

UNIVERSITY OF ABERDEEN

UNIVERSITY COURT

Minutes of meeting held on 28 June 2005

Present: Dr A Mair (in the Chair), Principal, Mr A Amoore, Professor I Booth, Mr T Brotherstone, Lady Catto, Mrs S Grant, Miss A Harper, Professor D Houlihan, Councillor P Johnston, Mr J Leiper, Mr M Lockhead, Professor S Logan, Dr M Mackie, Mr D Marr, Mr P Richards, Dr G Roberts, Mr R Ruddiman, Professor W Smith, Councillor J Stewart, Mr S Styles, with Professor C Gane, Professor N Haites, Professor B MacGregor, Professor A Rodger, Mr S Cannon, Ms I Bews, Mr A Donaldson, Mrs C Inglis, Dr P Murray, Mrs L Manders, Dr G Mackintosh and Mr B Purdon (Clerk).

Apologies for absence were received from Professor P Beaumont, Dr N Milne and Mrs M Ross.

MINUTES

359 The Minutes of meeting held on 24th May 2005 were approved.

DECLARATION OF INTERESTS

360 Dr Mair, Mr Cannon, Dr Roberts and Ms Bews declared an interest in item 4 of CT04-05:81 as Trustees of the University of Aberdeen Superannuation and Life Assurance Scheme (UASLAS) (*See Minute 374 below*).

361 Councillor Stewart declared an interest in item CT04-05:82 Marischal College as a member of Aberdeen City Council. (*See Minutes 380-381 below*)

RETIRING MEMBERS

362 The Court noted that Dr N Milne's term of office on the Court would end in July 2005 and agreed that the Senior Lay Member should formally convey to Dr Milne the Court's appreciation of her considerable contribution to the University over the past nine years.

STATEMENT BY PRINCIPAL

363 The Principal, noted that Dr Roberts would retire from the Court and the University in September and thanked him for his very significant contribution to the University over the past forty years, and particularly latterly in his role as Vice-Principal for Teaching and Learning. The Court agreed to record its appreciation.

STRATEGIC PLAN

364 Professor Logan introduced the final draft of the Update to the Institutional Strategic Plan 2004-2009, an earlier version of which the Court had commented upon. The Update to the Plan had been subject to extensive consultation within the University community.

365 The Court approved the Update to the Institutional Strategic Plan 2004-2009.

UPDATES FROM HEADS OF COLLEGE

366 The Court received presentations from each of the three Heads of College regarding strategic developments within their respective academic areas in the past year and welcomed a range of significant developments.

JOINT PLANNING FINANCE AND ESTATES COMMITTEE

*Revenue Budgets for 2005/06 to 2007/08*

367 The Court received a paper on revenue budgets for the planning period 2005/06 to 2007/08.

368 The Committee, for its part, recommended to Court approval of the following: -

- (i) revenue budgets for 2005/06;
- (ii) the use of the restructuring fund for developments and continuing support within the College of Life Sciences and Medicine;
- (iii) the use of the Strategic Investment Fund for 2005/06;
- (iv) the establishment of a short-life working group chaired by the Senior Vice-Principal to review the effectiveness of the restructuring fund and to inform future budget targets for the Colleges.

369 After discussion, the Court approved the recommendations.

*Strategic Plan Forecast 2005/06 to 2007/08*

370 The Court received and, approved the Strategic Plan Forecast 2005/06 to 2007/08 for submission to the SHEFC.

*Strategic Alliance Between the University of Aberdeen and the Rowett Research Institute*

371 The Court received and considered an update paper on the development of plans for a strategic alliance with the Rowett Research Institute (RRI).

372 The Committee recommended approval of a proposal that due diligence and a full financial risk assessment be undertaken on Models 3 and 4 as set out in the paper, and that these should form the basis of future negotiations. Both institutions would explore with the Scottish Executive Environment, Rural Affairs Department and the Scottish Higher Education Funding Council the possibility of funding for the due diligence process.

