



University of the  
Highlands and Islands  
Argyll College

Oilthigh na Gàidhealtachd  
agus nan Eilean  
Colaiste Earra-Ghàidheil

A meeting of  
**Argyll College Human Resources & Remuneration Committee**  
to be held at 11.30 am on Friday, 18<sup>th</sup> May 2018  
CERC, Lochgilphead, Kilmory Industrial Estate, Lochgilphead PA31 8SH  
Tel 01631 559 830

## A G E N D A

Item		STATUS	PAPERS
18.2.1	<b>Welcome &amp; apologies for absence</b>		
18.2.2	<b>Declarations of interest &amp; to identify any items deemed confidential</b>		
18.2.3	<b>Minute of meeting 23<sup>rd</sup> February 2018</b>	For approval	Attached
18.2.4	<b>Matters arising</b>		
18.2.5	<b>New staff induction process: draft</b>	For Information	Attached X 3
18.2.6	<b>New staff appraisal process: draft</b>	For approval	Attached X 3
18.2.7	<b>Polices for approval:</b> (a) Staff grievance – updated (b) Safeguarding Policy – updated (c) Code of Conduct	For approval	Attached To follow Attached
18.2.8	<b>GDPR: new data protection legislation - update</b>	For Information	Attached
18.2.9	<b>Personnel issues: nothing to report</b>		
18.2.10	<b>Summary of recruitment</b>	For Information	Attached
18.2.11	<b>AOCB</b>		
18.2.12	<b>Date of next meeting: Friday, 24<sup>th</sup> August 2018 at CERC, Lochgilphead</b>		

Please send any apologies or questions to Fi (Secretary to Board): [fiona.fenn.smith@uhi.ac.uk](mailto:fiona.fenn.smith@uhi.ac.uk) /  
mobile: 0789 174 5766



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**Minutes of the Argyll College Management Board  
Human Resources & Remuneration Committee  
held at 1.30 pm on Friday, 23<sup>rd</sup> February 2018  
at CERC, Lochgilphead**

**Present:** Ken Jones, Chair (KJ); Martin Jones (MJ); Fraser Durie, (FD) & Jennifer Swanson (JS).

**In Attendance:** Ailsa Close (AEC); Elaine Munro (EM); Fiona Fenn-Smith (FS) (Secretary).

No	Item	Action
18.1.1	<b>The Chair welcomed</b> Jennifer Swanson to her first meeting of the HR&R Committee.	
18.1.2	<b>Apologies for absence &amp; declarations of interest.</b> Apologies received from Andrew Campbell. No declarations of interest.	
18.1.3	<b>Minutes of meeting 24<sup>th</sup> November 2018.</b> Approved as an accurate record of the meeting. FS to bring to board meeting for signature.	FS
18.1.4	<b>Matters arising. None</b>	
18.1.5	<p><b>2016/17 Annual HR report to committee.</b> (Previously circulated.) Collated by college's HR Officer and to be presented on an annual basis. Outlines the following key areas:</p> <ul style="list-style-type: none"> <li>Cost of staff absence at £14.5k, but does not include cover costs. May need to review staff sickness pay policy, but it is in line with the college sector. Figure does not include cover costs. Cover provided where possible but difficult given very part time teaching staff and dispersed nature of college. HR monitors sickness absence.</li> <li>Staff disciplinarys: very low due to action taken at informal stage.</li> <li>Staff grievances – not a real issue. Low level grievances because mostly college is happy place to work, and issues tend to be dealt with at early stage.</li> <li>College about to put in place a formal appraisal process.</li> <li>Age profiling and staff splits. Table shows all staff college employs. Useful charts showing staff in each location.</li> </ul> <p>EM asked committee if there was anything else they wish to see added to the report. JS said it will be useful to see a comparison from year to year. Agreed this will be reflected in the next report that will be submitted to the November sub committee meeting for 2017/18 academic year.</p>	EM
18.1.6	<b>2016/17 Annual staff training report to committee.</b> (Previously circulated.) Report showing what training is available and taking place. It	

	shows that there is an interest by some teaching staff in progressing their study to Masters level. Noted that training budget is maximised and that staff are encouraged to disseminate any training undertaken to other staff and teams, where possible.	
18.1.7	<b>Gender action plan.</b> (Previously circulated.) SF requirement for all colleges to produce their own gender action plan. Committee to approve before presenting to board. EM said it was a pragmatic plan with realistic actions and while there remained some curriculum areas with gender imbalances marketing and promotion of these areas is open to everyone. Will be measuring progress on this year to year. <b>Approved by committee.</b>	EM/FS
18.1.8	<b>Gender pay gap report.</b> (Previously circulated.) Median value is used and college is within the norms for the Highland & Islands region. Scotland overall is at 15% and college is just over 20% Part of the issue is that the majority of staff are female at a ratio of 104:54 Rate of pay is gender neutral – there is one rate for the job, but most low pay work is done by females eg nursery and cleaning staff. All jobs are advertised in line with Equal Opportunities legislation.  KJ said it might be useful to include some bench-marking figures and put into a standardized format and compare year on year. <b>ACTION:</b> To go to the board for approval.	EM/FS
18.1.9	<b>Personnel issues.</b> Nothing to report.	
18.1.10	<b>Summary of recruitment (Dec to Feb).</b> Recruitment: 2 x part time teaching staff appointed: 1 Hairdressing & 1 Horticulture. Leavers: 1 x full time DYW Officer, 1 x part time Horticulture tutor – Dunoon & 1 x part time Nursery Support Worker.	
18.1.11	<b>AOCB.</b> (a) <b>Content of meetings.</b> Members agreed to think about what else they would like discussed at/reported to the meeting. (b) Noted that there were <b>no policies</b> needing review/approval for this meeting. (c) <b>Staff induction</b> programme will be submitted to next meeting.	EM/FS
18.1.12	<b>Date of next Human Resources &amp; Remuneration Committee.</b> Friday, 18 <sup>th</sup> May 2018 at CERC in Lochgilphead.	
	<b>Signed by</b>  ..... <b>Date</b> ..... <b>Chair of Human Resources &amp; Remuneration Committee</b>	

**To: Human Resources and Remuneration committee**

**Date: 18 May 2018**

**Status: For information**

## **Agenda item 5 – Staff Induction**

The attached is an early draft of an induction process for all staff and induction for teaching staff only. A small sub group of college staff are involved in developing this: the HR Officer, HR Administrator, Quality Officer and a Curriculum Lead.

