

UHI | INVERNESS

Meeting	Finance and General Purposes Committee
Date and time	Thursday 07 March 2024 at 9.00 a.m.
Location	Virtually – via Microsoft Teams

Governance Officer
01 February 2024

AGENDA**Welcome and Apologies**

Declaration of Interests and/or any Statement of Connections or Transparency Statements.

ITEMS FOR DECISION

- 1. MINUTES**
 - a. Minutes of the F&GP Meeting held on 07 September 2023
 - b. Confidential Note of Meeting CN-01-092023 held on 07 September 2023
- 2. OUTSTANDING ACTIONS**
- 3. POLICIES FOR APPROVAL**
 - a. Anti-Fraud and Corruption Policy

ITEMS FOR DISCUSSION

- 4. CAPITAL & REVENUE BUDGET MONITORING**
Report by Director of Finance and Estates
- 5. FINANCE TEAM STRUCTURE UPDATE (CONFIDENTIAL)**
Report by Director of Finance and Estates
- 6. ANNUAL PROCUREMENT REPORT 2022/23**
Report by Director of Finance and Estates
- 7. FE & HE FEES 2024/25**
Report by Director of Finance and Estates

- 8. HEALTH AND SAFETY UPDATE (CONFIDENTIAL)**
Report by Health, Safety and Sustainability Manager
 - 9. INVESTMENT IN RESEARCH (CONFIDENTIAL)**
Report by Operations and Commercial Manager
 - 10. STUDENT RECRUITMENT**
Report by Information Systems Manager
 - 11. OPERATIONS AND EXTERNAL RELATIONS REPORT**
Report by Vice Principal – Curriculum, Operations and External Relations
 - 12. KPI MATRIX**
Report by Operations and Commercial Manager
 - 13. CAMPUS REPORT**
Report by Estates and Campus Services Manager
 - 14. 6 MONTHLY GDPR REPORT**
Report by Information Development Manager
 - 15. FREEDOM OF INFORMATION ANNUAL REPORT**
Report by Governance Officer
-

ITEMS FOR NOTING

- 16. AOCB**
- 17. DATE OF NEXT MEETING – 13 June 2024 at 9.00 a.m.**

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

UHI | INVERNESS**Outstanding Actions from Finance and General Purposes Committee**

Item	Action	Responsibility	Time Line	Actioned
07 September 2023				
Review of Sub-Strategies	A link to the sub strategy monitoring document is to be provided to Board Members.	VP – OER	Sept 23	

UHI | INVERNESS

Finance and General Purposes Committee

Subject/Title:	Anti-Fraud & Corruption Policy
Author:	Niall McArthur, Director of Finance & Estates
Meeting:	Finance and General Purposes Committee
Meeting Date:	7 March 2024
Date Paper prepared:	29 February 2024
Brief Summary of the paper:	To present the Anti-Fraud & Corruption Policy to the committee.
Action requested: [Approval, recommendation, discussion, noting]	Approval

Link to Strategy: Please highlight how the paper links to, or assists with:: <input type="checkbox"/> compliance <input type="checkbox"/> partnership services <input type="checkbox"/> risk management <input type="checkbox"/> strategic plan <input type="checkbox"/> new opportunity/change	Financial Sustainability & Compliance		
Resource implications:	Yes – monitoring of Financial Resources If yes, please specify:		
Risk implications:	Yes If yes, please specify: Financial Operational		
Equality and Diversity implications:	N/A		
Student Experience Impact:	None		
Consultation: [staff, students, UHI & Partners, External] and provide detail	None		
Status – [Confidential/Non confidential]	Non Confidential		
Freedom of Information Can this paper be included in “open” business* [Yes/No]	Yes		
*If a paper should not be included within “open” business, please highlight below the reason.			
Its disclosure would substantially prejudice a programme of research (S27)		Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	
Its disclosure would substantially prejudice the commercial interests of any person or organisation (s33)		Its disclosure would constitute a breach of confident actionable in court (s36)	
Its disclosure would constitute a breach of the Data Protection Act (s38)		Other (Please give further details)	

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

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

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

Recommendation

That members approve the Anti-Fraud & Corruption Policy, which was approved by the Board of Management on 19 December 2023.

Purpose of report

To present the Anti-Fraud & Corruption Policy, which was approved by the Board of Management on 19 December 2023 and to highlight the key sections included in the policy, as well as propose a further amendment to the policy.

Anti-Fraud & Corruption Policy

The Anti-Fraud & Corruption Policy was approved by the Board of Management on the 19 December 2023. The first review date for this policy is December 2026 and the policy sets out the following:

- Policy Statement – highlights the purpose of the policy, which is to establish a framework within the College that facilitates the prevention, detection, investigation and elimination of fraud.
- Legislative – highlights the legislation which relates to this policy.
- Scope – highlights who the policy applies to within the College.
- Awareness – sets out the steps to ensure everyone is aware of this policy.
- Definitions – key words within the policy.
- Compliance – sets out how compliance is maintained.
- Monitoring – sets out who will monitor the policy.
- Review – sets out the timeline for review of the policy.
- Annexes – which set out guidance notes on the college anti-bribery policy and a summary of the Bribery Act.

On further review, an amendment is required to the policy, which is to include the work that is carried out by the college in terms of the National Fraud Initiative (NFI). A proposed note of the additional section to be included in this document and the Financial Regulations, is noted below.

National Fraud Initiative

The College participates in the National Fraud Initiative (NFI) to assist in the prevention and detection of fraud. The NFI in Scotland is a counter-fraud exercise led by Audit Scotland, and overseen by the Cabinet Office for the UK as a whole. It uses computerised techniques to compare information about individuals held by different public bodies, and on different financial systems that might suggest the existence of fraud or error.

Further information about the NFI can be found at www.audit-scotland.gov.uk/our-work/counter-fraud

A copy of the Anti-Fraud & Corruption Policy is attached to this report.

ANTI FRAUD AND CORRUPTION POLICY

REFERENCE: (PL/CS/2024/004)

Policy Owner	Director of Finance
Lead Officer	Interim Assistant Finance Director
Review Officer	Director of Finance
Date first approved by BoM	19 th Dec 2023
First Review Date	Dec 2026
Date review approved by BoM	
Next Review Date	Dec 2026
Equality impact assessment	Yes

Reviewer	Date	Review Action/Impact

Contents

1. Policy Statement	2
2. Legislative framework/related policies	3
3. Scope	3
4. Awareness	3
5. Definitions	4
6. Compliance	4
7. Monitoring	5
8. Review	5
Appendix A Guidance Notes on the Inverness College Anti-Bribery Policy	6
Appendix B Summary of Bribery Act	12

1. Policy Statement

The purpose of this policy is to establish a framework within the College that facilitates the prevention, detection, investigation and elimination of fraud.

Inverness College UHI is committed to taking all practical steps:

- to prevent being subjected to fraud whether perpetrated by staff, members of the Board of Management, students, contractors, suppliers, members of the public, or other public or private sector organisations;
- to facilitate confidential and protected reporting of known or suspected fraud in association with the College's Public Interest Disclosure ("Whistleblowing") policy and procedures;
- to identify and detect any instances of fraud at the earliest opportunity;
- to investigate any instances of fraud, with police involvement where appropriate;
- to take appropriate action to deal with any instances of fraud and with any perpetrators after investigation.

In developing this policy, the College has taken account of existing external guidance and legislation, including the Scottish Public Finance Manual, UK Corporate Governance Code 2010, and Bribery Act 2010.

The College has a zero-tolerance culture to fraud and will treat any instances of fraud or corruption by its employees of the College and any of its subsidiaries (including temporary and agency workers and any unpaid members of staff and voluntary workers) ("employee"), board members, or service provider/contractors (which includes agents and others who represent the College wherever located) ("contractor") as serious breaches of discipline and as potentially criminal acts. Bribery of or by any College employee, board member or contractor for either personal or organisational gain will be similarly treated. The College will co-operate fully with any criminal investigations carried out in responses to fraud, corruption, or bribery.

Robust control mechanisms are in place to prevent fraud. All line managers have a responsibility for maintaining documented control systems and must be seen to be setting an example by complying fully with all procedures, regulations and controls. The effectiveness of controls will be subject to periodic review by the College's internal auditors.

All members of the College community have a responsibility to protect the assets and reputation of the College and are expected to be alert to the potential for fraud.

The College is committed to ensuring that these arrangements keep pace with future developments, in both preventative techniques.

The key elements of the College's approach to combat theft, fraud and corruption are:

- An open and honest culture;
- Adequate preventative measures;
- Confidential methods for reporting;
- Robust systems for detection and investigation;
- Understanding and awareness of systems and procedures within the College;

- Consistent and thorough methods for dealing with perpetrators after investigation.

2. Legislative framework / related policies

- 2.1. The Public Interest Disclosure Act 1998
- 2.2. Bribery Act 2010
- 2.3. Financial Memorandum between UHI and Inverness College UHI (1 January 2016)
- 2.4. The Scottish Public Finance Manual
- 2.5. Related policies
- 2.6. Financial Regulations
- 2.7. Public Interest Disclosure Policy
- 2.8. Procurement Strategy

3. Scope

- 3.1. The policy applies to all members of the Board of Management, staff, contractors, suppliers and students of Inverness College UHI.
- 3.2. The College recognises that it is already subject to a high degree of scrutiny of its affairs by a variety of parties. This includes the general public, staff, students, Internal Auditors, Board of Management, Scottish Ministers/ the Scottish Government, Members of the Scottish Parliament (MSPS), the Scottish Funding Council (SFC), External Auditor, Education Scotland, HM Revenue and Customs and Audit Scotland.
- 3.3. The College has internal and external auditors who advise the Board of Management about the adequacy of arrangements for the prevention and detection of fraud and corruption.
- 3.4 While this external scrutiny assists in protecting against fraud and corruption the College has a clear strategy of its own to mitigate this risk.
- 3.5. The Board of Management already has procedures in place that reduce the likelihood of fraud/ corruption occurring. These include standing financial procedures, a system of internal control and a system of risk assessment. In addition, the Board of Management will ensure that a risk awareness culture exists by issuing guidance on prevention of fraud.
- 3.6. It is the responsibility of the College and its' management to maintain adequate and effective internal controls to facilitate detection of fraud. The role of Internal Audit is to evaluate these systems of control. It is not the responsibility of Internal Audit to detect fraud, but to identify potential weaknesses in systems that may give rise to error of fraud.

4. Awareness

- 4.1. The college recognises that the continuing effectiveness of this process depends largely on the awareness and responsiveness of Board members, staff, students and contractors and their willingness to highlight these issues. It is essential that Board members and employees are made aware of this policy and its procedures when they join the College and either receive a copy for inclusion in their personal records or have access to this policy online and, in addition, have ready access to all other relevant documents, policies and procedures, which regulate the College's activities.

4.2 Action will be taken on a regular basis to remind both Board Members staff of the importance the College places on avoiding and preventing fraud, bribery, and corruption.

5. Definitions

5.1. For practical purposes, so far as this document is concerned, fraud may be taken to mean the use of deception with the intention of obtaining an advantage, avoiding an obligation, or causing loss to another party. The essential elements of fraud are dishonesty, which can include non-disclosure of important facts, making false representations, and dishonestly abusing their power and deprivation or risk of deprivation. This includes any fraudulent crime conducted electronically or via a computer or computer data.

5.2 Corruption is generally the abuse of entrusted power for private gain which includes the dishonest influence of actions and decision.

5.3. Bribery is either giving or receiving an inducements or reward offered, promised, or provided to gain personal, commercial, regulatory, or contractual advantage. A summary of the Bribery Act as well as the relevant definition of terms can be found at Appendix A

5.4 The term is used to describe such acts as deception, bribery, forgery, extortion, corruption, theft, conspiracy, embezzlement, misappropriation, false representation, concealment of material facts and collusion. This may involve:

- Falsification or alteration of accounting records or other documents.
- False accounting and/or making fraudulent statements with a view to personal gain or gain for another: for example, falsely claiming overtime, travel and subsistence, sick leave, or special leave (with or without pay).
- Misappropriation of cash, assets, or theft.
- Suppression or omission of the effects of transactions from records or documents.
- Recording transactions which have no substance.
- Willful misrepresentations of transactions.

5.5 This policy also includes:

- Theft - including any misappropriation, stealing, and damage, malicious or otherwise, incurred during a theft, and actual or attempted break-in.
- Computer misuse/fraud - where information technology equipment has been used to manipulate programs or data dishonestly (for example, by altering, substituting, or destroying records, or creating spurious records), or where the use of an IT system was a material factor in the perpetration of fraud. Theft or fraudulent use of computer time and resources, including unauthorised personal browsing on the Internet, is included in this definition.
- Corruption - where someone is influenced by bribery, payment, or benefit in kind to unreasonably use their position to give some advantage to another (for example awarding of contracts where there is a personal advantage).

6. Compliance

6.1 This policy is a cross wide college policy; and all staff must work to meet the requirements outlined within the policy. Compliance with the Policy will be monitored through regular internal and external audits, with outcome reports being reported to the Audit Committee.

7. Monitoring

7.1 Each college policy will be monitored, and its implementation evaluated. Appropriate procedures for monitoring and evaluation are the responsibility of the Lead Officer.

8. Review

8.1 This policy will be reviewed in (3 years from now)

APPENDIX A

Guidance Notes on the Inverness College Anti-Bribery Policy

These Guidance Notes supplement the College's Anti-Bribery Policy. They are designed to assist staff on the practical application of the Policy. In addition, they include important obligations on specific areas, which staff must adhere to.

1. Frequently Asked Questions about the Bribery Act

- 1.1. *It is customary to provide gifts in some countries outside of the UK when visiting or meeting with public officials. Can College staff offer gifts to their counterparts at an overseas college?*

The fact that something is a local custom is not a defence under the Bribery Act, so a cautious approach is required to ensure any gift or other advantage that is offered overseas is not construed as a bribe based on UK standards of conduct. Secondly, in this scenario it is possible that a member of an overseas college will be classed as a "foreign public official" under the Bribery Act. If so, it is very easy to fall foul of the law. Any financial or other advantage offered to them will be seen as a bribe if the offeror intends to influence the official and intends to obtain or retain any business advantage. This guidance does not however preclude the College or its staff from giving small, low value gifts seen as a 'mark of respect' to other public officials.

- 1.2. *Can gifts and hospitality be accepted from private sector companies with whom the College has a business relationship or may do in future? What about sponsorship?*

Care has to be exercised that no gift or hospitality could be considered excessive or lavish. Normal business meals and modest entertainment is normally acceptable where there is a legitimate purpose for the hospitality - such as to foster cordial relations or for reasonable public relations. No hospitality should be accepted if it could be construed as intended to induce a member of staff to perform their functions improperly. (See Policy on Receipt of Gifts and Hospitality). In relation to sponsorship, similar principles apply. Care should be exercised that the sponsorship does not improperly induce members of the College to perform their functions improperly. This could include where it compromises academic integrity or influences the outcome of a research project.

- 1.3. *Can we engage agents to recruit international students to the College?*

Yes, but a number of compliance steps must be taken. The use of overseas agents involves high risks to an organisation, whether for recruitment or other purposes. The College will be liable for any corrupt acts by anyone performing services on its behalf. The risks of engaging an agent in a particular case must be assessed and enhanced due diligence undertaken about the suitability of the agent and the nature of the services they are providing to the College. Further guidance on these steps is set out below.

- 1.4. *The College undertakes an annual research project in a jurisdiction outside of the UK with a poor reputation for corruption. The project leader needs to transport equipment to the overseas location for the project, which will be checked by local customs officials. What steps should the project leader*

consider?

The project leader should consider in advance the risk that members of staff or others acting on behalf of the College will be vulnerable to demands for corrupt payments, such as facilitation payments. Staff will need guidance in advance on strategies to resist any such demands. The project leader should also consider any preventative measures that can be taken in advance, such as allowing adequate time for delays in the delivery of equipment whilst any demand for a facilitation payment is resisted.

- 1.5. *The family of a student who is applying to the College offers to provide the College with a substantial donation to its development fund in return for a place at the College being offered to the student. Is this caught by the Bribery Act?*

Yes. This situation clearly involves a financial advantage being offered to the College, which is intended by the family to induce the admissions department to perform their functions improperly. It does not matter what decision is in fact reached over offering the student a place or not. The donation should be refused because of the basis on which it was offered. Donations can be bribes in other less obvious circumstances. The College due diligence procedures should always be followed to ensure a donation does not involve someone misusing their position or being induced to do so.

2. Further Guidance on Gifts Entertainment and Hospitality

All members of staff should refer to the Policy for Staff on the Receipt of Gifts and Hospitality.

This guidance note is intended to supplement the provisions of the above policy. It applies to all gifts, hospitality and entertainment that members of staff give or receive in the context of their activities for the College. In cases where a member of staff pays for a gift, entertainment or hospitality, but it is not reimbursed by the College, this guidance note remains applicable in this context.

The following overarching principles in relation to gifts, entertainment and hospitality (whether given or received) are particularly important for staff to consider in the context of potential corruption risks:

Expenditure should always be reasonable and proportionate (having regard in particular to the recipient).

Expenditure should be in accordance with the Policy for Staff on the Receipt of Gifts, Hospitality; and any necessary approvals sought in accordance with that policy; and records kept in accordance with the policy.

