

Shetland Arts Development Agency
 Board of Trustees Meeting
 Thursday 2 November 2023 at 5.30pm
 Venue: Mareel/Teams



Shetland *arts*

| Item | Description | Report | Item taken by | Action |
|------|--|--|----------------------|----------------------------------|
| 1 | Welcome and apologies | | Chair | Note |
| 2 | Declarations of interest | | Chair | Note |
| 3 | Minutes 31 August 2023 | | Chair | Approval |
| 4 | Scrutiny 4.1 Management Accounts 4.2 Operational Issues 4.3 Performance Monitoring 4.4 Major Projects | Attached Attached Attached Attached | KL GH GH GH | Note Note Note Note |
| 5 | Governance 5.1 Policies 5.2 Strategic Risks 5.3 Trustee Recruitment | Attached Attached Attached | KL GH SM | Approval Approval Approval |
| 6 | Strategy 6.1 Update from Stakeholders | Attached | GH | Note |
| 7 | General 7.1 Key Upcoming Events | Attached | GH | Note |
| 8 | Any other business None | | | |
| 9 | Future SADA Board Meetings: Board Meeting Thursday 21 December 2023 – 5.30pm | | Chair | |

The Board may decide that on grounds of confidentiality particular items should be considered in private. Any such items will be noted in separate “closed” minutes for approval at the next Board meeting

Minutes of the Open Meeting of Shetland Arts Development Agency, Thursday 31st August 2023, held following the AGM held at 5.30 p.m. in Mareel and via video conference

Present:

Susan Mail (SM), Chair, Shetland Arts
 Chris Gadsby (CG), Shetland Arts
 Malcolm Innes (MI), Shetland Arts
 Michele Kerry (MK), Shetland Arts
 Catriona Macdonald (CM), Shetland Arts
 Jamie Manson (JM), Shetland Arts
 Renzo Spiteri (RS), Shetland Arts

In Attendance:

Graeme Howell (GH), Chief Executive, Shetland Arts
 Kerry Llewellyn (KLL), Support Lead, Shetland Arts
 Catrina Carter (CC), minute taker
 Siobhan Anderson (SA), Creative Scotland

Apologies:

James Johnston (JJ), Shetland Arts
 Kerry Lorbalestier (KL), Shetland Arts

| Item | Topic | Action |
|-------------|---|---------------|
| 1 | Welcome The chair welcomed everyone to the meeting. Apologies were noted from JJ and KL. | |
| 2 | Declarations of Interest None | |
| 3 | Minutes of Meeting held on 29th June 2023 Approved on the motion of MI, seconded by CG. | |
| 4.1 | Management Accounts KLL explained that this would be covered in more detail in the closed section of the meeting. | |
| 4.2 | Operational Issues GH advised that a member of staff had had a severe allergic reaction to shellfish being cooked in the kitchen but this had been handled in-house. A decision had been taken not to cook shellfish in the building in the future. | |
| 4.3 | Performance Monitoring Recruitment for students was still underway but it was noted that a good response had already been received. | |

| | | |
|------------|--|--|
| | KPIs noted. | |
| 4.4 | <p>Major Projects Update circulated with agenda noted.</p> <ul style="list-style-type: none"> • <u>SCT Capital Grant Scheme–Bonhoga</u> – Responding to MI’s query, GH advised that the building would be closed for business reasons in preparation of the capital works. The architects had advised that there had been some slippage but it was hoped that works would commence in the new year. Discussion on the scale of works ongoing. KL also advised that the condition survey had thrown up some possible additional works and other sources of funding would be sought for these. The building would reopen as soon as possible for the 2024 summer season. • <u>SCT Capital Grant Scheme–Mareel</u> – Full-room solution to Changing Places toilet now settled upon. Awaiting feedback from suppliers. • <u>Remembering Together</u> – Hoped to install 100 benches in places where people gathered during the Covid 19 pandemic. Shetland Arts would purchase the benches made of recycled materials and install in the community. <p>CG asked if SIC would be a partner in this project. GH responded that both SADA and SIC were signatories on the original agreement and SADA would not progress this phase unless SIC signed up to it as well.</p> | |
| 5 | <p>Governance Nothing to report</p> | |
| 6.1 | <p>Update from Stakeholders</p> <ul style="list-style-type: none"> • <u>Creative Scotland (CS)</u> – Press release made regarding multi year funding. Just over 500 organisations had registered their intention to apply with an indicative annual request in the region of £113 million. CS had indicated that they did not expect an uplift in their annual budget so there was an expectation that they would support fewer organisations. Stage 1 applications to be made by 25 October with decision due end of February 2024. | |
| 7.1 | <p>Key Upcoming Events Noted</p> | |
| 8 | <p>Any Other Business None</p> | |
| 9 | Date of Next Meeting | |

| | | |
|--|------------------------------------|--|
| | 5.30 p.m. Thursday 26 October 2023 | |
|--|------------------------------------|--|

