Item 10
For Noting

Glasgow Kelvin College

Audit and Risk Committee – 23 March 2021

Governance Update

Report by Director of Corporate Services

1. Introduction and Purpose

The purpose of this report is to provide members of the Audit and Risk Committee with a comprehensive governance update at mid-March 2021 which covers the following:

- Complaints Training
- Data Protection Update/HEFESTIS
- College Insurance – UMAL Insurance Inspection Update and Insurance Renewal
- Environmental Sustainability
- OSCR

2. Complaints Training

Members will be aware that the College has a robust and detailed complaints handling and management process in place which has been recently reviewed in line with an amended, Scottish Public Services Ombudsman (SPSO) complaints handling process. The College has implemented this improved system since the beginning of this Academic Year and was one of the first colleges to do so.

Training on the new Complaints Handling Procedure has been delivered by the Team Leader – Administration during the Staff Development Day and further sessions are being held with individual departments. The presentation is also available online for staff to refer to when necessary to remind themselves of the key aspects of the process.

Furthermore, awareness has been raised via news articles in the College newsletter, SWAY.

3. Data Protection Update/HEFESTIS

The College continues to ensure that the data it is responsible for is protected as fully as possible by ensuring appropriate organisational controls are in place which, coupled with the technical controls, assists in mitigating against data loss which could have a significant negative impact both on the College and the individuals involved.

The College employs the services of an independent Data Protection Officer (one day per week) via HEFESTIS (Higher and Further Education Shared Technology and Information Services.) This resource provides the College with added intelligence across the sector in terms of data crime, points of concern and any emerging trends.

HEFESTIS recently ran a full day conference covering various data protection matters which was open to all College staff. The topics covered are listed as follows:

SESSION 1: Data Protection & Security for Senior Management

- Data protection and security in 2021
- ICO Update
- Ransomware Attacks in the UK Higher and Further Education sector
- Dundee & Angus College Case Study

SESSION 2: Data Protection & Security for all staff

- How to spot an attack
- How to respond to an attack
- The Human Factor

SESSION 3: Data Protection (DP) & Security (IS) for operational staff

- DP: How to Manage a Data Breach – Risk Assessment & Notification
- IS: Tabletop Exercises for Senior Management
- DP: Data Protection by Design and Default
- IS: Ransomware Preparedness Checklist for IT staff
- IS: Supplier Security

SESSION 4: Closing Session for everyone

- Top Breaches and enforcement in the Higher and Further Education Sector

These sessions were attended by a number of College staff members and HEFESTIS has provided links to these presentations for staff to refer to in the future.

Furthermore, the Senior Administration Officer also delivered a training session on Data Protection and the impact of Brexit during the recent Staff Development Day. This was very well received by the staff who attended; the presentation is available online for staff to refer to as necessary.

Regular articles appear in the College newsletter, SWAY in relation to phishing, vishing and smishing:

- **Phishing (Email scams)**
  An article was written to outline what Phishing emails are i.e. designed to trick people into providing personal details, financial information or user credentials. Examples were given of how to recognise a phishing attack and a warning to staff not to act in haste, but instead to stop and check when being asked to commit their own or the college's money and/or resources.

- **Vishing (Phone scams)**
  An article was written to raise awareness of a sharp increase in the number of phone scams. These latest scams had targeted a number of public sector organisations.

- **Smishing (Text Scams)**
  An article was written to alert staff of the steep increase in text scams during the pandemic. An example was given of a text which looked as though it had come from the NHS which tricked people into giving over bank details.

For all these types of attack staff members are asked to remain vigilant and to report anything suspicious to ICT or the Data Protection Team.

Furthermore, mandatory training has been developed for all staff, in particular, new starts – this is referred to in more detail in the Cyber Resilience Report at Agenda item 7.

The Director of Corporate Services has been asked to continue to Chair the Scotland's Colleges Information Governance Group for a further two years. She is also a member of the Data Protection Steering Group and a Board member of HEFESTIS. These roles help provide a broad perspective across both FE and HE sectors of data protection matters which are discussed with the Director of Digital Services and other key staff within the College. This expertise offers a further layer of protection for the College.

A close eye is kept on data protection matters in relation to ensuring Data Share Agreements are regularly reviewed and updated, matters pertaining to Brexit (largely in relation to the "adequacy decision[1]") are attended to, flows of data are factored into consideration and Subject Access Requests (and other data requests) are actioned in the required timescales. These matters are tightly controlled via a Data Master Register.

