THE UNIVERSITY *of* EDINBURGH

CENTRAL MANAGEMENT GROUP
Raeburn Room, Old College
10 November 2015, 10 am

AGENDA

1 **Minute** **A**
To *approve* the minute of the previous meeting held on 6 October 2015.

2 **Matters Arising** **Verbal**
To *raise* any matters arising.

3 **Principal's Communications** **Verbal**
To *receive* an update by the Principal.

SUBSTANTIVE ITEMS

4 **Strategic Plan: Targets and KPIs Progress Report** **B**
To *consider and comment* on update by the Deputy Secretary Strategic Planning.

5 **Draft Outcome Agreement** **C**
To *consider and comment* on update by the Deputy Secretary Strategic Planning.

6 **Research Policy Group** **D**
To *consider and approve* paper by the Vice Principal Planning, Resources and Research Policy.

7 **Timetabling of Teaching Space in Semester 2** **E**
To *consider and comment* on a paper by the Deputy Secretary, Student Experience.

8 **Finance Director's Update** **F**
To *consider and comment* on updates by Director of Finance.

9 **People Report** **G**
To consider and comment on updates by the Director of Human Resources.

10 **Request to rename the College of Humanities and Social Science** **H**
To *consider and approve* the paper by the Head of the College of Humanities and Social Science

11   Any Other Business   **Verbal**
        To *consider* any other matters by CMG members.

ITEMS FOR NOTING OR FORMAL APPROVAL

12   Proposals for Chair Establishment and Changes   **I**
        To *approve*.

13   Fee and Rent Proposals   **J**
        To *approve*.

14   Annual Report on Complaint Handling   **K**
        To *note*.

15   CCTV Policy   **L**
        To note.

16   Policy on Speakers and Events   **M**
        To *approve*.

17   Date of next meeting
        Tuesday, 19 January 2016 at 10.00 am in Raeburn Room, Old
        College

THE UNIVERSITY of EDINBURGH

CENTRAL MANAGEMENT GROUP

6 October 2015

Minute

Present:	Senior Vice-Principal Professor Charlie Jeffery
	Vice-Principal Professor Mary Bownes
	Vice-Principal Professor Dorothy Miell
	Vice-Principal Professor Chris Breward
	Vice-Principal Professor Jeff Haywood
	Vice-Principal Professor James Smith
	Mr Phil McNaull, Director of Finance
	Mr Gary Jebb, Director of Estates
	Mr Gavin McLachlan, Chief Information Officer
	Ms Zoe Lewandowski, Director of HR
In attendance:	Professor Arthur Trew, on behalf of Vice-Principal Professor Yellowlees
	Dr Catherine Elliott, on behalf of Vice-Principal Professor Sir John Savill
	Ms Leigh Chalmers, Director of Legal Services
	Mr Gavin Douglas, Deputy Secretary, Student Experience
	Mr David Kyles, Chief Internal Auditor
	Mr Dave Gorman, Director of Social Responsibility and Sustainability
	Mr Brian MacGregor, Director of User Services Division
	Mr Alan Mackay, Deputy Vice-Principal International (for item 4)
	Ms Mairi Rosko, Director of Supporter Engagement (for item 5)
	Ms Kirstie Graham, Deputy Head of Court Services
Apologies:	The Principal
	Vice-Principal Professor Jonathan Seckl
	Vice-Principal Professor Jane Norman
	Vice-Principal Professor Sarah Welburn
	Vice-Principal Professor Lesley Yellowlees
	Vice-Principal Professor Sir John Savill
	Vice-Principal Professor Richard Kenway
	Vice-Principal Professor John Iredale
	Vice-Principal Professor Sue Rigby
	Vice-Principal Professor Andrew Morris
	Ms Sarah Smith, University Secretary
	Ms Tracey Slaven, Deputy Secretary, Strategic Planning
	Mr Hugh Edmiston, Director of Corporate Services
	Dr Ian Conn, Director of Communications and Marketing
	Professor Charlotte Clarke, Head of School of Health in Social Science

1   Minute   **Paper A**

The Minute of the meeting held on 1 September 2015 was approved.

2 Principal's Communications

Senior Vice-Principal Professor Charlie Jeffery, on behalf of the Principal, reported on the following: the Principal was giving evidence to the Education and Culture Committee, along with other stakeholder representatives, as part of Stage one of the Higher Education Governance Bill legislative process; the ELIR review was now underway; there had recently been two ranking announcements which placed the University in the world's top 25; there had been a concerning internet threat last week which had been dealt with effectively; the timetabling issues at the start of term were being addressed by the University as a priority.

SUBSTANTIVE ITEMS

3   UNPRI Responsible Investment Next Steps   Paper B

CMG noted the decisions that had previously been taken in relation to disinvestment in fossil fuels and controversial weapons and reviewed the proposed next steps for implementing the UN Principles for Responsible Investment adopted by the University in 2013.

Members noted the range, complexity and depth of work being undertaken across the University, including the recently launched 'Edinburgh Action for the Climate' which harnesses the expertise of the University's academics currently conducting ground-breaking research into areas such as carbon capture and storage and renewable energy. The challenge was to bring together the range of diverse activity and views in order to develop a clear narrative on how the University can best make a socially responsible contribution. To this end, there would be a process of engagement with EUSA, the Investment Committee and staff and student stakeholders to develop a policy for consideration by the Senior Vice-Principal and discussion and endorsement at CMG prior to seeking Court approval. CMG endorsed the proposed approach.

4   Home Office Tier 4 changes update   Paper C

Mr Alan Mackay, Deputy Vice-Principal International, outlined the implications of recent policy changes in relation to the existing immigration legislation which extended Home Office reach by including new areas that would constitute a "serious breach of a sponsors licence". CMG noted the tightening compliance requirements would increase the administrative burden of ensuring compliance, heighten the risk of non compliance and potentially impact on international student numbers.

5   Corporate Social Responsibility Proposal: The Big Leap 2016   **Paper D**

The proposal had returned to CMG with the requested clarification that the focus was on fundraising, not volunteering and that the University would not provide staff with remitted time for the fundraising activity. There were also further reassurances regarding risk management.

CMG welcomed the clarifications and approved the proposal as set out in the paper.

6   Student Consumer Protection Working Group   **Paper E**

CMG approved the formation of a Student Consumer Protection Working Group to oversee the work associated with compliance with the Competition and Markets Authority guidance for universities on consumer protection law, noting the importance of ensuring a proportionate response to compliance needs.

7   Protection of Children and Protected Adults Policy   **Paper E1**

CMG noted that the University had a range of procedures in relation to children and vulnerable adults, but did not have a single overarching policy that clearly articulates how the University protects children and protected adults. The proposed policy had been considered by the Curriculum and Student Progression Committee and People Committee and there had been consultation with the trades unions. CMG approved the policy as set out in the paper, noting it would also be formally considered by the Joint Consultative and Negotiating Committee next month.

ROUTINE ITEMS

8   Internal Audit Status Report   **Paper F**

CMG noted the report and progress on delivery of the 2014-15 Internal Audit Plan, the status of overdue closure of audit issues and the 2015-16 Internal Audit Plan. The report had been considered by the Audit and Risk Committee, which continued to maintain keen oversight of the closure of audit issues.

Members noted areas with high level of recommendations, the background to the issues and actions taken to address these and the importance of 'horizontal' learning across schools from issues raised in audit. The findings of the IT Cyber Security review were noted, with an update to go to the Audit and Risk Committee in November and it was felt it would be helpful for CMG to also have the opportunity to consider this.

9   **Finance Director's Update**   **Paper G**

CMG considered the updates on the University's finances, noting that Court had approved securing external funding in support of the University's Strategic Plan objectives and received an update on the University's draft unaudited 2014-15 accounts which indicated a positive outturn against budget.

10   **Health and Safety Quarterly Reports**   **Paper H1**
                                                                 Paper H2

CMG received reports providing a summary of health and safety incidents that took place during the period 1 March to 31 August 2015 as well as relevant health and safety issues and developments. CMG noted concerns about the timescale for receipt of these reports, given the increased focus by the Health and Safety Executive and requested that the reporting periods should align with standard reporting periods across the academic year.

ITEMS FOR FORMAL APPROVAL/NOTING

11   **Proposals for Chair Establishment and Changes**   **Paper I**

CMG approved the renaming of a Chair in the College of Humanities and Social Sciences as set out in the paper.

12   **Principal's Strategy Group**   **Paper J**

CMG noted the report.

13   **Fee Proposals**   **Paper K**

CMG approved the fee proposals as set out in the paper.

14   **Date of next meeting**

Tuesday, 10 November 2015 at 10.00 am in Raeburn Room, Old College.

CENTRAL MANAGEMENT GROUP

10 November 2015

Strategic Plans KPIs and targets – draft progress report

Description of paper
1.   This paper presents progress made against the targets and Key Performance Indicators within the University's Strategic Plan for 2014/15 (where data is available) or 2013/14 (where 2014/15 data is not yet available).

Action requested
2.   Members are asked to review and comment on the paper.

Recommendation
3.   We recommend that the Group agree that the University is broadly on track to deliver against its Strategic Plan.

Paragraphs 4 – 17 have been removed as exempt from release due to FOI.

Risk Management
13. Inadequate monitoring of progress against the University's Strategic Plan targets and KPIs could result in the failure to meet these milestones and, ultimately, non-delivery of the University's objectives and strategies.

Equality & Diversity
14. The plan includes a Strategic Theme 'Equality and Widening Participation', with relevant targets and Key Performance Indicators. The paper contains details of progress made against this area.

Next steps/implications
15. The KPIs and targets for which data is outstanding will be collated in time for the meeting of Court on 7 December. KPIs and targets on which further work is required will be monitored over the course of the current academic year 2015/16.

16. We are currently developing our next strategic plan. The measures of progress to be used in this next plan will be developed in 2016.

Consultation
17. Colleagues from across the University have provided content for this paper. Those consulted include: the International Office, Careers Service, Student Surveys, Student Recruitment and Admissions, Edinburgh Research and Innovation, Human Resources, Estates and Buildings, Finance, Senior VP, VP Learning and Teaching, Student Systems, Development & Alumni, Centre for Sport and Exercise, Office of Lifelong Learning, Communications and Marketing and Information Systems.

Further information

18. *Author*   *Presenter*
     Jennifer McGregor/Pauline Jones   Tracey Slaven, Deputy Secretary
     Governance and Strategic Planning   Governance and Strategic Planning
     30 October 2015

Freedom of Information

19. This paper is closed as the final version is intended for publication after the December Court meeting.

THE UNIVERSITY *of* EDINBURGH

CENTRAL MANAGEMENT GROUP

10 November 2015

Scottish Funding Council Outcome Agreement 2016-17

Description of paper
1.   The Scottish Funding Council (SFC) has refreshed the Outcome Agreement guidance for 2016-17 which requires changes to the Outcome Agreement from the previous session. While awaiting the 2016-17 Scottish Government budget announcements following the UK Government comprehensive spending review, Governance and Strategic Planning propose that we take a pragmatic approach to updating the Agreement for next year. This paper outlines the approach and gives early indications on the content.

Action requested
2.   CMG is asked to consider the approach and advise on any particular changes to this approach and the Outcome Agreement content.

Recommendation
3.   CMG is recommended to endorse the approach to negotiating the 2016-17 Outcome Agreement with SFC.

Paragraphs 4 – 20 have been removed as exempt from release due to FOI.

Risk Management
21. The Outcome Agreement document will be a public document and is a requirement of SFC funding. There are consequently risks to both University reputation and funding if an effective agreement is not reached. The widening access component of the Outcome Agreement has a statutory underpinning via the Post 16 Education (Scotland) Act 2013.

Equality & Diversity
22. The Outcome Agreement contains specific sections where the impact of the University's activities on protected characteristics – especially gender – are considered. An Equality Impact Assessment of the draft Agreement will be carried out.

Next steps/implications
23. Colleagues from across the University have provided input for various sections of the 2016-17 Outcome Agreement. Governance and Strategic Planning will draft the 2016-17 Agreement based on these updates for consideration at Court on 7 December. This draft will be submitted to SFC on 8 December. Following announcements of the budget for Higher Education in early 2016 and the announcements of the implications for the University, this draft will be reviewed and our approach will be reconsidered if necessary.

Consultation

24. Input to the draft has been received from across the University - which will be further developed following advice from PRC and CMG. Trade Union and EUSA input will be sought during the development of the draft.

Further information

25. *Author*   *Presenter*
    Pauline Jones   Tracey Slaven
    Governance and Strategic Planning   Deputy Secretary, Strategic Planning
    26 October 2015

Freedom of Information

26. The paper should remain Closed until final approval of the Outcome Agreement by the University Court.

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D

CENTRAL MANAGEMENT GROUP

10 November 2015

Terms of Reference for Research Policy Group

Description of paper
1. The University's Research Policy Group (RPG) wish to formalise its remit and position in regard to the University's governance structure in the light of PSG's decision to bring the Research Support activity currently within ERI into a Central Research Office within the University. RPG proposes to use this opportunity to ensure there is clearer and regular oversight of good research practice with particular regard to research integrity and ethics.

Action requested
2. Central Management Group is asked to approve the draft Terms of Reference, Governance arrangements and membership for RPG.

