

Approved



## UNIVERSITY COURT

### MINUTES

of the meeting of the University Court held on 15 April 2020 at 2.00pm *via* Microsoft Teams.

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

Professor L Bacon	Professor T Inns	Mr T Marks
Mr A Bailey	Mr I Lowe	Dr J Rees
Mr J Barnett	Ms V Lynch	Dr A Samuel
Mr M Batho	Ms C MacEachen	Professor N Seaton
Mr J Burt	Mr J Macgregor	Dr K Smith
Mrs M Guild	Mr G MacDougall	Mr O Wright
Mr F Keir	Mr I McDonald	

Secretary: Mrs S Stewart  
Clerk to Court: Dr A Ramsay  
In attendance: Mr E Baines  
Ms D Bandeva  
Ms E Fraser  
Ms L Jack  
Ms C Summers  
Mr S Uphill

Apologies for absence were intimated on behalf of Ms G Ghafoor.

### NON-RESERVED AREAS OF BUSINESS

#### 63 WELCOME

The Chair welcomed members to the meeting. In particular, Mr Shaw welcomed Mr E Baines to his first meeting of Court as Abertay SA Vice-President Elect and welcomed Ms D Bandeva back to Court as Abertay SA President Elect.

Mr Shaw advised Court that Ms F Robertson had resigned from Court in order to fulfil her obligations as part of the Community Welfare and Resilience Group of Perth & Kinross Council. Members recorded their formal thanks to Ms Robertson and noted that Court hoped to work with her again in future.

#### 64 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. Mr Shaw further reminded those in attendance that the matters under discussion should be regarded as confidential.

65 MINUTES OF THE MEETING OF THE UNIVERSITY COURT HELD ON 5 FEBRUARY 2020 – UNRESERVED AREAS OF BUSINESS

Court received and considered the above minutes, submitted as Enclosure 46. Under paragraph 48, Court noted that one member had requested an undertaking from management that no capital projects would commence before project prioritisation and selection criteria had been established. It was agreed that the minute would be amended to reflect this.

Thereafter, and subject to the above amendment, Court approved the minutes as an accurate record.

66 MATTERS ARISING FROM THESE MINUTES

The University Secretary apprised Court of the following:

66.1 Minutes of the meeting of the University Court held on 5 February 2020 – unreserved areas of business

(paragraph 40 refers)

Mrs Stewart noted that a report from the Abertay SA would be included as a standing agenda item in future.

66.2 Draft Annual Report of the Audit & Risk Committee for 2018/2019

(paragraph 42.2 refers)

Mrs Stewart noted that a briefing on Health & Safety matters and responsibilities would be presented to a future meeting of Court.

66.3 Tay Cities Deal Update

(paragraph 43 refers)

Professor Seaton advised Court that the ongoing Covid-19 pandemic had effectively ceased progress on the Tay Cities Deal. Members noted that it was unlikely to be a national priority when the country emerged from lockdown.

66.4 Draft Calendar of Court and Committee dates for 2020/2021

(paragraph 47 refers)

Mrs Stewart advised members that she had received comments on the above draft calendar from Committee Chairs and that she would circulate the calendar electronically for Court approval. One member enquired whether committees would continue to meet *via* Microsoft Teams and was advised that, following the initial period of disruption post-lockdown, the University intended to complete the committee cycle for the current session.

Thereafter, the University Secretary advised members that there were no other matters arising that were not already on the agenda.

67 AUDIT & RISK COMMITTEE: MINUTES OF THE MEETING HELD ON 16 MARCH 2020

The minutes of the above meeting, submitted as Enclosure 47, were received and considered. The following matter was approved:

67.1 Revised Remit and Membership

(paragraph 31 refers)

Court endorsed the recommendation of the Committee to approve the

above remit and membership, which had been revised at the request of the Committee to reflect members' concerns that there had been insufficient emphasis on the management of risk in the Committee's responsibilities. One member of Court questioned whether the revisions had addressed the concerns expressed at the People, Health & Equality Committee regarding information-sharing between committees and the transmission of relevant reports, where relevant. The Chair of the Finance & Corporate Performance Committee advised members that he now attended all meetings of the Audit & Risk Committee and the Chair of Court noted that the Chair's Committee and the Governance & Nominations Committee would be discussing this matter further.

