

EDINBURGH NAPIER UNIVERSITY

UNIVERSITY COURT

**Minutes of the meeting held on Monday 19 June 2017
at 3.45 pm in the Rivers Suite, Craiglockhart Campus**

Present: Dr G Forbes (Chair); Professor A Nolan (Principal & Vice-Chancellor); Ms M Ali; Ms J Boyle; Lord Brodie (Chancellor's Assessor); Dr V Ellis; Mr C Guest; Mr R Hare; Ms E Partyka; Dr P Stollard; Ms B Wallace; Mr S Walls; Mrs P Woodburn; Mr N Woodcock.

Apologies: Mr R Adams; Mr N Ballantyne; Ms J Brown; Mr M Connarty; Dr S Jiwa; Professor A McCleery; Professor A Sambell (Vice Principal, Deputy Vice Chancellor); Professor A Scullion; Mr R Subramani.

In attendance: Dr S Cairncross (Assistant Principal); Mr D Cloy (Clerk to Court); Ms K Dewar (Director of Human Resources & Development); Ms N Graham (Assistant Principal); Professor J O'Kane (Dean, Business School); Dr I McIntosh (Assistant Principal); Mr A McGoff (Finance Director); Dr G Webber (University Secretary).

Observing: M Khatri (ENSA President Elect).

1. OPENING REMARKS, WELCOME AND APOLOGIES

- 1.1. The meeting was preceded by a Pre-Court Strategy Presentation on the University's Research & Innovation Strategy, which members had welcomed.
- 1.2. The Chair welcomed members to the meeting and welcomed Professor James O'Kane (Dean, Business School), who was in attendance to present later in the meeting. Manish Khatri (ENSA President Elect) was also welcomed to the meeting as an observer.
- 1.3. The apologies were **noted**.

Part A For discussion and decision

2. MINUTES OF THE MEETING HELD ON 27 MARCH 2017 UC(16/17)46

- 2.1. The minutes of the meeting held on 14 March 2016 were **approved**.

3. MATTERS ARISING

- 3.1. There were no matters arising.

4. PRINCIPAL'S REPORT

UC(16/17)47

- 4.1. The Principal introduced her written report and highlighted the current status of the Scottish Government's Enterprise and Skills Review Phase 2 and engagement with the UK industrial strategy.
- 4.2. It was noted that Professor Bill Buchanan, head of the University's Cyber Academy, had been awarded an OBE, while Catherine Walker, curator of the Craiglockhart based War Poets Collection, had been awarded an MBE. Professor Hazel Hall of the School of Computing had been elected a Fellow of the Royal Society of Edinburgh. This recognition of staff was warmly welcomed and all were congratulated on their achievement.
- 4.3. Thereafter, Court **noted** the report.

5. REVIEW OF CURRENT FINANCIAL POSITION*

UC(16/17)48

- 5.1. Court received and **noted** the paper which provided the summary financial results for the year to date to April 2017.

6. PLANNING & BUDGETING 2017/18 – 2019/20*

UC(16/17)49

- 6.1. Court receive the paper which provided the proposed budget for 2017/18, as recommended by the Finance & Property Committee. The three year financial forecast for the Scottish Funding Council (SFC) for the period 2017/18 to 2019/20 was also presented for information along with the Corporate Plan for 2017/18.
- 6.2. Discussion followed during which an update was provided in relation to land issues at Sighthill campus in the context of planned Estate Strategy development.
- 6.3. Thereafter Court:
 - a) **approved** the Budget for 2017/18
 - b) **authorised** the Principal to sign and submit the three-year financial forecast to the SFC.
 - c) **noted** the 2017/18 Corporate Plan

7. HE GOVERNANCE ACT UPDATE

UC(15/16)50

- 7.1. Court received the paper which provided an update on matters relating to the implementation of the HE Governance (Scotland) Act and development of the revised Scottish Code of Good HE Governance. Court's approval was sought with regard to proposed amendments to its constitution, and for a proposed response to the consultation on the draft revised Code.
- 7.2. In response to a member's query, the process and timing for implementing changes to Court's constitution was clarified. In relation to the revised Scottish Code of Good HE Governance, a member expressed reservations on the process whereby the Code Review Steering Group had been established.

