

Approved



UNIVERSITY COURT

MINUTES

of the meeting of the University Court held on 26 June 2019 at 2pm in the Boardroom of the University.

Chair: Mr M Shaw

Vice-Chair: Mrs S Scott

Professor L Bacon
Mr A Bailey
Mr J Barnett
Mr M Batho
Mr J Burt
Dr Y Deeni

Ms G Ghafoor
Dr A Ingram
Mr F Keir
Mr I Lowe
Ms V Lynch

Mr I McDonald
Ms F Robertson
Professor N Seaton
Dr K Smith
Mr T Wilson

Secretary: Mrs S Stewart

Clerk to Court: Dr A Ramsay

In attendance: Mr G Bletcher, observer
Ms Devautour, observer
Ms E Fraser (Item 89)
Ms J McKenzie, observer
Mrs A Skilton, observer
Mrs C Summers
Mr S Uphill
Mr O Wright

Apologies for absence were intimated on behalf of Professor T Inns, Mr G MacDougall, Mr T Marks and Dr J Rees. Mr J McGregor was not present.

NON-RESERVED AREAS OF BUSINESS

75 WELCOME

The Chair welcomed members to the meeting. In particular, Mr Shaw welcomed Mr G Bletcher, Ms J McKenzie and Mrs A Skilton, who were attending the meeting as observers from External & Corporate Relations and Information Services, respectively. Mr Shaw also welcomed Ms S Devautour, who was attending the meeting as Abertay SA Vice-President elect.

The Chair invited reflections from Court on the presentation they had received from the Director of Student Services. Members commended the work of Student Services, noting that the information presented by Mr Nicholson had been both informative and reassuring. Whilst Court welcomed the proactive student lifecycle approach and reflected that students self-referring to Student Services was a positive sign,

members expressed concern around the number of students requiring support and requested that a follow-up presentation be planned at which they might be informed of the effect of the new activities Mr Nicholson had outlined.

76 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 disclosed.

77 MINUTES OF THE MEETING OF THE CHAIR'S COMMITTEE HELD ON 17 JUNE 2019

Court noted the above minutes, submitted for information as Enclosure 53.

78 MINUTES OF THE MEETING OF THE UNIVERSITY COURT HELD ON 17 APRIL 2019 – UNRESERVED AREAS OF BUSINESS

Court approved the above minutes, submitted as Enclosure 54, as an accurate record.

79 MATTERS ARISING FROM THESE MINUTES

The University Secretary advised Court that the new University Order of Council would come into effect on 1 September 2019. Members congratulated Mrs Stewart and the members of the Governance & Nominations Committee for their work over the previous eighteen months.

80 NOMINATION OF THE NEXT CHANCELLOR OF THE UNIVERSITY

CT/0619/55

The University Secretary reminded members that the Chancellor, Lord Cullen, would step down from the role following the July graduation ceremonies having served as Chancellor of the University for ten years. Mrs Stewart advised Court that the Chair of Court, the Principal and the University Secretary had agreed a set of criteria for identifying potential candidates. These had been discussed with the Governance & Nominations Committee, which fully endorsed the recommendation of the Chair of Court and the Principal that Professor Alice Brown CBE FRSE AcSS be appointed as the third Chancellor of the University. Professor Brown had indicated that she would be pleased to serve in the role.

Members commended the choice of Professor Brown, noting that she embodied the values of the University and would be an example of excellence to staff and students. One member sought clarification of the proposed term of office and was advised that this was not fixed, as was usual practice elsewhere.

Thereafter, Court unanimously endorsed the recommendation that Professor Alice Brown CBE FRSE AcSS be appointed as the third Chancellor of the University. Members would be kept apprised of arrangements for Professor Brown's installation.

81 STRATEGIC PLAN 2020-2025: UPDATE

CT/0619/56

The Principal introduced the above paper, noting that the discussion would be preceded by a reflection from Dr Kate Smith on her personal journey to becoming a member of Abertay staff. Dr Smith noted that in order to choose its own path, the institution needed to understand itself and commended the pluralistic consultative approach taken where staff felt empowered to contribute to the ongoing success of the University.

The Director of Strategic Planning reminded members that the paper under consideration had been updated to include additional contextual information requested by members at the meeting of Court held in April 2019 and that the draft strategic plan would be presented for discussion at the residential meeting of Court in September 2019. Mrs Summers therefore invited members to indicate whether they were content with the overall direction of development and Court welcomed the inclusion of the addition contextual information.

In the course of a lengthy discussion, Court commended the proposed investment in the University's digital platform, intended to encourage the widest possible participation whilst acknowledging that this would change the production of knowledge and the ways in which learners and staff engaged with learning. One member urged caution in the escalation of the digital strategy, noting the importance of personal contact in view of the increasing numbers of students with complicated learning and support needs.

Court considered the tension inherent between retaining the stability of the University's provision whilst remaining agile and flexible to change and noted the threat posed to funding by Brexit uncertainty and continuing austerity. Members discussed the University's aspirations as articulated in the framework and agreed that vision and inspiration should be at the heart of the strategic plan.