4.1 Management Accounts 5 Months to August 2023 Profit and Loss Accounts



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| | Actual £ | Reforecast £ | Variance £ |
|---------------------------------------|------------------|------------------|-----------------|
| <u>Income</u> | | | |
| Ticket Sales | 168,012 | 167,518 | 494 |
| Education and training income | 36,501 | 36,609 | - |
| Retail income | 44,099 | 42,284 | 1,815 |
| Food and beverage income | 242,845 | 230,533 | 12,313 |
| Foyer income | 37,944 | 35,683 | 2,260 |
| Box office commission income | 27,039 | 27,688 | - |
| Gallery commission income | 70 | 17 | 53 |
| Hire of rooms and equipment income | 32,820 | 22,758 | 10,061 |
| Screen advertising income | - 1,269 | - 1,102 | - |
| Gift Vouchers | 879 | 1,309 | - |
| Sponsorship income | 3,000 | 1,517 | 1,483 |
| Donations received | - | 256 | - |
| Grant Funding - Capital | 19,740 | 19,740 | - |
| Grant Funding - SIC | 3,957 | 3,922 | 35 |
| Grant Funding - SCT | 298,583 | 298,583 | - |
| Grant Funding - Creative Scotland | 112,577 | 114,077 | - |
| Other Grants - Trusts and foundations | 16,890 | 18,335 | - |
| Operating lease income - SIC | 37,500 | 37,500 | - |
| Other income | 26,341 | 26,584 | - |
| Memberships received | 3,962 | 3,205 | 757 |
| Interest received | 4,901 | 2,907 | 1,994 |
| | <u>1,116,389</u> | <u>1,089,922</u> | <u>26,467</u> |
| <u>Purchases</u> | | | |
| Food and beverage purchases | 105,339 | 96,029 | - |
| Foyer purchases | 23,445 | 19,890 | - |
| Retail purchases | 29,074 | 30,698 | 1,625 |
| Direct costs | 24 | 191 | 167 |
| | <u>157,882</u> | <u>146,808</u> | <u>- 11,074</u> |

Direct Costs

| | | | |
|------------------------------------|----------------|----------------|-----------------|
| Gross wages and salaries - regular | 391,123 | 405,283 | 14,161 |
| Gross wages - casual | 92,426 | 71,815 | - 20,611 |
| Employers NI | 34,359 | 35,363 | 1,004 |
| Employers pension | 94,080 | 96,713 | 2,633 |
| Recruitment expenses | 35 | 535 | 500 |
| Employee/Trustee expenses | - | 167 | 167 |
| Training and protective clothing | 3,813 | 4,894 | 1,081 |
| Programme costs - project | 109,960 | 100,280 | - 9,680 |
| Marketing costs - project | 7,303 | 8,455 | 1,152 |
| Licences - PRS etc | 20,501 | 18,275 | - 2,226 |
| Film transport | - | 333 | 333 |
| Hire of equipment | 330 | 330 | - |
| | <u>753,930</u> | <u>742,443</u> | <u>- 11,487</u> |

Overheads

| | | | |
|--|------------------------|------------------------|---------------------|
| Travel and subsistence and Entertainment | 27,327 | 26,915 | - 413 |
| Rent, Rates and Insurance | 25,877 | 25,435 | - 442 |
| Heat and Light | 40,536 | 41,687 | 1,151 |
| Operating leases - Rent and Equipment | 47,228 | 46,664 | - 564 |
| Repairs and maintenance and cleaning | 80,045 | 80,586 | 541 |
| Print, postage and stationary | 2,701 | 3,224 | 522 |
| Telephone and broadband | 3,573 | 3,493 | - 81 |
| Computer costs | 11,617 | 11,489 | - 127 |
| Marketing costs - strategic | 1,564 | 795 | - 769 |
| Website costs | 971 | 1,086 | 115 |
| Subscriptions | 1,541 | 1,336 | - 205 |
| Consumables | 388 | 1,317 | 929 |
| Sundry | - | - | - |
| Legal and professional fees | 14,563 | 14,037 | - 526 |
| Till differences | - 121 | - 174 | - 54 |
| Bank charges | 7,416 | 8,000 | 584 |
| Loan interest | 2,859 | 2,716 | - 144 |
| | <u>268,087</u> | <u>268,606</u> | <u>519</u> |
| SURPLUS/DEFICIT | <u>- 63,509</u> | <u>- 67,934</u> | <u>4,425</u> |

5 Months to August 2023

Balance Sheet



Shetlandarts

| | £ | £ |
|------------------------------|------------------|-------------------------|
| Tangible Fixed Assets | | 7,989,700 |
| <i>Current Assets</i> | | |
| Stock | 22,763 | |
| Debtors | 336,616 | |
| Cash at Bank | 433,514 | |
| | <u>792,894</u> | |
| <i>Current Liabilities</i> | | |
| Creditors | <u>357,129</u> | |
| Net Current Assets | | 435,764 |
| <i>Long term liabilities</i> | | |
| Loans | 53,963 | |
| Pensions liability | <u>(560,000)</u> | |
| | | (506,037) |
| Net Assets | | <u><u>8,931,501</u></u> |
| Capital and Reserves: | | |
| Capital funds | | 8,051,075 |
| Revenue funds | | 320,426 |
| Pension liability | | 560,000 |
| | | <u><u>8,931,501</u></u> |

5 Months to August 2023 Movement on Selected Funds



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| Fund Name | Opening | | Closing | | |
|--|----------------|---------------|-------------|---------------|----------------|
| | Balance | Income | Expenditure | Balance | |
| Shetland Film Club | 1,705 | | | 1,705 | |
| SCT Capital Grant | 39,260 | 19,740 | - | 19,740 | 39,260 |
| Trad Big Band | 2,435 | | | 2,435 | |
| Culture Collective | 63,253 | | - | 24,483 | 38,770 |
| Recovery fund for Cultural Organisations | 142,470 | | | | 142,470 |
| Corra Foundation | 4,146 | | | | 4,146 |
| Robertson Trust | 3,108 | | | | 3,108 |
| Xchange | 12,237 | | | | 12,237 |
| Summer of Play | 2,972 | | | | 2,972 |
| VACMA | 1,660 | | | | 1,660 |
| Total | 273,247 | 19,740 | - | 44,223 | 248,764 |

