

EDINBURGH NAPIER UNIVERSITY
UNIVERSITY COURT

**Minutes of the meeting held on Monday 22 October 2012
at 3.45 pm in the Castle Room, Craighouse Campus**

Present: Dr G. Forbes (Chairman); Professor Dame J.K. Stringer (Principal & Vice-Chancellor); Mr N. Ballantyne; Ms J. Boyle; Mr M. Connarty; Lady Clark of Calton (Chancellor's Assessor); Professor J. Duffield (Vice-Principal, Strategy, Resources & External Relations); Mr R. Hare; Dr S. Jiwa; Mr R. Kemmer; Mr S. Logie; Mr R. Maclennan; Professor A. Sambell (Vice Principal, Academic); Ms L. Sitali; Ms M. Stephenson (Vice-Chair); Dr P. Stollard; Mr R. Sweetman; Mrs P. Woodburn; Mr T. Zanelli.

Apologies: Ms M. Ali; Dr V. Ellis; Mr W. Gallagher; Mr B. Rigby.

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).

Observers: Mr P. Wallace (Head of Planning & Intelligence); Mr B Neilson (Assistant Director, Student & Academic Services).

1. WELCOME AND OPENING REMARKS

- 1.1. The Chair welcomed everyone to the first meeting of the 2012/13 Academic Session.
- 1.2. The Chair welcomed Liseli Sitali (NSA Sabbatical Officer) to her first Court meeting and welcomed new lay Court members Neil Ballantyne, June Boyle and Dr Shainool Jiwa to their first meeting following their appointment to Court over the summer.
- 1.3. The Chair also welcomed Peter Wallace (Head of Planning & Intelligence) and Barry Neilson (Assistant Director, Student & Academic Services) who were observing Court as part of their professional development.
- 1.4. The apologies were noted.

2. PRESENTATION: LEADING EDGE RESEARCH

- 2.1. Professor Alison McCleery (Leader of Research Strategy & Practice) gave a presentation on the activities and preparations underway as the University prepared its submission for the Research Excellence Framework 2014 (REF2014), the outcome of which would be used by funding bodies to inform the selective allocation of research funding to HEIs, with effect from 2015-16.
- 2.2. Discussion followed, during which the value of areas of research not included in the REF submission and the measures in place to debrief and develop staff

whose work had not been included were noted. Thereafter, Court welcomed the presentation.

Part A For discussion and decision

3. MINUTES OF THE MEETING HELD ON 25TH JUNE 2012 UC(12/13)01

3.1. The minutes of the meeting held on 25th June 2012 were **approved**.

4. MATTERS ARISING

a) Student Complaint Procedure (*Minute 11.2*)

4.1. The Vice Principal (Academic) reported that the points raised by members at the last meeting had been considered and that the relevant paragraphs in the Procedure had been re-drafted to provide the clarification sought.

5. COURT AND COURT COMMITTEE MEMBERSHIP ISSUES UC(12/13)02

5.1. The Chair introduced the paper which provided Court with an update on issues related to the membership of Court and Court committee and highlighted the successful summer recruitment exercise and appointment of three new lay members; Neil Ballantyne, June Boyle and Shainool Jiwa to Court membership for initial four year terms from 1 October 2012 to 31 July 2016.

5.2. Thereafter Court **noted** the outcome of the summer recruitment exercise and its current membership, **approved** its committee convenorship and membership for 2012/13 and **approved** the appointment of Margaret Stephenson as Vice Chair of Court for a further year.

6. PRINCIPAL'S REPORT UC(12/13)03

6.1. The Principal introduced her written report to Court, and highlighted recent developments in the implementation of the Scottish Government's Post-16 education policy. It was noted that the Post 16 Education Reform Bill was anticipated to be introduced in November 2012 and would contain *inter alia* measures relating to widening access, reform of colleges and measures to formalise the fee arrangements for rest-of-UK students. The Principal emphasised the University's commitment to working closely with the newly formed single Edinburgh College and reported that she had recently met with the Chair of the College's governing body, and would shortly be meeting with its Principal.

6.2. Recent activities in support of the University's international development objectives were highlighted, including the recent visit to India to attend the annual graduation ceremonies for students who have undertaken Edinburgh Napier programmes at partner institutions in the country. Events held in New Delhi and Calcutta to raise the profile of the University's Scottish Centre for Tagore Studies were also highlighted. The importance of continuing to develop

partnerships to deliver the University's programmes in India was also emphasised.

