

AUDIT & RISK ASSURANCE COMMITTEE

AGENDA

A meeting of the Audit & Risk Assurance Committee will be held at 15:00 hours on 11 October 2023 via Microsoft Teams.

		Lead Speaker	Paper
1	WELCOME & APOLOGIES	Chair	
2	DECLARATIONS OF INTEREST	Chair	
3	MINUTES OF PREVIOUS MEETING <i>for approval</i>	Chair	A
4	MATTERS ARISING REPORT		
4.1	Matters Arising Update	Chair	B
4.2	Business Committees of the Board Update		
	• Planning & Resources Committee	Chair	Verbal
	• Learning, Teaching & Student Experience Committee	M Walker	Verbal
	• Corporate Development Committee	M Walker	Verbal
4.3	Horizon Scanning Update	Mazars / BDO	Verbal
5	TERMS OF REFERENCE	Chair	C
6	INTERNAL AUDIT REPORTS		
6.1	Summary of Audit Recommendations Report	A Williamson	D
6.2	Internal Audit Follow-up Report	BDO	E
6.3	Internal Audit Report: Cyber Review	BDO	F
6.4	Internal Audit: Fraud Strategy	BDO	G
6.5	Internal Audit Annual Report 2022/23	BDO	H
6.6	Internal Audit Plan 2023/24 (Revised)	BDO	I
7	RISK ASSURANCE		
7.1	Three Lines of Defence Annual Review	A Williamson	J
7.2	Risk Management Report	A Williamson	K
7.3	Annual Report on Data Breach Incidents and Cyber Attacks Update	A Williamson	L
8	EXTERNAL AUDIT		
8.1	Compliance with the Code of Good Governance	M Walker	M
8.2	Internal Control Assurance Statements	A Cumberland	N
8.3	Draft (Unaudited) Annual Report and Financial Statements to July 2023	A Williamson / I Deed	O
8.4	External Auditor Update	Mazars	Verbal

- 9 ANY OTHER COMPETENT BUSINESS
- 10 FOR INFORMATION
 - 10.1 Audit & Risk Assurance Committee Business Planner 2023/24 P
- 11 FOR CIRCULATION
 - 11.1 [Education Scotland Progress Visit Report](#)
 - 11.2 [Audit Scotland: Scotland's Colleges 2023](#)
- 12 DATE OF NEXT MEETING: 22 November 2023

N.B: The minutes of the Audit & Risk Assurance Committee are reported directly to the Board of Management, with an accompany commentary from the Committee Chair.

Title	Edinburgh College - 'Three Lines Of Defence' Framework - Annual Review Update 2023
Appendices	Appendix 1: Edinburgh College Three Lines of Defence Framework
Disclosable under FOISA	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>
Primary Contact	Nick Croft, Director of Communications, Policy and Research
Date of Production	29.09.23
Action Required	For Approval <input type="checkbox"/> / For Discussion <input checked="" type="checkbox"/> / For Information <input checked="" type="checkbox"/>
Aligned to Strategic Risk	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/> <i>(If 'yes' please complete Section 5.3)</i>

1. RECOMMENDATIONS

The Committee is asked to NOTE and CONSIDER the 2023 annual review of the Edinburgh College 'Three Lines of Defence Framework'.

2. PURPOSE OF REPORT

This report provides the annual review update on control, assurance, and risk management arrangements, which comprise the Edinburgh College 'Three Lines of Defence' Framework.

3. KEY INSIGHTS

The ['three lines of defence' model](#) is designed to improve an organisation's approach to internal control, assurance and risk management. The model can be summarised as follows:

1. First line of defence – functions that lead on and manage key business areas and risks at an operational level in an organisation.
2. Second line of defence – functions that oversee or specialise in monitoring key business areas and risks across an organisation.
3. Third line of defence – functions that provide internal and external audit and / or independent assurance of key business areas and risks across an organisation.

In September/October 2023 the third annual review took place of arrangements across the 22 key areas of college business and risks described in the Framework.

Specifically, the College has strengthened first and second line arrangements in some areas. For example:

- [Curriculum and credit delivery](#) – a recent Education Scotland visit and associated report has identified areas of good practice as well as recommendations for improvement.

- Commercial delivery – Work has been completed by the Commercial Team and Finance Team in clearly identifying income streams across all College areas. This has been shared with the SMT, and regular ‘more accurate’ quarterly reporting will follow. As a result, there will be improved internal control and co-ordination of income streams associated with apprenticeships, international, commercial, facilities provision (nursery, accommodation etc) and industry engagement activities. The next phase will cover the matching of associated expenditure against these income streams.
- Learning Teaching & Assessment – The LTSE Committee of the Board has recently changed its agenda structure and now provides a more focused approach to LTSE matters at a more strategic level but underpinned by robust performance oversight which incorporates key operational matters.
- Financial and other Internal Controls – The approved annual Audit Plan by the Audit & Risk Assurance Committee, and the work undertaken by external auditors during the year has provided a level of assurance that internal controls continue to be robust.
- Fraud and Irregularity – The Fraud, Corruption and Anti-Bribery policy has been updated during the year incorporating recommendations from an associated internal audit report.
- Cyber Security & Information Management – An internal audit review has identified recommendations to improve resilience and plans put in place to close these off.

In summary, the internal control arrangements identified in the Framework continue to operate effectively. No significant gaps were identified across the 22 areas, and consequently, no further action is proposed.

4. IMPACT AND IMPLICATIONS

Effective operation of the Framework improves the College’s ability to manage top level risks and operational risks across the College. It also enables effective management of key business areas tasked with delivering college strategic objectives.

5. ALIGNMENT TO STRATEGIC PLAN / KPIs / RISK REGISTER

5.1 Alignment to Edinburgh College Strategic Pillars *[Indicate with an ‘X’ which Strategic Pillar this paper supports]:*

Curriculum Strategy	<input checked="" type="checkbox"/>	Finance Strategy	<input checked="" type="checkbox"/>	People Strategy	<input checked="" type="checkbox"/>
Commercial Strategy	<input checked="" type="checkbox"/>	Digital Strategy	<input checked="" type="checkbox"/>	Other	<input type="checkbox"/>

5.2 Relevant Key Performance Indicators *[Indicate with an ‘X’ which performance indicators this paper supports]:*

Student Success	<input checked="" type="checkbox"/>	Credit Target	<input checked="" type="checkbox"/>	Equality, Diversity & Inclusion	<input checked="" type="checkbox"/>
Student Satisfaction	<input checked="" type="checkbox"/>	Adjusted Operating Position (AOP)	<input checked="" type="checkbox"/>	Staff Costs	<input checked="" type="checkbox"/>
Student Retention	<input checked="" type="checkbox"/>	Non-SFC Income	<input checked="" type="checkbox"/>	Staff Engagement	<input checked="" type="checkbox"/>

Student Enrolments	☒	Gross Carbon Footprint	☒	Partner Engagement

5.3 Alignment to the Top-Level Risk Register [Strategic risk information should be copied directly from the most recent TLRR]:

Strategic Risk(s)	Risk Score*		
Not Applicable.	Inherent (Gross) Risk		
	Probability	Impact	Score
	-	-	-
	Residual (Net) Risk		
	Probability	Impact	Score
	-	-	-
	Movement (since last review)		-

*Risk Score Key: 0-10 Low Risk; 11-15 Moderate Risk; 16-25 High Risk. [Further information on risk scoring can be found in the [EC Risk Management Policy & Procedure](#)]

Edinburgh College - Three Lines of Defence Framework – Annual Review Update – September/October 2023

Business Area	1 st line Defence		2 nd line Defence		3 rd line Defence		Gaps + Remedial Action
	Key Controls	Sources of Assurance	Internal Compliance and Quality Checks	Sources of Assurance	Internal Audit and other Independent Assurance	Sources of Assurance	
1. Student Recruitment and Retention, Attainment, Achievement and Destination	<p>Weekly Assistant Principal Meetings</p> <p>Admissions Group (chaired by Director of Student Experience)</p> <p>Retention Group (chaired by AP Quality and Improvement) monitor recruitment and retention + ROA targets.</p> <p>MIS produce live reports pathway for review on applications, offers, registrations and withdrawals.</p> <p>Quality Team check on academic resulting.</p>	<p>Minutes from meetings and progress updates on agreed actions from each meeting.</p> <p>Regular MIS and chair of group reporting to VP Education and Skills and VP Innovation, Planning and Performance.</p> <p>Quality Team agreed academic results.</p>	<p>Regular reporting to Executive Team and Senior Management Team.</p> <p>Regular reporting to Policy and Resources Committee.</p> <p>Deep Dives led by Audit and Risk Assurance Committee.</p> <p>ROA reporting to the Board of Management</p> <p>ROA + curriculum results reportage to Learning, Teaching and Student Experience Committee.</p> <p>Student destination survey reports to Learning, Teaching and Student Experience Committee.</p>	<p>Agreed minutes and progress with actions of Executive Team and Senior Management Team.</p> <p>Agreed Board and committee reports and minutes.</p>	<p>ROA reporting to the SFC.</p> <p>Internal FES audit and FES return to SFC.</p>	<p>SFC agreement of the ROA report.</p> <p>Agreed internal audit report and actions.</p> <p>Approved FES return by SFC.</p>	<p>No gaps identified.</p>

<p>2. ROA and Credit Delivery</p>	<p>Assistant Principal (AP) faculty management team meetings reviewing ROA and credit target delivery.</p> <p>Assistant Principal one to one meetings with Heads of School (HoS), and Curriculum Team Managers (CTMs).</p> <p>Faculty Operational Plans including ROA and credit targets.</p>	<p>MIS credit checker on staff intranet Reports Pathway.</p> <p>Regular Performance Reviews of Faculty Operational Plans.</p>	<p>MIS quality checks on credit delivery.</p> <p>VP Education and Skills meetings with all APs, Heads of School and Curriculum Team Managers to review ROA + credit delivery.</p> <p>Faculty Operational Plan performance meetings.</p> <p>VP Education and Skills reports to Policy and Resources Committee on credit delivery.</p>	<p>Annual plan performance measures</p> <p>MIS reports on credit delivery to VP Education and Skills.</p> <p>Agreed performance reviews minutes and progress against actions.</p> <p>Reports to Policy and Resources Committee.</p>	<p>Annual internal FES audit (also reported to Audit and Risk Assurance Committee) and FES submission to SFC.</p>	<p>Year-end internal audit report and FES report sign-off by the SFC.</p>	<p>No gaps identified.</p>
<p>3. Curriculum Relevance and Coherence (including industry and employer engagement)</p>	<p>New courses submitted through Course Manager overseen and approved by HoS, and CTMs.</p> <p>Existing course delivery quality and efficiency checked by HoS, CTMs and Quality Team.</p> <p>Aps weekly meetings with HoS to oversee curriculum design and delivery.</p> <p>Operational Plans indicate new course proposals.</p> <p>ROA annual - curriculum target setting process.</p> <p>External Engagement Group meetings.</p>	<p>Course Manager information signed off by Quality Team Manager and AP / HoS / CTMs.</p> <p>Quality and efficiency reporting from HoS and CTMs to APs.</p> <p>Agreed AP / HoS and CTMs meeting notes.</p> <p>Agreed annual Operational Plans.</p> <p>Agreed ROA – annual.</p> <p>Agreed reports and minutes from the External Engagement Group.</p>	<p>Internal and external verification of courses in line with SQA and other awarding body guidelines.</p> <p>HoS regular discussions with CTMs and agreed actions.</p> <p>CTMs regular discussions and agreed actions with lecturing staff on curriculum delivery.</p> <p>Executive Team Performance Review process looking at ROA target delivery.</p> <p>Curriculum Strategy reviewed by Learning, Teaching and Student Experience Committee, P&R Committee, & Board.</p>	<p>Internal Verification and External Verification processes signed off by Assistant Principal Curriculum Performance and Planning.</p> <p>ROA signed off by the Board.</p> <p>External Engagement Committee meetings agreed reports and minutes.</p> <p>SMT agreed reports and minutes.</p> <p>SCP Strategic Board agreed minutes and actions.</p>	<p>Education Scotland Inspection visits.</p> <p>Evaluative Report and Enhancement Plan submission to Education Scotland.</p> <p>SFC ROA review process - annual.</p> <p>Internal audit of partnership working including industry and employer engagement.</p>	<p>Agreed Education Scotland Inspection Reports.</p> <p>Agreed EREP and actions by Education Scotland.</p> <p>SFC approved ROA – annual report.</p> <p>Agreed internal audit reports and actions.</p>	<p>No gaps identified.</p>

	<p>Commercial Team meetings designing and approving the commercial curriculum offer.</p> <p>Schools College Partnership meetings.</p>	<p>Commercial Team meeting agreed minutes and actions.</p> <p>SCP meeting minutes and agreed actions.</p>	<p>Learning, Teaching and Student Experience Committee monitoring of EREP action plan.</p> <p>Learning, Teaching and Student Experience Committee review of SDS Regional Skills Assessment.</p> <p>Corporate Development Committee meetings covering industry engagement.</p> <p>SMT discussion on industry and employer engagement.</p> <p>SCP Strategic Board ran by the College.</p>				
<p>4. Learning Teaching and Assessment</p>	<p>Quality Team meetings.</p> <p>Curriculum Planning and Performance Team meetings.</p> <p>College Research, Innovation and Improvement Forum.</p> <p>Learning, teaching and assessment seminars with lecturing staff.</p> <p>Edinburgh College PDA programme for lecturing staff.</p> <p>Professional Standards and TFQE programme.</p>	<p>Team meeting and Connect group agreed minutes and actions.</p> <p>Research, Innovation and Improvement Forum agreed actions.</p> <p>Learning, Teaching and Assessment Strategy and actions.</p> <p>PDA and TFQE awards to lecturing staff.</p> <p>Agreed college IV and EV findings and remedial actions.</p>	<p>Learning, Teaching and Student Experience Committee discussions and papers on learning, teaching and assessment.</p> <p>ECSA surveys, covering issues of the quality of learning, teaching and assessment.</p> <p>SMT and Executive discussion and actions on learning, teaching and assessment.</p>	<p>Learning, Teaching and Student Experience Committee agreed reports and minutes.</p> <p>ECSA published survey results.</p> <p>SMT and Executive agreed minutes and actions.</p>	<p>Education Scotland Inspections.</p> <p>EREP process signed off by Education Scotland.</p> <p>SQA and other awarding body external verification processes.</p>	<p>Agreed Education Scotland Inspection reports.</p> <p>Agreed EREP.</p> <p>Agreed SQA and other awarding body external verifications.</p>	<p>No gaps identified.</p>

	Connect Groups related to learning, teaching and assessment. Edinburgh College IV and EV processes.						
5. Student Safeguarding	Top desk safeguarding reports from staff monitored and reviewed and actioned by Safeguarding Officer. Safeguarding mandatory training module. Student Experience Team management meetings.	Weekly reporting from Safeguarding Officer into Director of Student Experience. Compliance data on mandatory training modules. Agreed Student Experience Team reports and minutes on safeguarding.	Safeguarding panels on each campus reviewing top desk reports and action responses. College Safeguarding Board reviewing the work of Safeguarding Panels. SMT discussions and reports on safeguarding. Committee 'deep dives' into safeguarding issues.	Agreed notes of Safeguarding Panel meetings. Agreed minute of the Safeguarding Board. Agreed SMT and committee reports and minutes.	British Council Inspection of safeguarding arrangements.	Positive Inspection Reports.	No gaps identified.
6. Student Experience	ECSA annual plan which shows the priority student initiatives to improve the student experience - annual. Student surveys and polls undertaken. Student Experience Management Team meetings. ECSA liaison meetings with VPs and other SMT members.	ECSA feedback and input at key college management meetings. Agreed student survey findings. Agreed management team meeting minutes and actions. Agreed actions from ECSA liaison meetings.	ECSA President provides reports to Learning, Teaching and Student Experience Committee and the Board. ECSA and College student survey findings reported to Learning, Teaching and Student Experience Committee. Regular report to Learning, Teaching and Student Experience Committee from the AP Student Experience about SE matters.	ECSA reports reviewed by Learning, Teaching and Student Experience Committee and Board. Agreed Learning, Teaching and Student Experience Committee minutes and papers.	Education Scotland visit. Internal audit on student participation.	Agreed Education Scotland EREP, and agreed actions. Agreed internal audit report and actions.	No gaps identified.
7. Commercial Income and International	Commercial and Employer Working Group. International Working Group.	Working Group agreed actions.	Quarterly reporting of commercial income and forecast figures to Senior Management Team, Executive	Agreed commercial income report to committee and agreed committee minute.	Internal audit report on commercial activity.	Agreed internal audit report and actions.	No gaps identified.

<p>Contract Management</p>	<p>Apprenticeships Working Group.</p> <p>Alternative Income and Innovation Working Group.</p> <p>Commercial income targets set annually as part of budget setting process.</p> <p>Commercial income targets monitored and reported monthly by Director of Commercial and VP Corporate Development. Finance check monthly reports.</p> <p>College finance and procurement policies and procedures for contracting International suppliers.</p> <p>Contracts with direct agents who represent the College and international group contracts include a bribery and corruption clause.</p> <p>Procurement Team oversee compliance with policies and procedures.</p> <p>Due diligence research regarding new college partners can be requested from Corporate Development.</p>	<p>Agreed commercial income figures by finance, VP Corporate Development and Director of Innovation & Knowledge Exchange.</p> <p>Contracts and Financial position monitored through the year.</p> <p>Signed documents and approval processes for international contracts.</p> <p>Completed due diligence reports.</p> <p>APUC policies and procedures.</p>	<p>Team and External Engagement Committee.</p> <p>External Engagement Committee oversight of international contracts.</p>	<p>Agreed External Engagement Committee reports and minutes.</p>	<p>Scottish Government Procurement Capability Assessment self-evaluation process.</p> <p>Internal audit on commercial activity and procurement / contract management.</p>	<p>Agreed Scottish Government PCA score and report.</p> <p>Agreed internal audit reports and actions.</p>	
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	APUC policies and guidance on awarding commercial contracts.						
8. Financial Controls (including income and asset recognition + expense and liability recording)	<p>Annual budget setting with each AP and Director included in operational plans.</p> <p>Monthly management account meetings with each AP and Director.</p> <p>Monthly meetings between COO and Director of Finance.</p> <p>Annual SMT assurance statements including financial control, references.</p> <p>Maintaining up to date financial regulations as well as policies and procedures.</p>	<p>Agreed and signed annual budget, and agreed operational plans signed by Executive Team lead.</p> <p>Signed account of monthly meeting + actions taken as a result monthly meeting.</p> <p>Agreed email actions between COO and Director of Finance.</p> <p>COO agreed assurance statements.</p> <p>Agreed financial policies and procedures.</p>	<p>Senior Management and Executive Team reviews of financial controls, management accounts and performance.</p> <p>Quarterly reports to Policy and Resources Committee and the Board.</p> <p>Budget and SFC FFR process and papers to committees and Board.</p> <p>Statement of Internal Control (SIC) process.</p> <p>Budget and SFC FFR considered by P&R Committee and Board.</p> <p>Finance Report (including management accounts) reviewed by P&R Committee and Board.</p> <p>Regional Procurement Strategy approved by P&R Committee.</p> <p>Board Scheme of Delegation.</p> <p>SMT and Finance delegation of authority agreement process.</p> <p>Capital investment control guidelines.</p>	<p>Committee, Board, SMT and Executive Team agreed minutes + actions taken as a result.</p> <p>Approved budget and SFC FFR return minute by P&R Committee & Board</p> <p>Statement of Internal Control (SIC) process - signed off by Principal / Chief Executive (annual).</p> <p>SMT delegation of authority statements.</p>	<p>Internal Audit and External Audit of finance including payroll & expenses + EMA, bursaries and student support funds (annual) + purchasing and creditors + procurement)</p> <p>Scottish Government CPA self-evaluation process.</p>	<p>Audit Scotland signed Annual Accounts.</p> <p>Agreed internal audit reports for external audit assurance, and agreed management actions.</p> <p>Annual Account report for Audit Scotland and for Public Audit & Post Legislative Scrutiny Committee.</p> <p>Agreed Scottish Government CPA score and report.</p>	No gaps identified.