The recipient must always be entitled to receive the gift, entertainment or hospitality under the law of the recipient's country.

3. Charitable and Political Donations by the College

All charitable donations should be recorded accurately in the College's financial records and accounts.

Requests for charitable donations can sometimes mask corrupt activity by others. No charitable donations should be made if these could be construed as improperly influencing another party with whom the College has a business relationship. Should a member of staff have any ethical concerns about a proposed charitable donation, this should be reported immediately to the COO/Secretary.

The College does not under any circumstances make donations to political parties.

4. Philanthropic Giving

All donations made to the College by benefactors or others wishing to support the College's activities must be considered in the light of the Bribery Act. Donations of this kind can sometimes mask corrupt activity. No donations should be accepted without due diligence procedures being followed in respect of the purpose of the donation and the background of the donor, amongst other steps. The level of due diligence required will be proportionate to any potential corruption risk identified. No donation should be accepted if it could be construed as improperly influencing the College or another person. Should a member of staff have any ethical concerns about a proposed donation, this should be reported immediately to the COO/Secretary.

5. Honorary Degrees and Fellowships

Under no circumstances may an honorary degree or fellowship be awarded as an improper inducement to the individual recipient to provide additional services to the College. In addition, the College's Nominations Committee will oversee the award of honorary degrees and fellowships and will ensure the guidance in this policy is taken into account when considering nominations for such degrees.

6. Agents, Other Third Parties, and Joint Ventures

In some parts of the College's commercial activities, it needs to engage agents and other intermediaries.

All appointments of agents and other parties who provide the College with services must follow risk-based due diligence procedures. This includes where the College enters in to any form of partnership with another organisation or a joint venture arrangement.

For the appointment of any overseas agents, a high level of due diligence is required. A non- exhaustive list of steps that must be considered is set out in Section 7 below.

Advice should be sought from COO/Secretary on due diligence steps required for any joint venture, whether in the UK or overseas. All appointments of agents and joint venture partners must be monitored and reviewed on a periodic basis and ongoing due diligence procedures adopted, proportionate to any corruption risks that have been identified.

Any agents or other parties who are performing services for, or on behalf of the College, will be expected to agree to a contractual clause which confirms that they will comply with the College's Anti-Bribery Policy or adhere to an equivalent policy, standard or other procedures they may have in place to prevent bribery. This clause

will confirm that any breach of these anti-corruption obligations can lead to termination of the contractual relationship.

7. Due Diligence

Appropriate risk-based due diligence must be conducted in relation to any party outside of the College who is performing services for it or on its behalf. Enhanced due diligence should be conducted in relation to overseas agents and joint venture partners of the College. The following guidance indicates the steps that should be considered in planning and conducting Due Diligence in these types of relationship.

Require the party/agent to provide details of the party/agent's ownership; details of senior management of the party/agent; a copy of CVs of key personnel performing services for the College; details of referees for the party/agent and key personnel who will be providing services under the proposed agreement; details of other directorships held, existing partnerships, and third-party relationships, and any relevant judicial or regulatory findings about the party/agent or key personnel of the party/agent, and details of the jurisdictions in which the agent operates.

Undertake research, including reasonable internet research (dependent on risk), on the party/agent and any individuals who have a degree of control if the agent is a corporate entity.

Check independently that the party/agent does not appear on any applicable sanctions list or have outstanding court actions or judgments against it.

Make enquiries with any relevant authorities, including contacting a commercial attaché at the embassy in the territory where the party/agent operates, to verify information obtained and seek any independent background information about the party/agent's reputation.

Take up references and assess responses received.

Conduct any further enquiries of the party/agent to clarify any matters arising from the information provided, including arranging a face to face meeting if required.

Request and review copies of the party/agent's anti-bribery policies and any relevant procedures they operate to prevent bribery and corruption.

Assess relevant commercial considerations for the College's activities, e.g.:

- is the appointment necessary?
- does the party/agent have the required expertise to provide the services?
- is the party/agent going to interact with a public official, or are there any other connections between a party/agent and a public official?
- are the proposed payment terms of the party/agent reasonable and in accordance with the market rate?
- have appropriate steps been taken to consider alternative appointments/competitors to this party/agent?

8. Facilitation Payments

Facilitation payments are typically small unofficial payments paid to speed up an administrative process or secure a routine government action by an official. They are more common in certain overseas jurisdictions in which the College conducts its activities, but it is possible that they could arise in the UK.

Facilitation payments are treated as bribes by the Bribery Act and are prohibited by this Policy. Examples of when such payments may be requested include:

- To obtain or expedite a permit, licence or other official document or approval.
- To facilitate provision of utilities, such as connecting water, electricity, gas or telephone services
- At border controls or crossings to allow safe or prompt entry or exit from a jurisdiction
- To avoid unwarranted delays when goods are held by a customs official
- To ensure personal security or preservation of property from law enforcement officials

Facilitation payments should be contrasted with official, lawful payments (typically to an organisation rather than an individual) to expedite certain functions (e.g., where there is an official system to choose a premium fast track service to obtain a passport). Sometimes demands for facilitation payments are forms of extortion (e.g., unless the demand is met, a person's safety or liberty is placed in jeopardy). However, identifying when a payment is a lawful, official payment and when it is a facilitation payment, and a bribe is not always easy. In these cases, it is important for staff to seek confirmation wherever possible of the lawfulness of the payment from an independent source and seek additional guidance from the COO/Secretary immediately.

If it is not possible to undertake the above steps and if a member of staff is unsure as to the validity of an official's request for a payment, the steps below should be followed as far as they are applicable and as far as it is possible to do so:

The member of staff should:

- Contact their line manager.
- Ask the official for proof of the validity of the fee.
- Request that a receipt be provided confirming the validity of the payment.
- If no proof of validity will be provided, politely decline to make the payment and explain they cannot make the payment because of the College's policy and anti-bribery laws.
- If possible, ask to see the official's supervisor

- Make a full note of the request, the circumstances and the parties involved.
- At all times remain calm, respectful and polite.

The College policy is that it strictly prohibits any kind of facilitation payments made by members of staff or third parties acting on its behalf. However, if a member of staff is in fear for their safety or at risk of loss of liberty, they should not refuse the demand for a payment. In all circumstances members of staff must report any demand for facilitation payments immediately to the COO/Secretary for advice and guidance

APPENDIX B

Summary of Bribery Act

1. What Is Bribery and Corruption?

The Bribery Act defines corruption offences very widely. Most offences apply equally to private and public sector activities. This Appendix sets out further details of the offences and how they may apply to the College.

As a summary of the key provisions in the UK law, members of staff should follow these three principles:

- Do not make payments to someone (or favour them in any other way) if you know that this will involve someone in misuse of their position.
- Do not misuse your position in connection with payments (or other favours) for yourself or others.
- Do not deliberately use advantages to try to influence foreign public officials for business reasons. If you need to promote the College's business with a foreign public official, always check in advance with your Head of School/Support Department.

A bribe does not need to be a monetary sum. It can be any form of advantage: e.g., lavish hospitality or gifts; an offer of employment; or the provision of services free of charge or with a substantial discount. A person who is offered or agrees to accept a bribe does not need to benefit personally.

Actual payment of a bribe does not need to occur for there to be a criminal offence. An offer or request would be sufficient.

Sometimes offering or making a payment (or giving some other favour such as lavish hospitality) is an act of bribery in itself – i.e., where this is improper without the recipient needing to do anything else as a consequence.

2. How Does Corruption Affect The College?

Risks of corruption can arise in a wide range of the College's activities and its interaction with third parties. Some examples of these are as follows:

- International operations
- Recruitment of students and awards of degrees
- Gifts and donations to or from the College or its staff
- College Fundraising Activities
- Sponsorship and partnerships with private sector organisations in the UK or overseas and other commercial activities

-
- Procurement processes across the College and relationships involving estate and property management.
 - Appointment of agents or representatives in the UK or overseas who perform services for or on behalf of the College.
 - Relationships with other academic institutions, regulatory or funding bodies
 - Field trips and overseas research in jurisdictions where there are particular corruption risks.

The College will undertake periodic risk assessments of its activities, including risks relating to: the sector in which it operates; its international business activities; its existing processes for gifts and hospitality and donations; its relationships with a wide range of third parties in the UK and overseas who provide services to it or on its behalf; its procedures for procurement and other internal policies; and its other business structures, such as private sector joint ventures or joint research collaborations.

3. What is the Law?

The offences under the Bribery Act are extensive in scope, broadly defined and, in some circumstances, also allow for crimes committed anywhere in the world to be prosecuted in UK courts. The College's standards therefore apply to conduct that occurs both in the UK and in any activity it undertakes abroad.

The UK law has serious consequences for anyone found guilty of an offence. For individuals, a maximum prison sentence of ten years and/or an unlimited fine can be imposed; for commercial organisations, an unlimited fine can be imposed. Other measures can include the ability to confiscate assets, where these are found to be the proceeds of criminal activity including corruption.

The Bribery Act includes a new offence of failure of commercial organisations to prevent bribery. In light of its various commercial activities, the College will be treated as a commercial organisation for this purpose even though it has primarily educational aims.

4. Offences under the Bribery Act

The Bribery Act contains four main offences:

- **Paying bribes** - Can apply to members of staff and the College.
- **Receiving bribes** - Can apply to members of staff and the College.
- **Bribery of a foreign public official** - Can apply to members of staff and the

College.

- **Failure of a commercial organisation to prevent bribery** - Can apply to the College and its subsidiary companies.

In addition, if a senior officer of a commercial organisation consents to or connives in an act of bribery by that organisation, they can be separately prosecuted.

As a reference guide, set out below are brief explanations of what each of the four main offences mean.

4.1 Paying bribes

It is an offence if a person offers, promises or gives a financial or other advantage with the intention of inducing another person to **perform a function or activity improperly** or to reward that person for doing so.

It is not necessary to prove that this person intended this consequence in all cases: it is also an offence if the person knows or believes that acceptance of the advantage by another is in itself an improper performance of their function or activity.

4.2 Receiving bribes

It is an offence if a person requests, or agrees to accept, or receives a financial or other advantage intending that a **function or activity** should be **performed improperly** as a result.

It is also an offence:

- Where the request or receipt of the advantage is in itself an improper performance of a function or activity;
- Where the request or receipt is a reward for the person's or someone else's improper performance in the past;
- Where their improper performance takes place in anticipation or as a consequence of a request or receipt of an advantage.

In these other scenarios, it does not matter whether the person knows or believes that the performance of a function or activity is improper.

With both of the above offences, it does not matter that no money changed hands, or that a person received no personal benefit or enrichment.

Both offences can also apply to acts of bribery that take place outside of the UK, where the person or organisation paying or receiving a bribe has a close

connection to the UK. This includes all UK citizens, other persons ordinarily resident in the UK, and UK incorporated companies.

4.3 What activities do these offences apply to?

The offences could apply to any function or activity involving the College and any activities of its staff, connected with a business, performed in the course of employment, or on behalf of the College or a subsidiary company. Examples include the College's dealings with:

- private sector businesses, or third parties including subcontractors or agents.
- other publicly funded organisations, grant giving bodies, and relevant public bodies.
- service providers or agents
- individuals, including students and prospective students, donors and other sponsors.

4.4 What does improper performance mean?

Whether an activity or function is **performed improperly** will be measured on an objective basis, not necessarily on a person's own perception of the circumstances of the activity. The test will be whether a function has been performed in breach of how a reasonable person in the UK would expect it should be performed. This means customary or historic practices will not necessarily be acceptable.

4.5 Bribery of a foreign public official

It is an offence if a person offers or gives a financial or other advantage to a foreign public official with the intention of influencing the foreign public official and to obtain or retain business or a business advantage. Foreign public officials include persons performing functions at state owned or controlled enterprises and agencies - and therefore could potentially include those working for public universities outside of the UK.

The College has identified that it has relevant international activities where it may have dealings with foreign public officials, including;

- in territories where it engages overseas agents for student recruitment
- in territories where members of the College undertake research or other academic activities from time to time

The Bribery Act contains no exemption for “facilitation payments” (see also the section of this Guidance Notes to the College Policy relating to Facilitation Payments).

If a member of staff of the College in the UK or overseas needs to promote the College's business with a foreign public official, the member of staff must contact the COO/Secretary in advance to confirm what steps are appropriate in any dealings they intend to have with the foreign public official.

4.6 Failure of commercial organisations to prevent bribery.

It is an offence for the College in relation to its commercial activities if a person associated with the College bribes another person intending to:

- obtain or retain business for the College; or
- obtain or retain an advantage in the conduct of business for the College.

A person is associated with the College if they perform services for or on behalf of the College. This covers a wide category of people where the College has a potential liability for their acts. It does not matter in what capacity they are acting. Associated persons include all employees of the College as well as other persons outside of the College such as agents, joint ventures to which the College is party, and those with whom the College contracts to perform services.

UHI | INVERNESS

Subject/Title:	Revenue & Capital Monitoring to 31 January 2024
Author:	Niall McArthur, Director of Finance & Estates
Meeting:	Finance & General Purposes Committee
Meeting Date:	7 March 2024
Date Paper prepared:	29 February 2024
Brief Summary of the paper:	To present the revenue and capital finance monitoring and projected outturn for the year ended 31 July 2024.
Action requested: [Approval, recommendation, discussion, noting]	Noting

Link to Strategy: Please highlight how the paper links to, or assists with:: <input type="checkbox"/> compliance <input type="checkbox"/> partnership services <input type="checkbox"/> risk management <input type="checkbox"/> strategic plan <input type="checkbox"/> new opportunity/change	Financial Sustainability
--	--------------------------

Resource implications:	Yes – monitoring of Financial Resources If yes, please specify:		
Risk implications:	Yes If yes, please specify: Financial Operational		
Equality and Diversity implications:	N/A		
Student Experience Impact:	None		
Consultation: [staff, students, UHI & Partners, External] and provide detail	None		
Status – [Confidential/Non confidential]	Non-Confidential		
Freedom of Information Can this paper be included in “open” business* [Yes/No]	Yes		
*If a paper should not be included within “open” business, please highlight below the reason.			
Its disclosure would substantially prejudice a programme of research (S27)		Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	
Its disclosure would substantially prejudice the commercial interests of any person or organisation (s33)		Its disclosure would constitute a breach of confident actionable in court (s36)	
Its disclosure would constitute a breach of the Data Protection Act (s38)		Other (Please give further details)	

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

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

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

Recommendation

The committee is asked to note the report.

Purpose of report

To provide an update to the committee on the current forecast position at January 2024, in terms of the revenue and capital finance monitoring for the 12 months ended 31 July 2024.

Revenue Monitoring – to 31 July 2024

This report provides an update to the committee on the forecast position of the college at the 6 month stage to January 2024, for the year to 31 July 2024.

Overall, the management accounts position is currently forecasting a draft operational deficit of £1.044 million, (assuming pay inflation at 5% for 2022/23 and 3% for 2023/24), compared to the original budget deficit of £418,000. A further breakdown of each income and expenditure line is provided in appendix 1 of the report.

The College is forecasting that it will meet the FE Credit target for 2023/24, with the actual number of credits at 10 January 2024 currently being 23,443, compared to the target of 26,657. In terms of the HE UGT fte number for 2023/24, the current actual, at 30 January 2024 is 1,263 fte, compared to the target of 1,411 fte.

The main issues that are affecting the financial performance for the College in 2023/24 are noted below.

Income

- Research grant funding (Red risk) - is significantly below target at present and the current forecast is a reduction of £280,000 in income for the year. At present further work is being carried out on both income and expenditure forecasts to ascertain the forecast for the year.
 - Mitigating Actions: a review is currently being undertaken in the research area, which will look at both income and expenditure areas. Scenario plans will be prepared in terms of both best case and worst-case scenarios for both income and expenditure, as well as a review of staffing levels.

- UHI HE grant funding (Red risk) - is forecast to be below target for 2023/24. Work is currently being carried out to ascertain the forecast reduction in the level of HE grant for the year, but it is currently estimated at £282,000.
 - Mitigating Actions: to maximise the January 2024 student intake for HE students. A marketing campaign will be undertaken to increase applications for 2024/25, as well as continuing with open evenings and other events to attract additional HE students.

- Tuition fees (Amber risk) – with the HE fte being below the target set for the year as noted above, there will be a knock-on effect on the tuition fees, which is being forecast to be below target by £99,000.
 - Mitigating Actions: to maximise the January 2024 student intake for HE students. A marketing campaign will be undertaken to increase applications for 2024/25, as well as continuing with open evenings and other events to attract additional HE students.

- Refectory & restaurant income (Amber risk) – based on current income levels, forecast to be £50,000 below income target of £653,700, mainly due to event income being below target.
 - Mitigating Actions: to ensure that in terms of the refectory and restaurant, that income and expenditure continues to be monitored and offset any reduction in the events income for the year.

- Commercial income (Green risk) – based on current income levels, forecast to be £120,000 above the income target of £442,500, mainly due to additional FWDF income which was not budgeted for.

- Miscellaneous income (Green risk) – based on current income levels, forecast to be £120,000 above the income target of £515,480, mainly due to additional other income not budgeted for.