373 The Court approved the recommendation.

*(Note by Clerk:* The paper presented to Court contained two typographical errors in describing Model 3. The sentences relating to the RAE and to the RRI staff should read as follows: " As employees of the University they could be included in the RAE, and they could also be eligible to apply for external funding from sources currently not accessible to the RRI, e.g. BBSRC, Wellcome Trust and Medical Research Council". and "The RRI has indicated an intention to set up a new staff code, for its new staff, to align with that of the University, and potentially involving the Universities Superannuation Scheme (USS)".

*University of Aberdeen Superannuation and Life Assurance Scheme (UASLAS)*

374 The Court received and considered a paper recommending that the Scheme Actuary be commissioned to undertake an option appraisal and full risk assessment of alternatives for the future operation of the University of Aberdeen Superannuation and Life Assurance Scheme.

375 The Court approved the recommendation.

*Regional Sports Facility*

376 Mr Cannon introduced a paper that updated the Court on the progress the University, Aberdeen City Council and Sportscotland had made in developing the Regional Sports Facility.

377 The University was satisfied that the project now met the institution's requirements. The total cost was anticipated to be £22.75 million, with a University contribution of £6 million. There remained a capital funding gap of £5.75 million and the University was in discussion with the Council and Sportscotland regarding possible funding options to meet this. The facility was projected to run at a deficit of £775,000 per annum, to which the University's contribution was estimated to be 40% (£310,000). Adding to this a subsidy for student use and the financing cost of the capital investment, the estimated additional annual cost to the University would be £582,000. Discussions with the Council were continuing to agree the governance and management arrangements for the centre and to finalise the business plan.

378 The Court noted that the Council were also considering a proposals to establish a much larger community stadium facility which potentially might be preferred to the Regional Sports Facility and which also assumed University participation. The University had made it clear that the Regional Sports Facility remained its preferred option. The Council were due to make a decision regarding both projects in the near future.

379 After discussion, the Court agreed that any decisions in the summer period relating to the share of revenue deficits and any changes to the currently agreed capital contribution could be taken under delegated vacation powers (*See Minute 425 below*).

#### MARISCHAL COLLEGE

380

#### ***Confidential Minute***

381

#### LIBRARY PROJECT

382 Professor Gane introduced a progress report from the Library Project Board which outlined revised proposals for enhanced library provision, following a review of the currently approved project (Option 8) and its capacity to meet the foreseeable needs of the University community.

383 The paper explained that in the process of assessing the detailed space requirements for the Library, it had become evident that the project approved by Court in June 2004, Option 8 (namely retention and adaptation of the existing Queen Mother Library along with new build for library services and Special Libraries and Archives), at a project cost of £27 million, might not be a satisfactory solution to the current and foreseeable needs of the University community. A number of factors had contributed to this conclusion:

- Any new Library building must be sufficiently flexible to meet possible changes in styles and patterns of learning and research over its lifetime. While these could not be predicted with a high level of confidence, it was clear that Option 8, being based on a distribution of space and functions between new build and the existing Queen Mother Library, was inherently less flexible than a solution based on an all-new building.
- The space allocated for storage in Special Libraries and Archives was inadequate, having regard to the particular requirements of those elements of the University's collections.
- Full account had not been taken of the extent of storage requirements in the general library collections.
- Option 8 assumed zero expansion in all elements of the University's collections. This was not an appropriate assumption in relation to Special Libraries and Archives, and difficult to achieve in the rest of the collection.

384 The Project Board now recommended that the University seek a detailed analysis of the funding implications of pursuing an all-new build approach, known as Option 6, with detailed recommendations supported by a business case, set in the context of wider plans for institutional capital investment, be brought to Court in due course.

385 In discussion, it was explained that an international design competition had been launched but that at this stage the University was only asking architects to address the identified problems of size and scale, and not a particular build option. The Court noted that the project would need significant external fundraising and that to do this effectively required a concept to market to donors. It was accepted that the University should strive for the best provision possible but equally this had to be within the University's financial capacity and set against the wider capital commitments.

386 The Court agreed that the University now seek a detailed analysis of the funding implications of pursuing an all-new build approach, known as Option 6, with detailed recommendations supported by a business case set in the context of wider plans for institutional capital investment to be brought to Court in due course.

