

Approved



## **UNIVERSITY COURT**

### **MINUTES**

of the meeting of the University Court held on 17 June 2015 at 2pm in the Boardroom of the University.

Chair: Mr E Frizzell  
Vice-Chair: Professor E Wilson

Mr M Batho	Ms R Donoghue	Mr I McDonald
Mrs L Baxter	Mr M Grossi	Right Rev Dr N Peyton
Ms A Boyle	Mr C Macdonald	Dr J Rees
Mr J Burt	Mr G MacDougall	Mrs S Scott
Ms A Cameron	Mr A Macmillan Douglas	Professor N Seaton
Dr A Cornish		Mrs H Smith

Secretary: Mrs S Stewart  
Clerk to Court: Dr A Ramsay

In attendance: Mrs S Campbell  
Mrs L Edwards (item 96)  
Ms E Fraser (item 94)  
Mrs W Grant (items 87-98)  
Mr C Marshall  
Mrs C Summers (item 93)  
Mr B Yuksel

Apologies for absence were intimated on behalf of Mr D Dorward, Mr R Fletcher, Professor S Olivier and Mr M Shaw. The Chair noted that the thoughts of Court were with Mr Dorward and family.

### **NON-RESERVED AREAS OF BUSINESS**

#### **87 WELCOME**

The Chair welcomed Mrs S Campbell to her first meeting of Court as an observer. On behalf of Court, Mr Frizzell thanked Mrs H Smith for the walking tour of the Estates functions which had taken place earlier and encouraged members to attend future School and Service visits. Members were apprised of the recent EUNIS conference, which had been extremely successful, and commended the efforts of all those involved.

#### **88 DECLARATION OF POTENTIAL CONFLICTS OF INTEREST**

The Chair reminded members of their responsibility to indicate if they had, or could be perceived to have, a conflict of interest in relation to the items for

discussion. None was declared.

89 MINUTES OF THE MEETING OF THE CHAIR'S COMMITTEE HELD ON 8 JUNE 2015

Court noted the above minutes, submitted for information as Enclosure 61.

90 MINUTES OF THE MEETING OF THE UNIVERSITY COURT HELD ON 25 APRIL 2015

Court approved the above minutes, submitted as Enclosure 62, as an accurate record.

91 MATTERS ARISING FROM THESE MINUTES

The University Secretary apprised Court that the Higher Education (Scotland) Bill had recently been published and that the Scottish Government intended to legislate *inter alia* on the appointment of Chairs of governing bodies, the membership of Courts and Academic Councils and the definition of academic freedom. The Chair advised members that it was expected the Bill would proceed to Committee after the summer recess and that Court would therefore have the opportunity to discuss the proposed legislation in more detail at its next meeting.

92 COURT APPOINTING MATTERS

CT/0615/63

The University Secretary introduced the above paper in relation to the vacancy on court arising from the resignation of Mr John Reid and the vacancy which would arise from 1 January 2016. Mrs Stewart advised members that, as previously agreed by Court, an advertisement for new lay members had been placed in May 2015, applications had been considered and applicants invited to meet a sub-group of the Committee on 8 June 2015.

Court accepted the recommendation of the Governance & Nominations Committee that Dr Maria Hinfelaar be invited to join the lay membership of Court with immediate effect until 31 December 2017. Members also approved the recommendation of the Governance & Nominations Committee that Ms G Ghafoor be invited to join the lay membership of Court from 1 January 2016 for a three-year period to 31 December 2018.

The University Secretary apprised Court of the result of the recent election from amongst the academic staff of the University, noting that Dr Stuart Waiton had now been elected to Court and would attend from the first meeting in session 2015/16. In relation to vacancies in the membership of committees of Court, Court endorsed the recommendation of the Governance & Nominations Committee that Dr Alexis Cornish become Chair of the Audit Committee from 1 January 2016, that Mr Murray Shaw join the Finance & Corporate Performance Committee and that Mrs Fiona Ramsay join the Audit Committee as an independent, co-opted member.

Thereafter, Court accepted the report.

93 PLANNING & BUDGETING: DRAFT BUDGET 2015/2016 AND FINANCIAL FORECASTS

CT/0615/64

The Vice-Principal (University Services) introduced the above paper, intended to provide Court with an overview of operational planning and budgeting for academic year 2015-2016. Mr Batho reminded members that, last session, Court had been required to consider the draft 2014-2015 budget at its meeting in June 2014 as a result of the Finance & Corporate Performance Committee having been unable to meet. In contrast, the Finance & Corporate Performance had considered the paper in detail at its meeting on 26 May 2015 and was recommending the 2015-2016 budget and the 2016-2017 and 2017-2018 forecasts.

