

UNIVERSITY OF ABERDEEN

UNIVERSITY COURT

Minutes of meeting held on 10 February 2009

Present: Dr A Mair (in the Chair), Rector, Principal, Mr A Amoore, Mr A Arthur, Lady Catto, Dr P Edwards, Professor C Fynsk, Mrs S Grant, Miss A Harper, Professor D Houlihan, Mr G Hunter, Cllr P Johnston, Mr B Lockhart, Sir Moir Lockhead, Professor S Logan, Mr D Mackay, Dr M Mackie, Mr B Pack, Mr R Ruddiman, Professor C Secombes, Cllr J Stewart, with Professor C Gane, Professor B MacGregor, Professor P Morgan, Professor A Rodger, Mr S Cannon, Ms C Banks, Ms I Bews, Mr A Donaldson, Mr P Haley, Mrs C Inglis, Dr G Mackintosh, Ms N Matthew, Dr P J Murray, Mrs L Manders, Mrs E Schofield and Mr B Purdon (Clerk).

Apologies for absence were received from Ms J Crow, Sir Don Cruickshank, Professor N Haities, Ms C Macaslan, Professor G Robinson and Professor N Webster.

MINUTES

110 The Minutes of the meeting held on 9 December 2008 were approved.

DECLARATION OF INTERESTS

111 Mr Ruddiman declared an interest as a Partner in the firm McGrigors in the item on Legal Services.

REPORT FROM THE PRINCIPAL

112 The Principal informed Court that the National Subsea Research Institute was to be based on the University campus. This was highly significant for the future development of the University's energy-related research and links with the oil and gas subsea industries.

113 The Principal reported on the outcome of the Research Assessment Exercise (RAE).
Note by Clerk: The main points of the Principal's report on the RAE are summarised at Minutes 134-137.

REPORTS FROM COMMITTEES

OPERATING BOARD

114 Sir Moir Lockhead introduced the report from the meeting of the Operating Board held on 28 January 2009, which included the following items.

Update on Collective Bargaining and Pay Negotiations

115 The Court noted that the Board had received an update on developments in relation to national collective bargaining and pay negotiations. (See Minutes 138-142)

Scottish Funding Council Visit

116 The Court received a note of the meeting held between representatives of the Scottish Funding Council and the University on 15 December 2008. The Court noted that this had been an extremely positive meeting.

Financial Risks and Opportunities

- 117 The Court received a copy of a paper prepared by the Director of Finance on the financial risks and opportunities facing the University and noted that the Board had discussed the paper and the actions being taken. The Director of Finance had met with Barclays Bank and had confirmed that the borrowing facility which the University had with the Bank was still in place, although its terms would require to be re-negotiated, given the current economic climate. The Court noted that the Board had delegated authority to its Convener, the Senior Lay Member of Court and the Principal to approve any changes to the existing borrowing facility.

University Investments

- 118 The Court noted that the Board had considered a report from the Investment Committee, and had noted the impact of the world financial markets on the University's equity portfolio.
- 119 The Court noted a copy of the University's` Sustainable Investment Policy which the Board had approved.

Library Project: Conservation Studio

- 120 The Court noted that the Board had received and considered a paper on the Library Project Conservation Studio. The Court noted that the Heritage Lottery Fund (HLF) had confirmed that the first round bid for funding towards the construction of a conservation studio had been successful, and that the University had been invited to submit a second round bid to the value of £0.875M. The Court noted that the Board had noted:

- that, should the HLF bid be successful, then £0.875 million of the capital cost of the conservation studio would have been secured;
- that fundraising activities would continue towards the target of funding fully the capital cost of the conservation studio;
- that, although fundraising was ongoing towards the additional revenue costs, the exposure associated with submitting this bid was in the region of £400k - £600k per annum. It was anticipated that this would be met from within available budgets to be allocated from the Administration;

- 121 The Court noted further that the Board had agreed to commit within the ten-year plan to the construction of the conservation studio by underwriting the potential capital funding gap of circa £0.83 million, noting that this costing was based on a summer 2009 start date. A revised 10-year plan would be presented to Court.

