

Approved



UNIVERSITY COURT

MINUTES

of the meeting of the University Court held on 21 October 2015 at 2pm in the Boardroom of the University.

Chair: Mr E Frizzell

Mr M Batho	Mr R Fletcher	Right Rev Dr N Peyton
Mrs L Baxter	Dr M Hinfelaar	Dr J Rees
Ms A Boyle	Mr G MacDougall	Mrs S Scott
Mr J Burt	Mr A Macmillan Douglas	Professor N Seaton
Ms A Cameron	Mr C Marshall	Mr M Shaw
Dr A Cornish	Mr I McDonald	Mrs H Smith
Mr D Dorward	Professor S Olivier	Dr S Waiton

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

In attendance: Ms L Balfour (paragraph 6 item)
Ms S Campbell
Ms E Fraser (paragraph 14 item)
Mr D Reeves
Mrs C Summers (paragraph 7 item)
Mr B Yuksel

Apologies for absence were intimated on behalf of Mr M Grossi, Mr C Macdonald and Professor E Wilson.

NON-RESERVED AREAS OF BUSINESS

1 WELCOME TO NEW MEMBERS

The Chair welcomed Dr M Hinfelaar, as a new independent member, and Dr S Waiton, as the member elected by the academic staff of the University, to their first meeting of Court. Mr Frizzell also welcomed Mr D Reeves, the new Director of Finance & Research Income to the meeting as an observer.

2 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.

3 MINUTES OF THE MEETING OF THE CHAIR'S COMMITTEE HELD ON 12 OCTOBER 2015

Court noted the above minutes, submitted for information as Enclosure 1.

4 MINUTES OF THE MEETING OF THE UNIVERSITY COURT HELD ON 17 JUNE 2015

Court approved the above minutes, submitted as Enclosure 2, as an accurate record.

5 MATTERS ARISING FROM THESE MINUTES

Court noted that there were no matters arising which were not already on the agenda.

6 STUDENT RECRUITMENT AND ADMISSION

The Principal introduced the above presentation on the recruitment and admission of students to the University, which would be delivered by the Registrar & Deputy Secretary and the Director of International, Partnerships & Student Recruitment. Professor Seaton noted the centrality of this process to the business of the University and advised members that the internationalisation of the student population as a business proposition would be brought to the December meeting of Court for discussion.

Court was apprised of the stages involved in the recruitment and admissions lifecycle from commencing production of the prospectus to registration of the new student cohort some 18 months later. Court noted that the University participated in recruitment fairs and held an annual open day as well as hosting visits from individual prospective students. Ms Campbell and Ms Balfour advised members of regulatory controls governing the admission of students, noting intense competition in both the RUK and Overseas markets, the latter also being subject to UKVI legislation.

Court was advised of the processes involved in establishing target numbers for student intake, taking cognisance of widening participation commitments and articulation arrangements. Members noted the involvement of Schools in non-standard cases and were advised of arrangements for clearing.

In discussion, members considered how the University might maximise income from RUK and Overseas students without altering the dynamic of the student population to the detriment of widening participation and were informed about the contextual information introduced in 2012 for assessing applicants who might not otherwise have access to Higher Education. Members were advised that HE institutions were penalised financially for over-recruiting and noted that the University had achieved its top-level target figures for 2015/16 in relation to Home and EU students.

Thereafter, Court thanked Ms Campbell and Ms Balfour for a most informative presentation.

[Secretary's note: Ms L Balfour left the meeting at this point]

7 SFC OUTCOME AGREEMENT 2014/15 SELF-EVALUATION

CT/1015/03

The Director of Strategic Planning introduced the above draft self-evaluation report to SFC on progress against the outcomes contained in the University's 2014-15 Outcome Agreement with SFC and contained a detailed update on the targets contained in the outcome agreement. Mrs Summers advised members that this had been considered by the Finance and Corporate Performance Committee at its September meeting and by Senate at its October meeting.

Court was advised that progress against the 2014-15 agreement had been discussed regularly with SFC throughout the year. Where there were concerns about particular targets; these had been discussed and in some cases, for example the targets relating to recruitment of students from SIMD 40 areas, revised targets had been agreed as part of the negotiation of the University's 2015-16 outcome agreement, which Court approved at its February meeting. The University did not therefore anticipate any issues arising from the report.

In discussion, one member sought clarification of an accounting issue in relation to the treatment of pension funds under FRS17 and was advised that this target was no longer included in the 2015/16 or 2016/17 outcome agreement. The Director of Finance and Research Income advised that the introduction of a new SORP (statement of recommended practice) would bring significant volatility to the accounts and that a detailed plan would be brought to the next meeting of Court.

Members were advised of the positive working relationship the University had with the SFC and noted that the University had started the process of developing the outcome agreement for 2016-17. Mrs Summers noted that a draft would be brought to the December meeting of Court for discussion.

