

**EDINBURGH NAPIER UNIVERSITY**  
**UNIVERSITY COURT**

**Minutes of the meeting held on Monday 26<sup>th</sup> March 2012  
at 3.45 pm in the Castle Room, Craighouse Campus**

**Present:** Professor G.C. Borthwick (Chairman); Professor Dame J.K. Stringer (Principal & Vice-Chancellor); Ms M. Ali; Dr J. Boyle; Professor A. Burns; Mr M. Connarty; Lady Clark of Calton (Chancellor's Assessor); Professor J. Duffield (Vice-Principal, Strategy, Resources & External Relations); Ms K. Dudgeon; Mr W. Gallagher; Mr S. Logie; Professor R. Mackenzie (Vice-Principal, Commercialisation); Mr G. McCarra; Mr B. Rigby; Ms M. Stephenson (Vice-Chair); Dr P. Stollard; Mr R. Sweetman; Mrs P. Woodburn; Mr T. Zanelli.

**Apologies:** Mr R. Hare; Mr R. Kemmer; Mr R. Maclennan.

**In attendance:** Mrs M Cook (Director of Human Resources); Mr D Cloy (Clerk to Court); Ms J Mackenzie (Director of Finance, Planning & Commercial Services); Dr G Webber (University Secretary).

**1. WELCOME AND OPENING REMARKS**

- 1.1. The Chairman welcomed everyone to the third meeting of the 2011/12 Academic Session.
- 1.2. The apologies were noted.

**2. PRESENTATION: FACULTY ACADEMIC ACTIVITIES**

- 2.1. Dr Sandra Cairncross (Dean, Faculty of Engineering, Computing & Creative Industries) gave a presentation on Faculty academic activities, with a focus on innovations and enhancements in learning, teaching and assessment. A number of examples of recent initiatives and good practice within the Faculty were highlighted.
- 2.2. Following a short discussion on some of the areas outlined, Court welcomed the presentation.

**Part A For discussion and decision**

**3. MINUTES OF THE MEETING HELD ON 12<sup>th</sup> DECEMBER 2011 UC(11/12)30**

- 3.1. The minutes of the meeting held on 12<sup>th</sup> December 2011 were **approved**.
- 3.2. Following a comment by a member in relation to minute 13.2, it was noted that it would be desirable in future for minutes to more fully reflect discussion of such items where appropriate.

#### **4. MATTERS ARISING**

- 4.1. No matters arising were identified.

#### **5. PRINCIPAL'S REPORT**

**UC(11/12)31**

- 5.1. The Principal introduced her written report to Court, and highlighted the current situation regarding the potential campus development opportunity in Hong Kong, as had also been reported and discussed at the Court/PEG Strategy day in February. At the time of the last Court meeting it had been anticipated that a formal invitation to tender for the campus site would be issued in early 2012, however this had been delayed due to elections within the Hong Kong Administration, which had recently concluded. It was now anticipated that tender documents would be issued in the late summer/early autumn. It was noted that this delay enabled the University to continue to evaluate the options for further development of its transnational provision, including the potential collaboration with a UK-based partner. Discussions with Aberdeen University had been held with a view to assessing the feasibility of a joint venture partnership. It was noted that Court would receive a further update at its June meeting.
- 5.2. The Principal also highlighted her recent attendance at the 2012 Going Global conference, organised by the British Council, where she had co-chaired a round-table event with the Hong Kong Minister of Education which included a delegation of Vice Chancellors from Hong Kong. Very positive feedback regarding Edinburgh Napier University was received at this event, which was further evidence of the strength of the University's profile in that part of the world.
- 5.3. It was further noted that the UK Border Agency's restrictions regarding English language requirements may limit overseas recruitment, which emphasised the importance of increasing overseas in-country provision as part of the University's Internationalisation Strategy.
- 5.4. Discussion followed concerning the need to quantify and mitigate risks which may arise from pursuing both the campus development initiative, and through working with partners locally, in particular the potential merger with Carnegie College. It was further recognised that, whilst pursuing the latter initiative showed ambition for the University and was positive, it was important to continue looking at a range of options. The need to assess the extent to which a campus development would enable the University to deliver its strategic objectives concerning growth, resilience, and sustainability was also recognised. It was noted that any future proposal to Court would contain a fully developed business case and that, if required, a special meeting would be convened to fully consider the matter.
- 5.5. The Principal outlined the University's response in relation to the issues highlighted by the 2011 staff satisfaction survey, and emphasised that this was being taken very seriously and was considered to be one of the most important issues to be addressed over the coming months. Actions underway at local and corporate level to improve the situation were highlighted, and the Principal's own actions through faculty/campus roadshows and individual

meetings with senior members of staff were noted. The Principal reflected that, notwithstanding the important and serious concerns arising from the survey, which were being addressed, her interactions with staff across the University showed many were very positive about the University and proud of its work.

