

Approved



UNIVERSITY COURT

MINUTES

of the meeting of the University Court held on 20 December 2017 at 2pm in the Boardroom of the University.

Chair: Mr E Frizzell

Mr M Batho
Mrs L Baxter
Mr J Burt
Ms A Cameron
Mr D Dorward
Dr M Hinfelaar

Ms G Ghafoor
Mr G MacDougall
Mr I McDonald
Professor S Olivier
Mr C Rae

Dr J Rees
Mrs S Scott
Professor N Seaton
Mr M Shaw
Dr S Waiton
Mr T Wilson

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

In attendance: Ms D Bandeva, observer
Dr G Bremner, observer
Ms L Cameron, observer
Mr R Francis, Thorntons Law LLP
Ms E Fraser (item12, para 40 refers)
Professor R Kouhy
Ms N McClelland, Thorntons Law LLP
Professor C Schaschke, observer
Mrs C Summers (items 1-7, paras 29-35)

Apologies for absence were intimated on behalf of Dr A Cornish, Mr R Fletcher, Mr M Grossi and Professor E Wilson.

NON-RESERVED AREAS OF BUSINESS

29 WELCOME

The Chair opened the meeting by congratulating the Vice-Principal (Academic) on his appointment, from May 2018, as Deputy Principal and Deputy Vice-Chancellor at the University of the West of Scotland.

The Chair welcomed members to the meeting. In particular, Mr Frizzell welcomed Professors Kouhy and Schaschke as Senate observers; and Dr G Bremner and Ms L Cameron, attending as observers from amongst members of staff. Mr Frizzell also welcomed Mr R Francis and Ms N McClelland, attending from Thorntons Law in relation to the items on the Higher Education Governance Act (Scotland) 2016.

The Chair, on behalf of Court, commended the Dundee Business School for a most interesting and informative visit prior to the Court meeting, led by Professor Kouhy.

30 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. Mr Shaw declared a conflict of interest in relation to agenda item 6 (paragraph 34 refers).

31 MINUTES OF THE MEETING OF THE CHAIR'S COMMITTEE HELD ON 11 DECEMBER 2017

Court noted the above minutes, submitted as Enclosure 18.

32 MINUTES OF THE MEETING OF THE UNIVERSITY COURT HELD ON 18 OCTOBER 2017 – UNRESERVED AREAS OF BUSINESS

Court approved the above minutes, submitted as Enclosure 19, as an accurate record.

33 MATTERS ARISING FROM THESE MINUTES

The University Secretary advised Court that there were no other matters arising that were not already on the agenda.

[Secretary's note: Mr Shaw withdrew from the meeting at this time]

34 RECOMMENDATION FROM THE GOVERNANCE & NOMINATIONS COMMITTEE

CT/1217/20

Court received and considered the above report from the Governance & Nominations Committee, intended to apprise members of appointment matters. The Chair of the Governance & Nominations Committee reminded Court that, at its meeting in October, Court had been advised that an application for the role of Chair had been received and it had been agreed that the applicant should be interviewed by the group set up by Court for this purpose. Mrs Scott advised members that the group had met on 7 November 2017 and had comprised: Mrs S Scott, Mrs L Baxter, Mr R Fletcher, Mr C Rae and Mr T Wilson, with the University Secretary in attendance. The group had reviewed Mr M Shaw's application and CV in relation to the skills and experience required for the role and the candidate had helpfully mapped his skills/experience to the requirements of the role.

Following an initial private meeting, an extensive interview with Mr Shaw had taken place, covering many topics. In the following discussion, all members had discussed Mr Shaw's personal competencies and the fact that being a Court member for over 4 years brought continuity and understanding of the University. The group had therefore agreed unanimously to recommend to Court that Mr Murray Shaw be appointed the next Chair of Court on retirement of the current Chair.

Court unanimously endorsed the recommendation of the Governance & Nominations Committee.

