

Approved



UNIVERSITY COURT

MINUTES

of the meeting of the University Court held on 16 December 2015 at 2pm in the Boardroom of the University.

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

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

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

In attendance: Professor J Akunna (observer)
Ms L Balfour (item 33)
Mr S Bright (item 39)
Ms S Campbell (observer)
Professor A Law (observer)
Mr D Reeves (item 40)
Mrs C Summers (items 34 and 37)
Mr B Yuksel

Apologies for absence were intimated on behalf of Mr M Grossi and Mrs S Scott.

NON-RESERVED AREAS OF BUSINESS

28 WELCOME

The Chair welcomed members to the meeting and thanked those whose journeys had been encumbered by the closure of the Forth Road Bridge. Mr Frizzell also welcomed Professor Joe Akunna and Professor Alex Law as part of the reciprocal arrangement with Senate to have observers in attendance.

29 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.

30 MINUTES OF THE MEETING OF THE CHAIR'S COMMITTEE HELD ON 7 DECEMBER 2015

Court noted the above minutes, submitted for information as Enclosure 17.

31 MINUTES OF THE MEETING OF THE UNIVERSITY COURT HELD ON 21 OCTOBER 2015 – UNRESERVED AREAS OF BUSINESS

Court approved the above minutes, submitted as Enclosure 18, as an accurate record.

32 MATTERS ARISING FROM THESE MINUTES

V&A at Dundee: update

Court received an oral report from the Principal & Vice-Chancellor on the above project. Professor Seaton advised members that he had informed the Chair of the Dundee Design Ltd Board that he did not wish to seek re-appointment when his initial period of office ended on 17 December 2015.

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

33 INTERNATIONALISATION STRATEGY: STUDENT RECRUITMENT AND PARTNERSHIPS

The Principal introduced the above presentation on the recruitment and admission of international students to the University, which would be delivered by the Director of International, Partnerships & Student Recruitment. Professor Seaton noted the importance of international students to the University in a challenging environment.

Ms Balfour provided Court with an overview of the external environment, noting lower growth in enrolments to UK universities compared to previous years and where UK was significantly behind the USA and Australia, both having increased their market share. Within the UK, Russell Group institutions had continued to grow enrolments significantly while Million+ universities had experienced overall declines.

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 noted that the removal of the right to post-study work had resulted in a decline in taught postgraduate students from south Asia and that the UK visa process was both more onerous and more costly than those of Germany and the USA.

Members were advised of the decline in international entrants, noting the University's over-reliance on the Indian market and under-investment in marketing. The University's Internationalisation Strategy, however, intended to professionalise the institutional approach through activities focussed in the four key areas of partnerships, recruitment, marketing and alumni.

In discussion, members noted that the more distinctive Abertay programmes had not seen a decline in numbers, suggesting that the University could benefit from greater differentiation in its programmes and a clearer articulation of its brand values.

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

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

34 KEY PERFORMANCE INDICATORS

CT/1215/19

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

The Chair welcomed the Director of Strategic Planning to the meeting. Mrs Summers introduced the above paper, noting that in April 2015 Court had agreed a revised set of 19 Key Performance Indicators (KPIs) linked to the University's new Strategic Plan 2015-2020, which had included a baseline position and an indicative target 2020 position. The report constituted the first bi-annual update to Court of the KPIs.

Members were advised that the KPIs were updated on an annual basis at various agreed points in the year as data become available and that no update was yet available for eight of the indicators. Of the remaining 11 KPIs, four were not performing to target and were identified as relating to international and taught student recruitment and to research & knowledge exchange income.

In discussion, members were apprised of management strategies to increase research income and to convert a greater percentage of taught Postgraduate students to research degree programmes.

Thereafter, Court noted the report.

35 AUDIT COMMITTEE: MINUTES OF THE MEETING HELD ON 24 NOVEMBER 2015

The minutes of the above meeting, submitted as Enclosure 20, were approved.

The following matters were noted:

35.1 Internal Audit Status Report (paragraph 23 refers)

Court noted the Committee's consideration of the internal auditors' summary of progress against the 2015/2016 internal audit plan. Members were advised that tight timescales had precluded the review of Information Services being submitted.

35.2 Internal Audit 2015-2016 Plan (paragraph 24 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 66% of recommendations had already been implemented.

