG\)](#) scheme. Students may also be Disclosure Scotland checked, for example if their course includes a placement at a nursery or requires them to work with children or vulnerable adults.

4.2 Special category data is defined by UK GDPR Article 9(1):

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade Union membership
- Genetic and biometric data used to identify an individual
- Health data
- Sexual/ sex life data
- Sexual orientation

4.3 Protected Characteristics, as defined under the Equality Act 2010 (Article 4), should be treated as Special Category Data for data processing purposes and include:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

5.0 What Laws Apply

Due to the sensitive nature of special category data, protected characteristic data and criminal convictions data, there are a number of laws in place to restrict and manage processing of this information by organisations, including Colleges. Other laws oblige the College to process such data for specific purposes. The three areas of legislation most relevant at this time are described below. Note that, should any of these legislative vehicles be superseded during the period of this policy, then the most relevant legislation will be deemed to be covered by this policy.

5.1 UK General Data Protection Legislation (UK GDPR)

GDPR is EU (European Union) legislation which came into force on 25 May 2018. UK GDPR is legislation which came into force in the UK on 31/12/20, due to the UK's exit from the European Union. UK GDPR was created by amendments in the [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019](#).

The reason for this legislation is to ensure that the privacy rights of individuals are upheld by organisations, including Colleges, that process personal data. Organisations must only process personal data where it is lawful and fair to do so; be transparent in how they process this data; process the data only for the purpose it was collected; only request the minimum amount of data required for the purpose; ensure the data is accurate, up-to-date, and not kept longer than necessary; and is processed using technical and organizational measures that ensures the security of the data.

UK GDPR provides protection to personal data; that is information that relates to a clearly identifiable living individual, for example a student or a member of staff.

UK GDPR supports an individuals' rights in relation to the personal data an organisation, such as a college, processes; including being made aware of how their data is processed; requesting copies of some or all of this information, or requesting that their information is changed, updated, or deleted; and restricting processing of their data.

Most personal data collected by the College from students and staff is processed on the basis of contract (Article 6(1)(b), or public task (Article 6(1)(e)). Most special category and protected characteristics data is collected by the College on the basis of employment and social protection law (Article 9(2)(b) or substantial public interest (Article 9(2)(g)). Criminal convictions data collected by the College is done so in-line with Article 10 of the GDPR, which stipulates that processing can only be carried out under the control of official authority, or when the processing meets the requirements of the Data Protection Act 2018 (see below), with appropriate safeguards in place to protect the rights and freedoms of data subjects.

5.2 Data Protection Act 2018 (DPA 2018)

The DPA 2018 enacted the EU GDPR law into UK law and establishes additional safeguards for handling special category and criminal conviction data (Schedule 1, Part 4):

- an appropriate policy document (this document);
- outlining how the controller's procedures comply with the UK GDPR Principles (Article 5) (e.g. Data Protection Policy/Procedure/Guidance);
- outlining the controller's policies on retention and deletion of data, and whether policies are strictly adhered to;
- retaining and reviewing policy document(s);
- making this document available to the Information Commissioner's Office upon request.

5.3 The Privacy and Electronic Communications (EC Directive) Regulations 2003 (PECR)

The Privacy and Electronic Communications Regulations (PECR) sit alongside the DPA 2018 and the UK GDPR. They give people specific privacy rights in relation to electronic communications.

There are specific rules on:

- marketing calls, emails, texts, and faxes;
- cookies (and similar technologies);
- keeping communications services secure; and
- customer privacy as regards traffic and location data, itemised billing, line identification, and directory listings.

6.0 UK GDPR Article 5 Compliance

The College complies with the UK GDPR Principles under Article 5, as outlined in the College Data Policy, and underlying procedural documents which are available on the College intranet.

1. Lawfulness, fairness, and transparency

The College will regularly review forms and other methods of gathering data, to ensure that the processing is fair and lawful. The College will be transparent with data subjects and publish privacy notices where appropriate.

2. Purpose limitation

The College will ensure that data is only processed for the purposes listed in the Information Asset Register (Records of Processing Activity).

3. Data minimisation

The College will not collect or process data for which there is not a listed purpose in the Information Asset Register (Records of Processing Activity).

4. Accuracy

The College will ensure, wherever possible, that data subjects can access and update their records, to ensure accuracy.

5. Storage limitation

Data will be securely deleted at the end of the listed retention periods. Departmental retention schedules can be found on the College intranet.

6. Integrity and confidentiality (security)

The College will make every effort to ensure the security, integrity, and confidentiality of data. The College IT Security Policy is available on the College intranet. The College is Cyber Essentials certified.

7. Accountability

The College will keep detailed records relating to compliance and accountability issues and will record these in a version of the Information Commissioner's accountability tracker. The College has a local data protection risk register, which is constantly reviewed to address issues and risks as they arise.

7.0 Staff Training

The College will ensure all staff are trained in data protection, specifically relating to personal, special category and 'protected characteristics' data and the legislation underpinning this (see Section 5.0 above). This training will be periodically refreshed and will form part of the induction process for all new staff.

8.0 Advice for Staff

While all staff will receive training (outlined in Section 7.0 above), the College recognises that staff may either require specialist advice or assistance where a request for personal and/or College information goes beyond what a reasonable member of staff would consider a normal request for someone in their role.

Staff should, in the first instance, discuss their query with their line manager. Should your line manager be unavailable (e.g. on leave or off ill) you should contact the Data Protection Officer at dataprotection@forthvalley.ac.uk for advice as soon as possible.

9.0 Special Category Data: Lawful bases

Special category and/or 'protected characteristics' staff and student data will be processed by the College for a number of reasons related to, and compatible with, the specified purpose for which it was originally collected (as outlined in the [College Privacy Notices](#)).

9.1 Staff

The College processes various types of special category data for employees, including:

- Sickness absence data
- Occupational health data
- Health and safety data
- Disciplinary and grievance procedure data
- Trade Union membership data
- Equality and diversity data
- Protected Disclosure data

Article 6 and 9 lawful bases for all data held by the College are available on the College intranet in the Information Asset Register (Records of Processing Activities).

9.2 Students

The College processes special category data related to students, including:

- Equality and diversity data
- Counselling data
- Health and safety data
- Safeguarding data
- Personal learning support plans
- Personal escape plans

Article 6 and 9 lawful bases for all data held by the College are available on the College intranet in the Information Asset Register (Records of Processing Activities).

10.3 Exceptional circumstances

There may be exceptional circumstance where the College may have to share special category or 'protected characteristics' data using a different lawful basis, including but not limited to:

An emergency

For example, where a student or member of staff is in a critical situation, the College may have to share special category data to a paramedic, or other health worker:

- UK GDPR Article 6(1)(d) – vital interests
- UK GDPR Article 9(2)(c) – vital interests

Legal claims

For example, where the College is approached and asked to provide data on staff or students necessary to establish, exercise or defend a legal claim or as evidence for court:

- UK GDPR Article 6(1)(c) – legal obligation
- UK GDPR Article 9(2)(f) – legal claims

11.0 Criminal Convictions Data: Lawful Bases

The College has a statutory duty to protect children and vulnerable adults, as outlined in the [Protection of Vulnerable Groups \(Scotland\) Act 2007](#). Where appropriate, the College will conduct criminal convictions checks to ensure that staff in contact with children and vulnerable adults do not pose a threat to their safety.

Similarly, the College will conduct criminal convictions checks to ensure that students undertaking a course where they will be in contact with children and vulnerable adults do not pose a threat to their safety.

This means that the College processes staff and/or student criminal convictions data on the following legal bases:

- UK GDPR Article 6(1)(c) – legal obligation
- UK GDPR Article 9(2)(g)- reasons of substantial public interest
DPA 2018, Sch 1, Part 2, 18 – safeguarding of children and individuals at risk (Protection of Vulnerable Groups (Scotland) Act 2007)

12.0 Retention and Erasure

The College retains the data defined in this policy for the minimum periods of time required to meet its statutory duties. The Data Retention Schedules can be found on the College intranet.

13.0 Policy Management

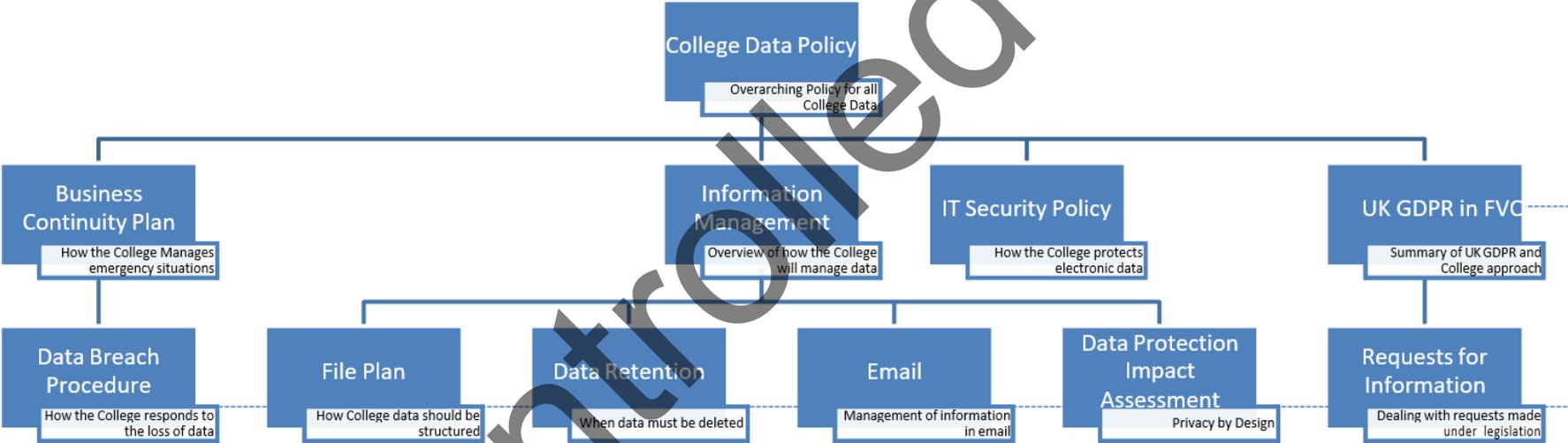
This policy will be reviewed periodically and will be made available to the ICO (Information Commissioner's Office), upon request and without charge. It will be held and reviewed until a period of at least 6 months after the College has ceased processing such data.

14.0 Related Policies

Data Breach Procedure
Data Sharing Procedure
IT Security Policy
Health and Safety Policy
Safeguarding Policy

Data Subjects' Rights Procedure
DPIA Procedure
Equal Opportunities Procedure
Corporate Parenting Policy

Appendix 1 – Overview of College Data Management Procedures



Equalities Impact Assessment (EQIA)

revised 10/17

The purpose of this template is to ensure that decision makers consider impacts on equality when making decisions which may impact on people in some way, or develop new - or revise existing - policies, practices or operating guidelines. This EQIA template should be completed in conjunction with the Guidance Notes.

Title of the Policy/Decision considered:	College Data Policy and associated procedures
Impact Assessed by:	David Allison
Signature(s) of assessor(s):	
Date of Impact Assessment:	20 March 2023

Step 1: (a) Identify the aims of the policy/decision

(i)	What is the purpose of the policy/decision? Why has this policy/decision been developed/reached?
(ii)	How does the policy/decision seek to achieve its purpose?
(iii)	How do the aims of the policy/the decision relate to equality?
The policy aims to make clear the colleges approach to Data Protection to ensure fair and lawful processing of personal data. By having a policy and procedures it ensures a fair, lawful, and transparent approach to processing personal data within the college.	

Step 1: (b) Identify who is affected by the policy/decision

(i)	Who benefits from this policy/decision?
(ii)	How does the group of people benefit from the policy/decision?
(iii)	Who does not benefit from the policy/decision? Is anyone disadvantaged?
(iv)	If so, how is the group of people disadvantaged by this policy/decision?
All students and staff benefit through having clarity of what personal data is collected by the College, for what purpose, and how it is processed. It is not anticipated that anyone will be disadvantaged by this policy.	

Step 2: (a) Consider the evidence and impact assess

- (i) What data or evidence have you used to consider the impact of the policy/decision on each Protected Characteristic group? E.g. student/staff demographic data, consultation responses, national data.
- (ii) If you lack data/evidence, please outline your plan for obtaining up-to-date data/evidence e.g. consultation, survey, focus group responses, national research.
- (iii) Referring to the evidence you have available, would this policy positively or negatively impact on the following Protected Characteristics groups? If so, then how? Detail how it would be possible to minimise negative impact (an action plan may be required to ensure minimal negative impact in practice/change an aspect of the policy). Refer to the following Duties where possible: **elimination of discrimination; advancing equality of opportunity; and fostering good relations.**

Protected Characteristic	Evidence	Impact (and how to minimise negative impact).
Disability	As a Disability Confident employer, we are supportive of those with a disability and those who are carers of those with a disability. This is evidenced by the number of staff who have disclosed that they have a disability through the Equalities Monitoring process.	The purpose of asking students and staff to declare disabilities is to help ensure that the College can adapt and shape its services to meet the needs of both students and staff.
Sex (man or woman)	Enrolment data is used to evaluate where there is under-representation of either females or males by subject area.	No impact
Race (refers to a group of people defined by their race, colour and nationality (including citizenship) ethnic or national origins)	As an organisation, we are mostly representative of the general population, in terms of our BAME staffing numbers. Our students enrolments identifying as BAME reflect the local population.	No impact

	In terms of the policy, there is no evidence to indicate any disadvantage to anyone in this category.	
Age		No impact
Gender reassignment (the process of transitioning from one gender to another)	FVC acknowledges that those who fall under the LGBTQIA+ umbrella still face barriers and prejudice in wider society. In terms of this process, there is no evidence to indicate any disadvantage to anyone in this category	No impact
Sexual orientation (whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes)	FVC acknowledges that those who fall under the LGBTQIA+ umbrella still face barriers and prejudice in wider society. In terms of this process, there is no evidence to indicate any disadvantage to anyone in this category.	No impact
Religion and belief (inc. no belief)		No Impact
Pregnancy and maternity		No impact
Marriage and civil partnership		No impact
Other identified groups (e.g. carers)	Carers can face barriers to accessing fair and flexible work because of the nature	No impact

	<p>of their responsibilities. Carers are often women so there is an intersectional nature to caring that FVC is aware of.</p> <p>In terms of this process, there is no evidence to indicate any disadvantage to anyone in this category.</p>	
--	--	--

(ii) Action Plan to obtain data and evidence for impact assessment:

Data will be continually gathered and methods of analysis reviewed and developed as it becomes available.

