

UNIVERSITY OF ABERDEEN

UNIVERSITY COURT

Minutes of Meeting held on 25th May 2004

Present: Mr Mair (in the Chair), Principal, Mr A Amooore, Professor P Beaumont, Lady Catto, Dr A Dawson. Dr N Dower, Ms J Duncan, Professor C Gane, Professor G Graham, Mrs S Grant, Miss A Harper, Councillor P Johnston, Mr M Lockhead, Professor S Logan, Dr N Milne, Dr G Roberts, Professor T Salmon, Professor J Sewel, Professor W Smith, Mr G Stevenson, Councillor J Stewart, Mr S Styles, with Professor D Houlihan, Professor B MacGregor, Mr S Cannon, Ms I Bews, Mr A Donaldson, Mrs C Inglis, Mrs L Manders, Dr P Murray and Ms K Atkinson (Clerk).

Apologies for absence were received from the Rector, Ms C Edge, Mr J Leiper, Dr M Mackie, Mr D Marr and Professor A Rodger.

257 Mr Mair welcomed Professor Gane and, on behalf of the Court, thanked Professor Sewel for his contribution over recent years.

MINUTES

258 The Minutes of the meeting held on 23rd March 2004 were approved.

DECLARATIONS OF INTEREST

259 The Court noted declarations of interest which were made by the following members: -

- (a) Mr Styles, as the local representative of the Association of University Teachers (AUT);
- (b) Professor Logan, as a member of the Scottish Higher Education Funding Council (SHEFC);
- (c) Councillor Stewart, as a member of Aberdeen City Council and the Castlegate Arts Trust
- (d) Dr Milne, as a Member of the Scottish Parliament;
- (e) The Principal declared that neither he nor Mrs Rice had been involved in any way in the arrangements for the proposed loan for the refurbishment of the MacRobert Building.

RESTRUCTURING – NEXT STEPS

260 The Court received and considered a paper entitled *Restructuring – Next Steps*, which summarised the current institutional position on restructuring and recruitment and recommended that formal consultation commence on redundancy with the campus Trades Unions under the University's approved Redundancy Policy and Procedure.

261 A lengthy discussion followed, whose principal points of record were as follows: -

- (a) The Court noted that the University remained financially sound and that its academic competitiveness had been strengthened through a number of exceptional appointments in key areas. It was essential to capitalise on the momentum gained in the recent recruitment of high quality senior academics. However, financial pressures meant that, in order to continue investment in areas of strategic importance and strength, staffing levels must be reduced in areas which did not contribute to the institution's key strategic priorities. Although a freeze on all recruitment would enable the institution to deliver a break-even budget, this would cause serious operational difficulties and jeopardise progress achieved thus far.

- (b) The Campus Trades Unions would be invited to consider proposals and make suggestions with a view to reaching agreement on the process. It was anticipated that, in order to meet current financial challenges, and subject to consultation, a Voluntary Redundancy Scheme would operate on a very short time frame. The Court agreed that the consultation process should begin as a matter of urgency and that, following consultation with representatives of the Trades Unions, a communication be circulated to all staff informing them of the situation.
- (c) The Redundancy Committee, a Committee of Court, would take the process forward and provide reports and make recommendations to Court as required under the approved Procedure. The membership of the Redundancy Committee 2003-04 was confirmed as Senior Vice-Principal, Dr Dawson, Dr Mackie, Professor Salmon and Professor Cairns Smith.
- (d) It was noted that 147 posts had been removed under the Voluntary Scheme which had closed at the end of January 2004. Current information suggested that a reduction of approximately 80 further posts would be necessary at an estimated cost in the region of c. £2.5 million. In accordance with the approved Procedure, non-compulsory redundancies would be sought initially through a Voluntary Redundancy Scheme. Following its completion, the Court would be invited to decide whether compulsory measures might be required.
- (e) The Redundancy Committee would determine selection criteria. These would be drawn up in light of the University's strategic direction, a financial analysis and following consultation with the Trades Unions. Comments relating to research strategy that had been received following the Funding Council's visit of 10 November 2003 would also be taken into account.
- (f) In response to concerns raised relating to the manner in which the proposals had been presented and the short time-scale for decisions, it was noted that senior management had been obliged by law to seek approval to begin the consultation process as soon as they became aware that a redundancy scheme might be necessary.
- (g) It was agreed:
 - (i) that information would be circulated to Court members on the earlier Voluntary Scheme, details of the present processes and the underlying financial context to the need for further staff reductions.
 - (ii) that restructuring should become a standing item on the Court agenda for the duration of the process.
 - (iii) that in addition to the normal course of business at the annual Court "Away-Day" in September, detailed briefings on the main issues facing the institution should be provided and discussed.