4.2 Operational Issues November 2023



INTRODUCTION

This report details the following

- Operational Issues
- Health and Safety Issues

OPERATIONAL ISSUES

| Date | Issue | Staff Involved | Outcome |
|--------|--|--|---|
| Oct 23 | Recruitment of Customer Services Staff, general recruitment issues in Shetland and across hospitality in Scotland. | CEO, Customer Services Lead, Sales and Comm Lead | Meeting Requested with Promote Shetland to see what support they are giving, current significantly reduced service. |

HEALTH AND SAFETY ISSUES

| Date | Issue | Staff Involved | Outcome |
|------|-------|----------------|---------|
| | | | |

4.3 Performance Monitoring November 2023



INTRODUCTION

This report details the following

- Key Performance Indicators

KEY PERFORMANCE INDICATORS

| Formal Education Delivery | Applied to study at Mareel 23/24 | | Taught Across the Network 23/24 |
|---------------------------|----------------------------------|-----------|---------------------------------|
| | Full Time | Part Time | |
| Vocational Pathway | - | 40 | - |
| NC | - | 8 | - |
| HNC | 12 | - | - |
| Degree | 1 | 2 | TBC |
| Masters | TBC | TBC | TBC |



| Actuals (see footnote 1) | Concerts, Screenings, Exhibition Days | | | | | Attendances | | | | | Development Sessions | | | | | Participations | | | | |
|--|---------------------------------------|-----|-----|-----|-------|-------------|--------|--------|-----|--------|----------------------|-----|-----|-----|-----|----------------|-----|-----|-----|-------|
| | Q1 | Jul | Aug | Sep | Q2 | Q1 | Jul | Aug | Sep | Q2 | Q1 | Jul | Aug | Sep | Q2 | Q1 | Jul | Aug | Sep | Q2 |
| Delivered | 1,068 | 295 | 294 | | 589 | 75,991 | 23,192 | 19,149 | | 42,341 | 291 | 34 | 75 | | 109 | 1,634 | 225 | 758 | | 983 |
| Quarterly Target 23/24 | 1,022 | | | | 1,022 | 57,569 | | | | 57,569 | 452 | | | | 452 | 3,504 | | | | 3,504 |
| % of Target Delivered | 105% | | | | 58% | 132% | | | | 74% | 64% | | | | 24% | 47% | | | | 28% |
| Impact (see footnote 3) | Concerts, Screenings, Exhibition Days | | | | | Attendances | | | | | Development Sessions | | | | | Participations | | | | |
| | Q1 | Jul | Aug | Sep | Q2 | Q1 | Jul | Aug | Sep | Q2 | Q1 | Jul | Aug | Sep | Q2 | Q1 | Jul | Aug | Sep | Q2 |
| Improved quality of life through greater access to creative and social experiences | 994 | 292 | 292 | | 584 | 67,037 | 22,802 | 18,983 | | 41,785 | 13 | 3 | 15 | | 18 | 118 | 15 | 411 | | 426 |
| Improved opportunities through personal and professional transferrable skills | 122 | 26 | 2 | | 28 | 14,581 | 6,137 | 166 | | 6,303 | 196 | 5 | 32 | | 37 | 1,076 | 99 | 189 | | 288 |
| Improved confidence to contribute positively through opportunities for self-expression and community involvement | 66 | 1 | 0 | | 1 | 3,414 | 120 | 0 | | 120 | 177 | 11 | 44 | | 55 | 1,034 | 91 | 211 | | 302 |
| Improved feeling of inclusion and equality through greater understanding of other cultures and lifestyles | 51 | 6 | 43 | | 49 | 898 | 58 | 2,052 | | 2,110 | 6 | 0 | 1 | | 1 | 35 | 0 | 6 | | 6 |
| Improved mental and physical health through more active involvement in creative and social experiences | 572 | 161 | 168 | | 329 | 27,852 | 4,670 | 7,597 | | 12,267 | 46 | 6 | 5 | | 11 | 412 | 51 | 40 | | 91 |
| Improved community resilience through a more diverse creative economy | 328 | 102 | 83 | | 185 | 37,710 | 12,327 | 9,500 | | 21,827 | 106 | 23 | 37 | | 60 | 473 | 134 | 575 | | 709 |

1: Attendances are the number of people who attend concerts, screenings or exhibitions. Participations are the number of times people take part in development sessions

2: We have profiled each quarter against data from previous years' so we can more accurately predict and analyse seasonal variances

3: Our activity is planned and measured against the 'Social Outcomes' (SOs) listed under the Impact heading - each event, session or project has two priority SO, and the table above cumulatively captures these priority SOs

4.4 Major Projects November 2023

INTRODUCTION

This report details the following

- Significant projects completed
- Updates on short term projects
- Listing of medium and long term projects

SIGNIFICANT PROJECTS COMPLETED

| Date | Title | Intention | Outcome |
|------|-------|-----------|---------|
| | N/A | | |
| | | | |

