
SFC LEGISLATIVE AND REGULATORY SCHEDULE

Purpose

1. To provide the Committee with an update of the Scottish Funding Council (SFC) Legislative and Regulatory Schedule. The Schedule sets out SFC's main legal compliance requirements for **noting**.

Recommendations

2. The Committee is invited to **note** the SFC Legislative and Regulatory Schedule.

Financial implications

3. There are no specific financial implications arising from this paper.

Risk assessment

4. There are no direct financial implications arising from this paper.

Impact assessments

Equality and diversity

5. Recommendations in this paper do not have an impact on equal opportunities and diversity.

Island communities

6. Recommendations in this paper do not have an impact on island communities.

Carbon reduction

7. This paper does not have a direct impact on carbon reduction policies.

Publication

8. This paper will be published on the SFC website.

Further information

9. Contact: Louisa Baker, Deputy Director Corporate Governance and Planning, lbaker@sfc.ac.uk and Tiffany Ritchie, Deputy Director Finance & Operations tritchie@sfc.ac.uk.

Background

10. The Legislative & Regulatory Schedule aims to ensure that SFC can demonstrate it has identified, understood and taken steps to implement the main changes in legislation and regulation, and that responsibilities are clearly defined. The Schedule is attached in the Annex to this paper.
11. The Schedule is structured in the following way:
- **Founding legislation:** legislation concerned with the powers and duties of SFC in relation to Further and Higher Education, and the powers and duties of Scottish Ministers in relation to SFC.
 - **Legislation where SFC is named in the enactment schedule:** legislation which gives SFC other powers or duties by virtue of SFC being named specifically in the legislation (in an 'enactment schedule').
 - Corporate governance legislation
 - Employment and equalities legislation
 - Budgeting, finance and accountability legislation
 - Other key legislation of relevance to SFC.
12. The Schedule is focused on the primary legislation that impacts on the core functions of SFC. It does not include every piece of legislation that might potentially have some relevance to SFC. SFC continues to monitor and share the following updates and advice with all relevant staff:
- Monthly information bulletins provided by SFC's solicitors which highlight any new legislation – or changes to existing legislation – relating to the business of SFC or the sector.
 - Monthly information bulletins relating to the decisions of tribunals that are relevant to the business of SFC.
 - Regular letters, briefings or directives from SFC's sponsor team in the Scottish Government about new compliance requirements, including changes in legislation or regulation.

Key Points

13. No significant new pieces of legislation were passed by the Scottish Parliament or UK Parliament in the last 12 months that affected SFC or colleges and universities, with the exception of the employment acts within section 4 of the Annex which relate to our responsibilities as an employer.

14. As well as the legislation listed in the Annex, we are monitoring the progress of other legislation that is of interest to SFC:
- The Budget (Scotland) Act (including budgets for further and higher education).
 - Potential changes to Freedom of Information (Scotland) Act 2002 (FOISA) and Environmental Information (Scotland) Regulations 2004 (EIRs).
15. In the Annex we refer to a range of legislative and regulatory requirements relating to Health & Safety matters. To provide further assurance regarding levels of compliance, in line with Internal Audit recommendations, we can confirm the Health & Safety Committee met regularly throughout Financial Year 2022-23 and key matters were discussed by the Executive Team. The main development in Financial Year 2022-23 was the introduction of our Hybrid Working guidance to support hybrid working following the Covid-19 pandemic. No accidents were recorded in the year, and we will be considering future Health & Safety priorities in discussion with SFC Remuneration Committee.
16. Overall, we are satisfied that the organisation is aware of all the main legislative and regulatory requirements relevant to SFC and is taking the necessary steps to ensure full compliance.

Proposed changes to legislation or regulations

17. We continue to monitor any new or proposed changes to existing legislation in the Scottish Parliament, the UK Parliament at Westminster, and at the EU level, where relevant to SFC.

Recommendation

18. The Committee is invited to **note** the SFC Legislative and Regulatory Schedule.