[Secretary's note: Mr Shaw rejoined the meeting at this time]

In other matters, Court endorsed the recommendation of the Committee that Mr J Burt, Mr I McDonald and Dr J Rees be re-appointed to the membership

of Court for a further three years and that Mr McDonald become chair of the Finance & Corporate Performance Committee.

The University Secretary then advised Court that Dr Yusuf Deeni had been elected to Court from among the Senate and noted that, whilst the result of the election for a member of Court from amongst the academic staff was known, it had not yet been communicated to the successful candidate, but would be published very shortly. Mrs Stewart further advised members that the Committee was working closely with Aspen People Ltd to fill the vacancies in the lay membership of Court and that she hoped to provide Court with a report on this matter at its February meeting.

35 SCOTTISH GOVERNMENT / SCOTTISH FUNDING COUNCIL FUNDING AND POLICY UPDATE

CT/1217/21

The Director of Strategic Planning introduced the above report, intended to provide Court with a brief update on the current policy and funding environment. Mrs Summers advised Court that, at the time of writing the report, no indication had been received from either the Scottish Government (SG) or the Scottish Funding Council (SFC) of funding beyond the current academic year, but that the general budget announcement for the sector had now been made.

Court was advised that the revised budget announced a 1.1% increase, which equated to real terms cut of 0.4%. Given that the University had planned for a flat cash settlement, there was nothing of significance to flag to Court at this point, with the caveat that the sector had yet to see the full budget progress through Parliament. One member questioned the SG's position on tuition fees for EU students in 2019-2020 and was advised that, while the sector continued to press for clarity, no indication had yet been received.

In discussion, Court noted the laudable ambitions of the SG in relation to improving equality and diversity, but questioned whether these were attainable particularly in relation to gender balance on specific programmes. Mrs Summers advised Court that the University continued to perform well in relation to widening access, although the targets would intensify with time.

Thereafter, Court noted the report

[Secretary's note: Mrs Summers withdrew from the meeting at this time]

36 SENATE REPORT

CT/1217/22

The Principal introduced the above report, intended to provide Court with a summary of the matters discussed by Senate at its meeting in December 2017, including Senate's consideration of a review of the use of homologation and its subsequent decision to delegate matters relating to academic regulation 3 to the Vice-Principal (Academic).

The elected member of academic staff on Court raised concern regarding a query that had arisen at Senate in relation to the decision taken at the October meeting of Senate regarding the Research Degrees Sub-Committee. The Principal apprised Court that, following the meeting, a review had been conducted into whether Senate's decision to disband a sub-Committee had been properly taken, and had been satisfied that it was. This would be reported to the next meeting of Senate. The President of the Students'

Association requested that Court take note of the University's decision to comply with the living wage allowance without becoming a formal member of the system.

Thereafter, Court noted the report.

37 PROPOSED CHANGES TO THE UNIVERSITY GOVERNING ORDER

CT/1217/23

The University Secretary introduced the above paper, intended to provide Court with an update on progress made towards the implementation of the Higher Education Governance (Scotland) Act 2016. Court was advised that this would be the first change to the governing order since the institution became a University in 1994.

Mrs Stewart reminded members that, as part of the implementation of this legislation, the University must work with the Scottish Government to produce a new governing order; and that the paper submitted provided Court with a draft version of the template produced by the Scottish Government. The University had been working closely with Thorntons Law to produce this initial draft, in order to allow the University to commence discussions with Scottish Government officials on the drafting of the new governing order for the University. Any draft governing order would come before Court for approval, but permission was sought at this meeting to allow discussions to begin.

Members expressed concern that the constrained timetable for implementation might have a deleterious effect on the process of implementation, but were advised that the Privy Council had agreed to delegate much of the process to the Scottish Government. This would shorten the time taken to become compliant with the Act. Mrs Stewart advised Court that other higher education institutions in Scotland had already recently made changes to their governing order, meaning that not all 19 institutions would be attempting to do so simultaneously.

Thereafter, Court approved the proposals to allow discussion with the Scottish Government to be progressed.