Recommendation
3. CMG is recommended to approve the draft RPG Terms of Reference, Governance arrangements and membership.

Background and context
4. RPG was established in session 2008-09 at the direction of the Principal to ensure that there was a coordinated approach to research across the University. RPG has successfully adopted a light-touch approach. In scope its meetings have covered the themes listed in the terms of reference.

Discussion
5. Having operated thus for over six years, it is felt that it would be beneficial to spell out the scope of RPG's remit so that it remains an effective University level forum for the consideration of Research Policy. It is also recognised that this is an opportunity to be able to show both internally and externally that the University promotes best practice with regard to all aspects of research ethics and integrity.

6. The changing structure of research support creates an opportunity to also formalise the expectations for membership of the group to ensure that the right stakeholders are represented.

7. The proposed terms of reference are attached at Annex A.

Resource implications
8. None, RPG has no budget nor is one sought. Secretariat support for RPG is provided by Governance and Strategic Planning.

Risk Management
9. The University's Risk Register contains two high level risks relating to research performance which RPG has a role in mitigating:
 • Inadequate performance in Research Excellence Framework (REF) Assessment

- Failure to grow and diversify the spread and magnitude of Research Awards

10. Formalising the arrangements through which the key managers and officers responsible for managing these risks operate and report further up the University will reduce the likelihood of these risks occurring, as there is a greater chance of slippage being spotted and addressed.

Equality & Diversity
11. Within its remit the Group will occasionally have reason to consider matters relating to the balance of researchers and staff from protected characteristic groups within the University. This has previously arisen in relation to REF2014.

12. The membership of the group is drawn from ex-officio posts across the University and as such the gender balance of the Group will be determined by the holders of those posts. Currently, the gender split among members is 33:66 females to males; when regular attendees are considered, the split is 43:57.

Next steps/implications
13. The RPG secretary will arrange for the RPG website and wiki to be updated.

Consultation
14. A previous draft RPG Terms of Reference have been approved by members of RPG with minor changes. The Convenor of Researcher Experience Committee is a member of RPG

Further information
15. *Author*   *Presenter*
     Dr Susan Cooper   Vice-Principal Professor Jonathan Seckl
     Governance and Strategic   Planning, Resources and Research Policy
     Planning
     29 October 2015

Freedom of Information
16. The paper is open.

Annex A

Research Policy Group

1)   Terms of reference

Research Policy group is responsible for:

- Development of research strategy and monitoring of progress against the strategy
- Development of research practice, including:
  - identification and prioritising support for emerging areas
  - enhancing existing areas
  - supporting the development of interdisciplinarity
  - stewardship of relationships with funders
  - recommending developments in the research environment
  - supporting mechanisms to identify and facilitate impact
  - supporting large scale bids
  - where necessary, prioritising bids to external agencies for research resources
  - developing policy to address changes in the research environment such as open access, open data, data repositories and new funding opportunities.
- Oversight of the University's Central Research Office
- Oversight of good research practice and stewardship of university wide research policies, including those relating to research ethics and integrity. This would include oversight of requirements for formal reporting Court and funders associated with these policies
- Assessing research performance against key performance indicators
- Oversight of the delivery of external assessments such as the Research Excellence Framework
- Delivering institutional responses to external consultations on research policy, best practice, guidance/advice and legislation

2)   Stakeholders

Research Policy Group's stakeholders are:

- Colleges, Schools, their academic and research support staff
- University Senior Management, through Principal's Strategy Group and Central Management Group
- Edinburgh Research (Research Support Organisation)
- Edinburgh Research and Innovation (industry engagement, innovations/Intellectual Property development)
- Governance and Strategic Planning
- Finance (notably Research grants section)
- Human Resources (researcher careers)

- Estates
- Procurement
- Information Services Group
- Communications and Marketing
- Development and Alumni
- Social Responsibility and Sustainability
- Institute for Academic Development
- Researcher Experience Committee
- External research funders
- Research policy bodies[1]

3)   Governance and reporting

Research Policy Group reports to CMG, formalised through reporting of the minutes to CMG by VP Planning, Resources and Research Policy.

It is proposed that the relationship with the Researcher Experience Committee is also formalised and a proposal be brought to CMG and Senate for approval.

4)   Membership

Given the primary stakeholders and suggested governance, we suggest the following core membership. Other members would be co-opted for limited periods as required.

- Convener: VP Planning, Resources and Research Policy
- 3 College Deans of Research
- Head of University Research Support Organisation
- Head of Strategic Performance and Research Policy, GaSP
- Deputy Secretary, Strategic Planning
- Assistant Principal Researcher Experience (REC chair)
- Head of ISG

In attendance:

- Senior College Research Officers;
- RPG Secretary: GaSP Senior Strategic Planner
- Relevant Senior policy officers as required (e.g. Library Research and Learning Services, Communications and Marketing)

5)   Frequency of meetings

Research Policy Group will meet five times a year.

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[1] Scottish Funding Council, Higher Education Funding Council England, Russell Group, Universities Scotland, Universities Scotland Research Knowledge Exchange Committee, Research Councils UK, Universities UK, League of European Research Universities, ,Universitas21, etc.

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CENTRAL MANAGEMENT GROUP

10 November 2015

Timetabling / teaching allocations in semester 2 2015/16

Description of paper
1.   This document summarises the current position with regard to scheduling Semester 2 core teaching activities.

Action requested
2.   Central Management Group is asked to endorse the recommendations made.

Recommendation
3.   That Schools are strongly encouraged to show maximum flexibility in their requests for timetabled teaching space in semester 2 2015/16, in particular when requesting space at popular times such as Tues/Thurs afternoon.

4.   That Schools consider their approach to timetabling and related issues in advance of semester 1, 2016/17 in order to ensure teaching is delivered across the whole week.

Background and context
5.   There were significant difficulties in allocating teaching activities to appropriate spaces / timeslots at the start of semester 1 this year, in particular in the central area. With input, significant efforts and support from many different parts of the University a major timetabling crisis was averted, however there were still unacceptable challenges and difficulties for colleagues and students in many different parts of the institution. It is clearly extremely important that there is no repeat of the problems seen at the start of semester 1. The University Secretary has commissioned a review of the timetabling process and related issues. This is being led by the Chief Information Officer, and the findings from this review are expected in January 2016. In advance of this, work is underway to build the semester 2 timetable and identify possible constraints / challenges. This paper therefore focusses on timetable planning for semester 2, 2015/16 rather than the wider issues that will be covered by the forma review.

Discussion
6.   As at 23 October 2015, the number of unscheduled core teaching activities for semester 2, across all three main teaching zones, stood at:

CAMPUS	TOTAL
Central Area	117
King's Buildings	11
Holyrood	65

7.   The table below provides additional detail of the spread of outstanding demand for teaching space in the Central area (as at end of October), which converts the number of outstanding activities into teaching slot requirements:

SCHOOL	TOTAL	Mon 09:00-11:00	Mon 11:00-13:00	Mon 14:00-16:00	Mon 16:00-18:00	Tue 09:00-11:00	Tue 11:00-13:00	Tue 14:00-16:00	Tue 16:00-18:00	Wed 09:00-11:00	Wed 11:00-13:00	Thu 09:00-11:00	Thu 11:00-13:00	Thu 14:00-16:00	Thu 16:00-18:00	Fri 09:00-11:00	Fri 11:00-13:00	Fri 14:00-16:00	Fri 16:00-18:00
BUSINESS SCHOOL	11			2		1		4			1		2	1					
COLLEGE OF HSS	1						1												
COLLEGE OF MVM	11						7	2		1	1								
DEANERY OF BIOMED	4	1	1	1		1													
ECA	5	1	1	2			1												
ECONOMICS	2		1	1															
GEOSCIENCES	1							1											
HinSS	2									1	1								
HCA	7			1		1	2				1		2						
INFORMATICS	4		2			1							1						
LAW	24		1	1			3	9			3		4	3					
LLC	47	1	2	10	1		2	11		2	3	1	5	9					
PPLS	3												1	2					
SPS	5			1			1	2					1						
GRAND TOTAL	127	3	8	19	2	3	17	29	0	4	10	1	16	15	0	0	0	0	0

8.   The teaching slots under the most pressure are highlighted red and show clear evidence of the "clumping" effect caused by School teaching preferences.

9.   Scale of challenge - Holyrood/KB
   • Holyrood – Although the outstanding figure appears quite high, we expect these issues to be resolved in the lead-up to semester two This will largely be achieved through the re-introduction of Charteris Land teaching space, which was initially constrained to prevent Semester 2 allocations, plus normal negotiation and change management processes between Timetabling Unit and Schools.
   • King's Buildings – this is a "business as normal" figure which should be resolved through normal negotiation and change management processes between Timetabling Unit and Schools.

10. Scale of challenge - Central
Even allowing for the fact that we are just over two months away from the start of semester two, 117 unallocated activities in the central area is a substantially higher number of unallocated activities than is normal at this stage of the cycle.

11. The table above confirms a disproportionate "clumping" of outstanding requirements during key, popular teaching slots, especially 2-4pm on Tuesdays and Thursdays. To source and provide additional space to meet all current School preferences would be very challenging (20+ additional teaching spaces needed) and also lead to a large number of rooms being utilised on average 2-4 hrs per week. Outwith these popular times, the average outstanding requirements could easily be covered by the provision of 6-8 extra rooms.

12. *Meeting the Central area challenge*
We believe it should be possible to meet the semester 2 challenge through both the provision of some additional space and working closely with Schools to identify greater flexibility beyond current space and time preferences.

13. *Additional space*
Three teaching spaces in the main Library, and five teaching spaces in 27-29 George Square, have been confirmed following discussions with IS and CHSS. Their support is very gratefully acknowledged.

14. Further space should be available at 7 Bristo Square following IAD's move to Holyrood, scheduled for before Xmas 15. It may also be possible to use the CHSS meeting space at 56 George Square if needed.

15. *Semester 2*

Once the spaces in Library and 27 George Square are factored in to the timetabling model, the revised position is as follows (as at 2/11/15):

CAMPUS	TOTAL
Central Area	56
King's Buildings	10
Holyrood	65

16. *Timetabling flexibility*

The lower (compared to 23 Oct5ober 2015) figure of 56 in the Central Area is partly due to ongoing negotiations with Schools but also following the introduction of library meetings rooms and 27-29 George Square rooms into the mix. (As noted above, discussions are ongoing for a further 2 rooms in 7 Bristo Square). The revised planning matrix is now as follows:

SCHOOL	TOTAL	Mon 09:00-11:00	Mon 11:00-13:00	Mon 14:00-16:00	Mon 16:00-18:00	Tue 09:00-11:00	Tue 11:00-13:00	Tue 14:00-16:00	Tue 16:00-18:00	Wed 09:00-11:00	Wed 11:00-13:00	Thu 09:00-11:00	Thu 11:00-13:00	Thu 14:00-16:00	Thu 16:00-18:00	Fri 09:00-11:00	Fri 11:00-13:00	Fri 14:00-16:00
BUSINESS SCHOOL	7			2				3					1	1				
COLLEGE OF MVM	6						4	2										
ECA	5	1	1	2			1											
ECONOMICS	1			1														
HCA	2										1		1					
INFORMATICS	1					1												
LAW	12						2	7					2	1				
LLC	19		1	3				6			2		1	6				
SPS	3						1	1					1					
GRAND TOTAL	56	1	2	8	0	1	8	19	0	0	3	0	6	8	0	0	0	0

17. The focus will now continue be on the key areas of peak demand and ongoing discussions with the Schools concerned. There are several factors help ensure progress in this area:

- There is a longer lead-in time to Semester 2, allowing extra breathing-space for the normal negotiation and change management process.
- Tutorial requirements can be reduced by continued analysis of student enrolment figures vs tutorial group sizes.
- Some 2-hour classes, which do not normally operate with travel-time constraints, might still find space in Holyrood or Lauriston.
- The Timetabling Unit can support Schools with additional modelling to help identify alternative, clash-free slots.

18. *Planning for 15/16*

The Semester 2 position has highlighted significant "clumping" of teaching, in particular on Tuesdays and Thursdays, and a concomitant lack of pressure in slots such as 4-6pm on Tuesdays/Thursdays and all day Friday. If we are to deliver a sustainable, effective and efficient timetable, it will be necessary to ensure that teaching activity takes place across the full week. In order to achieve this, Schools will need to re-consider established practices such as making Friday a research day for staff, and/or avoiding teaching slots which may be less popular with students (such as Friday afternoons). It is recommended that all Schools address the issue of spreading teaching across the week in advance of semester 1, 2015/16.

Resource implications

19. N/A.

Risk Management

20. Moving teaching to less popular slots may impact on student and staff satisfaction.

Equality & Diversity

21. While there is nothing in this paper that requires an Equality Impact Assessment, future changes to the timetabled day may require further consideration (e.g. any routine extension of the working day beyond 5pm).

Next steps/implications

22. Timetabling Unit will continue to build the semester 2 timetable and will seek continued flexibility from Schools at times when capacity is constrained. There will be a further update on progress to key stakeholders before Xmas 15 and again in the New Year.