- 6.3. It was reported that the University anticipated an audit of its compliance with the United Kingdom Border Agency (UKBA) requirements early in the New Year, and that detailed work had been undertaken internally to audit the University's compliance and address issues identified.
- 6.4. The University's decline in performance in a number of recent league tables was noted. It was acknowledged that variations in timings, measures and weightings used by different tables resulted in a complex picture which contained improved performance (e.g. employability and retention) and drops in performance (e.g. NSS) but that overall there had been a decline in performance which highlighted areas that the University needed to address. It was noted that the Vice-Principals would lead further work to focus efforts on improving performance in identified key areas with the aim of improving the University's position and reversing the recent downward trend. It was noted in later discussion that staff within Schools were concerned by the disappointing results and were committed to addressing the issues raised. It was further noted that the NSA were working with the Vice Principals on these areas and were happy with the progress being made.
- 6.5. It was reported that industrial action with regard to the sectoral pay offer was expected to take place the following day (23 October) by members of the EIS Trade Union.
- 6.6. With regard to the Scottish Government's review of University Governance, it was noted that measures arising from this were not expected to be included in the imminent Post 16 Bill, but that any proposals were expected to appear in a subsequent bill later in the parliamentary session. The activities underway in the meantime under the auspices of the Committee of Scottish Chairs with regard to the creation of a Scottish Code of Governance were highlighted, and it was noted that consultations with stakeholders, including staff, students and Court members, would be taking place in January.
- 6.7. Thereafter, Court **noted** the report.

7. FINANCIAL REPORT: PROVISIONAL FINANCIAL OUTTURN FOR 2011/12 UC(12/13)04

- 7.1. The Director of Finance, Planning & Commercial Services introduced the paper which presented the primary statements from the draft accounts which had been submitted for audit. It was noted that the actual draft outturn for 2011/12 of £6.4m was broadly in line with the Quarter 3 forecast presented to Court in June 2012 taking account of the issues which were uncertain at that time, but which were anticipated to have an impact on the overall results resulting in additional surplus. A number of such key issues that had now crystallised and had impacted favourably upon the draft outturn were highlighted, and it was noted that this represented a good set of results that would enable the University to invest in areas of strategic growth.

- 7.2. In response to a member's question, it was noted that the University's current level of reserves was considered appropriate in view of the University's working capital requirements.
- 7.3. Thereafter, Court **noted** the report.

8. SCHEDULE OF DELEGATED AUTHORITY

UC(12/13)05

- 8.1. The Director of Finance, Planning & Commercial Services introduced the paper which presented the revised Financial Regulations and Schedule of Delegated Financial Authority, as considered by the Finance & Commercialisation Committee at its June meeting, and as considered and recommended by the Audit Committee at its meeting on 1 October.
- 8.2. It was noted that there were no substantive changes to the previous version and that the new regulations attempted to distinguish the overall framework for managing the University's financial affairs from the detailed procedures which sat beneath it. It was noted, in particular, that the level of financial delegation to the Principal in the Schedule of Delegated Financial Authority was unchanged.
- 8.3. In response to a member's question about the HMRC 'fit and proper person' requirement with regard to University managers, it was noted that this would be checked and if any additional measures were required by the relevant legislation these would be implemented. The means by which the revised regulations would be communicated to staff were also noted.
- 8.4. Thereafter Court **approved** the revised Financial Regulations and Schedule of Delegated Financial Authority.

9. OUTCOME AGREEMENTS

UC(12/13)06

- 9.1. The Principal introduced the paper which presented Court with the final version of the University's 2012/13 Outcome Agreement as submitted to the Scottish Funding Council, and updated Court on actions and developments since it was briefed on the matter at its meeting in June 2012. It was noted that negotiations regarding the 2013/14 Agreement had now begun and that the scope of this would expand to include research activity.
- 9.2. In discussion it was noted that there was no requirement for reports monitoring performance against the Agreements to be considered by Court, but that specific issues would be brought to Court where appropriate. It was also noted that the targets were anticipated to remain a balance of both detailed measurable areas and areas of broad direction. It was further noted that great care would be taken in negotiations to avoid making commitments that would be capable of limiting the University's freedom of action in pursuing future opportunities.
- 9.3. It was noted that Court would have the opportunity to consider any relevant matters relating to the 2013/14 Agreement further at its December meeting, and that this may be a potential area for further discussion at the Court/PEG strategy day in February.

9.4. Thereafter Court **endorsed** the University's 2012/13 Outcome Agreement as submitted to the Scottish Funding Council.

