NCL Organisational Development Update

Safeguarding
Following the recent disturbing reports in the media in relation to the abusive actions of some charity staff working for a number of international aid agencies, the Office of the Scottish Charity Regulator (OSCR) has asked that the issues of **Safeguarding** and **Notifiable Events** are agenda items on the next meeting of charities registered through OSCR.

In relation to Safeguarding, OSCR has highlighted a number of steps that charity trustees should take and these are highlighted here:

https://www.oscr.org.uk/news/safeguarding-and-notifiable-events-two-key-points-for-your-next-meeting

The main theme of these actions is to ensure that any statutory duties are met, ensure that safeguarding risks are assessed (and addressed), and to ensure that policies and procedures are in place that are suitable to the size and work of the charity and that these are effectively applied in practice and regularly reviewed. To provide reassurance to the Board, a summary of the College's safeguarding arrangements are provided here.

The College has designated two members of the senior management team as Safeguarding Lead (Brian Gilchrist) and Depute Safeguarding Lead (Ann Baxter) and we have a team of 17 Safeguarding Officers across the College to provide support and a point of contact for staff in dealing with safeguarding issues. The contact details for the Safeguarding Team are publicised across all campuses via posters and the list is downloadable from The Clan.

Our Safeguarding Policies and Procedures (copies will be made available at the meeting) were last updated in April 2017 and take account of good practice and the Scottish Government 2014 Safeguarding Guidance, which is the most recent national guidance available. All posts within the College are subject to a vetting check through the Protection of Vulnerable Groups Scheme operated by Disclosure Scotland and we have effective recruitment processes in place for all posts.

The College conducts risk assessments for prospective/existing students who have been convicted of an offence or who are subject to any restrictions that may create a safeguarding issue. However, the most common types of safeguarding concerns addressed by the College are the disclosure of information by a student from their life outside College that indicates that they may be at risk, or where a student discloses information relating to their mental health that indicates that they may be a risk to themselves. Safeguarding concerns relating to the conduct of a member of staff towards a student are rare and there have been no such incidents at New College Lanarkshire since merger.

Notifiable Events are serious incidents and, from OSCR's website, could relate to:

- fraud and theft
- significant financial loss
- incidents of abuse or mistreatment of vulnerable beneficiaries
- a lack of charity trustees required to make a legal decision
- when a charity has been subject to a criminal investigation or an investigation by another regulator or agency; sanctions have been imposed, or concerns raised by another regulator or agency
- when significant sums of money or other property have been donated to the charity from an unknown or unverified source
- suspicions that the charity and/or its assets are being used to fund criminal activity (including terrorism)
- Charity trustees acting improperly or whilst disqualified.

While there is no legal requirement to report a notifiable event to OSCR, since April 2016 charities have been asked to do so as it allows OSCR to provide relevant advice and for the charity to reassure OSCR that appropriate steps are being taken by trustees to resolve the issue. OSCR reports that in the year to 31 Oct 2017 a total of 94 notifiable

events were reported. This included 24 incidents of trustees or staff acting improperly, and was the most common type of incident, and 18 instances of reported fraud, theft or financial loss. To put this in context, during the reporting period, there were 24,000 active Scottish charities.

While any organisation cannot prevent all types of inappropriate behaviour, to minimise the risk and to deter those who may seek to cause harm, management have taken steps on the Board's behalf to ensure that safeguarding policies are in place that follow the most recent guidance, that the College continues to meet its statutory duties in regarding to the PVG scheme and that appropriate training and guidance are available for staff. In terms of notifiable events, the College has a robust approach to the appointment of board members and a range of policies in place in relation to financial governance.

Further information can be provided to the Board on any of these issues on request.

Data Protection Update
Work is progressing on our revised Data Protection policy to ensure that we remain compliant in this area as a result of the implementation of the EU General Data Protection regulation (GDPR) in May 2018 and proposed changes to UK data protection legislation that are currently moving through the parliamentary process.

As part of our preparations for GDPR and to meet the requirement to appoint an independent Data Protection Officer, the Board Chair has agreed that the College can participate in the shared service arrangement for the FE/HE sector developed through Advanced Procurement for Universities and Colleges (APUC) and the Universities and Colleges Shared Services (UCSS) catalyst. This will see us allocated a Data Protection Officer on a regional basis, shared between New College Lanarkshire, South Lanarkshire College, APUC and Colleges Scotland.

The shared service DPO posts are currently being advertised and it is anticipated that the appointees will be in post by mid-April.

Tribunal Claim Update
There is no further update as yet from the Employment Tribunal on the holiday pay tribunal claims, as there remains a backlog of such claims in the tribunal system.