Mr Batho advised members that the 2016-2017 and 2017-2018 forecasts were required by the Scottish Funding Council (SFC) but that, as Court had noted at its April meeting, considerable uncertainty remained around SFC funding (both revenue and capital) from 2016-2017 onwards, which made it difficult to predict the future financial landscape with any certainty. The change in the formula for allocating funding to teaching made it almost certain that the University would lose c£300K in core funding in 2016-2017 and a further c£400K from 2017-2018 onwards. In addition, it had been announced that Regional Coherence funding would definitely cease after 2015-2016, although it was possible that a funding stream broadly aligned with the objectives of the scheme might continue.

The General Election result had created further instability and the outcome of the impending national spending review made it likely that the sector could expect in-year funding cuts during 2015-2016. Court was advised that the University remained committed to achieving an annual surplus of 3% of income. However, to deliver such a surplus whilst making conservative assumptions regarding income meant that the University would require to achieve substantial savings. Court noted that significant discussions had been held over a period of months as part of the operational planning process regarding the future structure and direction of the institution. Decisions regarding capital expenditure would be strictly prioritised and the staff profile, both academic and administrative, was being reviewed prior to being reshaped in the light of the portfolio review and the effectiveness and efficiency agenda.

Court noted that the University was considering options for borrowing, which would be discussed in due course at the Finance and Corporate Performance Committee, but that the institution would focus upon managing capital in order to be able to act swiftly in unforeseen circumstances. In discussion, the review of the staff profile was noted and Court was advised that a number of proposed redundancies would be announced over the following weeks, along with redeployment opportunities. Members expressed concerns regarding the projected student numbers for 2015-2016 and requested that Court be apprised of recruitment figures and student numbers as early as possible in session 2015-2016.

In relation to the 2016-2017 and 2017-2018 forecasts, members noted that these had been produced on the basis of the most accurate information available and in the knowledge that these would require to be reviewed regularly in the light of the changing financial landscape. Members noted that Finance and Corporate Performance Committee's endorsement of the budget

and associated forward forecasts and were assured that any significant changes would be brought to the attention of Court.

Thereafter, Court approved the draft budget 2015-2016 and the 2016-2017 and 2017-2018 financial forecasts.

*[Secretary's note: Mrs C Summers left the meeting at this point]*

94 MANAGING CHANGE

Oral report

*[Secretary's note: Ms E Fraser joined the meeting at this point]*

The Principal spoke to the above item, intended to apprise Court of the need for institutional change and to assure members that such developments as would be required to ensure continued forward momentum had been thoroughly considered by management. Professor Seaton advised Court that the University was guided in all its activities by the Strategic Plan 2015-2020 and that, to meet its strategic objectives, the institution would have to improve performance and, where possible, to reduce costs given that state funding for Higher Education was likely to be very constrained until the end of the decade at least.

Court was apprised that staff had been made aware by the Principal of the likelihood of an increased number of redundancies than in recent years as a result of the reshaping of the staff profile and in the context of the difficult financial environment. Members were further advised that consultation would begin shortly with a small number of staff affected and that a meeting would be held with the trades unions to facilitate discussions.

The Director of Human Resources and Organisational Development noted that Human Resources was working very closely with Heads of School and Service to ensure smoothness of transition and that stress management and counselling services were available to affected staff. In discussion, members sought assurances that the reduction in staff numbers would not impact negatively on the student experience and were reassured that the University intended to pursue its strategic goal of enhancing the student experience. Further information was provided on opportunities for re-deployment and it was noted that Court approval was not required for compulsory redundancies.

Thereafter, Court endorsed the management position and requested that the process be conducted transparently, swiftly and with compassion for those involved.

95 COURT VISIBILITY AND ENGAGEMENT WITH THE UNIVERSITY COMMUNITY

Oral report

The Chair of the Governance & Nominations Committee spoke to the above item, intended to apprise members of development prospects for Court and of opportunities to enhance the engagement of Court with the wider University Community. It was noted that Court members were now invited to attend meetings of Senate as observers, as well as being invited to Graduation and prize-giving ceremonies, professorial lectures and other University proceedings. Mrs Scott urged members to participate in such events and engage with staff for the benefit of all, as well as accessing the Yammer blogs and all-staff emails for information on an ongoing basis.

