

Approved



UNIVERSITY COURT

MINUTES

of the meeting of the University Court held on Wednesday 14 September 2022 at 2.00pm in the Boardroom and via Microsoft Teams

Chair: Mr M Shaw

Ms N Ahmed*	Ms H Dunk	Dr H Mehrpouya
Professor L Bacon	Ms G Ghafoor	Mr J Macgregor*
Mr A Bailey	Dr A Ingram	Mr I McDonald
Ms L Baldie	Professor A Irons	Ms O Robertson
Mr J Barnett	Mr F Keir*	Professor E Sim
Ms R Donoghue	Ms V Lynch	Dr K Smith
Ms A Duffy*	Mr A Marks	
Secretary to Court:	Ms C Summers	

In attendance: Ms D Feriancova Ms J McKenzie
Mr P Henry Mr G Weir
Dr D Peden

(* attended via Teams)

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NON-RESERVED AREAS OF BUSINESS

01 WELCOME AND APOLOGIES FOR ABSENCE

The Chair welcomed members to the first meeting of Court for the 2022-23 session.

Death of Her Majesty Queen Elizabeth II

Court noted that the meeting was taking place during the period of national mourning following the death of Her Majesty the Queen. It noted that Principal had written to the Palace to offer condolences on behalf of the University and that she had also represented the University at the Motion of Condolence in the Scottish Parliament on 12 September.

Dr Andrew Samuel

Court noted the sudden and tragic death of Dr Andy Samuel the previous week. In addition to his long career as a lecturer in the Division of Sociology, Dr Samuel had served on Court for two terms and was also well-known as the former President of Abertay UCU. The Chair noted how effective Dr Samuel had been during his time on Court and that he had valued his measured and pragmatic approach. Members of Court expressed their shock and sadness at Dr Samuel's death and offered their condolences to his family and colleagues. It was intended that there would be an event in the University at some point to celebrate his life and Court would be kept informed.

Welcomes

The Chair welcomed Professor Irons to his first meeting of Court since taking up post as Deputy Principal and Deputy Vice-Chancellor on 1 July. He also welcomed Ms Robertson and Ms Baldie, the new President and Vice-President of the Students' Association, to their first meeting as members of Court. Lastly, he welcomed Dr Dianne Peden who would take up post as Head of Governance and Deputy Secretary on 26 September and was joining as an observer.

The Chair also congratulated Mr Keir on his new post as Deputy Registrar at the University of Essex.

Apologies for absence

Apologies for absence were received from Ms L Hamilton and from Ms C MacEachen who was abroad on University business.

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02 DECLARATION OF POTENTIAL CONFLICTS OF INTEREST

The Chair reminded members of their responsibility to indicate if they had, or could be perceived to have, a conflict of interest in relation to the non-reserved items for discussion.

Dr Ingram declared an interest in relation item 7, the appointment of the new Chair of Court.

COURT AND GOVERNANCE MATTERS

03 MINUTES OF THE CHAIR'S COMMITTEE MEETING HELD ON 5 SEPTEMBER 2022

CT/0922/01

Court noted the minutes of the Chair's Committee meeting held on 5 September 2022 for information.

04 MINUTES OF THE MEETING OF COURT HELD ON 29 JUNE 2022: UNRESERVED

CT/0922/02

Court received and considered the above minutes and approved them as an accurate record.

05 MATTERS ARISING FROM THESE MINUTES

Oral report

Minute 94 – SFC Report on Quality

The Vice-Principal and University Secretary advised Members of the following matter arising from the previous minutes. At the June meeting, Court had considered the draft annual report on quality to the Scottish Funding Council (SFC). It had delegated authority to the Chair and Principal to finalise the report once the additional information was available and asked for the final copy of the report to come to September meeting. Due to timing issues, the report was not available for inclusion with the papers for the meeting and it had been agreed that this would be circulated to Court by correspondence as soon as it was available.

Minute 91: FCPC meeting 09 June 2022

The Chair of FCPC updated Court that, as outlined in the previous minute, action had taken place over the summer to invest short-term balances, as agreed by the Committee, to maximise the benefit to the University.

MATTERS FOR DISCUSSION/APPROVAL

06 **VISION FOR ABERTAY – PRESENTATION FROM THE PRINCIPAL AND VICE-CHANCELLOR**

Court received a presentation from the Principal and Vice-Chancellor which covered:

- The University's strengths and achievements.
- The vision for the next five to ten years, noting the planned growth in student numbers from online and partnership activity, the importance of Abertay's civic role within the city and region, the continuing focus on enhancing the staff and student experience, the importance of the digital strategy, the vision for estates development, and the need for environmental sustainability to be embedded in the culture.
- The challenges around sustainability, noting the current cost of living pressures would impact on the University as well as on staff and students and that SFC funding would not keep pace with inflation.
- The challenges around home student recruitment given the change in status of EU students, though recruitment of international and RUK students was increasing.

Professor Bacon noted that there would be a more detailed discussion at the Court Conference on the challenges and opportunities.

[Secretary's note: a copy of the presentation was circulated to members

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following the meeting.]