CONSULTATION ON THE MERGER OF THE SCOTTISH FURTHER AND HIGHER EDUCATION FUNDING COUNCILS

- 262 In addition to a covering letter, the Court received the Consultation on the Merger of the Scottish Further and Higher Education Funding Councils and a draft of the Tertiary Education (Funding etc.) (Scotland) Bill.
- 263 Professor Gane introduced a paper outlining the consultation process and principal issues which had been identified. He advised that, in addition to the Consultation, there would be a further opportunity to make direct representations to Parliament later in the legislative process.
- 264 The Court noted that the draft Bill appeared to give Ministers virtually unlimited direct powers in relation to all tertiary education institutions. This would enable them to become directly involved in the management and governance of Universities and indicated a shift towards the type of relationship that existed currently between the Scottish Further Education Funding Council and Further Education Colleges.

- 265 A discussion followed, whose principal points of record were as follows: -
- (a) Concern was raised regarding the impact that the proposed reclassification of tertiary education providers might have on the ability of Scottish Universities to compete internationally, particularly in light of the European trend towards a less interventionist approach.
 - (b) The proposals were considered to pose a threat to academic freedom.
 - (c) Concern was also raised that, if the Bill was passed in its present form, future governing political parties could in theory use their power directly to influence the sector for their own ends, which might not necessarily be in the best interests of the Country.
 - (d) It was considered entirely proper that Universities be held accountable for any public funds received. However, in view of the fact that Higher Education Institutions were only partially funded by public money, it was considered inappropriate that they be obliged to accept direction as proposed.
 - (e) The proposal lacked details of how the skills needs referred to in section 17 would be identified and the time-scale for their identification.
 - (f) The consultation document gave assurances and qualifications regarding the circumstances under which certain powers would be exercised. There was concern that, as these were not contained within the draft Bill, they would not be binding.
 - (g) It was agreed that communication with local Members of the Scottish Parliament would be pursued.
 - (h) The Committee of University Chairmen and Universities Scotland had commissioned Professor Gane to lead research into the impact of the proposals.
 - (i) The Court noted that the Students' Association welcomed many of the proposals and would be making their own response to the consultation.
- 266 Written responses to this Consultation must be received by the Executive by 15 July 2004. The institutional response would take into account comments made at the meeting along with responses to the internal web-based consultation. It was intended that a fully developed draft be brought for approval to the next meeting of the Court.

SHEFC INSTITUTIONAL VISIT

- 267 Professor Sewel introduced the Funding Council's confidential minutes of their visit to the University which took place on 10 November 2003. This had covered a range of topics including the conditions of grant on equality of opportunity and widening participation, continuous improvement of learning and teaching, research and knowledge transfer and human resources policies and management.
- 268 The discussion that followed concentrated on research strategy, an area in which SHEFC had shown particular interest. It was felt that comments contained in the minutes regarding lack of focus and collaboration had been based on an incomplete understanding of the University's approach and unique geographical situation.
- 269 The adoption of a more focussed approach to research would be illustrated by a more selective submission to the next Research Assessment Exercise, RAE 2008. It was noted that considerable collaborative strengths were being developed further through negotiations with the Macaulay Land Use Research Institute and the Rowett Research Institute.
- 270 The Court acknowledged that it would take time for the full impact of the restructuring process to be realised. It was reassured that since the visit the Funding Council had developed a clearer understanding of the University's research strategy.

JOINT PLANNING FINANCE AND ESTATES COMMITTEE
MATTERS FOR APPROVAL

Central Heating Station Replacement

- 271 The Court received and approved a recommendation from the Joint Planning Finance and Estates Committee that the selection of a combined heat and power plus boiler system for the Old Aberdeen Campus be approved. The Court also approved funding of £6.681 million, which, together with a Community Energy Programme grant of £1.753 million, would meet the total cost of £8.434 million.

