

EDINBURGH NAPIER UNIVERSITY
UNIVERSITY COURT

**Minutes of the meeting held on Monday 23 June 2014
at 3.45 pm in the Rivers Suite, Craiglockhart Campus**

Present: Dr G. Forbes (Chair); Professor A Nolan (Principal & Vice-Chancellor); Ms M. Ali; Mr N. Ballantyne; Mr W. Gallagher; Mr R. Kemmer; Dr S. Jiwa; Mr S. Logie; Professor A. Sambell (Vice Principal, Academic); Mr D Smith; Dr P. Stollard; Mrs P. Woodburn.

Apologies: Ms J. Boyle; Lord Brodie (Chancellor's Assessor); Professor J. Duffield (Vice-Principal, Internationalisation); Mr M. Connarty; Dr V. Ellis; Mr R. Hare; Mr R. Maclennan; Mr B. Rigby; Mr R. Sweetman.

In attendance: Mr D Cloy (Clerk to Court); Mr A Jefferson (Interim Director of Finance); Mr R Strachan (NSA Sabbatical); Dr G Webber (University Secretary).

1. OPENING REMARKS, WELCOME AND APOLOGIES

- 1.1. The Chair welcomed members and welcomed Mr Ryan Strachan (NSA VP Reps and Volunteers) to the meeting.
- 1.2. The apologies were noted.

Part A For discussion and decision

2. MINUTES OF THE MEETING HELD ON 31 MARCH 2014 UC(13/14)58

- 2.1. The minutes of the meeting held on 31 March 2014 were **approved**.

3. MATTERS ARISING

- 3.1. No matters arising were identified.

4. PRINCIPAL'S REPORT UC(13/14)59

- 4.1. The Principal introduced her written report to Court, and provided an update on recent meetings which had taken place with the Scottish Funding Council in relation to the Outcome Agreement negotiation process. It was noted that the University's views had been heard and that it was hoped a positive relationship would ensue as future negotiations progressed.
- 4.2. Thereafter, Court **noted** the report.

5. REVIEW OF CURRENT FINANCIAL POSITION

UC(13/14)60*

- 5.1. The Interim Finance Director introduced the paper which gave Court an overview of the University's financial position to 30th April 2014. This reflected the full review of the projections at the end of the third quarter which had been undertaken by the Faculties and Professional Services. It was noted that, despite only a small increase on the forecast surplus outturn between the Quarter 2 and Quarter 3 forecasts, there had been a number of movements and developments which were highlighted and discussed.
- 5.2. Discussion followed during which continuing concern over fee income was expressed, although it was recognised that this did not include that fee income arising from Transnational education provided overseas which had grown in a healthy manner. It was also noted that, whilst research income was down this financial year across all areas, a raft of research funding bids were currently being prepared in respect of the Horizon 2020 EU Research and Innovation programme.
- 5.3. Thereafter, Court **noted** the report.

6. STRATEGY 2020 IMPLEMENTATION

a) Corporate Plan 2014/15 Including KPIs

UC(13/14)61

- 6.1. The Principal introduced the paper which presented, for Court's consideration, the Corporate Plan for 2014/15 which set out the actions to be taken in the first year of implementation of the Strategy 2020. It was noted that the Corporate Plan had informed the budget for 2014/15. The paper also presented Court with a draft set of high level Key Performance Indicators (KPIs) linked to Strategy 2020 for consideration.
- 6.2. Discussion followed during which members welcomed the Corporate Plan and the actions set out within it. The rationale behind the KPI targets was explained and it was noted that, whilst these targets were considered to be very demanding, they were believed to be achievable. The suite of indicators were agreed while it was recognised that the associated targets presented were subject to further refinement and development, and members made a number of suggestions as to how these might be further enhanced. It was noted that Court would review performance against these high level KPIs annually, whilst receiving reports on performance against sub-strategies throughout the year which would contain more detailed KPI sub-sets.
- 6.3. Thereafter, Court:
 - i) **noted** the Corporate Plan 2014/15 and;
 - ii) **approved** the proposed KPI measures set out in the paper as a basis for monitoring performance against delivery of the Strategy 2020 from 2014/15.