Expenditure

- Staff costs (Red risk) - are forecast to be £385,000 over budget, assuming a cost of living pay increase of 5% for 2022/23 and 3% for 2023/24. This compares to a budgeted 3% increase for 2022/23, with the additional cost of the 5% increase being approximately £250,000. It also includes an overspend relating to SPPA employer costs, which are due to increase from 23% to 26% in April 2024, with the approximate cost for the 4 months to July 2024 being £100,000. It is still uncertain whether the increase will be funded by SFC, and at present, no income related to this additional cost is included in the forecast.

Other staff costs and travel costs are forecast to be the same as the budget for the year to 31 July 2024.

- Mitigating Actions: to review all vacancies and ascertain whether they should be replaced or not. Also, review any retirements and ascertain whether they should be replaced or can be replaced through further efficiency measures.
- Premises costs (Red risk) - are forecast to be £50,000 above the budget of £1.964million. This is mainly due to the forecast overspend in energy costs of £130,000, which is partly offset by an underspend in the HIE maintenance costs and the revenue costs incurred from the sale of the Longman site.
 - Mitigating Actions: to review all lines of expenditure and for the remainder of the year, reduce expenditure if possible. A review is also being carried out on energy consumption for the main campus building, with the help of GTFM.
- Other Operating costs (Green risk) - are forecast to be £280,000 below the budget of £7.973million. This is due to the forecast underspend in a number of different areas including equipment, materials and VAT, as well as the revenue costs incurred from the sale of the Longman site.
 - Mitigating Actions: to continue to review all lines of expenditure and for the remainder of the year, reduce expenditure if possible. Budget holder refresher training will also be undertaken for all budget holders, with the key focuses being on budget monitoring and on procurement. A budget review exercise has also started, with the intention of this becoming a regular event and will be on the basis of being both supportive for budget holders, especially new budget holders, but also challenge their budgets for the remainder of the year.

Given the current forecast deficit for 2023/24 and the initial indications from Scottish Government on the FE and HE budget for 2024/25, once the SFC indicative FE and HE grant allocations for 2024/25 are announced at the end of March/ beginning of April 2024, the college will begin to construct a plan to address the underlying deficit in future years.

Student Support Funding

The Student Support funding is forecast to be underspent in 2023/24 by approximately £490,000, compared to £505,000 in 2022/23.

Liquidity

The bank balance at the end of January 2024 was £6.814 million, compared to the bank balance at July 2023 of £6.774 million. The forecast bank balance at 31 July 2024 is £5.134 million, a reduction of £1.640 million compared to the previous years balance. The reduction is due to the forecast deficit position in 2023/24, as well as the back-dated pay award for 2022/23, which has still not been paid out to staff, included in the 2024 year-end balance.

Risk Assessment

Upside Risks

- FWDF – additional funding has been secured in year from SDS of between £80,000 and £140,000 – adjusted forecast to assume additional £120,000.
- Module leadership funding – agreement from UHI EO to allocate an additional £114,000 in 2023/24 for module leadership activity – adjusted for in forecast.
- ALF funding – for curriculum development, amounting to £96,000 - adjusted for in forecast within other income.
- ALF funding – in relation to estates works, amounting to £30,000 - adjusted for in forecast within other income.
- Reduction in lecturing staff – 3 fte leavers/ retirements and backfill of 0.4 fte – staff saving 2.6 fte - not yet adjusted for in forecast figures.
- SPPA – increase in employer contributions – potentially funded by SFC – not yet adjusted for additional funding in forecast until confirmed by SFC.
- Potential replacement for FWDF, from Highland council - not yet adjusted for additional funding in forecast until confirmed by Highland Council.

Downside Risks

- There are tighter funding parameters for 2023/24 and beyond, with reductions in both FE & HE funding announced for 2024/25.
- Cost of living increases for teaching and support staff forecasted to be significantly above public sector pay policy of 2%.
- Job Evaluation was due to complete by 31 March 2023. If monies from the SFC are not enough, then colleges will have to fund the financial gap themselves.
- The five-year public sector finances, which was issued last year by the Scottish Government. This showed flat funding for Revenue and reduced capital for five years, although this has been overtaken by the 2024/25 SFC announcement.
- HE FTE no's are forecast to be below the budget target and the under-recruitment of HE no's in the wider UHI partnership is also a concern. The partnership is facing significant financial challenges without this added issue and the HE recruitment issue is adding to financial problems.
- MicroRam continues to add a degree of uncertainty in projections at the year-end.

Capital Monitoring – 6 months to 31 January 2024

Capital Funding from the SFC is made up of:

1. HE Capital
2. FE Backlog
3. BIS Funding (Research)
4. FE Lifecycle Maintenance – this can be spent on property additions/improvements; or else annual maintenance and IT equipment. It is more versatile in spend parameters than the other three sources and is treated as a revenue grant.

As a condition of the SFC capital grant funding, the College has to commit the capital expenditure by 31 March 2024 and to pay this by 31 July 2024.

There are various projects that have been identified within the 2023/24 capital plan and the College is planning to utilise its full capital grants for both FE and HE capital grants for 2023/24 as follows:

1. HE Capital – funding of £37,234
2. FE Backlog – funding of £8,018
3. BIS Funding (research) – funding of £25,927
4. FE Lifecycle Maintenance – funding of £106,857

A more detailed analysis of the capital expenditure under the headings noted above will be provided at the next committee meeting.

Appendix 1

1. SFC FE Funding

The forecast figure is £9.885 million, which is in line with the budget figure. Current forecasts are that the college will exceed its credit target of 26,657 credits for 2023/24.

2. UHI HE Funding

The UHI HE grant is lower than the budget due to the forecast HE fte's being below the original target, with the forecast HE grant figure being £5.728 million.

3. Tuition Fees

Overall, tuition fees income is forecast to be below the budget figure by £99,000, due to HE numbers being below the target figure for the year.

4. Other Grant Funding - Research

Forecast to be £280,000 below budgeted income, mainly due to lower-than-expected research income. To be closely monitored for the remainder of the year.

5. Refectories

As noted above, due to a decrease in the event income forecast for the year, the overall forecast is below the target of £653,700 for the year by £50,000.

6. SDS

At present, the forecast for the year is the same as the original budget figure of £1.731 million, and this will be closely monitored for the remainder of the year.

7. Commercial

Short Course and commercial income for 2023/24 is forecast to be above the original budget of £442,500 by £120,000, due to additional FWDF income forecast to be received for the year, which was not include in the original budget.

8. Miscellaneous Income

The miscellaneous income is currently forecast to be above the original budget of £515,480 by £120,000. This is due to additional ALF income related to curriculum development and for estates works. This will be closely monitored for the rest of the year.

9. NPD/ Unitary Charge Income

As previously reported, this is an area the College is reviewing. However, increasingly we are looking at income reimbursement from the SFC. The SFC also has been reviewing this in terms of Scottish Government funding and support for colleges who have NPD contracts.

10. Staff Costs

Staff costs - are forecast to be £385,000 over budget, assuming a cost of living pay increase of 5% for 2022/23 and 3% for 2023/24. This compares to a budgeted 3% increase for 2022/23, with the additional cost of the 5% increase being approximately £250,000. It also includes an overspend relating to SPPA employer costs, which are due to increase from 23% to 26% in April 2024, with the approximate cost for the 4 months to July 2024 being £100,000. It is still uncertain whether the increase will be funded by SFC, and at present, no income related to this additional cost is included in the forecast.

Other staff costs and travel costs are forecast to be the same as the budget for the year to 31 July 2024.

11. Premises Costs

Premises costs - are forecast to be £50,000 above budget of £1.964million. This is mainly due to the forecast overspend in energy costs of £130,000, which is partly offset by an underspend in the HIE maintenance costs and the revenue costs incurred from the sale of the Longman site.

12. Other Operating Costs

Other Operating costs - are forecast to be £280,000 below the budget of £7.973million. This is due to the forecast underspend in a number of different areas including equipment, materials and VAT, as well as the revenue costs incurred from the sale of the Longman site.

INVERNESS COLLEGE

PERIOD ENDED 31-Jan-24

INCOME AND EXPENDITURE ACCOUNT

	Note	Actual 31-Jan-24 £	Budget 31-Jul-24 £	Estimated Outturn 31-Jan-24 £	Variance from Budget £	Risk
Income						
Scottish Funding Council FE Grants	1	1,500,000	9,885,000	9,885,000	0	G
UHI	2	3,075,585	6,010,788	5,728,616	(282,172)	R
Tuition Fees	3	2,710,115	2,877,127	2,778,097	(99,030)	A
Other Grants - Research	4	348,674	1,424,254	1,144,254	(280,000)	R
Refectory and Training Restaurant	5	355,443	653,700	603,700	(50,000)	A
SDS	6	755,641	1,731,307	1,731,307	0	A
Commercial	7	229,601	442,500	562,500	120,000	G
Miscellaneous	8	480,446	515,480	636,141	120,661	G
Unitary Charge	9	2,528,568	4,903,884	4,903,884	0	
		11,984,072	28,444,040	27,973,499	(470,541)	
Staff Costs						
Teaching	10	4,731,180	9,959,814	10,142,634	(182,820)	
Teaching Support		725,973	1,621,652	1,578,383	43,269	
Premises		143,712	254,504	306,885	(52,381)	
Administration and Support		2,076,697	3,993,986	4,220,954	(226,968)	
Hospitality		167,702	419,237	367,694	51,543	
Research		540,169	1,141,232	1,119,222	22,010	
Business Development		202,480	404,419	444,367	(39,948)	
Provision		26,011	60,000	60,000	0	
		8,613,924	17,854,844	18,240,140	(385,296)	R
Job Evaluation				0	0	
		8,613,924	17,854,844	18,240,140	(385,296)	
Other Staff Costs		(1,123,561)	370,749	370,749	0	
		7,490,363	18,225,593	18,610,889	(385,296)	
Other Costs						
Premises	11	3,160,760	1,963,771	2,013,771	(50,000)	R
Other Costs	12	2,222,561	7,972,950	7,692,950	280,000	G
		5,383,320	9,936,721	9,706,721	230,000	
		12,873,684	28,162,314	28,317,610	(155,296)	
Cash Position		(889,611)	281,726	(344,111)	(625,837)	
NPD Capital		(467,625)	(897,592)	(897,592)	0	
Cash Position after repaying loan capital		(1,357,237)	(615,866)	(1,241,703)	(625,837)	
Non RDEL						
Deferred Grant Release		0	300,000	300,000	0	
Depreciation		0	1,000,000	1,000,000	0	
		0	(700,000)	(700,000)	0	
		(889,611)	(418,274)	(1,044,111)	(625,837)	

INVERNESS COLLEGE

31-Jan-24

BALANCE SHEET

AS AT:	31-Jan-24	31-Jan-24	Draft FS 31-Jul-23
		£	£
FIXED ASSETS			
Tangible Assets		56,176,700	56,176,702
Leased Assets		54,000	54,000
		<u>56,230,700</u>	<u>56,230,702</u>
CURRENT ASSETS			
Stock		47,794	47,794
Debtors		2,441,112	2,802,350
Assets Held for Sale		1,060,000	2,300,000
Cash at Bank and in Hand		6,813,928	6,774,702
		<u>10,362,834</u>	<u>11,924,845</u>
CREDITORS			
Amounts falling due within One Year		(4,670,412)	(7,181,559)
NET CURRENT ASSETS		<u>5,692,422</u>	<u>4,743,286</u>
TOTAL ASSETS LESS CURRENT LIABILITIES		<u>61,923,122</u>	<u>60,973,988</u>
CREDITORS			
Amounts falling due after more than One Year		(43,947,053)	(42,320,238)
PROVISION FOR LIABILITIES AND CHARGES			
Enhanced Pensions		6,425,000	6,425,000
Defined Benefit Obligations		(1,698,469)	(1,770,142)
NET ASSETS INCLUDING PENSION LIABILITY		<u>22,702,600</u>	<u>23,308,608</u>
RESERVES			
Revaluation Reserve		12,506,641	12,506,641
Income and Expenditure Account including Pension Liability		10,195,960	10,801,966
Total Reserves		<u>22,702,600</u>	<u>23,308,607</u>

(1)

Finance and General Purposes Committee

Subject/Title:	Annual Procurement Report 2022/23
Author:	Niall McArthur, – Director of Finance & Estates
Meeting:	Finance and General Purposes Committee
Meeting Date:	7 March 2024
Date Paper prepared:	29 February 2024
Brief Summary of the paper:	To present the Annual Procurement Report for 2022/23, produced by APUC on behalf of UHI Inverness.
Action requested: [Approval, recommendation, discussion, noting]	Approval

Link to Strategy: Please highlight how the paper links to, or assists with:: <input type="checkbox"/> compliance <input type="checkbox"/> partnership services <input type="checkbox"/> risk management <input type="checkbox"/> strategic plan <input type="checkbox"/> new opportunity/change	Financial Sustainability		
Resource implications:	Yes – monitoring of Financial Resources If yes, please specify:		
Risk implications:	Yes If yes, please specify: Financial Operational		
Equality and Diversity implications:	N/A		
Student Experience Impact:	None		
Consultation: [staff, students, UHI & Partners, External] and provide detail	None		
Status – [Confidential/Non confidential]	Non Confidential		
Freedom of Information Can this paper be included in “open” business* [Yes/No]	Yes		
*If a paper should not be included within “open” business, please highlight below the reason.			
Its disclosure would substantially prejudice a programme of research (S27)		Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	
Its disclosure would substantially prejudice the commercial interests of any person or organisation (s33)		Its disclosure would constitute a breach of confident actionable in court (s36)	
Its disclosure would constitute a breach of the Data Protection Act (s38)		Other (Please give further details)	

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

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

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

Recommendation

For members to approve the Annual Procurement Report for 2022/2023.

Purpose of report

To present the Annual Procurement Report for 2022/23 to committee for approval and highlight the key sections of the report.

Annual Procurement Report 2022/23

The Annual Procurement Report for 2022/23 covers the period of 01 August 2022 through to 31 July 2023 and highlights performance and achievements in delivering the UHI Inverness procurement activities. It has been produced by APUC and reviewed by UHI Inverness.

The report is split into 9 sections and these are noted below, along with a summary of the key points included in each section.

1. Spend Profile – total non-pay expenditure of £9,251,556, of which £3,744,471 was deemed influential spend. The remaining non-influential £5,507,085 is split between GTFM £4,518,546.36 and £988,538.74 on others eg - Other public sector bodies / property leases.
2. Non-Compliance – UHI Inverness have identified 13 regulated categories that are non-compliant and will investigate these further.
3. National Framework Agreements – Against the Scottish Government target of 40% of non-pay spend being procured via National Frameworks Agreements, the College have achieved 54.1%. UHI Inverness will maintain and try to increase opportunities to maximise the usage of Framework Agreements.
4. UHI Collaborations – In the reporting period UHI Inverness benefited from participating in 19 exercises, with a total contract value of £985,123.64
5. Local Contracts – In the reporting period 42 contracts were completed worth an annual total of £540,965.38 and added to the College contracts register.
6. Non-Competitive Actions (NCA's) – The institution procurement policy recognises that there may be occasions where it is appropriate to award a contract for goods, services and works without following a competitive tendering process. This procedure is known as Non-Competitive Action (NCA) and can only be applied in **exceptional** circumstances. 4 Non-Competitive Actions were completed in this reporting period.
7. Savings – Savings are calculated and approved, using the Scottish Cross Public Sector Savings Methodology and for 2022/23, £317,908 of cash savings were made and £273,272 of non-cash savings.

8. Procurement policies & procedures – these are listed in the full report.
9. Continuous Improvements & Recommendations – there are 9 improvements & recommendations listed, which will be worked in in the coming months.

Procurement services at the College are provided via the APUC Shared Service Model, consisting of two FTEs based at the Inverness Campus. In addition, collaborative opportunities are delivered via a Shared Service Collaborative resource, which is jointly paid for by UHI Academic Partners. Strategic support is provided by the Shared Service Head of Procurement.

A copy of the full Annual Procurement Report for 2022/23 is attached to this report.

CHI | INVERNESS

Annual Procurement Report FY2022-23

Title	Annual Procurement Report FY2022-23
Date	February 2024
Version	2
Prepared by	Derek Cowie, Stuart Murray, and Amanda MacKenzie

UHI Inverness - Annual Procurement Report (APR)

Executive Summary

This report covers the period of 01-August-2022 to 31-July-2023 and highlights performance and achievements in delivering the UHI Inverness procurement activities.

To assist with procurement compliance under the Public Procurement Regulations (2015) UHI Inverness use the service of APUC Advanced Procurement for Universities and Colleges.