### **All staff – induction presentation**

To be used to inform all staff newly employed by the college. It contains basic general information about the college including an organisation chart, staff in key posts and their main remit, information on Sharepoint, the on line repository where all policies and corporate documents are held, information on Cascade, the HR System. The presentation also provides links to the college mission and strategy.

This is a work in progress with additional items to be added with the aim of finalising for new (and possibly existing) staff starting from September 2018.

### **Teaching staff**

Induction planned to link to the Teaching in Scotlands College's qualification to ensure that all new tutors at least have the basic qualifications to tutor in the college within the first year of employment. A mapping exercise with the qualification is being carried out but the expectation is that this will take the form of a longitudinal induction with 8 thirty minute sessions being carried out over the academic year. Sessions may include videos with designated members of staff then answering questions, confirming and clarifying points. Areas covered will include the following:

**College context** - what it means to teach at FE/HE level; funding; college regions

**Sector influences and initiatives** - college policies, procedures etc

**Learning engagement and lesson planning** - objectives, structuring lessons appropriately.

**Learning and teaching** - active learning, teaching activities etc

**Assessment practice** - formative, summative, peer, self, criteria

**The power of feedback**

**Professional Development** - Link to the PDA/ college policies on development and training

# STAFF INDUCTION

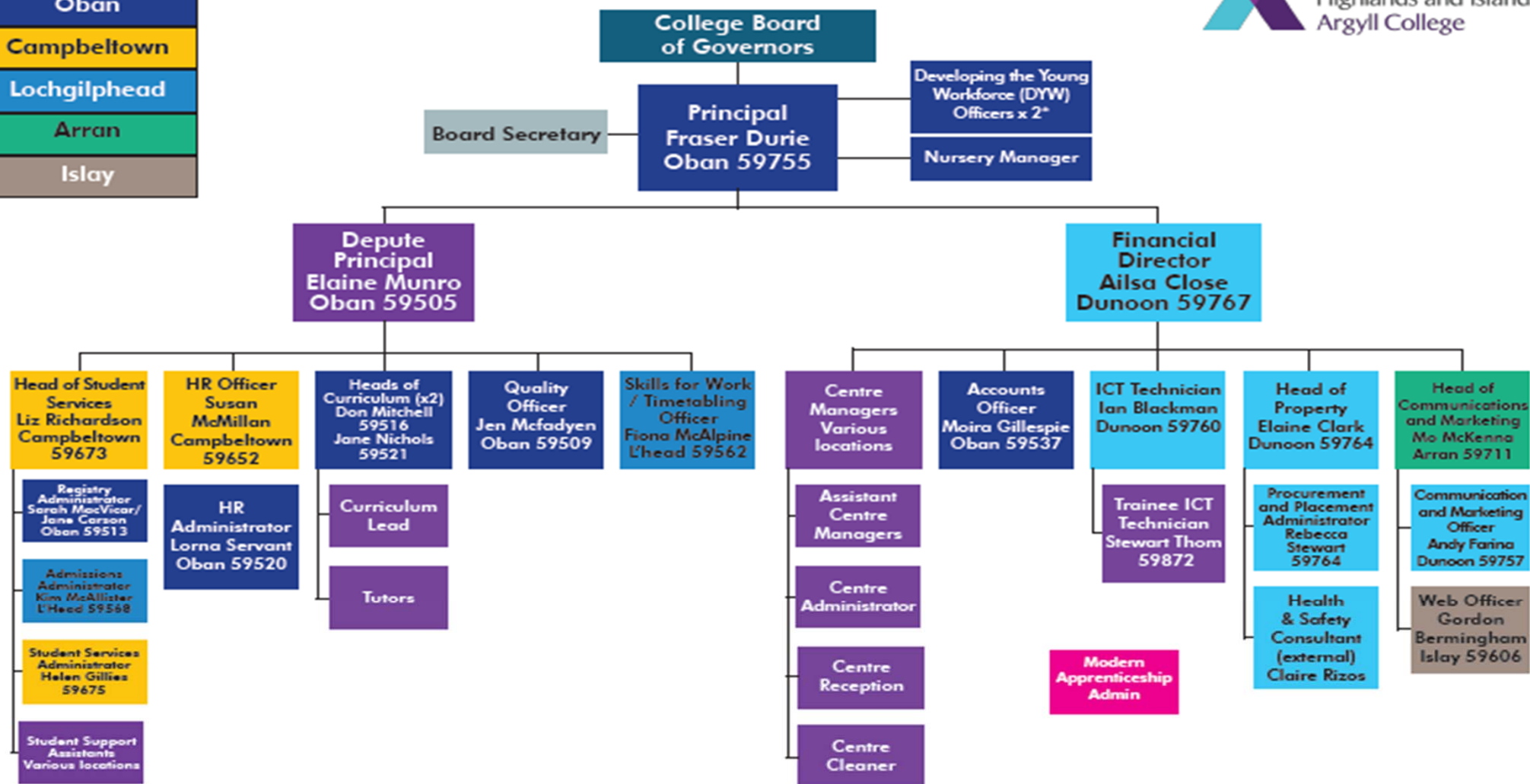
# Staff Induction

- This induction aims to provide some further information and resource links for all staff. It will include:
  - Argyll College UHI Mission Statement and Strategic Plan
  - Organisational Chart with locations, roles and contact details
  - Condensed job descriptions
  - HR Department
  - Links to policies
  - SharePoint
  - Cascade
  - Sickness reporting

# Mission Statement and Strategic Plan

- Mission statement:
  - “Argyll College UHI will provide high quality innovative education opportunity, act as an economic driver to enhance to enhance the skills and development of the local economy and develop a reputation for excellence which will encourage students to study in the communities we serve”.
- Strategic Plan:
  - [Mission Statement and Strategic Plan](#)

Various
Oban
Campbeltown
Lochgilphead
Arran
Islay



# Job Descriptions

- **Principal – Fraser Durie (Oban)**
  - The principal has overall responsibility for the college and as Head of Centre for SQA and all other awarding bodies that the college contracts with.
- **Depute Principal/Quality Manager – Elaine Munro (Oban)**
  - Manage specific functions of Argyll College and provide a reporting line for these functions. Deputise for the principal when required. Quality Manager has ultimate responsibility for all academic areas.
- **Finance Director – Ailsa Close (Dunoon)**
  - To support the college in the development of finance strategies, managing operational activity and the effective running of systems, procedures and staff to provide customer focussed service.