Consultation

23. Semester 2 modelling has been discussed with HSS senior management and the CIO.

Further information

24. *Author and Presenter*
    Gavin Douglas
    Deputy Secretary, Student Experience

Freedom of Information

25. Open

THE UNIVERSITY of EDINBURGH

CENTRAL MANAGEMENT GROUP

10 November 2015

Finance Director's Update

Description of paper

1.   The paper summarises the finance aspects of recent activities on significant projects or initiatives.

Action requested

2*.*   The Group is asked to note the content and comment or raise questions.

Recommendation

3.   CMG colleagues can use this report to brief their teams on Finance matters.

Background and context

4.   The paper provides a monthly update on finance related issues for CMG.

Paragraphs 5 – 14 have been removed as exempt from release due to FOI.

Equality & Diversity

15. Specific issues of equality and diversity are not relevant to this paper as the content focusses primarily on financial strategy and/or financial project considerations.

Next Steps/implications

16. Requested feedback is outlined.

Further information

17. *Authors*   *Presenter*
       Lee Hamill   Phil McNaull
       Deputy Director of Finance   Finance Director
       30 October 2015

Freedom of Information

18. This paper should not be included in open business as its disclosure could substantially prejudice the commercial interests of the University.

THE UNIVERSITY of EDINBURGH

CENTRAL MANAGEMENT GROUP

10 November 2015

People Report

Description of Paper
1.   This paper is the first quarterly report to CMG on People related matters being taken forward by University HR Services.   Future reports will come to CMG at the end of each quarter to report on activity in the preceding quarter. As this is the first report in addition to activity undertaken in Q1 2015/16 the report includes some activity which took place in Q4 of 2014/15.

Action Requested
2.   CMG is asked to note the content of the report.

Recommendation
3.   CMG is recommended to consider and comment on the report.

Background and Context
4.   This paper provides a summary report on progress on people related matters being take forward by University HR Services.

Discussion
5.   *Shared Parental Leave (SPL)*
CMG have agreed, subject to PRC approval, to introduce shared parental leave and pay matched to the University's current occupational maternity scheme for leave taken on or after 1 January 2016. Work on the detail of the scheme has commenced. A paper seeking PRC approval to implement a matched scheme will be submitted to the November meeting of PRC. In the meantime a policy based on the statutory provisions has been published on the HR webpage, together with supporting documentation and template letters.

6.   *Dignity and Respect*
UHRS are currently refreshing the Dignity and Respect policy and reviewing the number of Dignity and Respect Advisers (DRAs) and the effectiveness of the support given to DRAs. This work ties into work being undertaken elsewhere in the University to address and eliminate "lad culture". UHRS will continue to work with colleagues across the University to take forward.

7.   *Emerging Academic Fellowships*
Following discussion at People Committee on a proposal for an Emerging Academic Fellowship Scheme for post-PhD academics, further work has been undertaken on the industry engagement strand and a paper will be taken forward to Principal's Strategy Group in due course once some further work has been completed.

8.   *Academic Promotion - Programme of Revisions*
In July 2015 a revised academic CV template and Personal Chair Criteria were published alongside new guidance on interdisciplinarity and a set of exemplars of

Excellence in Knowledge Exchange.

9.   UHRs have conducted interviews with a sample of employees promoted through the 2014/15 Personal Chairs Process to gather feedback. Interviewees were really positive about the process and it seems that perceptions of what the University values in these processes is slowly shifting. We are working with Communication and Marketing to develop positive stories based around these interviews for inclusion in Staff News and bulletin.

10. The Exemplars of Excellence in Student Education launched in 2013/14 have been identified as an example of good practice by the Royal Academy of Engineering and will be captured in a case study in their upcoming report on the role of excellence in teaching in promotions process for academic engineers.

11. These documents can all be found on the:
 Academic Promotions and Grading web pages

12. *Heads of School – proposal for change*
Following discussion at People Committee on 22 June 2015 a workshop with former and current Heads of School and academic staff in management roles below Head of School, to further explore the ideas set out in the People Committee paper was held on 1 October 2015. The workshop, which was well attended and generated lively debate, was led by Senior Vice-Principal Charlie Jeffery, the University Secretary, Sarah Smith and the Vice-Principal People and Culture, Jane Norman and supported by UHRS. A paper drawn from the outputs of the workshop will be considered by PSG at its meeting in November.

13. *Good Practice.Net – Online Resources for Leaders and Managers*
UHRS has purchased a subscription to Good Practice.net an online toolkit for leaders and managers. An initial piece of work to brand and customise the site to align with existing University learning and development content and branding is nearing completion and we hope to make the materials available to staff across the University before the end of the year. Future phases of work will embed Good Practice material within existing and new UHRS course provision and within the University's Leadership and Management Development Framework.

14. *HR Transformation project*
In response to the University Strategic Plan and emerging business requirements UHRS have initiated a programme of activity to review and potentially redesign staff related business services and processes and the technology that underpins these. This activity will enable the upgrade or replacement of the University's current Oracle R12 HR, Payroll and Pensions system which comes to the end of its supported life in December 2019 and will be informed by the University People Plan, Finance Strategy, and by the outputs of the Maxxim Consulting Service Excellence Programme and the University BI/MI project.

15. *Aurora Programme*
Aurora is the Leadership Foundation for Higher Education's women-only leadership development programme. The University has been involved since the programme launch in November 2013, and is committed to sending women to the

programme for 5 years (until 2017). A new cohort of 20 participants from across the University were registered with the Leadership Foundation in October. In addition, at the request of Aurora graduates and the VP People and Culture, UHRS has initiated a project to provide a new Aurora Legacy development programme, in 2015/16, for the Aurora graduates (presently 33 women) with the aim of further supporting their on-going career development and to achieve University targets in this area.

16. *Mentoring Connections*
Ahead of the next Mentoring Connection's matching closing date (18 December 2015), the programme team (UHRS L&D and IAD) identified a need to conduct a review of the programme's advertising, application form structure and branding to ensure the application process is clear and effective for attracting the target audience. A survey of past participants was conducted and resulting changes to the website and the application made. In addition a new programme logo has been created by a summer graphic design intern, through Employ.ed.

17. *Introduction to Academic Leadership*
UHRS and IAD have designed a one day programme introducing a range of academic leadership roles in learning and teaching, research and leadership and management within the University.

18. The initial session to run in early 2016 will be targeted at early career academics as well as those who are more experienced who wish to learn more about the opportunities for academic leadership available at School, College and University level. Experienced academic colleagues will outline their own experiences and perspectives on leadership, and the opportunities, challenges and benefits these roles have brought them at Edinburgh. The session will also provide a forum for participants to discuss how and why they might put themselves forward for these roles and identify what other support they need to consider preparing for and taking up these opportunities in the future.

19. *Immigration Matters*
University HR Services has facilitated the University's response to the Migration Advisory Committee's call for evidence relating to its commission to review the Tier 2 route for skilled workers from outside the EEA.

20. A loan mechanism to support Tier 2 migrants with the up-front cost of their and their dependants' visas and the new Immigration Health Surcharge, approved by PRC and CMG was implemented in September for existing employees. Following some additional work to understand the implications of extending the loan facility to prospective employees, at the point of visa application, we are now in a position to extend the facility and will be working on this over the coming weeks.

21. *Gender Equality*
University HR Services working with the Vice-Principal, People and Culture have prepared a bid for Horizon 2020 funding under the GERI-4 call 'Gender Equality in Research and Innovation: Support to research organisations to implement gender equality plans' as part of a consortium with the Universities of Leiden, Zurich, Cambridge and Strasbourg.

22. A Nature article published on 10 July 2015 highlighted the University's gender equality work http://www.nature.com/news/universities-highlight-gender-equality-policies-after-sexism-row-1.17956

23. *Equality Diversity Monitoring and Research Committee (EDMARC)*
All Heads of Schools have now received their first annual School-level EDMARC reports, provided to improve monitoring of equality and diversity. These reports will also support School Athena SWAN submissions and renewals. UHRS and GaSP are reviewing the content of future University-level reports to include data covering all protected characteristics, and reporting of promotions, annual review, and recruitment data. These reports will support the University in meeting its statutory requirements under the Equality Duty.

24. *Procurement Frameworks*
UHRS are engaged with the Advanced Procurement for Universities and Colleges (APUC) process for the re-tendering of the Executive Search framework. We will seek to influence this process but if the new framework does not meet our requirements consideration will be given to the development of our own framework.

25. We are preparing to implement the recently developed Scottish Government Framework for Agency Workers.

26. We are working with Procurement on the strategy for creating a framework of approved suppliers for the University's Leadership and Management Development provision. It is expected that suppliers will be invited to tender in late 2015.

27. *e-Recruitment*
In August 2015 the e-Recruitment project board approved a project to upgrade the University's CoreHR e-Recruitment system. Work on this project began in September 2015. Whilst this is principally a technical upgrade a number of functional enhancements will be delivered to users. Given the impact on users a significant work stream of this project will focus on business readiness – ensuring engagement with users through clear communication and appropriate and timely training. This project is expected to conclude in Summer 2016.

28. *Youth Talent and Apprenticeships Website*
We have recently launched a Youth Talent & Apprenticeships website (http://www.ed.ac.uk/schools-departments/human-resources/recruitment/youth-talent) containing guidance for recruiters and potential applicants. Further launch activities will take place over the coming weeks.

29. *Review of Chancellor's Fellows Cohort*
A comprehensive review of the performance of employees appointed through the Chancellor's Fellow scheme is currently being undertaken. Analysis includes reviews of research income, publications and student supervision. In addition to the review of performance data all Chancellor's Fellows have been surveyed to gather feedback on their experience with the University. Both of these pieces of

work will inform future approaches to the recruitment and management of Chancellor's Fellows.

30. *Enhancing Employment for Hourly Paid Staff*
As a result of the part-time secondment of Lindsey Miller from HSS HR, to lead the Enhancing Employment project significant progress with contractual processes and documentation and with developing and delivering training to support implementation of GH contracts and the enhancement of employment for hourly paid staff has been made. The business analysis phase for the Enhancing Employment technical project has proved to be a bigger piece of work than initially envisaged, however the work is now all but completed and the intention is to commence the technical project in 2016. In consultation with representatives of the Students' Association (EUSA) and the Joint Unions we have agreed to scope out the next phase of the project, which will include embedding of work already completed and work on recruitment and induction, over the coming months.

31. *Policy Development, Implementation and Communication*
A requirement for a clearer process for business consultation, development, implementation and communication of new policies and policy changes was identified earlier this year. Although some initial work has been done on the policy development process, the need to address deficiencies in current policies and to amend existing policies in the light of legislative changes has taken priority. The learning from the work on existing policies will be factored into the development of a new policy creation process which will be taken forward early 2016 once the HR Partner – Employment Policy is in post.

32. *Changes in Statutory Redundancy Entitlement*
Following the change in service requirement from 1 year to 2 years for statutory redundancy and unfair dismissal rights, work has been undertaken to revise the University's redundancy consultation, talent register and career transition processes and associated documentation including the Employment Related Appeals Procedure. In order to allow sufficient time to manage the transition from the current to the new policy the changes will become effective from 1 January 2016.

33. *Total Reward Calculator*
To raise awareness of the reward and benefits package offered by the University UHRS have been working with IS to develop a total reward calculator to enable applicants and employees to better understand the total value of the University pay and benefits. By inputting grade, spinal point and pension scheme they can see the total value of the benefits package including pension and annual leave. The calculator has been tested and will be launched following implementation of the pay award.

34. *Alignment of HR and Finance Data*
Work with Finance to map HR job segments to Finance account codes has been completed. Reporting periods for Finance and HR data have been aligned and processes for sharing data revised. A common set of data is now being used in the quarterly staff reports produced in UHRS and by the TAG and RAM project teams.

MATTERS TO NOTE

35. *Athena SWAN Silver Award*
Following our submission earlier this year the University was delighted to learn in October that we have been awarded an Institutional Athena SWAN silver award, making us one of only 7 UK institutions, and the first in Scotland, to hold this higher level of award.

36. *National Pay Award*
A full and final offer was made at 12 of May JNCHES meeting which provided a general base pay uplift of 1% from 1 August 2015 on all points, save for spine points 1 to 8 where higher base increases have been offered.

37. Following national consultation, this offer was accepted by members of UNISON and GMB but was initially rejected by UCU, Unite and EIS who entered into a formal dispute resolution process. UCU and Unite have recently both decided to bring their disputes over the pay offer to an end. The EIS Executive has decided that it is not able to settle the round and is likely to ballot members on taking industrial action.

38. In August all relevant staff were advised of the situation and the delay to implementing the pay award.

39. *Pensions*
The headline changes to the USS scheme, including the closure of the final salary section and the consequent move to Career Revalued Benefits for future service for all staff, the improved rate of accrual of 1/75th of salary for each year of service in the Career Revalued Benefits section and the increase in employer contributions to 18% which went to statutory consultation in March 2015, have been formally endorsed by the Joint Negotiating Committee (JNC) and agreed by the Trustees of the scheme. The only modification is the staged introduction of the changes. The bulk of the changes will take effect from 1 April 2016 but the launch of the Defined Contribution section for earnings above the £55,000 per annum threshold will be delayed until later in 2016.