The following matters were noted:

- 67.2 Risk Management and Policy Framework: Update  
(paragraph 31 refers)  
Court noted the Committee's consideration of the regular update on the management of risk, in line with the Revised Risk Management and Policy Framework agreed by Court in 2018.
- 67.3 Internal Audit 2019/2020: Report on review of Business Planning & Performance Management  
(paragraph 33 refers)  
Court noted that the Committee had received and considered a report on the above review of business planning and performance management, which had identified significant areas of good practice and had made two low-significance recommendations, with an overall finding of substantial assurance.
- 67.4 Internal Audit 2019/2020: Report on review of Quality Management  
(paragraph 34 refers)  
Court noted the Committee's consideration of the above review of Quality Management, which had identified significant areas of good practice and had made no recommendations. An overall finding of substantial assurance had been made, for which the Committee had commended management.
- 67.5 Internal Audit 2019/2020: Report on review of Business Continuity Planning  
(paragraph 35 refers)  
Court noted the Committee's discussion of the above report on business continuity planning, which had made two high-significance, one medium and one low-significance recommendations and had reached an opinion of limited assurance because of a lack of key staff.
- 67.6 Internal Audit 2019/2020: Report on review of Project Management  
(paragraph 36 refers)  
Court noted that the Committee had received and considered the above review of Project Management. The report, which had recognised areas of good practice, had also made four medium-significance and two low-significance recommendations.

67.7 Internal Audit 2019/2020: Progress Report (paragraph 37 refers)  
Court noted that the Committee had received and considered a report on progress made against the Internal Audit Plan for 2019/2020.

Thereafter, Court approved the minutes.

68 GOVERNANCE & NOMINATIONS COMMITTEE: MINUTES OF THE MEETING HELD ON 25 FEBRUARY 2020

The minutes of the above meeting, submitted as Enclosure 48, were approved. The following matter was approved:

68.1 Reviews of the following Court Documents scheduled or overdue for review (paragraph 25 refers)

Court endorsed the recommendation of the Committee to approve the following revised documents:

- Role of the Chair of Court.
- Role of the Court Intermediary.
- Role of the Secretary to Court.
- Role of the Principal.

The following matter was noted:

68.2 Court membership update (paragraph 26 refers)

Court noted the Committee's consideration of a report on the current status of the membership of Court. One member asked how the Court intended to ensure continued diversity of membership and was advised that the Governance & Nominations Committee was actively taking steps to address this. Additionally, the University Secretary advised that a recruitment agency would be retained and that use of stakeholder events would be made.

69 PEOPLE, HEALTH & EQUALITY COMMITTEE: MINUTES OF THE MEETING HELD ON 5 MARCH 2020

The minutes of the above meeting, submitted as Enclosure 49, were approved. The following matters were approved:

69.1 Health & Safety Policy (paragraph 36 refers)

Court endorsed the recommendation of the Committee that the above revised health & safety policy be approved, subject to the necessary revisions required to reflect the restructure of the University's Services.

69.2 Use of Drones Policy (paragraph 37 refers)

Court endorsed the Committee's recommendation that the above policy on the use of drones be approved.

The following matters were noted:

69.3 Staff Engagement Survey report (paragraph 34 refers)

Court noted the Committee's consideration of the above analysis of the staff engagement survey.

69.4 Occupational Health: Annual Report (paragraph 35 refers)

Court noted that the Committee had received and considered the above annual report on the in-house occupational health service available to staff in the University.

Thereafter, Court noted the minutes.

## 70 CORONAVIRUS BRIEFING FOR COURT

CT/0420/50

The Chair of Court introduced the above report by commending management and staff for their swift and efficient response to the coronavirus outbreak and for its efforts to move activities on-line. Members noted that, while the Students' Association was campaigning for assessments to be abandoned, the University's primary concern was to mitigate against the risk of allowing inadequately-prepared students to progress to the next level and potentially disadvantage their future success. The President of the Abertay Students' Association sought assurances that the importance of communication with students would be given priority going forward and was advised that management had learned valuable lessons over the previous weeks about the value of consultation and would keep this at the forefront of their thinking as the institution prepared for what would most likely be a blended approach to provision from session 2020/2021. The Vice-President Elect of the SA requested a commitment from management that no programmes would be cut from the current portfolio and was advised by Professor Seaton that the University intended to deliver all existing programmes.

