

Approved



## **UNIVERSITY COURT**

### **MINUTES**

of the meeting of the University Court held on 03 February 2021 at 2.00pm via Microsoft Teams.

Chair: Mr M Shaw  
Vice-Chair: Dr A Ingram

Ms N Ahmed	Mr J Barnett	Ms F Robertson
Professor L Bacon	Ms G Ghafoor	Dr A Samuel
Mr A Bailey	Ms V Lynch	Professor N Seaton
Mr E Baines	Mr T Marks	Dr K Smith
Ms D Bandeva	Mr G MacDougall	Ms C Summers
	Mr I McDonald	

Secretary: Mrs S Stewart  
Clerk to Court: Dr A Ramsay  
In attendance: Ms G Bell  
Ms E Fraser  
Mr E McCubbin  
Ms J McKenzie  
Ms G Scanlin  
Mr G Weir

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

#### **39 WELCOME AND APOLOGIES FOR ABSENCE**

The Chair welcomed members to the meeting and, in particular, congratulated Dr K Smith on her re-election to Court. Mr Shaw noted those in attendance as Ms E Fraser, Ms G Bell, Mr E McCubbin and Mr G Weir. Ms J McKenzie was welcomed as observer from Communications and Ms G Scanlin from EY, in attendance for the Financial Statements.

Apologies were received from Mr F Keir and Professor T Inns. Members were advised that Professor Inns hoped to return to Court in the near future.

#### **40 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 non-reserved items for discussion. None was received.

#### **41 MINUTES OF THE CHAIR'S COMMITTEE MEETING HELD ON 25 JANUARY 2021 (for information)**

Court noted the above minute, submitted as Enclosure 27, for information. The Chair advised Court that the possibility of scheduling a Court conference would be kept under review.

42 MINUTES OF THE MEETING OF COURT HELD ON 11 NOVEMBER 2020:  
UNRESERVED

CT/0221/28

Court received and considered the above minutes, submitted as Enclosure 28 and approved them as an accurate record, subject to a correction requested by the President of the Students' Association.

43 MATTERS ARISING FROM THESE MINUTES

Oral report

42.1 Court membership update

(paragraph 18.1 refers)

The University Secretary advised Court that, following a tendering exercise, the University had engaged Veredus to assist with the recruitment of two new lay members of Court.

42.2 SFC Review of Scotland's Colleges and Universities

(paragraph 19 refers)

Court was apprised of progress of the above review since the previous meeting. Ms Summers advised members that no further information had been formally received from SFC although she had attended a meeting of the Scottish Planners Forum where it had been noted that seven workstreams were being developed as a result of the initial submissions. It was anticipated that further announcements would be made towards the end of February.

Court was further advised that the SFC budget update had been published the previous week, indicating additional funding for SQA students. The indicative funding letter was expected on 18 March 2021, with the final funding letter expected following the Scottish Parliamentary elections in May 2021.

42.3 Operational Planning and Budgeting

(paragraph 20 refers)

Court was advised that PHEC had received representation from trade union representatives at its meeting in December, which would be dealt with under agenda item 49.

42.4 Health & Safety Annual Report

(paragraph 24 refers)

Court noted that the Director of People & OD had sought clarification of the number of accidents without identified mitigating actions. Ms Fraser advised members that all reports were investigated fully but that some accidents could not be mitigated against.

42.5 Academic Matters

(paragraph 33 refers)

Court was advised that all degree certificates had been issued by the end of November 2020.

42.6 Any Other Business

One member requested an update on amending the University's authorised signatories with its investment portfolio managers (paragraph 18.2 refers). The University Secretary advised that this matter was still in progress.

The Vice-Chair of Court enquired whether the Unite union had nominated its representative on Court (paragraph 27.1 refers). Mrs Stewart advised that the

union had yet to name its nominee.

Thereafter, there were no further matters arising that were not already on the agenda.