40. As a result of consideration of responses to the consultation some further modifications were also agreed including:

- Allowing staff promoted or re-graded into a USS-eligible post after 1 April 2016 to remain in their current pension scheme - e.g. University's Staff Benefits Scheme or a legacy scheme like the MRC scheme.

- Extending the employer subsidy toward investment management charges relating to the DC section to the full range of investment options and not just to the default option as originally proposed.

41. All members of USS have received letters updating them with this information

42. *Race Equality Charter Mark Outcome*
The University of Edinburgh was one of only 21 higher education institutions to join the inaugural phase of the Race Equality Charter scheme of the Equality Challenge Unit. Whilst unsuccessful on this occasion, the panel acknowledged that our Action Plan on race equality is good, and that there is some good practice in place. The University is committed to taking forward these actions in collaboration with staff and students.

43. *Equal Pay Audit*
The University recently published the 2015 Equal Pay Audit available at link :
http://www.docs.csg.ed.ac.uk/EqualityDiversity/Equal_Pay_Report_2015.pdf
The report format has been fully revised and we believe that it now presents the data in a much more user friendly and easy to understand format.
Whilst it is disappointing that the overall gender pay gap has increased from the 2013 audit (increase of 5.23% on the median pay gap), it is important also to look at gender pay gaps outside of the University. The Equality Challenge Unit highlights that the median gender pay gap in the UK is 16.2% and the mean gender pay gap is 19.4%. The median and mean pay gaps seen in the University of Edinburgh are lower, at 13.67% and 16.66% respectively.

44. *Annual Review Statistics*
The statistics on Annual Review continue to improve. A paper on completion rates for 2014/15 including the table was submitted to the Court meeting on 21 September 2015.

College/Support Group	Headcount	Completed	Incomplete	2014/15 % Completed	2013/14 % Completed	2012/13 % Completed
College of Humanities and Social Science	1712	1638	74	95.68%	91.17%	68.50%
College of Medicine and Veterinary Medicine	1981	1845	136	93.13%	94.23%	77.00%
College of Science and Engineering	1704	1561	143	91.61%	86.35%	43.20%
Corporate Services Group	1540	1520	20	98.70%	93.53%	90.30%
Information Services Group	631	629	2	99.68%	100.00%	91.00%
University Secretary's Group	430	430	0	100.00%	100.00%	87.10%
Grand Total	**7998**	**7623**	**375**	**95.31%**	**92.55%**	**71.90%**

45. *Business Pledge*
The University has signed up to the Scottish Business Pledge, a partnership between the Scottish Government and employers to commit to fair and progressive policies that boost productivity, recognise fairness and increase diversity. In signing up to the Pledge the University has made a commitment to pay the Living Wage to all employees over 18 and not to have staff on zero hours' contracts. The Pledge also covers commitments to investing in youth and to gender equality.

46. *UHRS staffing*
The two Deputy Director posts have now been filled, Martyn Peggie, previously HR Senior Partner, Reward and Systems took up the post of Deputy Director Reward, Systems, Business Information and Resourcing on 1 June 2015 and Linda Criggie, previously with Action for Children, took up the post of Deputy Director Employee

Relations, Employment Policy and Equality & Diversity on 29 June 2015. Interviews for Senior Partner Resourcing and HR Partner Employee Relations & Employment Policy have taken place and offers made. Interviews for the Staff Disability Officer will take place at the beginning of November.

Resource Implications
47. Resources will be met from within existing budgets unless outlined in the paper.

Risk Management
48. The University has a low risk appetite for both compliance risks and people risks.

Equality & Diversity
49. Equality issues will be considered on a case by case basis for each individual project/piece of work.

Next Steps/Implications
50. Future reports will come to CMG at the end of each quarter.

Consultation
51. This report will also be presented to the Policy and Resources Committee.

Further Information
52. *Author and Presenter*
    Ms Zoe Lewandowski
    Director of Human Resources
    23 October 2016

Freedom of Information
53.This paper is open.

THE UNIVERSITY of EDINBURGH

CENTRAL MANAGEMENT GROUP

10 November 2015

Request to rename the College of Humanities and Social Science

Description of paper

1.   It is proposed that the College change its name to the **College of Arts, Humanities & Social Sciences ("CAHSS")**, better to reflect the breadth of its activities and academic endeavour within the range of disciplines accommodated within the College.

2.   There is a preference also for the pluralisation of Social Sciences within the title.

Action requested

3.   Central Management Group is asked to approve the request to rename the College.

4.   Central Management Group is invited to recommend to Court and Senate the adoption of the appropriate Resolution.

Recommendation

5   The College of Humanities and Social Science would like to recommend approval of the name change for the College.

Background and context

6.   Edinburgh College of Art ("ECA") became part of the University of Edinburgh's College of Humanities & Social Science in 2011. This substantially broadened the range of Arts-focused disciplines accommodated within the College, which now spans, *inter alia*, Art, Design, Architecture and Landscape Architecture, History of Art and Music.

7.   ECA as a standalone institution had a history of reinvention, with attendant evolution in its name, from establishment as the School of Design set up by the Board of Manufactures in 1760, through to the Trustees' Academy (housed at the University) which then became the municipal Edinburgh College of Fine and Applied Arts at the beginning of the twentieth century, before its association with both Heriot-Watt and Edinburgh Universities.

8.   The name of our College has not yet similarly adapted and it is, arguably, insufficiently descriptive of the range of its teaching and research activities.

Discussion

9.   We submit this request to rename the College for consideration by CMG.

10. It is suggested that the new name will be adopted as soon as practicable, taking into account external publication deadlines (e.g. for prospectuses) and the timing of costs associated with the name change.

Resource implications

11. Costs related to changes to electronic and printed stationery will be encompassed within the current existing budget for College marketing and departmental costs forecast. The timing of the name change will be determined in such a way as to minimise any such costs.

Risk Management

12. It is considered that there are no significant risks involved from approving the request.

Equality & Diversity

13. Due consideration has been given to equality and diversity. There are no direct implications on equality and diversity.

Next steps/implications

14. If CMG approves the change of name, the recommendation will be relayed to Court Services to amend the Resolution which created the Colleges and associated Resolutions, to be considered for approval by Court through the statutory approval process, which includes consultation with the General Council, Senate and any other interested parties.

Consultation

15. The request was reviewed and approved by the Planning and Resources Committee, College of Humanities and Social Science, at the meeting on Monday 5 Oct, as per the minute note:

- *"Committee assent was given to adopt the name **The College of Arts, Humanities and Social Sciences**, noting the preference for the pluralisation of Social Sciences, as opposed to the former Social Science, and the need for progression to change related titles, such as the School of Health in Social Sciences."*

Further information

16. *Author*   *Presenter*
    Ms Ellie Dora   Vice-Principal Dorothy Miell
    Planning and Resources Team   Head of the College of Humanities and Social
    CHSS   Science
    21 October 2015   21 October 2015

Freedom of Information

17. The paper can be included in open business.

THE UNIVERSITY of EDINBURGH

CENTRAL MANAGEMENT GROUP

10 November 2015

Proposal to establish The Chair of Cognitive Ageing and/or Cognitive Epidemiology

Description of paper
1.   The paper outlines the case for the establishment of a Chair of Cognitive Ageing and/or Cognitive Epidemiology in the School of Philosophy, Psychology and Language Sciences in the College of Humanities and Social Science.

Action requested
2.   Central Management Group is asked to approve to creation of the Chair.

Recommendation
3.   Central Management Group is asked to approve the establishment of the Chair and recommend to Court and Senate the adoption of the appropriate Resolution.

Background and context
4.   The College of Humanities and Social Science would like to establish the Chair in order to capitalise on and enhance the current infrastructure of the world-leading MRC/BBSRC-funded Centre for Cognitive Ageing and Cognitive Epidemiology (CCACE).

5.   CCACE is a cross-college research centre linking cutting edge activity in cognition, cognitive ageing and epidemiology across the Colleges of Humanities and Social Science and Medicine and Veterinary Medicine. The Centre is fully funded until the end of its second quinquennium in August 2018, and its current Director (Ian Deary) will support the Chair post-holder in planning for the future. This will include leading a bid (with strong support from the current Director and the Executive Committee) for future funding of CCACE, and assuming Directorship of CCACE (or the future form of this activity) from 2018.

6.   Plans for this post and the future of CCACE have been extensively discussed with CMVM and a member of the CCACE executive, based in CMVM, will be on the selection panel for the Chair.

Discussion
7.   We submit this request to create a substantive chair for consideration by CMG.

8.   It is suggested that the position be available from September 2016.

Resource implications
9.   The Chair will be funded by core funds, as budgeted and agreed in the School Plan.

Risk Management
10. There are no significant risks involved from approving the request.

Equality & Diversity
11. Due consideration has been given to equality and diversity. There are no direct implications on equality and diversity.

Next steps/implications
12. CMG is invited to recommend to Court and Senate the adoption of the appropriate Resolution.

Consultation
13. The paper has been reviewed and approved by the Head of School, PPLS.

Further information
14. _Author_   _Presenter_
    Ellie Dora   Vice-Principal Dorothy Miell
    Secretary, Committee for the   Head of the College of Humanities and Social
    Selection of Chairs, CHSS   Science
    27 Oct 2015

Freedom of Information
15. The paper can be included in open business.

THE UNIVERSITY *of* EDINBURGH

CENTRAL MANAGEMENT GROUP

10 November 2015

Student rent and tuition fee proposals

Description of paper
1.   This paper sets out the recommendations for student rents and tuition fees from the Fee Strategy Group (FSG) meeting of 26 October 2015 which CMG are invited to endorse.

Action requested
2.   CMG is asked to note the business undertaken in the Minutes of the 26 October 2015 FSG meeting, and the routine proposal for fees for CHSS included in this paper.

Recommendation
3.   CMG is recommended to approve the student rent and tuition fee proposals set out in the attached Minutes of the FSG meeting, along with the routine proposal for fees for CHSS included this paper.

Paragraphs 4 – 5 have been removed as exempt from release due to FOI.

Risk Management
6.   The proposals for fee rates included in the papers takes into account the institution's appetite for financial risk as well as student experience and reputation.

Equality & Diversity
7.   Equality and diversity issues are considered as part of the on-going monitoring of fee levels by the Fees Strategy Group and its Secretary.

Next steps/implications
8.   Once endorsed, the tuition fees will be published by Scholarships and Student Funding Services and on School and other websites. The student rents will be published on the Accommodation Services website.

Consultation
9. All proposals, with the exception of the routine fee proposal, were discussed and approved at the FSG meeting on 26 October 2015.

Further information
10. Further information can be obtained from Peter Phillips, Deputy Director of Planning, GaSP (tel: 50-8139, email: Peter.Phillips@ed.ac.uk)

11. *Author*   *Presenter*
     Peter Phillips   Tracey Slaven
     Deputy Director of Planning   Deputy Secretary Strategic Planning
     Governance and Strategic Planning   Governance and Strategic Planning
     30 October 2015

Freedom of Information
11. This paper should be closed as disclosure would substantially prejudice the commercial interests of the University. The paper should be withheld until the fee rates and student rents are published.

THE UNIVERSITY *of* EDINBURGH

CENTRAL MANAGEMENT GROUP

10 November 2015

Annual Report on Complaint Handling, 2014-15

Description of paper
1. In line with the requirements of the Scottish Public Services Ombudsman (SPSO) and the University's Complaint Handling Procedure (CHP), this paper reports on the handling of complaints to the University for the academic year 2014-15.

Action requested
2. The paper is for information.

Recommendation
3. There are no recommendations at this stage, though further work is being undertaken to streamline recording of complaints; recommendations regarding this are likely in due course.

Background and context
4. The CHP has two stages. Stage 1 Frontline Resolution should be used in the majority of cases, with likely outcomes being an on-the-spot apology, an explanation or other action to resolve the complaint very quickly (within five working days). Stage 2 Complaint Investigation is appropriate where attempts at Frontline Resolution have failed, or where the issue is sufficiently complex, serious or high risk from the outset that Frontline Resolution would not be appropriate. The CHP specifies that the following will be reported internally:

> 1) 'performance statistics detailing complaint volumes, types and key performance information, for example on time taken and stage at which complaints were resolved'

> 2) 'the trends and outcomes of complaints and the actions taken in response including examples to demonstrate how complaints have helped improve services'.

Discussion
5. For the purposes of complaint reporting, the University has around 50 'areas' – each of the Schools, College Offices, and designated support services. Areas report quarterly on complaints resolved at Frontline. All Stage 2 complaints are managed centrally by the Investigations Manager.

6.   During the 12 month period 1 August 2014 – 31 July 2015, areas recorded a preliminary total of 559 complaints (391 from students, 148 from members of the public, 17 from staff and 3 unspecified). This is a significant increase on the previous year, where 392 complaints were recorded in an 11-month period. Some of the increase is accounted for by three issues which attracted multiple complaints, but most of the increase is due to improved recognition and recording of complaints. As seven areas are still to submit their final returns for the AY the final figure is likely to be higher still.

7. It is believed that the majority of Frontline cases were resolved within the five-day time limit, but data on this is still not being recorded consistently by areas, an issue which is being addressed for the future.