The Principal advised Court that the University had released those students who had left University-owned halls of residence from their leases and had attempted to provide IT resources to students without sufficient equipment of their own, both pre- and post-lockdown. Members noted that the University had taken advantage of the UK Government's Job Retention Scheme for a small number of staff involved in commercial activities and had undertaken to make up the additional 20% of their pay. All other staff were either working from home or simply staying at home if their job could not be done from home while management remained cognisant of the impact of caring responsibilities on staff and their families.

In discussion, members considered the significant risk to the sector of a reduction in international tuition fees, noting that the University was significantly less reliant on this source of income than others across Scotland, although the future landscape of Higher Education in Scotland remained a concern. Professor Seaton advised Court that he had attended a meeting with Cabinet Minister Richard Lochhead and that management had written to all those politicians with whom the University had a relationship to note concerns around the potential for future disruption to the sector. It seemed likely, however, that the ancient and research-intensive institutions would benefit more from any Scottish Government financial assistance than the post-92 universities.

Court was advised that the management team was confident that the Strategic Plan 2020-2025 remained fit-for-purpose but that a forward-looking one-year crisis recovery plan could be brought to the meeting of Court in June for discussion. Financial modelling and planning for the end-of-year was largely on-track, although costs had been incurred in closing the campus, such as extra security and establishing a 24-hour call management system. Further expenditure would be required to make the campus safe for re-occupation and both Court and management noted that using the University's reserves was not sustainable.

The Chair of the Finance & Corporate Performance Committee questioned whether the University would be able to repurpose the £10.3m transactional funding received from SFC and whether its investment potential could be exploited. The Chair of Court and members of the Audit & Risk Committee expressed concern that the £10.3m had been received when management was not empowered to authorise borrowing under the Scheme of Delegation. It was agreed that the Secretary to Court would investigate how this oversight had occurred and members were reassured that none of the funding had, as yet, been committed or spent.

Professor Seaton advised that an additional meeting of Court would be held in mid-May with specific agenda items on the impact of Covid-19 on the University's staff, students and finances. One member questioned whether the recruitment process for the Director of Finance, Infrastructure & Corporate Services was still ongoing and was advised that this was currently on hold.

Thereafter, Court noted the report and commended management.

#### 71 OUTCOME AGREEMENT 2020/2021 TO 2022/2023 SUBMITTED TO SFC

The Vice-Principal (Strategy & Planning) provided Court with a verbal update on the final draft of the University's next Outcome Agreement with the Scottish Funding Council (SFC) for 2020/2021 to 2022/2023. Ms Summers noted that the document, which had been provided under 'associated reading' constituted the position at 16 March, when it had been submitted to SFC.

Whilst this would normally have been followed by a discussion with SFC officers, the Covid-19 pandemic had prevented such a meeting taking place and, on 6 April 2020, the SFC Chief Executive had confirmed that they would work from the versions already submitted. Ms Summers reminded members that this final draft was provided to Court for information and not approval, given the level of uncertainty around 2020/2021 and in the absence of any information received from SFC.

Court noted, however, that SFC had been content with the early draft submitted in December 2019 and discussed in January 2020. This had also been considered by FCPC at its meeting in January 2020. The final draft had been approved by the Executive Group on 9 March 2020, following consultation with the trades unions, the Students' Association and the Senior Management Team.

In discussion, Court noted that SFC had published its financial forecasting information for 2020/2021 the previous week. Ms Summers advised members that the announcement had been broadly in line with institutional expectations and that, whilst more positive than that for which the University had planned,

management would continue to exercise caution.

Thereafter, Court noted the report.

72 ANY OTHER BUSINESS

No other business was declared.

73 DATE OF NEXT MEETING

Court noted that the date of the next meeting would be confirmed in due course.

.....  
**CHAIR**