- 5.6. It was reported that Professor Alistair Sambell, the newly appointed Vice Principal (Academic), would take up his position with the University on 2 April 2012.
- 5.7. In response to a member's question, it was confirmed that there was not considered to be any particular risk to the University arising from the matter of the future of nursing provision, as discussed at the Universities Scotland meeting in January.
- 5.8. In response to a member's question regarding the decrease in the SFC indicative grants announced for research and knowledge transfer, it was noted that activity to mitigate this was focused on maximising the University's performance in the Research Excellence Framework (REF) exercise, which would see resources invested in areas aimed at generating income. It was agreed that Court should receive a presentation on the Universities REF preparations and activities at a future meeting.
- 5.9. Thereafter, Court **noted** the report.

## **6. REVIEW OF CURRENT FINANCIAL POSITION UC(11/12)32\***

- 6.1. The Finance Director introduced the paper which gave Court an update on the University's financial position to 31<sup>st</sup> January 2012. Matters of particular note were highlighted and it was reported that the year-end position was anticipated to meet or exceed the budgeted target. It was noted that variances against budget were due to timing issues and that the position overall gave no cause for concern.
- 6.2. Discussion followed during which the economic circumstances which adversely affected income streams from R&KT and commercialisation activities were recognised, and it was noted that the University's research strategy, whilst focussed on the REF, reached beyond this to identify where the research had commercial links. It was further noted that a review of the University's Research Institutes had recently been completed and that Court would receive an update paper at its next meeting.
- 6.3. In response to a member's question regarding assurances against future compulsory redundancy in the context of the broadly positive financial position, it was noted that the University did not anticipate any requirement for further compulsory redundancies, other than in the area of fixed term contracts, for the time being. It was noted, however, that whilst it was possible to give positive re-assurances in this regard, the University's need to be able to respond to unforeseen circumstances meant that no absolute guarantees could be given. It was further noted that, in this regard, there was no difference between the statement made to Staff in July 2011 at the end of the restructuring process, and the position currently.

6.4. Thereafter, Court **noted** the report.

## **7. COLLABORATION WITH CARNEGIE COLLEGE: UPDATE UC(11/12)33\***

- 7.1. The Principal introduced the paper which informed Court of recent developments in the relationship between the University and Carnegie College in the context of the Scottish Government's pre-legislative paper on post-16 education. The paper outlined the potential academic, financial and commercial benefits and issues surrounding a merger proposition based on the work which had been undertaken so far. It was noted that this paper followed on from the initial discussion of benefits and issues that had taken place at the Court/PEG Strategy Conference on 27 February, and that the Academic Board had subsequently considered the issue in principle at its meeting on 2 March 2012 and supported the proposition that discussions should continue.
- 7.2. The Principal reported, however, that developments had overtaken the drafting of this paper, which meant the proposal contained, to enter into formal discussions with the College and undertake appropriate due diligence with a view to fully assessing the case for merger, was no longer relevant.
- 7.3. It was reported that recent difficulties within Adam Smith College in respect of its governance and management arrangements, which had necessitated intervention from the SFC, had led the Cabinet Secretary for Education and Lifelong Learning to express the wish that the FE College situation in Fife be resolved through a merger between the existing colleges and that this should take place before consideration of any further arrangements such as were being considered by the University with Carnegie.
- 7.4. It was noted that the University would continue to work closely with Carnegie and the new Fife college when established and, as the situation developed, would seek to enhance collaborative arrangements. It was also noted that the University was engaged in discussions with the Edinburgh colleges to maintain and strengthen links in that area. It was agreed that an update would be provided to Court at its June meeting.
- 7.5. Discussion followed during which it was recognised that there was a need for the University to remain at the forefront of the Post-16 agenda and the approach of staying close to the developing Fife college to identify future opportunities was endorsed. Members also emphasised the need to consider all the options available in pursuing this agenda and to further develop relationships with the Edinburgh colleges.
- 7.6. Thereafter, Court **noted** the update.

## **8. KEY RISKS MONITORING STATEMENT UC(11/12)34\***

- 8.1. The University Secretary introduced the paper which provided Court with an assessment of confidence in the management of the University's top risks for academic year 2011/12 on an exceptions basis where the status of mitigating actions has changed up or down or where the status of the risk is amber or greater.