8. In total, 205 'complaints' were raised through the central complaints@ed.ac.uk mailbox, up significantly from the previous 12-month figure of 156. Of these:

- 64 cases were referred to the appropriate areas for Frontline resolution and are thus also counted in the 559 total for the year.
- In 59 cases, the 'complaint' was resolved through an explanation, advice, provision of information, or advice on where to take a problem which was not one for the University.
- 17 complaints were not considered – 12 of these because of 'unacceptable behaviour' on the part of five separate complainants, 3 because they were time-barred and 2 because they were attempts to re-open complaints which had been completed through the University's procedures.
- The SPSO contacted the office regarding 18 cases, many of which were appeal cases rather than complaints. Of the 8 complaints they reviewed, SPSO endorsed the University's handling in all cases.
- A few cases (single figures in each category) were referred for investigation under another procedure – student conduct, staff capability/disciplinary, staff grievance, or academic appeal.
- 14 cases were referred back to complainants for more information (which was not forthcoming) and one complaint was withdrawn before it could be considered.

9. Multiple complaints arose regarding two issues which achieved wide public notice, (namely the actions of an external security company during a student occupation, and the social media activity of a retired member of staff), and also about one accommodation matter (Holyrood South), but with the exception of these points there were no discernible trends.

10. During the full academic year, a total of 13 cases went to Stage 2 Complaint Investigation, meaning that 98% of complaints were resolved at Frontline. The previous year's figures were 20 cases or 95%, and so 2014-15 represents an improvement on our already-high frontline resolution rate.

11. Investigations should be completed within a maximum of 20 working days, unless an extension is given for good reason. The breakdown of time taken over investigations is as follows:

- Within 20 working days   4
- Within 25 working days   0
- Within a significantly longer period (max 5 months)   9
- Withdrawn by complainant before completed   0

12. In all the cases which took more than 20 days, the delay was wholly or largely due to the complainant – either due to absence or difficulty contacting the complainant, slowness of response from complainant, or because investigation was put on hold at some point at the request of the complainant.

13. The breakdown of Stage 2 investigation outcomes is as follows:

- Complaint fully upheld   1
- Complaint partially upheld*   1
- Complaint not upheld   11
- Complaint withdrawn   0

   *Many complaints cover several issues. Where any of these are upheld, the outcome for the investigation as a whole is recorded as 'partially upheld'.

14. The complaint which was fully upheld was by students about other students, and was then referred onwards to the Code of Student Conduct. The complaint which was partially upheld was a complex one which had not previously been considered at Frontline. Whilst it is risky to draw conclusions from a single year's data, the fact that none of the Stage 2 investigations upheld complaints which had previously been considered at Frontline might suggest that Frontline resolution is indeed finding appropriate solutions where those exist.

15. Improvements to services may arise even where a complaint is not upheld. Examples of such improvements in the past academic year include better guidance on placement arrangements, clearer guidance to staff on mainstreamed adjustments, and a revised approach to entry qualifications for mature applicants.

Resource implications
16. There are no immediate resource implications, though work over the coming months to identify better ways of recording and reporting data may necessitate some expenditure on development of a suitable software system.

Risk Management
17. There are no risks in the report *per se*, which is for information only. Risk management is a key element in the successful handling of all complaints, especially those which carry the potential for reputational damage to the University and/or claims for compensation.

Equality & Diversity
18. SPSO carried out an EIA before publishing the model CHP. This report covers complaints received, some of which relate to matters where equality and diversity is a consideration.

Next steps/implications
19. The Investigations Manager will be responsible for taking forward points relating to improved data collection for the future.

Consultation
20. Quality Assurance Committee will receive a longer version of this report, and quarterly statistical reports are submitted to QAC.

Further information
21. *Author*   *Presenter*
    Jean Grier, Investigations Manager   Gavin Douglas
    30 October 2015   Deputy Secretary Student Experience

Freedom of Information

22. This paper is open; data from it will be published on the University's complaint handling web pages.

THE UNIVERSITY of EDINBURGH

CENTRAL MANAGEMENT GROUP

10 November 2015

CCTV Policy

Description of paper
1.   This paper presents the updated University CCTV Policy.

Action requested
2.   Central Management Group is requested to note the updated CCTV policy contained in Appendix 1.

Recommendation
3.   It is recommended that Central Management Group notes the updated CCTV Policy.

Discussion
4.   *CCTV Policy Update*
The existing CCTV policy has been in place for a number of years and is due for review in response to new legislation that impacts on this aspect of estate security, and because CCTV within the UK is now afforded a national overview by the office of the Surveillance Camera Commissioner.

5.   The attached Appendix 1 contains the updated CCTV Policy. The policy outlines a revised approach to the management of CCTV and seeks to provide a consistent method in deciding whether CCTV usage is appropriate, and the associated impact of its use.

6.   CCTV is an essential and valuable tool in safeguarding both people and property and the use of CCTV is already well established across the University estate. The University is compelled in law and in good practice to have effective policies that govern the need for, installation, use and monitoring of CCTV. Effective governance and control over the use of CCTV is essential and a failure to demonstrate such an approach may make the University liable in both civil and potentially criminal law.

7.   The updated Policy was considered and approved by Estates Committee on 16 September 2015.

Resource implications
8.   There are no additional resource implications related with the revised CCTV Policy.

Risk Management
9.   Failure to adopt and maintain a compliant CCTV policy will carry risk and liability that may emerge from both a civil and criminal perspective.

Equality & Diversity
10. In terms of CCTV, the policy requires those thinking of a CCTV installation to give careful consideration to the need for installation of CCTV, including an E&D impact assessment.

Next steps/implications
11. The Director of Estates will co-ordinate the implementation of this Policy.

Consultation
12. All stakeholders will be advised of the Policy together with the CCTV Code of Practice, issued under the Data Protection Act 1998 and established best practice in the management of CCTV.

Further information
13. *Author*   *Presenter*
    Peter McGrath, Security Manager   Gary Jebb, Director of Estates,
    22 October 2015

Freedom of Information
14. This paper is open.

CCTV Policy

Contacts	Director of Estates has strategic managerial responsibility for CCTV systems.
Purpose	The purpose of this Policy is to ensure that the University's CCTV operations comply with the law and that the scope and responsibilities for the systems are clearly defined.
Overview	The use of CCTV in safe guarding people and property is an essential valuable tool. The use of CCTV across The University of Edinburgh estate is well established and systems are already in place in a number of locations. In seeking to use such a tool, the organisation is required both in law and good practice to have appropriate policies that govern the need for, as well as the installation, and monitoring of, CCTV.
Scope	This Policy governs the installation and operation of Closed Circuit Television (CCTV) cameras and systems by the University of Edinburgh or on University premises. If at any time mobile cameras are employed, their use will also be governed by this Policy. This Policy applies to all University of Edinburgh employees and all employees of any contracted out services. It also applies to all other persons on University of Edinburgh property. The Policy is based on the CCTV Code of Practice, issued under the Data Protection Act 1998 and established best practice in the management of CCTV, such as the Surveillance Camera Code of Practice.
The Policy	The key principle for the Policy is to ensure that any CCTV system used on University premises must be operated with due regard for the privacy of the individual and the University's legal obligations, particularly under the Data Protection Act 1998. 1. Purpose of the Policy The University uses CCTV for the following purposes: • To detect, prevent or reduce the incidence of crime and support the apprehension and prosecution of offenders. • To prevent and respond effectively to all forms of harassment and disorder on University of Edinburgh property. • To reduce the fear of crime. • To create a safer staff and student community. • To gather evidence by a fair and accountable method. • To provide emergency services assistance. • To assist with health and safety. • To support insurance claims. • To protect the physical environment.

- To investigate complaints and disciplinary issues, only as part of a formal complaint investigation.

The use of CCTV for any other purpose must be approved by the Director of Estates or their nominee, in consultation (as appropriate) with the University Records Manager.

2. Installation
Before installing a CCTV system or camera, the responsible area should conduct a Requirements and Privacy Impact Assessment and submit it to the Security Manager for advice.

3. Code of Practice
All CCTV systems must comply with the areas set out in the University Code of Practice available from the Security Office.

4. Signage
Signs must be appropriately displayed in the locality of the cameras indicating:
- The presence of monitoring and recording.
- The ownership of the system.

5. Audio recording
Any camera with the ability to make audio recordings will normally have this facility switched off.

6. Covert surveillance
Any covert surveillance must be authorised in advance and in writing by the Director of Estates or their nominee, in consultation with the Head of Human Resources, the Security Manager or the University Records Manager as appropriate.

Covert surveillance may only be used if all of the following criteria are met:

- Its use is part of a specific investigation.
- There are grounds for suspecting criminal activity or equivalent malpractice.
- The use of CCTV is the only reasonable way to investigate the matter.
- Informing people about the monitoring would impede the effectiveness of the monitoring.
- The cameras are not in 'private areas' such as toilets or individual offices (except in the case of suspected serious crime with the intention of involving the police).
- The covert surveillance must cease as soon as the investigation is complete.

7. Access to CCTV materials
Live footage must be monitored in a self-contained and secure area. Remote access to live images must be approved in advance by the relevant head of area and the Director of Estates.

Storage devices for CCTV images must have physical and electronic security arrangements in place, suitable for medium risk information.

Only Designated Staff and their management shall have direct access to live or recorded CCTV footage. Other requests to access CCTV footage, including from the subject of the image, should be dealt with in line with the relevant University policies and procedures, including:

- Guidelines on the disclose of information about staff
- Guidelines on the disclosure of information about students
- Freedom of information request handling
- Data protection request handling

There must be an audit trail to show who has accessed recorded footage.

Recorded data must not be copied, sold, otherwise released or used for commercial purposes, or for the provision of entertainment.

8. Staff training
The Nominated Officer, Designated Staff and anyone else with access to a CCTV room or CCTV recordings must receive appropriate training in the operation of the system, the legal requirements associated with it, and any relevant procedures and policies.

9. Systems maintenance
An appropriate maintenance programme must be established and implemented for all systems. This must include arrangements for prompt fault identification and repair.

10. Retention and disposal of recorded materials
CCTV recordings and other materials produced from them shall normally be retained for a minimum of 14 days and a maximum of one calendar month. If an incident is recorded that could give rise to claims against the University, these recordings must be kept for a period of 6 years from the date of recording.

Footage that has been requested for any other reason must be kept for a minimum of six months from the closure of the case.

Hard drives and other media must be destroyed securely as confidential waste.

DOCUMENT CONTROL	
Date approved	16 September 2015
Approving authority	Estates Committee
Consultation undertaken	Records Management, Accommodation Services, University's Security Section, Estates Committee.
Impact assessment	Parties contemplating CCTV installation should give careful consideration to the overall need including an E&D impact assessment.
Date of commencement	17 September 2015
Amendment dates	Every 5 years or when appropriate.
Date for next review	November 2020
Section responsible for policy maintenance & review	Director of Estates working with the Security Manager and Records Management.
Related Policies, Procedures Guidelines & Regulations	University Security Policy Building Access Control Policy CCTV Code of Practice

CENTRAL MANAGEMENT GROUP

10 November 2015

Policy on Speakers and Events; University Compliance Group

Description of paper
1.   The Counter-Terrorism and Security Act 2015 and related guidance requires the University to strengthen its policies and procedures around the management of events and external speakers. A Policy on Speakers and Events is proposed, together with a University Compliance Group which will consider high risk situations in this area.

Action requested
2.   Central Management Group is asked to approve the policy and the establishment of the University Compliance Group with the proposed terms of reference.

Recommendation
3.   As the University is already subject to the Prevent duty, it is recommended that CMG approve the policy and the establishment of the group with immediate effect.

Background and context
4.   The Counter-Terrorism and Security Act (2015) imposes a duty on Universities to "have due regard to the need to prevent people being drawn into terrorism" – "the Prevent duty". The University needs to amend policy and practice in a number of areas in order to comply with this duty. CMG reviewed and endorsed the proposed range of actions needed in this area at its meeting in September 2015.

5.   The major area of policy development has been the development of a Policy on Speakers and Events, setting out how the University will meet its Prevent duty obligations – and other statutory obligations – with regard to controversial events and/or external speakers. It has also been necessary to consider how the University will respond to concerns that a student is being drawn into terrorism.

6.   The consideration of controversial events and/or students who may be being drawn into terrorism is not straightforward, and decisions taken in these areas carry significant reputational risks. As well as a Policy on Speakers and Events, it is therefore proposed that a University Compliance Group is set up to advise the University Secretary on decisions in these areas.

Action requested
7.   Approve the policy and the establishment of the University Compliance Group with the proposed terms of reference

Risk Management
8.   Opponents of the Prevent duty have argued that it poses risks to freedom of speech. Both the Policy and the terms of reference for the University Compliance Group set out how the University will ensure that freedom of speech is protected, whilst recognising that freedom of speech must also be exercised within a framework of statutory obligations.

9.   Opponents of the Prevent duty have also argued that it will stigmatise and alienate Muslim students. Equality and Diversity risks are addressed below.

10. University Court have asked that actions taken with regard to the Prevent duty are proportionate. The Policy on Speakers and Events explicitly excludes the great majority of events and speakers on campus, i.e. those that form part of the University's normal academic and administrative business, as these are low risk.