#### UNIVERSITY OF THE HIGHLANDS AND ISLANDS

387 Mr Cannon introduced a paper that set out the details and process whereby the University had been asked by the SHEFC and the University of the Highlands and Islands Millennium Institute (UHIMI) to assist in securing full University title for the Institute. The essence of this lay in developing the UHIMI's research capacity but as this was likely to be a lengthy process there was general agreement that it was in the public interest to pursue an alternative route, that conferred University title in advance of UHIMI having secured research degree awarding powers. The paper set out a number of envisaged arrangements to achieve that objective.

388 The Court, in common with the Courts of Edinburgh and Strathclyde universities, was being asked to agree in principle that these arrangements be explored more fully, including seeking legal advice on all aspects of them, with a view to fuller proposal returning to Court in due course. The Court approved the proposal on this basis.

#### COURT EFFECTIVENESS REVIEW

389 Mr Amoores updated the Court on the progress of its Effectiveness Review, noting that a questionnaire had now been issued to all members of Court and that interviews were expected to take place in September.

#### JOINT PLANNING FINANCE & ESTATES COMMITTEE

##### *Staff Tuition Fees*

390 The Court approved a recommendation from the Committee to approve the revised Staff Tuition Fees Policy.

##### *Fraud Policy*

391 The Court approved a recommendation from the Committee to approve the following documents in relation to fraud, as set out in the appendix to the minute.

- (i) University Fraud Policy Statement;
- (ii) Policy for Fraud Prevention, Detection and Investigation;
- (iii) Fraud Response Plan.

##### *University Register of Strategic Risks*

392 The Court approved a recommendation of the Committee to approve the updated University Register of Strategic Risks which had been amended to identify an accountable and a responsible person for each risk element, and to identify which University Committee was concerned with each risk element. A number of other changes had also been made to the body of the Register.

*Life Sciences Enterprise Unit*

393 The Court noted that the Committee had received and considered a paper on the development of the proposed Life Sciences Enterprise Unit with Scottish Enterprise Grampian and NHS Grampian.

394 The Court noted that the Committee, had for its part, had approved (i) the University's continued commitment to the project and (ii) a contribution of £350,000 which had been approved, in principle, in January 2005.

The Court approved the proposals.

AUDIT COMMITTEE

395 The Court approved an update to the remit of the Audit Committee, amended to include all key duties as recommended by the SHEFC Code of Audit Practice. (*Copy filed with the principal copy of the minutes*).

STAFFING AND DEVELOPMENT COMMITTEE

*Positive About Disabled People Status*

396 The Court approved a recommendation from the Staffing and Development Committee that the University proceed to implement the minimum standards that would be required in order to achieve "Positive About Disabled People" accreditation.

*Clinical Academic Staff*

397 The Court approved a recommendation to approve revised contractual documentation regarding Clinical Academic staff and the adoption of the contract for Extra Programmed Activities.

*Childcare Vouchers*

398 The Court approved the recommendation that the University engage in the consortium approach in Scotland for the identification of appropriate childcare voucher providers.

*Sickness Absence*

399 The Court approved the proposal from the Support Staff Liaison Committee that all absences due to sickness be supported by either a self-certificate or a medical certificate with effect from 1<sup>st</sup> August 2005, subject to endorsement by the Joint Negotiating and Consultative Committee. In the event of further amendments, final approval would be granted under vacation powers.

NOMINATING COMMITTEE

*Vice-Principals*

400 The Court agreed for session 2005-06 (i) that following the retirement of Dr Roberts, Ms Macaslan formally become a member of Court, and attend Court as Vice-Principal *ex officio*, in addition to Professors Logan and Houlihan, and(ii) that, Professors Gane, Haites, MacGregor and Rodger, be invited to be in attendance at the Court.

*Continuing Co-opted Members*

401 The Court noted that the terms of office of four of the co-opted members of Court would expire on the dates shown as follows:

Mr Alan Amoore	(30.09.05)
Mr Moir Lockhead	(31.07.05)
Dr Maitland Mackie	(31.07.05)
Dr Nanette Milne	(31.07.05)

402 The Court noted that Dr Milne, had now served three successive three-yearly terms of office as a member of Court and that the Court Guidelines and the recently published Committee of University Chairmen Guide for Governors both recommended that in the interests of rotation of governors, members should not normally serve more than three successive terms of three years.