b) Investment Priorities

UC(13/14)62

- 6.4. The Principal introduced the paper which outlined the investment priorities which had been agreed by the University Leadership Team for 2014/15 to

deliver the Corporate Plan 2014/15. It was noted that investments were proposed in academic development, PhD studentships, process review, website upgrade, an opportunistic fund, innovation and enterprise, the Students' Association, development of the International Office and online delivery. With regard to the investment proposed for academic development, it was noted that this covered both investment in new academic staff and the opening of a limited, selective voluntary severance scheme. It was emphasised that this scheme was not for the purpose of achieving cost savings next year but was directed at shaping the academic and professional support staffing appropriately to deliver Strategy 2020. It was noted that a proposal would be brought back to Court in October setting out the terms of the scheme and seeking Court's permission to implement it.

- 6.5. Discussion followed during which academic staff development activity underpinning the delivery of the Corporate Plan was outlined and noted, and it was acknowledged that there would be some disappointment within areas which had not been prioritised for investment in this round. It was also suggested that it would be desirable to establish detailed parameters against which the opportunistic fund would be expended.
- 6.6. Thereafter, Court **endorsed** the investment priorities for 2014/15.

7. THREE YEAR FINANCIAL FORECAST AND BUDGET UC(13/14)63* FOR 2014/15

- 7.1. The interim Finance Director introduced the paper which provided Court with the financial forecasts for the period to 2016/17 and the budget for 2014/15, as recommended by the Finance & Commercialisation Committee. It was noted that the University's Resource Allocation Model (RAM) had been reviewed and refreshed as part of the 2014/15 budget process and the resulting revised methodology was outlined. A summary was also provided of the assumptions underlying the 2014/15 budget and financial forecasts for the period to 2016/17.
- 7.2. Discussion followed during which some of the risks surrounding achievement of the budget were discussed and the challenge within Faculties of achieving the efficiency savings contained was acknowledged. Some reservations were expressed around the necessity of setting a deficit budget for 2014/15 and it was noted that the Finance & Commercialisation Committee had been content to recommend the deficit budget to release the funds required to make the strategic investments (outlined earlier) which would support the delivery of the Strategy. It was further noted that the University planned to immediately return to surplus budgets from the following year and that the University had a very good record and reputation for generating surpluses and had significant cash reserves.
- 7.3. Thereafter Court:
 - a) **approved** the three year financial forecasts for the period to 2017 which form the basis of the submission to the Scottish Funding Council, and;
 - b) **approved** the budget for 2014/15.

8. REPORT FROM NOMINATIONS COMMITTEE ON COURT AND COMMITTEE MEMBERSHIP

UC(13/14)64*

- 8.1. The Chair of Court introduced the paper which provided Court with a report of the proceedings of the Nominations Committee held on 1st May 2014 and which contained a number of proposals relating to Court membership matters for Court's consideration and decision.
- 8.2. Discussion followed surrounding the statement outlined in the report with regard to the balance of Court's lay membership in terms of equality and diversity and its applicability to the appointment of the Chancellor's Assessor. It was noted that the Assessor fell under a separate and distinct category of membership which was not covered by the proposed statement, and was not appointed by Court, but by the Chancellor. It was agreed that it would be desirable for the Chancellor, in making this appointment, to take into consideration the balance of Court's membership in terms of equality and diversity. It was further agreed that the matter be remitted to the Chancellor Appointment Group to produce guidelines on behalf of Court with regard to consideration of the balance of Court's membership in terms of equality and diversity and the proposal that there be an open and transparent process of appointment to the role of Chancellor's Assessor.
- 8.3. Thereafter Court;
- a) **Endorsed** the statement and review mechanism outlined in the report with regard to the balance of Court's lay membership in terms of equality and diversity, as required under section 9 of the Scottish Code of Good HE Governance.
 - b) **Approved** the proposal to invite Robert Hare and Bruce Rigby to serve second four year terms of office upon the expiry of their current terms in 2015.
 - c) **Noted** the recruitment exercise for new lay members to take place over the summer and **delegated authority** to the Nominations Committee to make the appointments.
 - d) **Delegated authority** to the Chair of Court to take such decisions regarding allocation of membership places on committees as may be necessary to allow the first cycle of 2014/15 committee meetings to operate effectively, subject to further review by Nominations Committee in September and final confirmation by Court in October.