11. The University must be able to demonstrate compliance with the Prevent duty, which became binding on higher education institutions on 28 September 2015. Failure to comply may ultimately lead to the University becoming subject to a direction from the Home Secretary.

Equality & Diversity
12. The Policy has been subject to an Equality Impact Assessment. This concluded that while the Policy applies to all students and staff equally, regardless of protected characteristic, the potential for adverse impact on certain religious groups will need to be monitored carefully. A report and analysis of cases considered will be produced for Court each year and these data will also be made more widely available.

Next steps/implications
13. Publication and widespread dissemination of the policy, if approved.

Consultation
14. Draft implementation plans were endorsed by Court on 21 September 2015.

Further information
15. *Author*   *Presenter*
    Gavin Douglas   Gavin Douglas
    Deputy Secretary, Student Experience Deputy Secretary, Student Experience
    September 2015

Freedom of Information
16. Open

A. POLICY ON SPEAKERS AND EVENTS

1. Context

Freedom of expression within the law is central to the concept of a university. To this end, the University seeks to foster a culture which permits freedom of thought and expression within a framework of mutual respect. As part of this, the University has a long and proud tradition of hosting speakers from around the world who come to the University to share their thoughts and insights, and help the University fulfil its mission of advancing and disseminating knowledge.

The Counter-Terrorism and Security Act 2015 and related guidance requires the University to strengthen its policies and procedures around the management of events and external speakers.

2. Purpose

The purpose of this Policy is to set out arrangements for the management of those events which are held under the auspices of the University but which do NOT form part of the University's normal academic or administrative business, so that the University can fulfil its legal obligations with regard to speakers and events, while maintaining at all times its commitment to freedom of thought and expression.

3. Principles

- The University recognizes and upholds the fundamental importance of freedom of thought and expression, and does not seek to restrict this fundamental freedom through this policy.
- Where the University, having considered the available information, believes that there is a demonstrable and serious risk that the speaker and/or those at an event may break the law, breach the University's statutory duties - including the need to prevent people being drawn into terrorism - and/or will pose a demonstrable and significant risk to the wellbeing of students, staff or visitors, it may require that certain conditions are met or , in exceptional circumstances, it may refuse to allow the event to go ahead.

4. Scope

This Policy applies to all staff and students of the University and to any other person in attendance at any event which has been duly authorised under this policy.

This Policy applies to any event:

- That is organized by students or staff at the University *and*
- That is held under the auspices of the University (including eg a student society), regardless of location *and*
- That is not directly related to the University's normal academic or administrative business.

5. Responsibilities

The University Secretary has ultimate responsibility for:

- agreeing to the provision of University accommodation for a speaker or event and/or
- granting permission for the University to be associated with an event

although she may delegate authorization of events deemed to be low risk to the Head of the Timetabling Unit, the Assistant Director, Business Development (within Accommodation Services), the Commercial Director of EUSA or managers of locally owned space. In the absence of the University Secretary responsibility rests with the Deputy Secretary (Student Experience).

The "University Compliance Group" has responsibility for supporting the University Secretary with consideration of events or speakers deemed to be high risk in relation to the University's statutory duties.

The Event Organizer is responsible for assisting the University in its statutory duties by:

- Informing the University of events they are organizing
- providing details of the event / speaker in a timely manner as required
- implementing any actions that may be required by the Secretary in order to ensure the event runs peacefully and lawfully.

The Room Booker is responsible for assisting the event organizer by submitting accurate and timely room booking requests to the relevant space owner, e.g. University Timetabling Unit (for events in centrally managed space).

The Head of the University Timetabling Unit, the owners of locally bookable space, the Assistant Director, Business Development (Edinburgh First) and the Commercial Director of EUSA are responsible for:

- Receiving room booking requests/event notifications.
- Requesting further information from the event organizer as needed.
- Ensuring that requests/notifications are competently assessed against a standard checklist and authorized if deemed to be low risk.
- Referring higher risk events to the University Compliance Group for further consideration.

Persons in attendance at events are responsible for:
- complying with the instructions of the event organizer.

6. Definitions
Centrally Bookable University space – a collection of teaching, meeting and event spaces for which bookings, subject to approval by the relevant authorizing department, can be requested by all staff and students

Event – a planned public or social occasion. As identified above, only events which do NOT form part of the University's normal academic or administrative business are within scope of the policy.

Event Organiser – a current student or member of staff who is responsible for oversight and management of the planned event. Where the event involves a third party booking, there must be a nominated Event Organizer from within the University community, such as a member of staff from Edinburgh First (for commercial bookings). An event organiser must be a named individual.

External Speaker – an individual who is not a current:

- student;
- member of staff;
- member of University Court; or
- holder of an honorary position at the University

who is invited to speak at a University event.

Held under the auspices of the University – an event is deemed to be held under the auspices of the University if:

- Regardless of who is organising it, it takes place on University-owned premises (including premises leased to EUSA) or
- Regardless of where it takes place, it is organised in the name of the University or one of is departments, including University-supported groups such as EUSA-affiliated student societies or EUSU-affiliated sports clubs.

Locally Bookable University space – a collection of teaching, meeting and event spaces for which bookings, subject to approval by the relevant authorizing department, can be requested by staff and students associated/attributed to the department in question

Owner of locally bookable space: the member of University staff with responsibility for authorizing use of that space by staff/students.

Statutory Responsibilities – the University's responsibilities with regard to events and speakers are governed by a wide range of legislative requirements including:

- The duty to have particular regard to the need to ensure freedom of speech, including its obligations under the Human Rights Act (1998)
- The duty to protect academic freedom (Further and Higher Education (Scotland) Act 2005)
- The duty to prevent people being drawn into terrorism (Counter Terrorism and Security Act 2015)
- The duty (Terrorism Act, 2000) not to arrange or assist in arranging a meeting in the knowledge that the meeting is to support the activities of a proscribed organisation, or is to be addressed by a person who belongs or professes to belong to a proscribed organisation
- The duty to eliminate unlawful discrimination against certain groups, and advance equality of opportunity between groups, (Equality Act 2010)
- Obligations under criminal law eg with regard to use of threats, incitement of violence, inflaming religious or racial hatred
- Obligations under charities law, ie whether the proposed activity is consistent with the University's charitable objects
- A general duty of care to students, staff and visitors, including avoiding placing students, staff or visitors in situations that may expose them to risks to their health and safety.

Room Booker - any member of staff outwith the University Timetabling Unit or Edinburgh First who uses University systems to request a room booking for an event.

7. **Arrangements and procedures**

   a) *University Events in Centrally Managed Space*

   i. The Event Organiser must give the University timely notice (typically at least 10 working days) of any event that will involve an external speaker or for which they require the use of centrally managed University premises. Notice is to be given by submitting a room booking request to the University Timetabling Unit (events to be held in centrally Bookable University space). The request should contain sufficient information about the event and/or the speaker to enable a short risk assessment to be carried out.
   ii. No room bookings can be confirmed until a properly completed room booking request or event notification form has been received by the Timetabling Unit.

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iii. On receipt of the completed Event Details form, the Head of the Timetabling Unit arranges for the form to be assessed against a standard checklist. Where the assessment suggests that the event is low risk, authorization is granted and the room booking confirmed. There is no need for any further approval by the University unless the circumstances of the event change (see below).

iv. Where the Event Organiser becomes aware of changes to the event such that
- an external speaker is now to be invited and/or
- the external speaker(s) have changed and/or
- the Event Organiser now has reason to believe that there is a risk that the speaker or event may break the law, breach the University's statutory duties and/or will pose a demonstrable risk to the wellbeing of students, staff or visitors

then they must inform the Head of the Timetabling Unit, by submitting a new booking request form, who arranges for the event to be re-assessed against a standard checklist and proceeds as per para iv) above.

v. Where the assessment suggests that the event is higher risk, event/speaker details are forwarded to the University Secretary's Office for further consideration by the University Compliance Group (see 9 below)

b) University Events in locally bookable space

i. The Event Organiser must give the University timely notice (typically at least 10 working days) of any event that will involve an external speaker or for which they require the use of locally managed University premises. Notice is to be given by submitting a request to the manager with responsibility for that locally owned space, in line with procedures in place locally. The request should contain sufficient information about the event and/or the speaker to enable a short risk assessment to be carried out.

ii. Managers of locally managed space must carry out an initial risk assessment of any event that is to be held in that space. A standard risk assessment form is available online for this purpose.

iii. Where the assessment suggests that the event is low risk, there is no need for any further approval by the University unless the circumstances of the event change (see below).

iv. Where the risk assessment suggests that the event is higher risk, the manager of that space must notify the University by forwarding details to the University Secretary's Office for further consideration by the University Compliance Group (see 9 below). In such cases, the event must not be confirmed or advertised until a properly completed authorisation has been received from the University Secretary's Office.

v. Where the Event Organiser becomes aware of changes to the event, or - where a block booking has been made - to one or more sessions within a series of events, such that:
- an external speaker is now to be invited and/or
- the external speaker(s) have changed and/or
- the Event Organiser now has reason to believe that the event poses a higher risk

then they must inform the University as set out in i) above.

c) Events facilitated by Edinburgh First

i. The Edinburgh First booking contract terms and conditions for all events includes an acknowledgement by the customer that they will take all appropriate means to advise Edinburgh First, and thus the University, as to the nature of the event and provide information, if so requested, on all and any speakers and on the content of their presentations. Furthermore, such contract terms and conditions must include an

acknowledgement by the customer to keep Edinburgh First appraised of any [material or significant] changes to the nature of the event of the speakers or the content of the speakers' presentations.

ii. When an event booking is received by Edinburgh First, the Assistant Director, Business Development arranges for the booking to be screened against a high level checklist.

iii. Where the initial screening suggests that the event is low risk, the event booking can be confirmed. There is no need for any further approval by the University unless the circumstances of the event change (see below).

iv. Family celebrations such as weddings, dinners, parties etc, and corporate bookings such as training events, away days etc will automatically be deemed to be low risk.

v. Where the assessment suggests that the event is higher risk, the Assistant Director, Business Development is responsible for requesting further information from the Event Organiser as to the precise nature of the event, details of the speaker(s) and such other information as is necessary. On receipt of this further information, the Assistant Director, Business Development arranges for the information to be assessed against a more detailed checklist. Where the detailed assessment suggests that the event is low risk, authorization is granted and the room booking confirmed. There is no need for any further approval by the University unless the circumstances of the event change (see below).

vi. Where the detailed assessment suggests an event poses a higher risk to the University, the Assistant Director, Business Development must notify the University by forwarding details to the University Secretary's Office for further consideration by the University Compliance Group (see 9 below). In such cases, the event bookings cannot be confirmed by Edinburgh First until a properly completed authorisation has been received from the University Secretary's Office.

vii. Where an Event Organiser becomes aware of changes to an event such that
- an external speaker is now to be invited and/or
- the external speaker(s) have changed and/or
- the Event Organiser now has reason to believe that there is a significant risk of unlawful conduct occurring at the event

then they must inform the Assistant Director, Business Development who arranges for the event to be re-assessed and proceeds as per para ii) above.

d) Events facilitated by EUSA

- When an event booking is received by EUSA, the Commercial Director at EUSA arranges for the booking to be assessed against a standard checklist. The request should contain sufficient information about the event and/or the speaker to enable a short risk assessment to be carried out.

- Where the assessment suggests that the event is low risk, the Event Organiser can confirm the event booking. There is no need for any further approval by the University unless the circumstances of the event change (see below). The Event Details form will be kept on file until three months after the event has passed

- Family celebrations such as weddings, dinners, parties etc, and corporate bookings such as training events, away days etc will automatically be deemed to be low risk

- Where the assessment suggests that the event is higher risk, the Commercial Director at EUSA notifies the University by submitting details to the University Secretary's Office for further consideration by the University Compliance Group (see 9 below). In such cases, the event bookings cannot be confirmed by EUSA until a properly completed authorisation has been received from the University Secretary's Office

- Where an Event Organiser becomes aware of changes to an event such that
  - an external speaker is now to be invited and/or

- the external speaker(s) have changed and/or
- the Event Organiser now has reason to believe that there is a significant risk of unlawful conduct occurring at the event

then they must inform the Commercial Director at EUSA, who arranges for the event to be re-assessed against a standard checklist and proceeds as per ii) above.

8.   The University Compliance Group

8.1 The University Compliance Group is chaired by the University Secretary or nominee, it comprises a number of key, senior staff with specific knowledge / expertise in the relevant legal and philosophical issues. Membership of the Group is set out separately in the Terms of Reference for the Group.

8.2 The Group, which may convene electronically if needed, assesses the information contained in the Event Details form against a range of established criteria including:
- The University's commitment to freedom of thought and expression.
- The University's statutory obligations.
- The provisions of this policy.

The established criteria used by the University Compliance Group when assessing events are set out separately in the Terms of Reference for the Group.

8.3 Before reaching a decision the Group may request further information from the Event Organiser, and may also seek further information from other sources.

8.4 The Group will recommend to the Secretary:
- Approving the event with no conditions;
- Approving the event but with certain conditions which the event organizer must undertake to comply with; or
- Refusing approval for the event.