Thereafter, Court agreed that the document presented was an appropriately aspirational statement of intent and looked forward to receiving the draft plan for discussion in September.

82 OPERATIONAL PLANNING AND BUDGETING: DRAFT BUDGET 2019/2020

CT/0619/57

The Vice-Principal (University Services) introduced the above report, intended to provide Court with the University's updated operational and financial plans for 2019-2020. Mr Batho reminded members that, following Court's approval in 2017, the University had moved to a three-year planning cycle. The report therefore represented year three

of the current planning cycle and an update to the plans approved by Court in June 2017. Court was advised that the operational plan was intended to ensure that all actions required to deliver the objectives of the Strategic Plan were in place and supported by financial, staffing and investment plans.

The Interim Director of Finance & Research Funding advised members that, in order to achieve continued sustainability, the University sought to achieve a surplus of 8%. This had not yet been fully realised but management plans were in hand to address the deficit. The Chair of the Finance & Corporate Performance Committee apprised Court that the paper had received significant scrutiny at the Committee's most recent meeting and that, moving forward, members could expect to receive integrated reports on significant operations and updates on capital & estates projects during the summer recess.

The President of the Abertay Students' Association expressed concern regarding the terminology employed in Annex A and sought a commitment from management that the University would continue to offer the broadest portfolio possible. Court was advised that this was demonstrated in the aspirations articulated in the strategic plan framework, subject to funding constraints. Members expressed concern that successive cuts to University funding would be unsustainable in the long term and noted that the SFC's right to review funding in-year would be likely to impact on session 2020/2021.

Thereafter, Court noted the assumptions on which the University's plans were based, noted the update on the University's three-year operational plan and approved the financial plan set out in Annex C.

83 DRAFT ANNUAL REPORT TO SFC ON QUALITY 2018/2019

CT/0619/58

The Principal introduced the above document, apprising Court that the Annual Report was a statutory return, required to be submitted to the Scottish Funding Council by 30th September each year following endorsement by the governing body in line with SFC Guidance on Quality. Professor Seaton advised members that the report was still in draft form as NSS results were not yet available and requested that the authority to endorse the final report should be delegated to the Chair.

Thereafter, Court delegated to the Chair of Court the authority to endorse the final report for submission to SFC by 30 September 2019.

84 ABERTAY STUDENTS' ASSOCIATION: ANNUAL REPORT

CT/0619/59

The President of the Abertay Students' Association introduced the above report on the activities of the SA over the previous year. Mr Wilson apprised Court of campaigns of note, such as the AberTAYSTY initiative, a review of democratic and representative structures as well as the Association's ground-breaking work with Rape Crisis Scotland. Members were further advised that the SA would be undertaking a

constitutional review during the next academic session.

Thereafter, Court noted the report and the Association's continued commitment to democracy and representation.

85 PROPOSED NEW RULES FOR NOMINATION TO COURT

CT/0619/60

The University Secretary introduced the above draft rules on the nomination of members to the University Court and advised members that the Governance & Nominations Committee had considered and accepted these at its last meeting. Senate had also considered and accepted the draft rules for the nomination of a Senate member to Court at its meeting on 12 June 2019.

Mrs Stewart reminded Court that, under the new governing Order for the University, there was a requirement for rules to be developed in relation to the various categories of Court member and delineated the proposals under each required category, Consultation had taken place with the Abertay Students' Association, with the recognised trade union local branches and with the Principal.

Thereafter, Court approved the rules for the nomination of members to the University Court.

86 AUDIT & RISK COMMITTEE: MINUTES OF THE MEETING HELD ON 13 MAY 2019

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

The following matters were noted:

86.1 Risk Management update

(paragraph 47 refers)

Court noted the Committee's consideration of the regular update on risk management, in line with the revised Risk Management Policy and Framework approved by Court in June 2018.

86.2 External Audit 2018/2019: planning report

(paragraph 48 refers)

Court noted that the Committee had received and considered a planning report from the external auditors, EY, which had provided members with an opportunity to review EY's approach to the 2018/2019 audit.

86.3 Internal Audit 2018/2019: report on review of Succession Planning & Staff Development

(paragraph 49 refers)

Court noted the Committee's consideration a report on the review of succession planning and staff development within the University.

86.4 Internal Audit 2019/2020: Draft Annual Plan
(paragraph 51 refers)
Court noted that the Committee had received and noted the draft Annual Audit Plan for the internal audit function during 2019/2020.

87 FINANCE & CORPORATE PERFORMANCE COMMITTEE: MINUTES OF THE MEETING HELD ON 26 MAY 2019

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

The following matters were noted:

87.1 Abertay Students' Association Finances & Plan 2019/2020
(paragraph 42 refers)
Court noted that the Committee had received and considered the Abertay Students' Association Finances and Plan for 2019/2020, which had already received Court's attention as a separate agenda item.

87.2 SFC Final Funding Announcement for 2019/2020
(paragraph 43 refers)
Court noted that the Committee had received and noted a report on the SFC funding announcement for 2019/2020.

87.3 Operational Planning & Budgeting for 2019/2020
(paragraph 44 refers)
Court noted the Committee's consideration of the University's operational and financial plans for 2019/2020, which had already been discussed as a substantive agenda item.