The Chair of Court reiterated the request that members engage in greater numbers with the broader University community.

96 ABERTAY STUDENTS' ASSOCIATION ANNUAL REPORT AND DRAFT BUDGET

CT/0615/65

*[Secretary's note: Mrs L Edwards joined the meeting at this point]*

The Chair welcomed Mrs Lorna Edwards to the meeting in her capacity as Students' Association Chief Executive. Court received and considered the above end-of-year report from the University Students' Association. Members commended the comprehensive report and the major improvements effected during the academic session. The President of the Students' Association thanked the Executive for their assistance and involvement in a year of significant change.

Thereafter, Court noted the report and the Association's proposed budget for 2015-2016.

*[Secretary's note: Mrs L Edwards left the meeting at this point]*

97 AUDIT COMMITTEE: MINUTES OF THE MEETING HELD ON 2 JUNE 2015

The minutes of the above meeting, submitted as Enclosure 66, were approved.

The following matters were approved:

97.1 Membership of the Committee

(paragraph 77 refers)

Court endorsed two recommendations in respect of the membership of the Audit Committee. Firstly that Dr Alexis Cornish take over the role of Chair from January 2016 and secondly that Mrs Fiona Ramsay, Director of Finance & Strategic Planning at Forth Valley NHS should join the Committee as a co-opted independent member.

The following matters were noted:

97.2 Private Meeting of the Audit Committee with auditors

Court noted that the Audit Committee had met the auditors privately and had reported back to officers on this meeting, which had been largely positive. Members were advised that the Interim Chair would conduct meetings with members over the coming months in order to fulfil the Committee's obligation to evaluate the effectiveness of members.

97.3 Student Experience Report

(paragraph 72.1 refers)

Court noted the Committee's consideration of an internal audit report on the student experience, which had identified four moderate and four low-priority control issues.

97.4 Risk Management Report (paragraph 72.2 refers)  
Court noted the Committee's consideration of an internal audit report on risk management, which had identified three moderate and one low-priority control issues.

97.5 Follow-up Report (paragraph 74.1 refers)  
Court noted the Committee's consideration of an internal audit report on progress made by management in implementing previously agreed internal audit recommendations and noted that there were no outstanding critical or high-risk recommendations which had not been implemented.

97.6 Annual Internal Audit Report (paragraph 74.2 refers)  
Court noted the Committee's consideration of the internal auditors' draft report on the internal audit during 2014-2015. Members further noted that the overall opinion of the auditors was that significant assurance (with minor improvements) could be given to the organisation's framework of risk management, internal controls and governance.

97.7 Internal Audit 2015-2016 Draft Plan (paragraph 75 refers)  
Court noted the Committee's consideration and approval of the draft internal audit plan for session 2015-2016.

97.8 External Audit Plan 2015-2016 (paragraph 76 refers)  
Court noted the Committee's consideration and approval of the external audit plan for session 2015-2016.

98 FINANCE & CORPORATE PERFORMANCE COMMITTEE: MINUTES OF THE MEETING HELD ON 26 MAY 2015

The minutes of the above meeting, submitted as Enclosure 67, were approved.

The following matter was approved:

98.1 Review of Financial Regulations (paragraph 72 refers)  
Court endorsed the Committee's recommendation that amendments to the Financial Regulations be approved.

The following matters were noted:

98.2 Major Expenditure and Capital Planning (paragraph 69 refers)  
Court noted that the Committee had received and discussed in detail a paper on major expenditure and capital planning. Members were advised that the Committee would expect to receive further iterations of the expenditure plan.

98.3 Abertay Management Accounts  
(paragraph 70 refers)  
Court noted that the Committee had considered the University's management accounts, which showed a positive variance.

98.4 Review of Policy on Fraud Prevention, Detection & Investigation  
(paragraph 74 refers)  
Court noted the Committee's approval of a review of the policy on Fraud Prevention, Detection and Investigation, which had been agreed with both the internal and external auditors.

*[Secretary's note: Mrs W Grant left the meeting at this point]*

99 GOVERNANCE & NOMINATIONS COMMITTEE: MINUTES OF THE MEETING HELD ON 19 MAY 2015

CT/0615/68

The following matters were approved:

99.1 Revised Public Interest Disclosure (Whistleblowing) Policy  
(paragraph 39.2 refers)  
Court endorsed the Committee's recommendation that the revised Public Interest Disclosure (Whistleblowing) Policy be approved.