# Job Descriptions

- Head of Curriculum – Don Mitchell and Jane Nichols (Oban)
  - Heads of curriculum have overall responsibility for specific curriculum areas, oversee course development, monitor the quality of materials, learning and teaching and course delivery whilst ensuring the validity and currency of the qualification being delivered.
- Quality Officer/SQA Coordinator – Jen McFadyen (Oban)
  - Main point of contact between SQA and Argyll College, ensures the effective flow of communication, between the college and SQA.
  - Facilitates and organisation of external SQA exams, the management and secure handling of the internal assessment materials.
  - Ensure compliance with the awarding body regulations and requirements.

# Job Description

- Head of Student Services – Liz Richardson (Campbeltown)
  - Overall responsibility for the registry function of the College, for Student Support services – ensuring additional support needs are identified.
  - Responsible for college library function.
  - Attend annual audit meeting with SQA Co-ordinator.
- SITS Registry Administrators – Sarah MacVicar and Jane Carson (Oban)
  - Registry and admissions will ensure that all student information is accurate and held securely.
  - SITS staff ensure students are enrolled on the relevant courses, units and modules according to awarding body regulations.
  - Registry staff track registers/CAMS accuracy for student attendance and bursary purposes.
  - Ensuring Awarding Body requirements are adhered to and deadline dates are met.

# Job Descriptions

- Centre Management Staff – all centres
  - To provide local support to individuals studying at an Argyll College (including PAT roles).
  - To market the centre within the local community and develop links with groups, organisations and businesses in Argyll.
  - To manage and administer the centre in line with college policy and procedures.
  - To contribute to the wider UHI network and its activities.
- Curriculum Leads
  - To lead and develop the curriculum areas allocated.
  - To line manage tutors in allocated curriculum areas.

# Human Resource Department

- HR Officer – Susan McMillan (Campbeltown)
  - Normal working hours are Tuesday (9-8pm), Wednesday (9-8pm) and Thursday (9-5.30pm).
  - [Susan.mcmillan@uhi.ac.uk](mailto:Susan.mcmillan@uhi.ac.uk)
  - Oversees the HR function for the college.
  - Developing staff HR policies, and ensuring HR procedures are followed.
  - Providing advice, guidance and support to line managers when faced with personnel issues.
  - Complete and review Equality Impact Assessments (EIAs) for all college policies.
  - Working closely with HR Administrator to ensure online HR system (Cascade) is maintained and updated with relevant staff data.

# HR Department

- HR Administrator – Lorna Servant (Oban)
  - Normal working hours are Monday – Friday 6.30am-2.30pm
  - [Lorna.servant@uhi.ac.uk](mailto:Lorna.servant@uhi.ac.uk)
  - Collation and inputting monthly salary pre processing.
  - Calculating salaries, providing registers and timesheets for teaching staff.
  - Creating and issuing contracts.
  - PVG processing and monitoring.
  - Sickness absence recording.
  - Recruitment processes.
  - Cascade super user.

# Policies – Public and Staff

- There are 2 main types of policy and procedures available for all employees of the college – public facing and staff facing.
- Public facing policies are on the website and are available from:
  - <https://www.argyll.uhi.ac.uk/about-us/structure-and-policies/#wysiwygTab-content-1>
  - Examples of public facing policies are; Data Protection, Equality and Diversity and Recruitment, Selection and Retention
- Staff policies are on SharePoint, available from:
  - <https://myuhi.sharepoint.com/sites/ac/G/policies/Argyll%20College%20Staff%20Policies/Forms/AllItems.aspx>
  - Examples of staff policies are; Staff Discipline, Staff Grievance and Flexible Working

# SharePoint

- This area will eventually be the main storage area for all documents/policies/working papers for all departmental areas of Argyll College.
- The link below will provide a short tutorial video on the new SharePoint site. When it asks for your login details, please input your AR number and usual password. This video will give you a good overview of the site.
- [SharePoint](#)

# Cascade

- Cascade HR is an online Human Resources database used by Argyll College to store data on all employees who work for the organisation. It also incorporates a “self-service” function where employees are able to access their own data. The following pages provide instructions on all the main “self-service” functions.
- It is accessed at: <https://argyllcollege.cascadecloud.co.uk>
- Cascade is used for recording holidays, absences, CVs and qualifications, recruitment data, training records and staff access their payslips.
- A user guide for Cascade is given to all staff on commencement of employment, and is available on SharePoint

# Sickness Reporting

- It is vital ALL staff report ALL sickness absences and follow the process outlined in the Short Term Sickness Reporting Policy and Procedure.
  - <https://myuhi.sharepoint.com/sites/ac/G/policies/Argyll%20College%20Staff%20Policies/SHORT%20TERM%20SICKNESS%20POLICY%20AND%20PROCEDURE%20EIA.pdf>
  - At the end of the policy there is a flowchart outlining the process that ALL staff need to follow when reporting sickness absence.

# Teaching in Colleges Today (TICT)

– level 7 qualification awarded by Colleges Development Network (CDN).

<https://professionallearning.collegedevelopmentnetwork.ac.uk/course/view.php?id=75>

(Requires you to sign up for an account – but its free).

## Topic areas within this TICT qualification

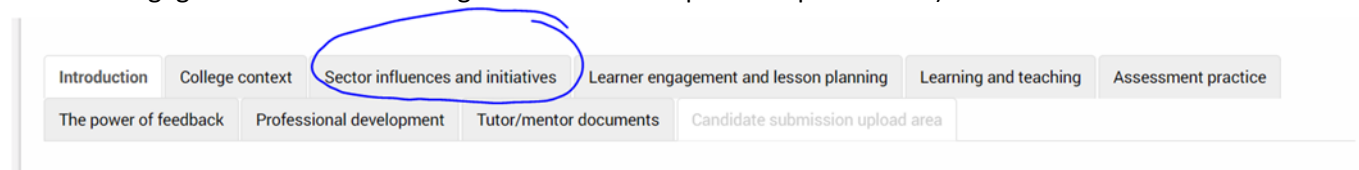
The image below shows the topic areas that are suggested for completion of the TICT qualification. Could we follow this structure within our induction process?

The highlighted ‘sector influences and initiative’ refers to college policies – could be split into two if we have loads (we mentioned registers, cams, etc).

Not all topics would be relevant to all staff – ‘college context’ refers to funding, college regions, etc. (Not relevant to tutors?) ‘The power of feedback’ is, I guess, less relevant to non-teaching staff.

Each one of these could be a different session – so one a month for eight months – with an observation and lesson plan written out (for teaching staff only) at the end of the first year’s teaching.

Staff could watch the relevant recorded session and then have a 15/20 minute session with a designated experienced member of staff afterwards, to discuss any questions. (Face to face would increase engagement here – one designated ‘induction specialist’ per centre?)



