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Dear Ms Philip

Unison Letter to Chair of Court

I am writing in response to your letter of 3 February 2012, which was received by me on 14 February 2012 and which I have enabled to be shared with all Court members.

I have considered the substantive issues raised within it, and have conferred with the Principal and other members of Court to inform my response.

You have detailed concerns under the following headings:

1. Financial Governance and JCC Terms of Reference
2. Employee Engagement Survey.

I fully recognise the importance of Corporate Governance which is a responsibility of the University Court, an overview of which is usefully given in the statement contained within the University's annual accounts.

It may be helpful, in particular, to re-produce the following paragraph;

*The University Court has unambiguous and collective responsibility for the oversight of the University's activities and determining its future direction. In addition, in accordance with its Statutory Instrument, the University Court is responsible for the administration and management of the affairs of the University including ensuring an effective system of internal control and is required to present audited Accounts for each financial year. **The Court, however, ensures that its functions relating to the organisation and management of the University are discharged by the Principal.***

The matters you raise here centre on the handling of trade union engagement through the forum of the Joint Consultative Committee (JCC), which on a day to day basis is a function of the executive management of the institution and as such is the responsibility of the Principal. I have therefore remitted the matters raised here to the Principal to consider.

I will mention, however, that it is my understanding that there was an opportunity for matters concerning University finances and employee engagement to be discussed at the meeting in question, and that those matters were indeed discussed. I further understand that you declined to participate in that meeting.

I also note that the terms of reference of the JCC are currently being reviewed which may be material here, and in which case these will, in due course, be referred to Court's Human Resources Committee. Court's responsibility is to ensure that there is an effective *structure* in place for such consultation and negotiation. Beyond this, Court should not become involved in the executive management of the University.

I should also mention that Court, in considering the University's Key Performance Indicators, discussed the decline in staff satisfaction at its last meeting in December 2011, and noted that a range of activities were planned and underway to focus on these issues. I also understand that, in respect of the views of trades unions, the Principal's Executive Group received a paper on this subject provided by the EIS which was referred to it by the JCC.

In summary, I have remitted the matters in respect of the handling of trade union engagement to the Principal to consider. The University's finances discussed at the JCC clearly demonstrated that the University is financially sound and sustainable and in respect of the staff satisfaction survey, action is underway at a variety of levels to address these issues.

Yours sincerely

A handwritten signature in black ink, appearing to read 'George C. Borthwick', written over a horizontal line.

Professor George C Borthwick CBE FRSE
Chairman of Court
Edinburgh Napier University