<p>9. Financial Performance & Financial Sustainability - including cash management</p>	<p>Draft Annual Accounts prepared by Director of Finance and checked by the Chief Operating Officer.</p> <p>Annual Accounts scrutinised and challenged by the Executive Team.</p> <p>Regular Cash flow forecast prepared and reviewed by Executive and SMT.</p> <p>SFC Cash flows prepared, reviewed and sent monthly.</p> <p>Financial controls relating to cash.</p> <p>Regular meetings between Finance Department and SMT Directors and Aps.</p>	<p>Draft Annual Account approved by Executive Team.</p> <p>Agreed notes and actions relating to discussions with SFC regards timing of grant income.</p> <p>Agreed actions and notes from Finance meeting with Directors and Aps.</p>	<p>Draft Annual Accounts audited by external auditors.</p> <p>External auditors present to Audit and Risk Assurance Committee.</p> <p>Senior Management and Executive Team reviews of financial performance.</p> <p>Quarterly Cash flow reports to Policy and Resources Committee and the Board.</p> <p>5-year cash flow forecast process and papers to committees and the Board.</p> <p>Executive Team and SMT discussions on financial performance.</p>	<p>Annual Accounts signed off by Audit and Risk Assurance Committee and Board.</p> <p>Agreed committee and Board reports and minutes on financial and cash matters.</p> <p>Agreed Executive Team and SMT minutes and actions</p>	<p>Annual Accounts signed off by External auditors and laid before the Scottish Parliament.</p> <p>Internal Audit and External Audit of Cash flow and cash management.</p>	<p>Annual Accounts endorsed by the Scottish Parliament.</p> <p>Agreed internal audit reports and actions on finance matters.</p>	<p>No gaps identified.</p>
<p>10. Fraud and Irregularity</p>	<p>College's Anti-Fraud, Bribery and Corruption Policy.</p> <p>College systems and procedures, which incorporate internal controls, include separation of duties to ensure that errors, fraud and corruption are prevented.</p> <p>Edinburgh College participates in the National Fraud Initiative (NFI).</p> <p>Whistleblowing policy and procedures.</p>	<p>Edinburgh College adherence to the Scottish Public Finance Manual regards fraud.</p> <p>Standards Officer monitors and responds to whistleblowing reports.</p>	<p>Committee, Board, SMT and Executive Team review of Fraud Bribery and corruption policies.</p> <p>The Code of Conduct for Board Members outlines their duty of honesty and the practice relating to declarations of interests.</p>	<p>Agreed Executive Team, SMT and Board reports and minutes regarding fraud.</p> <p>Signed Board member agreements on the code.</p>	<p>Internal and external audits of fraud and irregularity.</p>	<p>Agreed internal and external audit reports and actions.</p>	<p>No gaps identified.</p>

11. Health and Safety	<p>SHE System used to control risk assessments, collate accident reports, and store policy and procedures.</p> <p>Monthly health and safety incident reports to SMT members.</p>	<p>Health and Safety Manager daily reviews of SHE reports.</p> <p>Agreed SMT actions to address issues arising from monthly reports.</p>	<p>Health and Safety Committee Meeting with Management and Trade Unions.</p> <p>Annual Health and Safety Report to the Board.</p>	<p>Agreed minutes of the meeting.</p> <p>Annual Health and Safety Report agreed by the Board.</p>	<p>Annual audit process for 18001.</p>	<p>Agreed 18001 audit report and agreed actions.</p>	<p>No gaps identified.</p>
12. Estates Management and Compliance and Alignment to College Needs	<p>Estates managers meetings with COO and other SMT members.</p> <p>Estates strategy and capital funding allocation prioritised and agreed by the Executive and SMT.</p> <p>Estates condition reviewed six monthly + monthly review of estates critical works register.</p> <p>Sustainability + Nursery + Facilities + Security + Portage + Print Services + Vehicles + TFM + Halls Catering Contract + Regular management meetings.</p> <p>COO officer monthly meetings with Estates and IT Managers.</p> <p>ISS contract management meetings.</p> <p>G+G monthly contract meetings for catering contract.</p>	<p>Agreed actions from estates Managers meetings.</p> <p>Oversight of performance, and statutory reports. Estates strategy signed off by the Executive Team.</p> <p>Estates expenditure included in monthly management accounts.</p> <p>Estates management team minutes + reports to COO.</p> <p>Updated and agreed critical works register + condition survey.</p> <p>Agreed email actions from COO to Director of Finance and Estates Infrastructure.</p> <p>Agreed actions from the ISS contract meetings.</p> <p>Agreed actions from G+G contract meetings.</p>	<p>SMT + Executive Team discussions on estates.</p> <p>Policy and Resources Committee papers and discussions on estates matters.</p> <p>Estates management matters are also included also in the Health and Safety Report to Health and Safety Committee.</p>	<p>SMT + Executive agreed reports and minutes on estates matters.</p> <p>Policy and Resources Committee agreed reports and minutes.</p> <p>Agreed Health and Safety Committee reports and minutes.</p>	<p>NQA Auditor process.</p> <p>Internal audit on estates management.</p> <p>Statement on estates management in the Audit Scotland annual report.</p> <p>Care Inspectorate inspections of the nursery.</p> <p>HMO licence inspections of the Halls of Residence.</p>	<p>NQA agreed audit report and actions.</p> <p>Agreed internal audit report.</p> <p>Agreed Audit Scotland annual report and accounts estates section.</p> <p>Agreed Care Inspectorate inspection reports and college actions relating to the nursery.</p> <p>HMO licensing report on Halls.</p>	<p>No gaps identified.</p>

	Monthly utility monitoring.	Utility monitoring reports to estates management Team.					
13. Digital / IT Capability and Alignment to College Needs	<p>IT Management Team meetings which cover cyber security.</p> <p>Estates and IT Management Team meetings.</p> <p>Digital Connect Group meetings.</p> <p>Learning, Technology and Teaching Connect Group meetings.</p> <p>Cyber security meetings and matters included at the Information Governance Group meetings.</p>	<p>Agreed IT meeting minutes and actions.</p> <p>Agreed Estates and IT Team meeting minutes and actions.</p> <p>Agreed Digital Connect Group and LTT Connect Group reports and minutes.</p> <p>IGG action plan and updates.</p>	<p>Audit and Risk Assurance Committee meetings + ‘deep dives’ to discuss digital + IT capability.</p> <p>SMT and Executive Team discussions on digital and IT capability.</p> <p>New Digital Strategy Board meetings.</p>	<p>Agreed reports and minutes of Audit and Risk Assurance Committee.</p> <p>Agreed SMT and Executive reports and minutes.</p> <p>Agreed Digital Strategy and Board minutes.</p> <p>A+RA Committee ‘deep dives’ into cyber security.</p> <p>Policy and Resources Committee scrutiny of digital strategy delivery.</p>	<p>Internal audits of IT related matters.</p> <p>External thematic audits by Audit Scotland.</p>	<p>Agreed internal and external audit reports and management actions.</p>	No gaps identified.
14. Organisation Development and Staff Wellbeing	<p>Monthly HR business partner meetings with all SMT members when staff wellbeing + OD is discussed.</p> <p>Team management and one to one meetings covering wellbeing and OD.</p> <p>Annual ‘enhance’ meeting assessing personal development.</p>	<p>Agreed actions from monthly HR meetings on wellbeing + OD.</p> <p>Agreed team meeting and one to one notes and actions on wellbeing + OD.</p> <p>Agreed ‘enhance’ records between managers and line reports.</p>	<p>HR reports to Policy and resources Committee.</p> <p>SMT reports on HR / OD matters, including HR / OD policy approval from Policy Committee.</p> <p>Director of HR & OD regular meetings with Executive Team members + Executive Team meeting reports on HR.</p>	<p>Policy and Resources Committee agreed minutes and reports on HR / OD.</p> <p>Agreed Executive Team minutes and actions relating to HR.</p> <p>Agreed HR / OD policies published on intranet.</p>	<p>Internal audits on HR and Od matters.</p> <p>External audit on HR matters as part of the annual audit report by Audit Scotland.</p> <p>Trade Union meetings.</p>	<p>Agreed internal audit reports and actions.</p> <p>Agreed annual audit report.</p> <p>Trade Union meeting minutes and</p>	No gaps identified.

						agreed actions.	
15. Workforce Planning	<p>Regular reviews of progress against operational plan objectives for OD team with Director of HR&OD.</p> <p>OD / HR Team meetings.</p> <p>Monthly HR business partner meetings with all SMT members – including establishment and vacancy lists and workforce planning.</p> <p>LJNC meetings and TU and Management Policy Committee meetings to develop and agree HR policies and discuss workforce planning.</p> <p>Succession planning included in SMT operational plans.</p> <p>Edinburgh College Workforce Plan developed by Director of HR and OD.</p>	<p>Agreed notes and actions arising from reviews.</p> <p>Agreed OD / HR team meeting minutes and actions.</p> <p>Agreed actions notes from SMT meetings with HR Business Partners.</p> <p>Agreed actions and minutes of LJNC and Policy Committee meetings.</p> <p>Agreed succession planning content in SMT operational plans.</p> <p>Agreed actions emanating from the workforce plan.</p>	<p>Regular reviews with progress and issues in HR & OD between COO and Director of HR & OD.</p> <p>SMT and Executive Team discussions and reports on workforce planning.</p> <p>HR reports to Policy and Resources Committee on workforce planning.</p>	<p>Agreed notes and actions from COO reviews with Director of HR & OD.</p> <p>Agreed Executive Team and SMT minutes and reports on workforce planning.</p> <p>Agreed Policy and Resources Committee reports and minutes on HR / OD and workforce planning.</p>	<p>Internal audit covering workforce planning.</p> <p>Audit Scotland Annual Report covers workforce planning matters.</p>	Agreed internal audit report and actions.	No gaps identified.
16. College Industrial and Employee Relations	<p>Edinburgh College RPA development process – including agreed remission time for TU officials.</p> <p>LJNC meetings with Executive management and the Director of HR & OD.</p>	<p>Agreed RPA by the Local Joint Negotiating Committee (LJNC).</p> <p>Agreed LJNC reports and minutes.</p> <p>Agreed Health and Safety Committee meetings reports and minutes.</p>	<p>Strategic Partnership meeting between Principal / Chief Executive and TU officials.</p> <p>Policy and Resources Committee discussions and reports.</p> <p>Audit and Risk Assurance Committee review of top-level</p>	<p>Agreed reports and minutes from Strategic Partnership meeting.</p> <p>Agreed Policy and resources Committee reports and minutes.</p>	<p>National bargaining arrangements / the Employers Association now cover many aspects of industrial and employee relations.</p>	Agreed minutes and circulars from national bargaining / Employers Association.	No gaps identified.

	<p>H+S Committee meetings including TU officials.</p> <p>Monthly meetings between COO and Director of OD / HR.</p>	<p>Agreed email actions between COO and Director of HR / OD.</p>	<p>risk register – which includes industrial relations risk.</p> <p>Executive Team and SMT meetings + reports – industrial and employee relations matters.</p> <p>Staff representation and TU observers at the Board.</p>	<p>Agreed SMT and Executive Team reports and minutes.</p> <p>Agreed minutes from the Board covering staff and TU matters.</p>			
17. Strategic Direction	<p>Executive and Senior management Team engaged in national policy and strategy development.</p> <p>Strategy, Plan and Policy Register reviewed regularly by Information Manager and of CGR+P (register contains all college strategies, plans and policies organised into 3 tiers).</p> <p>Regular review of key college strategies and plans.</p> <p>Annual operational planning process, linked to key college strategies and plans, and PESTLE analysis.</p> <p>Horizon scanning information included in the Principal’s report to the Board.</p> <p>Strategy delivery monitored annually and included in the College Annual Report.</p>	<p>Executive and SMT agreed discussions and reports on national policy and strategy developments.</p> <p>Register updated quarterly by Information Governance Manager.</p> <p>Agreed quarterly Horizon Scanning Report.</p> <p>Agreed and published college strategies and plans, published on intranet and website.</p> <p>All operational plans approved by Executive Team.</p>	<p>Approval sought from Policy and Resources Committee for all key strategies and plans.</p> <p>All Committees and Board of Management consider Horizon Scanning report every cycle.</p> <p>Information Governance Group reviews the register quarterly, with a focus on strategy and plan development.</p> <p>Approval sought from SMT and Executive Team on new or revised strategies and plans.</p> <p>Board considers Annual Review Report.</p> <p>Executive Team performance reviews of Operational Plans.</p>	<p>Agreed reports and minutes, strategies and plans from Policy and Resources Committee.</p> <p>Agreed quarterly Horizon Scanning Report and committee and Board minutes.</p> <p>Agreed annual review report.</p> <p>Agreed reports and minutes from SMT on strategy and policy development.</p> <p>Agreed minutes and actions of performance review meetings.</p>	<p>Internal audit of strategic planning and performance.</p> <p>External audit of key college strategies and plans.</p> <p>SFC scrutiny of the College ROA and related strategies.</p>	<p>Agreed internal audit report and management actions.</p> <p>Agreed external audit reports and management actions.</p> <p>Agreed SFC ROA annual report.</p>	No gaps identified.

<p>18. Risk Management</p>	<p>Operational risk register review process – quarterly by Risk Management + Assurance Group (RMAG) meeting.</p> <p>Operational Plan review – top 5 operational risks - annual review process led by SMT and Executive.</p>	<p>Updated and agreed operational risk registers.</p> <p>Updated and agreed Operational Plans (top 5 risks for operational risk registers).</p> <p>Operational Plan sign off from Executive team lead members.</p>	<p>Top Level Risk Registers reviewed quarterly by the RMAG. A+RAA Non-Executive member always present at RMAG.</p> <p>SMT and Executive team discussions and reports on risk management + approval of top-level risk register to the Board.</p>	<p>Agreed Audit and Risk Assurance Committee reports and minutes on the top-level risk register and key risks from operational risk registers.</p> <p>Agreed Board minutes and top-level risk register + summary report – quarterly.</p>	<p>Internal audit of risk management framework.</p> <p>Audit Scotland external audit Annual Report covers risk management.</p>	<p>Agreed internal audit report and agreed actions.</p> <p>Agreed annual report sections on risk.</p>	<p>No gaps identified.</p>
<p>19. Cyber Security and Information Management</p>	<p>IT management team meetings which cover cyber security.</p> <p>Corporate Development Team meetings which cover information management.</p> <p>Information Governance Group (IGG) meeting cover information security matters.</p>	<p>Agreed IT meeting minutes and actions.</p> <p>Agreed CD Team meeting minutes and actions.</p> <p>IGG action plan and agreed minutes and action from the IGG meetings.</p>	<p>Audit and Risk Assurance Committee meetings + ‘deep dives’ to discuss cyber security and information management.</p> <p>RMAG meetings which monitor and mitigate risks relating to cyber security and information management.</p>	<p>Agreed report and minutes of Audit and Risk assurance Committee.</p>	<p>Internal audit of cyber security.</p> <p>Cyber Essentials Plus assessment process.</p> <p>JISC audit of data protection.</p> <p>Internal audit of data protection.</p>	<p>Agreed internal audit report and actions.</p> <p>Cyber Essentials Plus Certificate.</p>	<p>No gaps identified.</p>
<p>20. Business Continuity and Critical Incident Management</p>	<p>BCM Framework developed by Corporate Development.</p> <p>Business Impact Assessments (BIA) process coordinated by Corporate Development.</p> <p>BCM planning process with SMT members based on BIA risk analysis.</p> <p>Development of the Critical Incident Management (CIM) Policy.</p>	<p>Agreed BCM Framework.</p> <p>Agreed BIA templates.</p> <p>Agreed BCM Plans.</p> <p>Critical Incident Management policy.</p> <p>Learning and remedial actions emanating from the testing of the CIM policy and BCM Plans.</p>	<p>Audit and Risk Assurance Committee meetings to discuss BCM Framework, BIAs and BCM Plans.</p> <p>Risk Management Assurance Group (RMAG) meeting have a regular schedule of review of BIAs and BCM Plans.</p>	<p>Agreed BCM Framework, reviewed every three years.</p> <p>Agreed RMAG minutes and actions relating to BCM.</p> <p>Agreed actions and minutes from the RMAG.</p>	<p>Internal audit reports relating to business continuity and major incident management.</p>	<p>Agreed internal audit report and actions.</p>	<p>No gaps identified.</p>

	Testing of CIM Policy and BCM Plans.						
21. Compliance with codes of good practice (governance)	<p>Regular Board governance meetings between Board Secretary and COO.</p> <p>COO oversight of good governance.</p> <p>Monthly Director of Finance and Estates Infrastructure meetings with COO.</p> <p>Board Secretary meetings with Colleges Board Secretaries Group.</p>	<p>Agreed email actions and reports emanating from COO, Board Secretary and others meetings</p>	<p>Review of compliance with Colleges Code of Good Governance by A&RA Committee (annual).</p> <p>Review of Compliance with Scottish Government Audit and Assurance Committee handbook by A&RA Committee (2018/19).</p> <p>Nominations Committee – board recruitment and committee membership Induction including CDN training.</p> <p>Annual self-evaluation of Board and Committees, and Board Development plan</p>	<p>Agreed reports and minutes from committees and Board.</p> <p>Agreed governance report to the Board.</p> <p>Executive Team agreed minutes on governance matters.</p>	<p>Regular Internal Audits.</p> <p>External audit – Audit Scotland annual report.</p> <p>External Independent Effectiveness Review – required by SFC</p>	<p>External Auditor’s Report in the Annual Accounts.</p> <p>External Review of the Board.</p> <p>Agreed internal audit report and actions.</p> <p>Agreed Board review report submitted to the SFC.</p>	No gaps identified.
22. Partnership Working and Engagement with key Stakeholders (including Community Planning Partnership work).	<p>Monthly cross college External Engagement Group meetings.</p> <p>Weekly meetings of communications, marketing and engagement managers to coordinate activity.</p> <p>Weekly cross college events coordination meeting.</p>	<p>Agreed action note from the External Engagement Group.</p> <p>Updated list of events at the college from the weekly events coordination group</p> <p>Agreed SMT reports and minutes on CPP and other partnership activity.</p>	<p>Corporate Development Committee meetings (quarterly) where CPP activity is discussed.</p> <p>Corporate Development Committee meetings (quarterly) where communications, marketing and engagement activity is assessed.</p>	<p>Agreed Corporate Development Committee reports and minutes.</p>	<p>Internal audit report on partnership activity.</p> <p>Audit Scotland best value reviews of CPP arrangements by CPP area.</p>	<p>Agreed internal audit report and actions.</p> <p>Published Audit Scotland best value audit reports on CPPs.</p>	No gaps identified.

	<p>Quarterly meetings of each CPP Team to review CPP activity and actions.</p> <p>Reporting to SMT on CPP and other partnership and engagement activity.</p> <p>Industry and Business Engagement working group meetings.</p>	<p>Agreed actions from the Industry and Business Engagement Working Group.</p>					
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Title	Risk Management Update
Appendices	Appendix 1: Top level Risk Register Infographic Sept 2023 Appendix 2: Top Level Risk Register Sept 2023
Disclosable under FOISA	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>
Primary Contact	Nick Croft, Director of Communication, Policy & Research
Date of Production	26.09.23
Action Required	For Approval <input type="checkbox"/> / For Discussion <input checked="" type="checkbox"/> / For Information <input checked="" type="checkbox"/>
Aligned to Strategic Risk	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/> (If 'yes' please complete Section 5.3)

1. RECOMMENDATIONS

The Audit & Risk Assurance Committee is asked to CONSIDER the outlined changes to the top-level college risks agreed by the Risk Management and Assurance Group (RMAG), and to NOTE the following documents as approved by the RMAG for wider publication:

- [Business Continuity Management Plan – iTrent](#)
- [Business Continuity Management Plan – Agresso](#)
- [Business Continuity Management Plan – Unit e](#)

2. PURPOSE OF REPORT

This paper provides an update on matters relating to risk management and business continuity at the College.