Step 3: Consultation

<p>Is a consultation required? Are the views of other people required to be sought, in case they may highlight issues arising from the implementation of this policy?</p>	
	<p>No</p>
<p>Please provide reasons why you did/did not offer a consultation:</p>	
<p><i>If 'yes', please complete the following sections.</i></p>	
<p>Analysis of the views/evidence gathered from the consultation:</p> <p>Managers and staff feedback is used as well as discussions with union representatives</p>	
<p>Recommendation(s):</p>	

Step 4: Decision Making

Select an option to summarise how the IA has informed your decision-making:

- 4.1 No amendment to the policy/decision is required (policy/decision is robust, with no negative impact);
- 4.2 Adjust the policy/decision (take steps to meet the general duty and reduce negative impact);
- 4.3 implement the policy/decision without adjustment (continue despite the potential for adverse impact);
- 4.4 Stop and remove the policy/do not proceed with decision (where adverse effects are not justified and cannot be mitigated or where the policy leads to unlawful discrimination).

4.1 No amendment to the policy/decision is required (policy/decision is robust with no negative impact)

Step 5: Publication:

Equality Impact Assessments must be published.

	Does this group need to be aware of this EQIA? (tick if applicable)	How to inform this group:
Students (service users)	Yes	
Employees	Yes	
Partner organisations & stakeholders	No	
Other - please state:	No	
Are there any barriers to communication?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
If 'yes', how will barriers to communication be overcome?		

Step 6: Monitoring and Review

<p>How will this policy/decision be monitored to assess its impact on protected characteristics groups? E.g. will qualitative/quantitative data be collected? Survey, Student Council, Listening to Learners sessions?</p> <p>Data will continue to be collected and analysed as well as through feedback forums</p>	
<p>Staff member/designation responsible for writing the monitoring report:</p>	Data Protection Officer
<p>Monitoring report publication date:</p>	March 2023
<p>Review date: (no later than 3 years after the policy/decision has been impact assessed)</p>	March 2026

Please send the completed EQIA to equality@forthvalley.ac.uk

If you require any assistance in completing an EQIA, please contact equality@forthvalley.ac.uk

Forth Valley College

Internal Audit

Credits Audit 2022/23
September 2023

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The matters raised in this report came to our attention during the course of our audit and are not necessarily a comprehensive statement of all weaknesses that exist or all improvements that might be made.

This report has been prepared solely for Forth Valley College's individual use and should not be quoted in whole or in part without prior written consent. No responsibility to any third party is accepted as the report has not been prepared, and is not intended, for any third party.

We emphasise that the responsibility for a sound system of internal control rests with management and work performed by internal audit should not be relied upon to identify all system weaknesses that may exist. Neither should internal audit be relied upon to identify all circumstances of fraud or irregularity should there be any although our audit procedures are designed so that any material irregularity has a reasonable probability of discovery. Every sound system of control may not be proof against collusive fraud. Internal audit procedures are designed to focus on areas that are considered to be of greatest risk and significance.

Introduction

A review of the College's student data returns has been carried out in accordance with the "Credit Guidance for Colleges AY 2022-23" issued by the Scottish Funding Council (SFC) on 31 May 2022 and the "FES Return and Audit Guidance 2022/23" issued 30 August 2023.

The audit certificate, along with the college certificate, was submitted to the Scottish Funding Council on 28 September 2023. This report was submitted to the SFC on 29 September 2023.

Scope of Review

The audit procedures have been designed to ensure the College has adhered to the "Credit Guidance for Colleges AY 2022/23". As planned, the audit took 5 days to complete comprising fieldwork carried out by the Audit Senior and a review by both the Director/Senior Manager and the Partner. All staff involved in the audit had relevant experience.

Our audit sample was selected using analytical techniques and covered a minimum of 5% of the total Credits count with a minimum of 10 courses being tested. Additional sample checks were also carried out on Credits relating to Open/Distance Learning, Infill, Credits spanning academic years, Work Based Learning, Fee Waiver, and non-fundable courses.

The audit process of reviewing the returns being submitted was carried out using the following processes:

- A review of the systems operated by the College for the return;
- Appropriate walk through and compliance checks for the relevant areas;
- Analytical review techniques to ensure testing was undertaken in the most appropriate areas;
- Reviewing the risk areas, issues raised in 2021/22 and the specific issues for 2022/23 highlighted in the audit guidance;
- Sample checking the data included in the return; and
- Specifically tailored Credits audit programmes.

1 EXECUTIVE SUMMARY

Summary of Recommendations

Current Year recommendations

Grading of Recommendations	High	Medium	Low	Total
Credits	-	-	-	-

As can be seen from the above table there were no recommendations made.

Prior Year recommendations

Grading of recommendations	High	Medium	Low	Total
No recommendations raised in 2021/22	-	-	-	-

1 EXECUTIVE SUMMARY

Conclusion

The audit certificate in respect of the 2022/23 return included within Appendix A, is unqualified and is in the format set out in the SFC audit guidance. The audit certificate was submitted to SFC on 29 September 2023.

Overall Conclusion

The College has reasonable procedures and controls over the collection of data for the credits return and assurance can be taken that the credits count for the College is not materially mis-stated. The systems used by the College are satisfactory.

We can confirm that there were no recommendations from previous years.

The College credit target for the academic year 2022/23, agreed between the SFC and the College, was 87,897, compared with 87,086 delivered credits. A summary of the variances is included in the table below.

	Target	Claimed	Variance
Core Credits	84,218	84,343	125
FA Credits	3,679	2,753	(926)
Total	87,897	87,096	(801)

2 BENCHMARKING

We include for your reference comparative benchmarking data of the number and ranking of recommendations made for audits of a similar nature in the year ending 31 July 2022.

Credits Audit 2022/23

Benchmarking	High	Medium	Low	Total
Average number of recommendations in similar audits	-	-	2	2
Number of recommendations at Forth Valley College	-	-	-	-

As can be seen from the above table, the College has a lower number of recommendations in comparison to the colleges it has been benchmarked against.

Non-Fundable Activity

We reviewed, in full, with the College to confirm that all activity which has been classified as fundable has been correctly classified. We reviewed non-fundable activity to ensure that this is complete. ***From our review, we found that all courses were accurately treated as either fundable or non-fundable by the College.***

Spanning Programmes

We reviewed in full all courses which spanned the academic year to ensure the College had deferred until next year all credits for courses spanning 2021/22 to 2022/23. ***Our testing concluded that credits have been claimed in the correct period.***

Non-Fundable and Fundable Students

We reviewed in full all students classified as non-fundable by the College to confirm accuracy and completeness. Testing was performed to ensure that credits values have only been allocated to fundable students. ***Our testing indicated that the College are classifying its fundable and non-fundable students correctly.***

Full-Time and Other than Full-Time Classification

A sample of 10 courses were randomly selected from the four modes of attendance (6 from higher education and further education full-time and 4 from higher education and further education other than full-time). Testing was undertaken to ensure these were correctly classified. ***We can conclude that all courses tested were correctly classified.***

Higher Education and Further Education Classification

The sample selected was the same as the above test. ***Our audit work indicated that courses had been correctly classified.***

3 RISK AREAS & AUDIT TESTS

Infill Students

The College have a separate class code beginning with an 'I' to illustrate an infill course. The word 'infill' also appears in the title of the course.

We tested a sample of 10 students treated as infilling into courses to ensure that they had been correctly classified, and that Credits had been calculated correctly. **No issues found from our testing.**

We also reviewed in full the students the College were classifying as infill students to confirm that credits were only being claimed for the subjects the students had undertaken. **No issues were found from our testing.**

Attendance Criteria

For our sample of 10 courses tested, we tested to ensure that the College had correctly calculated and recorded the required date. **We can confirm that the College has calculated course required dates in line with the guidance.**

For a total of 65 students, we ensured that the College had obtained a valid enrolment form and that where credits had been claimed, the student had attended past the correct required date. **We can confirm that each student in our sample an appropriate enrolment record was available.**

We traced a total of 146 students to attendance registers to ensure that they had attended beyond the required date, where credits had been claimed for the student. **We can confirm that each student in our sample was appropriately traced to the attendance register.**

We also performed testing on a sample of 15 withdrawals to ensure that these had been processed in accordance with SFC guidance. **No issues found.**

Credits Count

For our sample of 10 courses, we recalculated the individual credits for each of these courses to confirm the correct value had been allocated by the College. We reviewed the attendance of the students on these courses to ensure that credits were only attributed to those students who had attended beyond the required date and who were fundable students. ***We found that the College has correctly calculated the Credits. See Attendance Criteria above for details about our findings from our testing of students attending beyond the required date.***

Maximum Credits Claim

All students with more than one enrolment were identified and investigated to ensure credits were not overclaimed. ***Our testing found that there were no overclaims. We also completed a review of related study courses and found no issues during this testing.***

Fee Waiver

A random sample of 15 fee waived students were selected. We checked to ensure that their eligibility for a fee waiver had been assessed appropriately by the College. This was done by tracing to an enrolment form and where appropriate a fee waiver form and relevant eligibility documentation. We also assessed whether the students had been allocated to the most appropriate fee waiver category. ***We found that there were no issues with fee waiver students.***

We also performed an analytical review on the College's fee waiver claim, see section 4 for further details.

Open/Distance Learning

A random sample of 10 students from open/distance learning courses were selected and traced to an enrolment form to ensure the students had a Scottish post code and that the College were correctly claiming credits. We also traced to evidence of achievement/progression. ***We can confirm that there were no issues noted from our testing.***

3 RISK AREAS & AUDIT TESTS

Work Based Learning

A random sample of 10 students from work-based learning courses were selected and traced to the students' enrolment form and evidence of achievement/progression to ensure the College were correctly claiming credits. ***We can confirm that there were no issues noted from our testing.***

Collaborative Provision

We confirmed with the College that no Collaborative Provision was undertaken in 2022/23.

4 ANALYTICAL REVIEW

Credits Analytical Review

We reviewed the Credits per Price Group and compared these with the previous year's Credits per Price Group figures, investigating any significant fluctuations with the College. There are no material variations in the level of teaching activity as shown by the table below. Where there have been movements (positive or negative) these are in line with the forecasted level of delivery as per the 2022/23 curriculum plan.

Price Group	2022/23		2021/22		Variance
	Credits	% of Total	Credits	% of Total	Credits
1	10,351	12%	13,215	14%	(2,864)
2	37,312	43%	35,219	38%	2,093
3	33,305	38%	37,247	41%	(3,942)
4	3	0%	3	0%	0
5	<u>6,126</u>	7%	<u>5,941</u>	6%	<u>185</u>
Total	<u>87,086</u>		<u>91,625</u>		<u>(4,528)</u>

4 ANALYTICAL REVIEW

There has been a decrease of approximately 5% in the overall credit delivery. The areas of highest movement are in Price Group 1, 2 and 3. The reasons for the fluctuations are as follows:

- Price Group 1 – reduction was primarily due to the removal of a number of courses;
- Price Group 2 – increase was due to increased enrolments in Care Courses; and
- Price Group 3 – reduction was predominantly due to cuts within the Engineering School Groups.

We have also compared the average credits per student head count for 2021/22 and 2022/23 and found that there was a decrease in the overall average credits per student of 0.58 (12.55%). This is as a result of a reduction in Full Time students and an increase in Part Time/Short Course students.

Average Credits	2022/23	2021/22
Credits (excluding ELS)	87,096	91,625
Student Head Count	21,531	19,790
Ave. Credits per student	4.04	4.62

4 ANALYTICAL REVIEW

Fee Waiver Analytical Review

We also reviewed the fee waiver claimed per category of fee waiver and compared these with the previous year's figures, again investigating any significant fluctuations with the College. There were no significant variations in the level of fee waiver categories. See page 13 for details of our Fee Waiver analytical review.

Fee Waiver Category	2022/23 (£)	2021/22 (£)
Full time non advanced	1,188,432	1,251,936
Income support	-	508
Low income	-	437
Islands Authority fee waiver (excl. Orkney and Shetland)	-	-
Cost borne by college	564,033	861,054
Incapacity benefit	-	226
Severe disablement allowance	-	-
Housing benefit	1,466	2,192
Student on a DPG18/PG 5 programme	302,365	314,459
Carer's allowance	592	1,591
Disability living allowance	987	1,255
Pension credit	56	169
Working tax credit	2,288	1,325
Old FT criteria	-	-
School pupils	633,932	405,507
Attendance allowance	-	-
Income based job seekers allowance	5,637	4,099
Income-related employment and support allowance	508	1,130
c/forward	2,700,296	2,845,887

4 ANALYTICAL REVIEW

b/forward	2,700,296	2,845,887
Student in care	-	-
Asylum seeker or spouse or child of an asylum seeker	17,937	8,178
Contribution based employment and support allowance	-	-
Personal Independence Payment (PIP)	2,091	961
Universal credit (UC)	10,234	12,431
Short full-term (SFT) course where the student is eligible for COVID	5,246	68,106
	<u>254</u>	-
Total – including cost borne by college	<u>2,736,059</u>	<u>2,935,563</u>
Total – excl. cost borne by college and overclaims	<u>2,166,780</u>	<u>2,006,403</u>

There has been an increase of approximately 8% in the fee waiver claim (excluding cost borne by the College and over claims). The most significant fluctuations in fee waiver categories relate to 'Full-Time Non-Advanced', 'Cost Borne by the College', 'Student on a DPG 18 / PG 5 Programme and 'COVID'.