4. College Insurance – UMAL Insurance Inspection Update and Insurance Renewal

UMAL Insurance Inspection Update
As Audit and Risk Committee members will be aware, and as previously reported, UMAL conducted an insurance inspection report and produced a list of items for improvement in Estates and Health and Safety. The action list is contained in Appendix 1 and has been almost fully completed. This is duly report to UMAL.

Insurance Liability Renewal Questionnaire
The annual Insurance Liability Renewal Questionnaire is being completed and will be returned by the deadline of end of March 2021.

UMAL – Brexit Update
A close watch is being kept on matters pertaining to Brexit and the guidance received from UMAL in this regard is attached as per Appendix 2. There are certain conditions that now need to be met in respect of travelling to EU countries with a College vehicle i.e. a Green Card will require to be obtained and vehicles must display a GB sticker. This is being actioned accordingly at present, although travel for some time is not expected due to COVID-19.

Derogation of Business Insurance
Correspondence relating to derogation of business insurance is contained under agenda item 14. This communication confirms that the Scottish Government allows the colleges to purchase non statutory insurance.

[1] On 19 February 2021, the European Commission published draft decisions, beginning the adequacy process for the UK. The draft decisions essentially outline how the UK meets GDPR and the Law Enforcement Directive. It also states that the adequacy decisions will be reviewed every 4 years. In both cases, the European Commission has found the UK to be adequate. The European Data Protection Board (EDPB) will now review these decisions and present their findings to a committee of 27 EU Member State representatives who will consider and vote on whether these adequacy decisions are supported. The Commission will then adopt these decisions.
If adequacy decisions are granted, the UK can continue to process data from the EEA as normal. There will be no requirement for additional safeguards to protect the data.

5. Environmental Sustainability

The GCRB regional appointment has now been made and John Keenan commences the two-year fixed term role of Environmental Sustainability Manager on 1 April 2021 – refer to Appendix 3. This appointment will be welcomed and should assist the College in securing funding to meet carbon reduction targets and raising awareness of environmental matters via the student population.

The College continues to ensure compliance with regulations in this area i.e. annual Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Amendment Order 2020.

We will be required to provide a significantly enhanced information in our annual reports from year ending 31 March 2022:

- targets that demonstrate how we are contributing to Scotland achieving its emissions reduction targets;
- targets for reducing indirect emissions of greenhouse gases;
- how spending plans and use of resources align to contribute to reducing emissions and delivering emissions reduction targets;
- progress to achieving emissions reduction targets; and
- what contribution we have made to help deliver Scotland's Climate Change Adaptation Programme.

Detailed guidance in respect of above will be issued by the Scottish Government in April 2021. This is referred to further in the Scottish Government correspondence in Item 14.

6. OSCR

As per the correspondence received from the Scottish Funding Council at Agenda item 14, the accounts for Glasgow Kelvin College have been laid before the Scottish Parliament. Under the terms of section 22(5) of the Public Finance and Accountability (Scotland) Act 2000, the College is now able to make the 2019-20 Financial Statements publicly available.

The OSCR return will now be completed by the deadline of 30 April 2021.

7. Resource Implications

There are no additional resource implications.

8. Equalities

No adverse impacts on individuals with protected characteristics have been identified as a consequence of this report.

9. Risk and Assurance

There is a reputational risk if the College does not adhere to governance compliance in terms of meeting associated deadlines and actioning requests. The Director of Corporate Services has in place a series of tight control systems in order that all matters are attended to in the relevant timescales. This is closely monitored and controlled.

10. Data Protection

There are no data protection implications arising as a consequence of this report. This report outlines the various steps the College is taking to ensure organisational controls are in place to protect data the College holds.

11. Recommendations

Members of the Audit and Risk Committee are recommended to note:

i) the contents of this report and its Appendices; and
ii) that the Director of Corporate Services will continue to ensure that governance compliance and adherence is given the highest priority and required deadlines are met.