3. KEY INSIGHTS

At its most recent meeting on 7 September 2023, the RMAG discussed the following:

3.1. Top Risk Register (Appendix 2)

The RMAG agreed that the current top risks for the college are:

- (1) National bargaining impact on college operations
- (33) Financial sustainability (insufficient budget / funding to cover cost of living, job evaluation, employer pension contribution increases)
- (24) Cyber security breaches within the college
- (32) Failure to meet SFC funded activity targets and fees (recruitment, credits, SAAS and fee income)

The RMAG also agreed that due to positive feedback from the recent Education Scotland visit, risk (2) Student retention and attainment could be reduced from a RED status to AMBER.

3.2. Business Continuity Management Plans

The RMAG group has reached a consensus that the prepared Business Continuity Management (BCM) Plans for a potential cyber-attack on critical college systems, including iTrent, Unit e, and Agresso, are deemed suitable for their intended purpose.

3.3. Operational risk registers

HR & OD – The department Director advised the RMAG that the top department risks and mitigations include:

Top risk **Poor relationships with trades union representatives and impact on HR staff**

Mitigations: Preventative measures include implementing RPA processes, specialized training for managers, regular HR case management meetings, informal meetings with UNISON, access to legal advice, mediation training, and attending employment law updates to reduce formal grievances.

2nd risk **Relationships with local trade unions breaking down**

Mitigations: Implemented RPA with dispute avoidance procedures and holds regular meetings with both the Educational Institute of Scotland (EIS) and Unison, fostering strong collaboration. Frequent HR case management meetings are held to mitigate risks and maintain consistency.

Furthermore, there has been an improvement in relationships with EIS-FELA college representatives, and a dedicated HR Manager has been appointed to specifically address employee relations (ER) issues.

3rd risk **Failure to implement changes in employment and case law**

Mitigations: The HR team proactively stays informed about employment law through various means, including attending updates, podcasts, and emails from law firms.

Many team members are also CIPD members, enabling them to implement changes effectively. They hold regular meetings to discuss employment law updates and case law outcomes, implementing necessary changes.

Additionally, the team receives guidance from college legal advisors and leverages a network of HR contacts in Scottish Further Education for relevant advice and insights.

Communication Policy and Research – The department Director advised the RMAG that the top department risks and mitigations includes:

Top risk **Failure to a) meet counterterrorism requirements b) respond to terrorist threat/attack**

Mitigations: Staff members are trained to direct vulnerable students to the appropriate support agencies, and the college actively participates in Edinburgh and Lothian CONTEST meetings to stay informed about security issues.

Additionally, they have developed a new safeguarding policy and mandatory training package, appointed a dedicated safeguarding officer, and established a partnership with Police Scotland to address radicalization concerns among staff and students. This includes engagement with Police Scotland and the Multi-Agency Public Protection Arrangements (MAPA) while receiving support from senior management.

Furthermore, the college has a Business Continuity Management (BCM) Plan in place for handling terrorist threats or attacks, which is reviewed annually to ensure its effectiveness in safeguarding the institution.

2nd risk Security risk of unauthorised access or injury/harm to child while under nursery care

Mitigations: The nursery has implemented a robust set of security measures to ensure the safety of children. This includes daily registers and sign-ins/outs by parents/staff, prior risk assessments for outings, and maintaining appropriate child-to-staff ratios with regular checks during trips.

Security has been enhanced with the installation of new fencing, manned reception when possible, and locked external doors with controlled access.

A visitor log book is maintained, and non-PVG visitors are always accompanied.

Parents are reminded not to hold doors open, and there are protocols for handling court-ordered non-contact orders.

The nursery follows Care Inspectorate protocols for handling the loss of a child and has trained staff to challenge anyone they do not recognize, further bolstering security measures.

3rd risk Safety of residents in halls 'after hours' – including safeguarding issues

Mitigations: Continuous efforts are made to maintain security at the residence halls, with ongoing reviews and provision of security information to all residents.

The College ensures compliance with legislative requirements, including HMO reporting.

Information sessions with external organizations focus on alcohol and drug awareness and safety. Student support and well-being teams collaborate closely with students and staff to provide support.

There is a dedicated focus on business continuity planning to uphold duty of care responsibilities for hall residents. Communication is key, with updates provided to the executive team on hall-related issues and necessary responses, as well as keeping the communication and public relations team fully informed.

Regular meetings with Estates team help anticipate and address oversight issues, and there is ongoing contact with Student Support to identify and address potential issues.

Team meetings serve as a forum to raise issues and assess current procedures for improvement.

Quality and Improvement – The Vice Principal of Innovation Planning and Performance advised the RMAG that the top department risks and mitigations includes:

Top risk **A high number of student withdrawals resulting in poor KPIS, overpayment of awarding body fees and reputational damage**

Mitigations: The College emphasises rigorous monitoring of attendance registers throughout the academic session, with a focus on identifying students who either do not attend or disengage from their courses. This monitoring also supports progress tracking within the curriculum, ultimately influencing withdrawal and non-attendance policies and practices.

Enhanced monitoring efforts at all levels serve as a basis for implementing interventions to prevent in-year student withdrawals.

The Senior Management Team is prepared to collaborate and implement targeted short-term action plans as necessary to address these issues.

2nd risk **Overdue resulting of qualification outcomes resulting in risk to student progression (internal and external), potential malpractice and reputational damage**

Mitigations: Clear instructions are provided to Curriculum Team Managers (CTMs) and course teams to ensure timely result reporting, with CTMs taking swift action on any missing result reports. The institution engages in consultation with recognized union representatives to minimize the impact of strike actions or related activities.

Heads of School are involved in performance management activities as needed.

Furthermore, consultation with the Scottish Funding Council (SFC) takes place to mitigate the impact on outcomes and reporting, particularly regarding the 2023 ASOS agreed outcomes codes.

Additionally, support teams, CTMs, Heads of School, Assistant Principals for Curriculum, Student Experience, and Quality & Improvement collaborate to troubleshoot and respond to emergencies, such as the provisional outcome resulting in June 2023.

3rd risk Failure to deliver digital services for learning and teaching (Moodle)

Mitigations: There is a strong and well-established collaboration between the LTR team and Edinburgh Napier (the host institution) with significant resource allocation. This collaboration is guided by a documented process with dedicated IT support and regular communication channels.

The LTR team possesses in-house operational expertise and adheres to contractual agreements in terms of issue resolution. Additionally, there is IT support available for broader network implications.

A comprehensive communications plan is in place for staff and students, and departmental monitoring ensures swift action to address any performance deficiencies within the department's control.

The College can also leverage support from JISC and other colleges/universities for data retrieval and potential reconstruction when needed.

4. IMPACT AND IMPLICATIONS

The development and management of the College's Risk Management Framework and Business Continuity Management Framework improves the College's capacity to:

- Identify, mitigate, and monitor college risks and possible major disruptions.
- Develop business continuity and recovery plans for major disruptions.
- Devise action plans to minimise high level adverse risk.
- Identify the colleges risk tolerance and risk appetite for each strategic aim.
- Improve academic and support services to deliver an excellent student experience.
- Address specific financial shortfalls to safeguard future financial sustainability.
- Invest in the workforce through an impactful people strategy.
- Maintain good College governance.

5. ALIGNMENT TO STRATEGIC PLAN / KPIs / RISK REGISTER

5.1 Alignment to Edinburgh College Strategic Pillars [Indicate with an 'X' which Strategic Pillar this paper supports]:

Curriculum Strategy	<input checked="" type="checkbox"/>	Finance Strategy	<input checked="" type="checkbox"/>	People Strategy	<input checked="" type="checkbox"/>
Commercial Strategy	<input checked="" type="checkbox"/>	Digital Strategy	<input checked="" type="checkbox"/>	Other	<input type="checkbox"/>

5.2 Relevant Key Performance Indicators [Indicate with an 'X' which performance indicators this paper supports]:

Student Success	<input checked="" type="checkbox"/>	Credit Target	<input checked="" type="checkbox"/>	Equality, Diversity & Inclusion	<input checked="" type="checkbox"/>
Student Satisfaction	<input checked="" type="checkbox"/>	Adjusted Operating Position (AOP)	<input checked="" type="checkbox"/>	Staff Costs	<input checked="" type="checkbox"/>
Student Retention	<input checked="" type="checkbox"/>	Non-SFC Income	<input checked="" type="checkbox"/>	Staff Engagement	<input checked="" type="checkbox"/>
Student Enrolments	<input checked="" type="checkbox"/>	Gross Carbon Footprint	<input checked="" type="checkbox"/>	Partner Engagement	<input checked="" type="checkbox"/>

5.3 Alignment to the Top-Level Risk Register [Strategic risk information should be copied directly from the most recent TLRR]:

Strategic Risk(s)	Risk Score*		
Not Applicable.	Inherent (Gross) Risk		
	<i>Probability</i>	<i>Impact</i>	<i>Score</i>
	-	-	-
	Residual (Net) Risk		
	<i>Probability</i>	<i>Impact</i>	<i>Score</i>
	-	-	-
	Movement (since last review)		-

*Risk Score Key: 0-10 Low Risk; 11-15 Moderate Risk; 16-25 High Risk. [Further information on risk scoring can be found in the [EC Risk Management Policy & Procedure](#)]

TOP LEVEL RISK REGISTER

September 2023



Overview

The following have been identified as the top strategic risks of Edinburgh College for the reporting period starting September 2023. The colour status applied to each listed risk is based on the residual (Net) score applied within the top risk register maintained by the College.

RED Score

- ↔ (1) National bargaining impact on college operations
- ↔ (33) Financial Sustainability (Insufficient budget / funding to cover cost of living, job evaluation, employer pension contribution increases)
- ↔ (24) Cyber security breaches within the college
- ↔ (32) Failure to meet SFC funded activity targets and fees (recruitment, credit, SAAS and fee income)

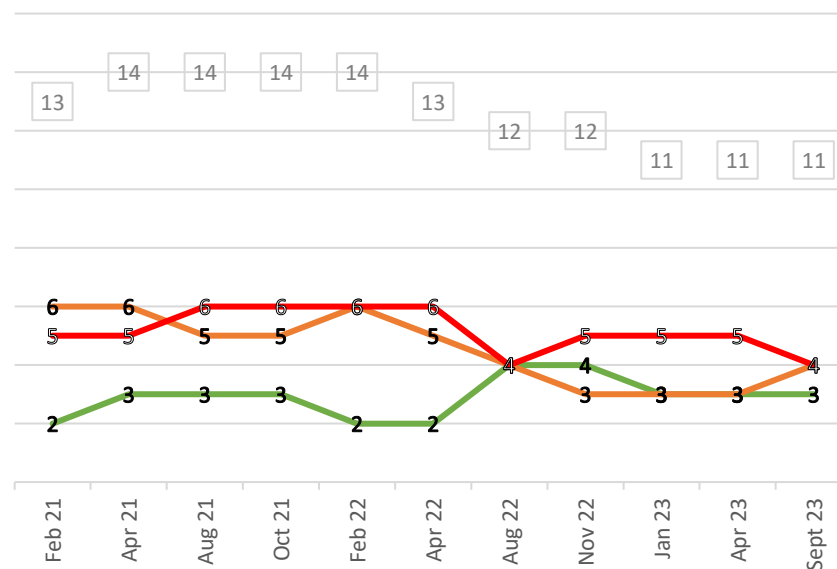
AMBER Score

- ↓ (2) Student retention and attainment
- ↔ (25) Finable breach of the GDPR or PECR
- ↑ (15) Health & safety non-compliance
- ↔ (28) College estate infrastructure not aligned to meet business need

GREEN Score

- ↓ (3) Shortfall in commercial income
- ↔ (35) Public health risk
- ↔ (27) Workforce planning and development

Risk Movement



RAG Key

- ↔ No score movement from last reporting period
- ↑ Residual (Net) score increase from last reporting period. Colour of arrow denotes the risks previous RAG score
- ↓ Residual (Net) score decrease from last reporting period. Colour of arrow denotes the risks previous RAG score
- New Risk
- ⚡ Combination of previously separate risks within the top risk register

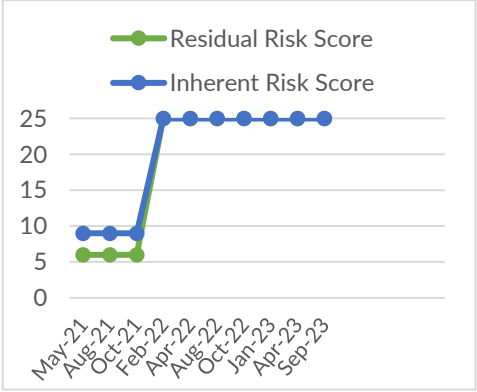
**EDINBURGH COLLEGE TOP LEVEL STRATEGIC RISK REGISTER
FOR REPORTING PERIOD UP TO SEPTEMBER 2023**

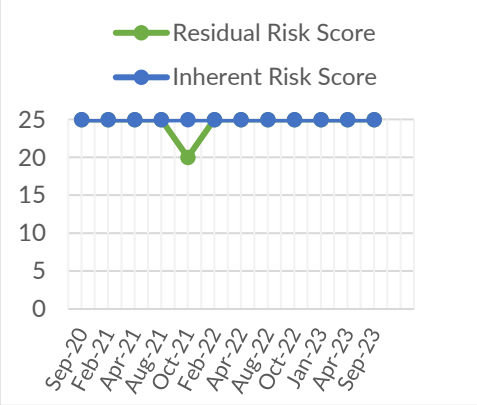
LEAD: Chief Operating Officer


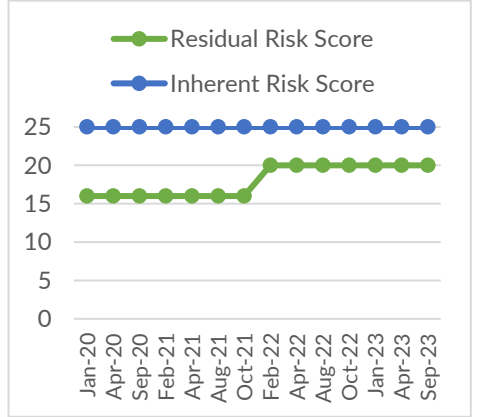
RESPONSIBLE: Head of Communication Policy and Research


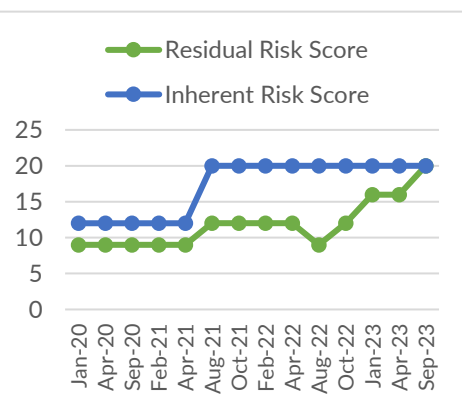
RAG KEY:

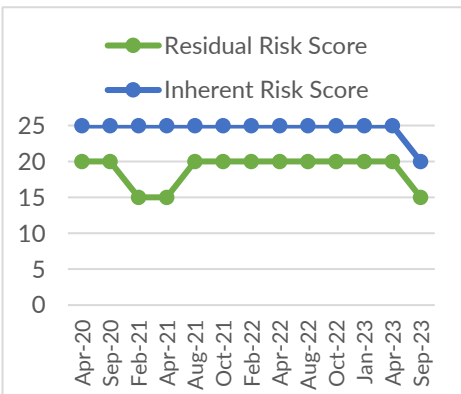
COLOUR KEY	DESCRIPTION
16 – 25 High Risk	At Risk or Late – Not Under Management Control – Action Required When Red , significant concerns over the adequacy/effectiveness of the controls in place and assurances obtained in proportion to the risk
11 – 15 Moderate Risk	At Risk or Late – Under Management Control When Amber , some areas of concern over the adequacy/effectiveness of the controls in place and assurances obtained in proportion to the risk
0 – 10 Low Risk	On Target and Under Management Control When Green , controls and assurances are adequate/effective in proportion to the risk
Yellow or Blank	Insufficient information at present to judge the adequacy/effectiveness of the controls and assurances

RISK DETAILS	RISK SCORING & TRACKING	RISK MITIGATIONS & CONTROLS	RISK MONITORING & ASSURANCE	CONTINGENCY IF RISK MITIGATIONS & CONTROLS FAIL	CHANGE LOG - FROM PREVIOUS REPORTING PERIOD																		
<p>(1) National bargaining impact on college operations</p> <p>Management Lead: Director of HR & OD</p> <p>Lead Committee: Planning and Resources Committee</p> <p>Strategic Pillar: People</p>	<table border="1"> <thead> <tr> <th colspan="3">Inherent (Gross) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>5</td> <td style="background-color: red; color: white;">25</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="3">Residual (Net) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>5</td> <td style="background-color: red; color: white;">25</td> </tr> </tbody> </table> <p style="text-align: center;">Movement ⇄</p> 	Inherent (Gross) Risk			Probability	Impact	Score	5	5	25	Residual (Net) Risk			Probability	Impact	Score	5	5	25	<p>Preventative (Probability):</p> <ul style="list-style-type: none"> Senior staff work (Principal, COO, Director of HRD, VP's) present on national work and bargaining groups to influence future direction <p>Remedial (Impact):</p> <ul style="list-style-type: none"> HR regularly review national circulars and determines national impact on college <p>Both:</p> <ul style="list-style-type: none"> Strong partnership working between management and unions 	<p>1st line of defence:</p> <ul style="list-style-type: none"> Senior staff present on nation work and bargaining groups to influence future direction Regular internal HR/Executive discussions to review national initiatives and determine college actions HR work with manager and SMT leads to discuss impact in their areas General discussions with Finance regarding financial impacts Monthly meetings between COO and Director of HRD <p>2nd line of defence:</p> <ul style="list-style-type: none"> Planning and Resources Committee discussions and reports Audit and Risk Assurance Committee review of top-level risk register – which includes industrial relations risk Executive Team and SMT meetings + reports – industrial relations matters <p>3rd line of defence:</p> <ul style="list-style-type: none"> Local Negotiation Committees – COO chairs LNC with Unison and Vice Principal with EIS (Director of HRD attends both) - National issues are discussed with a view to determine college actions 	<ul style="list-style-type: none"> Focused management and oversight of situation by Executive, and senior management teams 	<p>2nd year pay deal has been tabled</p>
Inherent (Gross) Risk																							
Probability	Impact	Score																					
5	5	25																					
Residual (Net) Risk																							
Probability	Impact	Score																					
5	5	25																					