- Decrease in 'Full-Time Non-Advanced' - The College has seen a decrease in overall credit delivery of approximately 4% in 2022-23 which is reflected in the drop in FE students through reduced credits targets.
- Decrease in 'Cost Borne by the College' - The 38% decrease relates to STEM delivery in Primary School, with them being coded as school pupils this year. This conversely can be seen in the 57% increase in school pupil code.
- Decrease in 'COVID' - There was a 92% decrease in COVID code relates to a reduction in enrolments as a result of COVID.

5 AUDIT ARRANGEMENTS

The table below details the actual dates for our fieldwork and the reporting on the audit area under review.

Audit stage	Date
Fieldwork start	18 September 2023
Closing meeting	25 September 2023
Draft report issued	28 September 2023
Receipt of management responses	28 September 2023
Final report issued	29 September 2023
Submission to the SFC	29 September 2023
Audit Committee	21 November 2023
Number of audit days	5

6 KEY PERSONNEL

We detail below our staff who undertook the review together with the College staff we spoke to during our review.

Wylie & Bisset LLP			
Partner	Graham Gillespie	Partner	graham.gillespie@wyliebisset.com
Director	Stephen Pringle	Director of Internal Audit	stephen.pringle@wyliebisset.com
Senior	Neil Hamilton	Internal Audit Senior	neil.hamilton@wyliebisset.com

Forth Valley College			
Key Contacts:	David Allison	Vice Principal Information Systems and Communications	david.allison@forthvalley.ac.uk
Wylie & Bisset appreciates the time provided by all the individuals involved in this review and would like to thank them for their assistance and co-operation.			

APPENDICES

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Auditors' Report to the members of the Board of Management of Forth Valley College

We have audited the FES return which has been prepared by Forth Valley College under the SFC's Credits Guidance for colleges issued 31 May 2022 and which has been confirmed as being free from material misstatement by the College's Principal in his Certificate dated 29 September 2023.

We conducted our audit in accordance with guidance contained in the 2022-23 audit guidance for colleges. The audit included an examination of the procedures and controls relevant to the collection and recording of student data. We evaluated the adequacy of these controls in ensuring the accuracy of data. It also included examination of evidence relevant to the figures recorded in the student data returns. We obtained sufficient evidence to give us reasonable assurance that the returns are free from material misstatement.

In our opinion:

- The student data returns have been compiled in accordance with all relevant guidance;
- Adequate procedures are in place to ensure the accurate collection and recording of the data; and
- On the basis of our testing, we can provide reasonable assurance that the FES return contains no material misstatement.

Signature	Wylie & Bisset LLP
Date	29 September 2023
Name of Audit Firm	Wylie & Bisset LLP
Contact Name	Graham Gillespie
Contact telephone number	0141 566 7000.
Date FES returned	29 September 2023

B GRADING STRUCTURE

For each recommendation we make we assign a grading either as High, Medium, or Low priority depending upon the degree of risk assessed as outlined below:

Grading	Classification
High	Major weakness that we consider needs to be brought to the attention of the Audit Committee and addressed by senior management of the College as a matter of urgency
Medium	Significant issue or weakness which should be addressed by the College as soon as possible
Low	Minor issue or weakness reported where management may wish to consider our recommendation

Forth Valley College

Student Support Funds
2022 - 2023

+ September 2023



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The matters raised in this report came to our attention during the course of our audit and are not necessarily a comprehensive statement of all weaknesses that exist or all improvements that might be made.

This report has been prepared solely for Forth Valley College individual use and should not be quoted in whole or in part without prior written consent. No responsibility to any third party is accepted as the report has not been prepared, and is not intended, for any third party.

We emphasise that the responsibility for a sound system of internal control rests with management and work performed by internal audit should not be relied upon to identify all system weaknesses that may exist. Neither should internal audit be relied upon to identify all circumstances of fraud or irregularity should there be any although our audit procedures are designed so that any material irregularity has a reasonable probability of discovery. Even sound systems of control may not be proof against collusive fraud. Internal audit procedures are designed to focus on areas that are considered to be of greatest risk and significance.

1. Executive Summary



Introduction

This report has been prepared following the conclusion of our audit of the Student Support Funds for the year ended 31 July 2023.

The audit certificate for the Scottish Funding Council (SFC) funds was submitted on 29th September 2023.

The audited signed return for the HE Discretionary fund was submitted to the Students Award Agency for Scotland (SAAS) on 29 September 2023.

Summary of Recommendations

Current Year Recommendations	High	Medium	Low	Total
No recommendations raised	-	-	-	-

Prior Year Recommendations	High	Medium	Low	Total
There were no recommendations raised in 2021/22.				

1. Executive Summary



Conclusion

Overall Conclusion:

We have examined the records of Forth Valley College and have obtained such explanations and carried out such tests as we considered necessary. On the basis of our examination and of the explanations given to us, we report that the information set out in these forms is in agreement with the underlying records. We also report that, in our opinion, the College used these funds in accordance with the guidance issued by the SFC and SAAS. We are satisfied that the systems and controls of the administration and disbursement of these funds are adequate.

Summary of Income & Expenditure

The table below provides a summary of the income and expenditure for each of the funds and provides details of the fund position at the end of the year. Further detail on the expenditure incurred by fund can be found at Appendix A.

	SFC				SAAS
	Bursary	Discretionary	Childcare	Total	HE Discretionary
Income	2,771,217	621,887	243,612	3,636,716	150,528
Expenditure	2,321,197	612,003	243,612	3,176,812	150,528
Under/(Over) Spend	450,020	9,884	-	459,904	-

2. Benchmarking



We include for your reference comparative benchmarking data of the number and ranking of recommendations made for audits of a similar nature in the year ending 31 July 2022.

Benchmarking	High	Medium	Low	Total
Average no. recommendations in similar audits	-	1	-	1
Recommendations at Forth Valley College	-	-	-	-

As can be seen from the above table, the College has a lower number of recommendations in comparison to the colleges it has been benchmarked against.

3. Audit Arrangements



The table below details the dates of our fieldwork and the reporting of the audit area under review

Audit Stage	Date
Fieldwork start	11 September 2023
Closing meeting	21 September 2023
Draft report issued	28 September 2023
Receipt of management responses	29 September 2023
Final report issued	29 September 2023
Submission to Scottish Funding Council	29 September 2023
Audit Committee	21 November 2023
No of audit days	4

3. Audit Arrangements



We detail below our staff who undertook the review together with the College staff we spoke to during our review.

Wylie & Bisset LLP			
Partner	Graham Gillespie	Partner	graham.gillespie@wyliebisset.com
Director	Stephen Pringle	Director of Internal Audit	stephen.pringle@wyliebisset.com
Auditor	Kyle McGuinness	Internal Auditor	kyle.mcguinness@wyliebisset.com
Forth Valley College			
Key Contacts:	Allison Hewitt	Systems & Management Accountant	allison.hewitt@forthvalley.ac.uk

Wylie & Bisset appreciates the time provided by all the individuals involved in this review and would like to thank them for their assistance and co-operation.

A. Summary of Returns



Scottish Funding Council Return

Bursary Student Numbers & Expenditure								
	Students u18		Parentally Supported (At Home)		Parentally Supported (Away from Home)		Self-Supporting	
	Students	£	Students	£	Students	£	Students	£
Maintenance Allowances:	-	-	201	568,760	8	30,031	149	564,238
Residence Costs	-	-	0	0	0	0	0	0
Dependents Allowance	-	-	0	0	0	0	0	0
Study Expenses Allowance	-	-	80	7,414	2	154	55	7,085
Travel Expenses Allowance	-	-	22	14,533	2	931	110	70,846
Additional Support Needs Allowance	-	-	0	0	0	0	0	0
Total Numbers & Spend	-	-	204	590,707	8	31,116	149	642,169

A. Summary of Returns



Scottish Funding Council Return

Bursary Student Numbers & Expenditure						
	Care Experienced		Universal Credit		Non-Maintenance	
	Students	£	Students	£	Students	£
Maintenance Allowances:	135	82,552	132	123,256	9	32,513
Residence Costs	-	-	-	-	-	-
Dependents Allowance	-	-	-	-	-	-
Study Expenses Allowance	36	3,279	52	7,602	141	14,612
Travel Expenses Allowance	22	13,097	85	52,415	10	6,151
Additional Support Needs Allowance	-	-	-	-	1	1,728
Total Numbers & Spend	135	818,928	132	183,273	153	55,004
Total Bursary Funds Spent in 2022/23					2,321,197	

Scottish Funding Council Return

Discretionary Fund & Childcare Fund Expenditure						
	Discretionary Fund		Childcare Fund		Total	
	Students	£	Students	£	Students	£
At FE Level	736	612,003	53	155,248	789	767,251
At HE Level	-	-	33	88,364	33	88,364
Total	736	612,003	86	243,612	822	855,615

Auditors' Report

We have examined the books and records of the Forth Valley College and have obtained such explanations and carried out such tests as we considered necessary. On the basis of our examination and of the explanations given to us, we report that the information set out in these forms is in agreement with the underlying records. We also report that, in our opinion, the college used these funds in accordance with the Scottish Funding Council conditions. We are satisfied that the systems and controls of the administration and disbursement of these funds are adequate.

Principal's Signature: Kenny MacInnes
 Auditors' Name: Wylie & Bisset LLP
 Auditors' Signature: Wylie & Bisset LLP
 Date of Signature: 29 September 2023

Students Award Agency for Scotland (SAAS)

HE Discretionary Fund			
	Undergraduate Discretionary Fund	International Student Fund	Total
	£	£	£
Total funds available for disbursement	142,520	-	142,520
International Students Fund		8,008	8,008
Virement/Transfer from other Funds (HE only)	8,008	(8,008)	-
Total	150,528	-	150,528
Funds disbursed	150,528	-	150,528
Funds to be returned to SAAS	-	-	-

Auditors' Report

We have examined the books and records of the above institution and have obtained such explanations and carried out such tests as we considered necessary. On the basis of our examination and of the explanations given to us, we report that the information set out above is in agreement with the underlying records and in our opinion is in accordance with the relative statutory requirements. We are satisfied that the systems and controls of the administration and disbursement of these funds are adequate.

Appointed Auditor: Wylie & Bisset

Date: 29 September 2023

B. Grading Structure



For each recommendation we make we assign a grading either as High, Medium or Low priority depending upon the degree of risk assessed as outlined below:

Grading Classification	
High	Major Weakness that we consider needs to be brought to the attention of the Audit Committee and addressed by Senior Management of the College as a matter of urgency
Medium	Significant issue or weakness which should be addressed by the College as soon as possible
Low	Minor issue or weakness reported where Management may wish to consider our recommendation

Head Office

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Manchester

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Forth Valley College

Education Maintenance Allowance
2022 - 2023

+ September 2023



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The matters raised in this report came to our attention during the course of our audit and are not necessarily a comprehensive statement of all weaknesses that exist or all improvements that might be made.

This report has been prepared solely for Forth Valley College individual use and should not be quoted in whole or in part without prior written consent. No responsibility to any third party is accepted as the report has not been prepared, and is not intended, for any third party.

We emphasise that the responsibility for a sound system of internal control rests with management and work performed by internal audit should not be relied upon to identify all system weaknesses that may exist. Neither should internal audit be relied upon to identify all circumstances of fraud or irregularity should there be any although our audit procedures are designed so that any material irregularity has a reasonable probability of discovery. Even sound systems of control may not be proof against collusive fraud. Internal audit procedures are designed to focus on areas that are considered to be of greatest risk and significance.

1. Executive Summary



Introduction

This report has been prepared following the conclusion of our audit of the Educational Maintenance Allowance for the year ended 31 July 2023.

The audit certificate was submitted to the Scottish Funding Council (SFC) on 29 September 2023.

Summary of Recommendations

Current Year Recommendations	High	Medium	Low	Total
EMA Audit 2022/23	-	-	-	-

Prior Year Recommendations	High	Medium	Low	Total
There were no recommendations made on the EMA Audit 2021/22.				

Conclusion

Overall Conclusion:

We have examined the books and records of Forth Valley College, including evidence of checks of five percent of applications and payments, with a sample size appropriate to the total number of applicants, and have obtained such explanations and carried out such tests as we considered necessary. On the basis of our examination and of the explanations given to us, we report that the information set out in these forms is in agreement with the underlying records. We also report that, in our opinion, the College used these funds in accordance with the Scottish Funding Council's conditions and the principles of the Education Maintenance Allowance programme. We are satisfied that the systems and controls of the administration and disbursement of these funds are adequate.

2. Benchmarking



We include for your reference comparative benchmarking data of the number and ranking of recommendations made for audits of a similar nature in the year ending 31 July 2022.

Benchmarking	High	Medium	Low	Total
Average no. recommendations in similar audits	-	-	-	-
Recommendations at Forth Valley College	-	-	-	-

As can be seen from the above table, the College has the same number of recommendations in comparison to the colleges it has been benchmarked against.

3. Audit Arrangements



We detail below our staff who undertook the review together with the College staff we spoke to during our review.

Wylie & Bisset LLP			
Partner	Graham Gillespie	Partner	graham.gillespie@wyliebisset.com
Director	Stephen Pringle	Director of Internal Audit	stephen.pringle@wyliebisset.com
Auditor	Kyle McGuiness	Auditor	kyle.mcguiness@wyliebisset.com
Forth Valley College			
Key Contacts:	Allison Hewitt	Systems & Management Accountant	allison.hewitt@forthvalley.ac.uk

Wylie & Bisset recognises the time provided by all the individuals involved in this review and would like to thank them for their assistance and co-operation. We can confirm that all data requested was ready on our arrival and the availability and assistance provided by the involved staff was greatly appreciated.

3. Audit Arrangements



The table below details the dates of our fieldwork and the reporting of the audit area under review

Audit Stage	Date
Fieldwork start	11 September 2023
Closing meeting	21 September 2023
Draft report issued	29 September 2023
Receipt of management responses	29 September 2023
Final report issued	29 September 2023
Submission to Scottish Funding Council	29 September 2023
Audit Committee	21 November 2023
No of audit days	3

Name of College: Forth Valley College

Auditors' Report to the Scottish Funding Council for the Period from 01 August 2022 to 31 July 2023

We have examined the books and records of the above college, including evidence of checks of 5% of applications and payments, with a sample size appropriate to the total number of applicants, and have obtained such explanations and carried out such tests as we considered necessary.