35.3 External Audit: Letter of Representation and Report (paragraph 25 refers)

Court noted the Committee's consideration of the 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.

35.4 Draft Annual Report and Financial Statements (paragraph 26 refers)
Court noted the Committee's consideration of the draft Abertay Annual Report and Financial Statements for the year ending 31 July 2015. Members were advised that the Annual Report and Financial Statements would be considered as a separate agenda item.

35.4 Draft Annual Report to Court (paragraph 27 refers)
Court was advised of the Committee's consideration of the draft Annual Report of the Audit Committee. Members noted that this would be considered as a separate agenda item.

36 AUDIT COMMITTEE ANNUAL REPORT TO COURT CT/1215/21
The above annual report to Court for session 2014/2015 was approved.

37 RISK MANAGEMENT CT/1215/22
The Director of Strategic Planning introduced the above revised risk management policy and framework and the updated risk register. Mrs Summers advised members that the revised policy incorporated best practice elsewhere in the sector and aligned with the revised approach to planning at Abertay. Court noted that the Audit Committee would review the policy, framework and register bi-annually.

In discussion, one member sought clarification of mitigating actions identified for the risk associated with loss of Scottish Government funding and was advised that these would be developed once the full budget had been announced. The Principal advised Court that funding for Higher Education would likely be cut by 5%. Members commended Mrs Summers on this clear and comprehensive report.

Thereafter, Court approved the revised risk management and framework and noted the updated strategic risk register.

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

38 FINANCE & CORPORATE PERFORMANCE COMMITTEE: MINUTES OF THE MEETING HELD ON 1 DECEMBER 2015

The minutes of the above meeting, submitted as Enclosure 23, were approved.

The following matters were noted:

38.1 Investment Performance (paragraph 17 refers)
Court noted that the Committee had received and discussed in detail a report received from Spiers & Jeffrey on the performance of the General and Endowment Funds. Members noted that performance had been below benchmark over the past three years and had been particularly poor over the past three months and that, once the funding position became clear, the Committee would examine the potential effects of moving to a higher-risk mandate.

- 38.2 Fossil Fuel Divestment (paragraph 18 refers)
Court noted that the Committee had been advised by Mr Crichton that restricting investment in fossil fuel would result in a smaller level of return. After establishing that divestment of direct investments would satisfy the SRC ruling, the Committee had instructed Spiers and Jeffrey to desist direct investments in fossil fuels within three years.
- 38.3 SFC 2016/2017 Outcome Agreement (paragraph 19 refers)
Court noted the Committee's consideration of the 2016/2017 Outcome Agreement, which would form the basis of the agreement to be finalised by the end of February 2016.
- 38.4 Key Performance Indicators (paragraph 20 refers)
Court noted the Committee's consideration of the first report on institutional Key Performance Indicators, which had already been discussed and approved by Court as a separate agenda item.
- 38.5 Finance Report (paragraph 21 refers)
Court noted that the Committee had received and discussed a new Finance report introduced by the Director of Finance & Research Funding. This report had provided the Committee with an integrated view of the University's current financial position including the 2015 out-turn, an examination of future outlook, debt management and treasury management.
- 38.6 Annual Report and Financial Statements (paragraph 22 refers)
Court noted the Committee's consideration of the above paper, which would be considered as a separate agenda item.
- 38.7 Investment and Expenditure Plan (paragraph 23 refers)
Court noted the Committee's consideration of a full investment and financial plan for expenditure aspirations outwith typical recurrent budgets.

39 INTELLECTUAL PROPERTY POLICY

CT/1215/24

[Secretary's note: Mr S Bright joined the meeting at this point]

The Chair welcomed Mr S Bright, Head of REIS, to the meeting. Mr Bright introduced the above revised policy on intellectual property (IP), advising members that the University had decided to alter significantly its position in this area. Court was advised that the University wished to allow IP to remain with the inventor, except in specific circumstances as defined by the policy, noting that IP enforcement was not cost-effective.

In discussion, members noted that the University had sought legal advice on potential infringement and indemnity issues, which had been incorporated into the final paper. Court was apprised of other institutions which had successfully adopted this approach and noted that the revised policy was in line with

University aspirations.

Thereafter, Court approved the policy.