UPDATES ON ONGOING PROJECTS

| Title | Intention | Update |
|-----------------------------------|--|---|
| Culture Collective. CS funded. | Support creative practitioners to deliver wellbeing projects in Shetland, Orkney and Western Isles through small grants. | Majority of projects complete. Inter Island Artist Exchange planned for end of Oct |
| Islands Deal Knab Project Strand | To support the development of the Cultural Hub | Plans to implement pilot project from April 24. Funding being sought to extend job role. |
| Process Review | To ensure the organisation is working efficiently and maximising digital opportunities to manage workflow | New EPOS terminals to be installed in November 2023. |
| Remembering Together | To deliver phase 2 of the National Covid Memorial project. | Proposed project no longer able to progress, change of direction being discussed with greenspaces Scotland. |
| SCT Capital Grant Scheme – Mareel | Implementation of Capital Grant Works under the SCT scheme. Work will take three years. | Discussion currently underway with architects on need for different solution. |

| | | |
|------------------------------------|---|---|
| SCT Capital Grant Scheme - Bonhoga | Implementation of Capital Grant Works under the SCT scheme. Work will take three years. | Awaiting architects recommendations. |
| Accessibility & Inclusion Group | Establish a forum through which people with lived experience can inform Shetland Arts on accessibility & inclusion issues | Ongoing work to implement recommendations from focus groups and survey |
| Music Policy Resilience Lab | International policy development project for music in remote locations. 11 international partners. | Local project looking at the import and export of music initiated. |
| Health & Safety Review | To improve quality of operational Health and Safety information as well as accessibility for staff. | WorkNest review carried out and WorkNest online system to be used to manage Health and Safety items going forward. |
| VACMA | Small grants for Visual Arts and Craft Makers | Partnership funding secured from SIC and Creative Scotland. First of two application deadlines 24 th Oct |

SIGNIFICANT PROJECTS PLANNED

Medium = 3 Months - 1 Year; Long = 1 Year +

| Medium/Long Term | Title | Intention |
|------------------|--|--|
| Medium | Creative Scotland Place Partnership | To successfully apply and deliver a Place Partnership. |
| Medium | Prepare Stage 2 Application to Creative Scotland | To secure funding for 25 -28 |
| Medium | Prepare application to Shetland Charitable Trust | To secure funding for 25 - 30 |

5.1 Policies

November 2023



INTRODUCTION

This report details the following

- Policies for Approval
- Policy Register

POLICIES FOR APPROVAL

| Policy Name | Appendix | Changes |
|-----------------|----------|-----------|
| Data Protection | 1 | No change |
| Environmental | 2 | No change |

POLICY REGISTER

| Policy Name | Date for Review | Notes |
|--|-----------------|---------------------------------------|
| Pay and Pension Policy | 27/04/2024 | |
| Sick Pay | 16/12/2024 | |
| Adoption, Maternity and Paternity | 16/12/2024 | |
| Statutory Right to Time Off | 16/12/2025 | |
| Training and Trips | 24/02/2025 | |
| Disciplinary | 24/02/2024 | |
| Capability | 24/02/2024 | |
| Anti- Harassment, Bullying and Victimisation | 28/04/2024 | |
| Equality, Inclusion and Diversity | 28/04/2023 | Coming to December 2023 board meeting |
| Absence Management | 16/12/2025 | |
| Communications | 28/04/2024 | |
| Whistleblowing | 30/06/2024 | |

| | | |
|---------------------------------------|----------------|---|
| Expenses | 30/06/2025 | |
| Data Protection | 30/06/2023 | Included as Appendix 1 |
| Alcohol and Drugs | 30/06/2025 | |
| Social Media | 25/08/2024 | |
| Environmental | 25/08/2023 | Included as Appendix 2 |
| Health, Safety and Welfare | 27/04/2024 | |
| Children, Young and Vulnerable Adults | 03/11/2024 | |
| Conflicts of Interest | 27/04/2024 | |
| Smoke Free Policy | 03/11/2024 | |
| Volunteering Policy | 24/02/2024 | |
| Menopause Policy | 29/04/2024 | |
| Portable IT Policy | In development | |
| Procurement Policy | 03/11/2025 | |
| Recruitment Policy | 24/04/2025 | |
| Lone Working Policy | In development | |
| Appraisal Policy | 24/02/2024 | |
| Flexible Working Policy | 27/04/2026 | |
| Time off for Dependents Policy | 27/04/2026 | |
| Breastfeeding Policy | In development | Working on amendments following staff consultation. |
| Relocation Policy | 28/06/2026 | |

Appendix 1

Data Protection Policy

This document sets out Shetland Arts' policy on the protection of information relating to staff members, workers, contractors, volunteers and interns (referred to as staff members). Protecting the confidentiality and integrity of personal data is a critical responsibility that Shetland Arts takes seriously at all times. Shetland Arts will ensure that data is always processed in accordance with the provisions of relevant data protection legislation, including the General Data Protection Regulation (GDPR).

Key Definitions

- **Data processing** is any activity that involves the use of personal data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transmitting or transferring personal data to third parties.
- **Personal data** is any information identifying a data subject (a living person to whom the data relates). It includes information relating to a data subject that can be identified (directly or indirectly) from that data alone or in combination with other identifiers Shetland Arts possesses or can reasonably access. Personal data can be factual (for example, a name, email address, location or date of birth) or an opinion about that person's actions or behaviour.
- **Sensitive personal data** is a special category of information which relates to a data subject's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health conditions, sexual life, sexual orientation, biometric or genetic data. It also includes personal data relating to criminal offences and convictions.