38 AUDIT COMMITTEE: MINUTES OF THE MEETING HELD ON 21 NOVEMBER 2017

The minutes of the above meeting, submitted as Enclosure 24, were received
The following matter was approved:

38.1 Draft Annual Report of the Audit & Risk Committee for 2016/2017

(paragraph 18 refers)

Court approved the annual report of the Audit & Risk Committee for session 2016/2017. The report, which had been discussed by the Committee, was appended to the minute.

The following matters were noted:

38.2 Internal Audit 2017/2018 Review of Risk Management

(paragraph 16 refers)

Court noted the Committee's consideration of a report on a review of risk management in the University, which had identified four medium-graded and two low-graded recommendations. The Committee had

also been apprised of areas of good practice in the management of risk.

38.3 Internal Audit 2015/2016 and 2016/2017: Management report on implementation of recommendations

(paragraph 17 refers)

Court noted that the Committee had received and considered a report on progress made by management in the implementation of previously agreed internal audit recommendations

38.4 Risk Management update

(paragraph 9 refers)

Court noted that the Committee's consideration of a six-monthly update on risk management. Members noted that work was ongoing to review the risk register in line with the recommendations from the recent internal audit review and that proposals would be brought to the Audit & Risk Committee in early 2018.

One member expressed satisfaction that the Committee had been quorate, but reiterated concerns around committee membership and quoracy. Court was assured that the Governance & Nominations Committee was addressing the membership of the Audit & Risk Committee.

39 GOVERNANCE & NOMINATIONS COMMITTEE: MINUTES OF THE MEETING HELD ON 7 NOVEMBER 2017

The minutes of the above meeting, submitted as Enclosure 25, were approved. The following matter was approved:

39.1 Report on the annual review of the effectiveness of Court

(paragraph 18.2 refers)

Court endorsed the recommendation of the Committee that the draft annual review of the effectiveness of Court in 2016/2017 be approved, subject to the inclusion of the Students' Association President under the new appointments.

The following matters were noted:

39.2 Review of Scottish Code of Good Governance

(paragraph 17 refers)

Court noted that the Committee had received and noted an update on the 2017 edition of the Scottish Code of Good HE Governance, which included a summary document identifying changes made to the draft revised Code following consultation.

39.3 Court membership report

(paragraph 19 refers)

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

[Secretary's note: At this point, the Director of Human Resources and Organisational Development joined the meeting]

40 PEOPLE, HEALTH & EQUALITY COMMITTEE: MINUTES OF THE MEETING HELD ON 23 NOVEMBER 2017

Court received and approved the minutes of the above meeting, submitted as Enclosure 26. The following matter was approved by Court;

40.1 Equality Impact Assessments (paragraph 25 refers)

Court endorsed the recommendation of the Committee that the revised Equality Impact Assessment guidance and form, attached to the minute as an appendix, be approved.

The following matters were noted:

40.2 Employee Relations Report/JLG update (paragraph 23 refers)

Court noted that the Committee had received an oral report on discussions at the most recent meeting of the Joint Liaison Group. Members noted that the main focus for discussion had been restructuring, managing change and potential redundancies.

40.3 Staff Engagement update (paragraph 24 refers)

Court noted the Committee's consideration of a paper on the results of the 2017 Staff Survey.

The Chair of PHEC apprised Court of the Committee's discussions around these agenda items. Mr Burt noted that the response rate to the Staff Survey had improved, as indeed had the overall results, but that KPIs in certain areas had not been met. Members noted that consultation events around the results of the survey were taking place and that a report would be provided to Court, most likely for its meeting in June 2018, on actions taken by management. Mrs Fraser advised Court that the consultation meetings were intended to seek ideas for improvement, notwithstanding the belief amongst some staff that these events were not in the spirit of the anonymity of the survey.

One member noted that, whilst the overall results had improved slightly, the results of the previous survey had been very poor and the same issues that had been identified in the previous two surveys had emerged again. The same member expressed concern that the increase in equality and diversity issues was linked to the disbanding of the Equality & Diversity Sub-Committee and the delay in establishing the Lead Voices network, but was advised that the only significant variation was amongst disabled staff.