12. Further Information

Members can obtain further information on the contents of this report from Lisa Clark, Director of Corporate Services – lisaclark@glasgowkelvin.ac.uk

LC
March 2021

Appendix 1

UMAL Property/Health and Safety Management Report – Update on Actions

UMAL Property Risk Management Report - Update on Actions

Item No	Item	Person(s) Responsible	Due Date/ Completed on	Comments
Recommendations - Documentation				
1	All Fire Action Notices, both in English and Chinese, at Springburn Campus should have Assembly Point information added.	Estates/ Chinese School	NOV 20	Complete.
2	The missing Fire Action Notices next to the two manual call points near the Estates office at East End Campus should be added.	Estates		Complete.
3	The missing Fire Action Notice in the corridor opposite the Painting and Decorating workshop at East End Campus should be added.	Estates		Complete.
4	The missing 'push bar' sign at the entrance door to reception at East End Campus should be added.	Estates		Complete.
5	The missing Fire Action Notice to the base of the main stairs at West End Campus should be added.	Estates Senior/ Estates	16/10/20.	Complete.
Recommendations - Housekeeping				
6	There should be no storage of combustibles in the electric intake and adjacent server room at East End Campus. The fire door in this area should not be blocked by such materials.	Estates	16/10/20	Complete. Not a fire exit.
7	The combustible items stored in the electric intake room at West End Campus should be removed as soon as possible.	Estates Senior/ Estates	16/10/20.	Complete.
Recommendations – Maintenance				
8	It should be confirmed that the maintenance system for lightning protection systems is between 10 months and 14 months, excluding 12 months, to ensure testing is done with differing ground conditions over the years.	Estates	16/10/20	Complete.

Item No	Item	Person(s) Responsible	Due Date/ Completed on	Comments
Recommendations – Fire Detection				
9	The standard of fire detection in the House and Modular buildings at West End Campus should be the same as other buildings i.e. L2 under BS5839-1:2017.	Estates Senior	November	Complete.
Recommendations – Compartmentation				
10	There should be no use of wedges at Springburn Campus, even on a temporary basis – Dorgard or other holdback devices should be used.	Estates	May 20	Complete.
11	There should be no use of wedges to hold open many doors to fire escape corridors on the first and second floors of the Easterhouse Campus.	Estates Senior	16/10/20	Complete.
12	There should be no wedge holding open the fire door leading to the coffee shop area at the entrance hall to East End Campus.	Estates Senior	16/10/20	Complete.
13	There should be no wedge holding open the corridor fire door near the Painting and Decorating Workshop at East End Campus.	Estates	16/10/20	Complete.
Recommendations – Special Perils				
14	It is recommended that surge protection is installed at all campus sites such as at West End Campus, to help prevent indirect lightning strikes that normally affect computers, CCTV and alarm systems and can potentially harm persons who use the buildings.	External Contractor – Thomas Smith Electrician	End of March 21	There has been a delay in obtaining some parts due to the COVID19 situation. The electrician will fit them as soon as they arrive.
Recommendations –High Hazard Management				
15	All flammable sanitizing stores, such as at Springburn Campus, should be kept in fire rated metal cabinets with quantities stored inside buildings kept to a minimum.	Estates		Complete.

Item No	Item	Person(s) Responsible	Due Date/ Completed on	Comments
16	It is recommended that the DSEAR section of the Health and Safety control Manual is updated to include the changes in DSEAR legislation in 2015, specifically gases under pressure. The update in flammable liquid classifications, as detailed in the previous report, should also be included.	H&S Manager		Complete.

UMAL Health and Safety Management Report - Update on Actions

Item No	Item	Person(s) Responsible	Due Date/ Completed on	Comments
Recommendations – Documentation				
1	The section on CDM procedures in Contractor Management of the Health and Safety Control Manual that refers to the previous legislation, such as referencing CDM Co-ordinators, should be updated to the current legislative system.	H&S Manager	10 Nov 20	Complete.
2	The References to RIDDOR in Incident Investigation, Nonconformity, Corrective Action & Preventative Action (Section 2.2 – definitions) and in Section 6.2 of 'Reporting Incidents to Police or Incident Reporting Centre (RIDDOR)' should relate to current legislation. Current RIDDOR guidance is now contained in A brief guide to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) - INDG453 (Rev1): 2013.	H&S Manager	10 Nov 20	Complete.
3	The references to CHIP 4 legislation in the CoSHH Section of the Health and Safety Control Manual should be updated to CLP Regulation, with pictograms of the new hazard warning symbols included in the guidance.	H&S Manager	10 Nov 20	Complete.
4	The 'Gas Safety' section of the Health and Safety Control Manual refers to older Gas Safety (Installation and Use) Regulations 1998) legislation but should refer to Gas Safety (Installation and Use) (Amendment) Regulations 2018. The Gas Safety (Management) Regulations 1996 are also 'as amended' by virtue of RIDDOR, the Management of Health and Safety at Work Regulations 1999, the Health and Safety (Fees) Regulations 2002, Health and Safety (Fees) Regulations 2003 and Health and Safety (Fees) Regulations.	H&S Manager	10 Nov 20	Complete.

