

UNIVERSITY OF ABERDEEN

UNIVERSITY COURT

Minutes of meeting held on 29 September 2009

Present: Sir Moir Lockhead (in the Chair), Rector, Mr A Arthur, Lady Catto, Sir Donald Cruickshank, Professor C Fynsk, Mrs S Grant, Professor D Houlihan, Mr G Hunter, Mr B Lockhart, Professor S Logan (except for *minutes* 6 to 10), Dr A Mair, Mr B Pack, Mr R Parker, Mr R Ruddiman, Professor C Secombes, Cllr J Stewart, Dr N Vargesson, Professor N Webster with Professor N Haites, Mr S Cannon and Mr B Purdon (Clerk).

Professor C Grebogi, Professor T Ingold, Professor M Ross and Mrs C Inglis were in attendance for the Report from the Committee for the Appointment of the Principal. (*Minutes* 6-10)

Apologies for absence were received from the Principal, Mr A Amooore, Ms J Craw, Professor P Edwards, Professor P Morgan and Professor G Robinson. Due to the meeting being *in camera* Professor C Gane, Professor B MacGregor and Professor A Rodger were not present.

MINUTES

- 1 The Minutes of meeting held on 30th June 2009 were approved.

DECLARATION OF INTERESTS

- 2 Sir Moir Lockhead declared an interest in the item Report from the Governance Committee (*Minute* 15) and noted that Mrs A Baxter was a member of the Board of First Group plc.

NEW AND RETIRING MEMBERS

- 3 On behalf of the Court, Sir Moir Lockhead welcomed Dr Neil Vargesson (Senate Assessor Elect) and Mr Robin Parker to the meeting.
- 4 On behalf of Court, Sir Moir Lockhead expressed his appreciation and thanks for the significant service given to the Court and the University by Dr Mair as Vice-Chair of Court and Senior Governor.
- 5 Sir Moir Lockhead also noted that it was Professor Secombes final meeting as a member of Court. The Court recorded its appreciation for the contribution of Professor Secombes to the work of the Court.

COMMITTEE FOR THE APPOINTMENT OF THE PRINCIPAL

- 6 Sir Don Cruickshank introduced a tabled report from the Committee for the Appointment of the Principal.
- 7 The Committee unanimously agreed to recommend to the Court that Professor Ian Diamond FBA AcSS, currently Chief Executive of the Economic and Social Research Council and Chair of the Research Councils UK, be appointed Principal of the University.
- 8 The Court approved the recommendation that Professor Ian Diamond be appointed Principal from an effective date of 1st October 2010 and Principal designate from 1st July 2010.

- 9 The Court was advised that Professor Sir Duncan Rice had agreed to accept a part-time offer of appointment as Principal Emeritus for a fixed period of 12 months commencing 1 October 2010 (with the option of an extension for a period of up to a further 12 months) to support the new Principal in issues relating to fundraising and development. The Court noted that this was subject to the agreement of the incoming Principal.
- 10 The Court thanked Sir Don Cruickshank and the other members of the Appointment Committee for the extensive and rigorous recruitment and selection process that had been undertaken.

GOVERNANCE: ROLE OF COURT AND THE OPERATING BOARD

- 11 The Court discussed a paper on the respective roles of the Court and the Operating Board.
- 12 In discussion, it was agreed that the Court needed to focus on more strategic business although it was acknowledged that there was a degree of business which for statutory or compliance reasons would need to be approved or noted by the Court. It was agreed, however, that consideration should be given to restructuring the agenda to promote fuller discussion of the issues that members felt were the fundamental business of the Court, following the establishment of the Operating Board. A number of suggestions were made as to how members could become more informed as to the University's activities, including arranging visits to Colleges, and other briefings for independent members in and around meetings of the Court. It was also agreed to include biographical details of all Court members on the web.
- 13 It was agreed that Mr Cannon would explore whether the new Principal would be able to meet members of Court in or around the next meeting.
- 14 Members of Court were reminded that they could forward to the Clerk suggestions for future items of business.

REPORTS FROM COMMITTEES

GOVERNANCE COMMITTEE

- 15 Sir Don Cruickshank introduced a report from the meeting of the Governance Committee on 10th September 2009 together with the unconfirmed minutes of the meeting.
- Appointment of Independent Members*
- 16 The Court approved a recommendation to appoint with immediate effect Dr Audrey Baxter (LLD, 2006) Chief Executive, W A Baxter & Sons as an independent member of Court.
- 17 The Court noted that a candidate for one of the two remaining vacancies on Court had been identified and approved in principle by the Committee, subject to a meeting between that individual and the Senior Governor being held.
- 18 The Court noted that the Committee had identified several further potential candidates for membership and was considering these further.