44 COVID-19: UPDATE ON UNIVERSITY OPERATIONS DURING THE PANDEMIC

CT/0221/29

The Director of People & OD introduced the above report, intended to provide Court with an overview of the impact of the coronavirus pandemic on the University's staff and actions taken to support staff. Ms Fraser noted that it was now nearly one year since the University first took action in response to what was then an emerging global pandemic in restricting international travel by staff and students. Court was advised that, to date, the Covid Management Team was nearing 100 meetings under the leadership of the University Secretary.

Since the move to Protection level 4 on 26 December, the rate of infection had declined substantially but the University remained subject to the stringent Scottish Government restrictions and the detailed guidance it provided. This guidance changed frequently, not necessarily in line with a change in policy. The University had taken the early and prudent decision to postpone non-essential face-to-face teaching until after the Easter break on 19 April, while the University of Edinburgh had recently decided to deliver no non-essential teaching on campus for the remainder of the academic session.

The University, *via* Student & Academic Services, continued to provide equipment to students who need it to study at home, as well as issuing hardship payments to 215 students and providing food vouchers to another 125 students. Students in University accommodation or accommodation arranged through the University had received a rent rebate of 50%.

Health & Safety arrangements had been reviewed in light of the move to Restricted Access and a water flushing scheme regime put in place in view of the limited occupation of campus. Senior Management remained alert to the stress on staff, in particular the impact of additional caring and home-schooling responsibilities and continued to be flexible in relation to working hours and patterns.

In discussion, members noted the importance of supplying equipment to students and were advised that the SA had secured funds for 50 items of hardware from the Scottish Wellbeing Fund. The Vice-President of the SA advised the Committee that many students were unaware of the support available to them and requested that management give greater prominence to disseminating this information.

The effect of increased stress on staff, especially those with home-schooling or caring responsibilities, was considered and members were advised that management remained committed to being as flexible as possible. The University had made use of the furlough scheme in early lockdown and there were now a small number of staff who could not work remotely but who were still receiving full pay.

Thereafter, Court noted the report.

45 ABERTAY UNIVERSITY REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 JULY 2020

CT/0221/30

The Director of Finance, Infrastructure & Corporate Services (FICS) introduced the above report, intended to provide Court with audited financial statements in order that it could discharge its responsibilities under the Financial Memorandum with the SFC. Court was advised that the report had already been considered by the Finance & Corporate Performance Committee, the Audit & Risk Committee; and that the external auditors, EY, had issued an unqualified opinion on the University's accounts. Minor amendments had been identified which would be reflected in the signed report for submission to SFC. Mr Weir noted that the underlying £18.1m loss included significant non-cash pension adjustments and that the EBITDA figure was line with the current budget.

In discussion, members considered the importance of cash generation to the sustainability of the institution, particularly in uncertain times when government funding was in decline. Staffing costs were noted as the most significant strain on resource, with employer pension contributions increasing year-on-year. One member requested further information on KPIs and questioned why the annual operating surplus had been categorised as red when the variance was 0.3%. The Vice-Principal (Strategy & Planning) advised the member that some KPIs related to the previous Strategic Plan and had been reviewed on a case-by-case basis, but undertook to provide further clarification.

Thereafter, Court approved the report and financial statements and commended the University on having again achieved an unqualified opinion from the external auditors.

46 AUDIT & RISK COMMITTEE: MINUTES OF THE MEETING HELD ON 19 JANUARY 2021

The minutes of the above meeting, submitted as Enclosure 31, were received.

The following matters were approved:

46.1 Remit and Membership

CT/0221/32

Court endorsed the recommendation of the Committee to approve the proposed changes to the remit of the Committee, attached as Enclosure 32.

46.2 Draft integrated report and financial statements for the year ended 31 July 2020

(paragraph 27 refers)

Court noted that these had already been approved as a separate agenda item.

The following matters were noted:

46.3 External Audit Annual Report to Court

CT/0221/33

Court noted the Committee's consideration of the annual report from the external auditors, EY, which was appended to the minute as Enclosure 33.

46.4 Internal Audit: Report on review of Coronavirus job retention scheme grant claims

(paragraph 29.1 refers)

Court noted the Committee's consideration of a report on the review of the University's use of the Coronavirus Job Retention Scheme, which had resulted in a judgement of substantial assurance.