- 8.2. A number of significant risks were highlighted, with the factors surrounding them, and actions underway and planned to mitigate them, explained.
- 8.3. It was noted that consideration was being given to the timing of the snapshots which informed the report, to ensure reports were not submitted at a point when they were no longer current. It was further noted that risks 17 & 18 had been omitted from the report in error, and that this oversight would be rectified in the next report received by Court.
- 8.4. Thereafter Court **noted** the summary report on the management of the University's top risks.

**9. NAPIER STUDENTS' ASSOCIATION: REVISED CONSTITUTION** **UC(11/12)35**

- 9.1. The Chairman introduced the paper which informed Court of developments regarding the revision of Napier Students' Association's Constitution, which he had approved by Chair's action on behalf of Court on 16 February 2012 following a review process and due consideration by the Students' Association Committee. It was noted that the urgency requiring this to be approved by Chair's action was to allow the new Constitution to be in place in sufficient time to allow it to be used for the NSA elections to be held in March 2012. It was further noted that the Students' Association Committee had received and noted the final approved Constitution at its meeting on 28 February 2012.
- 9.2. The NSA President highlighted the key amendments in the revised Constitution which included changes to the Constitution of its governing Board, which now included a number of external trustees, and a revised structure for its clubs and societies.
- 9.3. Thereafter Court **noted** the process undertaken and **homologated** the decision of the Chairman to approve the revised NSA Constitution.

**10. HONORARY AWARDS** **UC(11/12)36\***

- 10.1. Court **approved** the proposals for Honorary Awards, as recommended by the Honorary Awards Committee and approved by Academic Board. The Principal withdrew one name prior to consideration with a view to remitting this back to the Honorary Awards Committee for further consideration at a future date.

**Part B For information**

**11. ACADEMIC BOARD MEETING 2 MARCH 2012** **UC(11/12)37**

- 11.1. The Principal introduced the minutes of the meeting of the Academic Board held on 2 March, and highlighted the positive discussion which had taken place regarding the Carnegie College collaboration proposal.
- 11.2. Thereafter Court **noted** the minutes.

## **12. APPOINTMENT OF A NEW CHAIR OF COURT**

12.1. The Vice Chair of Court reported that the appointment process had now concluded on schedule and that a new Chair of Court had been appointed for an initial period of 4 years with effect from 1<sup>st</sup> August 2012. Members were asked to keep the name of the individual concerned confidential until such time as the appointment had been formally announced. It was further noted that Court would receive a full report of the process and outcome at its June meeting.

12.2. Thereafter Court **noted** the update.

## **13. SCOTTISH GOVERNMENT REVIEW OF UNIVERSITY GOVERNANCE: UPDATE UC(11/12)38**

13.1. Court **noted** the update on the current situation concerning the Scottish Government's review of Higher Education Governance, following the publication of the Review's report on 1 February 2012.

## **14. REPORT OF THE COURT/PEG STRATEGY CONFERENCE UC(11/12)39**

14.1. Court **noted** the report of the Court/PEG Strategy Conference held on 27 February 2012. Members were thanked for the feedback provided which would help inform the planning of future events.

## **15. LEGAL PROCEEDINGS UPDATE UC(11/12)40\***

15.1. Court **noted** the update on current legal proceedings.

## **Part C Not intended for discussion**

## **16. REPORTS FROM COURT COMMITTEES**

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

**16.a Audit Committee meeting held on 29 February 2012 UC(11/12)41**

**16.b Estates Committee meeting held on 24 January 2012 UC(11/12)42**

**16.c Finance & Commercialisation Committee meeting held on 8 March 2012 UC(11/12)43**

**16.d Health and Safety Committee meeting held on 1 February 2012 UC(11/12)44**

**16.e Human Resources Committee meeting held on 13 March 2012 UC(11/12)45**

Not available at meeting. To be circulated to members when available.

**16.f Students' Association Committee meeting held on UC(11/12)46  
28 February 2012**

The Chair highlighted the NSA "Good News" stories appended to the report.

**17. REMAINING MEETING DATE FOR 2011/12**

17.1. Court **noted** its remaining 2011/12 meeting date as Monday 25 June 2012

**18. VALEDICTIONS**

18.1. It was noted that Gary Kildare, member of Court Since October 2007, had stepped down since the last Court meeting due to a change in his work location. Thanks were extended to Gary for his contribution to the work of Court.

18.2. It was further noted that this was the last meeting of Professor Robin Mackenzie (Vice Principal for Commercialisation) who would retire from the University after 17 years service at the end of March. Thanks were extended to Robin for his contribution to the University, and to Court.

\*Denotes a paper to which an exemption under the Freedom of Information (Scotland) Act 2002 applies.