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UC(09/10)67

EDINBURGH NAPIER UNIVERSITY
UNIVERSITY COURT

**Minutes of the meeting held on Monday 28th June 2010
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; Dr L. Burley; Lady Clark of Calton (Chancellor's Assessor); Professor J. Duffield (Vice-Principal, Academic); Dr P Easy (Acting Principal); Mr G. Kildare; Professor R. Mackenzie (Vice-Principal, Research & Knowledge Transfer); Mr G. McCarra; Mr B. Naylor; Dr J. Rees (Vice-Principal, Academic Quality & Customer Experience); Professor B. Sloan; Mrs A Smith; Ms M Stephenson (Vice-Chair); Dr P Stollard; Mr R Sweetman;

Apologies: Ms K. Bylinska; Mr M. Connarty; Mr O. Cruickshank; Mr W. Gallagher; Professor Dame J. Stringer (Principal & Vice-Chancellor); Professor J. Watson

In attendance: Mrs M Cook (Director of Human Resources); Mr S Logie (Clerk to Court); Ms J Mackenzie (Acting Finance Director); Dr G Webber (University Secretary);

1. WELCOME AND OPENING REMARKS

- 1.1 The Chairman welcomed everyone to the final Court meeting of the 2009/10 Academic Session. In particular the Chairman welcomed Dr Easy who joined Court as Acting Principal and Professor Duffield who joined Court as Vice-Principal (Academic). The Chairman reported that he had conveyed Court's best wishes to the Principal during her period of recuperation. The Clerk noted the apologies.
- 1.2 In his introductory remarks the Chairman noted that the University Name Change had received a bronze star from the Marketing Society Scotland, providing further confirmation of the success of the project. It was also noted that the University had been awarded the Carbon Trust Standard and had been ranked twelfth in the UK and first in Scotland in the People and Planet green league table; both results highlighting the University's commitment to the environment. The Chairman highlighted that a gala dinner had been held in May to celebrate the success of the Queen's Anniversary Prize and to formally launch the University's nine Institutes.
- 1.3 In concluding his opening remarks the Chairman reported that a communication had recently been sent to all staff by the Acting Principal, informing staff that a formal consultation had started on staff cost savings. It was noted this important matter would be discussed in greater detail later on the agenda.

Part A For discussion and decision

2. MINUTES OF MEETING HELD ON 22ND MARCH 2010 UC(09/10)46

2.1 The minutes of the meeting held on 22nd March 2010 were **approved** as an accurate and fair record of the meeting.

2.a) Matters Arising

2.2 No matters arising were raised.

3. INTERIM MANAGEMENT ARRANGEMENTS: REPORT OF CHAIRMAN'S ACTION UC(09/10)47

3.1 The Chairman introduced the paper which provided a formal report to the University Court on Chairman's Action taken with regard to interim management arrangements. The Chairman reported that prior to taking Chairman's Action he had consulted members of the Nominations Committee and had liaised with the University Secretary.

3.2 In the short discussion that followed the Acting Principal noted he was happy to be able to assist the University during the Principal's period of recuperation. A procedural query was raised regarding whether the report should be noted or homologated by the Court. This matter was clarified by the University Secretary and thereafter, Court **noted** the Report of Chairman's Action.

PERFORMANCE UPDATES

4. REVIEW OF CURRENT FINANCIAL POSITION UC(09/10)48

4.1 The Acting Finance Director introduced the paper which provided a report on the University's current financial position. It was reported that the year to date results are in line with expectations, remain on target to meet the agreed year-end position, and give no cause for concern.

4.2 Thereafter, Court **noted** the review of current financial position.

STRATEGIC PLANNING & BUDGETING

5. UNIVERSITY CORPORATE PLAN UC(09/10)49

5.1 The Acting Principal introduced the paper which presented to Court the University Corporate Plan, which it was noted had been updated in Spring 2010. The Acting Principal noted that the plan had been restructured with enhanced links between objectives and their related Key Performance Indicators. It was further noted that each of the actions within the Corporate Plan is now allocated against a member of the Executive who is responsible for leading their implementation.

5.2 In the discussion that followed it was suggested there must be clarity on the actions (both internally and externally focussed) that will have the most significant positive impact on league table positions, recognising the need to continually improve these positions in order to be regarded as a leading

modern professional university in the UK. Following a wide-ranging discussion on league tables it was agreed a paper on this matter should be brought to a future meeting of Court.

- 5.3 Following a subsequent discussion regarding non-continuation rates and their impact upon league tables and reputational standing, the VP(AQCS) outlined a number of the steps being taken to enhance the University's student retention rates. The VP(AQCS) also outlined the steps being taken through the Professional Development & Review process to ensure the actions outlined in the Corporate Plan are embedded and delivered through individual staff objectives.
- 5.4 Thereafter, Court **noted** the revised Corporate Plan.

