

EDINBURGH NAPIER UNIVERSITY
UNIVERSITY COURT

Minutes of the meeting held on Monday 25th March 2013
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; Lady Clark of Calton (Chancellor's Assessor); Professor J. Duffield (Vice-Principal, Strategy, Resources & External Relations); Dr V. Ellis; Mr W. Gallagher; Mr R. Hare; Mr R. Kemmer; Mr S. Logie; Mr R. MacLennan; Mr B. Rigby; Professor A. Sambell (Vice Principal, Academic); Ms L. Sitali; Dr P. Stollard; Mr R. Sweetman;
- Apologies:** Ms M. Ali; Ms J. Boyle; Mr M. Connarty; Dr S. Jiwa; Mrs P. Woodburn; Mr T. Zanelli.
- In attendance:** Mr D Cloy (Clerk to Court); Mrs M Cook (Director of Human Resources); Mr C MacDonald (Acting Director of Finance); Dr G Webber (University Secretary).
- Observer:** Ms E Hendry (Governance Assistant, University Secretary's Office).

1. WELCOME AND OPENING REMARKS

- 1.1. The Chair opened the meeting and welcomed Dr Vaughan Ellis to his first Court meeting.
- 1.2. The Chair also welcomed Colin MacDonald who was attending Court in his capacity as Acting Director of Finance, and Elaine Hendry (Governance Assistant, University Secretary's Office) who was observing the meeting as part of her induction to her new role. Thanks were extended to the former Director of Finance, Jackie Mackenzie, for her contribution to Court.
- 1.3. The apologies were **noted**.

2. PRESENTATION: 20 YEARS AT THE TOP OF SCOTTISH HIGHER EDUCATION: A PERSONAL REFLECTION

- 2.1. The Principal gave a presentation on her reflections on changes and developments which had occurred in Higher Education over the course of her career, which focussed on key themes of public funding, marketisation of Higher Education, institutional autonomy and devolution.
- 2.2. It was noted that, even with the benefit of hindsight, it was difficult to predict the Higher Education sector's future with any certainty but it seemed likely that there would be re-shaping and re-structuring going forward. It was recognised, however, that successful institutions would be forward looking, focussed on their key strengths and be adaptable, innovative and creative in their responses

to future changes. They would also remain focussed on the creation and dissemination of knowledge and on opportunities for their students.

- 2.3. Following a brief discussion around some of the issues raised, Court welcomed the presentation.

Part A For discussion and decision

3. MINUTES OF THE MEETING HELD ON 17 DECEMBER 2012 UC(12/13)35

- 3.1. The minutes of the meeting held on 17 December 2012 were **approved**.

4. MATTERS ARISING

- 4.1. No matter arising were identified.

5. MEMBERSHIP ISSUES UC(12/13)36

- 5.1. The Chair introduced the written report of Chair's action taken in December to appoint Richard Sweetman as Convenor of the Finance & Commercialisation Committee.
- 5.2. Court **homologated** the decision.
- 5.3. The Chair also highlighted that he would shortly be commencing the annual review for Court members, and advised them of the process to be followed.

6. PRINCIPAL'S REPORT UC(12/13)37

- 6.1. The Principal introduced her written report to Court, and noted that the University's UCAS application figures were broadly in line with what was expected. It was noted that the University had not seen the same growth in international applications as had been experienced overall across the sector, however it was recognised that it was still too early in the cycle to gauge likely international numbers.
- 6.2. It was further noted that the University's indicative funding allocation from the SFC was as expected and was broadly considered to be reasonable.
- 6.3. Thereafter, Court **noted** the report.

7. REVIEW OF CURRENT FINANCIAL POSITION* UC(12/13)38

- 7.1. The Acting Finance Director introduced the paper which gave Court an update on the University's financial position to 31st January 2013, and highlighted a number of key issues contained within the paper. It was noted that the University Executive remained confident that the budgeted operating surplus for the year would be delivered.
- 7.2. In discussion it was noted that the growth in non-public income was lower than desired, which was recognised as a reflection of the challenging market within which the University was operating. In relation to Research and Knowledge

Exchange income, the activities underway to improve the University's position in this area were outlined and it was noted that the forecast year-end position was broadly in line with budget. The need to keep the administrative overhead associated with the Research Institute infrastructure under review was also recognised.