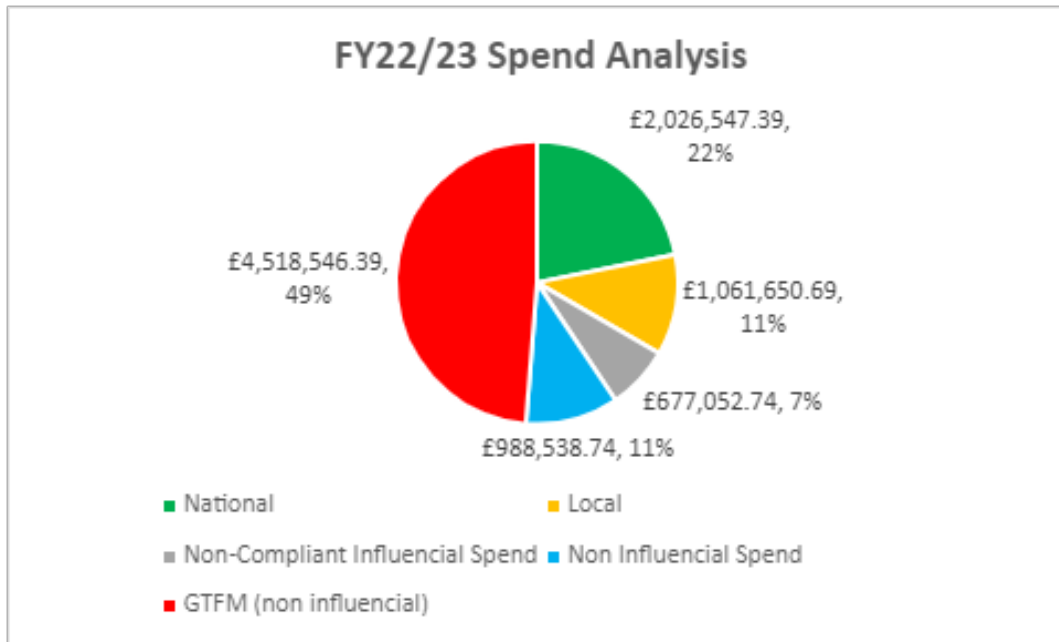
Spend Profile

The college reported a total Non-Pay Spend of £9,251,556.91, of which £3,744,471.78 was deemed influential spend. The remaining non-influential £5,507,085.13 is split between GTFM £4,518,546.36 and £988,538.74 on others EG - Other public sector bodies / property leases.

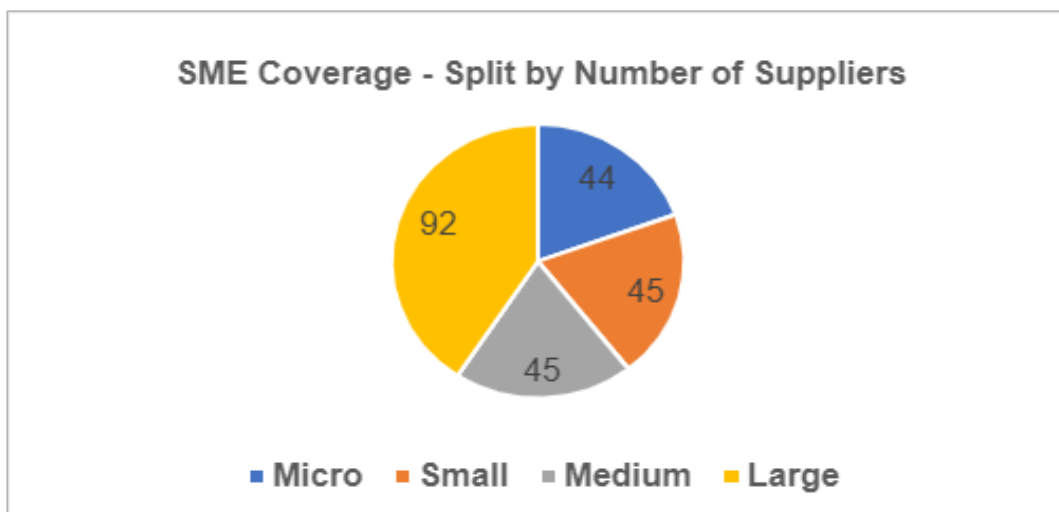
UHI Inverness had 444 active suppliers in FY22/23 with whom it procured goods and services from during the reporting period.

It is to be noted that 103 suppliers were recorded with an annual spend less than £500, where possible this should be reviewed as processing costs for setting up each new supplier is circa £40.

FY22/23 Spend Data		National Framework Agreements / Local Contracts Percentage usage
Total Finance Spend	£9,272,335.95	
Compliant Influential Spend Total	£3,088,198.08	
National	£2,026,547.39	54.1%
Local	£1,061,650.69	28.4%
Non-Compliant Influential Spend Total	£677,052.74	
Non-Contract Spend	£656,273.70	
Credit Card Spend	£20,779.04	
Non-influential Spend Total	£5,507,085.13	
GTFM (non-influential)	£4,518,546.39	
Other non-influential	£988,538.74	



To meet the obligations under the Sustainable Procurement Duty the college is committed to involving Supported businesses, SMEs, and Third Sector Suppliers. To assist us better understand the volume of spend we have with SMEs, the College has been proactively gathering status from the supply base. 68% of suppliers utilised by the college are classified as an SME.



*Table above is based on suppliers with an annual spend profile greater than £1,250, which equates to 226 suppliers.

Facilities Management

The facilities management contract is with Galliford Try Facilities Management (GTFM) with a spend profile for FY22-23 of £4,518,546.39. Contract performance and value for money is directly managed by the college estates department, any contract amendments are administered through an Authority Change Notice (ACN's) process.

Non-Compliance

The £656,273.70 spend is calculated from suppliers used with no compliant contract in place.

UHI Inverness have identified 13 regulated categories that are non-compliant. 10 categories fall within the Procurement Reform (Scotland) 2014 Act and 3 exceeds the GPA (Government Procurement Agreement) threshold. These have been added to the Forward Contracting Plan for further investigation.

Further information is available in Appendix 1 – Non-Compliant Contracts.

National Framework Agreements

Against the Scottish Government target of 40% of non-pay spend being procured via National Frameworks Agreements, the College have achieved 54.1%. UHI Inverness will maintain and try to increase opportunities to maximise the usage of Framework Agreements.

UHI Collaborations

APUC shared service resource covering cross partnership procurement exercises. UHI Inverness are committed to work with other academic partners, and they do this via the collaborative procurement resource. In the reporting period UHI Inverness benefited from participating in 19 exercises, completed with a total contract value of £985,123.64

Further information is available in Appendix 2 – UHI Collaborative Activity Report 22/23.
Further information is available in Appendix 5c – UHI Collaborative Savings Report 22/23.

Inverness Campus Owners Association (ICOA) Collaborative Opportunities

Discussions are currently ongoing with Highland and Islands Enterprise (HIE), NHS Highland (NTC) and the Scotland's Rural Colleges (SRUC) to review collaborative opportunities.

It has been agreed at the last ICOA meeting on 01-12-23 that for future quarterly review meetings that Responsible Procurement will be added as a fixed agenda item.

Local Contracts

In the reporting period 42 contracts were completed worth an annual total of £540,965.38 and added to the College contracts register.

Further information is available in Appendix 3 – UHI Procurement Exercises Completed

Non-Competitive Action (NCA) FY22/23

The institution procurement policy recognises that there may be occasions where appropriate to award a contract for goods, services and works without following a competitive tendering process. This procedure is known as Non-Competitive Action (NCA) and can only be applied in **exceptional** circumstances.

4 Non-Competitive Actions were completed in this reporting period.
Further information is available in Appendix 4 – UHI Non-Competitive Actions

Savings

The following BT1 AND BT2 Savings have been achieved in FY22/23. Savings are calculated and approved, using the Scottish Cross Public Sector Savings Methodology.

Dept	Saving Type	Cash	Non-Cash
National Collaboration	BT1	£84,285	
National Collaboration	BT2		£272,277
UHI Collaboration	BT1	£188,436	
UHI Collaboration	BT2		£0.00
Local Costs Savings	BT1	£45,187	
Local Costs Savings	BT2		£995

BT14 – Savings

BT14 – sustainability-based benefits Sustainability-based benefits where costs are not normally relevant, can be reported but will normally be described in written narrative including but not limited to the following areas:

- Reduction in waste – packaging and / or further use of residue from processes etc.
- Reduction in consumption - use of raw materials (consumables, utilities etc.)
- Recycling and/or reuse of products.
- Enhanced Reputation and/or marketing opportunities.
- Community Benefits delivery.
- Carbon Reduction.
- Social, equality and / or environmental improvements.

Further information is available in Appendix 5a – 5d Savings Reports

Procurement Policies and Procedures

Procurement Strategy 2023 to 2026:

The UHI Inverness 4-Year Procurement Strategy 2023 to 2026 was approved by the Board of management in October 2023 and is published on the College website [Procurement-Strategy-2023---2026.pdf \(uhi.ac.uk\)](#)

The 4-year UHI Inverness Strategic Plan 2022 to 2026 was created by EMT and approved by the Board of Management in February 2022 and is published on the College website [UHI Inverness Strategic-Plan 2022-26-\(1\).pdf](#)

Sustainable Procurement Policy:

The UHI Inverness Sustainable Procurement Policy 2023 to 2026 was approved the Board of Management in June 2023 and is published on the College website [Sustainable-Procurement-Policy.pdf \(uhi.ac.uk\)](#)

To support the sector's Supply Chain and Ecological Emergency Strategy (SCCEES), in the coming year, procurement along with stakeholders will further develop a 10-year action plan to drive sustainable efficiencies from the supply chain (FNT2030).

This has now been endorsed by the USECEC and the CDN-CEED, and by the Universities Scotland Principals Group and the Colleges' Principals Group.

Audit & Operational Procurement Review

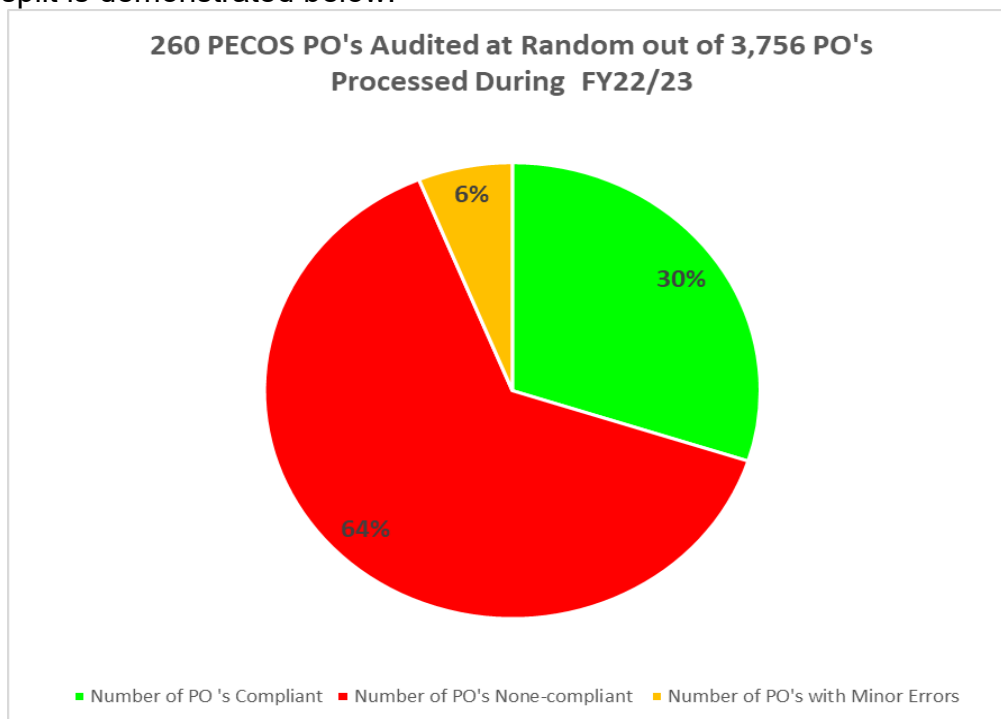
The next Scottish Government Operational Procurement Review (OPR) will be conducted in late 2024.

UHI Inverness Finance / Procurement Audit by BDO

Identified in the BDO Finance Audit in July 2022 was an action for procurement to audit 5 PECOS purchase orders at random per week. The findings are set out in the table below.

MI Data	
Number of PO's Processed During FY22/23	3756
Number of PO's Compliant	78
Number of PO's non-compliant	166
Number of PO's with Input Errors	16
Total number of PO's reviewed at random	260

A further split is demonstrated below.



Summary:

Total of 3,756 PECOS PO's were processed in FY22/23
 Total of 260 PECOS PO's Audited v 3756 Processed = 6.92%
 5 PO's per week were audited.

Currently UHI Inverness process through PECOS £4,196,330.02 of total spend.
 *GTFM and spend with other academic institutions are excluded from this calculation.

Contract Management

All regulated strategic contracts are recorded and manage via SCM

Contracts & Procurement Risk Register:

UHI Inverness have a procurement risk register, all high risks are escalated to the institutional risk register.

Further information is available in Appendix 6 – Procurement Risk Register.

Continuous Improvements and Procurement Recommendations

- Define roles & responsibilities, by delivering a comprehensive procurement training programme to devolved staff during FY 23/24. Training to include end to end process.
- Review the use of current Framework suppliers, ensure that stakeholders are using them compliantly. This additional transparency will deliver more value for money to UHI Inverness.
- To maximise savings through the use of national framework agreements where appropriate.
- Further develop the use of collaboration with other public sector bodies.
- Increase the number of PECOS audits and provide a report on non-compliance.
- Review the volume of spend via the PECOS system with a view to increasing percentage from FY22/23 position.
- Rationalise the supply base to avoid non-compliant spend being processed.
- Further developing the Procurement Risk Register through formal reviews with the Director of Finance and Estates and the Head of Procurement – UHI Shared Service.
- Focus on responsible procurement duties though developing the FNT2030 action plan.

Appendices

The following appendices can be found embedded below for further information -

- Appendix 1 – Non-Compliant Contracts for UHI Inverness 2022–23
- Appendix 2 – Collab Activity for UHI Inverness 2022–23
- Appendix 3 – Procurement Exercises Completed for UHI Inverness 2022–23
- Appendix 4 – Non-Competitive Action Report for UHI Inverness 2022–23
- Appendix 5a – Local Savings Report for UHI Inverness 2022-23
- Appendix 5b – National Savings Report for UHI Inverness 2022–23
- Appendix 5c – Collaborative Savings Report 2022–23
- Appendix 5d – BT14 Savings report for UHI Inverness 2022–23
- Appendix 6 – Contracts & Procurement Risk Register for UHI Inverness 2022–23



APR 22-23 Appendix 1 - 6.zip

UHI | INVERNESS

Finance and General Purposes Committee

Subject/Title:	FE and HE Fees 2024/25
Author:	Niall McArthur, Director of Finance & Estates
Meeting:	Finance & General Purposes Committee
Meeting Date:	7 March 2024
Date Paper prepared:	29 February 2024
Brief Summary of the paper:	To present the FE and HE fees for 2024/25 to the committee, the FE fees are for approval and the HE fees are for noting.
Action requested: [Approval, recommendation, discussion, noting]	Approval/ Noting

Link to Strategy: Please highlight how the paper links to, or assists with:: <input type="checkbox"/> compliance <input type="checkbox"/> partnership services <input type="checkbox"/> risk management <input type="checkbox"/> strategic plan <input type="checkbox"/> new opportunity/change	Financial Sustainability
Resource implications:	Yes – monitoring of Financial Resources If yes, please specify:

Risk implications:	Yes If yes, please specify: Financial Operational		
Equality and Diversity implications:	N/A		
Student Experience Impact:	None		
Consultation: [staff, students, UHI & Partners, External] and provide detail	None		
Status – [Confidential/Non confidential]	Non-Confidential		
Freedom of Information Can this paper be included in “open” business* [Yes/No]	Yes		
*If a paper should not be included within “open” business, please highlight below the reason.			
Its disclosure would substantially prejudice a programme of research (S27)		Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	
Its disclosure would substantially prejudice the commercial interests of any person or organisation (s33)		Its disclosure would constitute a breach of confident actionable in court (s36)	
Its disclosure would constitute a breach of the Data Protection Act (s38)		Other (Please give further details)	

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

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

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

Recommendation

That members approve the FE fees for 2024/25 and note the HE fees for 2024/25, as these are set by UHI.

Purpose of report:

To present the FE and HE fees for the year 1 August 2024 to 31 July 2025 and ask for the Finance & General Purposes Committee to approve the FE fees and to note the HE fees, which are set by UHI.

Background

Under the Financial Memorandum between Inverness College and UHI, the college must set FE tuition fees on an annual basis, with HE fees being set and approved by UHI. The FE fees have to be approved by the Finance and General Purposes Committee and the Board of Management before the beginning of the next academic year.

FE and HE Fees for 2024/25

FE Fees

Currently, each academic partner sets its own FE fees, which means that colleges within UHI currently charge different amounts for the same course. It is our aspiration to see a Single Policy Environment agreed across the UHI Partnership, to enable a single FE tuition fee to be set for each course across all UHI Academic Partners.

In terms of the proposed FE tuition fees for 2024/25, at present, the current inflation rate is 4%, with the inflation rate forecast to fall to 2% by the end of 2025. Therefore, the proposal is to increase FE fees by 3%, the mid-point of the current level of inflation and the forecast rate at the end of 2025. When considering the FE tuition fees it's worth noting the following:

- The majority of FE students do not pay tuition fees as they meet the eligibility criteria for the Fee Waiver Policy e.g. they are full time Scottish residents or studying part time on the Senior Phase provision or in receipt of benefits.
- Modern Apprentices do not pay fees.
- Commercial fees are set on a Full Cost Recovery Basis by the Business Solutions Team or Teaching Departments on a course by course basis.

Last year we were able to publish the fees on the UHI Inverness website under each course to make it easier for students to understand the fee liability for their course. All FE fees which are set by the college are noted in appendix 1 of the report.