46.5 Internal Audit: Report on review of Student Recruitment

(paragraph 29.2 refers)

Court noted the Committee's consideration of a report on the review of Student Recruitment, which had resulted in a judgement of substantial assurance.

46.6 Internal Audit: Report on review of Cybersecurity

(paragraph 29.3 refers)

Court noted that the Committee had considered a report on the review of Cybersecurity, which had made a number of high-level and medium-level recommendations.

46.7 Audit & Risk Committee Annual Report to Court

CT/0221/33

Court noted that the Committee had approved the Annual Report on the work of the Audit & Risk Committee, which had been included as Enclosure 33.

46.8 Risk Management update

(paragraph 32 refers)

Court noted that the Committee has noted an update on Risk Management, including a proposed change to the status of Risk 5 (disruption to University operations).

In the course of a lengthy discussion, Court reflected upon the report on the review of Cybersecurity. Mr Barnett advised members that the Audit & Risk Committee had taken assurance from management's response and would be receiving monthly updates on progress made towards implementing the recommendations. Members expressed concerns regarding the risks identified by the review and sought assurances that such a failure of management would not recur. Professor Seaton acknowledged the importance of appropriate oversight of senior management and robust management of risk. Some members expressed the opinion that the report should have been presented to Court for discussion and were reminded of the role of the Audit & Risk Committee in sitting at arm's length from the other committees of Court. Furthermore, members were advised that such a sensitive report should be circulated not further than was absolutely necessary. The Vice-Chair of Court indicated her belief that the report should have been included under reserved business and was advised by Mr Barnett that the Audit & Risk Committee had taken satisfaction from the response by the Director of FICS and were assured that a robust remedial plan was in place.

Thereafter, Court approved the minutes.

47 FINANCE & CORPORATE PERFORMANCE COMMITTEE: MINUTES OF THE MEETING HELD ON 3 FEBRUARY 2021

The minutes of the above meeting, submitted as Enclosure 34, were approved.

The following matter was approved:

47.1 SFC Strategic Plan Forecast

CT/0221/35

Court endorsed the recommendation of the Committee to approve the above revised SFC Strategic Plan Forecast, which had been submitted to SFC in November 2020. Members noted that a further forecast would be required in April.

The following matters were noted:

47.2 Operational & Financial Planning Update

(paragraph 24 refers)

Court noted the Committee's consideration of a report intended to apprise members of operational planning at the end of October review point and which had also provided an update on the Financial Forecast for 2020/2021 and associated medium-term financial planning.

47.3 Draft Integrated Annual Report & Financial Statements

(paragraph 25 refers)

Court noted that these had already been approved as a separate agenda item.

47.4 Investment Services

(paragraph 29 refers)

Court noted that the Committee had approved a proposal to extend the contract for investment services awarded to UBS for a further 12-month period to March 2022.

47.5 Kydd Building: Cladding Project

(paragraph 30 refers)

Court noted that the Committee had received an update on the Kydd Building cladding project following the extraordinary meeting of the Committee in December 2020.

47.4 Annual TRAC return

(paragraph 33 refers)

Court noted that the Committee had approved the most recent annual TRAC return.

Thereafter, Court approved the minutes.

48 GOVERNANCE & NOMINATIONS COMMITTEE: MINUTES OF THE MEETING HELD ON 8 DECEMBER 2020

The minutes of the above meeting, submitted as Enclosure 37, were received. The following matter was approved:

48.1 Draft annual report on the effectiveness of Court

Court accepted the recommendation of the Committee and approved the above annual report on the effectiveness of Court, which was appended to the minute as Enclosure 38.

The following matter was noted:

48.2 Court membership update

(paragraph 19 refers)

Court noted the Committee's consideration of a report on the current membership status of Court.

Thereafter, the above minutes were approved.

49 PEOPLE, HEALTH & EQUALITY COMMITTEE: MINUTES OF THE MEETING HELD ON 17 DECEMBER 2020

The minutes of the above meeting, submitted as Enclosure 39, were received.