On the basis of our examination and of the explanations given to us, we report that the information set out in these forms is in agreement with the underlying records.

We also report that, in our opinion, the College used these funds in accordance with the SFC's conditions and the principles of the Education Maintenance Allowance programme.

We are satisfied that the systems and controls of the administration and disbursement of these funds are adequate.

Signature: - Wylie & Bisset

Name of Firm: - Wylie & Bisset LLP

Date: - 29 September 2023

B. Grading Structure



For each recommendation we make we assign a grading either as High, Medium or Low priority depending upon the degree of risk assessed as outlined below:

Grading Classification	
High	Major Weakness that we consider needs to be brought to the attention of the Audit Committee and addressed by Senior Management of the College as a matter of urgency
Medium	Significant issue or weakness which should be addressed by the College as soon as possible
Low	Minor issue or weakness reported where Management may wish to consider our recommendation

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11. Quarterly Update on Cyber Security Landscape For Discussion

21 November 2023
AUDIT COMMITTEE

1. Purpose

To update the Audit Committee on the Landscape, Events, Actions and plans surrounding cyber security within the college.

2. Recommendation

That the Audit Committee consider and discuss the content of this report.

3. Landscape

The cyber-security landscape the college finds itself in is one in which the college is experiencing continual targeted attacks on our computer infrastructure from throughout the world. This is consistent with other colleges and universities in the UK. The risk levels remain very high, with continued high profile breaches of security. We continue to try and move forward with actions and initiatives, which aim to mitigate the risk. There has been a huge increase in the use of QR codes in email phishing campaigns. Some have impersonated some of the known Microsoft authentication processes. The motivation for stealing these user accounts is to commit data theft. Focus has moved to exploiting Office 365 in the cloud, in applications like Microsoft Teams.

4. Actions

- 4.1 [Protection of Computers from ransomware/malware](#) – The College continues to use Sophos intercept-X an advanced anti-virus/anti-malware product which detects and protects against malware and ransomware attacks. This will be renewed for another three years in February 2024.
 - 4.2 [Operating System Upgrades/Application Support](#) – We have undergone a major programme of retiring no longer supported operating systems and infrastructure. The newer operating systems have less vulnerabilities and are more secure. Operating systems reach end of life, where they are no longer patched for vulnerabilities. Microsoft Windows Server 2012R2 goes out of support at the end of October, and that has resulted in a lot of upgrades and change to the infrastructure. This has, and continues to be pressing in terms of staff resources, to get this work done to the timescales, without disrupting or compromising service.
 - 4.3 [3rd Party Support Procedures](#) have been improved, with specific processes for support implemented. That is a single method of remote support with tight protocols surrounding it's use.
 - 4.4 [Members of the Team attend all JISC Security Forums](#) - Diane Campbell and Graeme Robertson attend all JISC security briefings (Teams events) and their quarterly security update.
 - 4.5 [Policy changes in our Office 365 setup](#) has been implemented working with JISC.
 - 4.6 [Raise awareness of QR Codes being used in phishing campaigns](#)
-



11. Quarterly Update on Cyber Security Landscape For Discussion

21 November 2023
AUDIT COMMITTEE

5. Plans

- 5.1 **Disaster Recovery – All Systems Recovery** - We are carrying out a full recovery of all our system on to a private network/infrastructure by our backup Operations Group in October, with additional I.T. Staff being trained and carrying the same process in November. That is all directory services, all system and servers.
- 5.2 **Managed SIEM – Security Information and Event Management** continues to be implemented, following the change in the offering from JISC. This allows the collection of security events, to a central based server, where patterns and alarms are acted upon by a specialized 24x7 team within Jisc.
- 5.3 **Network Security – additional access controls (ACLs)** are being added by our network support partner Virgin Media Business, to prevent horizontal movement across the network, should the network be breached.
- 5.4 We continue to do work towards further Cyber Accreditation Awards (Cyber Essentials) through Jisc.
- 5.5 Third Party Penetration Testing of our firewall is being organized through Khipu Networks.

6. Equalities

Assessment in Place? – Yes No

If No, please explain why – There are no specific issues in relation to equalities within this paper.

7. Risk

Please indicate on the matrix below the risk score. Risk is scored against Impact and Likelihood as Very Low through to Very High.

	Likelihood	Impact
Very High		
High	X	X
Medium		
Low		
Very Low		

Please describe any risks associated with this paper and associated mitigating actions – The cyber risks to the college remain at a high level despite actions taken to mitigate.

Risk Owner – LMT

Action Owner – Graeme Robertson



11. Quarterly Update on Cyber Security Landscape For Discussion

21 November 2023
AUDIT COMMITTEE

8. Other Implications –

Please indicate whether there are implications for the areas below.

Communications – Yes No

Health and Safety – Yes No

Paper Author – Graeme Robertson

SMT Owner – David Allison

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12. Progress Report on Audit Recommendations For Discussion

21 November 2023
AUDIT COMMITTEE

1. Purpose

To update members on progress with the implementation of recommendations contained within internal and external audit reports.

2. Recommendation

That members note the content of the report and associated appendix.

3. Background

The College monitors progress against internal and external audit recommendations and reports on progress to each meeting of the Audit Committee. This report provides assurance to the Committee that the College is appropriately managing all internal and external audit recommendations.

4. Summary of Changes

There were two recommendations arising from the September 2023 meeting to add to the tracker. The attached annex contains an update on progress against recommendations.

As discussed at the May meeting, recommendations 1 and 2 remain on hold until such time as the external provider JISC can offer the training. These recommendations are included in the table below as "Live Recommendation passed implementation date".

2 recommendations have reached a stage where the college considers them to be completed.

All other recommendations are either within their original completion date or a revised date approved by the Committee.

The table below represents a summary of the current position of the recommendations as at 13 November 2023.

	No Priority	Priority 1	Priority 2	Priority 3	Total
Live within date	1	0	0	3	4
Live recommendation passed implementation date	0	0	0	2	2
Completed since last report to Committee	0	0	0	2	2

5. Resource Implications (Financial, People, Estates and Communications)

This is a summary report so there are no specific resource implications



12. Progress Report on Audit Recommendations For Discussion

21 November 2023
AUDIT COMMITTEE

6. Equalities

This is a summary report so there are no equalities implications

7. Communities and Partners

None

8. Risk and Impact

Please complete the risk table below. Risk is scored against Likelihood x Impact, with each category scored from Very Low through to Very High. Risks should be robustly scored and, if the combined score (Likelihood x Impact) is higher than the Board Risk appetite for the risk category identified, additional justification must be provided on why this risk is necessary.

If the paper is an approval, please reflect on whether the approval will have any direct or indirect impact for any other areas of operational activity internally or externally within the College – No

	Likelihood	Impact
Very High (5)		
High (4)		
Medium (3)		
Low (2)	X	X
Very Low (1)		

Total Risk Score – 4

The College has a Strategic Risk appetite for categories of risk as defined by the Board of Management. Decisions being taken at LMT/SMT/Board level must have cognisance of this. Please indicate the single most relevant risk category in the table below.

BoM Risk Categories & Risk Appetite (Select one area only)			
Cautious <15		Open 15> <20	Eager >20
Governance	X	Strategy	People
Legal		Financial	Project/Programme
Property		Reputational	
		Technology	

Audit recommendations continue to be actively managed by the College and are reported as a standing agenda item to the Audit Committee

Is the score above the Board Risk Appetite level? No

Risk Owner – Alison Stewart
Paper Author – Stephen Jarvie

Action Owner – Stephen Jarvie
SMT Owner – Alison Stewart

ID	Audit Name	Date of Audit	SMT Owner	Action Owner	Recommendation	Management Response	Priority	Evaluation	Scheduled Completion Date	Revised Completion Date	Evidence	Completed	
1	IT Network Arrangements/Cyber Security	Nov-21	David Alison	Graeme Robertson	A risk-based approach should be adopted to enabling critical logs to improve endpoint security. Examples of critical logs include: <ul style="list-style-type: none"> Local user and group enumeration. Logon attempts with local accounts. Logon with explicit credentials. Plug-and-play device connections (e.g., USBs). Process creation. File creation. PowerShell providers loaded. Script block logging. 	The College is currently on-boarding with Jisc to introduce a Security Information Events Management (SIEM) system, starting with logging at server level. It's planned to extend logging to key workstations once all parties are comfortable with how they system functions. This recommendation reflects where we are with our implementation.	3	<p>November 23 - The College has continued to engage with preparations for entering a SIEM, and updated logs have been provided to Jisc, however there is no confirmed date for onboarding.</p> <p>August 23 - No change at this time</p> <p>May 23 - JISC have had to radically change it's SIEM offering, which put a stop to onboarding. They recommended onboarding early May with the new service but there is no indication at this time when the College will be able to do so. Other JISC recommended tools (pingcastle) have been used and action in response to recommendations made.</p> <p>Nov 22 - We are awaiting a date from Jisc, with the provisional date of October having passed.</p> <p>Aug 22 - All preparatory work has been undertaken by the College, however this service is proving popular, and the college has a provisional date in Oct with Jisc.</p> <p>May 22 - On-boarding with Jisc to introduce a SIEM is progressing as planned.</p>	31/08/2022	TBC - Awaiting clarification from external provider - agreed with Audit Committee May 2018			
2	IT Network Arrangements/Cyber Security	Nov-21	David Alison	Graeme Robertson	Use manual testing methods (for example penetration testing or red team simulated cyberattack exercises) in addition to automated tools, such as network IDS / IPS of SIEM, to test and obtain assurance that vulnerabilities are identified and managed.	As per previous response, the College is currently on-boarding with Jisc to introduce a managed SIEM. Penetration testing will be re-introduced.	3	<p>November 23 - As above.</p> <p>August 23 - No change at this time</p> <p>May 23 - As above</p> <p>November 22 - As above</p> <p>August 22 - As above</p> <p>May 22 - As above</p>	31/07/2022	TBC - Awaiting clarification from external provider - agreed with Audit Committee May 2018			
3	IT Network Arrangements/Cyber Security	Nov-21	David Alison	Graeme Robertson	Mechanisms should be established for testing the effectiveness and value for money of the security training provided to staff. The areas of the organisation that regularly feature in security reports, or achieve the lowest feedback from information security questionnaires, should be targeted for further tailored training activity.	The IT Team will explore testing the effectiveness of training provided through the use of ethical phishing campaigns.	3	<p>November 23 - The IT Dept is currently developing a phishing campaign with our Computing curriculum team, primarily due to high costs quoted from external suppliers, which were offering very poor value for money.</p> <p>August 2022</p> <p>An ethical phishing campaign was developed and originally planned to be delivered in July 2022.</p> <p>While the materials are ready, it was realised that most staff would still be on leave at that point and the College didn't want the campaign to be lost in the usual start of term work.</p> <p>Subsequently, management will be seeking permission at the upcoming Audit meeting to extend the deadline to the end of November 2022 when staff will be settled into the new academic year, and staff will be more receptive.</p>	30/11/2022	31/12/2023			
4	IT Network Arrangements/Cyber Security	Nov-21	David Alison	Graeme Robertson	Explore how guidance for staff on how to manage their digital footprints safely and reduce the risk of becoming a target for attackers, both in a professional and personal capacity, and particularly through use of social media platforms can be made more widely available to staff and Board members. The Learning Digital Skills team delivering training as part of the agenda for Staff Development days should be considered.	The existing mandatory training course will be adapted to specifically highlight the risks associated with social media platforms, and consideration will be given to running targeted training on staff development days.		<p>November 23 - Revised course will be launched in December.</p> <p>August 2022</p> <p>Course content for the existing mandatory course has been written and passed to the course development team for training to be delivered</p>	31/08/2022	31/12/2023			
5	Freedom of Information	Apr-23	Alison Stewart	HR/Business Transformation Team	Management should review all staff records to ensure they have completed all mandatory training requirements. A process for reporting the completion rates of FOI refresher training should be developed to inform management of any gaps and support required to ensure this is completed. A process for reporting refresher training compliance rates from across the College should be developed with reports provided to the Board as part of wider FOI reporting.	The College is currently implementing a new HR system which will be key in ensuring the accurate and timely recording of all mandatory training.	3	<p>November 23 - New HR/payroll system now live. Reports are being presented to LMT detailing completion rates, highlighting areas of noncompliance, with progress on compliance rates being made. HR Business Managers report on department progress at regular intervals in their scheduled manager meetings. These statistics are also available to course owners on request. A new LMS to be used with ITrent is being considered which is designed to provide a fully integrated course and reporting process, thus providing point in time reports for line managers to monitor compliance.</p> <p>August 23 - New HR payroll system due to go live in October 2023. Mandatory training will be specific to roles. Reporting of training completed o/s will be built into the new procedures. Content of all mandatory training also being reviewed.</p>	31/12/2023		LMT reports - HR dashboard	Yes	
6	Freedom of Information	Apr-23	Alison Stewart	Stephen Jarvie	An annual Governance report encompassing Freedom of Information Compliance should be developed and formally reported to the Audit Committee. The report should include relevant FOI progress updates, as well as summaries of key compliance metrics relating to fulfilment of FOI requests and staff training. These metrics should also be included within the suite of performance data reported	This report format will be developed and delivered to the Audit Committee	3	<p>November 23 - On agenda for November 21 meeting</p> <p>August 23 - Format developed and included on agenda for November committee meeting. Will be marked as complete once presented to Committee</p>	30/09/2023	30/11/2023	Agreed at September 2023 Committee meeting		
7	Budgetary Control	May-23	Alison Stewart	Senga McKerr	The College should develop realistic medium-term financial plans and forecasts to supplement the annual FFR and help to identify and mitigate emerging risks to its medium to long term financial sustainability.	The ability to develop sensible medium term plans depends on receiving 3-year funding allocations. SFC has acknowledged that Budget plus one further year is sufficient, and this is expected to be the FFR requirement in June. We will discuss with the Finance Committee members the level of forward planning they would like to see and we will look to develop these plans when we have additional clarity around key assumptions.	3	<p>November 23 - discussion with FRAIC outstanding.</p> <p>August 23 - To be discussed at Finance, Resource and Infrastructure committee in Sept 23.</p>	30/11/2023				

8	Budgetary Control	May-23	Alison Stewart	Moira France	The College should develop a formal training programme for budget holders, and managers, which they are required to complete before they undertake their budget monitoring role. Detailed written procedures should also be developed.	Once the dEPM system is operational, all existing, and thereafter new budget holders and managers, will be given structured training by the Finance team.	3	<p>November 2023 - Training has been provided to all budget holders and other staff as appropriate. Certain individuals will require further guidance and this will be given prior to, and as part of, the Q2 forecasting exercise.</p> <p>August 23 - Training scheduled to be completed in September 23.</p>	30/09/2023	N/a	Schedule of training dates	Yes
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1. Purpose

To present members with the Strategic Risk register for the College.

