

EDINBURGH NAPIER UNIVERSITY

UNIVERSITY COURT

**Minutes of the meeting held on Monday 14th December 2009
at 3.45 pm in the Castle Room, Craighouse Campus**

Present: Ms M. Ali; Professor G.C. Borthwick (Chairman); Dr J. Boyle; Professor A. Burns; Lady Clark of Calton; Mr M. Connarty; Mr O. Cruickshank; Dr P. Easy (Senior Vice-Principal); Mr W. Gallagher; Mr H. Hall; Professor R. Mackenzie (Vice-Principal, Research & Knowledge Transfer); Mr G. McCarra; Dr J. Rees (Vice-Principal, Academic Quality & Customer Experience); Professor B. Sloan; Mrs A Smith; Ms M Stephenson (Vice-Chair); Dr P Stollard; Professor Dame J. Stringer (Principal & Vice-Chancellor); Mr R Sweetman;

Apologies: Dr L. Burley; Ms K. Bylinska (NSA President); Mr G. Kildare; Mr B. Naylor; Professor J. Watson

In attendance: Ms K Cairney (Development Director)[Items 1&2 only]; Mrs M Cook (Director of Human Resources); Mr S Logie (Clerk to Court); Ms J Mackenzie (Acting Finance Director); Dr G Webber (University Secretary);

Observers: Mr D Rintoul (Head of Policy, Planning & Intelligence)

1. WELCOME AND OPENING REMARKS

1.1 The Chairman welcomed everyone to the second Court meeting of the 2009/10 Academic Session and the last meeting of 2009.

2. PRESENTATION: DEVELOPMENT OFFICE & FUNDRAISING

2.1 The Chairman invited the Development Director to give a presentation on the work of the Development Office and fundraising. Following the informative presentation the Chairman noted the professionalism of the Development team and thanked them for their effort to increase fundraising.

2.2 Members enquired about actions being taken to increase donations from alumni and whether the Schools and Faculties could be asked to support this endeavour. The Development Director reported that traditionally the Development team had focussed on securing substantial donations, but that this was now broadening and plans for developing the alumni were well advanced. It was noted that benchmarking data is being developed, to provide a metric of the success of Development activities at the University.

3. OPENING REMARKS & APOLOGIES

3.1 The Chairman welcomed the Head of Policy, Planning & Intelligence who was in attendance as an observer, and the Clerk noted the apologies. In his opening remarks the Chairman congratulated the University on being the recipient of the Queens Anniversary Prize for Further and Higher Education

2009. He noted this was the first occasion in the history of the University that it had received this highly prestigious prize, which is awarded biennially to reward universities and colleges that demonstrate work of a world-class standard of excellence. The Chairman requested that the congratulations of Court be conveyed to all involved in this marvellous achievement.

- 3.2 The Chairman reflected upon the successful graduations that had been held in November, the last to be held by the University in the Festival Theatre before a move to the Usher Hall. He commended the high calibre of the three honorary graduates who were recognised at the ceremony: acclaimed Scottish screen composer Craig Armstrong; founder and Chairman of Optos, Douglas Anderson; and the Executive Director for the Institute of Directors, David C Watt.

Part A For discussion and decision

4. MINUTES OF THE MEETING HELD ON UC(09/10)19 26TH OCTOBER 2009

- 4.1 The minutes of the meeting held on 26th October 2009 were **approved** as an accurate and fair record of the meeting.

5. MATTERS ARISING

5.a Recruitment of a member from an under-represented community

- 5.1 In response to the question raised at the last Court meeting, the University Secretary confirmed that there was no reason why a student could not be elected as a lay-member of Court representing an under-represented community. He emphasised however that they would need to be appointed following the same recruitment process and against the same selection criteria as all other lay-members of Court. Furthermore they would not be an additional student representative. It was noted that no significant progress had been made since the last Court meeting on recruiting a lay-member from an under-represented community but that efforts were continuing.

5.b Governance Review Working Group

- 5.2 The University Secretary provided a brief update on the membership of the Governance Review Working Group (GRWG). He reported that following the discussion at the last Court meeting it had been agreed that a new lay-member should be invited to join on the group as this would bring a degree of externality. The University Secretary then provided an overview on other matters relating to the Review, noting that the helpful comments at the last meeting of Court had been taken into consideration in finalising the arrangements. The Vice-Chair of Court (who is Convenor of the GRWG) noted that work was now well under-way on the Review.
- 5.3 The Chairman reminded all Court members of the importance of contributing to the Review through completing the questionnaires that had recently been issued. He also took the opportunity to confirm that the activities being undertaken will result in a robust and thorough review of our governance arrangements.

