

Approved



## MINUTES

of the meeting of the University Court held on 21 February 2018 at 2pm in the Boardroom of the University.

Chair: Mr E Frizzell

Vice-Chair: Professor L Wilson

Mrs L Baxter  
Mr J Burt  
Dr Y Deeni  
Mr M Grossi

Dr M Hinfelaar  
Mr I McDonald  
Professor S Olivier  
Mr C Rae  
Dr J Rees

Professor N Seaton  
Mr M Shaw  
Dr K Smith  
Mr T Wilson

Secretary: Mrs S Stewart  
Clerk to Court: Dr A Ramsay  
In attendance: Ms D Bandeva, observer  
Ms L Jack, observer  
Ms K Grahame, observer  
Mr D Reeves, officer  
Ms E Fraser, officer  
Mrs C Summers, officer

Court received apologies for absence from Mr M Batho, Ms G Ghafoor, Mr G MacDougall and Mrs S Scott.

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

#### 53 WELCOME

The Chair welcomed members to the meeting. Mr Frizzell welcomed, in particular, Ms L Jack and Ms K Grahame, attending as observers from amongst members of staff. The Chair, on behalf of Court, commended the School of Design & Informatics School for a most interesting and informative visit prior to the Court meeting. Court welcomed two new members: Dr Kate Smith, elected by and from among the academic staff of the University; and Dr Yusuf Deeni, elected by and from amongst Senate.

#### 54 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 declared.

#### 55 MINUTES OF THE MEETING OF THE CHAIR'S COMMITTEE HELD ON 12 FEBRUARY 2018

Court noted the above minutes, submitted as Enclosure 31.

#### 56 MINUTES OF THE MEETING OF THE UNIVERSITY COURT HELD ON 20

## DECEMBER 2017

Court approved the above minutes, submitted as Enclosure 32, as an accurate record.

### 57 MATTERS ARISING FROM THESE MINUTES

The University Secretary advised Court that, in relation to paragraph 37, she was now in contact with Scottish Government officials regarding the changes required to the governing order and would provide a further update to Court at its next meeting.

### 58 RECOMMENDATIONS REGARDING COURT APPOINTMENTS

CT/0218/33

Court received and considered the above report from the Governance & Nominations Committee, intended to apprise members of appointment matters.

The Governance & Nominations Committee had overseen a search for new lay Court members using an external agency given the high number of vacancies arising from January 2018. The vacancies had arisen owing to both natural conclusions to the terms of office of current members and the decision of other members to step down early for a variety of personal reasons. Following advertisement, twenty-five individuals applied; thirteen of whom were shortlisted by the Chair of the Governance & Nominations Committee and University Secretary and invited to visit the University (one applicant subsequently withdrew). Each of the remaining shortlisted applicants met the Governance & Nominations Committee members (other than the Principal) for a discussion; preceded by a guided tour of the University and an opportunity to meet the Principal informally. The meetings took place on 6<sup>th</sup>, 7<sup>th</sup> and 12<sup>th</sup> February 2018.

The Governance & Nominations Committee had then deliberated on the candidates in the context of the requirements of the University's governing order, the existing skills-mix amongst the lay members of Court and the need to ensure diversity. The Chair noted that the Committee had been very satisfied with the calibre of all the applicants and this had made the decision-making process difficult in some senses. All members of the Committee commented positively on the experience, concurring with the comments about the enthusiasm, talent and dedication to education demonstrated by all involved.

Court thereafter unanimously endorsed the recommendation of the Governance & Nominations Committee that Court appoint the following individuals to membership of Court with immediate effect: Mr H Aitken CBE, Mr A Bailey, Mr J Barnett, Dr A Ingram, Ms V Lynch and Ms F Robertson. Court delegated allocation of these individuals to Court's committees to the University Secretary in line with the proposals contained in the paper.

Court expressed its appreciation for the intense amount of work undertaken by the Committee and looked forward to meeting the new members.

### 59 SCOTTISH FUNDING COUNCIL: UPDATE ON FUNDING

The Director of Strategic Planning advised Court that the University had not yet received any indication from the Scottish Funding Council (SFC) of

funding beyond the current academic year, but that the University anticipated that the SFC would publish confirmation of grant in the near future.

Thereafter, Court noted the oral report

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## KEY PERFORMANCE INDICATORS REPORT

CT/0218/34

The Director of Strategic Planning introduced the annual report on KPIs, already considered by the senior management group, the executive group and the Finance & Corporate Performance Committee; and which incorporated the minor changes approved by Court and FCPC in 2017. Ms Summers intimated that ten of the nineteen indicators had an improving trend and she drew members' attention to some issues of concern.

Members discussed the report at length, covering a range of indicators.

Court noted that, while the overall headcount of international students had increased, the percentage of such students as a proportion of the total student population had remained the same since the overall population had also grown; and it agreed that consideration should be given to changing to total headcount in future reports.