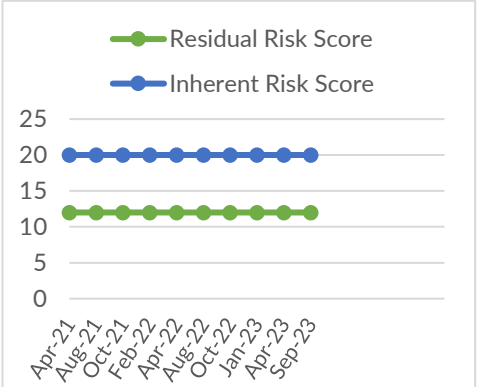
RISK DETAILS	RISK SCORING & TRACKING	RISK MITIGATIONS & CONTROLS	RISK MONITORING & ASSURANCE	CONTINGENCY IF RISK MITIGATIONS & CONTROLS FAIL	CHANGE LOG - FROM PREVIOUS REPORTING PERIOD																		
<p>(33) Financial sustainability (insufficient budget / funding to cover cost of living, job evaluation, employer pension contribution increases)</p> <p>Management Lead: Director of Finance</p> <p>Director of HR & OD</p> <p>Lead Committee: Planning and Resources Committee</p> <p>Strategic Pillar: Finance</p>	<table border="1" data-bbox="335 153 780 409"> <thead> <tr> <th colspan="3">Inherent (Gross) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>5</td> <td>25</td> </tr> </tbody> </table> <table border="1" data-bbox="335 409 780 451"> <thead> <tr> <th colspan="3">Residual (Net) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>5</td> <td>25</td> </tr> </tbody> </table> <p data-bbox="489 378 742 409">Movement \longleftrightarrow</p> 	Inherent (Gross) Risk			Probability	Impact	Score	5	5	25	Residual (Net) Risk			Probability	Impact	Score	5	5	25	<p>Preventative (Probability):</p> <ul style="list-style-type: none"> Active engagement at national level via Principal, COO and Directory of HRD Develop a more unified response with other colleges through HR and Finance networks Improved involvement with the National Joint Negotiation Committee via Directory of HRD Increase volume of lobbying with Members of Scottish Parliament to promote needs of college Financial Forecasting and sensitivity analysis in place taking account of additional financial requirements and cost savings Together with other affected public sector organisations engage with bodies setting Scottish Public Pensions Agency and Lothian Pension Fund employer pension rates Better workforce planning to ensure that staffing costs are contained, Led by COO and SMT Efforts to reduce costs (through regular meetings with dept heads to review operational costs) and maximise commercial income through regular meetings between Director of Finance and Estates and Director of Commercial Development <p>Remedial (Impact):</p> <ul style="list-style-type: none"> 6% contribution (Middle Managers 3%) to Job Evaluation awarded from the SFC SFC have funded increase in employer lecturer pension costs SFC have provided a minimal increase for 2022/23 and therefore there will be a shortfall on funding for cost of living increases. We have been told to expect flat cash funding for future years. Further VS schemes remain an option for 2023/24 and beyond as an action to achieve balanced budget and make savings for future years. Additional VS scheme may go ahead in 2023/24 as an action to align budget and make savings for future years Ensure all costs associated with reduced income are removed where possible. Recruitment freeze may need to be actioned in 2022/23 SMT to develop a savings plan <p>Both:</p> <ul style="list-style-type: none"> Total impact fully disclosed to BoM Cost of Living increases included 2022/23 at an estimate of Public Sector Pay Policy. No agreement with Unions, consultation will be ongoing until agreed. Working with national employer's association to request additional Grant funding 	<p>1st line of defence:</p> <ul style="list-style-type: none"> Ensure EC has the latest information available on future pension rate movements (review all published information) Annual budget setting with each AP/Director, included in operational plans Monthly management accounts meetings with each AP/Director Monthly meetings between COO and Director of Finance & Estates Infrastructure Annual assurance statements including financial control, references Maintaining up to date financial regulations as well as policies and procedures Annual Accounts scrutinised by the Executive Team. Regular Cash flow forecast prepared and reviewed Scottish Funding Council Cash flows prepared, reviewed, and sent monthly Regular joint reviews by Directors of HR&OD & Finance & Estates Infrastructure of budget aligned to establishment SMT meeting regularly <p>2nd line of defence:</p> <ul style="list-style-type: none"> Senior Management and Executive Team reviews of financial controls, cash management, management accounts and performance. Quarterly reports to Planning and Resources Committee and the Board. Budget and 5-year forecast process and papers to committees and board. Finance Report (including management accounts) reviewed by P&R Committee & Board. Regional Procurement Strategy approved by P&R Committee annually <p>3rd line of defence:</p> <ul style="list-style-type: none"> Full impact disclosed to BoM External Audit of finance including cash flow & management, payroll & expenses, purchasing & creditors and procurement as well as annual internal audit of Education Maintenance Allowances, bursaries and other student support funds Annual Accounts signed off by External auditors and laid before the Scottish Parliament. 	<ul style="list-style-type: none"> Seek further income from external revenue streams Impose a moratorium on expenditure Reduction in staff costs through restriction on filling vacancies. National lobby on ability to create further revenue for the college 	
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<p>(24) Cyber security breaches within the college</p> <p>Management Lead: Chief Operating Officer</p> <p>Digital Infrastructure Service Lead</p> <p>Lead Committee: Planning and Resources Committee</p> <p>Strategic Pillar: Digital</p>	<table border="1" data-bbox="335 296 789 548"> <thead> <tr> <th colspan="3">Inherent (Gross) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>5</td> <td>25</td> </tr> </tbody> </table> <table border="1" data-bbox="335 422 789 548"> <thead> <tr> <th colspan="3">Residual (Net) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>5</td> <td>20</td> </tr> </tbody> </table> <p data-bbox="498 516 744 548">Movement </p> 	Inherent (Gross) Risk			Probability	Impact	Score	5	5	25	Residual (Net) Risk			Probability	Impact	Score	4	5	20	<p>Preventative (Probability):</p> <p>Technical</p> <ul style="list-style-type: none"> • Overall secure configurations of college systems. • Software restrictions controlling which applications can be used on endpoints. • Vulnerability management and penetration testing e.g., application scanning. • Control of IT, MIS Development privileged accounts. • Patch management and data access control. • Boundary intrusion detection defences (firewalls), network inspection, activity, and event monitoring. • MIS application security improvement – ad hoc code reviews, Capita provide 6 monthly updates via web services • Stage one of the Network Access Control improvements (related to internal IT Services audit action 2) completed successfully in February • Office 353 Multifactor authentication roll-out for staff has been completed • The new email gateway defence platform is in place • Security Operations Centre contract has been renewed for a second year • New endpoint and server patching solutions have been purchased and are being implemented <p>Organisational</p> <ul style="list-style-type: none"> • Information Security programme launched • Universities and Colleges Shared Services (UCSS) InfoSec membership - Extra resource supplied by HEFESTIS* CISO**-Share. * HE/FE Shared Technology & Information Services **Chief Information Security Officer • Participation in Certified Information Security Professional (CiSP)/ Scottish Information Sharing Network (SCiNET) • Develop data breach response testing and business continuity readiness. Communication plans. • IT policies and IT asset registers - Change Control Policy (related to Cyber Security audit action 2) approved <p>Behavioural</p>	<p>1st line of defence:</p> <ul style="list-style-type: none"> • IT management team meetings which cover cyber security and internal controls related to preventative remedial actions • Information management meetings to establish data risk. • Policies and Procedures. <p>2nd line of defence:</p> <ul style="list-style-type: none"> • Audit and Risk Assurance Committee meetings + 'deep dives' to discuss cyber security and information management audit and compliance reports. <p>3rd line of defence:</p> <ul style="list-style-type: none"> • External and Internal audits on cyber security. • Internal audits on data protection. • Cyber Essentials Plus assessment process- College passed 2020. • Chief Information Security Officer and Data Protection Officers shared service in place to provide support. 	<ul style="list-style-type: none"> • Use of overtime budgets for out of hours cover. • Data/information insurance in place. • Escalation to SMT and Executive Team to approve budget for incident containment (e.g., external expertise). • Cyber Security Attack Business Continuity Management plan. • Security Operations Centre assistance available to contain incidents. 	
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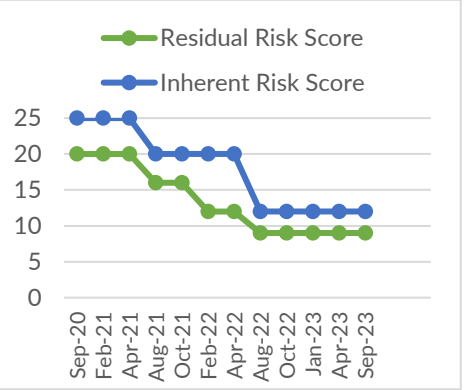

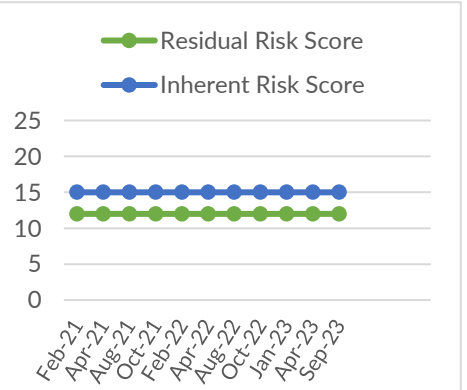
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		<ul style="list-style-type: none"> Staff awareness training and being vigilant Staff are content to report issues Procurement policy and selection of suppliers <p>Remedial (Impact):</p> <ul style="list-style-type: none"> Incident response planning Data recovery systems prioritised (backups) and data recovery if breach occurs <p>Both:</p> <ul style="list-style-type: none"> Inventory of college systems maintained (dynamic asset management) and preventative controls Penetration testing undertaken annually Managed Security Operations Centre (SOC) 4th May 2023 – cyber attack rehearsal facilitated by Zurich representative was conducted with internal college stakeholders to step through plans in place and identify further actions. Critical system workshops being coordinated with key college stakeholders to develop robust BCM Plans: <ul style="list-style-type: none"> a) iTrent – workshops complete, finalising BCM plan b) Unit 4 - workshops complete, finalising BCM plan c) Unit e - workshops complete, finalising BCM plan d) Moodle/Mahara – workshops to be scheduled e) Promonitor – workshops to be scheduled f) Celcat - – workshops to be scheduled 																					
<p>(32) Failure to meet SFC funded activity targets and fees</p> <p>(recruitment, credits, Student Award Agency Scotland (SAAS) and fee income)</p> <p>Management Lead: VP Education & Skills</p> <p>VP Innovation Planning & Performance</p> <p>Lead Committee: Planning and Resources Committee</p>	<table border="1"> <thead> <tr> <th colspan="3">Inherent (Gross) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>5</td> <td>20</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="3">Residual (Net) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>5</td> <td>20</td> </tr> </tbody> </table> <p style="text-align: center;">Movement </p> 	Inherent (Gross) Risk			Probability	Impact	Score	4	5	20	Residual (Net) Risk			Probability	Impact	Score	4	5	20	<p>Preventative (Probability):</p> <ul style="list-style-type: none"> Performance Monitoring cycle – encapsulating ROA targets Active engagement at national level via Principal and Chair Develop a more unified response with other colleges using College Scotland Increase volume of lobbying with MSPs to promote needs of college. Maintaining up to date financial regulations as well as policies and procedures. Ongoing monitoring of application system Full college recruitment and enrolment consultation complete and summary to be provided for final recommendations – Sept 2023 <p>Remedial (Impact):</p> <ul style="list-style-type: none"> More detailed budgeting and reporting now in place to align staff and overhead budgets to prioritised services Monthly focus on cost control with regular, clear communications with all staff on financial 	<p>1st line of defence:</p> <ul style="list-style-type: none"> Heads of Faculty, VP, CM and CL (invited) conduct 6wklly performance to monitor targets Faculty Operational Plans include ROA and credit targets. Monthly meetings between COO and Head of Finance. Annual assurance statements including financial control, references. Regular meetings with regional outcome agreement manager Regular meetings with Education Scotland <p>2nd line of defence:</p> <ul style="list-style-type: none"> MIS quality checks on credit delivery. VP Education and Skills meetings with all Heads of Faculty to review ROA + credit delivery. Faculty Operational Plan performance meetings. VP Education and Skills reports to Planning and Resources Committee on credit delivery ROA and SFC target reporting presented to SMT and Academic Council 	<ul style="list-style-type: none"> Monitor effect of activity on funding and assess exposure Action planning and remedial quality assurance and enhancement 	<p>Have not recruited enough full-time students and semester 2 applications are lower than hope for</p> <p>Increase in risk score due to SFC removing flexibility for COVID recovery and the number of credits that can be claimed (reduced target by 10%, however likely to not reach number of students in new year required to meet this)</p>
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<p>Strategic Pillar: Curriculum</p>		<p>position seeking support in reconciling adverse position</p> <ul style="list-style-type: none"> Financial systems, processes and procedures updated in areas where SFC guidance has had an effect, eg, budgeting and forecasting Reconciliation of SFC guidance changes and allocation letters with monthly SFC Returns and Cash Flow Forecasts Wider acceptance of financial targets across the SMT, to ensure focus remains on achieving financial targets including alternative income streams if targets not forecast to be achieved Further guidance from SFC has provided more flexibility around the allocation of credits <p>Both:</p> <ul style="list-style-type: none"> Analysis of short-term contracts that lead to break-even/negative funding for the college Closer working between Finance/HR /Procurement and Department Heads including training sessions and regular meetings New self-evaluation procedures launched in June 2018, performance against attainment data as key ROA measure and supports staff to consider planning at operational level to improve this Marketing targeted to demographics highlighted in ROA 	<ul style="list-style-type: none"> Tri-partite engagement with SFC/Education Scotland Monitoring by Education Scotland of progress against actions agreed in the Edinburgh College Enhancement Plan <p>3rd line of defence:</p> <ul style="list-style-type: none"> Annual internal Further Education Statistics (FES) audit (also reported to Audit and Risk Assurance Committee) and FES submission to SFC. Scottish Government CPA self-evaluation process. 																							
<p>(2) Student retention and attainment</p> <p>Management Lead: VP Innovation Planning & Performance</p> <p>VP Education & Skills</p> <p>Lead Committee: Planning and Resources Committee</p> <p>Strategic Pillar: Curriculum</p>	<table border="1"> <thead> <tr> <th colspan="3">Inherent (Gross) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>5</td> <td>20</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="3">Residual (Net) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>5</td> <td>15</td> </tr> <tr> <td colspan="2">Movement</td> <td>↓</td> </tr> </tbody> </table> 	Inherent (Gross) Risk			Probability	Impact	Score	4	5	20	Residual (Net) Risk			Probability	Impact	Score	3	5	15	Movement		↓	<p>Preventative (Probability):</p> <ul style="list-style-type: none"> Education Scotland progress visits in May and June provided positive feedback and shown that all actions in plan have been completed New action plan in place with clear direction and actions to ensure consistency of approach towards tracking and monitoring - plan to be shared with Learning, Teaching and Student Experience (LTSE) committee <ul style="list-style-type: none"> New implemented curriculum management structure has re-designated 50 staff to management roles. This will create smaller curriculum teams and enable a greater focus on the quality of learning and teaching and help lead to improvements in both retention and attainment MIS email staff proactively around student with cause for attendance concerns (targeting support before course starts) Use of predictive analytics Curriculum planning tool in use (Curriculum review) 	<p>1st line of defence:</p> <ul style="list-style-type: none"> Student focused timetabling – Retention (RONSEAL) group e.g., application process review CM forum Assessment board meetings LDTs attend course teams meeting Weekly AP meeting Education Scotland report discussed at SMT meetings (standing item on agenda) HOF led performance reviews between HOF, CM, CL, Lecturers (in addition 3 x per year to Exec lead performance reviews with HOF and CM) using operational plan targets Quality team meetings with CM's and CL's Team meetings focused on self-evaluation Annual ongoing curriculum review Fortnightly Edinburgh College Student Association (ECSA) meeting with Assistance Principal of Quality and Improvement <p>2nd line of defence:</p> <ul style="list-style-type: none"> Regular reporting to Executive Team and Senior Management Team 	<ul style="list-style-type: none"> Version 2 of Education Scotland plan 	<p>Drop in score due to positive feedback from Education Scotland visit</p>
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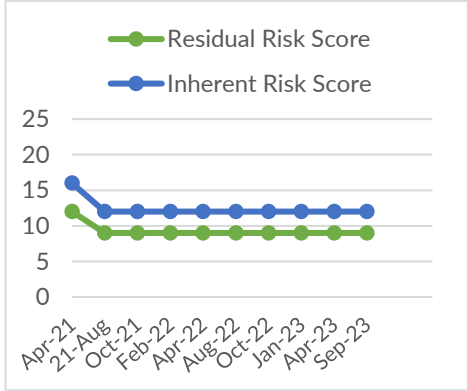
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		<ul style="list-style-type: none"> • Planning matrix including impacts and accountability • Introduce and adhere to curriculum planning cycle • Improved business intelligence (SFC/SDS/other data) • Improved course information and pre-course guidance • Continued use of application window • Continued training and joint working of curriculum and student support teams • Collegiate student focus / retention friendly timetabling • Ensuring all funding in place before start dates • Positive behaviour and anti-bullying and harassment policy and procedure in place • Counselling and wellbeing support in place (inc free sanitary products across all campuses) • Student communications to inform and build engaged student community • Career Coach in place and upgraded to latest version • Course remediation process in place for courses with low PI's to ensure course is still relevant to continue • Attendance and retention policy in use • Online withdrawals form replaced old paper-based withdrawals, which allows a more streamlined (monitored) process and more accurate withdrawal data within college • Single central record project (pro-monitor) • ROA Action plans outlined in Operational plans • New automation of pathways for progressing students (don't have to go through application process again) • Close working between CM's and SRA's (right student, right course) • Monitoring and tracking shared with Schools for SCP. Internal group supports younger students in partnership with local authority and SDS. • LEAN project to further refine application process <p>Remedial (Impact): NA</p> <p>Both:</p> <ul style="list-style-type: none"> • MIS control processes in place – more stringent control around marking of registers • Retention working group established and focused on specific areas e.g., full time FE containing national recognised qualifications 	<ul style="list-style-type: none"> • Regular reporting to Academic Council • Deep Dives led by Audit and Risk Assurance Committee • ROA reporting to the Board of Management • Performance against ROA targets report to Academic Council • Student destination survey reports to Academic Council • Edinburgh College Student Association reporting of student satisfaction to Academic council and Board of Management <p>3rd line of defence:</p> <ul style="list-style-type: none"> • Annual framework audit • ROA reporting to the SFC • Annual internal Further Education Statistics audit (also reported to Audit and Risk Assurance Committee) and Further Education Statistics submission to Scottish Funding Council • Close partnership with external partners and industry 		

