

Approved



UNIVERSITY COURT

MINUTES

of the meeting of the University Court held on 21 June 2017 at 2pm in the Boardroom of the University.

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

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

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

In attendance: Mr D Reeves
Mr T Wilson

Apologies for absence were intimated on behalf of Dr A Cornish and Mr M Grossi.

NON-RESERVED AREAS OF BUSINESS

90 WELCOME

The Chair welcomed members to the meeting.

91 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.

92 MINUTES OF THE MEETING OF THE CHAIR'S COMMITTEE HELD ON 12 JUNE 2017

Court noted the above minutes, submitted for information as Enclosure 55.

93 MINUTES OF THE MEETING OF THE UNIVERSITY COURT HELD ON 22 APRIL 2017 – UNRESERVED AREAS OF BUSINESS

Court approved the above minutes, submitted as Enclosure 56, as an accurate record.

94 MATTERS ARISING FROM THESE MINUTES

Court was advised that there were no matters arising that were not already on the agenda.

95 STAFF ENGAGEMENT

Presentation

Court received a presentation from the Vice-Principal (Academic), intended to provide members with a further update on action taken by the University in response to the results of the 2015 Staff Engagement Survey. Professor Olivier apprised the Committee of the timeline of activities undertaken following the negative findings, which were presented to Court at its meeting in February 2016. Members noted that the initial open meeting for all staff held in January 2016 had led to the creation of the Staff Engagement Steering Group (SESG), comprised of volunteers from Schools and Services. A Staff Engagement Advisory Team (SEAT) had been established to advise the SESG and a number of activities initiated. Professor Olivier advised the Committee that management intended to achieve transparency of information across the University via a number of means, including attendance by members of staff at the Teaching & Learning Committee and the University Court, amongst others and through the publication of committee minutes on the University intranet. The Principal was holding 'coffee chats' with groups of staff and Professor Olivier now released a monthly podcast. A new intranet, 'My Abertay', had been launched of which Court would receive a demonstration in due course and staff continued to use Yammer as another route for internal communications.

In the course of a lengthy discussion, members debated the effect on staff of the changes introduced, noting one member's objections to management's actions as having a deleterious effect on academic staff. One member requested that management give consideration to introducing a policy of no compulsory redundancies and was apprised of the University's redeployment and redevelopment policies, whilst noting that continued reductions in funding would inevitably result in a continued reduction in staff numbers. The negative impact on staff morale of repeated and ongoing structural change was identified as an area likely to produce low scores in the next staff survey. Court asked management to identify those areas where improvements were expected in the forthcoming survey and was advised that the concerted efforts to involve staff in decision-making and in improved communications with staff were anticipated to be reflected in the results. The Director of HR & OD advised Court that it was unlikely to achieve significant alignment of opinion between staff and management, noting that mistrust of management was significantly higher in the public sector than in the private sector. One member noted that the content of the survey and the comments made by individuals had not been made available to Court and was advised that these would be converted into a format accessible for those Court members who wished to interrogate the data more closely.

Court commended the efforts of management in addressing staff engagement and noted preparations for the next survey, to be undertaken either in late 2017 or early 2018 and thanked Professor Olivier for his presentation.

Professor Olivier further provided Court with an update on the Teaching Excellence Framework (TEF) results, which would be made public the following day. Members were advised that participation across Scotland had been limited but that the University had chosen to make a submission and had gained a Silver award. The Director of Strategic Planning and the Director

of Quality Enhancement were commended for their efforts in preparing the University's submission.

Thereafter, Court commended staff and management of the University on this very positive outcome and congratulated Dr Hinfelaar on Glyndwr's Silver TEF award.

96 ABERTAY STUDENTS' ASSOCIATION FINANCES AND PLAN FOR 2017/2018

CT/0617/57

The President of the Students' Association (SA) introduced the paper, which provided an overview of the SA's plans for academic year 2017/2018, together with an overview of Q3 management accounts and projections for Q4.

Mr Marshall advised Court that the Association had gone through another period of significant change which had impacted on the capacity of the SA but that management in the University had remained supportive throughout. Members noted the SA's intention to return to first principles and consider its strategic direction with the appointment of a new Chief Executive. Moving forward, the Association intended to strengthen its activities in the key areas of retention, teaching & learning and supporting students during difficult times.

Thereafter, Court noted the report and commended the transparency of the Students' Association.

97 REPORT OF THE REVIEW OF THE EFFECTIVENESS OF COURT

CT/0617/58

The University Secretary introduced the above report, intended to apprise Court of the recommendations arising from the recent review of Court's effectiveness, conducted by a working group of the Governance & Nominations Committee which had included an external advisor and an external facilitator.

Mrs Stewart noted that Court members had completed a self-assessment questionnaire, which had identified areas for focus group discussions facilitated by Mr Alastair Work. The response rate to the questionnaire had been 89% and, of the four individuals who did not respond, only one was a lay member of Court. Five focus groups had been held and Mr Work had presented his findings to the working group.