## Evidence Requirements

The table below shows the evidence requirements for Outcomes 1 and 2. The assessment evidence comes through a completed lesson plan and observed lesson. However, the highlighted topic areas are where we could tie Argyll College processes in.

E.g. ‘learning technologies’ – could tie in the VC induction

‘Approaches to inclusive assessment’ – could tie to wider issues of inclusivity/access

‘Management of the learning process’ – could tie in (tenuously) to wider processes e.g. registers / bursaries etc

‘Evidence of using assessment to support learning’ – could tie to IV processes/use of ASPs etc.

Outcome 1 - Manage the learning process through lesson planning		
Evidence Requirements	Assessor comments	Achieved N/A

<b>Produce a Lesson Plan with a clear structure for delivery which includes:</b>		
- lesson aims and objectives		
- pacing and sequencing		
- teaching approaches		
- engaging learner activity		
- teaching materials		
- learning technologies to enhance learning		
- approaches to inclusive assessment		
<b>Outcome 2 - Manage the learning environment through learner engagement *</b>		
<b>Evidence Requirements</b>	<b>Assessor comments</b>	<b>Achieved N/A</b>
<b>An observed lesson which includes:</b>		
- effective learner engagement		
- management of the learning process		
- active engaging learning		
-evidence of opportunities to develop essential skills		
-evidence of opportunities to develop new knowledge		
-promotion of inclusive learning		
- evidence of using assessment to support learning		

To justify all of this – think of the process that teaching staff have to go through to become a teacher in any other sector – primary, secondary etc. We need to have the same level of professional commitment and integrity for teaching staff in the tertiary sector. Can we link this to requirements from HMIE etc?

**To: Human Resources and Remuneration committee**

**Date: 18 May 2018**

**Status: For approval**

### **Agenda item 6 – Staff Appraisal**

The following is a suggested staff appraisal system for implementation from 2018/19 academic year. The appraisal form and guidance notes are attached.

The expectation is that all staff receive an annual appraisal. However, with the large number of very part time teaching staff employed this may be challenging for some line managers, who line manage in excess of 20 teaching staff. To try to get this system embedded, initially appraisals will be carried out with all core non-teaching staff, Curriculum Leads and all Full Time teaching staff, with a view to widening this to all teaching staff from 2019/20 academic year.

A screen in Cascade, the on-line HR system used by the college, replicates the staff appraisal form, allowing line managers to populate the Cascade screen during appraisal rather than upload the document following appraisal.

The HR Officer plans to implement a system to remind line managers when appraisals are due and follow-up appraisals not carried out, to help embed the process into the culture of the college.

As part of the on-going training for Curriculum Leads there is an HR session scheduled for June and appraisal training will form part of this, given many of the curriculum leads are new to line management or at least line management within the college.



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## **Guidance Notes for Appraisal**

### **Main purpose of the appraisal meeting:**

To discuss with the line manager current job performance, and future performance. The discussion should aim at a clearer understanding of:

- The main scope and purpose of your job.
- Agreements on your objectives and tasks.
- Standards and targets for measuring your performance.
- Your training and future prospects.

### **What are the benefits of appraisals?**

- Help improve employees' job performance by identifying strengths and areas for development and improvement.
- Determine how strengths can be best utilised within the organisation.
- Agree how areas for development and improvement can be dealt with.
- Help to reveal problems which may be restricting employees' progress and causing inefficient work practice.

### **Who should carry out the appraisal?**

- Employees should be appraised by their immediate line manager

### **How often should appraisals take place?**

- Although most employees will receive a formal appraisal annually, more frequent appraisals are often needed for new employees, staff who have moved to a new post or those who are below acceptable performance standards.
- Employee appraisals should be a continuous process and not be limited to the formal review once a year. Line managers should be approachable and available to discuss issues with staff they line manage whenever required throughout the year.

### **Carrying out successful appraisals;**

- Written records are essential – they provide feedback to employees and allow for the process to be monitored by senior management (if required) for effectiveness.
- The job description helps to focus on the employees' performance at work and avoids assessing character.

### **Preparing for the appraisal meeting**

- Employees should be given adequate notice of appraisal meeting. The date and time should be mutually agreed.
- The meeting should be free of interruptions and adequate time set aside to complete, it would be expected to last approximately an hour

### **Structure of the appraisal meeting**

The line manager should:

- Explain the purpose of the appraisal
- Discuss the job in terms of its objectives and demands
- Encourage employee to discuss his/her strengths and weaknesses
- Discuss how far the objectives have been met
- Agree future objectives
- Discuss any development needs, for both existing role and future planning.
- Summarise the plans which are agreed.

### **During the appraisal meeting**

- Try to avoid leading questions and closed questions which will have a yes or no answer.
- It is preferable to discuss the employees strengths first and discuss good work already done.
- Perhaps ask the employee what they feel has been successful, or what they are least pleased with.
- If it is necessary to improve performance try not to gloss over the employees weak points, it is important to encourage the employee to discuss their weaknesses openly and to encourage them to suggest ways in which they can improve.
- Line managers should not impose their own solutions, these should emerge as a result of joint discussion and agreement.

### **After the appraisal meeting**

- The line manager should summarise the main points of the discussion and the actions agreed, completing the appraisal form and providing a signed copy for the employee.
- It is essential that managers follow up any points that arise from the appraisal and carry out agreed actions within a reasonable timeframe.



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## **STAFF APPRAISAL RECORD**

Name:
Job Title:
Manager:
Date of Meeting:

<b><u>Current performance:</u></b>
<i>(This section records discussion on the key areas of the job, and a summary of achievement).</i>
1.
2.
3.

<b><u>Development Summary:</u></b>
<i>(This section records areas of performance that are particularly strong and can be developed further or areas where further training and/or support may be required).</i>
1.

2.
3.