403 The Court agreed that Mr Amooore, Mr Lockhead and Dr Mackie be co-opted for further three year terms of office.

*Membership of Court Committees and Joint Court-Senate Committees 2005/06*

404 The Court approved the changes in memberships with regard to identified vacancies in Court and Joint Court-Senate Committees. (*Copy filed with the principal copy of the minutes*).

*Court Representation on Educational and Other Bodies 2005/06*

405 The Court agreed that (i) the following appointments of existing representatives on educational and outside bodies be extended for a further term of office.

Burn Management Committee

406 Dr J Geddes be re-appointed for a further year to 31 July 2006

Scottish Museums Council

407 Dr A Knox be re-appointed for a year to 31 July 2006

Students' Association Union Management Council

408 Mr S Cannon (or alternate) be re-appointed for a further year to 31 July 2006

409 Ms I Bews (or alternate) be re-appointed for a further year to 31 July 2006

(ii) That the following changes in representation be approved:

Divinity Chairs: Board of Nomination

410 Professor A Rodger (in place of Dr J G Roberts)

411 Professor T Salmon (in place of Dr S Kunin)

## HEALTH AND SAFETY COMMITTEE

*Revision of Health & Safety Policy*

412 The Court noted that the University Health and Safety Committee had carried out a review of the University Health and Safety Policy. Minor changes had been recommended to reflect the recent restructuring in the University and the formation of Colleges.

413 The Court approved the changes and the Revised Health and Safety Policy. (*Copy filed with the principal copy of the minutes*).

## SENATE REPORT

*Draft Resolution No < > of 2005*

[*General Regulations for Postgraduate Qualifications: Credit Requirements for Taught Postgraduate Awards*].

414 The Court approved the Resolution [General Regulations for Postgraduate Qualifications: Credit Requirements for Taught Postgraduate Awards] without forwarding it to the Business Committee of the General Council and generally making it available, as provided for, exceptionally, by Section 6 (2) of the Universities (Scotland) Act 1966, so that the amended provisions might be applied to students admitted to postgraduate taught programmes of study in September 2005. The Resolution is set out as an appendix to this minute.

*Draft Resolution No < > of 2005  
[Code of Practice on Student Discipline]*

- 415 The Court received the draft Resolution No < > of 2005 [Code of Practice on Student Discipline] which was approved by the Senate. The Code of Practice in Student Discipline was substantially revised in 2002/03 with the revised Code being approved by the Court in December 2003. At that time, it had been agreed that the Code would be kept under review in the light of experience. In view of this, the Working Group had recently proposed a number of further revisions to the Code as outlined in the draft Resolution.
- 416 The Court, for its part, approved the draft 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.

SHEFC FINANCIAL MEMORANDUM

- 417 The Court received and approved the revised Financial Memorandum on the basis that should there be any further revision by the SHEFC, this would be brought back.

HIGHLAND FOLK MUSEUM

- 418 The Court received a paper regarding the future of the Highland Folk Museum and the University's legal responsibilities pertaining to it.
- 419 Since 1975 the museum had been in the ownership of the Highland Council, after the four ancient Universities had transferred their interest in it to the Council. The paper explained that the disposition pertaining to that transfer could potentially require the Council to relinquish ownership back to the Universities, should the Council wish to move the Museum. The Museum buildings at Kingussie were in urgent need of repair and the Council wished to move the Museum to a new site.
- 420 The Court was now asked to:
- (i) confirm that acting in concert with the three other Universities involved, this University's objective was to detach itself entirely from any residual responsibility for the Highland Folk Museum which might exist, and to secure negation of the clause in the 1975 Disposition which would result in the property reverting to the four Universities if the Council relocated the museum.
  - (ii) to delegate to the Principal and the University Secretary full powers to take action to achieve this objective, subject to consultation with the Convener of Joint Planning Finance and Estates Committee, if the value of the land proved to be significantly higher than the current estimate of £0.5million, and subject to report back to the Court.

- 421 The Court approved the recommendations.

