



SFC Legislative and Regulatory Schedule

- To provide the Committee with the latest copy of the SFC Legislative and Regulatory Schedule. The Schedule sets out our main legal and compliance requirements.

Recommendations

- Note the latest update of the Schedule.

Financial implications

- There are no financial implications associated with this paper.

SFC Legislative and Regulatory Schedule

Purpose

1. To provide the Committee with an update of the SFC Legislative and Regulatory Schedule. The Schedule sets out our main legal compliance requirements.

Background

2. The purpose of the Schedule is to ensure that we identify and understand the main pieces of legislation and regulation which affect the Council, and that responsibilities for compliance are properly allocated within the organisation. A copy of the Schedule is attached at Annex 1.
3. The Schedule is structured in the following way:
 - **Founding legislation:** legislation concerned with the powers and duties of the Council 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 the Council other powers or duties by virtue of the fact that SFC is named specifically in the legislation (in an 'enactment schedule')
 - Corporate governance legislation
 - Employment and equalities legislation
 - Budgeting, finance and accountability legislation
 - Other legislation of relevance to SFC.
4. The Schedule mainly contains legislation that impacts on the core functions of SFC – and with which it has to comply on a day-to-day basis. It does not include every piece of legislation that might potentially have some relevance to the Council, or to colleges and universities, or every change to such legislation, as this would be impractical to maintain and monitor. However, the executive receives:
 - Monthly information bulletins provided by our solicitors, which highlight any new legislation – or changes to existing legislation – relating to the business of the Council.
 - Monthly information bulletins relating to the decisions of tribunals that are relevant to the business of the Council.

- Briefings from our solicitors on major new pieces of legislation that are relevant to – or might have an impact on - the Council, or colleges and universities.
 - Regular letters, briefings or directives from our sponsor team in the Scottish Government about new compliance requirements, including changes in legislation or regulation.
5. This information is provided to the relevant staff within the organisation, disseminated more widely where appropriate, and saved on our intranet, so that it is accessible to staff. As well as these briefings, our solicitors also provide occasional presentations or staff training sessions on legislation that is relevant to the work of SFC.

Key changes

6. The most significant legislative and regulatory change was the introduction of the General Data Protection Regulation (GDPR), and the associated Data Protection Act 2018. The executive has reported regularly to ACC on progress in implementing our GDPR action plan.
7. Two other significant pieces of Scottish Parliament legislation came into force in 2018 which are of relevance to SFC:
- The Islands (Scotland) Act 2018
 - The Gender Representation on Public Boards (Scotland) Act 2018
8. Annex 1, attached to this paper, describes how SFC is complying with these two Acts.
9. Overall, the executive is satisfied that the organisation is complying with all the main legislative and regulatory requirements relevant to SFC, or taking the necessary steps to ensure full compliance.

Proposed changes to legislation or regulations

10. As well as updating the Schedule to ensure that it captures relevant new legislation and regulation, we also continue to monitor proposed changes to existing legislation in the Scottish Parliament, the UK Parliament at Westminster, and at the EU level, where relevant to SFC.
11. The Council executive has also been monitoring developments around Britain's withdrawal from the European Union and reporting regularly to the SFC Board.

Recommendations

12. The Committee is invited to note the latest version of the SFC Legislative and Regulatory Schedule.

Publication

13. This paper and annex will be published on the SFC website.

Further information

14. Contact: Richard Hancock, Assistant Director, Strategy (tel: 0131 313 6645; email: rhancock@sfc.ac.uk).