8.5 The Secretary will write to the Event Organiser with the final decision and details of any conditions.

Where conditions are imposed, these will be communicated in writing to the Event Organiser on behalf of the University Secretary. The Event Organiser must ensure that the conditions are met in full, with support from University professional services such as Security where needed.

8.6 Recording of decisions

All recommendations made by the University Compliance Group and decisions taken by the University Secretary will be recorded, together with a summary of the reasons given. An annual report on numbers and types of decision taken will be submitted to University Court as part of the University's annual statement on compliance with the Counter Terrorism and Security Act 2015.

8.8 Right of appeal

Where the University Secretary has refused approval for an event, the Event Organiser may make an appeal against that decision to the University Principal. Requests for a review must be

made in writing to the Principal's Office no later than 10 working days after receipt of the original decision. The Principal or his nominee will hear the appeal as soon as is reasonably practicable. The Principal's decision will be final.

9. **Monitoring and review**

This policy will be reviewed periodically by Central Management Group.

B: "UNIVERSITY COMPLIANCE GROUP"

Terms of reference

1. Purpose

To have operational oversight of the University's obligations under the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people being drawn into terrorism ("the Prevent duty").

2. Remit
1. To maintain a shared awareness and understanding of the risks of radicalisation within the campus community;
2. To ensure that the statutory duty is addressed effectively; and
3. To advise the University Secretary on sensitive matters that may arise in relation to Counter-Terrorism and Security. Examples are:
   - deciding what action to take where concerns are raised that a member of the campus community may be being drawn into terrorism or;
   - deciding whether to allow a controversial speaker to visit the campus, and on what conditions or;

3. Governance
- Under the guidance published by the UK and Scottish government, University Court has responsibility for oversight of the University's implementation of the Prevent duty.
- The Compliance Group is chaired by the University Secretary as the officer approved by University Court to lead on the University's Prevent duty. The Group reports on its work to the University's Central Management Group and subsequently University Court on an annual basis.

4. Operation
- The Group meets once a year to review implementation and effectiveness of the University's planning and operations under the Prevent duty.
- The Group is convened at any other time when either:
   - a request is received from a member of the University community to hold an event or invite a speaker where it is believed that there a significant risk that the speaker or event may break the law, breach the University's statutory duties and/or will pose a demonstrable and significant risk to the wellbeing of students, staff or visitors. Such request will normally be sent to the Group by the Head of the Timetabling Unit, the Head of Edinburgh First or EUSA or
   - a member of the University community has raised concerns that student at the University is being drawn into terrorism.
- Where several such requests are received over a short timeframe, the Group may consider several requests at the same meeting.
- The Group is quorate when at least 4 members are present in addition to the Convenor.
- The Group may meet electronically if needed.
- The Secretary will normally take a final decision on the request at the meeting of the Group but may defer a decision where it is deemed necessary to do so.

5. **Composition**
   - The University Secretary (Convenor)
   - The Assistant Principal (Community Relations) – Professor Lesley McAra
   - The University's representative to the Scottish Higher Education Prevent Working Group (currently the Deputy Secretary, Student Experience) (Secretary)
   - The Head of Security (or their nominee)
   - The Director of Legal Services (or a Solicitor from Legal Services)
   - The University Chaplain (or her nominee)

The individual (staff member or student) responsible for organising an event may be invited to attend where this is felt to be appropriate.

6. **Assessing the risk of events / speakers**

   a. **Responsibilities and Expectations of Committee Members**

   All members are expected to recognise the University's profound and long-standing commitment to freedom of thought and expression.

   When assessing the risk of events / speakers:

   - there should be a presumption in favour of allowing events / speakers, with conditions if necessary, unless there is an overwhelming case that the speaker or event will contravene the law / the University's statutory duties and no mitigating actions can be imposed.
   - all members must help assess the risks of allowing the event to proceed by working to established criteria, which are aligned with the guidance issued by Universities UK on External Speakers in HEI's.* These are set out in Appendix A and may be revised from time to time in light of changes to the University's statutory obligations.
   - all members must be familiar with the provisions of the University's Policy on Speakers and Events.
   - where necessary, the Group may seek further information and/or advice from the individual organising the event, relevant professional bodies, from public sector agencies and organisations, from other Universities or from the University's lawyers, before making a recommendation.
   - Notwithstanding the above, the Group should seek to assess and return a decision to the event organiser within 48 hours.

   b. **Imposing conditions on events**

   The Group, having assessed an event / speaker against the established criteria, may recommend that the event may proceed but that certain conditions must be met / restrictions imposed, in order to ensure compliance with the University's statutory obligations.

   c. **Right of appeal**

   Event organisers may appeal to the Principal against a decision to not let an event proceed. In such cases, the Event Organiser may make an appeal against that decision to the University Principal. The Principal's decision will be final.

7. Students who may be at risk of being drawn into terrorism

Where staff involved in supporting a student have concerns that the student may be being drawn into terrorism, they should discuss those concerns with an appropriately trained senior manager, who will be able to advise further on whether the case should be passed to the University Secretary. Where cases are passed to the Secretary, she will convene a meeting of the University Compliance Group to discuss the case further and agree what actions to take.

Guidelines for the Group to use when considering such cases are attached as Appendix B.

If it is decided that information on the student is to be shared, the Group must record:

- What information was shared and for what purpose
- Who it was shared with
- When it was shared
- Its justification for sharing
- Whether the information was shared with or without consent

8. Records

All recommendations made by the University Compliance Group will be recorded, together with a summary of the reasons given. An annual report on numbers and types of recommendation made will be submitted by the Secretary to the Group to University Court as part of the University's annual statement on compliance with the Counter Terrorism and Security Act 2015.

*http://www.universitiesuk.ac.uk/highereducation/Documents/2013/ExternalSpeakersInHigherEducationInstitutions.pdf

Approved by: Central Management Group

Date approved: November 2015

APPENDIX A: Criteria for evaluating requests for events / speakers

1   Background

The University of Edinburgh ("the University") recognises that external speakers play a key role in furthering debate within the University. The University has a duty to ensure that freedom of speech, so far as is reasonably practicable, is secured for external speakers. However, the University must balance its obligation to secure free speech against its duty to ensure that the law is observed.

This checklist has been produced to assist the senior management team when considering external speaker requests. It identifies practical issues and the key legal issues that can arise where it is anticipated that an external speaker may address a controversial or sensitive issue. However, it is not a substitute for the guidance on external speakers produced by Universities UK and the Scottish Government[1]. Furthermore, the senior management should consider whether specific legal advice is required on a case by case basis particularly in relation to complicated cases.

2   The speaker and the topic

On review of an external speaker request the University should consider the following as preliminary issues:

- Is the speaker known to the University? Has relevant background information been obtained about the speaker?

- Has the speaker spoken at the University before? How was the event managed on that previous occasion?

- Has the speaker spoken at another higher education institute? How did they manage the event?

- Has an overview of the event and any advertisement has been provided to the University? Is that advertisement consistent with the University's policy on freedom of speech (see below)?

3   Reputational risks

- Where the speaker has attracted controversy in the past has the University communications team been fully briefed?

- Aside from the legal risks identified below, does the University consider that hosting the event or speaker will have significant reputational risks for it?

4   Legal risks

Each request will depend on its own particular facts and circumstances. It is therefore not possible to cover every scenario and the legal risks that could arise. Below this checklist identifies the key areas of legal risk and some of the factors the University should consider in relation to those risks.

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[1] Universities UK External Speakers in Higher Education Institutions guidance and the Scottish Government Prevent Duty Guidance: for Scotland.

<u>Human Rights & Freedom of Expression</u>

The University has a duty to have particular regard to the need to ensure freedom of speech. The University must also comply with the Human Rights Act 1998 ("the HRA") which protects freedom of speech.[2] Freedom of speech is broadly the freedom to hold opinions and to receive and impart information without interference.

Factors the University should consider in respect of freedom of speech include:

- Has the University balanced the right of the speaker to express views that might be offensive against the damage that may be done to the reputation or feelings of any individual?

- Notwithstanding that the views being expressed by a speaker might be offensive can measures be put in place to enable the event to proceed?

- Is it necessary and proportionate for the University to restrict the speaker's right to freedom of speech in the interests of safety, to prevent disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others or for preventing the disclosure of information received in confidence?

The HRA also protects the right to freedom of thought, conscience and religion[3] and freedom of assembly and association[4].

Factors the University should consider in respect of the right to freedom of thought, conscience and religion and freedom of assembly and association include:

- Will the event require an individual alone or together with others to manifest their religion or belief, in worship, teaching, practice and observance?

- Is there a risk that the event will lead to protests? Is any protest likely to obstruct or prevent access to any public road or university property? If so, can measures be put in place to manage any protest to enable the event to proceed whilst allowing peaceful protest?

- Notwithstanding the protections in the HRA, is it necessary and proportionate for the University to restrict the speaker's right to freedom of thought, conscience and religion in the interests of public safety, for the protection of public order, health or morals or for the protection of the rights or freedoms of others?

- Notwithstanding the protections in the HRA, is it necessary and proportionate for the University to restrict the speaker's or anyone attending the event's right to freedom of assembly and association in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health and safety or for the protection of the rights and freedoms of others?

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[2] The HRA incorporates the European Convention on Human Rights (ECHR) into Scots law. Article 10 of the ECHR protects freedom of expression.

[3] Article 9 of the ECHR.

[4] Article 11 of the ECHR

<u>Equality Act</u>

The University has a duty to comply with equalities legislation. That duty extends to its staff and students but can also extend to external speakers[5].

Factors the University should consider in respect of equalities legislation include:

- Could the event or the content of the speaker's speech or presentation be considered discriminatory, either directly or indirectly, or could it amount to harassment or victimisation?

- For example does it exclude people of a particular race or religion? Is it accessible to people with a disability? Is the speaker intending to make comments about a protected characteristic?

- Has the University complied with the public sector equality duty[6]? Has compliance been evidenced by the carrying out an equality impact assessment where appropriate?

- Has the University considered whether reasonable adjustments have been made to allow disabled students to attend the event? For example, are hearing loops available at the venue? Is there wheelchair access?

<u>Criminal Law</u>

A number of criminal offences can be committed by spoken words. Factors the University should consider in respect of the criminal law include:

- Could the event lead to a protest? Could that protest be sufficient to amount to a breach of the peace by causing fear and alarm or threatening a disturbance?

- Could the event or the content of the speaker's speech involve threats or violence, stir up religious or racial hatred because it uses or is likely to use threatening, abusive or insulting words?

- Does the speaker belong to, or is inviting support to, or is otherwise furthering the activities of a proscribed organisation under schedule 2 of the Terrorism Act 2000? If so, has the University considered its duty to report that individual to the police?

- Notwithstanding any risk of a breach of the criminal law can measures be put in place to manage that risk?

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[5] The Equality Act 2010 is about preventing discrimination in relation to "protected characteristics" namely, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

[6] The public sector equality public sector is set out in section 149 of the Equality Act which provides for: (1) the need to eliminate discrimination, harassment and victimisation; (2) the need to advance equality of opportunity between persons who share a relevant protected characteristics and persons who do not share it; and (3) the need to foster good relations who share a relevant protected characteristics and persons who do not share it.

<u>Defamation</u>

- An external speaker can be liable for defamatory remarks which are remarks that would lower the reputation of an individual in the minds of right-thinking members of society. The University should consider the risk of publishing any defamatory remarks by carrying them on its website or on other promotional materials.

<u>Data Sharing</u>

- Has the University received a request to share information about the speaker by the police or security services? If so, has the University considered whether it is fair and lawful for the information to be shared?

<u>Health & Safety / Duty of Care</u>

The University has duties under health and safety law to protect the health, safety and welfare of its employees and also people not in its employment.

- If an event is likely to generate a protest can measures be put in place to mitigate the risk to health and safety?

- Do the risks to health and safety created by the event or speaker outweigh the benefit of hosting the speaker?

<u>Academic Freedom</u>

- The University has a general duty to protect the academic freedom[7] of its staff. Although an external speaker will not be a member of staff the University should consider whether due regard has been had to the principle of academic freedom when considering an external speaker request and in particular when the University is looking to restrict the content of a speech.

<u>Charity Law</u>

- The University is a charity. Where relevant the University should consider whether the speaker or event is inconsistent with its charitable objects.

5   Edinburgh University Students' Association (EUSA)

- EUSA is a separate entity from the University and a registered charity. EUSA is not a public body so the legal risks in respect of human rights and equalities legislation identified above will not apply to it.

- However, the University could still be liable for a breach of human rights or equalities legislation that takes place on its premises.

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[7] Academic freedom is defined in section 26 of the Further and Higher Education (Scotland) Act 2005 as the freedom to: (a) hold and express opinion; (b) question and test established ideas and received wisdom; and (c) present controversial or unpopular points of view.

- An external speaker event that is being hosted on University premises by EUSA should therefore be assessed as normal.

- Where an external speaker event is being hosted by EUSA off-campus then EUSA should be asked to provide confirmation that it has assessed the event and put in place in measures to mitigate any risk to EUSA and the University. So far as possible EUSA's policy on external speakers should be consistent with the University's.

6   Third party bookings

- Legal and reputational risks will also attach to any third party bookings of University premises.