Item No	Item	Person(s) Responsible	Due Date/ Completed on	Comments
5	It is recommended that the 'Legionellosis' section in the Health and Safety Control Manual refers to 2013 RIDDOR legislation and the list of References should include HSG274 Part 2:2014 covering inspections and temperature monitoring of water systems.	H&S Manager	10 Nov 20	Complete.
6	The Managing Occupational Road Risk (MORR) Vehicles & Occupational Driving section in the Health and Safety Control Manual should refer to the Road Vehicles (Construction and Use) (Amendment) Regulations 2017.	H&S Manager/ Estates Seniors	10 Nov 20	Complete.
7	The New and Expectant Mothers section in the Health and Safety Control Manual should refer to the Control of EMF Regulations 2016 and include this type of risk in the list of main risk areas.	H&S Manager	10 Nov 20	Complete.
8	The reference to 'IEE 18th Edition Guidance Note 3 – Inspection and Testing' in the Electricity section of the Health and Safety Control Manual should be replaced by 'IET 18th Edition Guidance Note 3 – Inspection and Testing'.	H&S Manager	10 Nov 20	Complete.
9	The very old Health and Safety Law Notice posted in the Motor Vehicle workshop at Springburn Campus should be removed – the current edition of this Notice was published in 2009.	Estates/ H&S Manager	10 Nov 20	Complete.
10	The current (2020-21) Employers Liability Certificate should be posted at Springburn Campus.	Estates	2 Nov 20	Complete.
Recommendations – Risk Assessments				
11	It is suggested that 'standard' met in the General risk Assessment template is changed to 'as low as reasonably possible' status.	H&S Manager	10 Nov 20	Complete.
12	The Work Placements section of the Health and Safety Control Manual should be completed as soon as possible.	H&S Manager/ Estates		Complete.
Recommendations – Safe Systems of Work				
13	There should be a reference in the CoSHH guidance that Autoclaves, and other pressure vessels, need documented Safe Systems of Work.	H&S Manager/ Science	10 Nov 20	Complete.
14	The fire door leading from the Woodworking workshop at East End Campus should not be blocked by timber materials.	Estates Seniors	2 Nov 20	Complete.

Item No	Item	Person(s) Responsible	Due Date/ Completed on	Comments
Recommendations – Work Equipment				
15	The Pressure Systems and Statutory Inspections in the Health and Safety Control manual should be completed as soon as possible.	H&S Manager		Complete.
16	All electric mains areas, such as at Springburn, West End and Easterhouse Campus sites should be equipped with rubber mats manufactured and fully tested for electrical insulation properties to BS EN 61111: 2009 '*Live working. Electrical insulating matting'.* The one at East End Campus could be updated to the current British Standard level.	Estates / Electrical contractor		Complete.
17	It is recommended that the inspection of hand tools is documented, wither as a Safe System of work that is audited or an inspection document for tools in one area.	Estates		Complete.
Recommendations – Occupational Health				
18	The out of date emergency eyewash bottles in the Refrigeration workshop at Springburn Campus should be replaced.	H&S Manager	Jun 20 / Nov 20	Complete.
19	The Electromagnetic Radiation section of the Health and Safety Control Manual should be updated to take into account the major risks outlined in the Control of Electromagnetic Fields at Work Regulations 2016 and associated guidance HSG 281: 2016. The groups of persons 'at particular risk' such as those with active or passive medical devices and pregnant persons, should be highlighted. It is recommended that UV risks, such as from the sun, should be included under a different section.	H&S Manager	10 Nov 20	Complete.
20	It should be confirmed that protective goggles are provided for use of any kiln at Springburn Campus, such as in the Casting Room.	Faculty Technician	Jun 20	Complete.
Recommendations – Third Party Controls				
21	It is recommended that the Visitor Procedure section in the Health and Safety Control Manual is completed as soon as possible.	H&S Manager		Underway.
22	It is recommended that the Young Persons Young Person's Risk Assessment and Control section of the Health and Safety Control Manual is extended to include the supervision requirements of Children and Young Persons on Campus with this to include the restrictions on access to higher risk areas/activities.	H&S Manager	1 Dec 20	Complete.