Privacy Notice

This policy, together with the information contained in the table of staff member data appended to the policy, constitutes a privacy notice setting out the information Shetland Arts holds about staff members, the purpose for which this data is held and the lawful basis on which it is held. Shetland Arts may process personal information without staff members' knowledge or consent, in compliance with this policy, where this is required or permitted by law.

If the purpose for processing any piece of data about staff members should change, Shetland Arts will update the table of staff member data with the new purpose and the lawful basis for processing the data and will notify staff members.

Fair Processing of Data

Fair processing principles

In processing staff members' data the following principles will be adhered to. Personal data will be:

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that are clearly explained and not used in any way that is incompatible with those purposes;
- Relevant to specific purposes and limited only to those purposes;
- Accurate and kept up to date;
- Kept only as long as necessary for the specified purposes; and
- Kept securely.

Appendix 1

Data Protection Policy

Lawful processing of personal data

Personal information will only be processed when there is a lawful basis for doing so. Most commonly, Shetland Arts will use personal information in the following circumstances:

- when it is needed to perform staff members' contracts of employment;
- when it is needed to comply with a legal obligation; or
- when it is necessary for Shetland Arts' legitimate interests (or those of a third party) and staff members' interests and fundamental rights do not override those interests.

Shetland Arts may also use personal information in the following situations, which are likely to be rare:

- when it is necessary to protect staff members' interests (or someone else's interests); or
- when it is necessary in the public interest [or for official purposes].

Lawful processing of sensitive personal data

Shetland Arts may process special categories of personal information in the following circumstances:

- In limited circumstances, with explicit written consent;
- in order to meet legal obligations;
- when it is needed in the public interest, such as for equal opportunities monitoring [or in relation to Shetland Arts' occupational pension scheme]; or
- when it is needed to assess working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, Shetland Arts may process this type of information where it is needed in relation to legal claims or where it is needed to protect a staff member's interests (or someone else's interests) and the staff member is not capable of giving consent, or where a staff member has already made the information public. Shetland Arts may use particularly sensitive personal information in the following ways:

- information relating to leaves of absence, which may include sickness absence or family related leaves, may be used to comply with employment and other laws;
- information about staff members' physical or mental health, or disability status, may be used to ensure health and safety in the workplace and to assess fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits;
- information about race or national or ethnic origin, religious, philosophical or moral beliefs, or sexual life or sexual orientation, may be used to ensure meaningful equal opportunity monitoring and reporting; and
- information about trade union membership may be used to pay trade union premiums, register the status of a protected staff member and to comply with employment law obligations.

Lawful processing of information about criminal convictions

Shetland Arts does not envisage that it will hold information about criminal convictions. If it becomes necessary to do so, Shetland Arts will only use this information where it has a legal basis for processing the information. This will usually be where such processing is necessary to carry out Shetland Arts' obligations. Less commonly, Shetland Arts may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect a staff member's interests (or someone else's interests) and the staff member is not capable of giving consent, or where the staff member has already made the information public.

Appendix 1

Data Protection Policy

Shetland Arts will only collect information about criminal convictions if it is appropriate given the nature of the role and where it is legally able to do so. Where appropriate, Shetland Arts will collect information about criminal convictions as part of the recruitment process or may require staff members to disclose information about criminal convictions during the course of employment.

Consent to data processing

Shetland Arts does not require consent from staff members to process most types of staff member data. In addition, Shetland Arts will not usually need consent to use special categories of personal information in order to carry out legal obligations or exercise specific rights in the field of employment law. If a staff member fails to provide certain information when requested, Shetland Arts may not be able to perform the contract entered into with the staff member (such as paying the staff member or providing a benefit). Shetland Arts may also be prevented from complying with legal obligations (such as to ensure the health and safety of staff members).

In limited circumstances, for example, if a medical report is sought for the purposes of managing sickness absence, staff members may be asked for written consent to process sensitive data. In those circumstances, staff members will be provided with full details of the information that sought and the reason it is needed, so that staff members can carefully consider whether to consent. It is not a condition of staff members' contracts that staff members agree to any request for consent.

Where staff members have provided consent to the collection, processing and transfer of personal information for a specific purpose, they have the right to withdraw consent for that specific processing at any time. Once Shetland Arts has received notification of withdrawal of consent it will no longer process information for the purpose or purposes originally agreed to, unless it has another legitimate basis for doing so in law.

Automated decision making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention.

Shetland Arts does not envisage that any decisions will be taken about staff members using automated means, however staff members will be notified if this position changes.

Collection and Retention of Data

Collection of data

Shetland Arts will collect personal information about staff members through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. Shetland Arts may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

The table of staff member data appended to this policy relates to information which is collected at the outset of employment. From time to time, Shetland Arts may collect additional personal information in the course of job-related activities throughout the period of employment. If Shetland Arts requires to obtain additional personal information, this policy will be updated or staff members will receive a separate privacy notice setting out the purpose and lawful basis for processing the data.

Appendix 1

Data Protection Policy

Retention of data

Shetland Arts will only retain staff members' personal information for as long as necessary to fulfil the purposes it was collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of personal information are set out in the table of staff member data appended to this policy.