Loan Financing – MacRobert Building

- 272 The Court received and approved a recommendation in regard to proposed loan arrangements for the interim funding of the MacRobert Building refurbishment and related decant. This formal approval was to conform with documentation supplied by Lloyds TSB, approval of which was subject to due diligence by officers of the University.

Student Centre

- 273 The Court noted the intention to bring design and costing for the Student Centre to the next meeting of Joint Planning Finance and Estates Committee in June. This would include an option appraisal on catering. It would also include the full financing package.
- 274 The Court also noted that the current Catering Strategy Group would be subsumed within the Student Accommodation Project Board to inform and ensure a co-ordinated approach to campus development.
- 275 The Court received and approved a recommendation to homologate the decision to proceed with Phase 1 of the new Student Centre at an estimated cost of £470, 000.

Student Residential Accommodation

- 276 The Court noted that the Committee had received and considered recommendations relating to the Dunbar, Crombie and Johnston Sites.
- 277 The Court approved the following proposals: -
- (i) that access to the Dunbar site be granted to the developer by means of a long-term ground lease;
 - (ii) that a small group be formed to assess tenders for the development of the Dunbar site against the selection criteria;
 - (iii) that Carnegie Court be demolished during the summer vacation 2004 at a cost of c. £120k excluding VAT.
- 278 Further information on the student accommodation redevelopment programme and Dunbar development programme was available on request from the Court & Planning Office.

Associate Student Fee

- 279 The Court approved the introduction of a new Associate Student Fee (validated programmes) set at £250 per annum for 2004/05.

STAFFING AND DEVELOPMENT COMMITTEE
MATTERS FOR APPROVAL

Framework Agreement: Remit and Composition of Working Party

280 The Court noted that the Staffing and Development Committee had considered the remit and composition of the Framework Agreement Implementation Working Party which was proposed subject to acceptance of any further comments being received by AAUT.

281 The Court approved its remit and composition.

Academic Staff on Probation : Arrangements for Mentoring

282 The Court approved the recommendation that there should be a formalisation of appropriate training for mentoring associated with the appointment of academic staff on probation.

Diversity/Equality Training

283 The Court recognised the need for diversity/equality training and agreed that such training should form an integral part of core management development activities, required of Managers, Heads of School and others in management positions.

Work Related Stress

284 The Court noted that work related stress would be one of the main areas to be considered during any future inspection by the Health and Safety Executive. The Court agreed that the University should aim to embed awareness of work-related stress and its management within the general culture. It approved the Committee's recommendation that attendance on training on the management of work related stress be a requirement for Managers, as set out in Appendix D to the paper. The deadline for attendance on such training was Autumn 2005.

SENATE REPORT MATTERS FOR APPROVAL

Resolution No < > 2004 [Supplementary Regulations for the Award of Combined Degrees with Education]

285 The Court received the draft Resolution No < > of 2004 [Supplementary Regulations for the Award of Combined Degrees with Education] from the Senate. The Regulations had been proposed to enable the introduction of Combined Degrees with Education and incorporated amendments to the Supplementary Regulations for the Degree of Bachelor of Science in Pure Science (BSc) to permit the introduction of the Degree of BSc in Technology with Education (as detailed in Section 2 of the draft Resolution).

286 The Court, for its part, approved the Resolution and agreed to forward it to the Business Committee of the General Council and to make it generally available in terms of Section 6 of the Universities (Scotland) Act 1966.

Accreditation Agreement with the UHI Millennium Institute

287 The Court was invited by Senate to approve an Accreditation Agreement between the University and the UHI Millennium Institute in regard to the delivery of research degree programmes.

288 The Court approved the Agreement.

Validation Agreement with the Al-Maktoum Institute for Arabic and Islamic Studies

289 The Court was invited by Senate to approve a Validation Agreement between the University and the Al-Maktoum Institute for Arabic and Islamic Studies in regard to the delivery of research degree and postgraduate taught programmes.

290 The Court approved the Agreement.

NOMINATING COMMITTEE MATTERS FOR APPROVAL

291 The Court approved a recommendation from the Nominating Committee to appoint Lady Catto to the Remuneration Committee.

JOINT COMMITTEE ON EQUAL OPPORTUNITIES
MATTERS FOR APPROVAL

292 The Court approved a recommendation from the Joint Committee on Equal Opportunities that the Committee on Disabilities be reconstituted as a Sub-Committee of the Joint Committee on Equal Opportunities with immediate effect.