2. Recommendation

That members note the content of the register attached to this paper and the actions taken to date.

3. Background

The College continues to monitor Strategic Risks to the College. These risks are discussed at LMT/SMT meetings and are also brought to each meeting of the Audit Committee.

In line with the College Risk Management Policy, specific separate risk registers can be created for significant projects or to provide information on specific large-scale risks.

4. Changes to the Strategic Risk Register

Following the last Audit Committee meeting of 7 September 2023, there have been the following changes.

Risk ID 1 – The score for this has increased to reflect the ongoing shortfall in capital funding for the College.

Risk ID 13 regarding the consultation is marked for removal as discussed at the last meeting.

Risk ID 12 regarding the Board Secretary has been added to the register as requested at the last meeting of the Board of Management.

5. Resource Implications (Financial, People, Estates and Communications)

The register itself does not require significant resource to manage however mitigating actions may require additional resource on a case by case basis.

6. Equalities

Assessment in Place? –No

The Risk Registers do not require equalities impact assessment. Individual risks may result in Equalities assessments being completed for new/revised College policies and procedures.

7. Communities and Partners

Not applicable



8. Risk and Impact

Please complete the risk table below. Risk is scored against Likelihood x Impact, with each category scored from Very Low through to Very High. Risks should be robustly scored and, if the combined score (Likelihood x Impact) is higher than the Board Risk appetite for the risk category identified, additional justification must be provided on why this risk is necessary.

	Likelihood	Impact
Very High (5)		
High (4)		
Medium (3)		
Low (2)	X	X
Very Low (1)		

Total Risk Score – 4

The College has a Strategic Risk appetite for categories of risk as defined by the Board of Management. Decisions being taken at LMT/SMT/Board level must have cognisance of this. Please indicate the single most relevant risk category in the table below.

BoM Risk Categories & Risk Appetite (Select one area only)			
Cautious <15	Open 15> <20	Eager >20	
Governance	Strategy	X	People
Legal	Financial		Project/Programme
Property	Reputational		
	Technology		

Risk continues to be comprehensively managed and reviewed, including comparing risk scores against the Board risk appetite levels, on an ongoing basis.

Is the score above the Board Risk Appetite level? No

Risk Owner – Kenny MacInnes

Action Owner – Kenny MacInnes

Paper Author – Stephen Jarvie

SMT Owner – Kenny MacInnes

No	There is a real or perceived risk that...	Risk Management and Mitigation				Owners				Initial Risk Score			Score After Mitigation			Board Risk Appetite			
		Causes	Potential Consequences	Mitigating Actions	Actions/Progress to Date	College Committee	Board Committee	SMT Risk Owner	Action Owner	Likelihood	Impact	Risk Score	Likelihood	Impact	Risk Score	Change to score since last meeting	Risk Category	Board risk appetite compared to mitigated score	Date Added and Date Score Updated
1	We are unable to maximise the long term return on investment on the College estate	<ul style="list-style-type: none"> - Insufficient capital maintenance funding from SFC - Changes in working practices impact on demand - lack of stakeholder engagement in the new campus facilities 	<ul style="list-style-type: none"> - We are unable to maintain our estate to an acceptable standard - Impact on Student Experience - Creation of backlog maintenance - Loss of commercial income 	<ul style="list-style-type: none"> - Effective monitoring of lifecycle maintenance programme - Continue to secure best value for TFM contract - Development of commercialisation strategy - Review of campus utilisation - Maximising the legacy status of the Falkirk campus with project lead-in the Falkirk growth deal and for future inward investment 	<p>November 23 - A backlog maintenance survey for all campuses has been complete, and shared with SFC. The Estates team is prioritising the results of this survey to establish key risks.</p> <p>August 23 - AECOM contracted to commence work on ensuring best value when renewing our FM contract, including a full options appraisal of the current TFM contract.</p> <p>May 23 - A survey of all of our campuses has now been undertaken to identify current backlog maintenance, and enable more effective maintenance planning and budget forecasting. Our current position will be shared with SFC as there is a current assumption that FVC has no backlog maintenance as we have 'newer' campuses.</p> <p>Oct 22 - Initial funding to survey building energy usage has been secured, which links to Net Zero, however appropriate building maintenance funding from SFC remains an issue.</p> <p>Aug 22 - Seeking alternative funding streams linked to Net Zero. College have heads of terms for a transition skills project through the Falkirk growth deal and the building is an intrinsic attractant for the project, however appropriate funding from SFC for ongoing maintenance remains an issue.</p> <p>May 22 - Insufficient funds in capital grant. Currently prioritising whilst diversifying funding streams .</p> <p>Nov 21 - Highest priority lifecycle maintenance needs are being met through our 2021/22 Capital allocation.</p> <p>Aug 21 - Highest priority lifecycle maintenance needs are being met through our 2021/22 Capital allocation. Agreed appointment of Commercialisation and Skills Director with role to maximise Estates activity.</p> <p>Apr 21 - Available capital allocation has been prioritised to cover the highest priority lifecycle maintenance in AY 21/22. Lifecycle maintenance for the next 5 years, particularly for Alloa and Stirling, is being reviewed by Head of Estates. There are quarterly review meetings of our TFM contract to ensure best value.</p>	LMT	F	P	VPIC	H	VH	20	VH	VH	25	↑	Financial	20	Apr-21
2	We are unable to maintain financial sustainability	<ul style="list-style-type: none"> - Political/regulatory changes - Changes in funding streams - Insufficient funding from Scot Gov/SFC to support core College activities - SFC new funding model potentially - Failure to meet commercial or student enrolment targets 	<ul style="list-style-type: none"> - Inability to deliver high quality learning - Inability to react to changing economic and local environment - Inability to maintain College infrastructure - Impact on College performance indicators - Reputational Damage 	<ul style="list-style-type: none"> - Principal and Chair represented on sector groups to lobby SFC/Scottish Government - VPBI has strategic relationships with key stakeholders - Regular reporting on financial position to Leadership Team, Finance Committee and the Board 	<p>November 23 - Q1 forecast completed and overall in line with budget. Still awaiting announcement for allocation of FWDF. SMT have started scenario planning for 24/25 with an expectation that "flat cash" is best case scenario.</p> <p>August 23 - Consultation process was completed in June 2023 and 26.75fte removed from the establishment. A balanced budget for 2023/24 was presented to the BoM in June 2023 which incorporated these savings. However, with an assumption of flat cash and unaffordable pay awards further savings will be required for 24/25 and 25/26. Chair of Board of Management has written to SFC, CEO</p> <p>May 23 - The indicative funding settlement of flat cash is challenging and the College has launched a consultation to remove 26.75fte from the establishment. Work continues to identify operational savings together with growing our commercial activities. The sector continues to lobby for 3 year funding settlements in order to effectively plan beyond one year.</p> <p>November 22 - Current financial projections show significant ongoing deficits on the basis of flat cash funding and unfunded pay awards. Chair of BoM has written to SFC on behalf of the Board seeking a meeting to discuss.</p> <p>August 22 - Board have approved the budget for 22/23 showing a small surplus and have agreed the transfer of last years surplus into the ALF. However since then it has been identified inflation is running at higher levels than anticipated, particularly in relation to gas and electricity, SFC have been asked to look at in year cuts to funding, budgeted pay award will be unacceptable to Unions and future allocations will be flat cash at best going forward for the next 3 years. Increased commercial activity will offset this to a limited extent.</p> <p>May 22 - Indicative allocations announced in March 22. Consultation for FVC transformation and restructure approved by the Board and launched 10 May to reduce headcount by 41fte. Once complete we will be financially sustainable for 2022/23. Awaiting final allocation for 2022/23 and outcome of 3 year spending review.</p> <p>Nov 21 - No further update from SFC. Awaiting Scottish Government budget announcements in Dec 21. SMT working on a number of scenarios for savings/efficiencies.</p> <p>August 21 - All instructor assessors have been converted to lecturers. Applications/Enrolments for FA and HEI courses for 21/22 are down. Both of which will put pressure on the 21/22 Budget. SFC Financial Forecast Return (FFR) request issued in August 21 states that forecasts for 21/22 should be prepared on the basis of FA are funded from core credits which is in effect a cut in funding of over</p>	LMT	F	P	VPFACA	VH	VH	25	H	VH	20	↔	Financial	20	Apr-21
3	National bargaining adversely impacts College staffing relationships and finances	<ul style="list-style-type: none"> - National bargaining process removes ability to implement local agreements - Issues at national level can impact on local union relations 	<ul style="list-style-type: none"> - Impact on staff morale due to delay in implementation of pay awards/job evaluation - Action Short of Strike/Strike Action impacts on student experience - Reputational Damage 	<ul style="list-style-type: none"> - Ongoing engagement with local union representatives and Employers Association 	<p>November 23 - No further progress has been made, although management side have now offered a 3 year deal. Scottish Government maintaining there is no additional funding available. EIS are likely to go out to ballot again in December for action short of strike/strike action to start in January 2024.</p> <p>August 23 - No further progress has been made in terms of settling the 2022/23 pay award. ASOS being undertaken by EIS since June 2023.</p> <p>May 23 - The College Management continues to engage with our Union partners at a local level and is building strong communication and engagement links. NJNC negotiations are taking place for 22/23 pay deals. Ballot for Industrial action has resulted in Action Short of Strike Action commencing from 2nd May and will run until September. The College will monitor the impact of ASOS but no current counter action is being taken. EIS-FELA also has a mandate for full strike action. Full strike action has not yet been implemented. Support staff job evaluation is still ongoing. The College has launched a consultation with staff on the 3rd of May. Consultation is based on achieving a balanced budget for 23/24 against a flat cash settlement and a 10% reduction in credits. Management will continue to engage with both Unions through the consultation process.</p> <p>Oct 22 - The College Management continues to engage with our Union partners at a local level and is building strong communication and engagement links. Restructure of departments is continuing to be imbedded and staff are continuing to be supported where there have been changes in structure. Positive start to the academic year. Nationally the NJNC negotiations are taking place for 22/23 pay deals and support staff job evaluation is still ongoing.</p> <p>Aug 22 - Transformation consultation now completed with no compulsory redundancies. Restructure across both teaching and Corporate Services staff with no negative feedback received on the process from EIS-FELA or Unison. 21/22 national pay dispute resolved. However EIS-FELA are seeking a £5k increase at each scale point for 22/23 while the offer in line with public sector pay is £500. Given inflation pressures and pay awards in other areas of the public sector this could lead to further disputes. New monthly LNCC and JCC meeting schedules arranged for academic session 22/23.</p> <p>May 22 - Dispute resolved. 14 seats made lecture roles against new lecturer role profiles of 18/6/21. Monthly LNCC and JCC</p>	LMT	HR	P	VPFACA	VH	H	20	H	H	16	↔	People	25	Apr-21