When determining the appropriate retention period for personal data, Shetland Arts will consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of personal data, the purposes for which the personal data is processed, whether Shetland Arts can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances Shetland Arts may anonymise personal information so that it can no longer be associated with individual staff members, in which case Shetland Arts may use such information without further notice to staff members. After the data retention period has expired, Shetland Arts will securely destroy staff members' personal information.

Data Sharing and Security

Data security

Shetland Arts has put in place appropriate security measures to prevent personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Details of these measures are available upon request. Access to personal information is limited to those staff members, agents, contractors and other third parties who have a business need to know. They will only process personal information on Shetland Arts' instructions and are subject to a duty of confidentiality. Shetland Arts expects staff members handling personal data to take steps to safeguard personal data of staff members (or any other individual) in line with this policy.

Data sharing

Shetland Arts requires third parties to respect the security of staff member data and to treat it in accordance with the law. Shetland Arts may share personal information with third parties, for example in the context of the possible sale or restructuring of the business. Shetland Arts may also need to share personal information with a regulator or to otherwise comply with the law.

Shetland Arts may also share staff member data with third-party service providers where it is necessary to administer the working relationship with staff members or where Shetland Arts has a legitimate interest in doing so. The following activities are carried out by third-party service providers: pension administration, IT services and HR advice.

Staff Member Rights and Obligations

Accuracy of data

Shetland Arts will conduct regular reviews of the information held by it to ensure the relevancy of the information it holds. Staff members are under a duty to inform Shetland Arts of any changes to their current circumstances. Where a Staff member has concerns regarding the accuracy of personal data held by Shetland Arts, the Staff member should contact the Head of Organisational Support to request an amendment to the data.

Appendix 1

Data Protection Policy

Staff member rights

Under certain circumstances, staff members have the right to:

- Request access to personal information (commonly known as a “data subject access request”).
- Request erasure of personal information.
- Object to processing of personal information where Shetland Arts is relying on a legitimate interest (or those of a third party) to lawfully process it.
- Request the restriction of processing of personal information.
- Request the transfer of personal information to another party.

If a staff member wishes to make a request on any of the above grounds, they should contact the Chief Executive in writing. Please note that, depending on the nature of the request, Shetland Arts may have good grounds for refusing to comply. If that is the case, the staff member will be given an explanation by Shetland Arts.

Data subject access requests

Staff members will not normally have to pay a fee to access personal information (or to exercise any of the other rights). However, Shetland Arts may charge a reasonable fee if the request for access is clearly unfounded or excessive. Alternatively, Shetland Arts may refuse to comply with the request in such circumstances.

Shetland Arts may need to request specific information from the staff member to help confirm their identity and ensure the right to access the information (or to exercise any of the other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Compliance with this Policy

Shetland Arts’ responsibility for compliance

The Chief Executive is tasked with overseeing compliance with this policy. If staff members have any questions about this policy or how Shetland Arts handles personal information, they should contact the Chief Executive. Staff members have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues.

Data security breaches

Shetland Arts has put in place procedures to deal with any data security breach and will notify staff members and any applicable regulator of a suspected breach where legally required to do so. Details of these measures available upon request.

In certain circumstances, Shetland Arts will be required to notify regulators of a data security breach within 72 hours of the breach. Therefore, if a staff member becomes aware of a data security breach it is imperative that they report it to the Chief Executive immediately.

Appendix 1

Data Protection Policy

Privacy by design

Shetland Arts will have regard to the principles of this policy and relevant legislation when designing or implementing new systems or processes (known as “privacy by design”).

Staff members’ responsibility for compliance

All staff members, particularly those tasked with regularly handling personal data of colleagues or third parties, have responsibility for ensuring that processing meets the standards set out in this policy. Staff members should observe, as a minimum, the following rules:

- Staff members must observe to the letter any instruction or guidelines issued by Shetland Arts in relation to data protection.
- Staff members should not disclose personal data about Shetland Arts , colleague or third parties unless that disclosure is fair and lawful, in line with this policy;
- Staff members must take confidentiality and security seriously, whether the staff member considers the information to be sensitive or not.
- Any personal data collected or recorded manually which is to be inputted to an electronic system should be inputted accurately and without delay.
- Staff members must not make any oral or written reference to personal data held by Shetland Arts about any individual except to staff members of Shetland Arts who need the information for their work or an authorised recipient.
- Great care should be taken to establish the identity of any person asking for personal information and to make sure that the person is entitled to receive the information.
- If an staff member is asked by an unauthorised individual to provide details of personal information held by Shetland Arts, the staff member should ask the individual to put their request in writing and send it to the Chief Executive If the request is in writing the staff member should pass it immediately to their line manager.
- Staff members must not use personal information for any purpose other than their work for Shetland Arts .
- If a staff member is in doubt about any matter to do with data protection they must refer the matter to their line manager immediately.
- Passwords should not be disclosed and should be changed regularly;
- Staff member or third party personal data should not be left unsecured or unattended, e.g. on public transport;
- Unauthorised use of computer equipment issued by Shetland Arts is not permitted;
- Staff members must ensure that all confidential information, whether containing staff member or third party personal data or not, is secured when it is not in use or when the staff member is not at work;
- Staff members may use personal equipment to carry out work but must ensure that devices are password protected, locked when not in use and must not store any staff member or third party personal data locally on their device;
- As far as possible, staff member or third party personal data contained in emails and attachments should be anonymised before it is sent by email; and
- Documents containing sensitive information should be password protected and, if the document requires to be transmitted, the document and password should be transmitted separately.