Other items approved by the Board

- 122 The Court noted that the Board had approved:
- Overseas Tuition Fees for 2009/10
 - A University Procurement Strategy

Minutes

- 123 The Court received and noted a copy of the unconfirmed minutes of the Operating Board meeting of 28 January 2009.

AUDIT COMMITTEE

- 124 Mr Amoore introduced the report from the meeting of the Audit Committee, held on 29 January 2009, which included the following:

Internal Audit Reports

- 125 The Court noted that the Committee had received and approved two Internal Audit Reports: Campus Services: Retail Operations and School of Engineering; and had considered a desktop Review report, undertaken by Deloitte, which had reviewed the Audit Committee's own Effectiveness, as measured against the 2008 CUC "Handbook for Members of Audit Committees".

QAV Audit of TRAC

- 126 The Court noted that the Committee had received the Research Councils UK Quality Assurance and Validation (QAV) of Transparent Approach to Costing (TRAC). The recommended changes had been incorporated into the recent TRAC Return and the Committee had noted that Deloitte was due to conduct a review of TRAC later this year.

Tendering for Internal Audit Services

- 127 The Court noted that the Committee had considered a paper on the requirement for the University to proceed to advertise in the Official Journal of the European Union for the tender for Internal Audit Services, for a contract to commence on 1 August 2009.

SFC Revised Audit Requirements

- 128 The Court noted that the Committee had considered a letter from the Scottish Funding Council outlining revised requirements in relation to internal and external audit.

Minutes

- 129 The Court received and noted a copy of the unconfirmed minutes of the Audit Committee meeting of 29 January 2009.

COMMITTEE FOR THE APPOINTMENT OF THE PRINCIPAL

- 130 Mr Cannon introduced a paper on the composition of the Committee for the Appointment of the Principal. The Court at its last meeting had approved its composition but had also noted representations that had been made regarding there being no member of non-academic staff. The Court had agreed that the Committee should consider the matter further and report back.
- 131 The Court noted that the Committee had discussed the case for a representative of non-academic staff to be included in its composition at its meeting on 21 January 2009. The Committee had noted, however, that the Executive Search Consultants, Saxton Bampylde, were meeting with representatives of all campus trade unions. In addition, all members of staff would be given the opportunity in the near future to contribute their views on the appointment of the next Principal. The Convenor had also volunteered to talk to representatives of non-academic staff as necessary at any stage in the appointment process. The Committee had, therefore, agreed to recommend that its composition be not changed.
- 132 In discussion, Mrs Grant argued that there were a significant number of staff in the University who were 'non-academic' and that the Principal had to lead all members of staff. Mrs Grant asked that her disappointment with the recommendation of the Committee be noted.
- 133 The Court agreed to accept the Committee's recommendation.

RAE 2008

- 134 The Principal noted in his opening statement that the results of the Research Assessment Exercise (RAE) were very encouraging for the University, with 89% of Aberdeen's research categorised as being of international quality and 55% considered to be world leading or internationally excellent. Although comparison with the 2001 RAE was difficult as the categorisation had been changed, comparison of the proportions of staff or research activity rated in the top two categories showed that between 2001 and 2008 the proportion of staff in these categories had increased from 32% to 55%, one of the largest increases in the UK. While there were a variety of ways of interpreting the results, in terms of the number of staff rated at 3 and 4 star, the University was now third in Scotland.
- 135 Professors Logan and Houlihan, highlighted a number of key points. The resource implications of the RAE would not be known until the Scottish Funding Council Main Grant letter was issued in April. The University was reflecting on the results and the Senior Vice-Principal was meeting all Heads of Schools individually to discuss their implications as part of the strategic planning process. The University was already a year into preparing for the next version of the RAE, known as the Research Excellence Framework.
- 136 The Principal emphasised that that it was crucial that the University now build upon this success to improve further its research standing in absolute and relative terms and to accelerate the pace of change. He stated that the results indicated that the change needed to make the transition to the top one hundred universities was now very achievable. The present economic climate, while difficult, was also creating opportunities for recruitment, in particular from universities in North America. It was likely that there would be very favourable conditions over the near future to recruit more high quality staff. The economic environment also meant that the cost of borrowing and construction costs were much more favourable.
- 137 The Court noted that the results of the RAE represented a significant success for the University and that proposals on how it could build on this would be brought to the Operating Board and Court in due course.