Unlocked

Forth Valley College Strategic Risk Register

4	We fail to deliver a high quality learning experience and meet targets of outcome agreement	<ul style="list-style-type: none"> - Failure to deliver upon digital learning strategy - Curriculum fails to meet need of students/employers or other stakeholders - Inability to access campus resources owing to Pandemic - Failure to provide required support levels for individual student needs 	<ul style="list-style-type: none"> - Impact on student experience with blended learning - Impact on student retention and attainment - Impact on College meeting credit and PI targets - Impact on student recruitment - Reputational damage with key stakeholders such as SFC - Failure to meet sustainability ambitions 	<ul style="list-style-type: none"> - Implementation of the Digital Skills Academy - Success of Project NxGen - Student Engagement and Feedback - Effective staff structures to support the student experience - Milestone dates for meeting with Springback project leads and working groups to test progress 	<p>November 23 - LDSA transition plan now in implementation phase to sustain benefits of LDSA after June 24. CCI Process has been reviewed and now evidences curriculum alignment with regional skills requirements. CCI Process now evidences equality impact of curriculum changes, includes approval process for changes to curriculum and evidences contribution of Listening to Learners. Development of new Student Learning Experience Strategy has commenced and aim is for draft in March 24.</p> <p>August 23 - LDSA targets mostly on track although reduction in mentors for 23/24 could have an impact on achievement of targets. Staff uptake of Digital Skills tools remains challenging. CCI process remains effective in curriculum review and planning and confidence across departments that course portfolio meets the needs of regional workforce and stakeholders. Student support needs continues to increase each year and resourcing of these is challenging. This could have an impact upon PI's. Early joint working between ISS and academic departments is crucial for resource maximisation.</p> <p>May 23 - Continuous Curriculum Improvement process continues to sit at the centre of curriculum review informing decisions on curriculum change and improvement. The Course review tool and PI tracker was used in identifying courses to be reviewed in the current consultation. This ensures the College's portfolio of programmes are efficient and relative to our students, regional employers and partners, whilst meeting our 10% reduction in credit deliver for 23/24.</p> <p>Oct 22 - Excellent feedback from Education Scotland in our Annual Engagement visit in October highlighting the College is delivering high quality learning experience. The College's analytics tools came in for high praise as well as the implementation of the new Learning improvement Facilitator role.</p> <p>Aug 22 - Hybrid learning now launched as well as Digital self-assessment tool. LDSA team delivering hybrid learning support training. Student portal launched for on-boarding and student information app CampusM app launched. LDSA funding now in place and team fully staffed. LDSA Ambitions on target. Teaching pods launched to support hybrid learning. In September we are launching a pulse survey to support our cultural strategy.</p> <p>May 22 - LDSA has received funding for another 2 years from the College's ALF. LISEC established and monitoring the Student Journey Project. Student President sits on LISEC as Student Voice. Digital Skills self-evaluation tool now launched. ISS receiving excellent feedback from Departments. LDSA project to launch Hybrid Learning on target. Moodle upgrade completed and teaching materials</p>	LIPSEC	LSE	P	VPULSE	H	VH	20	M	VH	15	Strategy	20	Apr-21
5	Fuel Change investigation identifies governance issues related to the project resulting in SFC involvement and reputational damage to the College.	Internal Auditors findings identify poor College adherence to governance and financial procedures.	Damage to College reputation. Impact in relationship with SFC and external partners.	Full internal investigation launched. Internal Auditors engaged to carry out independent audit on Fuel Change project. Quick resolution of issues raised. All mitigations quickly acted on.	<p>November 23 - All ties with Fuel Change now completely severed. Director with Fuel Change responsibility dismissed from FVC. Lessons Learned report submitted to BoM and SFC. Police and OSCR informed in June 23. ROSI return completed to SFC.</p> <p>August 23 - Internal Audit investigation completed and Board fully informed of outcome. Relationship with Paradigm Futures now terminated with immediate effect. All College activity related to Fuel Change now ceased with immediate effect. Internal College investigation completed. SFC continue to be updated and lessons learnt report being submitted to Board in Sept 23. All relevant parties informed.</p> <p>May 23 - Internal audit investigation initiated. Verbal feedback to be given to Audit Committee on 18/5/23.</p>	SMT	A	P	P	M	H	12	M	M	9	Reputational	20	May-23
6	The college will not be able to secure student accommodation for the upcoming academic year. This could result in the loss of ECITB and other tendered programs.	The college has no student accommodation of its own. There is only one hotel that tenders each year for the college's student accommodation. The hotel may not be willing to tender again, or may not be able to offer the same level of accommodation in the future.	The college may not be able to offer student accommodation to all students requiring it. The ECITB program could be affected by not having accommodation. The college's reputation may be damaged if it is unable to provide student accommodation.	Early and widening of the tender ahead of the upcoming academic year. The college should look at the possibility of building or leasing student accommodation. The college should develop a contingency plan in case the hotel is unable to offer accommodation.	<p>November 2023 - No further update</p> <p>August 23 - initial discussion Cetris as to what commercial terms look like for student accommodation</p>	LMT	F	VPBI	DASC	M	H	12	L	H	8	Financial	20	May-23
7	A major incident prevents the College from operating	<ul style="list-style-type: none"> - Loss of access to campuses - Loss of access to IT from network issues or cyber attack 	<ul style="list-style-type: none"> - Inability to deliver learning and teaching and the impact on student experience - Additional costs (including ransomware demands) - Staff morale from uncertainty over College reopening - Data protection and other legal issues - Reputational damage 	<ul style="list-style-type: none"> - Business Continuity Plan which is regularly tested - Specific IT cyber security plan and IT business continuity plan - Regular testing of Health and Safety systems inc fire drills 	<p>November 23 - Controls implemented to stop horizontal travel between servers should access be gained to any of our servers.</p> <p>August 23 - Further preparatory work undertaken with Jisc to implement a managed Security Information & Event Management system.</p> <p>May 23 - IT Incident Response Plan and flowchart have been updated and reviewed by the Information Governance Group.</p> <p>Oct 22 - IT Security playbook has been developed, and has been tested within the IT Team. Further testing will link to the College's Business Continuity Plan.</p> <p>Aug 22 - Business Continuity audit on Covid 19 highlighted excellent practice. Further testing will be undertaken in 22/23.</p> <p>May 22 - The Covid 19 experience has shown our Business Continuity process can work. Further trialling to be undertaken in 22/23.</p> <p>Nov 21 - An IT Security and Network audit has been undertaken by our internal auditors, with a rating of satisfactory. A number of minor recommendations were made, and are being addressed by the IT Team.</p> <p>Aug 21 - Updated IT Security Policy has been approved. We are currently on-boarding with Jisc to introduce a managed Security Information and Event Management (SIEM) system which will monitor logs of servers and key desktop PCs.</p> <p>Apr 21 - Additional IT security measures have been introduced to reflect increased remote working. IT Security policy is being updated to reflect these changes. IT Security Incident Response procedure is being updated to reflect current best practice.</p>	LMT	B	P	VPIC	H	H	16	L	H	8	Governance	15	Apr-21
8	We are unable to deliver on the ambitions of the People Strategy	<ul style="list-style-type: none"> - Changes to staffing establishment impacting on succession planning - Impact of Covid on staff time - Increase in demand for wellbeing support - Inability to recruit/retain staff - Long term affordability of staffing 	<ul style="list-style-type: none"> - People strategy not achieved - Increased staff absence/decreased staff morale - Staffing establishment not adequate to meet operational requirement 	<ul style="list-style-type: none"> - Additional support mechanisms - employee counselling system, mental health ambassadors, carers support forum, signposting to training and wellbeing support days in place. A dedicated space has also been created on SharePoint - Initiatives such as time for me, weekly recharge - Increase in flexible working and staff autonomy - Futures programme to deliver effective and efficient structures 	<p>November 2023 - no further update.</p> <p>August 2023 - Consultation completed and the required savings delivered. However due to the annual budgeting process consultations are becoming an annual process which is impacting on staff morale. Mental Health and wellbeing continues to be a key focus. Also a workload impact assessment for lecturers, CMs and departmental administrators was undertaken and outputs currently being reviewed with a view to reduce workloads.</p> <p>May 23 - People Strategy approved in November 22.</p> <p>November 22 - A new People Strategy will be taken to the HR Committee in November 22 for approval. Funding in the current climate will be a challenge, however funding has been secured from Forth valley College Foundation to support workforce resilience and wellbeing.</p> <p>August 22 - Consultation completed, the objectives were achieved and the College now has a stable financial position. we are now in the process of revisiting the People Strategy at the same time we have launched a wellbeing personal assessment which will give a high level position for the College and a separate confidential statement for each member of staff completing the document. In September we are launching a Pulse survey to support our cultural strategy.</p> <p>May 22 - Consultation document launched in May 22 will have impact on staff morale, particularly on the academic staff.</p> <p>Nov 21 - A detailed report has been produced for the HR committee showing our progress in meeting the people strategy. Extensive work has been done in health and wellbeing and in staff development. An audit of our recruitment and succession planning approach supported our position as being on track. Morale continues to be a key point of focus with wellbeing, training, structure, and management forming key elements of the support in place</p> <p>August 21 - Revised LMT structure implemented from 1 August 21 to improve succession planning for SMT. Hybrid working pilot to be implemented following October break.</p> <p>May 21 - weekly recharge and time for you initiatives extended to July 21. Springback project launched and will look at increased flexible working.</p>	LMT	HR	VPFACA	HHR	H	H	16	L	H	8	People	25	Apr-21

Forth Valley College Strategic Risk Register

9	Failure to grow and influence strategic partnerships impacts on our reputation as a partner of choice	- Insufficient resource - Competition from other providers - Inability to adapt to changes in the political/economic environment	- Loss of commercial income - Reduction in Modern Apprentices/Foundation Apprentices - Lack of influence at a regional level - Curriculum becomes outdated	- VPBI works closely with Scottish Government/SFC/SDS and other key stakeholders - FVC key partner in City Deals/Investment Zone activity across the region - Project NxGen	<p>November 23 - SMT format working well with clear areas of responsibility and operational objectives identified. Compex satellite project now established with launch imminent. Falkirk Growth Deal STC OBC now submitted. Awaiting feedback to start on FBC. FVC has highest sector PIs for FT FE and 2nd highest for FT HE in 21/22. College has received a very positive Education Scotland AEV report: Satisfactory with Progress is the highest result achievable. College has just won the ECI Approved Training Provider of the year for 2023. BP VQ international work contract now signed off. Falkirk Growth Deal has an additional £10 mill. FVC working in partnership with Forth Ports for application submission. Principal continues to make strategic connections.</p> <p>August 23 - SMT/LMT areas of responsibility now reviewed. New structure with key areas of responsibility identified for each SMT in place for start of new academic session. Strategic objectives now set and new stretch targets set for ASC. MA up by 10% and commercial increased. BP VQ work secured. Compex satellite opportunity being taken forward with SERC NI. New Principal making stakeholder/partner engagements. Minister for HE,FE and Veterans visiting 21st Aug 23. Growth Deal Skills Transition Centre being worked through with key partners. Curriculum review identifying growth areas in STEM and Health and Social care.</p> <p>May 23 - New Principal is reviewing SMT/LMT areas of responsibility. KM will review strategic objectives with Director of ASC. This will be completed for start of academic session 23/24.</p> <p>Oct 22 - This continues to be managed by SMT and the DCS.</p> <p>Aug 22 - Role for SMT and the Director of Commercialisation and Skills (DCS) and a strategic objective in the new strategic plan 22-26 to support being at the heart of economic recovery. This can be evidenced with a number of projects.</p> <p>May 22 - Positive start to 2022 in a number of strategic projects developing. Consultation and new structure for Commercialisation and Skills (formerly Business Development). New systems in place to improve efficiency and performance.</p> <p>Nov 21 - Director of Commercialisation & Skills appointed and will start in January 2022. BP Senegal project is in place and started. Fuel Change has received commitment from Scottish Government to progress from pilot to implementation phase. Falkirk investment zone is progressing. Scottish International Environmental Centre will be locating into our Alloa campus.</p> <p>August 21 - Director of Business Development & Strategic Relationships role has been split into 2 roles; Director of Commercialisation & Skills which will focus on increasing commercial activity and Director of Strategic Partnerships & Regional Economy which will focus on strategic funding opportunities.</p> <p>April 2021 - 4C* collaboration in place and delivered on nTTF** and YPG***, relationship will continue into 21/22. Progressing work in</p>	LMT	B	P	P	M	H	12	L	H	8		Strategy	20	Apr-21
10	SQA Maladministration and malpractice could impact on College's ability to offer courses	- Failure to have robust processes and staff understanding in place to ensure compliance with awarding body criteria	- Reputational damage - Investigation from SQA resulting in loss of awarding body status or other special measures	- Internal audit review of quality processes - Learning and Quality department in place with quality policy and procedures - Procedure for internal verification in place - Ongoing training	<p>November 23 - current ASOS period has now ended and almost all results have been successfully submitted. There have been 2 instances of potential malpractice identified due to malpractice and these have been reported to SQA. Plans are underway to scope how we can mitigate future ASOS mandates. Ballot for ASOS has been raised and could run from Feb-July 24.</p> <p>August 23 - SMT aware that ASOS could increase risk of malpractice and actions in place to manage and mitigate this risk</p> <p>May 23 - Training now rolled out across College and part of College mandatory training programme. Audit now complete and implementation of findings complete. On-going monitoring of incidences of Malpractice/Maladmin.</p> <p>Oct 22 - Audit details still to be finalised. All other actions now closed off.</p> <p>Aug 22 - All SQA and internal review actions completed and response sent to SQA. All internal actions from Malpractice review, including training for staff, now closed out. Internal audit not yet completed. Completion date to be finalised with Auditor.</p>	LMT	LSE	P	VP LSE	M	H	12	L	H	8		Reputational	20	May-22
11	New Principal is inexperienced and handover process does not run smoothly creating reputational risk to the College.	New to the role and inexperienced in role requirements.	Damage to reputation. Impact in relationships internal and external.	Extensive handover with outgoing Principal. New Principal is internal candidate so knows College processes and procedures well.	<p>November 23 - Now 6 months in post. Continue to meet weekly with Interim-Chair. Have met with a number on Principals and established contact and relationships. Now a member of SLWG for Funding and Infrastructure and Tripartite Alignment Group reviewing College funding. Continue to ensure SMT updated and consulted.</p> <p>August 23 - Weekly meetings with Chair continuing. Visiting other Principals to build own network of support.</p> <p>May 23 - Weekly meeting with Interim Chair established. Handover process being followed. SMT and LMT processes and meeting schedules continuing to ensure continuity in College business.</p>	SMT	B	P	P	M	H	12	L	H	8		Governance	15	May-23
12	Board Secretary arrangements are not in line with the code of good governance	Conscious decision by the BoM for the VPFCA to have dual role.	Governance issues not being highlighted to the BoM	Depute Board Secretary can report issues to Chair. Also Board Secretary, Depute Board Secretary and members of SMT, excluding the Principal to meet with SIM on an annual basis.	<p>November 2023 - Meeting with the SIM arranged for after the December 2023 Board Meeting</p>	N/a	B	VPFCA/ Board Secretary	VPFACA	L	M	6	VL	M	3	New risk added	Governance	15	Sep-23
13	Consultation does not deliver required savings or creates reputational risk to the College.	Further reductions to College funding in final allocations in May 23. Processes and procedures not adhered to through process.	Damage to reputation. Impact in relationships internal and external: Union relations, stakeholder relations.	LMT oversight of process, timelines and decisions through consultation processes. Quick resolution of issues raised. All mitigations quickly acted on.	<p>November 23 - Remove this risk</p> <p>August 23 - Consultation complete and all savings realised. No compulsory redundancies required.</p> <p>May 23 - Weekly updates to LMT from DoCs and Head of HR. Weekly review of adherence to timelines. Quick resolution of issues raised. All mitigations quickly acted on.</p>	LMT	F	P	VPFACA	L	H	8	VL	M	3		Financial	20	May-23

Uncontrolled



1. Purpose

To provide an overview of Complaints, Data Protection and Freedom of Information activity for academic year 2022/23.

2. Recommendation

That members review and note the content of this report.

3. Background

In previous years, reports have been brought to Board Committee level covering complaints (via HR Committee) and, more recently, data protection activity (via Audit Committee) within the College to provide assurance that the College continues to meet its legislative responsibilities and identifies any lessons learned to improve the services provided.

In the academic year 2022/23, the College internal auditors also recommended that Freedom of Information should also be reported on. The College agreed with this recommendation and has developed this compliance report to cover all these areas.