Any breach of the above rules will be taken seriously and, depending on the severity of the matter, may constitute gross misconduct which could lead to summary termination of employment.

Appendix 2 Data Protection Policy

| STAFF MEMBER DATA | | | | | | |
|-------------------------------------|-----------------|---------------------------------------|-------------------------------------|---|--|-------------------------|
| Type of personal data | Sensitive data? | Purpose of processing | Potential transfer to third parties | Lawful basis for processing | Grounds for processing sensitive personal data | Retention period |
| Contact details | No | Administering the employment contract | HMRC / Professional advisors | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post-employment |
| Date of birth | No | Equal opportunities monitoring | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post-employment |
| Gender | Yes | Equal opportunities monitoring | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 years post-employment |
| Marital status | Yes | Equal opportunities monitoring | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 years post-employment |
| Information about race | Yes | Equal opportunities monitoring | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 years post-employment |
| Information about ethnicity | Yes | Equal opportunities monitoring | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 years post-employment |
| Information about religious beliefs | Yes | Equal opportunities monitoring | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 years post-employment |

Appendix 2 Data Protection Policy

| | | | | | | |
|--|-----|---|---|---|--|--------------------------|
| Information about sexual orientation | Yes | Equal opportunities monitoring | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 years post-employment |
| Information about political affiliations | Yes | Equal opportunities monitoring | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 years post-employment |
| Next of kin / emergency contact | No | Safety and security | N/A | Legal obligation / Performance of contract / Legitimate interests | N/A | During employment |
| NI number | No | Payroll | HMRC / Professional advisors | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post-employment |
| Salary information | No | Payroll | HMRC / Professional advisors | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post-employment |
| Bank details | No | Payroll | HMRC | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 months post-employment |
| Tax details | No | Payroll | HMRC | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post-employment |
| Pension details | No | Payroll / liaising with pension providers | HMRC / pension providers | Legal obligation / Performance of contract / Legitimate interests | N/A | 75 years post-employment |
| Benefits information | No | Providing benefits to staff members | Benefit providers / Professional advisors | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post-employment |

Appendix 2 Data Protection Policy

| | | | | | | |
|---------------------------------|-----|--|--------------------------|---|--|-----------------------------|
| Driving license | No | Making recruitment decisions / ascertaining ability to work | N/A | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post- employment |
| CV | No | Making recruitment decisions / ascertaining ability to work | N/A | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post- employment |
| Right to work documents | Yes | Checking right to work in the UK | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | employment purposes / conduct of legal claims | 2 years post- employment |
| Sick leave details | No | Managing absence | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post- employment |
| Performance details | No | Managing performance | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post- employment |
| Qualifications | No | Making recruitment decisions / ascertaining ability to work | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post- employment |
| Employment history | No | Making recruitment decisions / ascertaining ability to work | N/A | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post- employment |
| Information about disability | Yes | Managing staff / health and safety requirements / ascertaining fitness to work | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 years post- employment |
| Training records | No | Education, training and development requirements | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post- employment |

Appendix 2 Data Protection Policy

| | | | | | | |
|--|-----|--|-----------------------|---|---|-------------------------|
| Professional memberships | No | Education, training and development requirements | N/A | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post-employment |
| Disciplinary and grievance information | No | Staff management | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post-employment |
| CCTV footage | No | Safety and security | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post-employment |
| Swipe card records | No | Managing timekeeping and absence / safety and security | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post-employment |
| Information about use of IT systems | No | Ensuring network and data security / staff management | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | N/A | 6 years post-employment |
| Photographs | No | Safety and security | N/A | Legal obligation / Performance of contract / Legitimate interests | N/A | During employment |
| Trade union membership | Yes | Deducting trade union fees | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | employment purposes / conduct of legal claims | 6 years post-employment |
| Health records | Yes | Managing absence / ascertaining fitness to work | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | employment purposes / conduct of legal claims | 6 years post-employment |
| Genetic information and biometric data | Yes | Managing absence / ascertaining fitness to work | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | employment purposes / conduct of legal claims | 6 years post-employment |

Appendix 2
Data Protection Policy

| | | | | | | |
|-----------------------------------|-----|---|-----------------------|---|---|-------------------------|
| Criminal convictions and offences | Yes | Making decisions about recruitment / continued employment | Professional advisors | Legal obligation / Performance of contract / Legitimate interests | employment purposes / conduct of legal claims | 6 years post-employment |
|-----------------------------------|-----|---|-----------------------|---|---|-------------------------|

Appendix 2

Environmental Policy

The Policy

Shetland Arts Development Agency is committed to operating in an environmentally sustainable manner and reducing the environmental impact of our work both in our venues and across Shetland.

Our policy aims to maintain a working environment that, where reasonably possible, strives to promote energy efficiency, recycling of waste materials and the use of recycled products. We want to reduce energy use across our buildings and adopt low carbon solutions where possible, especially in the design and delivery of any capital programmes. We will also comply with all relevant environmental legislation, regulations and requirements.

Our Impacts

- Our office: energy use, water use and waste;
- Our business travel and staff commuting: energy use;
- Our communications materials: use of resources (mainly paper and inks) and transport for printed materials and use of energy for storage, downloading, streaming and/or online reading for digital communications;
- Our events: energy use, water use, food, waste, transport and travel;
- The goods and services we choose for our offices: notably stationery, ICT and electronic equipment, furniture and cleaning and;
- The business services we use: notably website, data and email server hosting and banking.