UPDATE ON NATIONAL COLLECTIVE BARGAINING AND PAY NEGOTIATIONS

- 138 The Director of Human Resources gave Court an update on the progress of National Collective Bargaining and Pay Negotiations.
- 139 The Court noted that on 8 December 2008, the University and College Union (UCU) had submitted a national pay claim to the Universities & Colleges Employers Association (UCEA). This was outwith the timescale set out in the reformed negotiating machinery that had been agreed between UCEA and the sector's trade unions, excluding UCU, as UCU had not formally committed to the revised process.
- 140 The Court noted that UCU was seeking a pay rise of 8% (or June 2009 RPI plus 5%, whichever was greater) plus a new minimum hourly rate for casual teaching staff; an extension to the national pay spine; and an equal pay review by December 2009 to be carried out by all universities in partnership with the sector's trades unions. UCU had indicated to UCEA that if there was no satisfactory progress on consideration of the pay claim by 31 January 2009 then it might proceed to implement the mandate from their members to ballot on industrial action.
- 141 The Court noted that facilitated talks with the Advisory, Conciliation and Arbitration Service (ACAS) were underway.
- 142 The Court noted that the University expected to receive the details of the pay claim for support staff by the end of March 2009 and that it was likely also to include a number of requests for enhancements to terms and conditions of employment which, taken together, would have a significant impact on staff costs.

LEGAL SERVICES

- 143 The Court noted that the University was required to undertake a periodic review of its external legal services at intervals of not more than five years. The University was satisfied with the legal services currently being provided by McGrigors, and was minded to invite the firm to submit a proposal of the terms under which McGrigors might be reappointed for a further two years. To correct the misalignment of the contract end date with the University financial year-end, which had arisen from the previous necessity to tender mid-contract, it was also proposed that the re-appointment period be extended to 31 July 2011.
- 144 The Court approved the recommendation that McGrigors LLP be invited to submit a proposal of the terms under which it might be re-appointed as provider of legal services to the University for a further two years, and that subject to the proposed terms being acceptable to the University, that reappointment be made until 31 July 2011.

FREEDOM OF INFORMATION ACT: PUBLICATION SCHEME

- 145 The Court noted that the Freedom of Information (Scotland) Act 2002 required that all organisations subject to the Act have in place a Publication Scheme which details the information it publishes routinely, and which, therefore, does not require to be supplied in response to individual applications for information. The Act allows for Model Publication Schemes to cover organisations within a sector on a collective basis, subject to approval by the Office of the Scottish Information Commissioner (OSIC).
- 146 Since 2004 the University Court had adopted the Model Publication Scheme for Scottish Higher Education Institutions which had been developed by Universities Scotland and which had been approved by OSIC until 1 June 2009. Universities Scotland had, in consultation with OSIC, prepared a revised Model Publication Scheme and it was proposed that the University continue to adopt the scheme.
- 147 The Court approved the recommendation that the University adopt the Revised Model Publication Scheme for Scottish Higher Education Institutions.

CURRICULUM REFORM

- 148 The Court received and noted a paper on the progress of Curriculum Reform.

FUTURE BUSINESS

- 149 Members were invited to forward to the Court any matters they felt should be included in Court papers as future business.

DATE OF NEXT MEETING

- 150 The Court noted that the date of its next meeting was 24 March 2009, at 2.00pm, in the Court Room.