It is the intention to present this report annually to the Audit Committee for members consideration.

4. Key Considerations

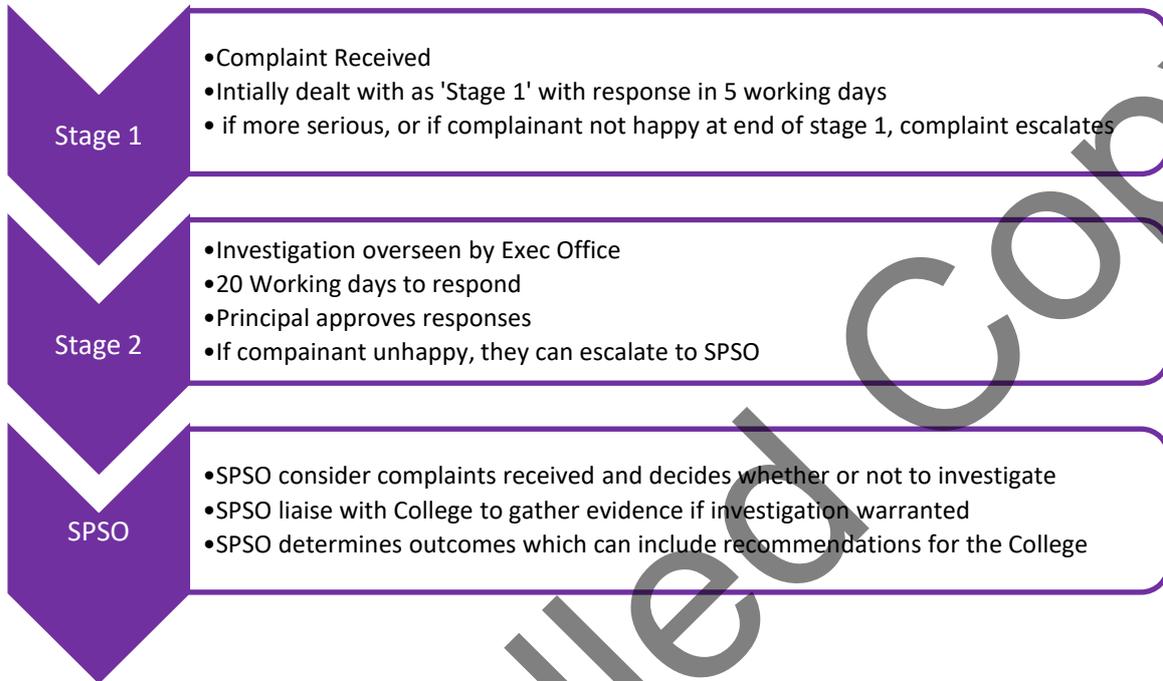
4.1 Complaints

As noted in previous reports, the data presented here and anonymised in Appendix 1 covers complaints which have been received by, and dealt with, by the Executive Office and the Principal.

There are also lower level complaints which are dealt with routinely by operational staff and, in line with the College's complaints handling process as set out by the Scottish Public Sector Ombudsman (SPSO) in their Model Complaints Handling process which the College adopted, complaints received by the executive office which can be addressed at a departmental level are referred as appropriate.

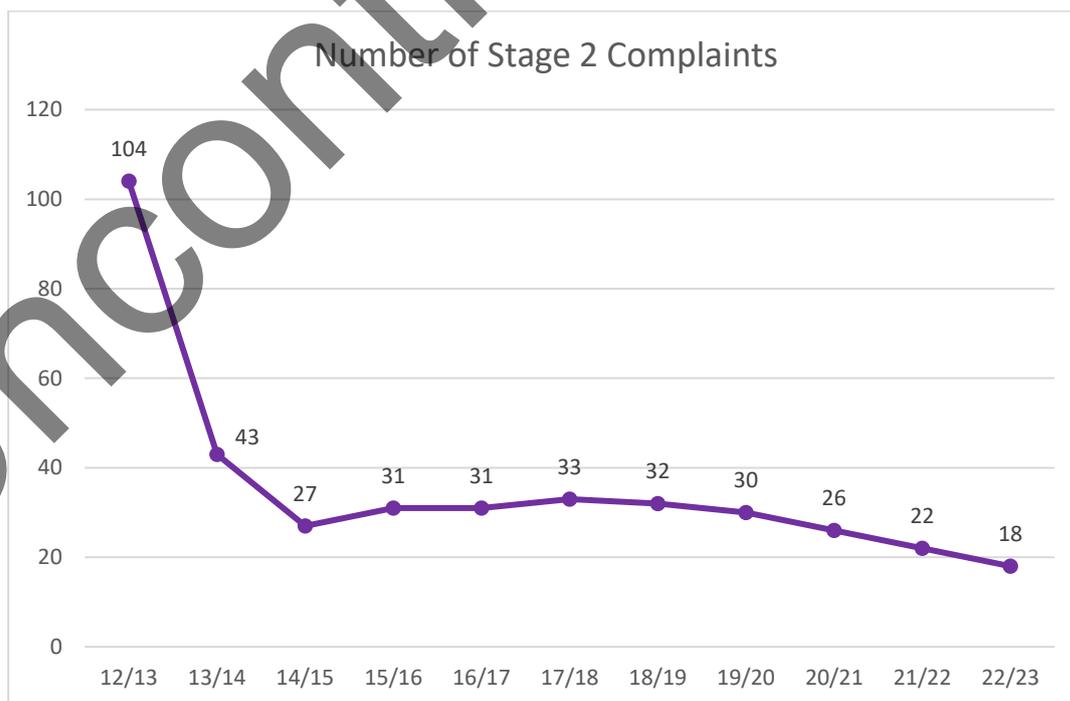
For fuller information on the College complaints handling process, please see - <https://www.forthvalley.ac.uk/about-us/governance/complaints/>

In brief, the complaints handling process is as follows –



2022/23 Complaints

The number of complaints received by/or dealt with at the Executive Office level has remained relatively stable compared to previous years.



It should be noted that the figures above do not include multiple complaints from single individuals in relation to any one topic. For example, of the 18 complaints outlined above and listed in Appendix 1, 3 of the 18 came from individuals who made multiple complaints on their chosen topic and took up significant staffing time to manage.

Trends

The College maintains an overview of complaints to ascertain if there are any trends developing which would indicate that a particular area/service/process requires reviewing and updating.

For 2022/23 there were no clear trends relating to College actions, however there continued to be complaints from students who were not engaging throughout the year but who then go on to blame lecturing staff toward the end of the academic year when they realised the amount of work needing to be completed. This despite a number of instances where the complaint investigation demonstrated that the lecturing staff had put in additional support options which were not utilised.

4.2 Data Protection

4.2.1 Data Breaches

The College has a process in place for the recording, and if necessary, investigation of potential data breaches.

The team consists of the Vice Principal Infrastructure and Communications, the Corporate Governance and Planning Officer, and the College Data Protection Officer (DPO). For info the DPO is an externally provided service.

Upon notification of a breach or potential breach, this group and any other relevant staff will assess the breach and whether or not it is notifiable to the Information Commissioners Office (ICO) and the subjects of a breach.

There were 8 reported data incidents in 2022/23, all but one of which involved email in some form. Appendix 2 contains a brief overview of these.

Given the prevalence of email related issues outlined in Appendix 2, and the fact that most staff involved realised the problem very shortly after hitting "send", the College has been investigating methods to mitigate this.

The College will be piloting at policy level, an email system hold which means after a staff member hits "send" the email will remain in their outbox for a period of 5 minutes before leaving their email. This will provide time for staff who realise their error to address this and delete the message before it is sent. For staff wishing to send a time bound email, the system can be overridden on an email by email basis.

Staff also undergo data protection training every 2 years as part of mandatory training the these materials are currently under review to reflect the incidents the College is seeing and the mitigations for these.

4.2.2 Individual Data Protection rights.

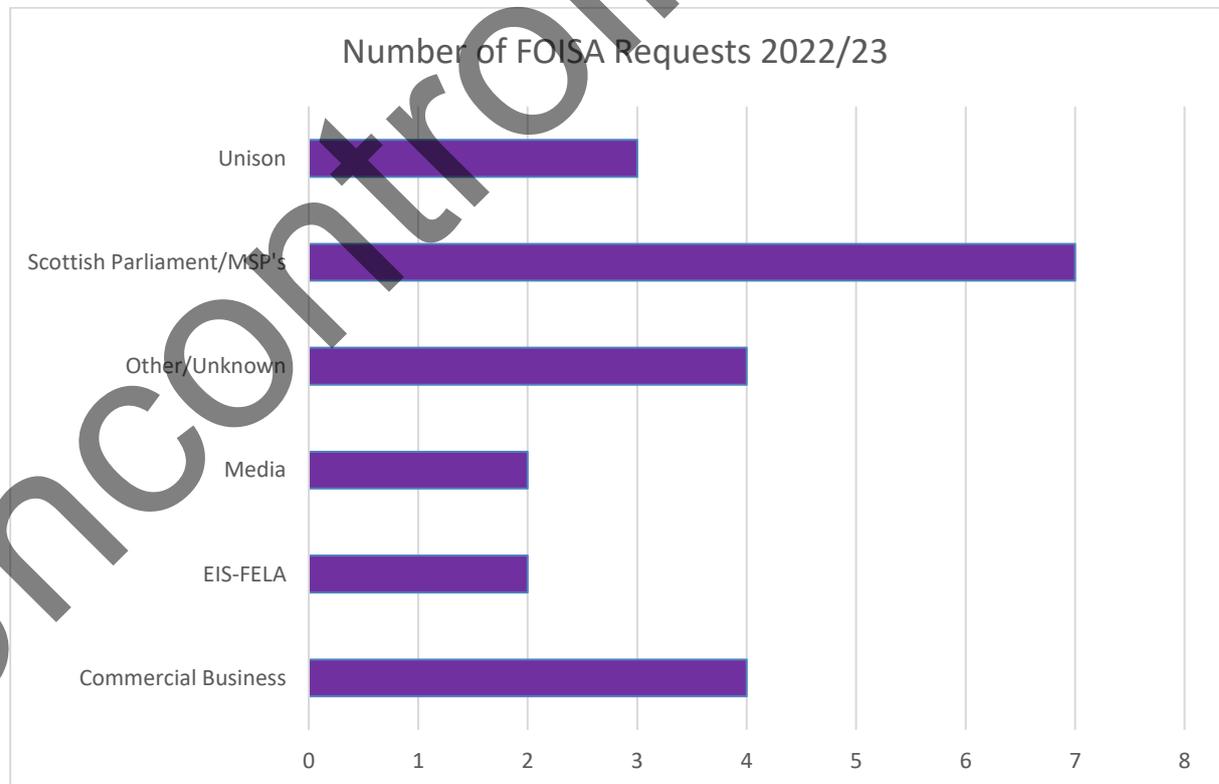
There were two subject access requests from staff in 2022/23. One was completed within the normal statutory timeframe however the College had to use the extension progress for the other given the complexity of the request.

The College also received one request under the right to be forgotten from a previous student, which was successfully actioned.

4.3 Freedom of Information

The College receives a number of requests under the Freedom of Information (Scotland) Act 2002 over the course of a year. For 2022/23, there were 22 requests received. Of these requests, 21 received a response within the statutory timeframe, with one response being two days late.

Appendix 3 shows a breakdown of types requests received and the table below shows a rough classification of the sources of the requests.



5. Resource Implications (Financial, People, Estates and Communications)

While the number of requests across each of the areas outlined in section 4 and the appendices to this report are low, this does disguise the amount of staff time involved.

Depending on the complexity, investigations can take a significant amount of staff time to successfully conclude. There can also be legal costs in some cases as lawyers advice may be sought.

6. Equalities

Who does this impact? There is no change proposed in this paper

7. Communities and Partners

This paper and appendices will be published on the College website under the Board of Management papers and extracts will also be added to the relevant College web page (complaints, FOISA etc.)

8. Risk and Impact

Please complete the risk table below. Risk is scored against Likelihood x Impact, with each category scored from Very Low through to Very High. Risks should be robustly scored and, if the combined score (Likelihood x Impact) is higher than the Board Risk appetite for the risk category identified, additional justification must be provided on why this risk is necessary.

	Likelihood	Impact
Very High (5)		
High (4)	X	
Medium (3)		
Low (2)		X
Very Low (1)		

Total Risk Score – 8

The College has a Strategic Risk appetite for categories of risk as defined by the Board of Management. Decisions being taken at LMT/SMT/Board level must have cognisance of this. Please indicate the single most relevant risk category in the table below.

BoM Risk Categories & Risk Appetite (Select one area only)			
Cautious <15		Open 15> <20	Eager >20
Governance	X	Strategy	People
Legal		Financial	Project/Programme
Property		Reputational	
		Technology	



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For the topics covered in this report, there is a risk that not performing to the acceptable standards can lead to poor student experiences, reputational damage (up to and including being reported in the Scottish Parliament for non-compliance) and, particularly in relation to data protection, significant fines.

The College mitigates many of these risks by actively managing these areas from the Executive Office to ensure oversight, consistency of approach and to be able to enact change when an investigation calls for it.

There is also a risk that the activates outlined in this report are managed mainly through a single post holder, although mitigating actions have been identified by Internal Audit and are now in place to ensure processes are documented.