99.2 Annual and periodic Court effectiveness reviews  
(paragraph 40 refers)  
Court endorsed the Committee's recommendation that a new approach to the annual and periodic evaluation of Court and its committees be approved.

The following matter was noted:

99.3 Relationship between Court and Senate and the effectiveness of Senate  
(paragraph 41 refers)  
Court noted the Committee's consideration of a paper which delineated the responsibilities delegated by Court to Senate and which considered the assurances available to Court that Senate was operating effectively.

Thereafter, the minutes of the above meeting were approved.

100 PEOPLE, HEALTH & EQUALITY COMMITTEE: MINUTES OF THE MEETING HELD ON 28 MAY 2015

CT/0615/69

Court received and approved the minutes of the above meeting.

The following matter was approved, subject to clarification on the use of confidentiality clauses and the costs incurred to the institution of producing the settlement agreement:

100.1 Revised Severance Statement  
(paragraph 69 refers)  
Court endorsed the Committee's recommendation that the revised Severance Statement be approved, subject to clarification on the use of confidentiality clauses and the costs incurred to the institution of producing the settlement agreement:

The following matters were noted:

- 100.2 HR Indicators: sickness absence, exit survey and individual cases  
(paragraph 70 refers)  
Court noted that the Committee had received and discussed a report on Human Resources indicators, including sickness absence.
- 100.3 Non-Academic Student Disciplinary Code  
(paragraph 72 refers)  
Court noted the Committee's consideration and endorsement of a new, non-academic Code of Student Discipline, subject to minor amendments.
- 100.4 Living Wage  
(paragraph 75 refers)  
Court was apprised of the University's decision to implement the living wage.
- 100.5 Athena Swan update  
(paragraph 77 refers)  
Court commended the University on having been successfully awarded an institutional Bronze Athena Swan award at its first attempt.
- 100.6 Health and Safety Committee: Minute of meeting  
(paragraph 80 refers)  
Court noted the Committee's consideration of the minute of the Health & Safety Sub-Committee.

*[Secretary's note: Ms E Fraser left the meeting at this point]*

101 REMUNERATION COMMITTEE: MINUTES OF THE MEETING HELD ON 25 APRIL 2015

CT/0615/70

Court received and considered the above report.

The following matters were noted:

- 101.1 Review of staff salaries on points above the nationally-agreed framework  
(paragraph 11 refers)  
Court noted the Committee's consideration of a proposal for a new process to allow the annual review of all professional staff on scale points above those in the nationally-agreed framework (in similar vein to the introduction of an annual review of the salaries of professorial staff).
- 101.2 Annual Report on severance  
(paragraph 12 refers)  
Court noted that the Committee had received the first report on use of the severance procedure during 2013/14.

Thereafter, Court approved the minutes of the above meeting.



102 SENATE REPORT

CT/0615/71

The University Secretary advised members that there were no specific items from the Senate report that she wished to draw to the attention of Court and invited members to note the work of Senate in relation to good governance practice, research excellence analysis and the approval of new taught postgraduate programmes.

Thereafter, Court noted the report.

103 STAKEHOLDERS REPORT

CT/0615/72

The University Secretary introduced the above report, intended to provide members with a summary of the wide range of activities undertaken by the Executive Groups in relation to stakeholder engagement.

Thereafter, Court noted the report.

104 GRADUATION CEREMONIES: 9 JULY 2015

The Chair encouraged members to attend the summer graduation ceremonies, which would take place on 9 July 2015.

105 OBSERVATIONS ON THE MEETING

The Chair invited Court to comment upon the business of Court conducted at the meeting. Members felt generally that the volume of business on the agenda was appropriate.

106 DEPARTURE OF MEMBER

Court noted that this would be the last meeting of the Committee attended by Ms R Donoghue, whose term of office as President of the Students' Association would end on 31 June 2015. On behalf of the Committee, the Chair thanked Ms Donoghue for her considerable input and highly-valued contributions to the work of Court. Members joined the Chair in wishing Ms Donoghue every good wish for her future success.

107 ANY OTHER COMPETENT BUSINESS

The Chair noted that the non-reserved business of Court was concluded and thanked members for their contribution during the session.

108 DATE OF NEXT MEETING

Court noted that the next meeting would take place on Wednesday 21 October 2015.

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**CHAIR**

***The meeting concluded at 16.30***