6. APPROVAL OF ANNUAL REPORT AND ACCOUNTS 2008/09 UC(09/10)20

- 6.1 The Acting Finance Director introduced the paper which was presented to enable the Court to discharge its statutory responsibilities in respect of the Financial Statements for 2008/09. It was reported that the statements present a healthy set of results and that the university balance sheet remains strong and in a robust state going forward.
- 6.2 The Convenor of the Audit Committee, Mr H Hall, noted that the audit of the university accounts had gone very well and that the financial statements had received a thorough review by the new auditors. It was reported the auditors had noted some concern regarding the succession arrangements following the recent departure of the Finance Director, however the Principal provided reassurance that the necessary steps had been taken to ensure appropriate interim arrangements are in place.
- 6.3 There was a brief discussion regarding the University's pension liabilities during which a variety of points were raised. The Principal, Acting Finance Director and Convenor of the Audit Committee reassured Court that the pension liabilities and associated risks are being handled appropriately, noted that some matters are beyond the university's control, and confirmed this will remain under regular review by the Executive and relevant Court committees.
- 6.4 Thereafter, Court **approved** the report and financial statements for 2008/09 and **authorised** the Chair of Court, the Principal and the Acting Finance Director to sign the financial statements and the letter of representation on its behalf.

7. PERFORMANCE UPDATES

7.a Review of Current Financial Position UC(09/10)21

- 7.1 The Acting Finance Director introduced the paper which provided a report on the University's current financial position. In response to questions it was reported that controls are in place and necessary regular actions are being taken through the devolved management structure to ensure the University achieves the revised budget position agreed at the recent meeting of the Finance and Commercialisation Committee.
- 7.2 There was discussion regarding five initiatives highlighted in the paper, focussing on their dependencies and the likely contribution of each to managing the financial position. The importance of meeting student targets was noted. It was suggested that action must be taken to manage both the cost base and the University's income streams, and the Acting Finance Director reassured members that such action is being undertaken.
- 7.3 The Principal noted the important role of the Sustainable Futures initiative, which is making considerable inroads into embedding cost conscious planning and finding new ways of delivering outcomes without compromising on quality. A Court member noted that the presentation of the Cash Flow position did not include the loan facility, so the Acting Finance Director noted this for amendment in future reports to Court.
- 7.4 Thereafter, Court **noted** the review of the current financial position.

7.b Key Performance Indicators – Annual Review UC(09/10)22

- 7.5 The Principal introduced the paper which presented for Court's information the revised Key Performance Indicators (KPIs) that will be used to monitor progress towards the University Strategy 2015. The Principal noted that overall the KPIs present continuing improvement by the University in a number of critical success factor areas: applications; league tables and reputation; employability; Knowledge Transfer; and international activities. The Principal also noted there remain challenges, and appropriate actions are being taken to address these.
- 7.6 The presentation of the KPIs was commended and Court noted that it was a very helpful and informative paper that demonstrates some very encouraging trends. It was suggested that inclusion of further commentary, comparators and targets, where possible and appropriate, would improve the paper further when it is next presented to Court. One member suggested that more detailed information on student segments and profiles would better help inform Court members' understanding of the University and key issues.
- 7.7 A wide-ranging discussion followed covering: staff satisfaction; overseas recruitment (delivered in-country and delivered in the UK); student satisfaction; and market share. The Chairman noted that the KPIs highlight a number of strengths and weaknesses for the Executive to consider.
- 7.8 The consideration of KPIs concluded with a discussion on the importance of effective marketing, the increasing importance of the use of the internet, capitalising fully on the University name change and explicitly aligning the University's offerings to key Government policies. The Principal noted the considerable marketing effort being undertaken and reported this is being reviewed to ensure it delivers best value for money in a changing and challenging external market.
- 7.9 Thereafter, Court **noted** the KPI report and the Principal undertook to consider with the Executive team the very helpful comments raised by Court.

8. AUDIT COMMITTEE ANNUAL REPORT 2009 UC(09/10)23

- 8.1 The Convenor of the Audit Committee introduced the paper which provided the Annual Report of the Audit Committee to Court for the information of members. It was highlighted that this had been the first year with the new University auditors and that the Committee was very happy with the standard of audit received. The Convenor commended the commitment of Executive members in attending the Audit Committee and noted the importance of all other members doing likewise.
- 8.2 There was a discussion regarding the issue of Research Balances and possibly contradictory comments made by the auditors to the Audit Committee and the Finance & Commercialisation Committee. Court were reassured by the Convenor of the Audit Committee that this was not material and the Acting Finance Director advised Court that significant work had been undertaken over recent months to bring research balances under closer central control.