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<p>(25) Fineable breach of the General Data Protection Regulation (GDPR) or Privacy and Electronic Communications Regulations (PECR)</p> <p>Management Lead: VP of Corporate Development</p> <p>Director of Communication Policy & Research</p> <p>Lead Committee: Planning and Resources Committee</p> <p>Strategic Pillar: People</p>	<table border="1" data-bbox="335 296 780 548"> <thead> <tr> <th colspan="3">Inherent (Gross) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>5</td> <td>20</td> </tr> </tbody> </table> <table border="1" data-bbox="335 548 780 800"> <thead> <tr> <th colspan="3">Residual (Net) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>4</td> <td>12</td> </tr> </tbody> </table> <p data-bbox="483 516 744 548">Movement \longleftrightarrow</p> 	Inherent (Gross) Risk			Probability	Impact	Score	4	5	20	Residual (Net) Risk			Probability	Impact	Score	3	4	12	<p>Preventative (Probability):</p> <ul style="list-style-type: none"> Data Protection Handbook published college-wide February 2021 containing guidance on data sharing, verifying ID, secure send via email, & referral of legal data protection requests to DP Team. EC laptop encryption complete on all known devices. Data Protection Policy co-designed with DPO; published on internet, intranet and embedded in mandatory staff data protection training. Mandatory staff GDPR training on Moodle Staff zone 'Tech Tuesdays' Cyber Security essentials training modules issued to all staff each Tuesday to improve cyber security awareness. Full information asset audit completed January 2020 – SMT assigned ownership of EC Info Assets & providing security classifications Nov 2020 onwards. DPO delivered data protection impact assessment training to middle managers (via OD) three times – now a mandatory training session. Dedicated data protection inbox created for staff - single point of reporting/email address for data protection issues. All BDO GDPR audit actions closed October 2021. College has embedded GDPR-standard student privacy notices; and PECR-standard direct marketing consents, within application & enrolment process. College has deployed employee, and job applicant, privacy notices on college website privacy page. Data capture on website is compliant Participation within FE GDPR collaborative group Scottish Colleges' Information Governance Group (SCIGG) to share college sector approaches to GDPR compliance College website cookie permissions updated to GDPR and E-Privacy Regulation compliant standard Updated staff contracts issued August 2018 containing DPO-approved GDPR/data protection clauses. Contracted/part-time workers provided statutory compliance information booklet, which includes key data protection instructions/guidance 	<p>1st line of defence:</p> <ul style="list-style-type: none"> Dedicated Information Management manager in post to monitor compliance Information Governance Group established: DPO and Chief Information Security Officer (CISO) are members. OD monthly reports to managers on GDPR training uptake Co-Sharing of common documentation by Scottish College through the Scottish Colleges' Information Governance Group (SCIGG) <p>2nd line of defence:</p> <ul style="list-style-type: none"> Data Protection Officer in post via HE/FE Shared Technology & Information Services (HEFESTIS) Shared Service: reviewing and actively contributing to college GDPR work and provides independent internal audit and advisory role GDPR update to SMT on by-request basis <p>3rd line of defence:</p> <ul style="list-style-type: none"> Internal audit on GDPR compliance (BDO) 	<ul style="list-style-type: none"> Breach escalation to Director of Communication Policy and Research for assessment and determination of further escalation to Executive team for strategic level oversight 	<p>Risk score reviewed by information manager and confirmed to be accurate</p> <p>Reference added to all-staff Tech Tuesday's cyber security training modules.</p> <p>Mandatory staff GDPR training on Moodle Staff zone (82% as at July 2023)</p> <p>Implementing automated reminders from iTrent when courses are due to expire</p>
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		<p>Remedial (Impact):</p> <ul style="list-style-type: none"> Single point of reporting/email address for data protection and data breach issues: weekend out-of-hours breach reporting cover provided by Information Manager. Data Protection Officer support available out of hours via HE/FE Shared Technology & Information Services (HEFESTIS) shared Data Protection Officer (DPO) service <p>Both:</p> <ul style="list-style-type: none"> Integrated Action Plan encompassing outstanding data protection, information security and records management compliance requirements developed and being monitored by EC Information Governance Group (IGG). Data Sharing Agreements being developed with key external partners to reduce likelihood of breach and to reduce fines in event of breach involving 3rd parties Formal Data Breach Reporting Procedure approved by SMT and issued to staff via College Update/available on college website privacy page. 																																																												
<p>(15) Health & safety non-compliance</p> <p>Management Lead: Chief Operating Officer</p> <p>H&S Manager</p> <p>Lead Committee: Planning and Resources Committee</p> <p>Strategic Pillar: People</p>	<table border="1"> <thead> <tr> <th colspan="3">Inherent (Gross) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>4</td> <td>16</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="3">Residual (Net) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>4</td> <td>12</td> </tr> <tr> <td colspan="2">Movement</td> <td>↑</td> </tr> </tbody> </table> <table border="1"> <caption>Risk Score Trend</caption> <thead> <tr> <th>Month</th> <th>Inherent Risk Score</th> <th>Residual Risk Score</th> </tr> </thead> <tbody> <tr><td>Feb-21</td><td>12</td><td>8</td></tr> <tr><td>Apr-21</td><td>12</td><td>8</td></tr> <tr><td>Aug-21</td><td>12</td><td>8</td></tr> <tr><td>Oct-21</td><td>12</td><td>8</td></tr> <tr><td>Feb-22</td><td>12</td><td>8</td></tr> <tr><td>Apr-22</td><td>12</td><td>8</td></tr> <tr><td>Aug-22</td><td>12</td><td>8</td></tr> <tr><td>Oct-22</td><td>12</td><td>8</td></tr> <tr><td>Jan-23</td><td>12</td><td>8</td></tr> <tr><td>Apr-23</td><td>14</td><td>10</td></tr> <tr><td>Sep-23</td><td>16</td><td>12</td></tr> </tbody> </table>	Inherent (Gross) Risk			Probability	Impact	Score	4	4	16	Residual (Net) Risk			Probability	Impact	Score	3	4	12	Movement		↑	Month	Inherent Risk Score	Residual Risk Score	Feb-21	12	8	Apr-21	12	8	Aug-21	12	8	Oct-21	12	8	Feb-22	12	8	Apr-22	12	8	Aug-22	12	8	Oct-22	12	8	Jan-23	12	8	Apr-23	14	10	Sep-23	16	12	<p>Preventative (Probability):</p> <ul style="list-style-type: none"> Corporate policies and procedures in place. Document control tracker maintained Mandatory training requirements in place for all staff Communications support to ensure staff understand compliance responsibilities H&S documentation to be implemented and maintained by Faculty/Function heads or nominated managers <p>Remedial (Impact):</p> <ul style="list-style-type: none"> Early detection of risk/s and resolve quickly and efficiently. <p>Both:</p>	<p>1st line of defence:</p> <ul style="list-style-type: none"> Reactive date (e.g., accident/incident reports) monitored to identify and correct procedural deficiencies Operational planning Annual review of H&S policy; maximum review timeframe for procedures is 3 years All new or significantly altered policies and procedures sent for consultation (H&S Committee, management, relevant staff) and all feedback recorded H&S Committee in place with engagement of staff and unions <p>2nd line of defence:</p> <ul style="list-style-type: none"> Ongoing monitoring of budget availability to carry out reactive work with H&S implications and reporting to SMT/Executive <p>3rd line of defence:</p> <p>Programme of internal and external audits in place</p>	<ul style="list-style-type: none"> Enforcement of H&S management systems and procedures for area/department. Immediate implementation of any required local or organisation-wide deviation from procedure as short-term control Formal review and consultation on need for procedural change/update. Dependent on outcome, implement corrective actions 	<p>Inherent and residual score increased due to:</p> <p>Risk assessment - in the last year 7 managers have failed to review and approve their department risk assessments. This leaves us vulnerable from non-compliance of regulation 3 of the Management of Health and Safety Regulations 1999.</p> <p>Fire alarms - We have reported and continually encouraged contractors (ADT) to review the fire alarm system at Milton Road and Granton to no avail. This leaves us vulnerable from non-compliance of Regulation 12 of The Fire Safety (Scotland) Regulations 2006.</p> <p>Training - Due to recent Trade Union activity advising staff of a boycott of mandatory health and safety training, this leaves us vulnerable from non-compliance of regulation 13 of the Management of Health and Safety Regulations 1999 and regulation 20 of The Fire Safety (Scotland) Regulations 2006.</p>
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<p>(35) Public health risks</p> <p>Management Lead: H&S Manager</p> <p>Director of Communication Policy & Research</p> <p>Lead Committee: Corporate Development / Planning & Resources</p> <p>Strategic Pillar: People</p>	<table border="1"> <thead> <tr> <th colspan="3">Inherent (Gross) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>4</td> <td>16</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="3">Residual (Net) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>3</td> <td>9</td> </tr> </tbody> </table> <p style="text-align: center;">Movement </p> 	Inherent (Gross) Risk			Probability	Impact	Score	4	4	16	Residual (Net) Risk			Probability	Impact	Score	3	3	9	<p>Preventative (Probability):</p> <ul style="list-style-type: none"> Health and safety along with public health colleagues will continue to monitor risk: meningitis, COVID-19, flu, Noro virus, etc Occupational health nurse working closely with Edinburgh College Student Association (ECSA) and HR on public health campaigns Hand hygiene, CO² monitoring and ventilation procedures in place <p>Remedial (Impact):</p> <ul style="list-style-type: none"> Alternative working arrangements in place for staff when required Blended learning default position for classes when required College and Edinburgh College Student Association (ECSA) maintain engagement with students via various digital and social media platforms and to provide information about keeping well and safe. <p>Both:</p> <ul style="list-style-type: none"> Staff communications to provide updates on situation and risk levels – Staff update email, intranet, website, etc 	<p>1st line of defence:</p> <ul style="list-style-type: none"> Risk Management and Assurance Group monitor risk and overall college response actions Critical Incident Team to manage major events <p>2nd line of defence:</p> <ul style="list-style-type: none"> Health and Safety committee Regular Public health team briefs SMT fortnightly meetings <p>3rd line of defence:</p> <ul style="list-style-type: none"> Scottish Government Health Protection Scotland Internal and external audits Trade union feedback 	<ul style="list-style-type: none"> Business Continuity Management plans and procedures/guidance for communicable diseases Full campus closure – all activity on-line College has regular contact with public health to manage any potential outbreak in student population 	<ul style="list-style-type: none">
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<p>(28) College estate infrastructure not aligned to meet business need</p> <p>Management Lead: Estates Managers</p> <p>Lead Committee: Planning and Resources Committee</p> <p>Strategic Pillar: Curriculum People</p>	<table border="1"> <thead> <tr> <th colspan="3">Inherent (Gross) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>5</td> <td>15</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="3">Residual (Net) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>4</td> <td>12</td> </tr> </tbody> </table> <p style="text-align: center;">Movement </p> 	Inherent (Gross) Risk			Probability	Impact	Score	3	5	15	Residual (Net) Risk			Probability	Impact	Score	3	4	12	<p>Preventative (Probability):</p> <ul style="list-style-type: none"> Planned maintenance programme in place for statutory compliance Curriculum review to take account of Estates requirements and lack of funding to make significant changes Future planning for Motor Vehicle facilities at Sighthill/Midlothian; and Construction facilities to replace Forthside Major project underway for relocations of all Forthside facilities to college campuses. <p>Remedial (Impact):</p> <ul style="list-style-type: none"> In-house maintenance team carry out reactive maintenance where possible. Register in place to monitor works and log what works are not completed and prioritised Loss of catering provision to staff and students with long lead time if retender required <p>Both:</p> <ul style="list-style-type: none"> Business Transformation Plan Estates Review completed – focus on Forthside construction and Sighthill Automotive. Flexible approach being taken to reconfiguring classrooms where budget permits 	<p>1st line of defence:</p> <ul style="list-style-type: none"> Critical works register in place to monitor outstanding works and monthly maintenance register to monitor works progress against budget availability KPI's in operational plans for Estates Staff roles designed to manage Estate's compliance Estate's strategy and capital funding allocation prioritised and agreed by the SMT Estate's condition reviewed six monthly + monthly review of estates critical works register Estates Services Manager's and H&S Manager meet weekly with Dir. of Finance and Estates Infrastructure, H&S + Sustainability + Facilities + Security + Porterage + Print Services + Vehicles + IFM + Catering Contract + Budget issues discussed ISS contract management meetings Gather & Gather monthly contract meetings for catering contract with Finance and Procurement Monthly utility monitoring <p>2nd line of defence:</p> <ul style="list-style-type: none"> SMT + Executive Team discussions on estates. Planning and Resources Committee papers and discussions on estates matters. 	<ul style="list-style-type: none"> Align decisions on future curriculum to enable estates to review requirements and plan for necessary changes as part of the connect groups Estate's incident management process and business continuity plans G&G contract now reduced to minimal service 	<ul style="list-style-type: none">
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			<ul style="list-style-type: none"> Estates management matters are also included also in the Health and Safety Report to Health and Safety Committee. <p>3rd line of defence:</p> <ul style="list-style-type: none"> NQA Auditor process. Internal audit on estates management. Care Inspectorate inspections of the nursery. 																							
<p>(3) Shortfall in commercial income</p> <p>Management Lead: VP Corporate Development</p> <p>Director of Enterprise and Knowledge Exchange</p> <p>Lead Committee: Corporate Development / Planning & Resources</p> <p>Strategic Pillar: Commercial</p>	<table border="1"> <thead> <tr> <th colspan="3">Inherent (Gross) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>5</td> <td>15</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="3">Residual (Net) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>5</td> <td>10</td> </tr> <tr> <td colspan="2">Movement</td> <td>↓</td> </tr> </tbody> </table>	Inherent (Gross) Risk			Probability	Impact	Score	3	5	15	Residual (Net) Risk			Probability	Impact	Score	2	5	10	Movement		↓	<p>Preventative (Probability):</p> <ul style="list-style-type: none"> Robust costing tools, operational plan and strategy in place to achieve income targets Robust programme monitoring and management systems in place New programmes in development/research phase to anticipate and meet market demand and generate income Enhanced utilisation of business intelligence and sector networks to identify new opportunities Communication and Marketing teams provide support to commercial team to promote services and partnerships for further income generation Joint ownership of target setting with Commercial Development, Finance and APs Curriculum in regular dialogue Better monthly forecast procedures incorporated which allow for higher degree of proactiveness <p>Remedial (Impact):</p> <ul style="list-style-type: none"> FWDF – The College’s ability to plan financially is not helped by the lack of information on funding and in-year allocation. The Flexible Workforce Development Fund (FWDF) Year 7 allocation has yet to be announced. The later the announcement, the greater the likelihood of negative impact in terms of workload and pressure on the team. <p>Both:</p> <ul style="list-style-type: none"> Partnerships with business, colleges and universities strengthened to build sustainable income platforms Diversified income streams to minimise reliance on any single source Flexible delivery model to ensure capacity (use of both in-house and external training associates) Costing review project, with scheduled and bespoke programmes to be reviewed in semester 1 23/24 23-26 Commercial Strategy now signed off. College Engagement Plan in place, including employer engagement 	<p>1st line of defence:</p> <ul style="list-style-type: none"> Commercial income targets set annually as part of budget setting process Enhanced financial reporting to provide clarity and support planning Monthly reporting to Exec and SMT 6 weekly monitoring process to be put in place in line with updated reporting structure Quarterly reporting to Corporate Development Committee and BoM. <p>2nd line of defence:</p> <ul style="list-style-type: none"> Monthly updates to Executive Team on live programmes and activities under development Corporate Development Committee oversight of international contracts <p>3rd line of defence:</p> <ul style="list-style-type: none"> Internal audit report on commercial activity. Scottish Government Procurement Capability Assessment self-evaluation process. 	<ul style="list-style-type: none"> Longer term forecast and targeted approach to setting commercial focus External training associate’s costs used to partly service commercial activities Actions to reduce costs associated with any reductions in Commercial Income Alternative funding streams being pursued Scottish Funding Council review will impact on planning and budgeting for alternative funding activities. 	<ul style="list-style-type: none"> Programme for Scottish Government funding has come in form of credits not revenue therefore will not assist with commercial income There seems to be some doubt cast on the guarantee of continued Flexible Workforce Development Fund (FWDF) funding, this will become clearer as budget confirmed. Updated reporting structures in progress to capture all income for transparent monitoring.
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<p>(27) Workforce planning and development</p> <p>Management Lead: Director of HRD</p> <p>Lead Committee: Planning and Resources Committee</p> <p>Strategic Pillar: People</p>	<table border="1" data-bbox="338 296 774 541"> <thead> <tr> <th colspan="3">Inherent (Gross) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>4</td> <td>12</td> </tr> <tr> <th colspan="3">Residual (Net) Risk</th> </tr> <tr> <th>Probability</th> <th>Impact</th> <th>Score</th> </tr> <tr> <td>3</td> <td>3</td> <td>9</td> </tr> <tr> <td colspan="2">Movement</td> <td>↔</td> </tr> </tbody> </table> 	Inherent (Gross) Risk			Probability	Impact	Score	3	4	12	Residual (Net) Risk			Probability	Impact	Score	3	3	9	Movement		↔	<p>Preventative (Probability):</p> <ul style="list-style-type: none"> Workforce development plan now active Monthly meetings with managers by HR Partners to review key employee management information including retirements, vacancies, turnover, absence (16) Monthly meeting between HR Manager Partnering and AP's to review staffing issues and needs <p>Remedial (Impact):</p> <p>Both:</p> <ul style="list-style-type: none"> Greater scrutiny of vacancy control and staff deployment has been implemented Robust process and procedures in place to track vacancies against budget 	<p>1st line of defence:</p> <ul style="list-style-type: none"> Staff analytics monthly reports to Heads of School and Support Managers Management of establishment against budget Regular reviews of progress against operational plan objectives for OD team with Directory of HRD. Monthly meeting between HR advisors and managers (curriculum and support staff) to review establishment vacancy, workforce planning, staff wellbeing and OD Joint LNC meetings to develop employment policies <p>2nd line of defence:</p> <ul style="list-style-type: none"> Regular reviews with progress and issues in HR & OD between COO and Directory of HRD. SMT and Executive Team discussions and reports on workforce planning, OD, and staff wellbeing. HR reports to Planning and Resources Committee and SMT on workforce planning. <p>3rd line of defence:</p> <p>Internal audit: Workforce & Establishment Management was carried out in 2022 and some actions for improvement were noted.</p>	<ul style="list-style-type: none"> Consider development of policy on retraining displaced staff rather than recruiting new staff Consider alternative employment models where feasible – ongoing 	<p>WF Plan updated to take account of £3.6m-£5.7m savings to be made currently under review by COO and Exec as part of EC People launch. Plans for staff cost reductions enacted in 2022/23</p> <p>Draft people strategy being reviewed in line with new College Strategic Aims and launch of EC People campaign</p>
Inherent (Gross) Risk																										
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Title	Annual Report on Cyber-Attacks and Data Breach Incidents
Appendices	Appendix 1: Data Breach Reporting Thresholds Appendix 2: Security Operations Centre Reporting
Disclosable under FOISA	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>
Primary Contact	Nick Croft, Director of Communications, Policy and Research
Date of Production	29/09/2023
Action Required	For Approval <input type="checkbox"/> / For Discussion <input checked="" type="checkbox"/> / For Information <input checked="" type="checkbox"/>
Aligned to Strategic Risk	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> <i>(If 'yes' please complete Section 5.3)</i>

1. RECOMMENDATIONS

The Audit & Risk Assurance Committee are asked to NOTE the following annual report on cyber attacks and personal data breach incidents.

2. PURPOSE OF REPORT

The Audit and Risk Assurance Committee indicated it would welcome an annual report on data breach incident and cyber-attacks to help members understand the source, frequency and whether any specific trends existed. This report is intended to provide information in line with ARAC's request.

In line with the rest of the sector, cyber security at Edinburgh College has been improving since the Scottish Government published its Public Sector Action Plan on Cyber Resilience, but there is no room for complacency. Phishing, social engineering and ransomware are still the top concerns, although human error and accidental data breaches by staff are more common.

Separately, under the UK General Data Protection Regulation (GDPR), Edinburgh College has a legal duty to investigate any security incident which may affect the confidentiality, integrity or availability of personal data; evaluate whether a data breach has occurred; and (if of sufficient seriousness) report it to the ICO and the individual(s) affected within 72 hours of discovery. Failure to report a breach when required to do so can result in a fine of up to €10m or 2% of turnover. A significant personal data breach can result in a fine of up to €20m or 4% of turnover.

3. KEY INSIGHTS

The sections below provide an annual overview of cyber-attacks, and data beaches, at Edinburgh College over the past 12 months.

3.1. Cyber-Attacks

The most common security incidents this year have been:

1. Student devices on college wi-fi networks connecting to suspicious domains, and

2. Anomalous logon events from staff accounts.

Many of these incidents turned out to be false alarms. Of those that were genuine attacks, none have been widespread. The combination of early detection 24/7 by the security operations centre and multi-factor authentication makes it difficult for attackers to gain access to college systems even with a valid username and password.