PROMOTIONS

- 422 The Court received from the Staffing and Development Committee a series of recommendations pertaining to staff promotions resulting from the annual promotions exercise.
- 423 The Court approved the recommendations.

LEGAL SERVICES TO THE UNIVERSITY

- 424 The Court approved the re-appointment of Ledingham Chalmers Solicitors, as legal advisers to the University from 1 October 2005, for a three year period with the possibility of extension for a further two years, subject to satisfactory performance.

## VACATION POWERS

- 425 The Court approved a proposal that, for the period between its meetings on 28 June and 13 September 2005 the Court delegate authority to act on its behalf:
- (i) on any Estates-related matter of particular urgency to a small committee composed of the Principal (or, in his absence a nominated deputy) Senior Lay Member and/or Convener of the Joint Planning Finance and Estates Committee or two of the three, if one were to be unavailable, and
  - (ii) on any other matter of particular urgency to a small committee composed of the Principal, the Senior Lay Member and/or the Senior Vice-Principal.

## JOINT PLANNING, FINANCE AND ESTATES COMMITTEE

### *Strategic Plan 2004-2009: Final Draft Update*

- 426 The Court noted that the Committee had received and, for its part, approved the final draft update of the Strategic Plan 2004-2009 which had been amended to take account of comments. (See *Minutes* 364-365 above)

### *Key Performance Indicators*

- 427 The Court noted that the Committee had received and considered updated Key Performance Indicators, as at 2 June 2005.

### *Financial Reports 2004/05*

- 428 The Court noted that the Committee had considered the management accounts for the nine months to 30 April 2005, which estimated an historical cost surplus of £4.160million against a budgeted surplus of £1.483million, a favourable variance of £2.676million.

### *Library Project*

- 429 The Court noted that the Committee had noted a progress report on the Library Project which had included revised proposals for enhanced library provision. The Committee, for its part, had agreed that further work be carried out on this basis. Detailed recommendations would be made to JPFEC and Court in due course. (See *Minutes* 382-386 above)

### *Capital Expenditure Sub-Committee Report*

- 430 The Court noted that the Committee had been informed that total capital expenditure against both the annual programme and institutional projects was generally on budget.
- 431 The Court noted that the Committee had received and considered an update on the redevelopment of Crombie-Johnston Halls.
- 432 It was noted that the Court had previously approved an initial budget of £200,000 for a feasibility study of the site and preparation of an outline proposal. This budget had been based on an anticipated scheme of 500 bed spaces, costing approximately £15-£16 million. In January 2005 the Crombie Hall of Residence had been awarded Category A listing which removed the possibility of its demolition from the options which were available.
- 433 The Design Team's initial report had proposed the refurbishment of Crombie Hall to provide 120 bed spaces, and the demolition and rebuild of Johnston Hall to provide 525 further bed spaces. The Committee had noted that the revised total project cost was now estimated to be significantly in excess of previous indicative ones and that a business case was under preparation to identify the likely income stream upon which the required borrowing would be secured. Formal approval would then be sought via the standard approval process.

- 434 The Court noted that the Committee had approved additional funding of £70,000 for the completion of the feasibility study.
- 435 The Court noted that, in line with the approved Estates Strategy, the University had recently purchased 17-19 High Street and that the building would initially serve as interim decant accommodation during the refurbishment of the Student Centred Facility.
- 436 The Court also noted that the Committee had noted progress reports on the following projects: Marischal College, Education Relocation, Zoology Building, Cruickshank Building, Institute of Applied Health Sciences (IAHS) 1 and 2, Dunbar Halls, the Student Centred Facility and the Old Aberdeen Town House.

#### *Risk Management Committee*

- 437 The Court noted that the Committee had approved the appointment of Professor Albert Rodger as Convener of the Risk Management Committee.

#### *Commercialisation Activity*

- 438 The Court noted that the Committee had received a report on commercialisation activity for the period August 2004 to 14 June 2005.