- The University's contractual terms for bookings should require the third party to use the premises in a manner consistent with the principles identified in this checklist.

7   Mitigation measures

Before approving a request the University should consider whether the following mitigation measures can be attached as a condition of approval.

- Can an alternative point of view to the speaker's be put forward so that both sides of a controversial issue will be presented?

- Has an advance copy of any slides, script or speech from the speaker been made available and an undertaking in place that the speaker will not depart from it?

- Is it appropriate to restrict the display of banners, placards or promotional material at the event in a manner that is consistent with the right to freedom of speech?

- Can the time, location, ticketing or guest list of the event be varied?

- Can the University enhance security arrangements including possible police attendance or stewards to allow the event to take place?

8   Decision

- Once this checklist has been worked through the University should either:

  o   Approve the request

  o   Approve the request with conditions

  o   Refuse the request

- The attached flowchart provides a summary of the decision-making process.

17

THE UNIVERSITY OF EDINBURGH

UNIVERSITY COMPLIANCE GROUP

PREVENT DUTY CHECKLIST – CONCERNS ABOUT STUDENTS

1   Background

The University of Edinburgh (the "University") has duties to safeguard its students in a variety of ways. The Counter-terrorism and Security Act 2015 (the "2015 Act") places a specific duty on the University known as the Prevent duty. The University is required, when exercising its functions, to have due regard to the need to prevent students and others from being drawn into terrorism.

Bodies subject to the Prevent duty must have regard to the appropriate statutory guidance, namely, the UK and Scottish Government guidance on the Prevent Duty for Higher Education Institutions in Scotland, and the Revised Prevent Duty Guidance issued on 16 July 2015 (together the "Guidance").

The University's policy is that staff who have concerns about a student should raise those concerns with the University Secretary. A meeting of the University Compliance Group should then be convened to consider the appropriate action to take.

When any University staff (including the University Compliance Group) are considering whether a particular student is at risk of being drawn into terrorism or extremism, they should review the Guidance in full. This checklist is intended to provide extra support to the senior management team by offering practical guidance on the key legal issues, to help them reach an appropriate and justifiable decision in each case.

2   Grounds for concern

It is impossible to point to indicators that demonstrate for certain that a person is being drawn into terrorist or extremist ideologies. Whether there is sufficient evidence to conclude that there is a risk to a particular student will be a matter of professional judgment for University staff.

Questions to consider include:

- Has there been a recent and noticeable change in the student's behaviour?

- Have they become withdrawn or isolated from/hostile to teaching staff, friends or peer groups?

- Have they been frequently absent from tutorials? Have they suffered health problems (including mental health issues)?

- Is the student an "adult at risk" of harm, within the meaning of the Adult Support and Protection (Scotland) Act 2007? This might make them more vulnerable to being drawn into extremism.

- Have they expressed intolerance towards more moderate views, or have they demonstrated extreme views regarding a section of society or government policy?

- Have they made any open statements suggesting a desire/intent to take part in or support extremist activity, for example in tutorial discussions or in written work? Under the UK Government's Prevent strategy, extremism is defined as, "vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs". It also includes calls for death of members of the British armed forces.

- Is there evidence that has come to light through application of the University's IT policy, in relation to the student's online activities? Have they been downloading, viewing or sharing extremist propaganda on the internet, including on social media sites?

- Has the student been found to be in possession of extremist literature?

- Does the student have any known connections with proscribed terrorist organisations or groups that hold or promote extremist views?

- If the student has been accessing extremist websites, might there be a good reason for them doing so (e.g. for academic or study purposes)?

- Are there reports of concerns from other individuals, such as friends or family, about the student's behaviour?

- How serious and credible is the information available to the University, looked at as a whole? Is there a genuine concern that the student may be drawn into extremism?

Having concerns that an individual may be at risk of being drawn into terrorism is not the same as suspecting that the individual is a terrorist; it means there are concerns that they are prone to being exploited by others.

3   Legal risks

Each time that a concern for a particular student arises, staff will need to consider the specific facts and circumstances. It is not possible to cover every scenario and the legal risks that might be relevant in all cases. The checklist below identifies the key areas of legal risk and some of the factors the University should consider in relation to those risks.

Freedom of Speech

The University is required by the 2015 Act to have particular regard to the need to ensure freedom of speech when fulfilling its Prevent duty.   The University must also comply with the Human Rights Act 1998 ("the HRA"), which

protects freedom of speech.[8] Freedom of speech is broadly the freedom to hold opinions and to receive and impart information without interference.

However, freedom of speech is a qualified right, meaning that interference with the right may be justified in certain circumstances. The Guidance makes clear that the University is expected to implement the Prevent duty in a proportionate and risk-based way.

Factors the University should consider in relation to freedom of speech include:

- Might the University's actions be perceived as an attempt to stop discussion of controversial issues? Will it limit or interfere with the free flow of ideas between students? Is there anything the University can do to mitigate that risk?

- Has the University balanced the right of students to express views freely (including views that might suggest a risk of them being drawn into extremism) against the damage that may be done to the reputation or feelings of others, or the risk of harm to the student or others?

- Is it necessary and proportionate for the University to restrict a student's right to freedom of speech in the interests of safety, to prevent disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others or for preventing the disclosure of information received in confidence?

<u>Academic Freedom</u>

The University must also have particular regard to the importance of academic freedom in exercising its duty under the 2015 Act. In addition, the University has a general duty to protect the academic freedom[9] of its staff.

- Has due regard been had to the principle of academic freedom when considering whether a student might be vulnerable to extremist views (particularly where the University's actions would restrict the content of any academic course or the freedom to express views in an academic setting)?

<u>Freedom of religion and freedom of assembly</u>

The HRA also protects the right to freedom of thought, conscience and religion[10] and freedom of assembly and association[11]. The Prevent duty is not about discouraging students from having political and religious views or taking part in group activities; it is about supporting them to act in non-extremist ways.

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[8] The HRA incorporates the European Convention on Human Rights (ECHR) into Scots law. Article 10 of the ECHR protects freedom of expression.
[9] Academic freedom is defined in section 26 of the Further and Higher Education (Scotland) Act 2005 [statutory reference may need to be updated subject to the progress of the Governance bill] as the freedom to: (a) hold and express opinion; (b) question and test established ideas and received wisdom; and (c) present controversial or unpopular points of view.

[10] Article 9 of the ECHR.
[11] Article 11 of the ECHR.

Factors the University should consider in respect of the right to freedom of thought, conscience and religion and freedom of assembly and association include:

- Does the University's concern about the student relate to the individual's manifestation of their religion or belief, either alone or with others, for example through worship, teaching, practice or observance?

- Notwithstanding the protections in the HRA, is it necessary and proportionate for the University to restrict a student's right to freedom of thought, conscience and religion in the interests of public safety, for the protection of public order, health or morals or for the protection of the rights or freedoms of others?

- Is there a risk that the University's actions will obstruct or prevent any meetings between student groups? Are there any measures that can be put in place to allow such meetings to go ahead safely?

- Notwithstanding the protections in the HRA, is it necessary and proportionate for the University to restrict the right of any students to freedom of assembly and association in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others?

Right to private and family life

Also in terms of the HRA, students have a right to expect that there will not be unlawful interference with their right to a private life, family and home.[12] An investigation into activities undertaken in the student's own time or disclosure of information to other agencies might breach the student's right to privacy.

- Will the actions of the University interfere with the student's right to a private and family life?

- Is the interference necessary and proportionate in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others?

Equality Act

The University has a duty to comply with equalities legislation in its dealings with all students and staff.

Factors the University should consider in respect of equalities legislation when exercising its Prevent duties include:

- Does the student have any protected characteristics under the Equality Act 2010? For example – religion or belief; race; disability?

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[12] Article 8 of the ECHR.

- Could any action taken by the University against a student be regarded as discriminatory, either directly or indirectly, on the basis of the student's protected characteristic(s), or could it amount to harassment or victimisation of the student?

- Has the University complied with the public sector equality duty13? For example, in undertaking its Prevent duty, has the University considered the need to advance equality of opportunity and foster good relations between people of different faiths? Has compliance been evidenced by the carrying out an equality impact assessment where appropriate?

Criminal Law

The Prevent strategy is intended to operate in the 'pre-criminal space' and is chiefly about protecting and safeguarding vulnerable individuals at risk of being drawn into extremism

Nonetheless, the Prevent duty will sometimes overlap with UK anti-terrorism legislation.

- Is there reason to suspect that a student has been involved with any of the proscribed organisations in schedule 2 to the Terrorism Act 2000?

If the University suspects that a student has engaged in illegal terrorist-related activity, it should refer the matter to the police and the security services. The University should not wait until it has definitive proof that a student has taken part in terrorist activities before going to the police. The University has a duty to report suspected terrorism offences and activities and failure to comply is a criminal offence.[14]

Data Sharing / Data Protection

The Prevent strategy includes a requirement for organisations to work in partnership where concerns about terrorism or extremism arise. The University's Prevent and CONTEST[15] network for central support and monitoring of the duty in practice is explained more fully in the policy on the Prevent duty.

At times, the University may need to share personal information about students to ensure that a person at risk of radicalisation is given appropriate support and to ensure that they do not present a threat to others. The police or security services may need to be notified if the University suspects that a crime has been committed. What information will be appropriate to share and with whom must be assessed on a case-by-case basis.

The University should consider the following issues:

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[13] The public sector equality public sector is set out in section 149 of the Equality Act which provides for: (1) the need to eliminate discrimination, harassment and victimisation; (2) the need to advance equality of opportunity between persons who share a relevant protected characteristics and persons who do not share it; and (3) the need to foster good relations who share a relevant protected characteristics and persons who do not share it.

[14] Section 19 and 38B of the Terrorism Act 2000.

[15] CONTEST is the UK Government's overall counter-terrorism strategy.

- Is it fair and lawful for the information to be disclosed?

- Has the student consented to the information about them being shared with others? Would it be appropriate to ask for the student's consent in the circumstances, or is that more likely to cause harm?

- Can the sharing of the information otherwise be justified on the basis of one of the conditions for lawful processing in Schedule 2 (or, in the case of sensitive personal data, Schedule 3) of the Data Protection Act 1998? For example, can the disclosure be said to be necessary: for the administration of justice; for the exercise of any function conferred on the University by or under an enactment; or for the exercise of a function of a public nature exercised in the public interest?

- Does one of the exemptions in the Data Protection Act 1998 apply? This might be the national security exemption in section 28 (where disclosure is required for the purpose of safeguarding national security) or the crime prevention / detection exemption in section 29 (where non-disclosure of the data would prejudice the prevention or detection of crime or the apprehension or prosecution of offenders).

- Is there evidence that the student is actually engaged in the planning or undertaking of terrorist acts? If so, consent will not be required to share the information with the police and other partner agencies. The student should not be told that the information is being disclosed, as to do so might prejudice the prevention or detection of crime.

- Is it necessary and proportionate to share the personal data? Why does the information need to be shared? What harm might it do to the individual? What are the risks to the individual and to others if the information is not shared?

- Is the information confidential? Did the student disclose the information to the University in circumstances where they expected it not to be disclosed further? Is the student's interest in the privacy of the information being maintained outweighed by the need to protect the student or others from harm?

- How much information is it appropriate to share? Consider whether only some, more limited, information might be sufficient for the purpose in question, e.g. to establish whether the case should be managed under Prevent or as a counter-terrorism case.

Health & Safety / Duty of Care

The University has duties under health and safety law to protect the health, safety and welfare of its employees and also people not in its employment. The University has a duty of care towards its students – both those vulnerable to radicalisation and those who might be put at risk from the implementation of extremist ideas.

- Do the views of any student pose a risk to the health and safety of others within the University?

- Is any student or member at staff at risk of harm? Does the University have a duty to act to protect them?

4   Reputational risks

As well as the legal issues outlined above, the University will want to consider any reputational implications that might flow from either failing to act on information to protect a student suspected of being influenced by extremist views, or taking action which could be seen to infringe the basic rights and liberties of students.

- Aside from the legal risks identified above, does the University consider that taking action under the Prevent strategy, or deciding not to take any action, might have significant reputational risks for it?

5   Decision

Once this checklist has been worked through the University can reach a decision on how to act in a given case. Possible outcomes include:

- taking no action, on the basis that there are insufficient grounds for believing that the student is being drawn into terrorism or because any action would be unnecessary or disproportionate to the risks;

- speaking to the student about the concerns;

- offering and providing support to the student to reduce vulnerability to being drawn into terrorism;

- referring the matter on to other agencies, including the Prevent sub-group of the Multi-Agency Strategic CONTEST Board for Scotland, the local multi-agency CONTEST group and via the Prevent Professional Concerns network[16];

- reporting the matter to the police (via the local Prevent Delivery Unit) and security services, if there are reasonable grounds for believing that a crime has been committed;

- if appropriate in terms of the University's Code of Student Conduct, taking disciplinary action against the student; and

- taking steps to protect other students or University staff from any risk of harm.

The attached flowchart provides a summary of the decision-making process.

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[16] Prevent Professional Concerns is the multi-disciplinary process in Scotland for sharing information about an individual who may be vulnerable to exploitation leading to terrorism or violent extremism.