87.4 University Finance Report
(paragraph 45 refers)
Court noted that the Committee had received and considered the above Finance report, which included an integrated view of the University's current financial position and financial results to date.

Court noted that the Committee would be kept apprised of progress made in capital projects during the summer recess.

88 GOVERNANCE & NOMINATIONS COMMITTEE: MINUTES OF THE MEETING HELD ON 30 APRIL 2019

The minutes of the above meeting, submitted as Enclosure 63, were approved. Mrs Scott formally recorded the thanks of the Committee to the University Secretary in relation to the development of the new governing Order.

The following matters were approved:

88.1 Proposed Rules for the Nomination of Various Categories of Member to the University Court

(paragraph 40 refers)

Court noted that the Committee had recommended approval of the proposed rules for the nomination of various categories of Court members, which had been considered and approved as a separate agenda item.

88.2 Proposed Changes to the Membership of Court Committees

(paragraph 41 refers)

Court endorsed the recommendations of the Committee in relation to proposed changes to the membership of Court Committees.

The following matters were noted:

88.3 Higher Education Governance (Scotland) Act: new Governing Order update

(paragraph 39 refers)

Court noted that the Committee had received and noted an update on progress made on the development of the University's new Governing Order.

88.4 Court membership report

(paragraph 42 refers)

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

[Secretary's note: The Director of HR & OD joined the meeting at this point]

89 PEOPLE, HEALTH & EQUALITY COMMITTEE: MINUTES OF THE MEETING HELD ON 30 MAY 2019

The minutes of the above meeting, submitted as Enclosure 64, were approved.

The following matter was approved:

89.1 Flexible Working Policy

(paragraph 27 refers)

Court endorsed the recommendation of the Committee that the revised Flexible Working Policy be approved.

The following matters were noted:

89.2 Letter from Abertay UCU

(paragraph 24 refers)

Court noted that the Committee had received and considered the above letter from Abertay UCU in relation to the restructure of the University. This had been appended to the minute for Court's attention along with an addendum submitted following the meeting on 30 May 2019.

Mr Burt thanked Dr I Donald for having attended the meeting of the Committee to read the letter. Members had sought clarification of a number of matters and had thereafter discussed the following key points:

- The impact on current students
- The possibility that prospective students and staff would be dissuaded from applying to Abertay
- The assertion that no clear rationale had been articulated by management for the changes
- The possibility that the changes could affect the institutional REF performance
- The long-term effects on the culture of the institution
- Assurances being sought that management adhere to the spirit of the redundancy avoidance policy.

Professor Seaton advised members that, whilst the members of staff teaching course content might change, all current students would continue to take the same modules on the same programmes. The number of academic staff employed by the University would not change, although the staff profile would. Management would strive to avoid compulsory redundancies whilst recognising that staff morale would be low in a climate of increased financial constraint where the majority of universities would be taking similar steps.

Ms Fraser noted that management had engaged formally with the trade unions, despite numbers being below the legally required threshold and that, following discussion, the redundancy package on offer had been increased. A communications plan had been put in place, which would be cascaded to staff and students.

Court noted that any programme of redundancy would be uncomfortable but was reassured that the University had acted responsibly and that the process had been equitable.

89.3 Exit interview report

(paragraph 26 refers)

Court noted that the Committee had received and considered the above report, appended to the minute for Court's attention.

[Secretary's note: The Director of HR & OD left the meeting at this point]

90 REMUNERATION COMMITTEE: MINUTES OF THE MEETING HELD ON 30 APRIL 2019

The minutes of the above meeting, submitted as Enclosure 65, were approved.

The following matter was noted:

90.1 Annual report on Severance Arrangements (paragraph 11 refers)

Court noted that the Committee had received and considered the above annual report, intended to provide an overview of the University's severance arrangements.

91 ACADEMIC MATTERS INCLUDING REPORT ON SENATE'S JUNE 2019 MEETINGS

CT/0619/50

Court received and noted the above report, prepared by the Vice-Principal (Academic) and the University Secretary in order to keep Court apprised of the core academic business of the University and advise members of items discussed by Senate at its most recent meetings in June.

92 GRADUATION

Oral report

The University Secretary advised Court that the University's Graduation ceremonies would take place on 4 July 2019 and invited members to attend. The Chair of Court urged members to participate in this very positive landmark event for students and their families. Members were also encouraged to submit nominations for honorary awards.

93 COURT CONFERENCE

The University Secretary provided Court with a verbal report on the University's annual residential conference, which would take place on 17th and 18th September 2019 at the Carnoustie Golf Hotel.

94 DEPARTURE OF MEMBERS

Court noted that this would be the last meeting to be attended by Mr T Wilson and Dr Y Deeni. Mr Shaw, on behalf of Court, thanked Mr Wilson and Dr Deeni for their contributions.

95 ANY OTHER BUSINESS

No other business was declared

96 DATE OF NEXT MEETING

Court noted that the next meeting would take place on Wednesday 18th

September 2019, preceded by the Court conference on the evening of Tuesday 17th and morning of Wednesday 18th September.

Mr M Shaw
CHAIR