The following matters were noted:

49.1 Redundancy Avoidance

(paragraph 23 refers)

Court noted that representatives from UCU and Unite had attended the discussion on redundancy avoidance to highlight concerns in relation to workload, stress and the mental health of staff arising from the professional services restructure and the savings required as part of operational planning.

49.2 Flexible Working

(paragraph 26 refers)

Court noted that the Director of People & OD introduced a paper on flexible working to advise the Committee how People Services were developing the institutional approach to flexible working. Dr Ingram advised members that the next iteration of the paper would be submitted to Court for broader discussion.

Thereafter, Court approved the minutes.

50 ACADEMIC MATTERS INCLUDING REPORT OF JANUARY SENATE MEETING

CT/0221/40

The Deputy Principal introduced the above report on current academic business for information and which also included a summary of items discussed by Senate at its most recent meeting in January 2021. Court commended management on the University being named among the first of eight UK universities to be awarded Academic Centre of Excellence in Cyber Security Education recognition by the National Cyber Security Centre (NCSC).

Professor Bacon further advised members that the Tay Cities Deal had been signed and that the new cyberQuarter would deliver an R&D centre to Abertay's campus in Dundee, providing a space where industry, academics and students can work together on new solutions to real-world cybersecurity problems. The cyberQuarter was designed to attract existing cybersecurity firms to Dundee, support the creation of new companies and boost the

security and resilience of Scottish business.

Thereafter, Court noted the report.

51 ABERTAY STUDENTS' ASSOCIATION REPORT

CT/0221/41

The Abertay SA Vice-President introduced the above report, intended to update Court on the activities undertaken by the SA, taking into account the impact of COVID-19 on physical campaigning and on-campus presence. Mr Baines advised members that engagement with the student population had been difficult as access to campus had been severely restricted and thanked staff for their input.

Court was advised that, even when Dundee had been in a lower level of COVID-19 restrictions, it had not been possible for societies to access for training and competing because all available space was required for teaching. Many societies had moved much of their interaction online and were active on discord and other platforms. Members noted that a Gameathon was being co-ordinated to raise funds for local charities and that the Student Tenants' Society was campaigning for students in relation to rent issues during the ongoing pandemic. Preparations were underway for Refreshers in Term 2, but recruitment of Community Representatives had been poor.

Mr Baines further noted that Mr Shaw and other lay members of Court had held an online meeting with students, which had been very well-attended. Topics discussed had included library opening hours, mental health support and the Fair Assessment Policy. Mr Shaw had subsequently held a discussion with the Principal on the matters raised.

In discussion, members sought further information on the Student Partnership Agreement and were advised that the SA was working with the Dean of Teaching and Learning to develop a full 3-year partnership document. Court noted that, should there be a return to full on-campus delivery from Session 2020/2022, those students entering second year would require extra support, having had a non-typical student experience.

Thereafter, Court noted the report.

52 REPORT ON FREEDOM OF INFORMATION REQUESTS IN 2020

CT/0221/42

The Head of Governance introduced the above report, required by law, on the handling of Freedom of Information requests received by the University in the year 2020. Dr Ramsay advised Court that the University had continued to receive a year-on-year increase in the volume of requests but continued to have a high rate of timely responses provided within the statutory deadline of 20 working days. Members commended the Head of Governance on the proportion of requests receiving responses within 20 days.

Thereafter, Court noted the report.

53 REPORT ON COMPLAINTS IN SESSION 2019/2020

CT/0221/43

The Head of Governance introduced the above report, required by law, on the handling of complaints by the University in 2019/20. Dr Ramsay advised Court that the University had seen an increase in the number of complaints



compared to the previous year.

Thereafter, Court noted the report.

54 ANY OTHER BUSINESS

No other business was declared.

Thereafter, the Chair thanked members for their contributions.

55 DATE OF NEXT MEETING

Court noted that the date of the next meeting was confirmed as Wednesday 14<sup>th</sup> April 2021.

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**CHAIR**