As a result, the college has recorded no significant impactful external 'cyber-attack' in this session despite some successful phishing attacks. No successful attacks have been attributed to vulnerable systems, suggesting that our attack surface reduction and vulnerability management initiatives are fit for purpose.

However, an attacker only needs one chink in our armour, so it remains an ongoing battle.

3.2. Personal Data Incidents & Data Breaches

3.2.1 Data Breach Definition

The Information Commissioner's Office (ICO) defines a data breach as: "a security incident that has affected the confidentiality, integrity or availability of personal data.

"In short, there will be a personal data breach whenever any personal data is:

- *lost, destroyed, corrupted or disclosed;*
- *if someone accesses the data or passes it on without proper authorisation; or*
- *if the data is made unavailable, for example, when it has been encrypted by ransomware, or accidentally lost or destroyed".*

Under the UK General Data Protection Regulation (GDPR) Edinburgh College has a legal duty to investigate any security incident which may affect the confidentiality, integrity or availability of personal data; evaluate whether a data breach has occurred; and (if of sufficient seriousness) report it to the ICO and the individual(s) affected within 72 hours of discovery.

Edinburgh College's Data Protection Policy; Information Security and Breach policy; mandatory GDPR training module, and employee induction direct staff to the DataProtection@Edinburghcollege.ac.uk inbox and data incident reporting form, for the purposes of reporting data incidents/suspected data breaches.

3.2.2 Incidents and Breaches

Over the period October 2022 to 29th September 2023 (inclusive) the College's Information Management Team (IMT) was notified of, and investigated, 16 data incidents to evaluate whether personal data breaches had occurred (in line with the breach definition provided by the ICO).

The IMT determined that:

- 14 of these incidents technically comprised a data breach; and
- 2 manifestly did not qualify as a data breach.

The college's Data Breach Reporting Procedure sets out a scoring matrix which the IMT uses to consistently evaluate whether or not a confirmed breach is reportable to a). the Information Commissioner's Office b). the individuals affected ("data subjects").

This breach evaluation matrix has been adopted by a number of colleges across Scotland who are members of the Data Protection Officer Shared Service provided by HEFESTIS Ltd.

To date, zero breaches have been determined as reaching the threshold for reporting to the Information Commissioner's Office and similarly no breach has been evaluated as reaching the higher-threshold for reporting to the affected data subject(s). Each decision is recorded on a case- by-case basis on the college's data incident recording tracker.

It should be noted that in one instance, the affected data subjects were already aware of the breach.

Edinburgh College's independent Data Protection Officer introduced, in session 2021-2022, a new standardised response form providing those reporting breaches with a summary of the incident; containment actions taken; notification recommendation (to ICO and affected individuals); an evaluation of the cause of the incident, and recommended corrective actions.

Table 1: Recorded data breaches at Edinburgh College (by ICO Classification)

Data Breach (ICO Classification)	June 18 to Sep 2019	Oct 19 to Sep (30 th) 2020	Oct 20 to Sep (9 th) 2021	Oct 21 to Sep (5 th) 2022	Oct 22 to Sep (29 th) 2023	Annual Change +/-
Data emailed to incorrect recipient A	13	12	8	7	11	+4
Failure to use bcc B	4	6	0	1	1	No change
Unauthorised access C	3	1	0	0	1	+1
Data of wrong data subject shown in client portal D	3	2	1	0	0	Nil
Other cyber incident E	2	0	4	2	0	-2
Data posted or faxed to incorrect recipient F	2	0	0	0	0	Nil
Alteration of personal data G	2	0	1	0	1	+1
Loss/theft of paperwork or data left in insecure location H	1	3	0	0	0	Nil
Failure to redact I	1	4	4	4	0	-4
Verbal disclosure of personal data	1	0	0	0	0	Nil
TOTAL:	32	31	19	14	14	No change

3.2.3 Source of breaches & trends

As outlined below, over the period October 2022 to 29th September 2023 the principal source of data breaches at Edinburgh College has been human error. A limited narrative for the main data breaches is provided below.

This aligns with national trends, where **non** 'cyber security [cyber-attack]' incidents accounted for 75% of all personal data breaches reported to the Information Commissioner's Office (ICO) over the period 1st October 2022 to 31st December 2022 (latest reported figures).

Incorrect email recipients (11 data breaches)

As outlined in Table 1, 11 (78%) of 14 recorded data breaches at Edinburgh College were the result of personal data being emailed to the incorrect recipient when sending emails; by point of comparison this accounted for the greatest number of data breaches reported to the ICO over the period 1st October 2022 to 31st December 2022.

The college has initialised warning messages on all outgoing emails (to external email addresses), reminding senders that their email was being directed outside the organisation; and this message is reinforced in the college's mandatory GDPR training and directly with staff who have committed a data breach of this nature.

Unauthorised access (1 data breach)

One breach resulted from a member of staff using a picture from a College system as their profile picture on TikTok. The image was swiftly taken down and deletion confirmed. DPO advised all correct actions were undertaken to contain the incident.

Alteration of personal data (1 data breach)

One breach resulted from a student using a lecturer's login details to gain unauthorised access to ProMonitor where they amended their own personal data. The incident was immediately investigated and the lecturer's password was reset. IT also moved ProMonitor to the College's internal system and added MFA. DPO advised the College had undertaken all correct actions to mitigate any ongoing impact and prevent a future occurrence.

Failure to use BCC (1 data breach)

An email was issued to residents at the student accommodation's private emails addresses using the "TO" field rather than the "BCC" field.

4. IMPACT AND IMPLICATIONS

Annual reporting of trends in cyber-attacks and personal data breaches will enable the college's Senior Management Team, and Audit & Risk Assurance Committee, to identify areas of significant risk and respond and resource accordingly. Identification of these trends will enable operational teams, including the IT Digital Infrastructure team and Information Management Team to prioritise activities to mitigate risk, including appropriate staff training.

The occurrence of successful, significant cyber-attack, and/or significant personal data breach - could potentially lead to sanctions (and reputational damage). Potential sanctions under the UK GDPR include:

- A warning in writing in cases of first and non-intentional non-compliance;
- regular periodic data protection audits;
- a fine up to 10,000,000 EUR or up to 2% of the annual worldwide turnover of the preceding financial year in case of an enterprise, whichever is greater;
- a fine up to 20,000,000 EUR or up to 4% of the annual worldwide turnover of the preceding financial year in case of an enterprise, whichever is greater.

5. ALIGNMENT TO STRATEGIC PLAN / KPIs / RISK REGISTER

5.1 Alignment to Edinburgh College Strategic Pillars [Indicate with an 'X' which Strategic Pillar this paper supports]:

Curriculum Strategy	<input type="checkbox"/>	Finance Strategy	<input type="checkbox"/>	People Strategy	<input type="checkbox"/>
Commercial Strategy	<input type="checkbox"/>	Digital Strategy	<input checked="" type="checkbox"/>	Other	<input type="checkbox"/>

5.2 Relevant Key Performance Indicators [Indicate with an 'X' which performance indicators this paper supports]:

Student Success	<input type="checkbox"/>	Credit Target	<input type="checkbox"/>	Equality, Diversity & Inclusion	<input type="checkbox"/>
Student Satisfaction	<input type="checkbox"/>	Adjusted Operating Position (AOP)	<input checked="" type="checkbox"/>	Staff Costs	<input type="checkbox"/>
Student Retention	<input type="checkbox"/>	Non-SFC Income	<input type="checkbox"/>	Staff Engagement	<input type="checkbox"/>
Student Enrolments	<input type="checkbox"/>	Gross Carbon Footprint	<input type="checkbox"/>	Partner Engagement	<input type="checkbox"/>

5.3 Alignment to the Top-Level Risk Register [Strategic risk information should be copied directly from the most recent TLRR]:

Strategic Risk(s)	Risk Score*		
(24) Cyber security breaches within the college Executive Lead: Chief Operating Officer Lead Committee: Planning and Resources Committee	Inherent (Gross) Risk		
	<i>Probability</i>	<i>Impact</i>	<i>Score</i>
	5	5	25
	Residual (Net) Risk		
	<i>Probability</i>	<i>Impact</i>	<i>Score</i>
	4	5	20
	Movement (since last review)		↔
(25) Fineable breach of GDPR or Privacy and Electronic Communications Regulations Executive Lead: VP Corporate Development Lead Committee: Planning and Resources Committee	Inherent (Gross) Risk		
	<i>Probability</i>	<i>Impact</i>	<i>Score</i>
	4	5	20
	Residual (Net) Risk		
	<i>Probability</i>	<i>Impact</i>	<i>Score</i>
	3	4	12
	Movement (since last review)		↔

*Risk Score Key: 0-10 Low Risk; 11-15 Moderate Risk; 16-25 High Risk. [Further information on risk scoring can be found in the [EC Risk Management Policy & Procedure](#)]

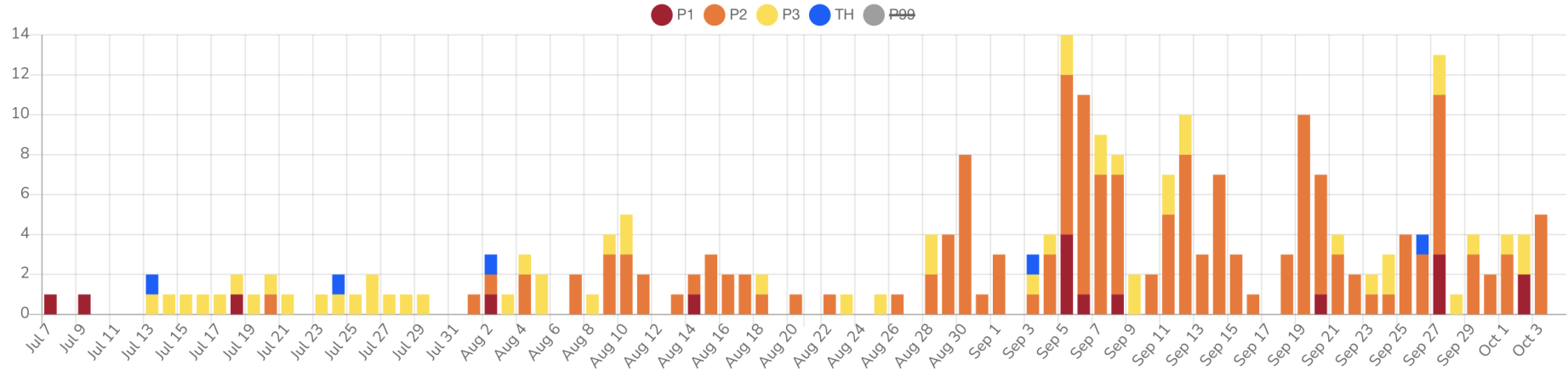
Appendix 1: Data Breach Reporting Thresholds

ICO Definition of ICO/Data Subject reporting thresholds

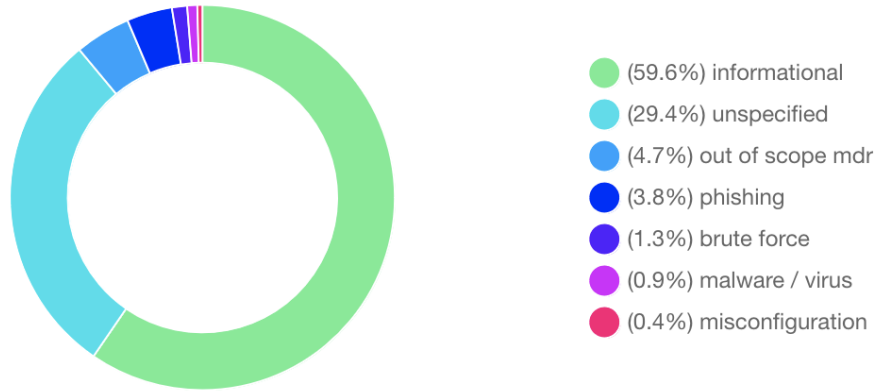
<p>Likely to result in risk to people's rights and freedoms:</p> <p>"A personal data breach may, if not addressed in an appropriate and timely manner, result in physical, material or non-material damage to natural persons such as loss of control over their personal data or limitation of their rights, discrimination, identity theft or fraud, financial loss, unauthorised reversal of pseudonymisation, damage to reputation, loss of confidentiality of personal data protected by professional secrecy or any other significant economic or social disadvantage to the natural person concerned."</p>	<p>Likely to result in high risk to people's rights and freedoms:</p> <p>Must inform those concerned directly and without undue delay (as soon as possible)</p> <p>A 'high risk' means the threshold for informing individuals is higher than for notifying the ICO. Again, you will need to assess both the severity of the potential or actual impact on individuals as a result of a breach and the likelihood of this occurring. If the impact of the breach is more severe, the risk is higher; if the likelihood of the consequences is greater, then again, the risk is higher</p>
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Appendix 2: SOC REPORT LAST 90 DAYS

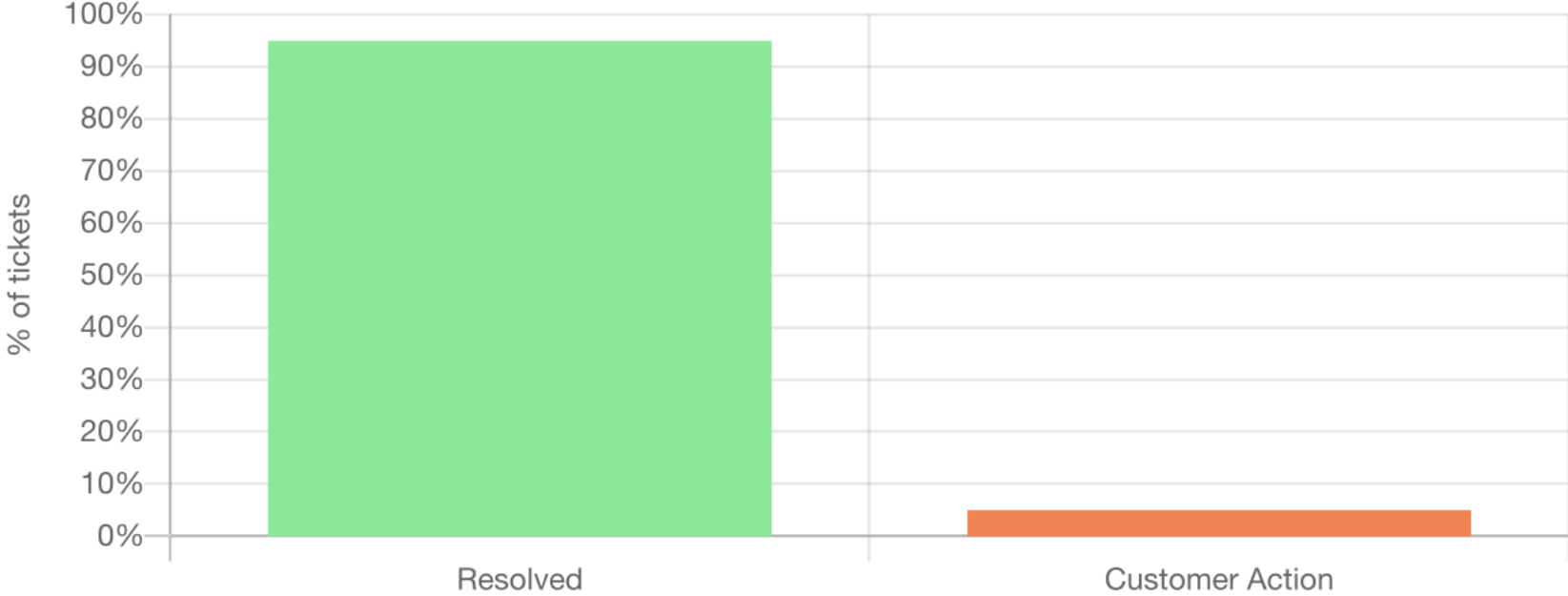
SECURITY EVENTS BY PRIORITY



ROOT CAUSE OVERVIEW



TICKET ESCALATION RATIO



Title	Compliance with the Code Of Good Governance For Scotland's Colleges
Appendices	Appendix 1: Overview of Compliance with the Code of Good Governance for Scotland's College in 2022/23
Disclosable under FOISA	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>
Primary Contact	Marcus Walker, Board Secretary
Date of Production	27.09.23
Action Required	For Approval <input type="checkbox"/> / For Discussion <input checked="" type="checkbox"/> / For Information <input checked="" type="checkbox"/>
Aligned to Strategic Risk	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/> (If 'yes' please complete Section 5.3)

1. RECOMMENDATIONS

The Audit & Risk Assurance Committee is asked to NOTE the governance arrangements in-place and CONSIDER the compliance of the Board with the Code of Good Governance for Scotland's Colleges.

2. PURPOSE OF REPORT

To provide the Audit & Risk Assurance Committee with assurance that the College's governance arrangements are compliant with the [2022 Code of Good Governance for Scotland's Colleges](#) ('The Code'), and that there has been review and improvement to that end over the past year.

Compliance with the Code of Good Governance is a condition of funding required by the Scottish Funding Council.

3. KEY INSIGHTS

3.1 Context

The Code operates on a 'comply or explain' basis, and the Chair of the Board is expected to explain in the annual financial statements how the Board has applied its principles over the course of the year. There is an obligation on the Board to make the Scottish Funding Council aware at the earliest opportunity of any area of its practice that is not consistent with the principles in the Code.

The following report considers aspects the Board's compliance with the Code in 2022/23 to assist the Audit & Risk Assurance Committee in reviewing and recommending the annual financial statements to the Board. *Appendix 1* provides an overview of the key elements of the Governance Code and outlines Edinburgh College's compliance with each requirement.

3.2 2022 Version of the Code

The original Code of Good Governance for Scotland's Colleges was published in December 2014. The Code has been periodically updated by the Good Governance

Steering Group (GGSG) in recent years to take into account the Cabinet Secretary's Good Governance Task Group recommendations which were published in 2016 and new governance practices and processes.

In 2022, a light touch review of the Code was undertaken by GGSG to ensure that it remained fit for purpose. The main changes within the document were as follows:

- Foreword from the new Chair of the Good Governance Steering Group, Waiyin Hatton.
- Inclusion of hyperlinks to key reference documents including the '*Guidance for Board Members in the College Sector*'.
- Confirmation that boards of management must now undertake an externally facilitated evaluation of its effectiveness 'every three to five years'. Previously the Code required such reviews every three years.

It is expected that the GGSG shall review the Code again in the current academic year, once the approval of legislative changes to allow trade union representatives on college boards has been confirmed by the Scottish Government.

3.3 Compliance with the Code

In the financial year to 31 July 2023, the Board has maintained compliance with all aspects of the Code. Below is a summary of enhancements in governance arrangements across the main sections of the Code arising during 2022/23 (for full details please see Appendix 1):

Leadership and Strategy

"A.4/5/6 Board responsible for: articulating vision; determining strategy and strategic priorities and a structured planning framework; educational character, values and ethos."

A draft Edinburgh College Strategic Plan was approved the Board of Management on 13 December 2022. The new Strategic Plan sets out the vision for impacting the educational, social, economic, and environmental wellbeing and prosperity of Edinburgh, Midlothian and East Lothian and outlines the goals and key performance indicators which will aid the College in delivering it.

The Strategic Plan can be accessed on the College website [here](#).

On 26 September 2023, the Board of Management considered and approved the five 'Pillar Strategies' (Curriculum; Finance; People; Commercial; Digital) underpinning the Strategic Plan.

"A.7 Board must ensure comprehensive performance measurement system in place with key performance indicators, which are scrutinised and reported to stakeholders."

On 13 June 2023, the Board of Management agreed its key performance indicators for quarterly and annual monitoring. A full KPI Dashboard was presented to the Board of Management on 26 September via Microsoft Power BI. This platform can be accessed by Board members at any time and provides the most up-to-date information on a range of performance indicators.