<b><u>Development and Training:</u></b>
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<i>(This section can list requirements for specific training or development, not limited to courses, may include projects, coaching or any suitable activity that will enhance skills, knowledge and behaviour to develop employee further)</i>
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<b><u>Career Planning:</u></b>
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<i>(Record any area in which the employee has expressed a specific interest).</i>
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<b><u>Other areas for discussion:</u></b>
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<i>(Record any other points raised at the appraisal meeting).</i>
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<b><u>Assessment Level:</u></b>
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<i>This is based on performance over the year against objectives achieved.</i>
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Outstanding performance: <i>(objectives exceeded and competencies more than fully demonstrated).</i>
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Standard Performance: <i>(objectives met and demonstrated at required levels).</i>
Less than standard performance with development needs: <i>(most objectives met but development required to fully meet all).</i>
Unsatisfactory performance: <i>(performance unacceptable, objectives not met, competencies not demonstrated).</i>

Employee signature:
Appraiser's signature:
Date:

*Once completed copy kept by the appraiser, one by the appraisee and one in the employee personnel file.*



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## STAFF GRIEVANCE POLICY

<u>Policy Number:</u>	<a href="#">SGP1</a>
<u>Revision Number:</u>	<a href="#">2</a>
<u>Date of Issue:</u>	<a href="#">April 2014</a>
<u>Status:</u>	<a href="#">Final</a>
<u>Date of Approval:</u>	<a href="#">April 2014</a>
<u>Responsibility for Policy:</u>	<a href="#">HR Officer</a>
<u>Responsibility for Implementation:</u>	<a href="#">HR Officer</a>
<u>Responsibility for Review:</u>	<a href="#">HR Officer</a>
<u>Date of Last Review:</u>	<a href="#">Feb 2018</a>
<u>Date of Last Revision:</u>	<a href="#">Feb 2016</a>
<u>Date of Next Review:</u>	<a href="#">Feb 2022</a>
<u>Date of Equality Impact Assessment:</u>	<a href="#">31 March 2017</a>

<u>Policy Number:</u>	<a href="#">SGP1</a>
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Revision Number:	2
Date of Issue:	April 2014
Status:	Final
Date of Approval:	April 2014
Responsibility for Policy:	HR Officer
Responsibility for Implementation:	HR Officer
Responsibility for Review:	HR Officer
Date of Last Review:	Feb 2016
Date of Last Revision:	Feb 2016
Date of Next Review:	Feb 2018
Date of Equality Impact Assessment:	31 March 2017

Reviewer	Date	Review Action/Impact
SM	15/02/18	Full review of policy.
SM	15/02/18	EIA review

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## 1. ~~1.~~ Policy Statement Application and Scope

1.1. ~~Argyll College UHI~~The College is committed to promoting effective working relationships and an environment in which employees feel able to raise work-related issues with their managers.

~~1.2.2.~~

~~1.3. 1.5.~~ The procedure applies to all members of staff employed by Argyll College. The aim of this procedure is, as far as possible, to achieve a fair and prompt resolution to individual grievances in accordance with the ACAS code of practice.

## 2. Purpose

2.1. This procedure provides a clear and transparent framework to deal with concerns and problems raised by members of staff in the course of their employment in relation to:

~~2.2.1.3.~~ matters affecting themselves as individuals; or

~~2.3.1.4.~~ matters affecting their personal dealings or relationships with other employees.

2.4. Exclusions - The procedure cannot be used to challenge formal outcomes in other procedures which have an appeal process, namely:

2.4.1. Disciplinary procedure

2.4.2. Performance Improvement Policy and Procedure

2.6. There is a separate procedure for dealing with cases of alleged harassment contained in the Anti Bullying and Harassment Policy and Procedure.

## 3. Scope

3.1. The procedure applies to all members of staff employed by Argyll College

## 4. General Principles

The following principles will apply to the application of this procedure: -

~~4.1.2.1.~~ Wherever possible grievances should be resolved informally without recourse to formal procedures. It is expected that individuals will enter into the procedure in good faith, with the aim of resolving a particular issue. The grievance procedure should not be used as a substitute for normal day to day discussions.

~~4.2.2.2.~~ It is recognised that there may be occasions when it is not possible for a grievance to be resolved informally. In such cases ~~the the formal~~ procedure below at Stage 1 should be followed. All parties should be absolutely clear whether any meeting is being held under the informal or formal stage of the procedure. All arranged meetings in association with the informal, formal or appeal stages of this procedure will take into account any person in attendance who has accessibility issues.

This addition is to align with the recommendations in the EIA. The reviewed EIA reflects this change.

~~4.3.2.3.~~ Any steps taken under this procedure should be taken promptly, unless there is a good reason for delay.

~~4.4.2.4.~~ At any stage in the procedure, subject to the agreement of all parties concerned, there may be a suspension in proceedings to facilitate mediation (see [5](#) below), fact-finding or other non-adversarial discussions with the aim of promoting resolution of the case.

~~4.5.2.5.~~ At any stage in the procedure, the manager dealing with the grievance may, at their discretion, defer consideration of the grievance if other activities which are relevant to the substance of the grievance are pending or in progress. In such cases the parties to the grievance will be advised of the reason for deferring consideration.

~~4.6.2.6.~~ If, on investigation, the grievance is found to be vexatious or trivial the manager may dismiss it without further consideration. The member of staff will be advised accordingly.

~~4.7.2.7.~~ The College may, with the agreement of the member of staff raising the grievance, vary this procedure as appropriate to a particular case. In the event that it becomes impracticable to continue with the procedure, it may be discontinued. In such cases the College will advise the aggrieved parties of the outcome of their grievance in writing.

~~4.8.2.8.~~ Right to be accompanied – Employees have a statutory right to be accompanied at a grievance meeting. This can be a work colleague or a Trade Union representative (if applicable).

~~4.9.2.9.~~ Equality and Diversity - To ensure fair treatment and, where appropriate, provision of support by the College in the application of this procedure, members of staff should be invited to provide information about any equality or diversity issues which may be relevant, in particular the 9 protected characteristics: age, disability, gender reassignment, marriage/civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

~~4.10.2.10.~~ Confidentiality - All parties involved in these procedures must ensure that they maintain, as appropriate, the confidentiality of the process within and outside the College.

~~4.11.2.11.~~ Timescales - Whilst every endeavour will be made to comply with timescales, due to the complexity and/or specific circumstances of a case, timescales may be extended. In such circumstances the individuals concerned will be advised of the reasons for any delay.

~~4.12.2.12.~~ Involvement of Human Resources – The Human Resource ~~Officer-Manager~~ will be consulted and will advise on the formal process.

~~4.13.2.13.~~ Exceptional Circumstances - In very exceptional circumstances where the individual is reluctant to pursue a formal complaint through the Grievance Procedure, but where the alleged matter is deemed very serious in nature or where the manager is aware there are broader issues of concern around the culture of a team / group of individuals, an investigation may anyway be instigated, with the agreement of the Principal and on the advice of the HR ~~Officer-Manager~~.

### ~~53.~~ Mediation

~~5.1.3.4.~~ At any stage in this procedure, the parties to the grievance may request that the matter be referred for mediation. Mediation is likely to be most appropriate in cases involving interpersonal relationships. There may, however, be circumstances in which alternative non-adversarial discussions may be undertaken with the aim of promoting a speedy resolution.