7.3. Thereafter, Court:

a) **Approved** the proposal to amend Court's constitution to accommodate the changes introduced by the Higher Education Governance (Scotland) Act as detailed in paragraph 11 of the paper and **delegated authority** to the Chair of Court, in consultation with the Secretary to Court and the University's legal advisors, to agree the final form of the revised statutory instrument with the Scottish Government for Privy Council approval, consistent with Court's approved proposal on constitution changes and limited to revisions consequent to the Act and to the other issue of current legal compatibility outlined in paragraph 6.

b) **Approved** the proposed response to the consultation on the revised Scottish Code of Good HE Governance.

8. REPORT FROM NOMINATIONS COMMITTEE ON COURT AND COMMITTEE MEMBERSHIP UC(16/17)51

8.1. Court received the report of the proceedings of the Nominations Committee held on 9 May 2017.

8.2. Thereafter, Court:

a) **Noted** the report of the meeting of Nomination Committee on 9 May 2017

b) **Approved** the appointment of June Boyle to the position of Vice Chair of Court from 1 August 2018 for the remainder of her term on Court.

c) **Approved** the proposed membership and convenorship of Court Committees for 2017/18 as contained in **Annex A**.

9. SCOTTISH FINDING COUNCIL ANNUAL QUALITY ENHANCEMENT REPORT UC(16/17)52

9.1. Court received the paper which presented a draft of the annual report to the Scottish Funding Council on Institution-Led Review. It was noted that a pre-Court presentation on assuring academic quality would be scheduled next session.

9.2. Thereafter Court:

a) **approved in principle** the format and outline content of the draft report

b) **authorised** the Vice-Principal to sign-off the final version of the SFC Annual Report prior to this being submitted to the Council by 30th September 2017

c) **authorised** the Chair of University Court to sign and date the statement of assurance .

10. RISK MANAGEMENT

a) University Top Risks for 2017/18*

UC(16/17)53

- 10.1. Court received the paper which presented the draft Top Risks Register for 2017/18 as recommended by the Audit & Risk Committee.
- 10.2. In relation to the risk concerning Brexit (risk 3) it was noted that, in the context of the recent election outcome, reference to Indyref2 would be removed from the risk description. In response to a member's query, the risk tracking and escalation mechanism was clarified.
- 10.3. Thereafter Court **approved** the Top Risks Register for academic year 2017/18.

b) Key Risks Monitoring Schedule*

UC(16/17)54

- 10.4. Court received the paper which provided the final assessment of confidence in the management of the University's top risks for academic year 2016/17. It was noted that action would be taken to review and improve risk tracking next session.
- 10.5. Court **noted** the report.

11. NOMINATIONS FOR HONORARY AWARDS*

UC(16/17)55

- 11.1. Court **approved** the proposals for Honorary Awards, as recommended by the Honorary Awards Committee and approved by Academic Board.
- 11.2. Progress with regard to increasing the number of female nominations was welcomed, and it was suggested that greater signposting to students regarding their right to nominate would be helpful in achieving greater diversity in future nominations.

Part B For information

12. ACADEMIC BOARD MEETING 2 JUNE 2017

UC(16/17)56

- 12.1. Court **noted** the minutes from the meeting of the Academic Board of 2 June 2017.

13. SCHOOL PRESENTATION: THE BUSINESS SCHOOL

- 13.1. Court received the Presentation from the Dean of the Business School on the strategic development of the School in the context of Strategy 2020. The current position, opportunities and challenges, future direction and plans were outlined.

13.2. Court welcomed the presentation and discussion followed during which a number of risks, opportunities and priorities were explored.

13.3. Thereafter Court **noted** the presentation.

14. HEALTH AND SAFETY ANNUAL REPORT

UC(16/17)57

14.1. 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 effective arrangements in place to secure and promote Health and Safety. Court's ultimate responsibility for Health and Safety was emphasised and thanks were extended to all those involved for the quality of the report and effective management of this area.