In terms of student employability, Ms Summers noted that the percentage of graduates in employment or further study had increased for the third year in a row and this was now the University's highest recorded score for this indicator. However, the HESA benchmark has also increased, so the University remained slightly below benchmark and below the Scottish average. Initiatives put in place in 2016-17 to improve employability would take time to show up in these indicators. Court members also noted that there were factors beyond the University's control that influenced this indicator.

Court noted that the income from research grants was improving, but knowledge exchange income was not. The Director of Finance & Research Funding reported on changes in the approach to knowledge exchange activity whereby the focus was on activity that best supported the objectives of the University - particularly research (i.e. consultancy that informed research rather than detracted resources from it). He provided an example of significant effort in one area to illustrate the point. Examples were also provided of thriving consultancy and CPD provision in other areas with a direct and positive impact in terms of research. Responding to a suggestion that this KPI be adjusted, the Director of Strategic Planning noted that it was currently linked to a Scottish Funding Council KPI; and the Principal suggested, nonetheless, that this could be considered for the future.

With only two of the nineteen KPIs relating to staff, a member suggested that the KPIs could be perceived as inadequately taking the staff perspective into account. Court was invited to reflect on the fact that the KPIs formed only one element of the total amount of information reported to Court; with significant qualitative reporting also taking place. Members also noted that the KPIs would evolve with the next iteration of the University's strategic plan and this afforded an opportunity to address this point if there was consensus. Court also noted that the percentage of staff who think communication in the University is effective had improved by nine percentage points and commended the Vice-Principal (Academic) for his efforts in this area. In response to a query, the Principal noted that this had not been part of the

normal Vice-Principal role but had been a personal interest of Professor Olivier's and that, although the intention was to mainstream the changes that had been put in place, there would be a need for a champion at executive level.

Court members noted the very positive position regarding widening participation through recruitment of students from areas of multiple deprivation and through significant college articulation. Those members who had recently attended a governance event had heard from the Commissioner on Widening Access and felt that the University had much to be proud of in this area. Officers advised Court that Universities Scotland had several work-streams active, but that much of the 'heavy lifting' was being undertaken by Abertay and other post-92 institutions. The University was taking opportunities to flag this to Scottish Government Ministers and Court was advised that the Minister for Further Education, Higher Education and Science had singled out the University for praise. Court was also pleased to learn that Universities Scotland had appointed the Principal as Co-Convenor of a new National Articulation Forum.

In conclusion, Court noted the improvements in some areas and the areas that remained weak and agreed that, as the University began to consider its next strategic plan, this might be a useful topic for discussion at the next Court conference.

61 SENATE REPORT

CT/0218/35

The Principal introduced the above report, intended to provide Court with a summary of the matters discussed by Senate at its meeting in February 2018. Members noted matters identified including the topic of 'academic literacy' and expressed an interest in hearing about the outcomes of the review that was to take place.

Thereafter, Court noted the report.

62 PROPOSED COURT AND COURT COMMITTEE MEETING SCHEDULE 2018/19

CT/0218/36

The University Secretary introduced the above paper, which set out the rationale for a new committee schedule to take account of changes such as earlier annual accounts and to smooth out the business of Court and its committees. Mrs Stewart noted that, as this was significant change. She wished to add two suggestions. These were to (a) evaluate the change at the end of the session; and (b) consider holding a small meeting of Court at the start of term. This early meeting could focus on the schedule of work of the rest of the session, allow new members such as newly elected Student President to have an early opportunity to discuss Court matters; and help avoid the slightly longer summer 'gap'. Court accepted the proposed changes and the ideas of evaluating and holding an early meeting.

63 FINANCE & CORPORATE PERFORMANCE COMMITTEE: MINUTES OF THE MEETING HELD ON 13 FEBRUARY 2018

Court received and approved the minutes of the above meeting, submitted as Enclosure 37. Court approved the following matters:

63.1 Bernard King Library Project – Phase 2

(paragraph 16 refers)  
Court noted that the Committee had considered, in detail, revised proposals for the second phase of the refurbishment of the Bernard King Library with a potential £400k increase (including £200k contingency). The Committee had satisfied itself that the project governance was sufficiently robust and the spend justified; and had recommended to Court that the revised project proposal including the revised budget, be approved.

Thereafter, Court accepted the recommendation of the Committee, noting that a post-occupancy evaluation would be undertaken in due course.

63.2 Old College Heating Works (paragraph 17 refers)

Court noted that the Committee had considered the outcomes of the tender process for the replacement of the Old College heating works and was recommending to Court that the expenditure of £1.4 million for this project be approved; subject to the project being completed during one summer period. If it proved necessary for the project to be completed over two summer periods, then a further proposal would be brought to the Committee and then to Court.

Thereafter, Court accepted the recommendation of the Committee with the above condition.