To align with the recommendations as per the EIA.  
Reviewed EIA reflects this addition.

5.2.. Mediation is voluntary and will take place only if all parties agree. It is, however, hoped that employees will recognise the benefits of seeking to resolve issues via mediation and will be amenable to and cooperate with this approach.

## 6.4. Informal Procedure

6.1.4.1. Grievances can often be resolved quickly and informally through discussion with managers and there is an expectation that every effort will be made to resolve matters informally. Members of staff are therefore expected to raise any concerns or issues informally with their immediate line manager.

6.2.4.2. Managers will discuss the member of staff's concerns in confidence, make discreet investigations, as appropriate, and attempt to address their concerns fairly and promptly.

6.3.4.3. It is the manager's responsibility to seek to resolve the grievance informally and to notify the individual of the outcome. This would normally take the form of a summary note of the discussion and its outcome which would be passed to the HR ~~Officer~~ manager.

6.4.4.4. It is expected that the member of staff will seek to resolve their grievance informally in the first instance and will only progress to a formal grievance if the issue cannot be resolved by informal means. Where this has been unsuccessful, or circumstances make this route inappropriate, the matter should be raised formally through the formal procedure.

6.5.4.5. If the grievance is against the member of ~~staff's~~ staff's line manager, where possible this should be raised with the member of staff's line manager ~~that person's manager~~ who will seek to resolve the matter informally as appropriate. However, if this is not possible or appropriate the member of staff should raise the matter with a more senior manager.

6.6.4.6. If the grievance is against the Principal it should be raised with the Chair of the Board of Governors who will determine an appropriate process for dealing with the grievance. The HR Officer can provide the member of staff with the contact information for the Chair of the Board of Governors.

## 7.5. Formal Procedure

### 7.1.5.1. Stage One - Formal Resolution

7.1.1.5.1.1. If it is not possible to resolve a grievance informally, the member of staff should raise the matter formally, and without unreasonable delay, by putting their grievance in writing to their line manager.

7.1.2. If the grievance is against the member of staff's line manager, where possible this should be raised with the member of staff's line manager who will seek to resolve the matter informally as appropriate. However, if this is not possible or appropriate the member of staff should raise the matter with a more senior manager.

7.1.3.5.1.2. The line manager will write to the member of staff acknowledging receipt of the grievance, normally within five working days.

7.1.4.5.1.3. The line manager will invite the member of staff to attend a formal grievance meeting in order to discuss the grievance with the HR ~~Officer~~ manager in attendance.

To give the staff member the opportunity to raise the matter as not all staff may feel comfortable raising something with their line manager.

As above.

This meeting will normally take place within ten working days of the written acknowledgement.

~~7.1.5.5.1.4.~~ As a result of the initial grievance meeting, the line manager may determine that it is necessary to make further enquiries and/or may appoint an investigating officer to conduct an impartial and thorough investigation into the background facts or into any allegations made by the member of staff.

#### ~~7.2.5.2.~~ Investigation

~~7.2.1.4.1.f.~~ If an investigation is deemed appropriate, the line manager will appoint an investigating officer. Where the grievance relates to other staff, the individuals involved will be informed in writing of the nature of the complaint and will be given the opportunity to submit a response.

~~7.2.2.5.2.2.~~ The results of the investigation will be provided to the line manager in the form of an investigation report. This report will also be made available to the member of staff who raised the grievance and any other member(s) of staff named in the grievance. Following the investigation, the manager may deem it appropriate to hold a further grievance meeting with the member of staff raising the grievance. The purpose of this meeting is to seek clarification on any further issues that might have arisen and to allow the member of staff to comment on the findings of the investigation.

~~7.2.3.5.2.3.~~ In some cases it might be appropriate to hold a grievance hearing with the aggrieved individual and the person(s) against whom the grievance lies.

#### ~~7.3.5.3.~~ Outcome

~~7.3.1.5.3.1.~~ The line manager will determine the outcome of the grievance. They may reject the grievance, or may uphold the ~~grievance~~ complaint and indicate what steps have been/should be taken to resolve it.

~~7.3.2.5.3.2.~~ The line manager will inform the individual, in writing, of the decision and the right of appeal normally within ten working days of receiving the investigation report or of the final grievance meeting/hearing and this shall also be passed to the HR manager to be placed in the personnel file. The member of staff will be given an explanation if this is not possible and will be advised when a response can be expected.

~~7.3.3.5.3.3.~~ Any member(s) of staff named in the grievance will also be advised, in writing, of the decision.

#### ~~7.4.5.4.~~ Stage Two - Appeal

~~7.4.1.5.4.1.~~ If a member of staff remains aggrieved, they may write to the ~~HR~~ Human Resources Officer/Manager detailing the grounds of the appeal within, within ten working days of the date of the decision under Stage 1, exercising their right of appeal.

~~7.4.2.5.4.2.~~ Appeals will be considered by a more senior manager (Appeal Officer). The Appeal Officer will have had no prior involvement in the case.

~~7.4.3.5.4.3.~~ Where the appeal involves other member(s) of staff, the person(s) named in the grievance will be informed of the appeal and the outcome.

~~7.4.4.5.4.4.~~ This procedure may, in the interest of natural justice, and following consultation with relevant parties, be varied and altered by the Appeal Officer who

will detail the reasons for the variation.

~~7.4.5-4.5.~~ The decision may be given verbally at the appeal hearing and will in any event be conveyed or confirmed in writing within ten working days of the hearing. Any recommendations for further action will be clearly stated in the letter.

~~7.4.6-5-4.6.~~ The decision following the appeal is final and there will be no further internal right of appeal.

~~7.4.7~~ This procedure will be reviewed periodically by the Human Resources Officer ~~periodically~~ to ensure compliance with changes in employment law ~~employment law~~ and equality and diversity legislation ~~by the Human Resources Officer~~.