HE Fees

In terms of HE tuition fees, as stated above, these are set and approved by UHI on an annual basis. However, one of the major issues regarding HE tuition fees is that HE fees for Undergraduate Degrees and HNs are set by SFC/ SG, and have not changed since 2009/10, 15 years ago. Assuming an average increase of 2% pa over the last 15 years, and the current number of HE student fte's for 2024/25, the college is losing out on almost £700,000 of tuition fee funding from SAAS/ SFC.

The HE fees which are set by UHI are noted in appendix 2 of the report.

UHI | INVERNESS

DRAFT Tuition Fees & Charges 2024/25

Further Education		Fees for 2024/25	Fees for 2023/24	Increase in Fees from 2023/24	Comments
SVQ (Scottish Vocational Qualification) & NQ's (National Qualifications NC)					
Full-time per year - Scottish Students		£1,844	£1,790	£54	
Full-time per year RUK Students		£6,149	£5,970	£179	
Full-time per year International including EU Students		£6,149	£5,970	£179	
Part-time - per NC single credit unit - Scottish Students		£126	£122	£4	
Part-time - per NC single credit unit - RUK Students		£500	£485	£15	
Part-time - per NC single credit unit - International including EU Students		£500	£485	£15	
Part-time - per SVQ L1, 2, 3 or 4 unit (with Assessor)		£161	£156	£5	
Part-time - per SVQ L1, 2, 3 or 4 unit (with Assessor) RUK & International Students		£538	£522.50	£16	
Highers, National 4 & 5- Scottish Students		£371	£360	£11	
Highers - RUK & International		£1,499	£1,455	£44	
Department Specific Courses					
NHC - Energy, Technology & the Built Environment					
NC Engineering & SVQ Level 2 Performance Engineering Operations		£3,214	£3,120	£94	
SVQ Level 2 Performance Engineering Operations only		£1,844	£1,790	£54	

	Fees for 2024/25	Fees for 2023/24	Increase in Fees from 2023/24	Comments
Care Sections - IC & NHC - Fees are with Fiona Skinner to consult with Academic Partners				
CPD Leading & Managing Care Services	£1,063	£1,032	£31	
PDA Health & Social Care Administration of Medication	£177	£172	£5	
PDA Health & Social Care Supervision	£290	£282	£8	
PDA Internal Verification of Workplace Assessment Level 8	£567	£550	£17	
PDA Medical Administration - 8 Credits - over 2 years	£354	£344	£10	
PDA Mental Health Peer Support 2 Credits	£259	£251	£8	
PDA Promoting Excellence in Dementia Skilled Practice	£397	£385	£12	
PDA Workplace Assessment Using Direct & Indirect Methods	£567	£550	£17	
SVQ 4 Care Courses - with an Assessor - Course Fee	£2,163	£2,100	£63	
SVQ Level 2 - All Care Courses - Additional Fee if not completed within 1st Year, 3 months extra support	£216	£210	£6	
SVQ Level 2 (6 SVQ units) - All Care Courses - Course Fee - with Assessor	£964	£936	£28	
SVQ Level 3 - All Care Courses - Additional Fee if not completed within 1st Year, 3 months extra support	£216	£210	£6	
SVQ Level 3 (8 SVQ units) - All Care Courses - Course Fee - with Assessor	£1,285	£1,248	£37	
SVQ Level 4 - Health & Social Care - Additional Fee if not completed within 18 months, 3 months extra support	£216	£210	£6	
Business - IC & NHC				
PDA Book Keeping	£354	£344	£10	HE Fee set by UHI - IC do 4 credits
PDA Information Technology in Business	£266	£258	£8	HE Fee set by UHI - Only 3 credits
PDA Office Administration - 4 Credits	£354	£344	£10	
ESOL - IC				
ESOL Advanced	£817	£793	£24	
ESOL Advanced - International	£3,297	£3,201	£96	
ESOL Lower Elementary - Upper Elementary	£613	£595	£18	
ESOL Lower Elementary - Upper Elementary International	£2,460	£2,388	£72	
IELTS Exam Preparation - ESOL Students	£155	£150	£5	

	Fees for 2024/25	Fees for 2023/24	Increase in Fees from 2023/24	Comments
Forestry - IC				
PDA Forestry Operation - 7 Credits	£620	£602	£18	
Construction and Built Environment				
PDA Bricklaying - 8 Credits	£709	£688	£21	
PDA Carpentry & Joinery - 8 Credits	£709	£688	£21	
PDA Painting & Decorating - 7 Credits	£620	£602	£18	
Hair Department				
SVQ 2 Barbering (Evening - price over two years, charged on a yearly basis)	£1,182 no fee, but occasional adj needed	£1,148 no fee, but occasional adj needed	£34	
SVQ 2 Barbering (module fee) - full course 8 credits			£0	
Other				
ESA Education Support Assistance - 9 x NC Credits	£1,131	£1,098	£33	
Counselling year 1	£443	£430	£13	
Counselling year 2	£886	£860	£26	
Counselling year 3	£1,324	£1,285	£39	
Commercial Courses NHC BDU/IC Business Solutions				
To be costed at Full Cost Recovery by Business Solutions and Finance to be advised of costs for each course to set up the Fee side of SITS				

Table with 10 columns: Fee status, Scottish domiciled, EU/EEA/Swiss, Rest of UK domicile, EU without settled or pre-arranged status, International (non-EU domicile), and sub-columns for each category (SC, SQU, RUK, RUKO, INTU*, INTUO, INF, INTO).

UK boundaries map showing the United Kingdom and Ireland.

INT on campus EU
Online
20 credit / 3 x 20

1- Scottish government set undergraduate fees... 2- Note that EU nationals studying on home pre-21-22 (EUO fee status) will retain this fee status... 3- Note that EU nationals studying on home pre-21-22 (EUO fee status) will retain this fee status and level (same as RUKO) for the duration of their course...

Table with 10 columns: Fee status, Scottish domiciled, EU/EEA/Swiss, Rest of UK domicile, EU without settled or pre-arranged status, International (non-EU domicile), and sub-columns for each category (SC, SQU, RUK, RUKO, INTU*, INTUO, INF, INTO).

UK boundaries map showing the United Kingdom and Ireland.

INT on campus EU
Online
20 credit / 3 x 20

1- Scottish government set undergraduate fees... 2- Note that EU nationals studying on home pre-21-22 (EUO fee status) will retain this fee status... 3- Note that EU nationals studying on home pre-21-22 (EUO fee status) will retain this fee status and level (same as RUKO) for the duration of their course...

Note for UG and PGD: the university operates a no fee increase guarantee for self-funding students.

Table with 10 columns: Fee status, Scottish domiciled, EU/EEA/Swiss, Rest of UK domicile, EU without settled or pre-arranged status, International (non-EU domicile), and sub-columns for each category (SC, SQU, RUK, RUKO, INTU*, INTUO, INF, INTO).

UK boundaries map showing the United Kingdom and Ireland.

UK boundaries map showing the United Kingdom and Ireland.

Table with 10 columns: Fee status, Scottish domiciled, EU/EEA/Swiss, Rest of UK domicile, EU without settled or pre-arranged status, International (non-EU domicile), and sub-columns for each category (SC, SQU, RUK, RUKO, INTU*, INTUO, INF, INTO).

UK boundaries map showing the United Kingdom and Ireland.

UK boundaries map showing the United Kingdom and Ireland.

Note for UG and PGD: the university operates a no fee increase guarantee for self-funding, RUK and international (non extended to INTU and INTUO) and continuing EU students.

UHI | INVERNESS

Subject/Title:	Student Activity 2023/24 and Recruitment 2024/25
Author: [Name and Job title]	Jane MacLennan, Information Systems Manager
Meeting:	Finance and General Purposes
Meeting Date:	07 March 2024
Date Paper prepared:	23 February 2024
Brief Summary of the paper:	To provide the committee with an update on student activity for 2023/24, advise of the targets set, and the status of current recruitment for 2024/25.
Action requested: [Approval, recommendation, discussion, noting]	Discussion
Link to Strategy: Please highlight how the paper links to, or assists with:: a) compliance • partnership services • risk management • strategic plan • new opportunity/change	This paper links to the strategic plan, particularly in relation to the student experience and the curriculum.
Resource implications:	Yes
Risk implications:	Yes – quality of the student experience
Equality and Diversity implications:	Yes – equity of the student experience
Consultation: [staff, students, UHI & Partners, External] and provide detail	n/a

ITEM 10.

Status – [Confidential/Non confidential]	Non-confidential		
Freedom of Information Can this paper be included in “open” business* [Yes/No]	Yes		
*If a paper should not be included within “open” business, please highlight below the reason.			
Its disclosure would substantially prejudice a programme of research (S27)		Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	
Its disclosure would substantially prejudice the commercial interests of any person or organisation (S33)		Its disclosure would constitute a breach of confidence actionable in court (S36)	
Its disclosure would constitute a breach of the Data Protection Act (S38)		Other (please give further details)	
For how long must the paper be withheld? (express either as the time which needs to pass or a condition which needs to be met.)			

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

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

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

Student Activity 2022/23 and Recruitment 2023/24

Executive summary

The report provides a summary of the student enrolments and withdrawals for 2023/24, and the status of current recruitment for 2024/25.

The 2023/24 FE Credits target for UHI Inverness is 26,657, we have currently achieved 98.6% of target.

The UHI Academic Partnership target for HE fundable undergraduate students for 2023/24 is 1,412, we have achieved 88% of target.

Following the curriculum planning review process targets have been set for 2024/25.

Recruitment for 2024/25 is ongoing for FE and HE students. At the time of writing both FE and HE applications are greater than previous years.

Main body of information

Student enrolments against targets 2023/24

- **FE**

The core credit target for 2023/24 is 26,657 we have currently achieved 98.6% of target. It is fully anticipated that we will exceed our credit target by the year end as delivery is ahead of profile within the KPI matrix.

Credit Target			Actual Credits		% of Target	
	Original	Rebased			Original	Rebased
2020/21	29,439		01/03/2021	22,698	77.1%	
2021/22	30,677	32,009	25/02/2022	27,211	88.7%	85.0%
2022/23	29,882	29,620	24/02/2023	29,144	97.5%	98.4%
2023/24	26,657		23/02/2024	26,291	98.6%	

- **HE**

The 2023/24 APC target for Undergraduate students who are fundable is 1,418fte including Graduate Apprentices.

The table below shows the estimated HE FTE based on current enrolments, and against targets set by APC. The estimates are made using information from the student record system and historical values of FTE based on mode of attendance.

FTE target		Estimated FTE		% of Target
2020/21	1,491	01/03/2021	1,533	102.8%
2021/22	1,556	25/02/2022	1,377	88.5%
2022/23	1,441	24/02/2023	1,282	88.9%
2023/24	1,321	23/02/2024	1,242	94.0%
2023/24	1,412	23/02/2024	1,242	88.0%

Targets for 2024/25

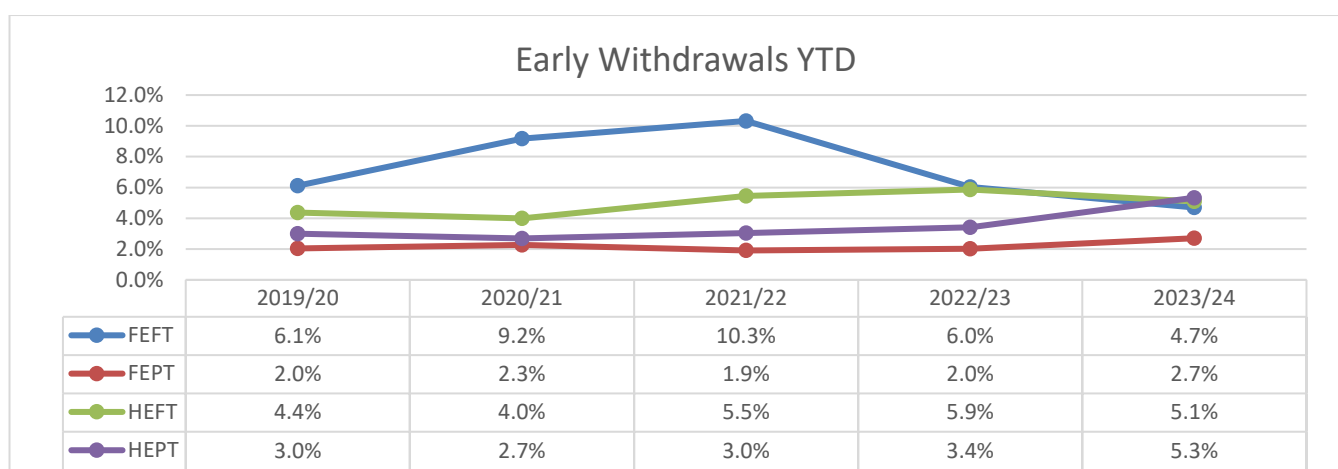
The curriculum planning and review process for 2024/25 has been completed and approved at EMT Forum on 10 January 2024. The table below provides the resultant draft targets for FE Credits and HE FTE for 2024/25.

	Further Education	Higher Education (inc. PG)	Higher Education APC Target
	Credit Target	Planned FTE Target	FTE Target
2022/23	29,882	1,620	1,441
2023/24	26,657	1,529	1,412
2024/25	28,306	1,378	1,293

The SFC have yet to announce the credit allocation for 2024/25, however it is anticipated that there will no additional funding and a potential cut of 4.5%. Whilst the current target indicates growth we have still to negotiate our FE allocation with UHI EO. If no additional credits are available, we will have to reduce curriculum offering and lever out efficiencies in delivery.

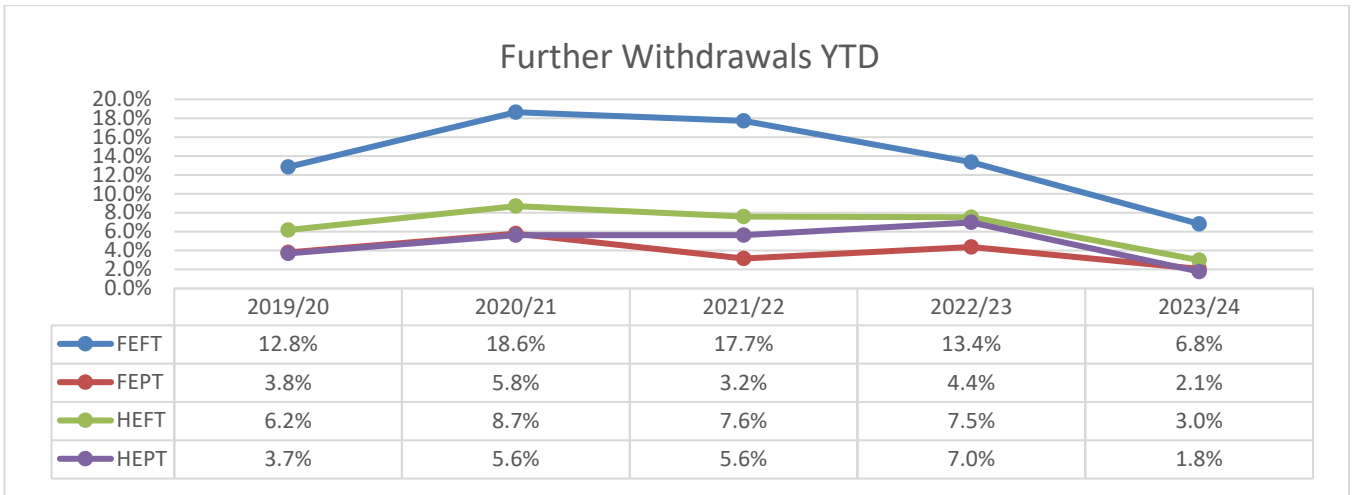
Withdrawal’s summary

Early withdrawals have decreased for full time students, however there is a rise in the number of part time students withdrawing.



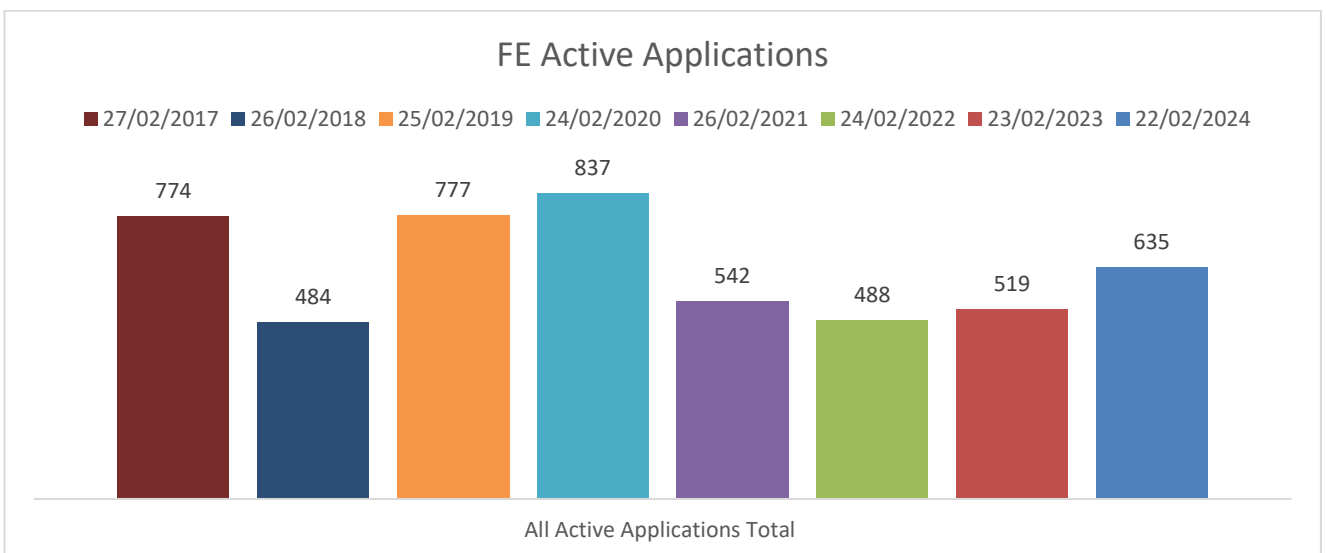
At the time of writing further withdrawals are, as expected, below year end totals. For comparison at 2nd March 2023 FE further withdrawals were higher at 12.8% for full time and 3.5% for part time. For HE students the comparative figures are higher at 4.2% for full time, but lower for part time at 3.9%

ITEM 10.