#### *Vacation Powers*

- 439 The Court noted that the Committee had approved a proposal that, for the period between its meetings on 14 June and 4 October 2005, authority be delegated to act on its behalf on any Estates-related matter of particular urgency to a small committee composed of the Principal (or, in his absence a nominated deputy), Senior Lay Member and/or Convener of the Joint Planning, Finance and Estates Committee, or two of the three, if one were to be unavailable

### AUDIT COMMITTEE

#### *Internal Audit Reports*

- 440 The Court noted that the Committee had approved the following internal audit reports from Deloitte & Touche:
- (i) Follow-up report on 2003/04 Internal Audit Recommendations (Report No. 6 of 2004/05)
  - (ii) Follow-up report on Internal Audit of Transparency Review (Report No. 8 of 2004/05)
  - (iii) Follow-up report on the JCPSG Quality Assurance TRAC Review (Report No. 9 of 2004/05)
  - (iv) Financial Ledger (Report No. 10 of 2004/05)
  - (v) Rocking Horse Nursery (Report No. 11 of 2004/05)
  - (vi) Follow-up report on 2002/03 Review of Information Security and Teed Disaster Recovery Strategy (Report No. 13 of 2004/05)

#### *External Audit Strategy*

- 441 The Court noted that the Committee had approved the PricewaterhouseCoopers External Audit Strategy plan for the financial year 2004/05, which documented their intended approach to reporting on the University's financial statements in November 2005.

### ANNUAL RISK MANAGEMENT COMMITTEE REPORT

#### *Committee Membership*

- 442 The Court received and noted the annual report of the Risk Management Committee.

## HEALTH AND SAFETY COMMITTEE

- 443 Professor Rodger reported to the Court that the Joint Planning Finance and Estates Committee had asked for the Health and Safety Committee Report to include more details in future regarding student accidents. Professor Rodger was able to report that there had been no accidents in the past year involving serious injury to a student, and that only three were of a magnitude which, if they had involved a member of staff, would have required to be reported to the Health and Safety Executive.
- 444 The Court approved the draft Health and Safety Committee Annual Report.

## SENATE REPORT

### *Election of Senate Assessors to the University Court*

- 445 The Court noted that Mr TC Brotherstone and Professor C Secombes had been elected as Assessors to the University Court for the period 1 October 2005 to 30 September 2009.

### *Election of Senate Assessor to the Joint Planning, Finance and Estates Committee*

- 446 The Court noted that Professor C Secombes had been elected as a Senate Assessor to the Joint Planning, Finance and Estates Committee for the period 1 October 2005 to 30 September 2009.

## EQUAL OPPORTUNITIES COMMITTEE

- 447 The Court noted the Report of the Equal Opportunities Committee for the period February 2004 to June 2005.

## NOMINATING COMMITTEE

### *Vacancies for Co-opted Members*

- 448 The Court noted that there were 2 vacancies for co-opted members. A number of individuals had been considered and the Committee had agreed that it should receive further details of other potential members.

## PAPERS FOR INFORMATION AVAILABLE BY REQUEST

- 449 The Court was informed that the following papers were available on request from the Court Office:
- (i) FULL ECONOMIC COSTING: Update on allocation of additional funding under the full economic costing methodology for research.
  - (ii) UNIVERSITIES/NHS GRAMPAN STRATEGIC PARTNERSHIP WORKSHOPS: Minute of Meeting of Universities/NHS Grampian Strategic Partnership Workshops – Estates and Workforce Planning, held on 27 April 2005.
  - (iii) CENTRAL HEATING STATION: UPDATE
  - (iv) PROJECTED OUT-TURN STUDENT LOAD AND TUITION FEES INCOME
  - (v) REVIEW OF EU/HOME RECRUITMENT
  - (vi) STATUS OF HIGHER EDUCATION INSTITUTIONS
  - (vii) UNIVERSITY OF ABERDEEN RESPONSE TO SCOTTISH EXECUTIVE CONSULTATION PAPER ON CROSS BORDER STUDENT FLOWS: HIGHER EDUCATION TUITION FEE LEVELS

DATE OF NEXT MEETING:

450 It was noted that the next scheduled meeting of Court would be as follows

12 September 2005:

Dinner at Ardoe House Hotel

13 September 2005:

Strategy Day/Court Meeting at Ardoe House Hotel