Thereafter, Court approved the report. *[Secretary's note: Mrs C Summers left the meeting at this point]*

8 QAA ENHANCEMENT-LED INSTITUTIONAL REVIEW (ELIR) BRIEFING

CT/1015/04

The Vice-Principal (Academic) introduced the above paper, intended to provide members with information on preparation for the ELIR 2016. Professor Olivier advised Court of progress made to date in the production of the University's Reflective Analysis document, which would be available to Court in December.

Thereafter, Court noted the report.

9 ANNUAL REPORT ON THE EFFECTIVENESS OF COURT

CT/1015/05

The University Secretary introduced the above report, noting that the Scottish Code of Good HE Governance required the courts of universities to review their effectiveness annually, and, in that context, both to measure compliance with the Code and performance against Court's Statement of Primary Responsibilities.

Mrs Stewart advised members that Court had agreed in June 2015 that it would consider an evaluative annual report on quantitative and qualitative aspects relating to the conduct of Court and its committees in the preceding

academic year. The report, which had been considered by the Governance & Nominations Committee was the first such report and was recommended to Court for approval.

Court was apprised that, if the recommendations contained within the report were approved, members would be invited to submit equality data (anonymously) for monitoring purposes and that a summary of the evaluation would be included in the University's annual statement.

Thereafter, Court approved the report.

10 SENATE MATTERS

10.1 Report of meeting held in October 2015

CT1015/06

The Principal introduced the report of the above meeting, noting that the main item discussed by Senate had been the results of the self-evaluation which had been carried out over the summer. Professor Seaton noted that Senate had been reflecting upon its role and membership during the previous academic session and that the evaluation had been conducted in part to progress this discussion and also to fulfil the recommendation contained in the Scottish Code of Good HE Governance that academic councils conduct periodic reviews.

Members were advised that the discussion had indicated a wish on the part of Senate to learn more about the governing body. In view of the fact that Court members now attended Senate meetings as observers, Court was asked to consider allowing Senate members to attend meetings of Court as observers.

Court indicated that it would be content with such a reciprocal arrangement and noted that the Clerk to Court would liaise with the Clerk to Senate on this matter.

Thereafter, Court noted the report.

10.2 Annual report to SFC on quality

CT/1015/07

The University Secretary introduced the above paper for information, noting that the University was required to submit – by 30 September each year – an annual report to the Scottish Funding Council (SFC) on institution-led review activity during the previous session.

Mrs Stewart reminded members that the report would normally have been appended to the annual Senate report to Court but that, in view of the preparation of the ELIR reflective analysis which would be received by Court in December, it had been agreed that the annual Senate report might be foregone. Members noted that the report to SFC had been endorsed by the Chair of Court on behalf of Court to allow it to be submitted timeously.

Thereafter, Court noted the report.

11 AUDIT COMMITTEE: MINUTES OF THE MEETING HELD ON 6 OCTOBER 2015

The minutes of the above meeting, submitted as Enclosure 08, were approved.

The following matters were noted:

11.1 Internal Audit Annual Report

(paragraph 8 refers)

Court noted the Committee's consideration of the internal auditors' 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.

11.2 Internal Audit 2015-2016 Plan

(paragraph 9 refers)

Court noted the Committee's consideration and approval of a revised plan for internal audit work to be undertaken during 2015/2016 by KPMG, including the areas of audit for 2015/2016; the proposed days allocated; and noted the minor changes made to the plan as previously received by the Committee.

11.3 Follow-up Report

(paragraph 10 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 remained very few recommendations which had not been implemented.

11.4 Annual Internal Audit Report

(paragraph 11 refers)

Court noted the Committee's consideration of the interim management letter from the external auditors and members were advised that PwC had identified no significant control issues, with management proactive in addressing any weaknesses identified and implementing recommendations.

11.5 Risk Appetite

(paragraph 12 refers)

Court noted the Committee's consideration of a discussion paper on risk appetite, which would form a supplement to the Risk Management Policy & Framework.

12 FINANCE & CORPORATE PERFORMANCE COMMITTEE: MINUTES OF THE MEETING HELD ON 29 SEPTEMBER 2015

The minutes of the above meeting, submitted as Enclosure 09, were approved.

The following matters were noted:

12.1 Investment Mandate

(paragraph 5 refers)

Court noted that the Committee had received and discussed in detail

the current investment mandate and agreed that this would remain in force until the December meeting of the Committee at which point it would be revisited with the investment brokers in attendance to advise on the effects of any change

12.2 Investment Performance

(paragraph 6 refers)

Court noted that the Committee had considered a report received from the investment brokers on the performance of the General and Endowment Funds.

12.3 Capital Projects

(paragraph 7 refers)

Court noted the Committee's discussion of a report on current and proposed capital projects.