Item No	Item	Person(s) Responsible	Due Date/ Completed on	Comments
23	It should be confirmed that there is a post-Event check of the area to ensure that there are no new or residual risks created by holding the Event in that location. This could be tripping risks, broken glass, litter etc.	Estates	12 Jan 21	Complete

U.M. Association Limited

Brexit Update – January 2021

EHIC

Under the terms of the Trade and Cooperation Agreement between the UK and EU, the EHIC will continue to be valid in the EU and will, at some stage, be replaced by the UK Global Health Insurance Card (GHIC). There are however different rules for Spain, Ireland, Norway, Iceland, Liechtenstein and Switzerland – please see https://www.gov.uk/guidance/uk-residents-visiting-the-eueea-and-switzerland-healthcare for details

UMAL travel cover continues to operate as normal in respect of expenses for emergency medical treatment.

Driving in the EU

UK driving licenses will continue to be valid in the EU and drivers will not need to apply for an International Driving Permit (IDP) to drive in the EU or hire a vehicle there except in specific circumstances – please see https://www.gov.uk/guidance/driving-in-the-eu for details.

You will need to carry your license with you and will also need a GB sticker on the vehicle and to carry the V5C Log Book with you (for hired or leased vehicles you will instead need a VE103 form).

Vehicle Insurance

Drivers travelling to European countries, including the Republic of Ireland, with their vehicle after 31st December 2020 will need to have the necessary Green Card ahead of their travels.

The current requirements for Green Cards are as follows:

- Must be supported with a valid Certificate of Insurance
- Green Card must be presented in a hard copy (printed)
- Green Card can be either green or white paper with black ink
- Green Card must cover the period of travel

HMSL is set up to obtain green cards from insurers for our Members. We will need all of the following information for each card required:

- Category of vehicle (Car, Motorcycle, Lorry or Tractor, Cycle fitted with aux engine, Bus, Trailer or Other)
- Make and model of vehicle
- Registration or chassis number
- Start and end date of trip (please note that the end date must not exceed the expiry date shown on the Certificate of Insurance as this will invalidate the Green Card)
- Countries to be visited

Clinical Trials

As per Article 19 of EU Directive 2001/20/EC, any non-EU based sponsor of a Clinical Trial involving any EU country, is now required to work with a legal representative within the EU/EEA to act on behalf of the sponsor, or to have a registered office within the EU/EEA.

Where such details require to be updated for an ongoing trial, then the substantial amendment must be submitted to the appropriate EU/EEA competent authorities.

Public/Products Liability, Professional Indemnity

As such covers already operate on a worldwide basis, there are no changes following the UK's exit from the EU.

Appendix 3

GCRB ANNOUNCEMENT

Climate Change Commitment

Glasgow Colleges' Regional Board is marking a significant milestone in its commitment to the global climate emergency.

The regional body has appointed John Keenan to the newly created role of Environmental Sustainability Manager. John will work closely with Glasgow's three colleges to make a difference across the campuses, colleges, city and beyond.

GCRB Executive Director Martin Boyle said: "We look forward to welcoming John to lead this important regional role. With the arrival of COP26 in Glasgow this year, this is an excellent opportunity to shape the Glasgow college region's strategy and develop our response to the climate emergency."

John will start in this two year fixed-term post on 1 April 2021.

About GCRB

AMBITIOUS, REGIONAL AND COLLABORATIVE

"Making a difference to our campuses, colleges, city and beyond."

"I'm looking forward to working as part of the Glasgow college region to enhance our collective focus on the climate change agenda, especially during this important time for the city."

John Keenan

GCRB ANNOUNCEMENT

John is a Civil Engineering graduate with over 23 years' experience within education and training. He joins GCRB from his role as Partnerships Manager in Scotland for the Construction Industry Training Board, which he has held for six years.

He spent a number of years working in secondary school education, firstly as a mathematics teacher. He went on to specialise in careers education, work experience and vocational education, developing progression routes for young people into employment, education or training.

John is currently working across Scotland to develop skills and training within the construction sector and has been programme manager for multiple projects, many of which have had a clear focus on net zero.