## 8. Legislation

8.1. Employment Rights Act 1996

8.2. Equality Act 2010

8.3. Data Protection Act 1998

8.4. General Data Protection Regulation 2018

8.4. Trade Union and Labour Relations (Consolidation) Act 1992



University of the  
Highlands and Islands  
Argyll College

Oilthigh na Gàidhealtachd  
agus nan Eilean  
Colaiste Earra-Ghàidheil

## CODE OF CONDUCT

Policy Number:	Pol1
Revision Number:	1
Date of Issue:	May 2016
Status:	
Date of Approval:	
Responsibility for Policy:	Depute Principal
Responsibility for Implementation:	
Responsibility for Review:	HR Officer
Date of Last Review:	
Date of Last Revision:	
Date of Next Review:	

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## 1. Key Principles:

- 1.1. Argyll College UHI expects all staff to conduct themselves in a professional manner at all times.
- 1.2. This document provides details and information where staff conduct may be questioned, providing guidance in what is acceptable and who to contact if further information is required.
- 1.3. All staff and students are entitled to be treated with dignity and respect and staff should treat each other as they would expect to be treated themselves.
- 1.4. Where conduct outside of work may impact adversely on the College in any way, consideration may be given to the College Disciplinary procedures.

## 2. Personal Relationships at Work:

- 2.1. A personal relationship is defined as a family relationship, a business/commercial/financial relationship or a sexual/romantic relationship.
  - 2.1.1. Relationships between staff and students and the Sexual Offences Act 2003/The Sexual Offences (Scotland) Act 2009.
  - 2.1.2. The Sexual Offences Act re-enacts and extends the abuse of position of trust offences set out in the Sexual Offences (Amendments) Act 2000, prohibiting sexual contact between adults and children under 18 in schools and colleges and residential care, in order to protect vulnerable 16 and 17 year olds.
  - 2.1.3. College staff are seen to be in a position of trust as they have a potential power and authority in a child's life, have regular contact with them and may have a key influence on their future. Therefore under no circumstances should staff enter into a sexual/romantic relationship with a student who is covered by this legislation.
  - 2.1.4. There are certain situations in which the position of trust offences does not apply. These are where a person is legally married to the young person, or where a lawful sexual relationship existed before the position of trust arose.
- 2.2. Relationship between staff and students:
  - 2.2.1. The College believes that the professional relationship between a student and a member of staff is vital to a student's educational development and affirms that the teaching relationship is built on trust, confidence and dependency.
  - 2.2.2. In this context a professional relationship is defined as one where there is an assessing, supervising, tutoring or teaching role or a role providing administrative, technical, academic or pastoral support.
  - 2.2.3. Students are entitled to equality of treatment and it is important that a personal relationship between a member of staff and a student is not perceived by others to prejudice that equality of treatment.
  - 2.2.4. Staff should not enter into a sexual/romantic relationship with a student for whom they have a responsibility for assessing, supervising, tutoring or teaching or for whom they are required to provide administrative, technical, academic or pastoral support.
  - 2.2.5. The College recognises, however, that such relationships may exist when a member of staff is appointed or when a student enrolls, or that a relationship may develop between a member of staff and a student during a programme of study.
  - 2.2.6. When a member of staff has a professional role in relation to a student with whom s/he has a personal relationship, it is the responsibility of the member of staff to

inform their line manager, in order that alternative teaching, tutoring or assessing arrangements may be made.

2.3. Relationships between members of staff:

2.3.1. Although the existence of a personal relationship between members of staff does not necessarily constitute a bar to the employment or promotion of either party, staff should declare to their line manager any personal relationship which may give rise to a real or perceived conflict of interest, trust or breach of confidentiality.

2.3.2. Where a personal relationship exists or develops between member of staff who are in a line management or supervisory relationship at work, they must not be involved in recruitment, selection, and appraisal or in any other management activity.

2.4. Declaration of personal relationships where they overlap with professional roles:

2.4.1. Staff who are uncertain about whether they should take action regarding a personal relationship can seek guidance in confidence with the HR Officer.

2.4.2. A case whereby any personal relationship, as defined within this code, is not declared and results in an unfair advantage or disadvantage to either of the parties in the relationship will be considered a serious matter and may lead to disciplinary action.

### **3. Recruitment and Selection:**

3.1. The College has an agreed Recruitment and Selection Policy.

3.2. It is clearly understood that all appointments must be equitable and made on the basis of merit.

3.3. If a member of staff is involved in the recruitment process, and has any kind of relationship which might affect their ability to be impartial, that relationship must be declared to HR.

3.4. If a member of staff is approached by an applicant, or anyone claiming to be an applicant, they must report the matter to HR.

### **4. Alcohol/Drugs Misuse:**

4.1. The College has an agreed Alcohol and Drug Misuse Policy

4.2. The consumption of alcohol during working hours is not permitted, including during breaks and on the way to work.

4.3. Drug and alcohol issues will normally be dealt with through the provision of positive support and practical assistance as per the agreed policy.

4.4. Staff who believe they have an alcohol or drug related problem are encouraged to seek confidential help and treatment.

4.5. It should be recognised that the nature of the College particularly having contact with children or adults at risk, that incidents relating to inappropriate use of drugs or alcohol whilst within the college may also be considered a disciplinary issue and potentially gross misconduct.

4.6. All staff have a responsibility to maintain a professional standard of service, whilst ensuring that the College provides a safe and satisfactory learning environment.

4.7. Any members of staff found to be in possession of an illegal drug on College premises will face disciplinary action, as per the agreed policy. Possession of a Class A drug will be regarded as gross misconduct and the matter referred to the police.

## **5. Smoking Policy:**

- 5.1. Smoking is not permitted anywhere within the premises of any College campus site, except agreed designated areas.

## **6. Dress code/Personal Appearance/ID:**

- 6.1. Staff should ensure they are dressed with neatness and propriety in relation to the job that they do, so as to maintain a professional corporate image.
- 6.2. To protect themselves from accusation or misunderstanding staff should ensure that they are not dressed in a sexually provocative way.
- 6.3. Where a uniform is provided, staff are expected to wear the uniform. In addition, staff are expected to keep it in good condition, and as per Health and Safety Legislation to wear and look after all items of PPE issued to them.
- 6.4. All staff are issued with an identity card and this should be worn at all times.
- 6.5. Visitors to the college will also be provided with a Visitor ID badge from reception.

## **7. Conflict/Declaration of Interests:**

- 7.1. Staff must not use their position as a member employed by the College to further their own private interests or those of family, friends or other acquaintances.
- 7.2. It would be deemed inappropriate behaviour and possibly a disciplinary matter, for a member of staff to promote their own private business interest in the course of their college duties.
- 7.3. All staff must declare any substantially significant interests they have and relevant gifts or hospitality received in connection with their role within the College.
- 7.4. If staff are unsure what to declare, or whether/when a declaration needs to be updated, they are advised to err on the side of caution.