DATA PROTECTION POLICY

293 The Court received and approved a policy on Data Protection as set out in the appendix to this minute.

DRAFT RESOLUTION NO < > OF 2004
[THE GLUCKSMAN CHAIR OF IRISH AND SCOTTISH STUDIES]

294 The Court decided to forward the draft Resolution No < > of 2004 [The Glucksman Chair of Irish and Scottish Studies], to Senate and to the Business Committee of the General Council and to make it generally available in terms of Section 6 of the Universities (Scotland) Act 1966.

RESOLUTION NO 234 OF 2004
[AMENDMENT TO RESOLUTION NO 195 OF 1996: REGULATION OF
UNIVERSITY TEACHING AND LEARNING]

295 The Court, having noted that the draft Resolution No 234 of 2004 [Amendment to Resolution No 195 of 1996: Regulation of University Teaching and Learning] had been considered by the Business Committee of the General Council, and that no other representations had been received, decided to pass the Resolution as set out in the appendix to this minute.

RESOLUTION NO 235 OF 2004
[PROCEDURE FOR REMOVAL OF CO-OPTED MEMBERS
OF THE UNIVERSITY COURT]

296 The Court, having noted that the draft Resolution No 235 of 2004 [Procedure for Removal of Co-opted Members of the University Court] had been approved by the Senate, and been considered by the Business Committee of the General Council, and that no other representations had been received, decided to pass the Resolution as set out in the appendix to this minute.

PROPOSAL TO CHANGE NAME OF KEY LEARNING OPPORTUNITIES UNIT

297 The Court received and approved a recommendation that the name of the Key Learning Opportunities Unit be changed to the University of Aberdeen Centre for Lifelong Learning.

MATTERS FOR HOMOLOGATION

The Court homologated the following: -

Head of College of Life Sciences and Medicine

- 298 That Professor Neva Haites be appointed Head of the College of Life Sciences and Medicine and Vice-Principal, the appointment to take effect from 1st August 2004 and to run until 31st July 2007.

Head of School of Psychology

- 299 That Dr Peter McGeorge be appointed Head of the School of Psychology, the appointment to take effect from 1st October 2004 and to run until 30th September 2007.

JOINT PLANNING, FINANCE AND ESTATES COMMITTEE MATTERS FOR INFORMATION

Consultation on the Merger of the Scottish Further Education Funding Council and the Scottish Higher Education Funding Council

- 300 The Court noted that the Committee had received and noted a consultation paper on the proposed merger of the Scottish Further and Higher Education Funding Councils. (See Minutes 262-266 above)

Strategic Planning

- 301 The Court noted that a draft institutional Strategic Plan would be available in June 2004 following the current review of College Plans.

Funding for Teaching and Research 2004/05

- 302 The Court noted that the Committee had received a copy of SHEFC circular letter HE/10/04, detailing Main Grants in Support of Teaching and Research for the academic year 2004/05, together with an analysis of its impact on the University.

- 303 The Court noted that Universities must continue to demonstrate progress in particular areas as specified under the condition of grant, namely (i) equality of opportunity and widening participation, (ii) continuous improvement of learning and teaching, (iii) research and knowledge transfer, and (iv) human resources policies and management.

Revenue Budgets 2004/05 to 2006/07

- 304 The Court noted that the Committee had received and noted an update on the preparation of revenue budgets for the period 2004/05 to 2006/07. Detailed budgets would be brought forward in June 2004 for approval.

Capital Expenditure Sub-Committee

- 305 The Court noted that the Committee had received a report from the Capital Expenditure Sub-Committee and had approved the allocation of the annual capital programme 2004/05.

- 306 The Court noted that the annual programme of capital projects and institutional capital projects was slightly below budget for the year to date.

- 307 The Court noted that the Committee had received reports on the following projects: Marischal College; Education Relocation; Sports Facilities; Student Accommodation; Institute of Applied Health Sciences (IAHS); IAHS Clinical Research Facility; Cruickshank and Zoology Buildings and the Old Aberdeen Heating Station Replacement.