NCL Sickness and Absence Reporting
At the last meeting, there was some discussion around absence levels and absence reporting. This was followed up by a discussion at the most recent Regional Strategic Risk Management Group on 6 February 2018.

Using the figures provided in the College's annual financial statements, absence levels have risen from 2.67% in 2015/2016 to 3.51% in 2016/2017. Using a 260 day working year, this equates to 7 days per staff member and 9 days per staff member, respectively. While we have seen a rise, our overall absence level remains relatively low. It is also important to note that the figures used in our annual financial statements are calendar days, not working days which may also slightly inflate the figures.

The Chartered Institute of Personnel and Development publish an annual absence survey and the two most recent reports available (for 2015 and 2016) indicate that average public sector absence was equivalent to 8.7 days per employee in 2015 and 8.5 days per employee in 2016. Absence within the public sector remains higher than in the private sector, which may be due to the different sickness pay arrangements in both sectors. The College has experienced this, as we have seen a spike in absence levels for a group of staff transferred in-house from a private contractor, which we continue to address.

Within the public sector, the CIPD 2016[1] report states that for those respondents based within an educational organisation, average working time lost per year was 3.9% or 8.9 days. This means that New College Lanarkshire, based on our calendar days' calculation, sits at the CIPD average for our type of organisation. The CIPD report also

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[1] CIPD – Annual Survey Report – Absence Management 2016, available here
https://www.cipd.co.uk/Images/absence-management_2016_tcm18-16360.pdf

states that absence tends to be higher in larger organisations and there will be a number of reasons for this that I am happy to discuss if further information is required.

Approximately two thirds of all absence is regarded as long-term absence, i.e. absences of more than 20 days. In the past year, around 40 staff have had a long term absence for a range of different, but serious, but serious reasons. Unfortunately, a number of these absences have fallen within one or two areas, which has created particular challenges for those areas.

The CIPD report indicates that the three most common reasons for absence in the public sector are Stress; Musculo-Skeletal, and Mental Ill-Health. This is mirrored within the College, although in terms of long-term absence, a small group of people account for a large proportion of absences. This year, we have also seen a number of staff with long term absences due to operations and post-operative recovery.

The HR team, in partnership with line managers and our occupational health continue to support staff to sustain a return to work. However, the nature of some of the reasons for absence we have experienced this year has necessitated an extended absence for some members of staff.

We continue to monitor absence levels and work is being undertaken between HR and our systems teams to improve the level of management information available. We recognise that a level of absence is inevitable, but rather than being complacent, we continue to offer support to individual members of staff and, through the Healthy Working Lives initiative, we are focusing on those areas where reasons for absence are higher.

Focus on Mental Health

New College Lanarkshire has recently been working closely with the Lanarkshire Links Team to improve services, information and support in the area of Mental Wellbeing for staff and students. Sessions on Mindfulness, Suicide Awareness and Mental Health were delivered at CPD week and we continue to support the Stress Control Classes for Lanarkshire, which are hosted at our Coatbridge and Cumbernauld campuses.

Building on this work, New College Lanarkshire has formally signed up to the Stigma Free Lanarkshire initiative supported by Lanarkshire Links. The full pledge reads:

"We are taking action to end mental health stigma and discrimination to improve the mental health, wellbeing, and lives of the people and communities of Lanarkshire"

Martin McGuire and Linda McTavish signing the Stigma Free Lanarkshire Pledge with Jenny Hutton of NHS Lanarkshire, Chair of Lanarkshire Recovery Network

Our initial work as a result of the pledge centres on a Social Media campaign – Lanarkshire Listens, this is being reinforced through:

- A dedicated website, accessible to staff, students and the general public, providing resources, support and eLearning materials on mental health – see http://www.nclanarkshire.ac.uk/us/mental-health-support for details;
- Key messages on Moodle;
- Stigma Free and See Me staff in attendance at Student Health and Wellbeing Week and at further events in December and February. Lanarkshire Links staff have also met with individual class groups to speak about the importance of mental health, which is especially important to students who will shortly be taking the first steps to building their career path;
- Further staff training events;

- A student focused working group, chaired by the Head of Faculty for Care and Science to look at further support we can provide to students in areas where mental health has been identified as a particular concern;
- Development of comprehensive action plan to underpin future work.

This is an incredibly important area of activity and the level of engagement from staff, students and our partners at Lanarkshire Links and Stigma Free Lanarkshire has been terrific. I will continue to keep the committee updated as work progresses and committee members are welcome to attend any of the events offered.

Brian Gilchrist
Assistant Principal: Organisational Development