## **8. Accepting Hospitality/Gifts:**

- 8.1. Staff must not receive gifts, hospitality or entertainment or benefits of any kind from a third party which might be seen to compromise their personal judgement or integrity.
- 8.2. Gifts of a small or inexpensive nature such as calendars or diaries or inexpensive items such as flowers or chocolates can be accepted.
- 8.3. Staff should only accept an invitation to an event involving entertainment and/or hospitality by a College supplier or potential supplier if it is a benefit to the College and within normal responsibilities of their role.
- 8.4. If staff are unsure whether or not to accept hospitality they should seek guidance from their line manager in the first instance.

## **9. Confidential Information:**

- 9.1. College staff will have access to and be entrusted with information on many different aspects of College work, much of this is confidential and should not be disclosed to third parties.
- 9.2. This is also in line with the confidentiality section within each employee's contract of employment.

## **10. Public Interest Disclosure (Whistleblowing):**

- 10.1. The College has an agreed Whistleblowing Policy, in line with the Public Interest Disclosure Act 1998, which gives legal protection to staff from being unfairly dismissed or penalised by their employers as a result of disclosing certain serious concerns.

## **11. Reporting of Arrests or Convictions:**

- 11.1. Staff must report the matter to the HR Officer or their line manager if they have been cautioned, arrested and/or if they have been refused bail, or convicted by a court of a criminal offence.
- 11.2. This also includes road traffic offences, as they may impact on the use of College vehicles.
- 11.3. Depending on the nature of the conviction, and/or offence the College is obliged to consider whether or not the member of staff's employment may be affected.
- 11.4. Failure to notify the College of any arrests or convictions may result in disciplinary action being taken in accordance with the College Disciplinary Procedure, and may result in termination of employment.

## **12. Health and Safety at Work:**

- 12.1. Staff are responsible on a personal basis for taking reasonable care of themselves, and others who may be affected by their acts or omissions at work, and for complying with all enactments and with the College policies and procedures and regulations in this respect.
- 12.2. Health and Safety is everyone's responsibility. Staff have a responsibility to do all they can to prevent injury to themselves, colleagues and others affected by their actions, and to cooperate with the College on matters affecting health, safety and welfare.

## **13. Acceptable Use of College ICT Facilities:**

- 13.1. The College has an agreed ICT acceptable use policy for all staff.
- 13.2. The College is connected to the UK academic network known as JANET, and abides by the regulations of use described in the JANET Acceptable Use Policy.

## **14. Damage to College Premises:**

- 14.1. Damage to College property, that of another employees or visitors to the College's premises, arising from wilful or negligent acts may be considered as gross misconduct and will be dealt with through the College Disciplinary Procedure.

**To: Human Resources and Remuneration committee**

**Date: 18 May 2018**

**Status: For information**

## **Agenda item 8 - GDPR**

Data protection laws are changing from 25<sup>th</sup> May 2018 when the General Data Protection Regulation (GDPR) comes into effect across Europe, superceding the UK Data Protection Act 1998. Although some of the basic principles of current data protection law will be retained, there are a number of key changes under GDPR, including the following:

- **Transparency and accountability:** The GDPR requires employers to ensure that only the minimum necessary personal data is processed for each specific purpose and that it is retained for no longer than necessary. Organisations must prepare to be more transparent with individuals about when and why their data is collected, processed and transferred and provide more detailed information to them about this. Organisations must also be able to demonstrate that they comply with data protection law.
- **Governance requirements:** The GDPR requires organisations to implement specific governance measures so that they can demonstrate compliance with the GDPR. This may include: maintaining detailed central records of all data processing activities undertaken; carrying out data protection impact assessments prior to undertaking any high risk processing; and in some cases appointing a Data Protection Officer.
- **Consent:** At present, most employers rely on generic data protection consent clauses in their employment contracts to enable them to lawfully process a wide range of information about their employees. However, the GDPR takes a stricter approach to when 'consent' can be relied upon to justify processing data. Consent has to be explicit, in relation to each processing activity, and freely given and employees can withdraw their consent at any time. Employers will no longer be able to rely on consent to justify processing data about their workforce, except in certain limited circumstances. As a result, employers should instead rely on 'necessity' as the rationale (and exemption) for the majority of their processing of employee data under the GDPR.
- **Rights of data subjects:** The GDPR enhances individuals' existing rights and establishes new rights, including a "right to be forgotten" (whereby individuals may require the deletion of their personal data in certain circumstances); a right to require inaccurate personal data to be corrected and a "right to data portability" (whereby individuals may request a copy of their personal data in a structured and commonly used electronic format, so that it can be transferred from one data controller to another). Personal data and sensitive personal data (renamed 'special category personal data') have a wider meaning under the GDPR. The former will include online identifiers such

as IP addresses and the latter will include genetic and biometric data. Using information about criminal offences will be harder to justify.

- **Subject access requests:** The GDPR reduces the amount of time that organisations have to comply with subject access requests from 40 days to within one month of receipt of the request. It will be possible to extend the time limit where requests are complex. Certain information must also be provided with the response about the data held and the searches carried out. The £10 fee for subject access requests will be abolished. However, organisations will be able to charge a "reasonable fee" when a request is manifestly unfounded or excessive (or refuse to comply with the request altogether), or when further copies of the information are requested. The fee must be based on the administrative cost of providing the information.
- **Data breach notification requirements:** The GDPR requires organisations to notify the relevant supervisory body (e.g. the Information Commissioner in the UK) of data breaches which are likely to result in a risk to individuals without delay and within 72 hours of the breach. In some cases, the individuals affected must also be notified.
- **Direct obligations on data processors:** By contrast to the DPA, the GDPR imposes obligations on data processors, e.g. by requiring them to take appropriate security measures to protect personal data. It also expands the terms that must be included in processing contracts.

There are a number of processes the college is currently undertaking to ensure we will comply With GDPR including:

- **Data Mapping:** data mapping using a standard template has been completed for the following departments: Finance, Timetabling, Registry, Schools Link, Nursery, Health and Safety, IT, Commercial Activity, College Board, Quality Assurance, HR, Marketing, Staff and Student ID cards.

Data mapping is to determine what personal data, special category personal data and criminal records data is being processed in relation to staff, students and board members (past, present and future), why it is being processed, how long it is retained, and consider this in light of the GDPR's requirements.

- **Privacy/information notices:** These will inform staff and students what will be done with their personal data and how this will comply with the GDPR. These are currently being worked on.
- **Third party agreements with external agencies:** These will inform partner agencies such as schools, SDS, Argyll & Bute Council and commercial customers on how the college complies with GDPR and will include retention timeframes for data.
- **Updated Data Protection policy and procedure:** The college Data Protection Policy is being updated and will be presented to the June board meeting for approval.