Increasing the number of Independent Members

- 19 The Court considered a recommendation from the Committee that the Court amend its composition to add two further places for co-opted independent members. The Committee noted that of the eight places currently available for the Court to appoint independent members, one was required for the Convenor of the Audit Committee and another through custom and practice, was reserved for a member of non-academic staff. The Committee was of the view that there was a need for the Court to be able to appoint additional independent members where this was required to equip Court with the appropriate range of skills and experience across its membership.
- 20 There followed an extended discussion in which a range of views were expressed. A number of members argued that Court was already too large. It was also acknowledged that the Court, in the light of CUC guidance, had in recent years discussed reducing its size extensively, but had not done so due to lack of consensus as to how to achieve this, and instead had agreed to establish the Operating Board. A number of members concurred that the Court was limited in its ability to directly appoint independent members, noting that while at present the General Council Assessors were independent, these were not elected positions.
- 21 It was agreed that the Governance Committee be invited to consider how the composition of the Court might be changed without increasing its overall size.

Membership of Court and Joint Court-Senate Committees

- 22 On the recommendation of the Governance Committee, the Court approved the following appointments subject to the Clerk circulating details of all vacancies to members of Court. Should further nominations be received these would be considered by the Governance Committee.

COURT COMMITTEES

Audit Committee

- 23 Mr Kenneth Murray, with effect from 1 January 2010.

Governance Committee

- 24 Mr Brian Pack and Professor Christopher Fynsk.

- 25 The Court also agreed that the Committee's composition be amended to enable Sir Moir Lockhead, the Senior Governor, to continue as a member.

Operating Board

- 26 Sir Moir Lockhead to continue as a member for the period of the transitional year ahead.

Remuneration Committee

- 27 Sir Donald Cruickshank and Mr Brian Pack.

Support Staff Liaison Committee

- 28 The Court agreed to defer appointment to a vacancy for an independent member of Court, pending the outcome of potential changes to the staffing committee structure.

COMMITTEES OF COURT AND SENATE

Research, Income Generation and Commercialisation Committee

- 29 Dr Alistair Mair.

Student Affairs Committee

30 The Rector.

Teaching and Learning Committee

31 Mr Brian Lockhart.

STAFFING AND DEVELOPMENT COMMITTEE

32 The Court approved revisions to the terms of reference of the Staffing and Development Committee.

33 The Court also noted that discussions were ongoing with the Campus Trade Unions regarding the implication of national single table bargaining at a local level and that the Staffing and Development Committee had agreed to support the proposal that a local single table bargaining structure with two sub-tables (for Academic/Administrative and Support Staff specific issues) be established.

AUDIT COMMITTEE: APPOINTMENT OF EXTERNAL AUDITORS

34 On the recommendation of the Audit Committee, Court approved the appointment of KPMG as the University's External Audit service provider, for a period of 3 years, with possible extension for a further 2 years, subject to satisfactory performance, with effect from 1 January 2010.

AMENDMENT OF COURT'S STANDING ORDERS

35 The Court at its last meeting had agreed to endorse in principle the recommendation that a number of minor amendments be made to the Court's Standing Orders.

36 The Court formally agreed to endorse the proposed changes to Standing Orders (*copy filed with the principal copy of the minutes*).

INSTITUTIONAL-LED ACADEMIC REVIEW: RETURN TO SFC

37 The Court received and approved the University's Annual Report on Institutional-led Review for 2008/09 for submission to the Scottish Funding Council.

VALIDATION AGREEMENT WITH AL MAKTOUM INSTITUTE

38 On the recommendation of Senate, the Court agreed that the Validation Agreement with the Al-Maktoum Institute, Dundee be renewed for a period of three years to run from 1 October 2009 to 30 September 2012.

ORDINANCE No 140
[AMENDMENT TO THE STUDENT MEMBERSHIP
OF THE SENATUS ACADEMICUS]

39 The Court received a revised Draft Ordinance No 140 [Amendment to the Student Membership of the Senatus Academicus], which it had previously approved in June 2009 and which had subsequently been approved by the Senate and the Business Committee of the General Council. Following consultation with advisers to the Privy Council the revised draft Ordinance was presented to Court for submission to the Privy Council.

40 The Court approved the draft Ordinance for submission to the Privy Council.

EMPLOYMENT MODEL STATUTE

- 41 The Court noted a report on the progress of national and local discussions regarding revisions to the Statutory Instrument and Ordinance (known as the Model Statute) which governs aspects of the terms of academic staff and those who are required to undertake teaching and/or research duties.
- 42 The Court noted that following discussions with the Universities and Colleges Union (UCU) and the University's legal advisors, a revised and more concise draft Ordinance had been developed from the version previously noted by Court at its meeting on 19th May 2009. The Court noted that this was now under informal consideration by the Privy Council and that following that process, the revised Ordinance would be presented to Court and Senate for approval and formal submission to the Privy Council.

MANAGEMENT ACCOUNTS FOR YEAR TO 31st JULY 2009

- 43 The Court noted the management accounts for the period to 31 July 2009.

CURRICULUM REFORM UPDATE

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

FUTURE BUSINESS

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

DATE OF NEXT MEETING

- 46 It was noted that the next meeting of Court would be held on Monday 7 December at 2pm.