Quality of the Student Experience

“B.1 The board must have close regard to the voice of its students and the quality of the student experience should be central to all board decisions.”

The Board continues to give close regard to the voice of students and receives a report from the Edinburgh College Students' Association (ECSA) at each Board meeting. At least one Student Board Member sat on the Board and all its committees in 2022/23, except for the Audit & Risk Assurance Committee, to ensure that students remained central to all decisions taken by the Board of Management.

Each Learning, Teaching & Student Experience (LTSE) Committee agenda contains a standing item entitled 'Student Satisfaction'. This item includes a report from the Assistant Principal Student Experience and an update from ECSA. In addition to this, the LTSE Committee also agree, and monitor the outcomes of, every student satisfaction survey published by the College.

Accountability and Delegation

“C.25 The college board as the employer, is responsible for promoting positive employee relations and for ensuring effective partnership between recognised trade unions and management. “

The Curriculum Reshaping Exercise and the resulting voluntary severance consultation exercise has raised challenges for employee relation over the past 12 months, which the Board of Management have received regular updates on. The Board continues to invite EIS-FELA and Unison Representatives to observe its meetings, prior to an expected change to the Code of Good Governance in early 2024 – which will include the addition of two trade union board members on all regional college boards.

A key priority for the College going forward is its culture, as it underpins the delivery of the ambitions outlined in the Strategic Plan, along with the successful delivery of the People Strategy. In June 2023, Board discussed and agreed the benefits of engaging external specialist support to help shape and deliver a staff survey, the outcome of which will provide key insights from staff about the current culture and, importantly, their future hopes for the culture of our College.

Effectiveness

“D.24 There should also be an externally facilitated evaluation of the Board's effectiveness at least every three to five years. The board must send its self-evaluation (including an externally validated evaluation), and a Board Development Plan, to its funding body, and publish them online.”

An externally facilitated Board Effectiveness Review was undertaken in November 2019, and the final report was published in March 2020. The 2019 Board Effectiveness Review states the following with regards to the Board's compliance with the Code: "The College is compliant with the current Code of Good Governance for Scotland's Colleges and assurance across each of the principles of the Code has been achieved." [p5]

On 27 September 2022, the Board agreed a 2022/23 Board Development Plan which included new and updated actions based on points raised through the annual self-

evaluation process. These actions were completed over the academic year, and, on 26 September 2023, the Board signed off the 2022/23 Board Development Plan as 'closed' (- subject to secondary actions relating to the Strategic Plan being completed prior to the Board's next meeting).

On 13 June 2023, the Board of Management agreed a timescale for External Effectiveness Review which would take place in late 2023 and be reported to the Board on 26 March 2024, along with an accompanying Development Plan.

A tender exercise to appoint an external review has now been undertaken and the successful bidder reported to the Board in due course.

4. IMPACT AND IMPLICATIONS

Failure to implement the Code of Good Governance could lead to failures in the delivery of effective governance at the college. The Board of Management continues to regularly review its operation against the principles of good practice outlined in the Code.

5. ALIGNMENT TO STRATEGIC PLAN / KPIs / RISK REGISTER

5.1 Alignment to Edinburgh College Strategic Pillars *[Indicate with an 'X' which Strategic Pillar this paper supports]:*

Curriculum Strategy	<input type="checkbox"/>	Finance Strategy	<input type="checkbox"/>	People Strategy	<input type="checkbox"/>
Commercial Strategy	<input type="checkbox"/>	Digital Strategy	<input type="checkbox"/>	Other	<input checked="" type="checkbox"/>

5.2 Relevant Key Performance Indicators *[Indicate with an 'X' which performance indicators this paper supports]:*

Student Success	<input type="checkbox"/>	Credit Target	<input type="checkbox"/>	Equality, Diversity & Inclusion	<input checked="" type="checkbox"/>
Student Satisfaction	<input type="checkbox"/>	Adjusted Operating Position (AOP)	<input type="checkbox"/>	Staff Costs	<input type="checkbox"/>
Student Retention	<input type="checkbox"/>	Non-SFC Income	<input type="checkbox"/>	Staff Engagement	<input type="checkbox"/>
Student Enrolments	<input type="checkbox"/>	Gross Carbon Footprint	<input type="checkbox"/>	Partner Engagement	<input checked="" type="checkbox"/>

5.3 Alignment to the Top-Level Risk Register *[Strategic risk information should be copied directly from the most recent TLRR]:*

Strategic Risk(s)	Risk Score*		
Not applicable.	Inherent (Gross) Risk		
	<i>Probability</i>	<i>Impact</i>	<i>Score</i>
	-	-	-
	Residual (Net) Risk		
	<i>Probability</i>	<i>Impact</i>	<i>Score</i>
	-	-	-
	Movement		-

*Risk Score Key: 0-10 Low Risk; 11-15 Moderate Risk; 16-25 High Risk. *[Further information on risk scoring can be found in the [EC Risk Management Policy & Procedure](#)]*

EDINBURGH COLLEGE COMPLIANCE WITH CODE OF GOVERNANCE FOR SCOTLAND'S COLLEGES

Key elements of the Code	Edinburgh College Compliance
Board must state its adoption of the Code in the corporate governance statement contained in its annual financial statements.	Draft statement included in the 'Governance Statement' within the Annual Accounts to July 2023. Statement to be reviewed by Audit & Risk Assurance Committee (on 22 November 2023), then the Board (on 12 December 2023).
<i>Conduct in Public Life</i>	
A.1 Must have effective board - responsible for values and ethos of the organisation.	<p>The 2019 Board Effectiveness Review, (published on 30 March 2020), which was undertaken by an external reviewer, states that:</p> <p><i>“Our [Advance HE] overall conclusion is that the standard of governance at Edinburgh College is good. Board members are committed and passionate about doing a thorough job. Edinburgh College has governance processes, practices and policies which are fit for purpose.</i></p> <p><i>The College is compliant with the current Code of Good Governance for Scotland’s Colleges and assurance across each of the principles of the Code has been achieved.” [p5]</i></p> <p>Since the publication of the Review, the Board has maintained (and where appropriate developed – through its Development Plan) its processes, practices, and policies.</p> <p>As part of the consultation process relating to the development of a new Edinburgh College Strategic Plan, the Board of Management has reaffirmed that its core values (as listed below) should be central to its strategic vision.</p> <ul style="list-style-type: none"> • Student-centred • Trustworthy

	<ul style="list-style-type: none"> • Responsible • Respectful • Working together <p>Further to this, the following statement was endorsed by the by the Board of Management on 27 September 2022 - for inclusion in the Strategic Plan:</p> <p><i>“Our values are the key principles which define the way we work and act. These values set the tone for our culture and influence our attitudes and behaviours towards each other, our students, and partners. Each value was defined by people from across the College and represents what it means to be part of our College.”</i></p>
A.2 Board members familiar with board’s Code of Conduct.	<p>In January 2022, the Director for Local Government and Communities wrote to all college chairs regarding revisions to the Model Code of Conduct for Members of Devolved Public Bodies which were came into effect on 7 December 2021. As Regional College Boards are listed in Schedule 3 of the Ethical Standards in Public Life etc. (Scotland) Act 2000, Edinburgh College is required to review its Code of Conduct to ensure it aligns with the Model Code.</p> <p>On 22 March 2022, members of the Board were asked to ensure that they had read and understood the provisions of the Code of Conduct for Members of the Edinburgh College Board of Management. The Board noted the updated Code of Conduct and approved its submission to the Scottish Government.</p> <p>For reference, the Code of Conduct is issued to all new Board members on appointment, <i>within Edinburgh College Board of Management Terms & Conditions</i>. New members are asked to confirm in writing that they will abide by the Code of Conduct during their tenure of the Board.</p>

<p>A.3 <i>Nine Principles of Public Life in Scotland</i>, apply - Duty/Public Service; Selflessness; Integrity; Objectivity; Accountability and Stewardship; Openness; Honesty; Leadership; Respect.</p>	<p>'Nine Principles' included in the Board Recruitment Pack and issued to Board members on appointment.</p> <p>In a communication to the Board on 26 September 2023, the Chair of the Board reminded members of their responsibilities in relation to the Code of Conduct and to ensure their familiarity with the document.</p>
<p><i>Vision and Strategy</i></p>	
<p>A.4/5/6 Board responsible for: articulating vision; determining strategy and strategic priorities and a structured planning framework; educational character, values and ethos.</p>	<p>A draft Edinburgh College Strategic Plan was approved the Board of Management on 13 December 2022.</p> <p>The new Strategic Plan sets out our vision for impacting the educational, social, economic, and environmental wellbeing and prosperity of Edinburgh, Midlothian and East Lothian and outlines the goals and key performance indicators which will aid the College in delivering it.</p> <p>On 26 September 2023, the Board of Management considered and approved the five 'Pillar Strategies' underpinning the Strategic Plan.</p>
<p>A.7 Board must ensure comprehensive performance measurement system in place with key performance indicators, which are scrutinised and reported to stakeholders.</p>	<p>During 2022/23, a KPI Dashboard presented to the Board of Management every quarter, as part of the Principal & Chief Executive's Report.</p> <p>Following the approval of the new Edinburgh College Strategic Plan, high-level KPIs were considered and approved by the Board of Management on 13 June 2023.</p> <p>At its first meeting in AY 2023/24, the Board received access to its new KPI Dashboard as presented through Microsoft Power BI. This link can be accessed by Board members at anytime and provides the most up-to-date data relating to each KPI.</p>

<p>A.8/9 Board responsible for overseeing Outcome Agreement with SFC, and effective engagement with all relevant stakeholders; and monitoring performance in achieving the agreed outcomes.</p>	<p>A draft Regional Outcome Agreement (ROA) 2022/23 was considered and endorsed by the Learning, Teaching & Student Experience (LTSE) Committee (a sub-committee of the Board) on 18 November 2022, prior to its approval by the Board of Management on 13 December 2022.</p> <p>The ROA 2022/23 was submitted to the SFC on 14 December 2022, and subsequently approved by the Funding Council.</p> <p>On behalf of the Board, the LTSE Committee regularly review progress against KPIs within the ROA to ensure the College delivers on its agreed outcomes.</p>
<p>Corporate Social Responsibility</p>	
<p>A.10/11/12 Demonstrate corporate social responsibility; behaves ethically; contribute to improving economic, cultural and social wellbeing in the locality; have regard to social and economic needs and social inclusion; provide leadership in equality and diversity; while seeking to improve the quality of life of the local community, society at large and its workforce.</p>	<p>The first two Strategic Themes of the Edinburgh College Strategic Plan, People and Place, clearly demonstrate the Board's commitment to Corporate Social Responsibility. This is also outlined with the 'Our Economic Impact' section of the Strategic Plan.</p> <p>The Board of Management's Corporate Development Committee receives regular updates from the College's three Community Planning Partners (CPP) and considers how the College can work with other local authorities to achieve each CPPs regional aims.</p> <p>In April 2023, the College published its Equality Outcomes and Mainstreaming Progress Report, which includes a Board Statement on equality, diversity and inclusion (EDI).</p> <p>The Board endorsed a Corporate Social Responsibility Statement (CSR) in December 2015 and, following the launch of the Edinburgh College Strategic Plan, the CSR will be reviewed by the Board of Management again in the current academic year.</p>
<p>A.13 Board membership should reflect make-up of the community.</p>	<p>Members of the Board come from a variety of backgrounds and its composition is monitored by the Nominations Committee.</p>

	<p>In 2022/23, the Board have held two recruitment events with Changing the Chemistry, an organisation which aims to support greater diversity on boards.</p> <p>In June 2023, the Board approved the creating of an EDI Working Group to reflect on the make-up of the Board and its community engagement. Recommendations from the Group will be presented to the Board on 12 December 2023.</p>
A.14 The board must appoint one of the non-executive members to be the senior independent member to provide a sounding board for the chair and to serve as an intermediary for the principal, other board members and the board secretary when necessary.	<p>The Vice Chair is nominated as the senior independent member.</p> <p>On 13 December 2022, the Board of Management approved Alex Killick's (a Non-Executive Board Member) nomination to the role of Vice Chair.</p>
Student Engagement & Learning	
B.1/2/3 Student experience should be central to all board - meaningful dialogue with students, the students' association and as appropriate staff and trade unions - consider outcome of student surveys etc and monitor action plans.	<p>ECSA were represented at the Board and all its committees in 2022/23, except for the Audit & Risk Assurance Committee.</p> <p>ECSA provide a quarterly report to every meeting of the Board of Management, which is presented by the Student President.</p> <p>Each LTSE Committee agenda contains a standing item entitled 'Student Satisfaction'. This item includes a report from the Assistant Principal Student Experience and an update from ECSA. In addition to this, the LTSE Committee also agree, and monitor the outcomes of, every student satisfaction survey published by the College.</p>
B.4/5/6/7 Board must encourage a strong, autonomous fair and democratic students' association; ensure it is adequately resourced; have a partnership agreement & procedures; have regard to the <i>Framework for the Development of Strong and Effective College Students' Associations in Scotland</i> ; and review its written constitution at least every five years.	<p>ECSA has proven its effectiveness through quarterly and annual reporting to the Board, and through commendation at national awards.</p>

<p>B.8a/9 The board must secure high quality, coherent learning provision for students that is relevant to industry needs and ensure appropriate mechanisms are in place for the effective oversight of the quality and inclusivity of the learning experience.</p>	<p>The LTSE Committee's core purpose and remit (as outlined in its Terms of Reference) is to provide the Board with effective oversight of the quality and inclusivity of the student experience.</p> <p>The Board, through its LTSE Committee, has received regular updates on the development of a new Curriculum Strategy, aligned to the Edinburgh College Strategic Plan. As part of the consultation process, to support the development of the strategy, the College has engaged with students, staff, and other stakeholders (inc. industry).</p> <p>The LTSE Committee previously received a report on the outcome of the 2021 Education Scotland Progress Visit. The Committee subsequently agreed an action plan, for quarterly monitoring during 2022/23, to track progress against recommendations raised within the report.</p> <p>The 2023 Education Scotland Progress Visit Report was noted by the LTSE Committee on 8 September 2023. It was agreed that a refreshed action plan would be drafted for review by the Committee in 2023/24</p> <p>In March 2023, the Board of Management reviewed progress against its Equality Outcomes & Mainstreaming Report 2022-25. The Board were broadly content with the work done by the College over the reporting period around equality, diversity, and inclusion.</p>
<p>B.8b/9 The board should foster good relationships with external bodies to enhance learning and employability – external bodies being local, national and international bodies including community planning partners, employers, skills development and enterprise agencies, sector quality agencies and employer bodies.</p>	<p>Board monitors external engagement activity through its Corporate Development Committee.</p> <p>The Corporate Development Committee presented its 2022/23 Annual Report to the Board on 26 September 2023. The Report highlighted the significant number of relationships maintained by the College with external partners.</p>
<p>Accountability and Delegation</p>	

<p>C.1/2 The board is primarily accountable to the SFC who are responsible to the Scottish Ministers and the Scottish Parliament. The board must ensure delivery of its outcome agreement.</p>	<p>The ROA 2022/23, as endorsed by the Board of Management, was submitted to the SFC on 14 December 2022 - and subsequently approved by the Funding Council.</p> <p>On behalf of the Board, the LTSE Committee regularly review progress against KPIs within the ROA to ensure the College delivers on its agreed outcomes.</p>
<p>C.3 The board must ensure it fulfils its statutory duties and other obligations on it, and the terms and conditions of its grant.</p>	<p>The requirements of the Board are clearly outlined in its Standing Orders and Scheme of Delegation - which were last reviewed on 26 September 2023.</p> <p>All requirements placed on Board members are clearly outlined during the induction process.</p>
<p>C.4 Scottish Ministers have powers to remove by order any or all board members for serious or repeated breaches of a term and condition of grant.</p>	<p>Board members are notified of the Scottish Government's powers to removal at point of induction. <i>[Removal of Board members is specifically stated in the Edinburgh College Board of Management Terms & Conditions]</i></p>
<p>C.5 The board also has a wider accountability to students, staff, employers and the community to provide high quality education that improves people's life chances and social and economic well-being.</p>	<p>Intake from SIMD groups, quality of education, and destination statistics are monitored by the LTSE Committee. The College continues to work to increase connection with, and intake from, SIMD areas.</p> <p>As noted above (under B8a/9), the Board of Management reviewed progress against its Equality Outcomes & Mainstreaming Report 2022-25 on 28 March 2023.</p>
<p>C.6 Boards must maintain and publicly disclose a current register of interests for all board members. Board members should declare any conflicts of interest in the business of the meeting prior to the commencement of each meeting of the board and its committees and withdraw from meetings as appropriate.</p>	<p>A Register of interests is maintained and reviewed at least twice per year, and published on the College website. Board members are encouraged to notify the Board Secretary of any changes to their register of interests.</p> <p>The disclosure of Interests is a standing item on the agenda of all Board and committee meetings.</p>

<p>C.7 The board must ensure that its decision-making processes are transparent, properly informed, rigorous and timely, and that appropriate and effective systems of financial and operational control, quality, management of staff, risk assessment and management are established, monitored, continuously improved and appropriately impact assessed. This includes:</p> <ul style="list-style-type: none"> a) the prompt production, dissemination and online publication of board/committee agendas, minutes and papers to the public b) every board meeting and every committee meeting having a well-structured agenda circulated timeously in advance c) the retention of all key documentation which help justify the decisions made by the board and its committees. 	<p>The Board receives and challenges the Executive Team to ensure it has the appropriate information to support effective decision-making. The Board monitors the financial and operational control, quality, staffing, risk management through its various sub-committees (e.g., Planning & Resources, Audit & Risk Assurance, and LTSE Committee).</p> <p>There are effective processes for production of agendas papers and minutes of Board and Committee meeting, with all papers archived.</p> <p>Based on feedback from the 2019 Board Effectiveness Review, the Board and its committee agreed that all meeting agendas should draw clear distinction between reports provided for 'Discussion / Approval' and those presented 'For Information'. This format was used for all meetings in 2022/23, and a further review of this template was conducted prior to the start of the academic year 2023/24.</p>
<p>C.8 The board may delegate responsibilities to committees - minimum being Audit, Remuneration, Finance and Nominations/Appointments. Delegation of responsibilities and reserved matters must be set out in a scheme of delegation including the functions delegated by the board to the chair, committees, the principal and the board secretary (and any other members of staff). Boards have no powers to delegate functions to an individual board member (except the chair who has no authority to act outwith their delegated powers).</p>	<p>The Board delegates responsibilities to six sub-committees, including an Audit & Risk Assurance Committee, a Remuneration Committee, a Nominations Committee, and a Planning & Resources Committee (i.e., finance and general purpose).</p> <p>As outlined in the Scheme of Delegation, each committee of the Board has a terms of reference defining their responsibilities and delegated powers. All terms of reference are reviewed on an annual basis - in line with best practice.</p>
<p>C.9 Every board committee must have a specified member of the management team assigned to provide objective, specialist advice to support it to discharge its remit.</p>	<p>Each committee of the Board has at least one member of the Executive Team assigned to it.</p> <p>The Nominations Committee is advised by the Board Secretary, who provides specialist advice on the requirements of the Code of Good Governance and other relevant appointments guidance.</p>