Court thanked the Principal for the overview and in discussion raised a number of points:

- The importance of soft skills as well as technical skills in preparing students for employment and the value of ensuring that students had real work experience as part of their degree.
- The impact of the cost-of-living crisis on students and on student retention in particular. The Principal referenced the ongoing retention project and confirmed that a further report would come back to Court in early 2023.
- Concern about the rise in utility costs the action the University could take to mitigate this.
- The ongoing SFC review and the impact this might have on future direction and funding policy. Linked to this, the importance of continuing to work with partners in the region to ensure portfolio alignment and smooth transitions for articulating students.

The Principal thanked Members for their comments and noted that discussion would continue at the Court Conference where there would be an opportunity to explore some of these topics in more detail.

Secretary's note: Dr Ingram left the room at this point

07 APPOINTMENT OF NEW CHAIR OF COURT

CT/0922/03

The Chair introduced this item, explaining his intention, as previously notified to Court members by email, that he would stand down from his role in April 2023. This was consistent with his indication to Court when appointed for his second term that it was unlikely that he would serve for the full term. He was giving early notification to enable a smooth transition to a new Chair.

The Chair indicated that he had agreed with the Vice-Principal and University Secretary that he would chair this agenda item, but following the establishment of an appointment committee, he indicated that he would have no further part in the process.

The Chair noted that the Vice-Chair had expressed interest in applying for the position and had therefore withdrawn from the meeting. No other expression of interest had been received and Court members present indicated that they did not intend to apply for the role.

The Vice-Principal and University Secretary introduced the paper noting that:

- (i) The process for appointing a new Chair of Court was clearly set out in

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- the Higher Education Governance (Scotland) Act 2016 and that the relevant sections were highlighted in the paper.
- (ii) Court did not currently have an approved process to appoint a new Chair therefore it required to agree regulations before the process for the appointment of a new Chair could proceed.
 - (iii) The draft regulations presented for Court's consideration drew on the regulations used by other universities which had already gone through this process, and that she had consulted with the University's lawyers on the draft presented to Court.
 - (iv) The regulations had been drafted in a generic way to futureproof them, though this meant that there were some conflicts for the present Vice-Chair of Court being a candidate and these would be handled in the normal way.

Regulations

Court then considered the draft regulations and took the following decisions in relation to the points raised in the paper:

- (a) Term of office Court agreed that, in line with current practice and the existing standing orders of Court, the term of office of the Chair should be for three years, renewable for a further three years up to a maximum of two terms (but agreed -where appropriate- a relevant consideration in respect of any extension would be the time the Chair had been a court member before taking on the office of Chair).
- (b) Eligibility Court agreed that in order to ensure the independence of the Chair former staff and students may not stand for a period of four years after the end of their studies/employment.

Court agreed that this should not apply to former members of Court who therefore would be able to stand in the four-year period (or afterwards) following the end of their terms of appointment.

Court agreed that the Chair of Court should not be employed in a substantive role by another higher education institution while undertaking the role.

Court also agreed that the Chair of Court should not be actively engaged in politics or hold any elected office while undertaking the role. It was agreed that

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appropriate wording, in line with guidance used in the civil service, should be used.

- (c) Re-appointment Court agreed to permit the possibility of the renewal of the appointment for a further term without an election, in line with the process set out in the draft regulations.
- (d) Use of search agency Court agreed to permit the Appointment Committee to use an external search agency should it deem it appropriate to do so.
- (e) 2022 search In respect of the 2022 process, Court further agreed that a search agency should be used to support the appointment process and delegated authority to the the Vice-Principal and University Secretary to initiate the procurement process.
- (f) Electorate Court agreed that it was content with the proposed text in paragraph 22 of the draft regulations
- (g) Voting Court agreed that it was content to permit electronic voting in the election.
- (h) Conduct of the campaign Court agreed that it was content with the expectation for the conduct of the campaign set out in paragraphs 28 to 34, noting that these were intended to provide transparency from the outset of the process.
- (i) Remuneration Court noted that, in accordance with the Act, the person appointed may request remuneration for their service as Chair of Court. Court agreed that the Remuneration Committee should consider and recommend to Court the level of remuneration to be provided. Court noted that details of the remuneration offered would be set out in the advert.

Subject to the amendments set out above, Court approved in principle the regulations and process for the appointment of a Chair of Court and agreed to delegate to the Appointment Committee the responsibility to finalise the

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regulations to reflect Court's comments and any further consultation which might be required.

Appointment Committee

Court approved the remit and composition of the Appointment Committee set out in Annex C of the paper. It noted that Ms Dunk had agreed to chair the Committee and that Mr Barnet, Ms Hamilton and Mr Keir had expressed willingness to join the Committee. Staff members of Court were asked to consider which of them would join the Committee and to advise Ms Summers.

Court agreed to delegate authority to the Appointment Committee to oversee the process, and to grant authority to the Appointment Committee to appoint an executive search agency to assist in the process

Timescale

Court noted the indicative timescale for the election of a new Chair of Court by April 2023.