10. HONG KONG: UPDATE AND PROGRESS REPORT UC(12/13)07

- 10.1. The Principal introduced the paper which provided Court with an update on discussion and progress regarding ongoing investigations into the sustainability and viability of developing a university campus at the Queen's Hill site in Hong Kong, with a particular focus on the benefits expected to accrue from the proposition as currently envisaged.
- 10.2. It was noted that it was still unclear when the Request for Proposals (RFP) would be issued, but it was thought likely that this may be around Christmas and once issued, that around three to four months would be given to prepare a response. It was also noted that the lack of clarity currently as to whether the site would be single or split presented difficulties in modelling. It was reported that work was continuing in all the key activities outlined and that a model had been created which contained assumptions and was being populated with data as and when it became available. The recent visit by members of the Executive to Hong Kong to engage with professional advisers with regard to identifying the best corporate vehicle for the campus, identify an architect to provide advice when appropriate and gather operational expenditure data from other Universities in the region was highlighted.
- 10.3. An outline of the likely shape of the academic proposition being considered for the campus opportunity was given. This envisaged an institution with a broad base of subject areas employing high quality, full time staff recruited from around the world who would undertake teaching, research and business engagement activity. This institution would retain close links to Edinburgh Napier, reflect its values and provide opportunities for exchanges of staff and students between the institutions.
- 10.4. Discussion followed during which the next steps in the process were outlined. In response to a query regarding alternative international options, it was noted that whilst options were being considered in other areas such as Malaysia and Singapore in terms of the development of small niche campuses, legal limitations in other countries meant that no other opportunities were available on the scale of the one currently being considered in Hong Kong. In response to a query regarding detail of the proposed legal structure, it was noted that this information should be available by the end of November. Discussion focussed on the need for a planned deliberative process which would enable Court to fully engage with the detail of the various aspects of the proposal to enable it to make a fully informed decision at the appropriate time. It was noted that Court had previously recorded its expectation that the financial aspects of any proposal would be considered by its Finance & Commercialisation Committee and that the academic proposition would be considered by the Academic Board before coming to Court. Given the importance, size and complexity of the proposal, however, it was agreed that the Executive would consider the matter further and the Principal would liaise with the Chair to determine the best way to engage Court in a deliberative process beyond the work which would be undertaken within its sub-committees.

10.5. Thereafter Court **noted** the report.

**11. ENHANCEMENT LED INSTITUTIONAL REVIEW: UC(12/13)08
YEAR-ON FOLLOW UP REPORT**

11.1. The Vice Principal (Academic) introduced the paper which presented Court with the final version of the University's one year-on response to its Quality Assurance Agency (QAA) Enhancement-led Institutional Review of spring 2011.

11.2. It was noted that the report had been submitted to the QAA and SFC on 5th September 2012, but that the SFC also required that the report be endorsed by the Court.

11.3. Discussion followed during which the efforts by the NSA to promote greater engagement by student representatives involved in Staff/Student Liaison Committees was noted.

11.4. Thereafter Court **endorsed** the University's one year-on response to its Quality Assurance Agency (QAA) Enhancement-led Institutional Review of spring 2011.

12. HONORARY AWARDS UC(12/13)09*

12.1. Court **approved** the proposals for Honorary Awards, as recommended by the Honorary Awards Committee and approved by Academic Board.

Part B For information

13. ACADEMIC BOARD MEETING 5 OCTOBER 2012 UC(12/13)10

13.1. Court **noted** the minutes from the meeting of the Academic Board of 5 October 2012.

14. PRINCIPAL APPOINTMENT UPDATE UC(12/13)11

14.1. Court **noted** the update on progress and intended actions towards appointing a new Principal. It was further noted that the Chair would be sending a communication to staff updating them on progress with the appointment later in the week.

Part C Not intended for discussion

15. REPORTS FROM COURT COMMITTEES

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

- 15.a Estate Committee held on 2 October 2012 UC(12/13)13**
- 15.b Finance & Commercialisation Committee held on 27 September 2012 UC(12/13)14**
- 15.c Nominations Committee on 20 September 2012 UC(12/13)15***

15.2 It was noted that the report of the Audit Committee meeting held on 1 October 2012 would be circulated as soon as available.

16. FORWARD SCHEDULE OF COURT BUSINESS UC(12/13)16

16.1. Court **noted** its indicative forward schedule of business for 2012/13.

17. FUTURE MEETINGS

17.1. The dates of future Court meetings were **noted**.

Part D: Reserved Business

18. Report from the Remuneration Committee held on 26th September 2011

18.1. All officers in attendance, observers and members of Court, other than the Chancellor's Assessor and lay-members, withdrew from the meeting to allow reserved business to be conducted.

18.2. The report from the Remuneration Committee meeting held on 24 September 2012 was **noted**.

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