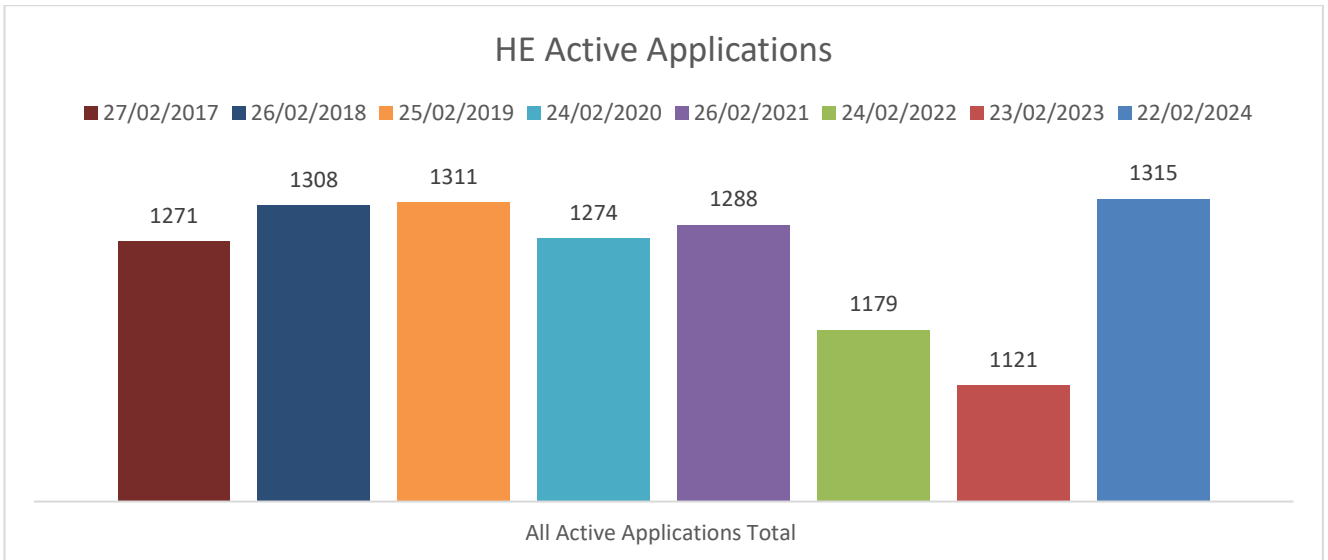
Recruitment 2024/25

Active Applications for FE courses are currently greater than the previous 3 years.



HE active applications are currently greater than the previous 7 years, with the greatest increase in HN provision.

ITEM 10.



Jane MacLennan
Information Systems Manager

Item 11.

Subject/Title:	Operations & External Relations Report
Author: [Name and Job title]	Georgina Parker Vice Principal
Meeting:	Finance and General Purposes Committee
Meeting Date:	7 March 2024
Date Paper prepared:	1 March 2024
Brief Summary of the paper:	<p>An extract of the KPI framework relating to Business Solutions performance to date is provided, showing that all measures are at or ahead of profile.</p> <p>We are still to receive the MA contract for 1st April 2025.</p> <p>Graduate apprenticeships continue to grow and are now entirely funded by HE/SAAS, so only volume data will be provided in this report henceforth.</p> <p>FWDF is in its last year of delivery, with funding having been withdrawn.</p> <p>Commercial income is ahead of target and presents a growth opportunity.</p>
Action requested: [Approval, recommendation, discussion, noting]	Discussion.

Link to Strategy: Please highlight how the paper links to, or assists with:: <input type="checkbox"/> compliance <input type="checkbox"/> partnership services <input type="checkbox"/> risk management <input type="checkbox"/> strategic plan <input type="checkbox"/> new opportunity/change	
Resource implications:	Yes / No If yes, please specify:

Item 11.

Risk implications:	Yes / No If yes, please specify: Operational: Organisational:
Equality and Diversity implications:	Yes/No If yes, please specify:
Student Experience Impact:	Yes/No If yes, please specify:
Consultation: [staff, students, UHI & Partners, External] and provide detail	
Status – [Confidential/Non confidential]	No
Freedom of Information Can this paper be included in “open” business* [Yes/No]	Yes
*If a paper should not be included within “open” business, please highlight below the reason.	
Its disclosure would substantially prejudice a programme of research (S27)	Its disclosure would substantially prejudice the effective conduct of public affairs (S30)
Its disclosure would substantially prejudice the commercial interests of any person or organisation (s33)	Its disclosure would constitute a breach of confident actionable in court (s36)
Its disclosure would constitute a breach of the Data Protection Act (s38)	Other (Please give further details)

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

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

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

1. Business Solutions Related KPIs

Performance Measures		AY Start	01-Aug-23	Key:	B = Not yet in scope		
AY: 2023-2024		Today	13-Feb-24		R = Not Achieved		
Performance Measures- EMT & Board of Management		Period Month	January		A = Partially Achieved		
Measures - Linked to Profile and Actual sheets		No.Periods YTD	6		G = Achieved		
Measure	Measurement Frequency	2022/23 Actual	2023/24	YTD	YTD	YTD	
			Target	Profile	ACTUAL	ACTUAL v PROFILE RAG	
Serial	Measure 1: CORE FE/HE OUTPUTS						
4	Apprenticeship starts (contract year)	Monthly	385	280	218	234	107.30%
5	Apprentices in Learning (average in year)	Monthly	651	650	662	672	103.40%
6	Apprenticeship Income (excluding T&A)	Monthly	£1,248,012	£1,348,050	£677,522	£682,780	100.80%
7	FWDF Income	2 monthly	£294,495	£150,000	£150,000	£149,926	100.00%
8	Commercial Short Course Income	Monthly	£137,191	£129,996	£64,998	£90,139	138.70%
13	GA Programmes - New Enrolments (confirm monitoring period) (23/24 benchmark yr)	Monthly				92	
	Measure 3: RETENTION, SUCCESS & PROGRESSION						
32	Modern Apprenticeship successful outcomes (contract year)	Monthly	61.00%	65%	65.00%	67.20%	103.30%

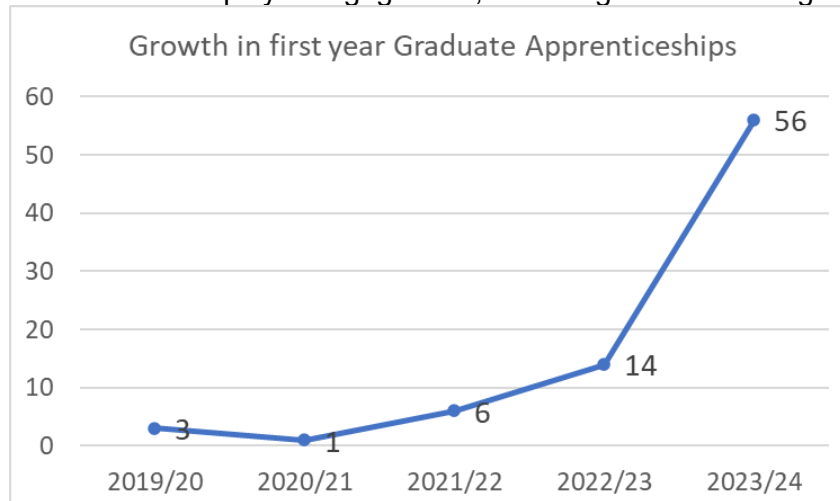
2. Modern Apprenticeships

There are currently 672 Modern Apprentices in learning on our own contract, with 234 new starts this year. Modern Apprenticeship Income (ex. travel and accommodation) is slightly ahead of profile at February 2024, £682K against a profile of £677K and we expect to meet the full year budget. Payment of March activity will be delayed until April 2024, as UHI has exceeded its contract value and no further payments will be received until SDS new financial year.

The contract application for 2024/25 was submitted to SDS in December 2023 but we are still to receive confirmation as to the level of contract we will be allocated.

3. Graduate Apprenticeships

Although Graduate Apprenticeships are now HE/SAAS funded, Business Solutions is now responsible for the employer engagement, recruiting and monitoring for GAs.



Item 11.

Since this responsibility was moved from EO to Business Solutions late in the 23/24 academic year, applications have grown exponentially. It is expected that this growth trend will continue in 2024/25, with a much better run up to the main recruitment period.

4. Other Business Solutions Income

FWDF phase 6 income YTD is £149,926

Commercial course income to February 2024 is £90K against a profile of £65K, however plumbing and electrical courses have been removed from the schedule for the remainder of the academic years due to staffing issues in the curriculum areas.

SECTT and SNIPPEF contracts are performing to expectations. National negotiations to address level of funding retained by managing agents are ongoing, under ministerial supervision.

5. Commercial Services

YTD deficit for Commercial Services is £53K below the YTD planned deficit of £62K. Planned event income has reduced and consequently, planned staffing has not been recruited. Expected end of year out-turn will be in line with the original budget.

Negotiations are ongoing for a larger US summer school event in 24/25.

6. Estates & Campus Services

The Longman site sale was completed on 19th December 2023. Audit committee will monitor the status of the site and report on any resale over a two-year period from that date.

7. MIS, Planning, Admissions & Student Records

Curriculum Planning Review

The final approval of the curriculum plan was decided by EMT at EMT Forum on 10 January 2024, with Jane MacLennan, Martin Whyte, Carrie Higgins and Sharon MacFarlane in attendance. This report provides topline summary data from the CPR. It also provides the resultant draft targets for FE Credits and HE FTE for 2024/25 as approved by EMT. The deadline for submission of the draft FTE targets to UHI is 29th January 2024. The draft HE targets will go through a process of scrutiny by UHI and the FTE Credits will be subject to SFC decisions as to how the funding is allocated by SFC.

Topline Summary CPR Data

Enrolment Targets compared to 2022/23 and 2023/24.

	Further Education	Higher Education (inc. PG)	Higher Education APC Target
--	-------------------	-------------------------------	--------------------------------

Item 11.

	Enrol. Target	25% Date Target	Enrol. Target	25% Date Target	Enrol. Target	25% Date Target
2022/23	3,582	3,221	2,354	2,123	2,019	1,821
2023/24	4,296	3,948	2,421	2,186	1,988	1,796
2024/25	4,001	3,680	2,156	1,942	1,858	1,673

HE FTE and FE Credit Targets compared to 2022/23 and 2023/24

	Further Education	Higher Education (inc. PG)	Higher Education APC Target
	Planned Credit Target	Planned FTE Target	FTE Target
2022/23	32,730	1,620	1,556
2023/24	28,126	1,529	1,412
2024/25	28,306	1,378	1,290

Delivery hours compared to 2022/23 and 2023/24

	22/23	23/24	24/25	Variance to 22/23	% Change to 22/23	Variance to 23/24	% Change to 23/24
Lecturer Delivery Hours	103,332	89,819	86,767	-16,565	-16.0%	-3,052	-3.4%
Lecturer Servicing	9,526	9,064	7,975	-1,551	-16.3%	-1,089	-12.0%
Total Lecturer Delivery	112,858	98,883	94,742	-18,116	-16.1%	-4,141	-4.2%

A separate report is provided on student numbers.

Item 11.

Subject/Title:	KPI Matrix
Author: [Name and Job title]	Martin Whyte
Meeting:	F&GP Committee
Meeting Date:	07 March 2024
Date Paper prepared:	29 February 2024
Brief Summary of the paper:	To provide the Committee with an overview of the performance against KPI measures in scope YTD 2023-24.
Action requested: [Approval, recommendation, discussion, noting]	Discussion
Link to Strategy: Please highlight how the paper links to, or assists with: <ul style="list-style-type: none"> • compliance • partnership services • risk management • strategic plan • new opportunity/change 	Each set of KPI measures corresponds to a section of our strategic plan and their sub strategies. They provide quantitative measurements and are presented in a BRAG format in order to provide a visible overview of our progress toward each KPI.
Resource implications:	No If yes, please specify:
Risk implications:	No If yes, please specify: Operational: Organisational:
Equality and Diversity implications:	No If yes, please specify:
Consultation: [staff, students, UHI & Partners, External] and provide detail	Staff, managers and Board Committees

Status – [Confidential/Non confidential]	No		
Freedom of Information Can this paper be included in “open” business* [Yes/No]	Yes		
*If a paper should not be included within “open” business, please highlight below the reason.			
Its disclosure would substantially prejudice a programme of research (S27)		Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	
Its disclosure would substantially prejudice the commercial interests of any person or organisation (S33)		Its disclosure would constitute a breach of confidence actionable in court (S36)	
Its disclosure would constitute a breach of the Data Protection Act (S38)		Other (please give further details)	
For how long must the paper be withheld? (express either as the time which needs to pass or a condition which needs to be met.)			

Recommendation(s)

For discussion.

Purpose of report

This report provides the Committee with summary information of our performance against the agreed key performance measures that are in scope year to date. The data and RAG rating for each measure in scope is provided as at the end of period 6 January 24. All data is current, except for HR measures, Finance measures and Estates measures, for which January actual data is awaited.

A brief narrative for each measure not yet meeting performance expectation is detailed below, with some selected highlights included. Only measures where data has changed since the last report will be commented upon.

Appendix A provides the KPI Matrix report as at 31st January 24, period 6.

Narrative on Measures YTD.**Serial 1. HE Active Applications. RAG 75.4%.**

HE Active applications as of 31st Jan were 829, however the first tranche deadline for UCAS application had been extended and the January figure does not account for those applications. Active applications as of 5th February now stand at 1,214.

Serial 2. FE Active applications. RAG 53.7%.

FE Active applications are behind plan YTD due to Further Education courses not being open for application until mid-way through January. 188 applications received between 16th Jan and 31st Jan, which is positive given that the expectation is for 300 applications from December opening.

Serial 3. FE Credits. RAG 104.6%.

Ahead of plan YTD and we are confident of achieving target (and SFC threshold) for 23/24.

Serials 4-6. Apprenticeship related measures. RAG Green.

Performance YTD in all apprentice measures (New Starts, Average in learning, Apprenticeship Income) are all ahead of plan YTD. Due to SDS contract funds 'running out' as we approach the fiscal year end, there will be a slow-down of income claims until the new contract and fiscal year begin in April.

Serial 8. Commercial Short Course Income. RAG 138.7%

Positive performance YTD. Commercial income increasing is encouraging given that FWDF funding has ceased and there is no confirmed replacement. Further work and activity needed for 24/25.

Serial 11. HE PPF FTE. RAG 86%.

HE FTE currently at 1,220, expected to increase to approximately 1,260. However, well short of HE numbers targeted. Impact on HE funding will be significant. Steps have been taken within curriculum plans to address the gap in 24/25.

Serial 12. Research Income less Expenditure. RAG (-200.4%)

Research income is expected to fall well short of target. A review of expenditure and forecast outturn has been completed and the projected deficit budget remains out with tolerance. Further work is required to address the scale of the deficit.

Serials 18 and 23. ESES % and ESES Response Rate. RAG 100% and 115%

Excellent results both in terms of student satisfaction score, but also in terms of the response rate which exceeds the benchmark set.

Serial 36. Mental Health Support appointment. RAG 109.1%

The team continue to do a tremendous job providing support and guidance to our students. They have provided 100% appointment support to vulnerable students, against a 'target' of 91.7%.

Serial 47. Number of Workplace Injuries. RAG 594%

107 reported injuries against plan of 18 YTD. Health, Safety and Sustainability Manager monitors the reports closely and is aware of recurring types of injury. HS&S manager will amend the target for 2024-25.

Serial 49. % of Staff Completed Mandatory iHASCO training. RAG 95.6%

Significant improvement in compliance and completion. At the time of the last report the RAG status was 77%..

Serial 60. CO2 Emissions on Utilities (Gross) Tonnes. RAG 124.7%

YTD the measure is 69 tonnes ahead of plan YTD (347 vs 278). HS&S Manager, Estates and EMT are aware and monitoring our utility usage, energy mix and they continue to have conversations with GTFM as to how we can both work together to reduce emissions.