9. COURT EFFECTIVENESS REVIEW OUTCOME AND RECOMMENDATIONS

UC(13/14)65

- 9.1. The Vice Chair of Court introduced the paper which presented Court with the final report and recommendations of the Court Effectiveness Review Working Group. Through the paper, the process of the review, including the use of external facilitation, was noted and it was noted that Court was broadly considered to be effective in the performance of its functions. It was noted that a number of areas for enhancement had been identified and considered in

detail through the review (Court's focus on strategic outcomes, effective engagement with stakeholders and effectiveness of Court's sub-committee structure) alongside a number of areas related to compliance with the Scottish Code of Good HE Governance. Court's Standing Orders had also been reviewed as part of the process. It was further noted that with the changes introduced through the review, as presented for approval with the final report and approved by Court previously, Court could be considered to be fully compliant with the Scottish Code of Good HE Governance.

9.2. Discussion followed during which members welcomed the review and extended thanks to those involved. Two minor amendments were proposed to the terms of reference of Nomination's Committee and the Finance & Property Committee, along with one amendment to the protocol for the creation of court sub-groups. These were agreed and would be incorporated in the final approved versions.

9.3. Thereafter Court **approved** the following recommendations contained within the final report:

a) **approved** the recommendation that Pre-Court strategic presentation/discussion sessions covering the four main strands of the University Strategy 2020 be scheduled;

b) **approved** the recommendation that Court's sub-committee structure and terms of reference of its sub-committees be approved as outlined in the report and presented in appendix 2 (subject to two minor amendments to the terms of reference of Nomination's Committee and the Finance & Property Committee as agreed by Court);

c) **approved** such consequential amendments to its instruments of governance (including the Schedule of Delegated Authority and Statement of Primary Responsibilities) as may be required as a result of the changes to sub-committee names and structure so approved;

d) **approved** the protocol for the creation of ad-hoc Court Sub-Groups contained in appendix 3, subject to a minor amendment as agreed by Court;

e) **approved** the proposal to extend the invitation for Officers attending Court to include the remaining ULT members (presently the three Deans of Faculty).

f) **approved** the proposed amendments to Court's Standing Orders, presented in appendix 4.

10. ANNUAL REPORT TO THE SCOTTISH FUNDING COUNCIL ON INSTITUTION-LED REVIEW AND ENHANCEMENT ACTIVITIES

UC(13/14)66

10.1. The Vice Principal (Academic) introduced the paper which presented Court with a draft of the annual report to the Scottish Funding Council (SFC) on institution-led review and enhancement activities which would be finalised and sent to the

SFC by the 30 September deadline. It was noted that Court would receive the final version of the report submitted to the SFC at a future meeting for information.

10.2. Thereafter Court:

- a) **approved in principle** the format and outline content of the draft report;
- b) **authorised the Vice-Principal (Academic)** to sign-off the final version of the report prior to this being submitted to the SFC by 30 September 2014;
- c) **delegated authority to the Chair of Court** to sign and date the statement of assurance with a view to this being emailed to the SFC with the final report.

11. UPDATE ON EDINBURGH INTERNATIONAL COLLEGE

11.1. The Principal provided an oral update in which she detailed the ongoing review of the University's relationship with Edinburgh International College and its performance in which it was noted that both parties were committed to the success of the College. Discussion followed during which actions which were being taken to improve the College's performance were outlined.

11.2. Thereafter Court **noted** the update.

12. RISK MANAGEMENT

a) Key Risks Monitoring Schedule **UC(13/14)67***

12.1. Court received the paper which provided the third assessment of confidence in the management of the University's top risks for academic year 2013/14.