<p>C.10 The board must have effective working relationships, communication and dialogue amongst the board as a whole and between committees and the board. Discussions and decisions of every committee must be accurately recorded and reported to the board, no later than the next meeting of the board.</p>	<p>Minutes of each committee are report to the Board in a timely manner, whilst committee membership ensure there are appropriate cross-links between committees.</p>
<p>Risk Management</p>	
<p>C.11 The board is responsible for the overall management of risk and opportunity. It must set the risk appetite of the body and ensure there is an appropriate balance between risk and opportunity and that this is communicated via the principal to the body’s management team.</p>	<p>A Risk Appetite and Tolerance Statement was previously agreed by the Board in March 2021. The development of a new Risk Appetite Statement was considered by the Board at two separate sessions in April and August 2023, with draft statements proposed to the Board on 26 September 2023 – for endorsement.</p> <p>A Top-Level Risk Register is provided to every meeting of the Audit & Risk Assurance Committee and the Board.</p>
<p>C.12 The board must ensure that sound risk management and internal control systems are in place and maintained, including processes for identifying, reporting, evaluating and managing significant risks and reviewing the effectiveness of risk management, business continuity planning and internal control.</p>	<p>The Audit and Risk Assurance Committee monitor risk management and internal control, as outlined within its terms of reference.</p>
<p>Audit Committee</p>	
<p>C.13 The Audit Committee must support the board and the principal by reviewing the comprehensiveness, reliability and integrity of assurances including the body’s governance, risk management and internal control framework.</p>	<p>In 2018/19, the Audit & Risk Assurance Committee agreed a robust ‘three lines of defence’ framework to ensure appropriate internal control are in place.</p> <p>The three lines of defence framework is reviewed by the Audit & Risk Assurance Committee annually, at its first meeting of the academic year. In addition to this, from October 2019 onwards the framework has been incorporated into the Top-Level Risk Register.</p>

<p>C.14 The scope of the Audit Committee’s work must be defined in its terms of reference and encompass all of the assurance needs of the board and the principal. The Audit Committee must have particular engagement with internal and external audit and must work with management and auditors to resolve any issues in relation to financial reporting.</p>	<p>The Audit & Risk Assurance Committee terms of reference are reviewed annually, and clearly outlined the levels of engagement with internal and external auditors.</p>
<p>C.15 The Audit Committee must promptly pursue recommendations arising from audit reports and must monitor their implementation.</p>	<p>The Audit & Risk Assurance Committee reviews audit recommendations on a quarterly basis, under a standing item entitled ‘Summary of Audit Recommendations’.</p>
<p>C.16 The membership of the Audit Committee cannot include the board chair or the principal. The role of the college executive is to attend meetings at the invitation of the committee chair and to provide information for particular agenda items.</p>	<p>Neither the Chair of the Board and the Principal are members of the Audit & Risk Assurance Committee. The Chair of the Board periodically attends meetings (at the invitation of the Committee Chair) whilst the Principal is a regular attendee at meetings.</p>
<p>C.17 The Audit Committee terms of reference must provide for the committee to sit privately without any non-members present for all or part of a meeting if they so decide. The Audit Committee members should meet with the internal and external auditors without the executive team present at least annually.</p>	<p>The Audit & Risk Assurance Committee holds private meetings with internal and external auditors on an annual basis, prior to its November meeting.</p>
<p>C.18 At least one member of the Audit Committee should have recent relevant financial or audit experience.</p>	<p>Following the departure of Janyce Holmes (the then Chair of the Audit & Risk Assurance Committee) from the Board of Management on 30 September 2022, only one member of the Audit & Risk Assurance Committee had relevant financial expertise.</p> <p>On 1 March 2023, two new Non-Executive Members joined the Board, and its Audit & Risk Assurance Committee, who have relevant financial and audit experience. Both Members were appointed through an open recruitment process conducted inline with Ministerial Guidance.</p>
<p>Remuneration Committee</p>	

<p>C.19 It essential that members of the Remuneration Committee understand their role and responsibilities. Members must undertake the online training module for Remuneration Committees provided by College Development Network within one month of appointment.</p>	<p>Members of the Remuneration Committee receive an induction from the Board Secretary and Chair of the Committee. New members are required to complete the appropriate CDN training module following their appointment.</p>
<p>C.20 The board must have a formal procedure in place for setting the remuneration of the principal by a designated committee of non-executive members. The board may wish to supplement this by taking evidence from a range of sources. In particular, staff and students should have a role in gathering and submitting evidence in relation to the college principal to the relevant committee.</p>	<p>The remuneration of the Principal & Chief Executive is agreed by the Remuneration Committee and takes into consideration Scottish Government and SFC best value guidance.</p> <p>As part of the Annual Review of the Principal & Chief Executive, the Chair of the Board seeks feedback from student and staff board members on a draft version of the report, before its review by the Remuneration Committee. The performance of the Principal is then reported to the Board where staff and student member can comment further.</p> <p>Since 22 September 2020 onwards, a Student Board Member has sat on the Remuneration Committee.</p>
<p>C.21 The board chair cannot be the chair of the Remuneration Committee (but they can be a member of it).</p>	<p>A Non-Executive Member of the Board chairs the Remuneration Committee. As ex-officio, the Chair of the Board can attend all meetings.</p>
<p>Financial and Institutional Sustainability</p>	
<p>C.22 The board is responsible for ensuring the financial and institutional sustainability. The board must ensure compliance with its Financial Memorandum and the Scottish Public Finance Manual.</p>	<p>The Board receives assurance on its compliance with the Financial Memorandum and the Scottish Public Finance Manual from the Internal and External Auditors.</p>
<p>C.23 The board must ensure that:</p> <ul style="list-style-type: none"> - funds are used as economically, efficiently and effectively as possible - effective monitoring arrangements are in place - college staff report relevant financial matters to it. 	<p>Monitoring of financial performance, budgets etc. are discussed at Planning & Resources Committee and the Board at each quarterly meeting.</p>

<p>C.24 For colleges that are charitable organisations, board members are also charity trustees. The board of a college that is a charity must ensure its members are aware of their responsibilities under charity legislation and for complying with relevant provisions as set out by the Office of the Scottish Charity Regulator. See <i>OSCR Guidance and Good Practice for Charity Trustees</i>.</p>	<p>Board members are advised of their responsibilities under charity legislation during the formal induction process and provided with a copy of the OSCR Guidance.</p>
<p>Staff Governance</p>	
<p>C.25 The college board as the employer, is responsible for promoting positive employee relations and for ensuring effective partnership between recognised trade unions and management.</p>	<p>The Board, through its Planning & Resources Committee, receives regular updates on HR and OD matters. The Board promotes employee relations and effective partnership between trade unions and management.</p>
<p>C.26 A system of corporate accountability must be in place for the fair and effective management of all staff, to ensure all legal obligations are met and all policies and agreements are implemented and identify areas that require improvement and to develop action plans to address them.</p>	<p>The Board, through its Planning & Resources Committee, receives quarterly updates on HR and OD matters.</p>
<p>C.27 The board must comply with the nationally agreed college sector <i>Staff Governance Standard</i>.</p>	<p>The Board of Management complies with the nationally agreed college sector <i>Staff Governance Standard</i>. The Planning & Resources Committee receives quarterly updates on HR and OD matters, including matters relating to staff governance.</p>
<p>C.28 The college board must comply with collective agreements placed on it through national collective bargaining for colleges.</p>	<p>The Board of Management complies with the collective agreements in placed on it through national collective bargaining. The Planning & Resources Committee, and the Board directly, receive updated on national bargaining on a quarterly basis.</p>
<p>The Board Chair</p>	
<p>D.1 The chair is responsible for leadership of the board and ensuring its effectiveness. The chair is responsible for setting the board's agenda and ensuring that adequate time is available for discussion of all agenda items, particularly strategic issues. The chair must promote a culture of openness and debate by:</p>	<p>On 4 July 2022, a new Regional Chair was appointed by the Scottish Government. Following an induction process, the Chair's engaged activity with the Board, the Principal, and the Board Secretary.</p>

<ul style="list-style-type: none"> – encouraging the effective contribution of all board members – fostering constructive challenge and support to the principal, executive team and fellow board members – effective team-working – positive relations between board members. <p>The chair must engage with the principal and the board secretary in a manner which is both constructive and effective.</p>	<p>On 13 June 2023, the Board of Management conducted an evaluation of the Chair and were content with leadership provided by the Board Chair.</p>
<p>D.2 The board and its committees must have the appropriate balance of skills, experience, independence and knowledge of the body to enable them to discharge their respective duties and responsibilities effectively.</p>	<p>The Nominations Committee makes recommendations regarding membership of the Board and its committees. For information, the Committee met three times in the academic year 2022/23.</p>
<p>Senior Independent Member</p>	
<p>D.3 The board must appoint one of the non-executive members to be the senior independent member to provide a sounding board for the chair and to serve as an intermediary for the principal, other board members and the governance professional when necessary</p>	<p>The Vice Chair of the Board at Edinburgh College also acts as Senior Independent Member.</p> <p>There have been previous discussions around splitting the role, and this will be considered again following the next External Effectiveness Review (scheduled to take place in late 2023).</p>
<p>Board Members</p>	
<p>D.4 Each board member is collectively responsible and accountable for all board decisions. Board members must make decisions in the best interests of the college and/or region as a whole rather than selectively or in the interests of a particular group.</p>	<p>Board members are advised of their collective responsibility as part of the induction process.</p>
<p>D.5 Staff and student board members are full board members and bring essential and unique, skills, knowledge and experience to the board. Staff and student board members must not be excluded from board business unless there is a clear conflict of interest, in common with all board members.</p>	<p>Staff and Student Board Members are invited to attend all scheduled meetings of the Board and its Strategy Sessions.</p> <p>Staff and Students Board Members also sit on committees of the Board</p>

D.6 Where the college is a charity, all board members, as charity trustees, including staff and student board members, have legal duties and responsibilities under the Charities Act 2005.	Board members are advised of their responsibilities as charity trustees as part of the induction process.
Principal and Chief Executive	
D.7 The college board must appoint the principal as chief executive of the college.	The Principal was appointed as Chief Executive by Board of Management.
D.8 The college board must ensure there is an open and transparent recruitment process for the appointment. Students and staff must have an opportunity to contribute to the recruitment process.	The process of recruitment of Principal was an open process with students, staff representatives and other stakeholders contributing to the recruitment process. The process was conducted in line with college HR, equal opportunities, and recruitment policies / procedures.
D.9 The college board must delegate to the principal, as chief executive, authority for the academic, corporate, financial, estate and human resource management of the college, and must ensure the establishment of such management functions are undertaken by and under the authority of the principal.	A Scheme of Delegation is in place, and up to date as of 26 September 2023.
D.10 The college board must ensure a clear process is in place to set and agree personal performance measures for the principal. This process should seek the views of students and staff. The chair, on behalf of the board, should monitor, review and record the principal's performance, at least annually, against the agreed performance measures.	Annual performance indicators are reviewed and agreed between the Chair and Principal and considered and ratified by the Remuneration Committee. On 27 August 2021, a Principal & Executive Pay Policy - which outlined a proposed approach towards Executive remuneration at Edinburgh College - was approved by the Remuneration Committee. This Policy is expected to be reviewed again in early 2023/24, once the outcome of National Bargaining for 2022/23 is confirmed.
D.11 The principal, as a board member, shares responsibility for good governance with the chair and all other members of the board, supported by the board secretary. The principal also enables good governance through supporting effective communication and interaction between the body and the rest of the college including staff and students.	The Board of Management have previously welcomed the communications and interactions between the Board and the rest of the College. Continued Board engagement will be reviewed as part of a new Engagement Strategy 2023-26, aligning with the Edinburgh College Strategic Plan.

<p>D.12 The board provides strategic direction for the region and/or college, and the chair provides leadership to the board. The principal provides leadership to the staff of the body.</p>	<p>The Board of Management approved the Edinburgh College Strategic Plan on 12 December 2023. Due to the launch of a curriculum reshaping exercise in early 2023, the Principal delayed the launch of the Strategic Plan to staff.</p> <p>The Strategic Plan was launched to staff at the start of the academic year 2023/24 and the Principal is working with the Senior Management Team to implement the Plan at an operational level.</p>
<p>D.13 The board must provide a constructive challenge to the principal and executive team and hold them to account.</p>	<p>Key Performance Indicators have been set by the Board of Management and are scrutinised by its members.</p> <p>The Principal submits a report on their activities to every meeting of the Board of Management, and actively engages with members of the Board on key matters of business.</p>
<p>Governance Professional</p>	
<p>D.14 The board must appoint a governance professional who is responsible to it and reports directly to the chair in their governance professional capacity. The governance professional may be a member of the senior management team in their governance professional capacity, but they cannot hold any other senior management team position at the same time. The appointment and removal of the governance professional is a decision of the board.</p>	<p>On 13 December 2021, the Board of Management agreed that the role of Board Secretary would be transferred from the Director of Communications, Policy & Research to the then Clerk to the Board & Governance Advisor on 23 March 2022.</p> <p>The Board Secretary, Marcus Walker, does not hold any other role at the College (nor has any registerable conflicts of interest) and reports directly to the Chair of the Board.</p>
<p>D.15 All board members must have access to the governance professional who has an important governance role in advising the board, the committees and individual board members and supporting good governance. The distinctive board secretary role includes:</p> <ul style="list-style-type: none"> – facilitating good governance – providing clear advice to the chair and the board/committees 	<p>During the induction process, new Board members are advised of the governance role of the Board Secretary and provide with appropriate contact details.</p> <p>The Board Secretary meets with chairs of committees and the Chair of the Board, plus lead executive officers, prior to every committee to discuss, review, and agree committee business for each Board cycle.</p>

<ul style="list-style-type: none"> – attending and providing support to every board meeting and every meeting of every board committee. – having an unambiguous right to speak at board and committee meetings. – reporting any unresolved concerns about the governance of the body to the relevant funding body (SFC) 	<p>The Board Secretary regularly meets with Non-Executive Board members, to provide advice and support in their respective roles.</p> <p>The Board Secretary regularly contributes to discussions at committees and board meetings. The Board also receives a Governance Report, written by the Board Secretary, at each of its meetings, which covers all pertinent governance matters.</p>
<p>D.16 The board must ensure the governance professional:</p> <ul style="list-style-type: none"> – Has suitable skills, knowledge, and behaviours to carry out their role effectively. – Receives appropriate induction, and if new to the role, is mentored by a more experienced governance professional for at least their first year. – Has adequate time and resources available to undertake their role effectively. 	<p>The Board Secretary holds an annual evaluation meeting with the Chair of the Board on an annual basis, where development opportunities are discussed.</p> <p>The current Board Secretary has worked in college governance for 9 years and is Vice Chair of the national Governance Professional Steering Group. Through this role the Board Secretary also sits on the Colleges Scotland’s Good Governance Steering Group.</p>
<p>D.17 The board must ensure arrangements are in place to deal with a board secretary’s potential or real conflicts of interest.</p>	<p>The Board Secretary registerable interests are recorded and published online, along with those of the Board and Executive members.</p>
<p>Board Member Appointment, Induction and Training</p>	
<p>D.18 The board must ensure a formal and open procedure is in place for recruiting and selecting new non-executive board members. Boards must have regard to all relevant Ministerial Guidance on board appointments.</p>	<p>The appointments process for non-executive board members is overseen by the Nominations Committee.</p> <p>On 13 June 2022, the Nominations Committee were informed of changes to Ministerial Guidance on Board Appointments, which would come into effect on 1 October 2022. The Nominations Committee agreed met on 31 October 2022 to discuss the new guidance and how it relates to the Board’s own non-executive recruitment procedures.</p>

D.19 The board is responsible for ensuring appropriate arrangements are in place for the conduct of student elections and nominations, and elections of staff members to the board.	Revised Staff Board Member Election Rules were considered and agreed by the Board on 29 September 2021.
D.20 The chair must ensure that new board members receive a formal induction on joining the board, tailored in accordance with their individual and collective needs. The board secretary should support the chair in the provision of relevant induction for new board members.	Formal induction and development procedures agreed by the Nominations Committee in 2021/22. These procedures are subject to review every two years and will be considered by the Nominations Committee in the current academic year.
D.21 The board must ensure all board members undertake appropriate training and development in respect of their governance role. The board secretary must keep records of the development activity of board members, including the chair.	<p>Development needs of Board members are reviewed by the Chair of the Board. The new Chair of the Board met with all Board members individually in May 2023 to discuss development needs.</p> <p>The Board Secretary circulates a quarterly update on development activities and records members' participation. At the end of each academic year the Nominations Committee receives an overview of Board members' attendance at development/training events.</p>
D.22 The board must ensure that new committee members receive a committee induction and have their specific training needs assessed and met.	Formal induction and development procedures are agreed by the Board, via its Nominations Committee. These procedures are subject to review every two years and will be considered by the Nominations Committee in the current academic year.
Board Evaluation	
D.23 Extension of the term of office of board appointments requires evidence and the board must ensure appropriate mechanisms are in place to support this.	The Chair of the Board undertakes one-to-one evaluations meetings with members of the Board annually, and reviews addition information such a board / committee attendance record.
D.24 The board must keep its effectiveness under annual review and have in place a robust self-evaluation process. There should also be an externally facilitated evaluation of its effectiveness at least every 3-5 years. The board must send its self-evaluation (including an externally facilitated evaluation) and board development plan (including progress on previous year's plan) to its funding body and publish them online.	An externally facilitated Board Effectiveness Review was undertaken in November 2019, and the final report was published in March. The 2019 Board Effectiveness Review states the following with regards to the Board's compliance with the Code: <i>"The College is compliant with the current Code of Good Governance for Scotland's Colleges and assurance across each of the principles of the Code has been achieved."</i> [p5]

	<p>On 27 September 2022, the Board agreed a 2021/22 Board improvement Plan which included new and updated actions based on points raised through the annual self-evaluation process.</p> <p>On 13 June 2023, the Board of Management agreed a timescale for External Effectiveness Review which would take place in late 2023 and be reported to the Board on 26 March 2024, along with an accompanying Development Plan.</p>
D.25 The board must agree a process for evaluating the effectiveness of the board chair and the committee chairs. The evaluation of the board chair should normally be led by the vice-chair/senior independent member.	<p>The evaluation of the Chair is undertaken by the Vice Chair on an annual basis.</p> <p>The Chair of the Board holds one-to-one meetings with committee chairs to evaluate effectiveness and agreed future objectives.</p>
D.26 The board must ensure all board members are subject to appraisal of their performance, conducted at least annually, normally by the chair of the board.	All Board evaluation takes place annually in May / June. The process includes a Board survey, one-to-one meetings with the Chair, and an evaluation of the Chair conducted by the Vice Chair.
D.27 The performance of regional college chairs will also be evaluated by the Scottish Government, as regional college chairs are appointed by the Scottish Ministers and are personally accountable to them.	On an annual basis a report from the 'Evaluation of the Chair' is presented to the Board by the Vice Chair. Once approved by the Board the report is submitted to the Scottish Government.
D.28 The performance of assigned, incorporated college chairs will also be evaluated by the regional strategic body, as they are appointed by the regional strategic body and are personally accountable to them.	Not applicable.
Partnership Working	
E.1 The board must work in partnership to secure the coherent provision of high quality fundable further and higher education in their localities.	The Board ensures active partnership working through its Corporate Development Committee.
E.2 The board must ensure effective consultation, local and regional planning and must follow the principles of effective collaborative	The Board ensures active partnership working through its Corporate Development Committee.

<p>working: mutual respect, trust and working towards commonly agreed outcomes.</p>	<p>In Semester 2 of the academic year 2022/23, the Corporate Development Committee received presentations from City of Edinburgh and Midlothian Community Planning Partnerships (CPP) on their key aims and current levels of engagement with the College. The East Lothian CPP presented an update to the Committee on 23 November 2023.</p>
<p>E.3 The board must ensure effective partnership working with local and national bodies including businesses, public and third sector organisations to develop commonly agreed priorities following the principles of effective collaborative working.</p>	<p>The Board ensures active partnership working through its Corporate Development Committee.</p>
<p>E.4 The board must encourage and support effective partnership working and collaboration within and across regions to address local needs and meet national priorities and specialisms.</p>	<p>Effective partnership working and collaboration is specifically referenced in the Regional Outcome Agreement agreed by the Board of Management and the SFC.</p>