Is the score above the Board Risk Appetite level? - No

Risk Owner – Kenny MacInnes

Action Owner – Stephen Jarvie

Paper Author – Stephen Jarvie

SMT Owner – Kenny MacInnes

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Appendix 1 Complaints 2022/23

ID	Type	Complaint	Investigation Outcome	Complaint Upheld?	Action Taken	Lessons Learned/ Notes
1	Application	Complainant claimed that they had made an application which had been ignored by the College. Multiple complaints received on this matter	No application submitted on system.	No	Confirmed the investigation to complainant and asked, if they had any evidence of submission, to please provide it. None received	N/A
2	Evening Class	ESOL student complained re poor communication at the admissions process and language assessment process for class. Based on their experience, the student decided to withdraw.	Investigation showed there had been poor communications given as well as limited assessment slots offered at relatively short notice	Yes	Apology from Principal for poor customer service. Review of admissions communications and language assessment process undertaken	The students experience was fed into the overall student journey review to ensure poor experience not repeated.
3	Gallery Restaurant	Complaint that a booking had been made for elderly parents at the restaurant and when they arrived the menu was different from what was expected with no communication. Also complained regarding staff interaction with parents	Examination of normal practice re changing menu's to suit teaching need. Confirmation that, if a food allergy were highlighted during booking, which was not the case here, staff would have reached out. Discussions with staff differ from reported account of interaction from parents. A number of other students and staff at the Gallery at the time of the incident were queried but none were close enough to hear	No	While the Principal did apologise that the complainants parents were unhappy, it was highlighted that this was a training restaurant and the menu's clearly state they are subject to change. It was confirmed that due to numbers calling every booking whenever there was a change was impractical. Principal noted that the staff recollection of the incident differed from their parents and that, as independent	No actions identified



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ID	Type	Complaint	Investigation Outcome	Complaint Upheld?	Action Taken	Lessons Learned/Notes
			the interaction and did not recall any issues		witnesses could not be found, this element of the complaint could not be determined	
4	Communication	Complaint from parents of a student alleging they had contacted the department with queries regarding their son's course and had been ignored	The investigation showed that the Department had responded, with the Curriculum Manager inviting the parents in for a meeting to discuss their concerns with their son present	No	The Principal wrote to the parents, enclosing a copy of the original response, and stated that the offer of a meeting was still available if they would like to use it.	N/A
5	Communication	Student complained that the department had not communicated regarding completion of a unit and that, when she had chased this matter, there had been a delay in response	Investigation showed that lecturers for the unit had made communication with the student prior to the end of the academic year outlining the outstanding requirements and options to attend to complete these. The student had not responded to these messages but did attempt contact during the summer break, which was responded to once the staff they emailed returned from leave	No	None	N/A
6	Discrimination	Complainant from number 1 above made accusations of deliberate discrimination as they had not received a college place. Threats of legal action.	Already investigated under 1 above	No	Given the number of emails received Principal wrote to individual noting the amount of work being created, the lack of any evidence provided to support	Very rare to limit responding to complaints however this



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ID	Type	Complaint	Investigation Outcome	Complaint Upheld?	Action Taken	Lessons Learned/ Notes
					the range of accusations and advised that, unless and until, any evidence could be provided to warrant a review, the College would no longer respond to these complaints.	individual is a serial complainer
7	Delay in qualification	Apprentice complained that there had been ongoing delays with practical aspects of their course which led to delay in certification which impacted on their employment	Investigation showed there had been a delay in external certification of workshop at the new Falkirk campus and as such, practical elements were not able to be delivered on campus. While there were arrangements made to utilise an external supplier there had been delays owing to staffing changes	Yes	While the original complaint had asked for an explanation, and one was provided, the complainant came back seeking payment for lost wages owing to the delay in certification.	This was an unexpected situation as the facility in question within the Falkirk campus was to the same (or higher in some aspects) standard as the one in the old campus, delays in certification had not been anticipated.
8	Delay in qualification	The employer of the apprentice in the previous complaint also complained about the delays	As per previous complaint	Yes	The employer was made aware of the issues and the steps taken to resolve this	As above
9	Admissions process	The complainant had applied for an evening course and paid but had not received confirmation or communication relating to the	The investigation confirmed that the complainant had paid their fees and the system audit trail showed that their information had	Yes	The Principal apologised for the situation and the complainants experience. He confirmed a refund of their fees would be	Despite testing, the College was unable to replicate this issue and there



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		course so was requesting a refund as they no longer wanted to do the course	been correctly added to our system. This should have automatically sent out the necessary information on the course. A further review showed that, despite all others enrolled onto the class receiving the information from the system, the complainant had not		made and that further investigation into the system would be conducted	have been no further complaints received on this topic.
10	Application process	The parent of an applicant complained as he had been advised by College staff to apply for a number of courses, was identified by the College student admissions team as being a candidate for a course but, at the interview with the course staff, was informed that he did not have the necessary qualifications to join the course. The parent was of the opinion that this stemmed from the qualifying criteria not being explicit enough. She also highlighted the impact that this had had and that her son was now no longer willing to apply	The investigation showed that staff in the student admissions team compare applications against criteria set by the course teams. In this individuals case, it was a judgement call as to whether he met some of the criteria but the staff felt he deserved a chance to interview. Unfortunately this judgement was not shared by the interviewer.	Partially	The Principal outlined the findings of the investigation. He commented that the premise behind the range of qualifications used was to make the application process as open as possible and that, while it did not work in this instance unfortunately, the screening process is usually good at matching applicants to courses. He acknowledged the issues experienced and confirmed that staff involved with this qualification would discuss matters with the student admissions team to ensure they are in alignment for potential candidates	The complaint highlighted the disparity in opinions between two teams and emphasised the need for closer collaboration.



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ID	Type	Complaint	Investigation Outcome	Complaint Upheld?	Action Taken	Lessons Learned/ Notes
11	Course experience	Parent complained that their daughter had progressed onto the next level of qualification but found it too difficult. Given the age of the student, the department informed the parent that the detail could only be discussed with the daughter's permission which was not received. Parent complained to Principal that department were not being responsive	The investigation confirmed that no approval had been received. It also confirmed that the allegations in the original complaint were unfounded.	No	The Principal confirmed to the parent that the team were correct that this matter could not be discussed without the permission of the daughter. A range of communication methods to do this were highlighted in the response as well as a confirmation that the College could not comment further.	None – staff were correct in protection of personal data.
12	Enrolment	Parent complained that their son was not registered at the College despite being in attendance 3 days per week	Investigation showed that the student was not a current one, having failed the previous year and not securing a place on year two of his course. Multiple checks were done to verify this.	No	Like the previous complaint, the son did not provide permission for us to respond in detail to the parent. Instead we sent the detail to the son and advised parent that they could share it if they chose	Parent appealed a number of times and matter was escalated to the Ombudsman who found in the College's favour
13	Lecturer	Student complained about a lecturer failing their work, their course placement and their interactions with the lecturer	Director of Curriculum met with student who had been offered support but was struggling with the course and felt the level of support was not enough.	Partially	A new support plan was agreed with student and put in place to help them catch up	N/A
14	Support	Student had experienced bereavement relating to close family member and felt the	Investigation showed that the team had been in contract over this time to offer condolences and	Partially	It was agreed to review the remediation criteria	N/A



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ID	Type	Complaint	Investigation Outcome	Complaint Upheld?	Action Taken	Lessons Learned/Notes
		teaching team had not been supportive enough through this time and also highlighted issues with an assessment	support. At the time these appear to have been appreciated and acknowledged by the student. In relation to the assessment, the investigation found the remediation criteria could have been clearer			
15	Lecturer	Student complained about the manner a lecturer interacted with them in a class	The investigation showed that the lecturer was responding to an online interaction from the student. Both student and lecturer acknowledge this should have been done individually	Partially	It was agreed that the staff member and student would have a conversation with apologies offered	The lecturer acknowledged that, while the conversation was appropriate, the setting was not and would ensure this did not repeat
16	Exam	Students were given the wrong exam paper by accident	Investigation showed that the invigilator had passed out the wrong paper to 8 students	Yes	Principal apologised to all students involved and outlined how the College would support the students to appeal the results of their exam. All students were also given a refund of their course fees. Senior managers were also to be kept aware of the appeals process as it progressed	Checking exercise to ensure the correct papers are issued at exams
17	Lecturer	Student complained about the level of support being received from a particular lecturer	The Investigation showed that support had been in place, including one to one meetings	No	Based on the investigation, no further action taken	N/A



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ID	Type	Complaint	Investigation Outcome	Complaint Upheld?	Action Taken	Lessons Learned/Notes
			with student. Additional study sessions were offered to the student but they did not attend these			
18	Exam	A further student complained regarding the issue in number 15 above. Student felt that the initial communication from the College was generic and sought further assurance	None needed	Partially	Further information provided and the student responded that they were satisfied with this	N/A



Appendix 2 Data Incidents

ID	Type	Incident	Impact	Reportable to ICO?	Action Taken	Lessons Learned/ Notes
1	Email	Staff member sent details of class, including an individual students personal email address to another student	1 individual, minimal impact	No	Staff member counselled on email use	Failure to use good practice
2	Email	Email issued to group of 10 applicants with personal emails in "to" field instead of "bcc"	10 individuals, no evidence of harm or complaints received	No	Staff member counselled on email use	Failure to use good practice
3	Email	Staff member send student details to external company in error	8 individuals. Fortunately, staff member had good relationship with recipient and was able to confirm deletion of the email soon after it had been sent. No evidence of material harm	No	Staff member was caught by the "autocomplete" feature in outlook and had thought they were emailing an internal colleague. Staff member counselled on verifying recipients	Risk of autocomplete
4	Email	Staff member emailed 4 applicants, personal email details viewable as "to" rather than "cc" used	4 individuals, minimal impact identified and no complaints	No	Staff member realised as soon as sent that there was an issue. Staff member counselled on double checking details	Failure to use good practice
5	Marketing	Marketing published a video of a price draw. The Prize draw used student ID numbers. This was noticed by staff and taken down the same day	Low – there were no other details available	No	Marketing reminded that ID's are personal data under legislation	None
6	Email	Staff member sent what they thought was a blank application form to a student. Unfortunately	1 individual, remedial actions mitigated impact	No	Investigation showed the blank template used by the team had been completed in error previously.	Staff in team reminded to not save over



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ID	Type	Incident	Impact	Reportable to ICO?	Action Taken	Lessons Learned/ Notes
		the form had been previously used and had another students details on it			Staff were able to contact the student who received the form in error and they confirmed deletion without opening the email	template documents
7	Email	HR sent disciplinary related materials to the wrong member of staff	1 Individual. While initially identified as a larger impact, confirmation of deletion without the attachments being viewed was received	No	HR recommended to review systems as to whether email is the best option for the provision of this data. Alternative suggestions such as One Drive link which requires recipient to have the necessary user credentials	Risk of autocomplete
8	Email	Staff sent email with attached personal data to wrong student email	1 Individual. Email confirmed to be deleted without reading	No	Staff advised on alternatives to email for sensitive data	Accuracy



Appendix 3 Freedom of Information (Scotland) Act 2002 requests

ID	Type	Summary of Request	Information Provided?	If not, why?	Response within Timescales
1	Scottish Parliament	Detail on any collaborative projects with India	Yes		Yes
2	EIS FELA	Senior Salaries, including detail on % increases in 2021/22, bonuses etc. Information on lecturing staff increases	Yes		Yes
3	Commercial Business	Request for copy of all calendar year 2021 payments to suppliers, including supplier name, amounts, dates, IDs and description of expenses	No - Refused	Request refused as it would exceed the £600 threshold to process the request. This was the second year with a request from this company who are seeking data to support development of new accounting software	Yes
4	Scottish Parliament	Value of maintenance backlog at each property annual review for the past 10 years	Yes		Yes
5	Unison	Request for information on the College's understanding of the dispute raised by unions, copies of Colleges Scotland information if received, discussions with local branches and no of roles reviewed	Yes		Yes
6	Other (Taxpayers alliance)	College spend over the previous 3 years on gift cards from Edenred either directly or via the Crown Commercial Service	Yes		Yes



ID	Type	Summary of Request	Information Provided?	If not, why?	Response within Timescales
7	Other (Individual)	Request for up to date manager list/organogram with names, titles and departmental areas	Partially	An organogram was provided but only with titles and department areas as the rest is personal data	Yes
8	Unison	Request for estimated budget deficits and staffing implications for 2023 to 2025	Yes		Yes
9	Commercial Business	Request for information on college network infrastructure and contract renewals	Yes		Yes
10	Media	Information on number of students applying for financial support in 2022, including access to hardship funds, how many were successful and the average amount of funding received	Yes		No
11	Commercial Business	Information on adult funding. The request mainly focussed on adult funding available in England and Wales and this was communicated to the requestor. The requestor asked that the College complete any questions relevant to Scotland	Yes		Yes
12	Scottish Parliament	Query on what background checks are conducted on students, if these include spent and unspent convictions; and if, in last 5 years, there have been students with either spent convictions or who were subject to ongoing criminal investigation	Yes		Yes
13	Media	Information on average reading and mathematical age for students	No	The College does not collect or hold this type of information for the full student population	Yes



ID	Type	Summary of Request	Information Provided?	If not, why?	Response within Timescales
14	Scottish Parliament	Request to know if the College was expecting operational budget deficits, budget cuts or staff redundancies from 2023-24 to 2026-27	No	At time of request the budget for 23/24 had not been set and internally further consideration was underway for later years. The Requestor was informed that SFC had a number of FFR's which could be sourced there	Yes
15	Other (Individual)	Requested a wide range of information in relation to counselling services offered within the College to be used to write a report	Partially	Some of the queries related to matters that the College did not hold information on	Yes
16	Other (Individual)	Same as above, range of counselling questions (different to previous request) to help prepare a report	Yes		Yes
17	Commercial Business	Requested a range of data regarding College bursary payments, policies and practice, particularly in relation to when a student might not get a payment over a two year period	Partially	The main part of the request would require a manual check of records which, for the 2 year period, was over 52,000 records. This part was denied under the £600 threshold discussed earlier however more generic questions were responded to	Yes
18	EIS-FELA	Staffing numbers and whether any of these staff met the EIS-FELA definition of being on a zero hours contract	Yes		Yes
19	Scottish Parliament	Information on number of staff signed off with stress or poor mental health in the last 5 years. Number of staff on long term absence for the last 5 years	Yes		Yes



ID	Type	Summary of Request	Information Provided?	If not, why?	Response within Timescales
20	Scottish Parliament	Information on the number of trips involving an overnight stay the Principal had in 2022, including detail on location, duration and cost	Yes		Yes
21	Scottish Parliament	Principal's salary for 2020/21 to 2022/23	Yes		Yes
22	Unison	Violent incidents against staff in the College, broken down by type plus information on any RIDDOR incidents	Yes		Yes