Remuneration

Court noted that the Remuneration Committee had considered a paper on 'Remuneration for Members of Governing Bodies' at its May 2022 meeting and had taken a preliminary decision on remuneration for a future Chair of Court. Court agreed that was content with remuneration in the range (£15,000 to a maximum of £20,000) and agreed to delegate authority to the Remuneration Committee to finalise this and to advise the Appointment Committee.

Court noted that, given the requirement for an election with more than two candidates, it was possible that the process might not be successful on the first attempt, and that in the event of a vacancy in the office of Chair, as set out in Article 10 of the University's Governing Order, the Vice-Chair of Court would perform the functions of the Chair.

Actions

- (i) *Vice-Principal and University Secretary to make arrangements for the Appointment Committee to meet.*
- (ii) *Vice-Principal and University Secretary to initiate the procurement process for the search agency*
- (iii) *Staff members of Court to confirm to Vice-Principal and University Secretary who would join the Appointment Committee.*
- (iv) *Remuneration Committee to finalise remuneration and advise*

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Appointment Committee.

Dr Ingram re-joined the meeting at this point.

08 **GOVERNANCE EFFECTIVENESS REVIEW – NEXT STEPS**

CT/0922/04

Court noted the update on action being undertaken in response to the Governance Effectiveness Review and that this would be considered further by Governance and Nominations Committee in October and by Court in November.

09 **DEVELOPMENT OF THE PEOPLE STRATEGY**

CT/0922/05

The Director of People and Organisational Development introduced the paper, noting that it provided an opportunity for Court to comment on the draft which was currently out for consultation with staff and stakeholder groups. She noted that the final draft would be considered by the People Health and Equality Committee in October and would then come forward to Court in November.

In a wide-ranging discussion, members commented on:

- The relationship with the vision in the Principal's presentation for increased diversity in the University in future and the importance of the culture and behaviours in ensuring success.
- The proposed values, and a suggestion that these should include kindness and the need to foster a supportive culture.
- The welcome reference to wellbeing within the strategy and the need to include reference to health and safety too.
- The importance of succession planning and developmental opportunities.
- The need to review the terminology around professional services /support staff.

In response to a question, Ms Fraser noted that there had been considerable input from staff but that students had not been involved, given the focus of the strategy.

Ms Fraser undertook to consider these comments, along with others received from the consultation process for incorporation into the final draft.

Action: Director of People and Organisational Development to finalise People Strategy

Approved

10 **SENATE ELECTED MEMBERSHIP**

CT/0922/06

Court noted the paper and that, due to an oversight, the term of office for the twelve elected members of Senate had expired on 31 August 2022. Court agreed:

- (i) that the period of office of the 12 members elected to Senate with effect from 1 September 2019 should be extended by a period of one year with effect from 1 September 2022;
- (ii) that regulations governing the arrangements for elections to Senate should be brought to Court for its consideration and approval during the 2022-23 session; and
- (iii) that there should be a review of the remit and membership of Senate during the 2022-23 session.

Court also noted that Senate would be conducting a review of its processes and procedures during the 2022-23 session.

Action: Vice-Principal and University Secretary to implement decisions.

MATTERS FOR INFORMATION

11 **EXECUTIVE GROUP REPORT TO COURT**

CT/0922/07

Court noted the report from the Executive Group and welcomed the introduction of this new report. The Vice-Principal and University Secretary provided an update on student recruitment, noting that term had not yet started and therefore there would be some fluctuation in these numbers. The University's nomination for the THE Award for Outstanding Contribution to Equality, Diversity and Inclusion was welcomed but it was noted that there was still further work to do in this area.

12 **ACADEMIC MATTERS REPORT**

CT/0922/08

Court noted the Academic Matters Report and in particular the richness of the content and the impressive achievements of academic staff. The Deputy Principal noted that he intended to discuss with Court in future how it considers the impact of academic activities.

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13 STUDENTS' ASSOCIATION REPORT TO COURT

CT/0922/09

The President and Vice-President of the Students' Association introduced their report to Court. They noted the current pressure on student accommodation within the city and encouraged the University to do more to address this. In response the Principal outlined the challenges and the exceptional circumstances this year and noted that the University was developing a plan to reserve more bedspaces for next year.

Court noted the issues in relation to accommodation for Freshers Week, and received assurance that these had been resolved as soon as the issue was raised with the Executive Group and that planning would start much earlier for the following year.

Court thanked the Students' Association for the report and thereafter noted it.

14 PROPOSED AGENDA FOR THE COURT CONFERENCE

CT/0922/10

Court noted the proposed agenda for the Court Conference in November.

15 DEPARTURE OF INTERIM SECRETARY TO COURT

Court noted that this was the last meeting which the Interim Secretary to Court would attend. Court thanked Mr Henry for the significant contribution he had made to the work of Court and to the University more widely, including oversight of some very complex governance issues.

16 ANY OTHER BUSINESS

Oral report

No other business was declared.

17 DATE OF NEXT MEETING

The date of the next scheduled meeting is Wednesday 23 November 2022, following the Court Conference.

Mr M Shaw

Chair

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