The Governance & Nominations Committee working group had concluded that the Court of the University was effective, that it met its Statement of Primary Responsibilities and complied with the Scottish Code of Good HE Practice and the HE Governance Act (Scotland) 2016, where applicable.

Court accepted the report of the working group and accepted the findings and recommendations for further enhancement.

98 DRAFT ANNUAL STATEMENT TO THE SFC: INSTITUTION-LED REVIEW IN ACADEMIC YEAR 2016/2017

CT/0617/59

The University Secretary introduced the above draft annual statement, which required to be submitted to the SFC by 30th September and endorsed by the Governing Body, in line with SFC Guidance on Quality. Mrs Stewart apprised Court that certain information, such as the NSS results or final approval of

new or revised programmes, had not been available at the time of writing and, although Senate had endorsed the report in broad terms at its meeting on 14 June 2017, it had noted that amendments would require to be made.

Thereafter, Court endorsed the Annual Statement, subject to its being augmented before final submission to the SFC and agreed to delegate responsibility for this to the Chair of Court.

99 OPERATIONAL PLANNING 2017-2020

CT/0617/60

The Principal introduced the above document, intended to apprise Court of the University's operational and financial plans for 2017-2020. Professor Seaton advised members that a three-year operational plan had been produced which would ensure that actions were in place for the University to deliver the objectives contained within the Strategic Plan. The Plan had taken as its basis the major discussions at the Court Conference in April and had been discussed, and approved for submission to Court, by the Finance & Corporate Performance Committee at its meeting in June 2017.

Members noted that the University intended to keep the Plan, and the assumptions upon which it was based, under review given the continuing uncertainty around Brexit following the UK General Election result. The first review point would be in October 2017.

In discussion, the Students' Association President sought clarification of the rationale for the proposed disposal of the Student Centre building and was informed that this was a planning assumption, based on the size of the estate. The Principal advised Mr Marshall that the University would not cut services to students but rather that the building could realise a market value which could be invested else, such as the provision of sports facilities.

In the course of a lengthy debate, members expressed disquiet that there did not appear to have been consultation with the Students' Association, noting that the SA had conducted a 'referendum' across the student body around the provision of facilities. Members were informed that Court was not being asked for its agreement at this point to sell the Student Centre but rather to note that the disposal of the building would be required in order to achieve a break-even budget in the year in question. Members also expressed concerns regarding the level of consultation with staff in the preparation of the Plan and were advised that no explicit mention had been made of redundancies as the numbers would likely be small and therefore at the discretion of management. Court was advised that all Schools and Services had been involved in the preparation of the Plan through discussions with the Director of Finance & Research Funding and the Director of Strategic Planning. One member sought, and was given, assurance that management was confident of delivering effective services with a reduced staff profile.

In summarising the discussion, the Chair noted the reservations that had been expressed by members. Mr Frizzell advised management that, should the University wish to proceed with disposal of any aspect of the estate, Court would expect this to be brought forward through the normal channels and to the relevant committees with appropriate business cases.

Court then approved the three-year operational plan and the financial plan and the assumptions upon which it was based, with the exception of the disposal of the Student Centre and invited management to bring alternative

savings options for consideration through the usual channels. Finally, Court noted the six-monthly update on the 2020 KPIs, approved proposed amendments to the KPIs and noted the updated risk register.

100 AUDIT COMMITTEE: MINUTES OF THE MEETING HELD ON 6 JUNE 2017

The minutes of the above meeting, submitted as Enclosure 61, were approved.

The following matters were noted:

100.1 Private Meeting of the Audit Committee and Auditors

(paragraph 57 refers)

Court noted that members of the Audit Committee and the internal and external auditors had met for their annual private meeting. Members were advised that the auditors had reported receiving good support and co-operation from University officers.

100.2 Internal Audit: Management report on review of Equality & Diversity

(paragraph 62.1 refers)

Court noted that the Committee had received and considered a report on the review of the University's policies and procedures required by the Equality Act 2010, which had identified 1 moderate and 2 low-graded recommendations, all of which have been accepted by management.

100.3 Internal Audit: Management report on review of international recruitment

(paragraph 62.2 refers)

Court noted the Committee's consideration of a report on the review of the University's international recruitment and external relations activities. The report had made 2 moderately-graded and 3 low-graded recommendations, all of which had been accepted by management, although the Committee requested greater clarity in one of the management responses.

100.4 Internal Audit: Follow-up report

(paragraph 62.3 refers)

Court noted that the Committee had received and considered a report on the follow-up review to determine progress made by management in implementing previously agreed internal audit recommendations. 98% of all recommendations raised by KPMG over the contract period have been implemented in full.

100.5 Internal Audit Annual Report

(paragraph 63 refers)

Court noted the Committee's acceptance of the Internal Audit Annual Report. Members welcomed KPMG's overall opinion for the year to 31 July 2017, which was of significant assurance (with minor improvements) on the overall adequacy and effectiveness of the University's framework of risk management, internal control and governance.

100.6 Internal Audit: Management report on implementation of recommendations

(paragraph 64 refers)

Court noted that the Committee had received and considered a management report on the progress made by management in implementing previously agreed internal audit recommendations, commending good progress in the recommendations now implemented.