[Secretary's note: Mr S Bright left the meeting at this point]

40 ANNUAL REPORT AND FINANCIAL STATEMENTS

CT/1215/25

[Secretary's note: Mr D Reeves joined the meeting at this point]

Court received and considered the University's annual report and financial statements to 31 July 2015. Members noted the new format of the report and welcomed the additional narrative, which had significantly enhanced members' understanding.

Thereafter, Court approved the annual report and financial statements.

[Secretary's note: Mr D Reeves left the meeting at this point]

41 GOVERNANCE & NOMINATIONS COMMITTEE: MINUTES OF THE MEETING HELD ON 10 NOVEMBER 2015

The minutes of the above meeting, submitted as Enclosure 26, were approved.

The following matter was approved:

41.1 Court Membership

(paragraph 19 refers)

Court approved the Committee's recommendation that seven members of Court be reappointed for a three-year period.

The following matters were noted:

41.2 Higher Education Governance (Scotland) Bill

(paragraph 14 refers)

Court noted the Committee's consideration of an update on the progress of the Higher Education Governance (Scotland) Bill. Members were advised that no further information had been received regarding the subordinate regulations and noted continued concerns that ministerial changes could result in the reclassification of universities by the ONS.

41.3 Committee of University Chairs: Plenary Session Feedback

(paragraph 15 refers)

Court noted that the Committee had received a detailed report on the CUC autumn conference, where areas of particular interest had been identified as Diversity, Internationalisation and Sustainability.

41.4 Standing Orders of Court: Periodic Review

(paragraph 16 refers)

Court noted the Committee's approval of minor revisions to the Standing Orders of Court.

42 PEOPLE, HEALTH & EQUALITY COMMITTEE: MINUTES OF THE MEETING HELD ON 26 NOVEMBER 2015

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

Enclosure 27.

The following matters were noted:

42.1 Staff Engagement Survey Update (paragraph 8 refers)

Court noted that the Committee had received an update from the Director of Human Resources and Organisational Development on the staff engagement survey and that the Committee would receive a summary of the findings at its meeting in January.

42.2 Managing Change Update

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

43 SENATE MATTERS

43.1 Report of meeting held in December 2015

CT1215/28

The Principal introduced the report of the above meeting, which the Right Rev Dr N Peyton and Mr D Dorward had attended as observers from Court.

Thereafter, Court noted the report.

44 ENHANCEMENT-LED INSTITUTIONAL REVIEW 2016: UPDATE

CT/1215/29

The Vice-Principal (Academic) introduced the above report on preparations for the Enhancement-Led Institutional Review (ELIR), which would take place during 2016. Professor Olivier drew members' attention to the draft Reflective Analysis document and commended the significant input from staff, students and other key stakeholders in the preparation of the Reflective Analysis.

Thereafter, Court commended Professor Olivier and noted both the report and the Reflective Analysis.

45 OUTCOME OF ELECTION OF MEMBER

Oral report

Court received an oral report from the University Secretary on the outcome of the recent election to Court of the elected representative of the non-academic staff of the University. Members were advised that Mr C Rae would join the Court from 1 January 2016 for a three-year period.

46 DEPARTURE OF MEMBERS

Court was reminded that this was the last meeting to be attended by Mrs H Smith, whose term of office would end on 31 December 2015 after 3 years as the elected representative of the support staff of the University. The Chair, on behalf of Court, thanked Mrs Smith for her significant contribution to the work of Court during her period of office and congratulated her on the successful completion of her MBA, which had been awarded at the recent Graduation ceremony. Mrs Smith thanked Court for their good wishes.

The Chair reminded Court that this was the last meeting to be attended by Mr

A Macmillan Douglas, whose term of office would end on 31 December 2015 after 12 years. Mr Frizzell drew members' attention to Mr Macmillan Douglas' long association with the University, noting that he had chaired the Finance, People & General Purposes Committee for 5 years as well as being a member of the Chair's Committee and the Remuneration Committee. Members recognised the role that Mr Macmillan Douglas had played in guiding the work of an institutional development sub-group of Court and in encouraging the University to tackle debt management. Mr Frizzell, on behalf of Court, thanked Mr Macmillan Douglas for his distinctive contribution to the work of Court. Mr Macmillan Douglas expressed his appreciation for the warm wishes of the Court.

47 ANY OTHER COMPETENT BUSINESS

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

48 DATE OF NEXT MEETING

Court noted that the next meeting would take place on Wednesday 17 February 2016.

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CHAIR

The meeting concluded at 16.00