14.2. In the context of the Grenfell Tower fire, it was confirmed that a review of cladding used on buildings within the University's estate was underway to confirm that it met appropriate standards of fire resistance and that a report would be produced to provide assurance to Court.

15. EQUALITY, DIVERSITY & INCLUSION: ANNUAL REPORT FROM THE INCLUSION COMMITTEE

UC(16/17)58

15.1. Court received the annual report from the Inclusion Committee which provided an insight into equality and diversity at the University from a staff perspective, an overview of activity undertaken as part of this agenda, and a review of progress against each of the Equality Outcomes required under the Public Sector Equality Duty. Progress which had been made in establishing Staff Inclusion networks was highlighted.

15.2. Thereafter Court **noted** the report.

16. STUDENT INCLUSION REPORT

UC(16/17)59

16.1. Court received the paper which outlined the approach being undertaken in support of student inclusion.

16.2. Thereafter Court **noted** the report.

17. ENSA REVIEW DISCUSSIONS UPDATE*

UC(16/17)60

17.1. Court received the paper which presented an update on the discussions that had been taking place between the Secretary to the University Court on behalf of the Chair of Court and the Chair of the Board of Trustees of the Edinburgh Napier Students' Association (ENSA) with regard to the commission of an independent review of the governance and management of the Association.

17.2. Extensive discussion followed during which a number of views were expressed, considered and points clarified. It was noted that Court would receive the

report on the review of ENSA's governance arrangements in due course. It was further noted that the process of becoming a Scottish Charitable Incorporated Organisation (SCIO) being pursued by ENSA would provide an opportunity to resolve any issues identified.

17.3. Thereafter Court **noted** the report.

18. UPDATE FROM EDINBURGH NAPIER STUDENTS' ASSOCIATION **UC(16/17)61**

(i) Trustee Board Governance Update

18.1. Court received the paper which presented a report on progress made to engage the services of external professionals and agencies to ensure good governance within Edinburgh Napier Students' Association.

18.2. Court **noted** the update.

(ii) Incorporation Proposal

UC(16/17)62

18.3. Court received the paper which outlined the intention of Edinburgh Napier Students' Association to seek to change its legal form from an Unincorporated Association to a Scottish Charitable Incorporated Organisation (SCIO).

18.4. Thereafter Court:

a) Noted that ENSA wishes to seek incorporation, the rationale for doing so and the intent to engage with the University on the process.

b) Noted that the move from Unincorporated Association to SCIO would require a change to ENSA's constitution, and that this can only be made with Court's approval in accordance with S7(5) of the 1993 Order.

c) Resolved that ENSA should engage with the Chancellor's Assessor and Secretary to Court (who will seek advice as appropriate from the University's legal advisors and consult with other University officers) on the detail of the proposal to allow an appropriate recommendation with regard to any changes to ENSA's constitution to be made to Court not later than its meeting on 20 June 2018.

Part C Not intended for discussion

19. REPORTS FROM COURT COMMITTEES

19.a Finance & Property Committee meeting on 20 April 2017* **UC(16/17)63**

19.1. The report was **noted**.

19.b Finance & Property Committee meeting on 25 May 2017* **UC(16/17)64**

19.2 The report was **noted**.

19.c Audit & Risk Committee meeting on 31 May 2017* **UC(16/17)65**

19.3 The report was **noted**.

19.4 The Convenor highlighted further work to be undertaken in relation to the internal audit report on income generation.

20. CORPORATE PLAN 2016/17 - UPDATE **UC(16/17)66**

20.1. Court noted the final update on progress against the 2016/17 Corporate Plan.

21. SFC OUTCOME AGREEMENT **UC(16/17)67**

21.1. Court **noted** the final version of the University's Outcome Agreement for 2017/18 as submitted to the Scottish Funding Council.

22. VALEDICTIONS

22.1. The Chair paid tribute to demitting members of Court; Moi Ali, Mike Connarty, Rojan Subramani and Beth Wallace. All were thanked for their significant contributions to the work of Court and the University. Thanks were also extended to Dr Iain McIntosh who was retiring from his Assistant Principal role at the end of July.

23. DATE OF FUTURE MEETINGS AND EVENTS

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

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