Management Responsibilities

Chief Executive

The Chief Executive has overall responsibility for the implementation of the policy. In particular they are responsible for ensuring that the policy is widely communicated and that its effectiveness is monitored.

Production and Facilities Lead (Green Champion)

The Production and Facilities Lead is the nominated manager responsible for coordinating and delivering any agreed environmental actions.

The Production and Facilities Lead is responsible for

- the production and maintenance of the Shetland Arts' Environmental Action Plan and ensuring that operation plans are consistent with policy;
- monitoring and reporting in line with any funding agreements;
- Chairing the Green Champion Initiative working group

Commitments

- Implementing energy saving technologies and initiatives
- Adopting strategies to minimise the environmental impacts of any activity
- Using utilities in a responsible and economic way to minimise negative impacts on the environment
- Purchasing supplies wherever possible which are recycled and recyclable, and whose production and use minimises the consumption of natural resources
- Conserving resources by ensuring that buildings and fittings are properly maintained and reflect appropriate eco guidance
- Communicating this policy and our environmental performance to appropriate people working for or on behalf of the organisation

Appendix 2

Environmental Policy

- Using contractors / suppliers who perform the services in accordance with the government's environmental policy, demonstrating commitment to the continuous improvement of environmental performance and the activities they undertake

5.3 Strategic Risks November 2023



INTRODUCTION

This report details a new risk, Climate Change, that we need to consider whether we want to add to the risk register. This has been highlighted by the guidance Creative Scotland has issued over environmental sustainability.

I would also recommend that we begin to review one strategic risk at each board meeting, reviewing the whole register in June, prior to the AGM. This will be done on a rolling basis starting in December.

Updates

Appendix 1

| No. | Strategic Risk | Frequency | Severity | Risk Profile | No. | Mitigation | Evidence | Revised Frequency | Revised Severity | Revised Risk Profile | Rationale |
|-----|---|-----------|----------|--------------|-----|---|------------------------------|-------------------|------------------|----------------------|---|
| | | (1-5) | | (FxS) | | | | (1-5) | | (RFxRS) | |
| 8 | Climate Change Risk to organisation sustainability of ongoing climate change impacts | 2 | 4 | 8 | 8.1 | Use of Hybrid Working | Flexible Working Policy | 2 | 4 | 8 | Frequency has not been reduced as any impact we can have will not be sufficient to create change Severity has not been reduced as any impact we can have will not be sufficient to create change |
| | | | | | 8.2 | Use of online meetings with partners | Fortnightly islands meetings | | | | |
| | | | | | 8.3 | Invest in facilities to reduce carbon usage | SCT Capital Grants Scheme | | | | |
| | | | | | 8.4 | Carbon Budgeting | Introduce from April 2024 | | | | |

| Frequency | | |
|-----------|--------------------|---|
| Score | Descriptor | Guidance |
| 5 | Extremely Likely | Is expected to happen in most circumstances. 80-100% likely to happen in the next five years. |
| 4 | Very Likely | Will probably happen at some time. 60-79% likely to happen in the next five years. |
| 3 | Likely | Might happen at some time. 40-59% likely to happen in the next five years |
| 2 | Unlikely | Conceivable it could happen. 20-39% likely to happen in the next five years. |
| 1 | Extremely Unlikely | Could happen in exceptional circumstances. 0-19% likely to happen in the next five years/ |

| Severity | | |
|----------|------------------|--|
| Score | Descriptor | Guidance |
| 5 | Extremely Severe | Organisation will fail 100% of the time |
| 4 | Very Severe | Organisation will fail without proper management 70% of the time |
| 3 | Severe | Organisation will fail without proper management 35% of the time |
| 2 | Minor | Organisation will fail without proper management 10% of the time |
| 1 | Extremely Minor | Organisation unlikely to fail |

5.3 Trustee Recruitment November 2023



INTRODUCTION

This report details the following

- Individuals proposed for appointment for a second term as Trustee.
- Individuals proposed for appointment as a new Trustee.

PROPOSED TRUSTEES

| Name | Panel | Details | Recommendation |
|----------------|--|--|----------------|
| James Johnston | N/A | James reached the end of his first term as a Trustee on 29 October 2023 and the Trustees are required to re appoint him for his second term. | Reappoint |
| Hannah Watts | Susan Mail Jamie Manson Catriona Macdonald | The panel felt that Hannah had an interesting set of skills which would be beneficial for the board and was very enthusiastic about SADA. | Appoint |

6.1 Updates from Stakeholders

November 2023



INTRODUCTION

This report details the following

- Updates from key stakeholders

UPDATES FROM KEY STAKEHOLDERS

| | |
|----------------------------------|---|
| Creative Scotland | Application to Stage 1 of the Multi Year Funding 25 – 28 submitted. Outcome expected in February 24 |
| Shetland Charitable Trust | N/A |
| Highlands and Islands Enterprise | N/A |
| Shetlands Islands Council | N/A |

7.1 Key Upcoming Events November 2023



Shetlandarts

EVENT DETAILS

| Date | Title | Venue |
|-------------------|-------------------------------|------------------|
| 16 December 2023 | Make More Noise 2023 | Mareel |
| 31 December 2023 | Bells in the Bar 2023 | Mareel |
| 9 March 2024 | John Goldie Trio | Mareel |
| 29 September 2024 | Sunday Teas with Aly and Phil | Haroldswick Hall |