63.3 Carbon Reduction & Energy Efficiency Fund Projects (paragraph 24 refers)

Court noted that the Committee had considered a proposal for the University to accept offers in principle for interest-free loans from the SFC for two projects. Members were advised that the SFC fund presented an opportunity for the University to accelerate investments that would assist the institution in meeting its strategic objectives in relation to reducing its impact on the environment by reducing carbon emissions and energy costs.

A member enquired as to whether relevant academic staff had been engaged with the projects and was advised that they were not on this occasion as the proposed projects were commercial LED lighting and solar panels, but the general point was noted for future projects.

Thereafter, Court accepted the recommendation of the Committee that the University should accept the offers from the SFC Fund. The Committee would, in line with other projects, monitor progress.

Court noted the following matters:

63.4 TRAC report January 2018 (paragraph 15 refers)

Court noted that the Committee had approved the annual TRAC return, which included an explanation of the change in methodology from 2017.

63.5 University Finance Report (paragraph 19 refers)

Court noted that the Committee had considered the regular report on

finance matters, which included an integrated view of the University's current financial position and financial results to date.

64 PEOPLE, HEALTH & EQUALITY COMMITTEE: MINUTES OF THE MEETING HELD ON 25 JANUARY 2018

Court received and approved the minutes of the above meeting, submitted as Enclosure 38. Court noted the following matters.

64.1 Employee relations/JLG update

(paragraph 37 refers)

Court noted that the Committee had received an oral report on discussions with the staff Joint Liaison Group and that the unions were involved in discussions regarding the new development review policy and were supportive of the proposed changes.

64.2 Redundancy policy and context

(paragraph 41 refers)

Court noted the Committee's consideration of a paper providing contextual information on current University practice in relation to redundancy and that the Committee had requested that a review of the University redundancy procedure should be carried out.

Some Court members expressed concern about the use of redundancy and the manner in which it was carried out in one case; and they emphasised their preference for a policy of redundancy avoidance developed in conjunction with the Students' Association and the staff unions. The Principal emphasised that the University aimed always to have redundancy as a last resort, but noted that the University was unlikely never to make posts redundant. The University aimed to improve the student experience despite the year-on-year reduction in real-terms funding and, as a charity, meeting the objects of teaching and research. A member commented that the University's purpose was not to make money, but the Chair pointed out that Court must ensure that the organisation is financially sustainable.

One member drew attention, from the appendix, that there had been seven separate redundancy exercises in the last two years; and commented that this did have an impact on staff and was reflected in staff surveys.

The Chair of the People, Health & Equality Committee noted that the review of the procedure would be undertaken - overseen by the Committee – and in discussion with the staff unions and that the outcome would be submitted to Court in due course.

64.3 Sickness absence and OH report

(paragraph 42 refers)

Court noted that the Committee had received a detailed report on sickness absence amongst staff in 2016/17 and noted that the levels of absence has decreased again following a rise in session 2015/16 although absence rates remained above the sector average. The Committee had recognised the significant efforts made by the University to be a supportive employer and provide a range of support in terms of occupational health.

In response to a query, officers offered to circulate the report to Court for information following the meeting.

65     REPORT ON FREEDOM OF INFORMATION REQUESTS IN CALENDAR YEAR 2017

CT/0218/39

Court noted the above report and noted the continuing year-on-year increase in Freedom of Information requests.

66     DEPARTURE OF MEMBER

The Chair noted that Mr R Fletcher had decided to step down from Court owing to pressure of business. On behalf of Court, Mr Frizzell asked that Court's appreciation for his service be passed on to him. Mr Fletcher had been a member of Court for 4 years and had been an active member of the People, Health & Equality Committee and had, more recently, been a member of the working group set up to appoint the next Chair of Court.

67     ANY OTHER BUSINESS

67.1   DBS Student entrepreneurship competition

Mr McDonald advised Court that, following the visit to the Dundee Business School before Court's December meeting, staff in the School had invited him to be part of the judging team for a student entrepreneurship competition involving the winning team in a visit to Stuttgart to represent the University. He commented on the exceptional quality of the students and commended this type of engagement to other Court members.

68     MINUTES OF THE MEETING OF COURT HELD ON 20 DECEMBER 2017 – RESERVED AREAS OF BUSINESS

Court approved the above minutes, submitted as Enclosure 40, as an accurate record.

*[Secretary's note: the Chair declared a potential conflict of interest regarding Court's discussion of his performance. However, given that the Court Intermediary had discussed the matter with him, Court did not require the Chair to leave for this item.]*

69     MATTERS ARISING FROM THESE MINUTES

Court was advised that the University had formally written to SEGi and that SEGi had formally accepted the notification to end the partnership. The University had also informed QAA (Scotland) and would also be notifying the Scottish Funding Council.

70     OBSERVATIONS ON THE MEETING

The Chair thanked those attending as observers.

71     DATE OF NEXT MEETING

Court noted the date of the next meeting.

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**CHAIR**