12.4 Draft SFC 2014-2015 Outcome Agreement Self-Evaluation

(paragraph 8 refers)

Court noted the Committee's consideration of the draft SFC Abertay 2014-2015 Outcome Agreement self-evaluation, which had already been discussed by Court as a separate agenda item.

12.5 Finance Report

(paragraph 9 refers)

Court noted that the Committee had received and discussed a new Finance report, intended to give the Committee an integrated and holistic view of the University's current financial position, including the 2015 outturn, future projections, debt management and treasury controls.

12.6 Investment Expenditure Plan

(paragraph 11 refers)

Court noted the Committee's consideration of the above paper, intended to provide background and context on the development of the Investment Expenditure plan, which would be brought to the next meeting of the Committee.

13 GOVERNANCE & NOMINATIONS COMMITTEE: MINUTES OF THE MEETING HELD ON 15 SEPTEMBER 2015

The minutes of the above meeting, submitted as Enclosure 10, were approved.

The following matter was approved:

13.1 Annual Report on the Effectiveness of Court

(paragraph 8 refers)

Court noted that the Committee had recommended approval of the first annual review of Court's effectiveness, which had been considered and approved by Court as a separate agenda item.

The following matters were noted:

13.2 Higher Education Governance (Scotland) Bill

(paragraph 6 refers)

Court noted the Committee's consideration of a report on the progress of the Higher Education Governance (Scotland) Bill and its discussion

of the University's submission to the Scottish Parliament's Education and Culture Committee.

13.3 Scottish Code of Good HE Governance: Implementation Plan Update
(paragraph 7 refers)

Court noted the Committee's commendation of the implementation by the University of the Scottish Code of Good HE Governance.

14 PEOPLE, HEALTH & EQUALITY COMMITTEE: MINUTES OF THE MEETING HELD ON 1 OCTOBER 2015

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

Court received and approved the minutes of the above meeting, submitted as Enclosure 11.

The following matter was approved:

14.1 Revised Severance Statement
(paragraph 6 refers)

Court endorsed the Committee's recommendation that the revised Severance Statement be approved.

The following matters were noted:

14.2 Equality and Human Rights Commission
(paragraph 7 refers)

Court noted that the Committee had received and discussed the Equality and Human Rights Commission Review of Scottish Public Authorities' performance in meeting the Scottish Specific Equality Duties.

14.3 Managing Change

Court noted that the Committee had received an oral report from the Director of Human Resources & Organisational Development on Managing Change across the University.

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

15 REMUNERATION COMMITTEE: MINUTES OF THE MEETING HELD ON 1 OCTOBER 2015

CT/1015/13

Court received and considered the above report.

The Chair of the Remuneration Committee noted that this had been the first meeting of the Committee under its broader remit covering the principles for determining salaries in the discretionary range.

Court noted that the Committee had considered a proposed process for the annual review of salaries of Professors of the University and, finding it to be fair and transparent, had agreed to discuss the approach for the review of salaries of other senior staff. Mr Shaw further advised Court that the Committee had reviewed the salaries of the Executive Officers, which would be dealt with under the reserved areas of business.

Thereafter, Court approved the report of the above meeting.

16 REPORT ON COMPLAINTS HANDLING IN SESSION 2014/2015 CT/1015/13

Court received and noted a report which provided a summary of complaints that had been received during session 2014/2015.

17 REPORT ON RECENT LEGAL DEVELOPMENTS CT/1015/14

The University Secretary introduced the above report, intended to provide Court with an update on recent new legal requirements/duties/guidelines that apply to the University; and delineating out how the University would address these new requirements.

Members noted, *inter alia*, the University's new responsibilities in relation to: the Counter-Terrorism & Security Act 2015 Prevent Duty; compliance with the Office of Fair Trading's findings in relation to HE compliance with consumer law; the British Sign Language (Scotland) Act 2015; and the Children and Young People (Scotland) Act 2014.

Thereafter, Court noted the report.

18 APPRAISAL OF CHAIR: REMINDER OF ROLE OF INTERMEDIARY CT/1015/15

The University Secretary introduced the above report, which reminded members of the process and timescale for the Intermediary to hold discussions with members in relation to the appraisal of the Chair of Court.

Thereafter, Court noted the report.

19 ELECTION OF MEMBER Oral report

Court received an oral report from the University Secretary on preparations for the forthcoming election of a member of non-academic staff to Court. Members noted that Mrs H Smith's period of office would end on 31 December 2015 and that the result of any election of a successor would be communicated to Court at its meeting in December.

20 GRADUATION CEREMONY: 27 NOVEMBER 2015

The Chair encouraged members to attend the winter graduation ceremony, which would take place on 27 November 2015.

21 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.

22 DATE OF NEXT MEETING

Court noted that the next meeting would take place on Wednesday 16 December 2015.

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CHAIR

The meeting concluded at 16.00