Performance Measures
AY: 2023-2024

Performance Measures- EMT & Board of Management

Measures - Linked to Profile and Actual sheets

AY Start	01 Aug 2023
Today	06 Feb 2024
Period Month	January
No.Periods Yr	6

Key:	B = Not yet in scope
	R = Not Achieved
	A = Partially Achieved
	G = Achieved

Measure	Measurement Frequency	2022/23 Actual	2023/24 Target	YTD Profile	YTD ACTUAL	YTD ACTUAL v PROFILE RAG	
Measure 1: CORE FE/HE OUTPUTS							
1	HE Active applications (next AY - Measure from Dec - Jul)	Monthly	1334	1,500.0	1100	829	75.4%
2	FE Active applications (next AY - Measure from Dec - Jul)	Monthly	2049	2,300.0	350	188	53.7%
3	FE Credits	Monthly	30569	26,657	24,000	25,097	104.6%
4	Apprenticeship starts (contract year)	Monthly	385	280	218	234	107.3%
5	Apprentices in Learning (average in year)	Monthly	651	650	662	672	103.4%
6	Apprenticeship Income (excluding T&A)	Monthly	£1,248,012	£1,348,050	£677,522	£682,780	100.8%
7	FWDF Income	2 monthly	£294,495	£150,000	£150,000	£149,926	100.0%
8	Commercial Short Course Income	Monthly	£137,191	£129,996	£64,998	£90,139	138.7%
9	HE enrolments (head count)	Monthly	1,986	1,986	1,900	2,069	108.9%
10	HE enrolments (year one starts)	Annual	523	670	670	697	104.0%
11	HE PPF FTE (from Oct)	Monthly	1,251.8	1,418.0	1,418.0	1,220.0	86.0%
12	Research - Income less expenditure	Biannual	-£195,223	-£150,000	-£150,000	-£300,658	-200.4%
13	GA Programmes - New Enrolments (confirm monitoring period) (23/24 benchmark yr)	Monthly				92.0	
14	Senior Phase Enrolments (23/24 benchmark yr)	Annual				678.0	
MEASURE 2: SATISFACTION MEASURES							
17	Employer satisfaction survey	Biennial					
18	Early Satisfaction & Engagement Survey (ESES)	Annual	95.3%	96%	96.0%	96.0%	100.0%
23	ESES % Response Rate	Annual		55%		63.3%	115.1%
Measure 3: RETENTION, SUCCESS & PROGRESSION							
32	Modern Apprenticeship successful outcomes (contract year)	Monthly	61.0%	65%	65.0%	67.2%	103.3%
33	FE progression to further FE study	Annual	33.8%	35%	35.0%	37.1%	106.0%
34	FE progression to HE - actual	Annual	10.0%	35%	35.0%	30.0%	85.7%
35	Mental Health Support appt (non-emergency) offered for within 3 - 10 working days	Monthly	83.0%	91.7%	91.7%	100%	109.1%
36	Learning Support appt offered for within 6 - 20 working days	Monthly	77.0%	91.7%	91.7%	93%	101.8%
Measure 4: HR							
40	Sickness levels	Quarterly	2.80%	2.52%	2.78%	3.60%	129.5%
41	- Short Term	Quarterly				1.67%	
42	- Long Term	Quarterly				1.93%	
43	% Staff turnover	Quarterly	2.37%	3.35%	3.86%	3.44%	89.2%
44	PRD completion - full or review	Quarterly	84%	100%	25%		
47	Number of workplace injuries	Monthly	26	26	18	107	594.44%
48	Number of RIDDOR reportable accidents and illness	Monthly	1			2	
49	% of staff completed mandatory IHASCO (H&S) Trg	Quarterly	86%	80%	80.0%	76.5%	95.6%
Measure 5: FINANCE							
52	Adjusted current ratio	Quarterly		1.7	1.7	2.8	164.7%
55	Cash days in hand	Quarterly		62.0	62.0	88.1	142.1%
58	Analysis of aged debtors > 90 days	Quarterly		50.0%	50.0%	8.1%	16.2%
Measure 6: ESTATES & CAMPUS							
59	Room Occupancy - Frequency %	Monthly	19.0%	35.0%	33.2%	34.9%	105.3%
60	CO2 Emissions on Utilities (gross) Tonnes	Monthly	553	553	278	347	124.7%
61	% waste sent to landfill	Quarterly	70.0%	15%	15.0%	17.3%	115.5%
62	Estates reactive task completion rate %	Monthly	96%	95%	95%	94.3%	99.3%
63	GTFM % reactive task completion rate	Monthly	93%	92%	92%	93.2%	101.3%
64	Total % of Capital expenditure budget committed (Aug - March)	Monthly	100%	100%	75%	36.0%	48.0%

Finance & General Purposes

Subject/Title:	Estates and Campus Services Report
Author: [Name and Job title]	Martin Kerr, Estates & Campus Manager
Meeting:	Finance and General Purposes Committee
Meeting Date:	7 th March 2024
Date Paper prepared:	21 February 2024
Brief Summary of the paper:	This paper provides updates on our carbon management plan, waste management and capital projects, together with reporting on aspects of soft FM and hard FM performance
Action requested: [Approval, recommendation, discussion, noting]	Noting
Link to Strategy: Please highlight how the paper links to, or assists with:: <ul style="list-style-type: none"> • compliance • partnership services • risk management • strategic plan • new opportunity/change 	
Resource implications:	Yes / No If yes, please specify:
Risk implications:	Yes / No If yes, please specify: Operational: Organisational:
Equality and Diversity implications:	Yes/No If yes, please specify:
Consultation: [staff, students, UHI & Partners, External] and provide detail	

Status – [Confidential/Non confidential]	Non confidential
Freedom of Information Can this paper be included in “open” business* [Yes/No]	Yes

*If a paper should **not** be included within “open” business, please highlight below the reason.

Its disclosure would substantially prejudice a programme of research (S27)		Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	
Its disclosure would substantially prejudice the commercial interests of any person or organisation (S33)		Its disclosure would constitute a breach of confidence actionable in court (S36)	
Its disclosure would constitute a breach of the Data Protection Act (S38)		Other (please give further details)	
For how long must the paper be withheld? (express either as the time which needs to pass or a condition which needs to be met.)			

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

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

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

Campus Services Report

Key developments:

Campus Occupancy and observations

Sector Development Plan outcomes. Following a number of room audits, occupancy levels of classrooms and staffrooms show opportunity for further flexibility. The estates team have been working closely with ICT and the staffroom working group to look at further adjustments to optimise room usage. Work is almost complete.

Campus development plan has been forward to TELS and EMT with a campus walkabout in February. Some changes have been made to scope which will be presented to EMT early March.

Estates are supporting a number of academic development projects, Sector development plan, Green Skills and equipment installations.

Carbon Management Plan

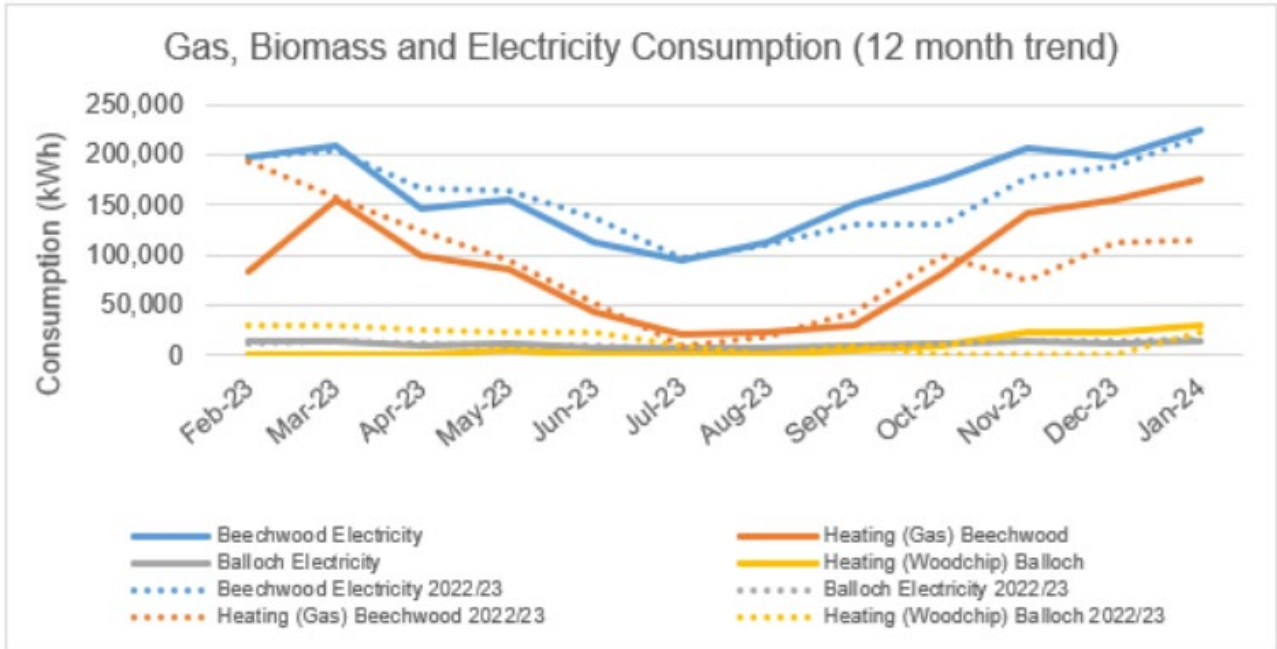
The Inverness College Carbon Management plan has been developed by the Estates team and GTFM our FM contractor. The group has been undertaking low to no cost options to reduce gas and electricity consumption. We are currently reviewing costing and implementation plans for Installation of Solar panels to the roof and changing lighting to LED. IC are still awaiting final costings from GTFM on Solar panels. LED lighting is now being introduced vier our lifecycle provision with GTFM at no additional cost to college.

In the meantime, IC has undertaken a weekly Campus Energy meeting to review benefits form campus heating and ventilation systems control adjustment.

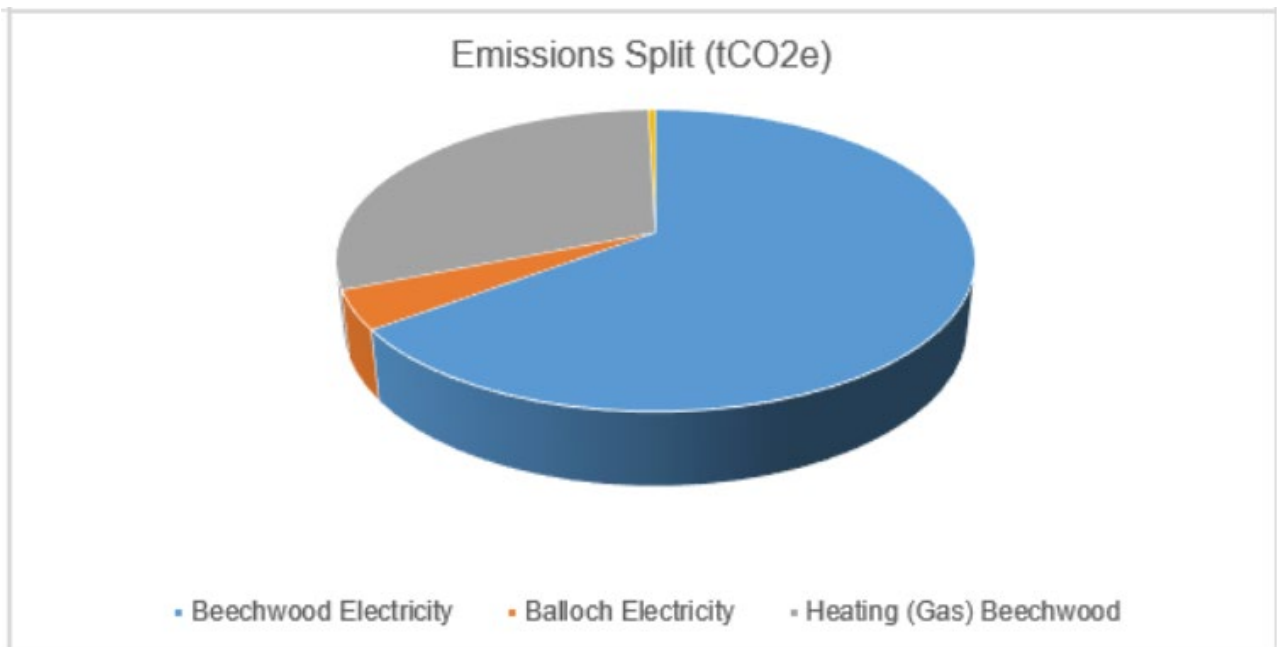
- Electrical base line study to determine high load areas.

- Building management schedule changes, operating times and set point adjustments.

GTFM produces a monthly utility report for scrutiny at the IC GTFM Monthly Operations Meeting chaired by the Estates Manager.



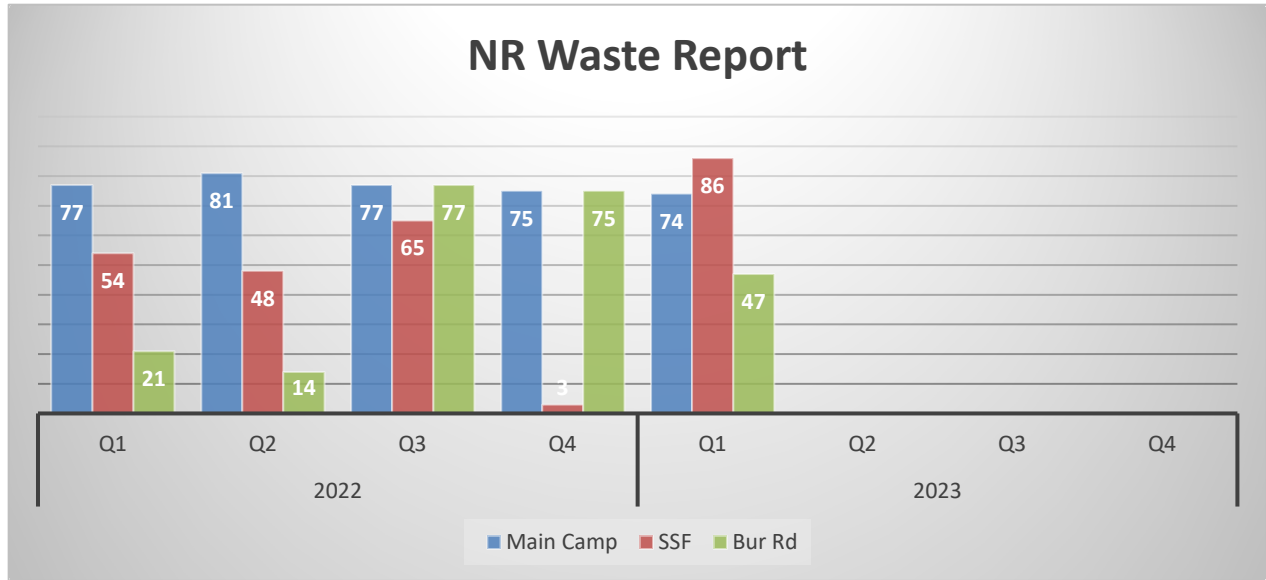
Our main concern is gas consumption has increased dramatically from last winter compared to 2023.



Percurrent have now joined Carbon management group meeting. APUC are currently negotiating new utility contracts for 2024-26. They have indicated a substantial increase in Gas unity cost and a lower increase for electricity.

Waste Management

Northern recycling continues to provide excellent support to IC. They have undertaken a major investment in the Alness facility to allow general waste to be compacted for “Waste To Fuel” rather than land fill. Trials have been ongoing Nov to January to ensure our general waste is compatible. This means that no IC waste is sent to landfill going forward. We are currently looking at a 2 year extension to current contract to ensure costs and service levels.



Soft FM Contracts

The estates and Percurrent team have launched a number of high value contract reviews. The main being campus cleaning contract and waste management contract reviews. Both of these contracts have run well over the last 3 to 5 years with high standard of quality of work as well as a number of cost savings and sustainability directives implemented. All lesson learned and improvements will be incorporated into the new contract scopes.

Capital Project and Campus Management Capital Projects Update**2023/4 Projects****ABC Garden/ Healthy Campus**

Working group has been established to move this project forward. With funding currently in-place. Key development areas – Polytunnel and external classroom.

An Lochran Research Lab

2 internal eDNA labs to increase capacity: - Contractor secured July 2023.
Final connections of BMS system to be undertaken 1st March.
Cost: £70,000 Source of Funding: BISS.

Sector Development Plan Project.

Design drawings issued and EMT walkabout undertaken 7th Feb. small adjustments made. This has been forward to design contractor to update drawings and scope. Hoping to issue scope to GTFM early March.
Estimated cost £660,000.

Soft FM Update.**Pool Car provision**

Currently we have short temp hires off - 2 minibuses awaiting delivery of 2 3-year lease buses. Both Pool cars are Hybrid. On 2-year leases.
Provision for 2024-25 under review.

Leasing Agreements

WASPS securing a 5-year lease agreement being pursued.
An lochan lease extension also being pursued. Awaiting new T&C from UHI.
Burnett road lease is secured until May 2025. Repair work to internal walls have been undertaken due to safety concerns.

Disposal of Longman Campus

Longman site has been sold and funds secured.