Mr Burt apprised Court of the Committee's consideration of a letter from the local Abertay UCU regarding potential redundancies in the School of Science, Engineering and Technology (SET). In the course of a lengthy discussion, Court reiterated that the management of the University was delegated to the Executive and that relations between staff and management were not for detailed discussion at Court. One member concurred, but noted that PHEC had been uneasy that staff were not happy and, whilst noting that Court was not responsible for the management of the University, it had a responsibility to ensure that management adhered to process.

The Principal advised Court that re-organisation was required for the purposes of improvement and that the skills matrix was being mapped within

SET to support the curriculum. Professor Seaton advised that unions would be consulted if there were to be any redundancies, but refuted any suggestion that Schools were being encouraged to make savings through a reduction on head count. Members requested that the Committee consider reviewing the redundancy procedure in the light of Court's discussions.

Court further requested that a high-level analysis of those KPIs that had not been met should be considered by PHEC and by Court.

[Secretary's note: at this point the Director of Human Resources and Organisational Development left the meeting]

41 DUNDEE ACADEMY OF SPORT: UPDATE

CT/1217/27

The Vice-Principal (University Services) introduced the above report, which had been produced by the Head of the School of Social and Health Sciences. Mr Batho advised Court that the value of the Academy had been recognised locally, but that the pupil equity scheme was insufficient to sustain the project.

Members noted that the University continued to explore options to fund the Academy, including third-sector partners, charities and the possibility of one of the University's high-profile Honorary Graduates acting as the voice of the Academy.

Thereafter, Court noted the report, offering continued support for the University's efforts to maintain the existence of the Academy.

42 DEPARTURE OF MEMBERS

The Chair noted that this would be the last meeting of Court to be attended by four members: Ms Andrea Cameron, Dr Alexis Cornish, Mr David Dorward and Dr Stuart Waiton.

The Chair noted that Dr Waiton had been elected by the academic staff of the University, joined Court in 2015 and had been a member of the Finance & Corporate Performance Committee. Ms Cameron had been elected by Senate to Court, had joined in January 2015 and had also been a member of the People, Health & Equality Committee.

Dr Cornish had been unable to attend the meeting but was noted as having a long connection with the University, having worked at the then Dundee Institute of Technology until 1990. She had joined Court in January 2015; and had during that time been a member of, and chaired, the Audit Committee.

Mr Dorward was noted as the longest-serving Court member who was departing. He joined Court in 2010 and had served for almost 8 years, stepping down a year earlier than the maximum period of office owing to other demands on his time. During his period on Court, David had been a member of the Governance Committee, a member of, and then Chair of, Finance & Corporate Performance Committee, as well as sitting on Chair's Committee and the Remuneration Committee. He had attended more than 60 Court and Court committee meetings and had taken part in many graduation ceremonies and other events.

On behalf of Court, Mr Frizzell thanked the departing members for their service and wished them every future success, presenting gifts to each.

43 ANY OTHER BUSINESS

The member of Court elected from amongst the academic staff of the University indicated that he wished to raise an issue regarding staff responses to student module survey results. Dr Waiton intimated that staff found the exercise demoralising and that the practise should cease.

The Principal noted that responding to the student voice was a crucial part of enhancing the student experience and that the process was one that the Teaching & Learning Committee (TLC) had devised and Senate had approved. Professor Seaton advised members that a Teaching & Learning Enhancement Seminar had been held the previous week and that all academic staff were now invited to attend TLC.

Thereafter, it was agreed that Dr Waiton's email on the subject would be circulated to Court members following the meeting.

44 OBSERVATIONS ON THE MEETING

Members and observers were invited to give their observations on the meeting. The members of academic staff in attendance noted that the depth of knowledge and interest displayed by members gave great reassurance and thanked Court for their engagement.

45 DATE OF NEXT MEETING

Court noted that the next meeting would take place on 21 February 2018 at 2pm in the Boardroom of the University.

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CHAIR