100.6 Risk Management update

(paragraph 65 refers)

Court noted the Committee's consideration of a report on Risk Management.

100.6 Audit Committee: Self-Assessment Exercise

(paragraph 66 refers)

Court noted that the Committee received and considered a report arising from the Committee's self-assessment exercise, noting proposals in relation to the remit and membership of the Committee, and to enhance development opportunities for members.

101 FINANCE & CORPORATE PERFORMANCE COMMITTEE: MINUTES OF THE MEETING HELD ON 12 JUNE 2017

The minutes of the above meeting, submitted as Enclosure 62, were approved.

The following matters were noted:

101.1 Abertay SA Finances and Plan for 2017/2018

(paragraph 52 refers)

Court noted the Committee's consideration of the Students' Association plans for academic year 2017/2018, which had already been considered as a substantive agenda item, under paragraph 96, above.

101.2 University Finance Report

(paragraph 54 refers)

Court noted that the Committee had received and considered the University Finance Report introduced by the Director of Finance & Research Funding. This report provided the Committee with an integrated view of the University's current financial position including the 2017 result to date and an examination of future outlook, Debt Management and Treasury Management.

101.3 Capital Projects Update

(paragraph 55 refers)

Court noted that the Committee had received an update from the Director of Operations on progress made on current capital projects.

102 GOVERNANCE & NOMINATIONS COMMITTEE: MINUTES OF THE MEETING HELD ON 16 MAY 2017

The minutes of the above meeting, submitted as Enclosure 63, were approved.

The following matters were noted:

102.1 Higher Education Governance (Scotland) Act implementation update

(paragraph 43 refers)
Court noted that the Committee received and considered an update on the University's preparations for implementing the Higher Education Governance (Scotland) Act, including work being undertaken to identify changes to be made to the University's governing order. Members were also apprised of developments in the Scottish Government's approach to the implementation of the Act.

102.2 Draft Scottish Code of Good HE Governance (Appendix)

(paragraph 44 refers)

Court noted the Committee's detailed consideration of the draft revised Scottish Code of Good HE Governance. The University's response to the draft Code was appended to the minute for Court's attention.

102.3 Periodic Review of Court's effectiveness

(paragraph 45 refers)

Court the Committee's consideration of the report into the periodic review of the effectiveness of Court, which had already been discussed by Court as a substantive agenda item.

103 PEOPLE, HEALTH & EQUALITY COMMITTEE: MINUTES OF THE MEETING HELD ON 1 JUNE 2017

Court received and approved the minutes of the above meeting, submitted as Enclosure 64.

The following matters were approved:

103.1 Revised Code of Student Discipline (Non-Academic Misconduct)

(paragraph 60 refers)

Court endorsed the recommendation of the Committee to approve the revised Code of Student Discipline (Non-Academic Misconduct), which had been appended to the minute for the attention of members.

103.2 Outline Gender Action Document

(paragraph 61 refers)

Court noted the Committee's consideration of the University's draft gender action plan, which it required to publish by 3 July 2017.

The following matter was noted:

103.3 Staff Engagement update

(paragraph 59 refers)

Court noted that the Committee received a presentation from Professor Olivier on staff engagement and University actions taken in response to the results of the 2015 Staff Engagement Survey, which had already been discussed as a substantive agenda item, above.

104 COURT CONFERENCE REPORT

CT/0617/66

Court received and accepted the above report on items discussed by the University Court and Senior Management at the annual Court Conference in April 2017.

105 STRATEGIC DIALOGUE REPORT

CT/0617/67

Court received and noted the above report on the Strategic Dialogue meeting held with the Scottish Funding Council in May 2107.

106 UPDATE ON APPOINTMENT OF THE NEXT CHAIR OF COURT

The University Secretary advised Court that the advertisement seeking applications for the next Chair of Court had been placed. Members were encouraged to identify potential individuals and were reminded that they could nominate or propose existing lay members.

107 GRADUATION CEREMONIES

The Chair reminded Court that the University's Summer Graduation Ceremonies would take place on Thursday 6 July and encouraged members to attend.

108 OBSERVATIONS ON THE MEETING

The Chair invited observations on the meeting from members. It was generally agreed that the robust dialogue in relation to the institutional planning assumptions was indicative of sound governance.

109 DEPARTURE OF MEMBER

The Chair noted that this would be the last meeting of Court to be attended by Mr C Marshall after two years as President of the Students' Association. Mr Frizzell thanked Mr Marshall for his contribution, noting that he was returning to his studies at the University, and wished him every future success. The Chair also advised Court that this was the last meeting to be attended by the Right Rev Dr N Peyton, who was retiring. Mr Frizzell, on behalf of Court, commended Rev Peyton on the dedication and wisdom he had brought to the University during his period of office and wished him a long and happy retirement.

110 DATE OF NEXT MEETING

Court noted that the next meeting would take place on Wednesday 18 October at 2pm in the Boardroom of the University.

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CHAIR