Water Risk Assessment

Guidance document still in drafted form awaiting approval SFT.

Contract Management - Hard FM, GTFM

GTFM have made good improvements in speeding up the ACN process, by engaging new contracting firms. We are still pushing longtime issues such as BMS system access, CCTV reliability and community benefits.

Contract Management – Soft FM

Soft FM contracts are issued and managed by the estate's campus team, worked closely with the APUC team to align ongoing contractors to the national framework agreements. A number of contacts are now up for renewal this year. Contract review process has allowed the team to evaluate contactor performance through contract period. This allowing us to determine if contract extensions are awarded.

Paper

Finance & General Purposes Committee

Subject/Title:	Data Protection Report
Author: [Name and Job title]	Suzanne Stewart, Data Controller
Meeting:	Finance & General Purposes Committee
Meeting Date:	
Date Paper prepared:	27 th February 2024
Brief Summary of the paper:	Report provides a general update on operational activity in relation to the UK GDPR.
Action requested: [Approval, recommendation, discussion, noting]	For noting

Link to Strategy: Please highlight how the paper links to, or assists with: <input type="checkbox"/> compliance <input type="checkbox"/> partnership services <input type="checkbox"/> risk management <input type="checkbox"/> strategic plan <input type="checkbox"/> new opportunity/change	The content of this paper links to legal compliance and general risk management.
Resource implications:	Yes / No If yes, please specify:
Risk implications:	Yes / No If yes, please specify: Operational: Causes of data breaches Organisational: As above
Equality and Diversity implications:	Yes/No If yes, please specify:
Student Experience Impact:	Yes/No If yes, please specify: Data breaches often impact on students if their data has been shared inappropriately.
Consultation: [staff, students, UHI & Partners, External] and provide detail	

Status – [Confidential/Non confidential]	No		
Freedom of Information Can this paper be included in “open” business* [Yes/No]	Yes		
*If a paper should not be included within “open” business, please highlight below the reason.			
Its disclosure would substantially prejudice a programme of research (S27)		Its disclosure would substantially prejudice the effective conduct of public affairs (S30)	
Its disclosure would substantially prejudice the commercial interests of any person or organisation (s33)		Its disclosure would constitute a breach of confident actionable in court (s36)	
Its disclosure would constitute a breach of the Data Protection Act (s38)		Other (Please give further details)	

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

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

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

Purpose of report

To raise awareness of current activities that have legal implications under data protection law and/or or carry a potential risk (either data security and/or information risk). Also, to demonstrate the breadth of impact of data protection legislation across the organisation.

Data Breaches

Aug	Sept	Oct	Nov	Dec	Jan	Feb	Total
1	4	1	2	3	0	1	12

8 breaches involved email – either sending the to incorrect person or sharing a document that shouldn’t have been attached.

1 breach involved a document being shared with the wrong staff member via a secure internal portal. No harm was done as the recipient works in the department but a different academic partner.

1 breach involved sharing the content of an email with a whole class when it should have remained confidential between the sender and the staff member.

1 involved an identity document (original birth certificate and several copies) being found in a laptop case.

1 involved inappropriate use of an online assessment system.

Subject Access Requests

The table below summarises the requests received during the period Jan-December 2023.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
8	7	10	10	3	5	1	3	2	7	11	6	73

Breakdown of Request by Type

Type	Volume
Court Order	2
Individual	5
Police	8
Public Agency	3
Reference	55
Total	73

Timescale for Responding

1-5 days	6-10 days	11-15 days	16-20 days	21-41 days	Over 40
66	3	1	Nil	2	1

Th majority of requests were processed in less than 5 days. Occasionally, there are issues obtaining valid consent to release data to a 3rd party. On 2 occasions, it took time to confirm the identity of 2 individuals that made requests. Two requests came from parents pretending to the be the data subject. On both occasions, it took time to confirm the identity of the data subject before the request could be accepted/processed.

Compliance Monitoring

A schedule is currently being put in place to monitor data protection compliance within the following teams before the end of the academic year:

- Admissions
- Business Solutions
- Finance
- HR
- Student Records

Procurement - HR & Payroll System

Procurement of the new HR & Payroll System (that will be used by several UHI Partners) is progressing.

A UHI Governance Group has been set up to oversee all shared services projects emerging from the UHI 24 strategy. It is due to hold its first meeting on 5th March 2024.

Item 15.

CHI INVERNESS

Subject/Title:	Freedom of Information Annual Report
Author: [Name and Job title]	Ludka Orłowska-Kowal Governance Officer
Meeting:	F&GP Committee
Meeting Date:	07 March 2024
Date Paper prepared:	29 February 2024
Brief Summary of the paper:	Annual reporting on FOI for the year 2023.
Action requested: [Approval, recommendation, discussion, noting]	For Discussion

Item 15.

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

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

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

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

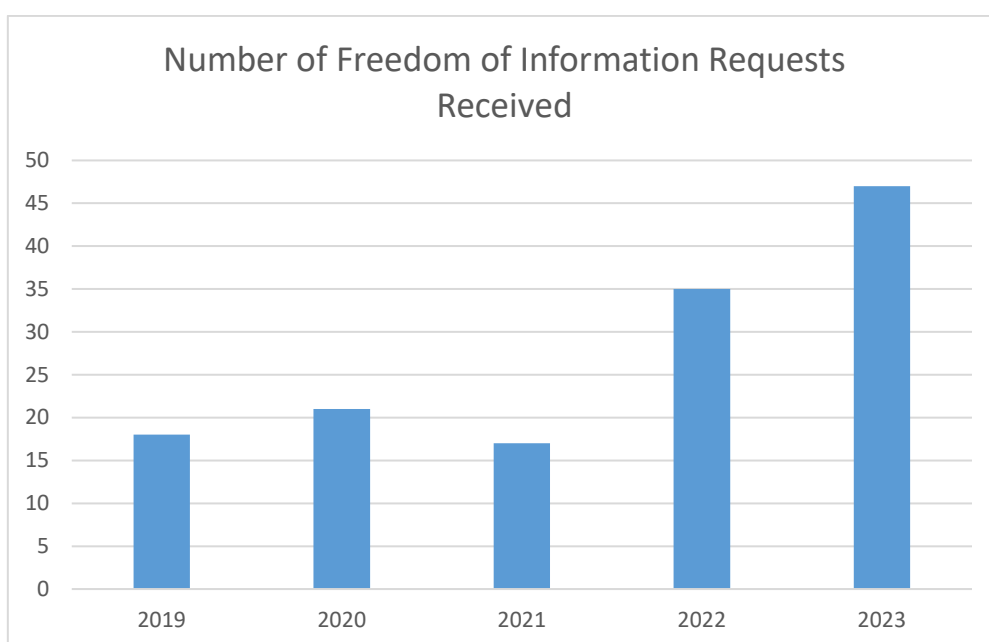
Item 15.

FREEDOM OF INFORMATION

As a public authority, UHI Inverness is required to comply with the Freedom of Information (Scotland) Act 2002 which gives everyone the right to ask for any information which we hold.

Information Requests

In 2023, the number of Freedom of Information Requests was the highest it has been since 2019, with 47 requests being received during the year. One request was closed as clarification of the request was not received from the requester.

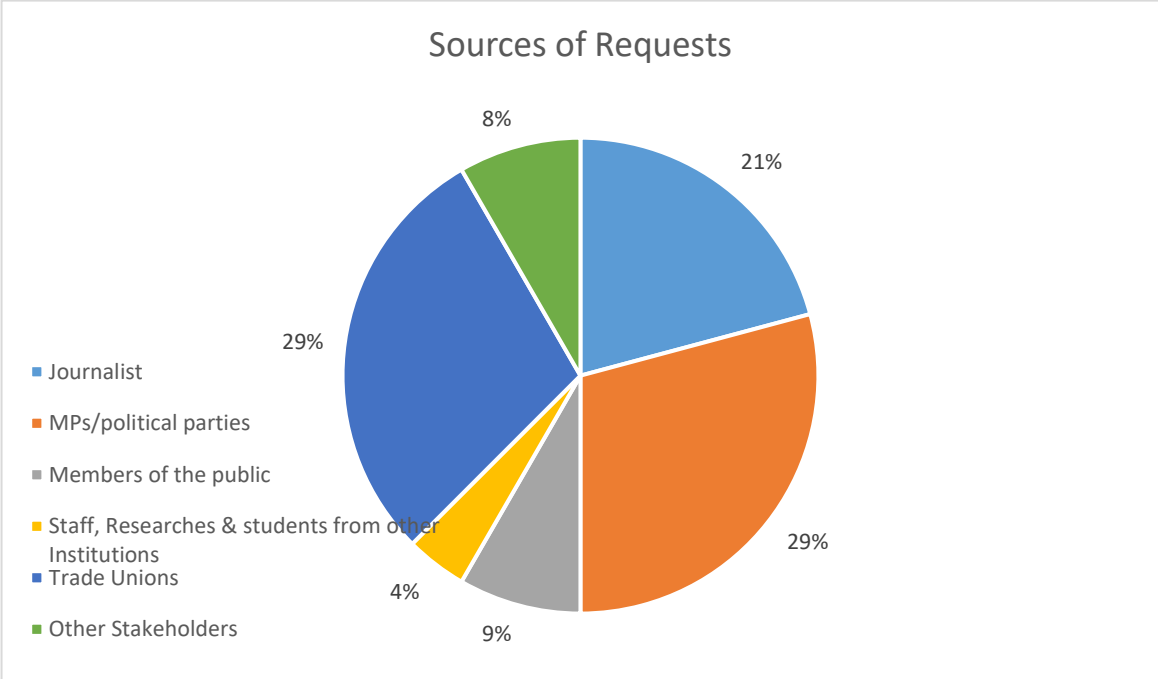


Format of Requests

Since 2017, all requests are being made via email with most being sent directly to the Freedom of Information Email address. Where requests are made to others within the organisation, there is knowledge of the policy and requests are forwarded to the Freedom of Information Officer.

Item 15.

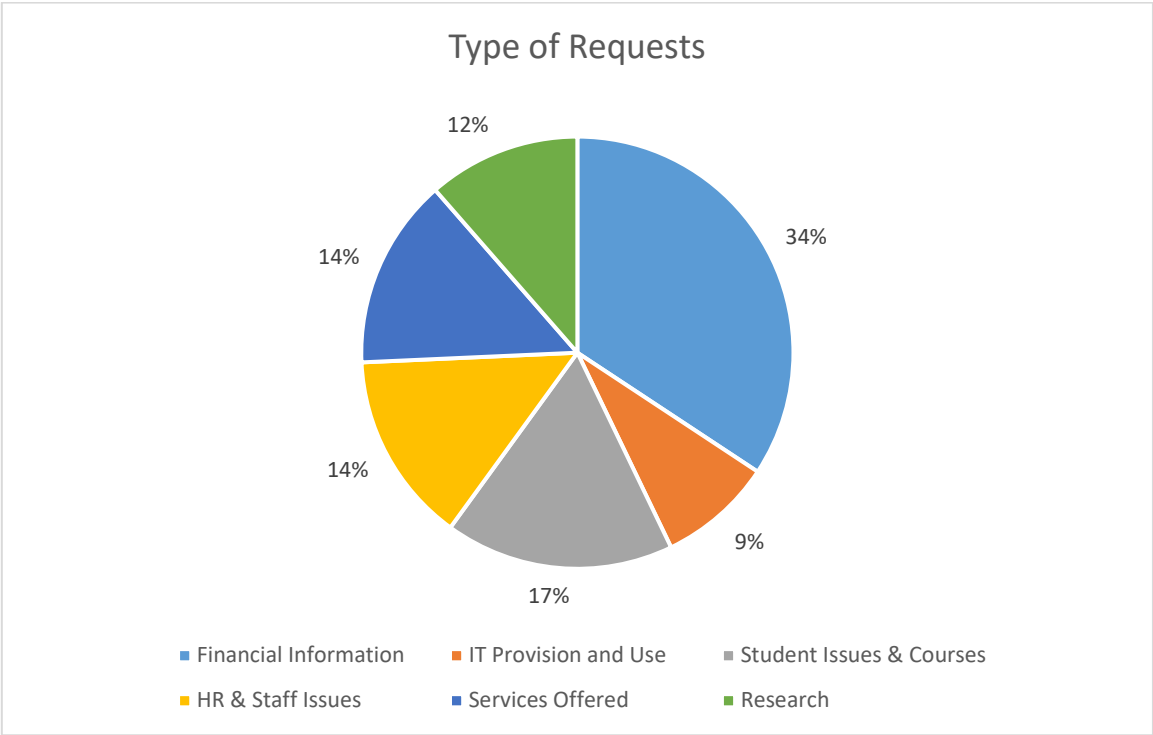
Source of Requests



Most of the requests in 2023 were received from Trade Unions, Journalists and MPs/political parties.

Type of Requests

The type of requests received within 2023 can be identified within the following areas:

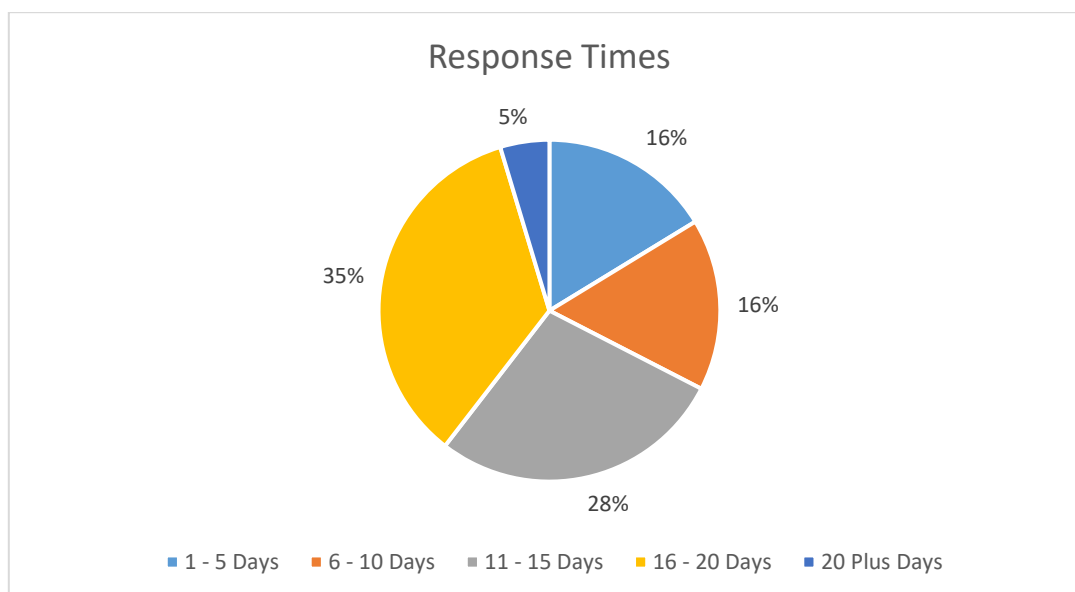


Item 15.

These requests can be further defined as requests for information pertaining to:

- Number of rooms with CO2 Monitors
- University Spin-Outs
- Statistical Information in relation to:
 - Applications and No acceptances
 - Instances of cheating
 - Admissions - criminal records checks
 - Number of courses delivered online
 - Student numbers and dropout rates
- Financial Information relating to:
 - Hardship fund
 - Adult Education Funding
 - Budget deficits
 - Donations, grants and Research monies
 - Principal's salary
 - Legal Fees
- Staffing Information relating to:
 - BAME – Staff Information
 - Types of teaching contracts
 - Fair Work Agreement
 - Discrimination Investigations
 - Severance and Redundancy
- Violence at work
- AI
- Mental Wellness
- Fair Trade
- Free lunch and breakfast
- General Servers

Response Times



We are required to respond to all requests for information within 20 working days and we strive to ensure that all requests are responded to as promptly as possible: with the average response time for 2023 being 12 days. In 2023 there were two instances where we were unable to provide a response within this statutory limit and responses were instead provided on the 23rd and 27th day. This arose due to the complexity of both requests which asked for information held in the first instance, in regard to Care Experienced Funding, and in the second instance, in regard to Severance and Redundancy Policy. The requesters were made aware that there would be a delay in providing this information to them due to the complexity of the request. The Scottish Information Commissioner was also advised that the deadline had been missed as part of our quarterly reports to them.

Fees

There were no fees charged by us for any FOI request within the year 2023.

Responses

Within 2023 there were 26 instances where we were able to disclose in full the information which was being requested. There were 6 instances where we had to fully withhold the information based on exemptions applied and there were 11 instances where we were able to provide partial information to the requester with exemptions being applied to some of the information being sought.

Item 15.

Exemptions Applied

Within 2023 the following exemptions were applied to requests:

- S17. Information Not Held (applied 9 times)
- S38(1)b Personal Information – 3rd Party (applied 6 times)
- S30(c) Conduct of Public Affairs (applied 1 time)

Reviews

Where a requester is not satisfied with our response, they are able to request a review of our decision. During 2023 no reviews of any decisions were requested.

ENVIRONMENTAL REQUESTS

The Freedom of Information Act (Scotland) 2002 does not apply to environmental information. However, the Environmental (Scotland) Regulations provides similar rights to request information that may affect the environment.

We have not had any requests under the Environmental (Scotland) Regulations within 2023; with the last request received being in 2016.