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

8. HONG KONG PROJECT UPDATES

a) Update from the Executive

UC(12/13)39

- 8.1. The Principal introduced the report which provided a summary of work undertaken to date with regard to the potential opportunity to develop a university campus at the Queen's Hill site in Hong Kong.
- 8.2. The Principal updated Court on the current position regarding the Queen's Hill site following her recent visit to Hong Kong where she had met with government representatives, project funders and the University's professional advisors. It was reported that the Request for Proposals (RFP) had been expected to be issued this month, however this had been delayed further as a result of political pressure surrounding the allocation of the land at this site for education purposes, with protest groups concerned with housing shortages campaigning for the land be re-allocated for housing. This had caused the Hong Kong Administration to re-assess its policy and it was unlikely that a RFP would be issued before the summer. It was further reported that, whilst the key funder for the project remained committed to supporting the University's ambitions in Hong Kong, it would be uncomfortable being associated with a contentious site.
- 8.3. Given that the end of March had been the target for the University to finalise its business case in anticipation of the issue of the RFP, it was reported that much of the required work for this project had been completed and as such work would be maintained at an appropriate level pending greater clarity of the situation. In the meantime, it was noted that the University would be exploring and assessing other opportunities and options to establish a physical presence in Hong Kong, using the market analysis and due diligence work already undertaken.
- 8.4. Discussion followed during which it was noted that plans for the employment model and trade union recognition would be determined by the type of governance model used, and would need to be sustainable within Hong Kong and comparable with other Hong Kong Universities. It was noted that this matter was of particular interest to academic staff working within Hong Kong. It was noted that further detail on this matter would be brought back to Court in the context of any proposal at an appropriate future point.
- 8.5. In further discussion it was noted that the work undertaken in Hong Kong to date had been of considerable benefit to the University and the importance of building on this was recognised. Court was also re-assured that the University continued to focus attention on growing and developing its activities in other overseas areas, with activity in Singapore, Malaysia and India highlighted in

particular. It was further suggested that consideration be given to the infrastructure necessary to support the effective development of these activities, with appropriate provision made in the upcoming budget. It was also suggested that this may be a good time to improve the understanding of staff more broadly regarding the importance of developing an overseas presence.

8.6. Thereafter, Court **noted** the report and current position.

b) Report from the Court Working Group

UC(12/13)40

8.7. Court **noted** the report from the meeting of the Court Hong Kong Project Working Group of 14 February 2013.

9. REVISED HONORARY AWARDS GUIDANCE

UC(12/13)41

9.1. Court **approved** the revised Honorary Awards Guidance as proposed by the Honorary Awards Committee, and approved by Academic Board.

Part B For information

10. APPOINTMENT OF PRINCIPAL & VICE CHANCELLOR

UC(12/13)42

10.1. Court **noted** the report of the conclusion of the appointment process for the role of Principal & Vice Chancellor, which had resulted in the appointment of Professor Andrea Nolan, with effect from 1 July 2013.

11. ACADEMIC BOARD MEETING 1 MARCH 2013

UC(12/13)43

11.1. Court **noted** the minutes from the meeting of the Academic Board of 1 March 2013.

12. OUTCOME AGREEMENT 2013/14

UC(12/13)44

12.1. Court **noted** the University's 2013/14 Outcome Agreement (OA) as submitted to the Scottish Funding Council. The OA had been endorsed on Court's behalf by the Chair on authority delegated at the last Court meeting to enable submission according to schedule.

12.2. Wide ranging discussion followed during which it was noted that the University's OA reflected activities which the University would have been undertaking anyway and established a sound basis for attracting additional funding for initiatives. It was recognised that the University should, nonetheless, remain wary with regard to issues of autonomy and control in the negotiation of future agreements. It was further noted that the University's OA may be slightly more detailed than some others, but that all were moving towards a broadly common standard.

13. KEY RISKS MONITORING SCHEDULE* UC(12/13)45

- 13.1. Court **noted** the paper which provided the second assessment of confidence in the management of the University's top risks for academic year 2012/13.
- 13.2. The risk relating to research activity, which had continued to be red/amber, was highlighted. It was noted that this remained a difficult area for all post 92 Higher Education Institutions, but assurance was given that the measures required to mitigate this risk were being progressed.

14. REPORT OF THE COURT/PEG STRATEGY CONFERENCE UC(12/13)46

- 14.1. Court **noted** the report of the proceedings and outcomes of the Court/PEG Strategy Conference 2013, held on 25th February.
- 14.2. It was agreed that a minor amendment be made to the report (paragraph 14, bullet 2) to make clear that there was a distinction between the two points which had been conflated, and to recognise the distinction between the consideration of selectivity and the management of the process of change more generally.

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 Estates Committee meeting on UC(12/13)47
29 January 2013

15.b Health & Safety Committee meeting on UC(12/13)48
6 February 2013

15.c Audit Committee meeting on 20 February 2013 UC(12/13)49

15.d Students' Association Committee meeting on UC(12/13)50
26 February 2013

- 15.2 Court noted the Good News stories from the Napier Students' Association and the outcome of the recent elections.

15.e Human Resources Committee meeting on UC(12/13)51
5 March 2013

15.f Finance & Commercialisation Committee meeting UC(12/13)52
on 14 March 2013

- 15.3 It was noted that the report of the meeting of the Finance and Commercialisation Committee held on 14 March 2013 would be circulated to members as soon as available.

16. DATE OF FUTURE MEETINGS AND EVENTS

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

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