**6. THREE YEAR FINANCIAL FORECAST AND BUDGET UC(09/10)50
FOR 2010/11**

- 6.1 The Acting Finance Director introduced the paper which provided Court with the financial forecast to the period 2012/13 and the indicative budget for 2010/11. The Acting Finance Director noted the underlying financial strength of the University before outlining the assumptions that underpinned the paper, the need to increase revenues and reduce costs, the unsustainable level of current staff costs, the need to invest in the University infrastructure, and the need to generate surpluses to give scope for future growth.
- 6.2 In the discussion that followed members outlined the importance of undertaking robust sensitivity analysis and scenario planning based upon a range of budget scenarios, some of which should be based on more significant funding reductions than those outlined in the forecast to 2012/13. In response it was reported that the University is considering a wide range of scenarios and that the Finance & Commercialisation Committee had agreed the forecast presented was based on an assessment of the best available information.
- 6.3 The importance of looking beyond a three year timeframe was noted, given the University Strategy is to 2015. Members suggested that it was important to concentrate on growing revenue streams as well as considering ways to reduce costs. It was reported that this was being pursued actively.
- 6.4 It was suggested that policies could be reviewed to ensure the University is able to retain good staff, given they are a key asset. The likelihood of redundancies was raised, the work of the Avoidance of Redundancy Committee (ARC) discussed, and the possibility of running a further Voluntary Severance Scheme questioned. The importance of addressing rising pension costs and the sustainability of the current pay structure were raised. It was suggested that the Remuneration Committee could provide leadership by demonstrating restraint in agreeing settlements for the five staff whose salaries are considered by that Committee.
- 6.5 It was reported that ARC has started to consider a wide range of issues in seeking to avoid redundancies and that an 'Ideas Forum' would be launched in July to generate new ideas from staff. It was outlined that whilst there was no wish by the Executive to make staff redundant, the budget situation made it necessary and prudent to commence the 120 day consultation period during which dialogue with the Trades Unions and other actions would be ongoing.
- 6.6 The Chairman noted that this had been a difficult but important discussion and that the matter would be discussed again at future Court meetings. Thereafter, Court **approved** the three year financial forecast and **approved** the budgets for 2010/11.

7. UNIVERSITY TOP RISKS FOR 2010/11 UC(09/10)51

- 7.1 The University Secretary introduced the Top Risks paper, noting it had been considered previously by Principal's Executive Group and the Audit Committee. It was highlighted that the process used to generate the assessment of risks had been used for a number of years and was now more closely linked to the University's planning cycle.
- 7.2 In the discussion on this matter it was noted that some of the risks will require to be reassessed frequently, given the dynamic nature of the environment. Reassurance was given that all of the top risks are monitored actively through the Risk, Resilience & Audit Monitoring Committee and Principal's Executive Group.
- 7.3 Following discussion it was agreed that the Court wished to monitor the top 15 Corporate Risks, rather than top 12, with risks being incorporated regarding failure to protect the University's reputation, failure to manage the transition and transfer of the new Sighthill campus, and failure to improve retention rates. Subject to these amendments, Court **approved** the top risk report.

GOVERNANCE MATTERS

8. GOVERNANCE REVIEW 2009/10 FINAL REPORT UC(09/10)52

- 8.1 The Vice-Chair of Court (Convenor of the Governance Review Working Group) introduced the Final Report from the Governance Review. In her introductory remarks the Vice-Chair noted the process that had been followed to conduct the review and outlined the widespread consultation that had taken place. The primary findings of the review were highlighted, noting in particular that the University has good governance arrangements that are well aligned with other parts of the sector, with no major governance failings or gaps. It was reported that a number of recommendations were made for Court's consideration in order to further enhance the governance arrangements.
- 8.2 Thereafter, Court **noted** the report, **approved** the recommendations included in appendices C to E of the report, and **approved** the disestablishment of the working group. The Chairman expressed thanks to all who had participated in the work of the Governance Review.

9. REPORT FROM NOMINATIONS COMMITTEE ON COURT AND COMMITTEE MEMBERSHIP 2010/11 UC(09/10)53

- 9.1 The Chairman introduced the report from the Nominations Committee, noting that efforts to recruit a member from an under-represented community had thus far been unsuccessful. It was reported that a recruitment process for lay-members is underway with four applicants shortlisted for interview in August.
- 9.2 The outcome of the Annual Review was outlined, noting that there is a high level of commitment and in the main members are satisfied with the operation of Court. It was noted that some Court members had requested greater use be made, as appropriate, of their professional expertise. The convenorship and membership of Court Committees was outlined.
- 9.3 Two errors were identified in the attendance table included in Appendix A. Thereafter, Court **noted** the report and **approved** the membership and convenorship of Court Committees for 2010/11, subject to final consideration after the completion of the summer lay-member recruitment exercise.