- 8.3 Thereafter, Court **noted** the Audit Committee annual report and the Acting Finance Director agreed to report back at appropriate future meetings on the management of Research Balances.

9. STUDENT POPULATION REPORT UC(09/10)24

- 9.1 The Vice-Principal (Academic Quality & Customer Service) introduced the paper which presented an update on the enrolled student population for the current academic year and provided a forecast for the year-end position. The VP(AQCS) noted that the University is ahead of target overall and continues to grow its student numbers.
- 9.2 It was however noted that under-graduate (UG) over-recruitment would lead to claw-back of fees by the Funding Council. It was reported that some of the difficulty in 2009/10 had been due to the University's considerable success in increasing UG applications and the related reduction in reliance on Clearing. In discussion Court were reassured that considerable effort had been made to introduce more robust internal processes that will reduce significantly the possibility of UG over-recruitment being repeated for the 2010/11 intake.
- 9.3 There was a discussion regarding recruitment to Taught post-graduate programmes, during which the VP(AQCS) reported that targets are ambitious, challenging but realistic. It was noted that the University has excellent market research regarding what each of its market segments are seeking and that current work on enhancing processes will help ensure this is delivered. It was further noted actions are being undertaken to enhance the conversion of enquirers to students, particularly through enhancing the University website and marketing activities.
- 9.4 Thereafter, Court **noted** the student population report.

Part B For Information

10. PRINCIPAL'S REPORT UC(09/10)25

- 10.1 The Principal introduced the paper which provided a report to Court on significant developments affecting the University that were not covered elsewhere on the agenda. The Principal highlighted the Queen's Anniversary Prize and a recent Customer Service Excellence Award received by the University's library service. Feedback was provided on a recent visit to India where the Principal had been an invited member of a UK Women of Achievement delegation. It was noted this had been an important networking opportunity for the University and that a number of introductions were being followed up.
- 10.2 In response to a question the Principal outlined the SFC consultation on Teaching Subject Price Groups and the importance of this to University income. Court noted that a number of external environmental issues highlighted in the report indicate warning signs for the future and although it is difficult to predict how some of the factors will develop it was suggested this might be discussed usefully at the Court/PEG Strategy event in February,
- 10.3 Thereafter, Court **noted** the Principal's Report.

11. ACADEMIC BOARD MINUTES FROM THE MEETING HELD ON 2ND OCTOBER 2009 UC(09/10)26

11.1 The Principal introduced the minutes of the October 2009 meeting of Academic Board. The restructuring of the Faculty of Health, Life & Social Sciences from three Schools to two Schools was discussed briefly and it was noted that the matter had been approved by the Academic Board. It was suggested that the name of the new School formed by the merger of Life Sciences and Health & Social Sciences should be market tested, however the VP(AQCS) cautioned that research indicates that students apply to programmes and that School names are of relatively little importance. The SVP noted that the School name will be decided following internal discussions with staff, with the final approval being given by Academic Board.

11.2 Thereafter, Court **noted** the minutes of Academic Board.

12. REPORT ON THE OUTCOME OF THE RECRUITMENT FOR A NEW VICE-PRINCIPAL

12.1 The Principal provided Court with an update on the recruitment of a new Vice-Principal (Academic), reporting that interviews were being held shortly. The Principal also reported briefly that the Vice-Principal (Strategy & Resources) post will be progressed in the New Year.

12.2 Thereafter, Court **noted** the update on the recruitment of Vice-Principals.

13. VALIDICATION

13.1 The Chairman gave a warm valediction for the Senior Vice-Principal, who was leaving the University at Christmas. In the valediction the Chairman noted the significant contribution made by the SVP since he joined the University in 2005, including his leadership of a number of major initiatives.

Part C: Not intended for discussion

14. REPORTS FROM COMMITTEES

14.1 Court received and **noted** reports from the following standing committees.

14.a Staff Affairs Committee held on 10th November 2009 UC(09/10)27

14.b Student Affairs Committee held on 24th November 2009 UC(09/10)28

14.c Finance & Commercialisation Committee held on 26th November 2009 UC(09/10)29

14.d Audit Committee held on 1st December 2009 UC(09/10)30

15. DATES OF FUTURE COURT EVENTS

15.1 The dates of future Court events were **noted**.

The Court meeting closed at 6.10pm