12.2. Court **noted** the report.

b) University Top Risks for 2014/15 **UC(13/14)68***

12.3. Court received the paper which presented the Corporate Risk Register for 2014/15 as recommended by the Audit Committee and noted the new risks which had been added to the register.

12.4. Discussion followed during which the process by which the register had been produced was outlined. It was also noted that, in relation to the new risk relating to information security, guarding against data loss was equally as important as preventing digital attacks. Members agreed that risk 15 (Business Continuity and Disaster Recovery) should be removed from the Corporate register.

12.5. Thereafter Court **approved** the Corporate Risk Register for 2014/15, subject to removal of risk 15.

13. APPOINTMENT OF NEW CHANCELLOR **UC(13/14)69**

- 13.1. Court received the report which provided an update on the Chancellor Appointment process and proposed a number of selection criteria.
- 13.2. Discussion followed surrounding the membership of the Chancellor Appointment Group in which the view was expressed that it would be desirable for the membership of such groups to reflect the overall balance of Court's membership. This was noted.
- 13.3. Thereafter Court **approved** the selection criteria outlined.

14. NOMINATIONS FOR HONORARY AWARDS UC(13/14)70*

- 14.1. Court **approved** the proposal for an Honorary Award, as recommended by the Honorary Awards Committee and approved by Academic Board.

Part B For information

15. ACADEMIC BOARD MEETING 30 MAY 2014 UC(13/14)71

- 15.1. Court **noted** the minutes from the meeting of the Academic Board of 30 May 2014.

16. DRAFT ACADEMIC STRATEGY UC(13/14)72

- 16.1. Court **noted** the discussion document which outlined the proposed Academic Strategy 2014-2020.

17. HEALTH & SAFETY ANNUAL REPORT UC(13/14)73

- 17.1. Court received and **noted** the Annual Report of activity in Health & Safety management, on the recommendation of the Health and Safety Committee, as confirmation that there are arrangements in place to secure and promote health and safety. Thanks were extended to all those involved for the effective management of this area.
- 17.2. Relatively high staff sickness absence levels were identified as a point of concern and it was noted that further work was underway in this area.

18. ANNUAL REPORT ON EQUALITY AND DIVERSITY UC(13/14)74

- 18.1. Court **noted** the annual report on Equality and Diversity which provided an assessment of progress against the eight Equality Outcomes designed to assist institutions in their efforts to meet the Public Sector Equality Duty. It was noted that equality and diversity workshops would be scheduled which Court members would be invited to attend.

18.2. In response to a member's query regarding the relatively high number of appeals, complaints and conduct cases concerning students from minority ethnic backgrounds the Vice Principal (Academic) agreed to investigate and circulate further information to Court members outwith the meeting.

19. COMPLAINTS ANNUAL REPORT* UC(13/14)75

19.1. Court **noted** the annual report to Court on Student Complaints received in 2012/13. It was noted that the level of complaints was believed to be low in comparison to the sector generally, and that next year's report under the new Model Complaints Handling Procedure would cover a much broader range of complaints.

Part C Not intended for discussion

20. REPORTS FROM COURT COMMITTEES

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

20.a Health & Safety Committee Meeting on 9 May 2014 UC(13/14)76

20.b Human Resources Committee Meeting on 13 May 2014 UC(13/14)77

20.c Students' Association Committee meeting on 27 May 2014 UC(13/14)78

The President of the NSA provided Court with a brief update on the activities of the Students' Association.

20.d Audit Committee meeting on 28 May 2014 UC(13/14)79

20.e Finance & Commercialisation Committee Meeting On 29 May 2014 UC(13/14)80

20.f Estates Committee Meeting on 11 March 2014 UC(13/14)81

21. MEETING DATES FOR 2014/15 UC(13/14)82

21.1. The meeting dates of Court and its Committees for the 2014/15 session were noted. It was noted that a revised Calendar reflecting the newly approved Committee structure would be circulated to members.

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