10. ANNUAL REPORT TO THE FUNDING COUNCIL UC(09/10)54

- 10.1 The Acting Principal introduced the Annual Report to the Scottish Funding Council, highlighting that the report is produced as part of the Council's monitoring of quality. It was further reported that the preparation of the Annual Report has now been amended to ensure it can be endorsed by Court before it is sent to the Scottish Funding Council.
- 10.2 Thereafter, Court **endorsed** the annual report to the Funding Council.

11. ACADEMIC BOARD REVISED CONSTITUTION UC(09/10)55

- 11.1 The University Secretary introduced the short paper which outlined minor amendments to the Constitution of Academic Board, these being necessary to reflect recent changes at the University. It was noted that the amendments had been approved at the June 2010 meeting of Academic Board and it was highlighted there would be a further opportunity to review the Constitution in the Review of Academic Board to be conducted in 2010/11.
- 11.2 Thereafter, Court **approved** the amendments to the Constitution of Academic Board.

12. HONORARY AWARDS UC(09/10)56

- 12.1 The Acting Principal introduced the paper which presented for Court's endorsement the nominations for Honorary Awards discussed and approved at the June 2010 meeting of the Academic Board. Members were reminded the nominations must be treated in the strictest confidence and the individuals identified must not be disclosed.
- 12.2 Court **endorsed** the five recommendations for Honorary Awards.

Part B Reports and updates

13. ACTING PRINCIPAL'S REPORT UC(09/10)57

- 13.1 The Acting 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 Acting Principal highlighted that the University is continuing to see a significant increase in applications. It was also noted that Edinburgh Napier is the highest ranked institution in the UK in the Guardian League table for 'value added', an important measure given the University's mission for widening access.
- 13.2 Thereafter, Court **noted** the Acting Principal's Report.

14. ACADEMIC BOARD MINUTES – 23RD APRIL 2010 UC(09/10)58

- 14.1 The Acting Principal introduced the minutes of the meeting of Academic Board held on 23rd April 2010. Thereafter, Court **noted** the minutes.

15. HEALTH & SAFETY ANNUAL REPORT UC(09/10)59

- 15.1 The Convenor of the Health & Safety Committee, Dr Burley, introduced the Health & Safety Annual Report highlighting that the University has achieved the Healthy Working Lives Gold Award and the ROSPA Gold Medal for a

seventh year. It was noted that the provider of the Occupational Health Service to staff has recently been changed following a tender process.

- 15.2 Thereafter, Court **noted** the Health & Safety Annual Report and the Chairman offered congratulations on behalf of Court to all involved.

16. UPDATE ON THE APPOINTMENT OF THE VICE-PRINCIPAL (STRATEGY & RESOURCES)

- 16.1 The Chairman provided a brief update on the appointment of the Vice-Principal (Strategy & Resources), reporting that an initial long-list has been prepared and that further work is now being undertaken to broaden the list of candidates. Court **noted** the report on recruitment.

17. VALEDICTIONS

- 17.1 Upon the occasion of their departure from Court, the Chairman took the opportunity to pay tribute to members who were demitting office: Ollie Cruickshank who had completed his year as an NSA Sabbatical Officer; and Dr Burley who was leaving after nine years of service to Court.

Part C: Not Intended for discussion

18. REPORTS FROM COMMITTEES

- 18.1 The Court **noted** the reports from the following committees.

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| a) Estates Committee held 27 th April 2010 and 8 th June 2010 | UC(09/10)60 |
| b) Audit Committee held on 6 th May 2010 | UC(09/10)61 |
| c) Student Affairs Committee held on 25 th May 2010 | UC(09/10)62 |
| d) Finance & Commercialisation Committee held on 27 th May 2010 | UC(09/10)63 |
| e) Staff Affairs Committee held on 1 st June 2010 | UC(09/10)64 |
| f) Health & Safety Committee held on 2 nd June 2010 | UC(09/10)65 |

- 18.2 A report of good news stories from Napier Students' Association was tabled at the meeting by the Convenor of the Student Affairs Committee. Court **noted** the report and congratulations were offered to all concerned.

19. SUMMARY CALENDAR OF COURT AND COURT COMMITTEE MEETINGS 2010/11 UC(09/10)66

- 19.1 The Chairman introduced the paper which outlined for members' information the dates of Court and Court Committee meetings in 2010/11. It was reported that the Court/PEG conference would be a non-residential event in 2011. It was agreed that the dates of forthcoming graduations should be circulated at the earliest opportunity, to ensure members have the dates in their diary.

- 19.2 Thereafter, Court noted the paper.
The Court meeting closed at 6.25pm