Financial Reports 2003/04

- 308 The Court noted that the Committee had considered the management accounts for the eight months to 31 March 2004, which showed an historical cost deficit of £2.298 million, against a budgeted deficit of £1.036 million, an adverse variance of £1.262 million. It was forecast that, after the removal of restructuring costs of £3.7 million and deficit funding of £1 million, accounts for the financial year 2003-04 would report an underlying surplus of £3 million.

Northern College Investment Strategy

- 309 The Court noted that the Committee had approved the Investment Committee's recommendation that the section of the University's investment portfolio acquired as a result of the merger with Northern College be actively managed in order to maximise returns.

University of Aberdeen Superannuation and Life Assurance Scheme (UASLAS)

- 310 The Court received, for information, the UASLAS Trustees Annual Report. The Court noted that a small group would be formed to consider the investment strategy for the Scheme.

Gallowgate Building – STRICTLY CONFIDENTIAL

STAFFING AND DEVELOPMENT COMMITTEE
MATTERS FOR INFORMATION

AUT Industrial Action

- 317 The Court noted the recent AUT ballot had returned a majority in favour of accepting the two year salary settlement from 1 August 2003 and the associated Framework Agreement and Memorandum of Understanding, thereby ending the period of industrial action. The agreed pay award and arrears would be paid in May 2004.

Technical Staff Review

- 318 The Court noted that, following extensive consultation, the Technical Staff Review was now proceeding to implementation. It also noted that the posts of Technical Resources Manager were to be filled as soon as possible and that the Colleges were now completing the development of their technical staff structures. The remaining recommendations would proceed to implementation as soon as possible.

Update on Clinical Academic Staff

- 319 The Court noted that all Clinical Consultants in Aberdeen had been through a job planning process. It further noted that the NHS would require their staff to give a fixed commitment towards teaching. It was intended to implement payment, with appropriate arrears, for the new contract in line with NHS Grampian and that payments were likely to be made in May 2004.

Working Party on Advising

- 320 The Court noted the final report of the Working Party on Advising.

Aberdeen Centre for Environmental Sustainability (ACES)

- 321 The Court noted the Statement of Intent for the Aberdeen Centre for Environmental Sustainability (ACES).

Changes to Work Permits and Immigration Arrangements

- 322 The Court noted the changes that require non-EU nationals to make application for leave to remain once a work permit has been granted.

Ledingham Chalmers Proposals for Legal Services to Staff

- 323 The Court noted that the Staffing and Development Committee had approved the proposal that Ledingham Chalmers, Solicitors, offer legal surgeries for the benefit of University staff for a 3-month trial period.

SENATE MATTERS FOR INFORMATION

Committee on Disabilities

- 324 The Court noted that the Senate, for its part, had approved a recommendation that the Committee on Disabilities be reconstituted as a Sub-Committee of the Joint Committee on Equal Opportunities with immediate effect. (*See Minute 292 above*).

ANALYSIS OF MAIN SHEFC FUNDING LETTER

- 325 The Court received an analysis of information contained in circular letter HE/10/04 from the Scottish Higher Education Funding Council regarding the allocation of its main grants for teaching and research for the academic year 2004/05.

UASLAS TRUSTEES ANNUAL REPORT

- 326 The Court received for information a copy of the University Superannuation and Life Assurance Scheme (UASLAS) Trustees Annual Report.

PAPERS FOR INFORMATION AVAILABLE ON REQUEST

- 327 The Court noted that copies of the following papers were available on request from the Court & Planning Office:
- (i) SHEFC CIRCULAR LETTER HE/10/04, MAIN GRANTS IN SUPPORT OF TEACHING AND RESEARCH 2004-05.
 - (ii) FINANCIAL REPORTS FY 2003-04
 - (iii) INCREASING VOLUNTARY GIVING TO HIGHER EDUCATION: TASK FORCE REPORT TO GOVERNMENT, 13 MAY 2004.
 - (iv) SCHOOL OF EDUCATION: SELF-EVALUATION OF MERGER, February 2004.
 - (v) ACADEMIC FELLOWSHIP SCHEME, RESEARCH COUNCILS UK: Invitation for applications from UK Higher Education Institutions for the provision of Academic Fellowships for the next two years.
 - (vi) *HIGHLIGHT*, SHEFC Newsletter, March 2004.

DATE OF NEXT MEETING

- 328 It was noted that the next scheduled meeting of Court would be held on Tuesday 29 June 2004 at 2.00pm.