

UNIVERSITY OF ABERDEEN

UNIVERSITY COURT

Minutes of meeting held on 20 May 2008

Present: Dr A Mair (in the Chair), Principal, Mr A Amoore, Mr A Arthur, Lady Catto, Dr P Edwards, Ms A Fraser, Professor C Fynsk, Mrs S Grant, Miss A Harper, Professor D Houlihan, Mr J Leiper, Professor S Logan, Ms C Macaslan, Dr M Mackie, Mr M Moir, Mr R Ruddiman, Professor C Secombes, with Professor C Gane, Professor N Haites, Professor A Rodger, Mr S Cannon, Ms I Bews, Mr A Donaldson, Mrs C Inglis, Dr G Mackintosh, Dr P Murray, Mrs L Manders and Mr B Purdon (Clerk).

Apologies for absence were received from Ms C Banks, Professor I Booth, Ms J Craw, Sir Don Cruickshank, Mr R Harper, Cllr P Johnston, Mr M Lockhead, Professor MacGregor, Professor G Robinson, Cllr J Stewart and Mr J Wilson.

MINUTES

262 The Minutes of the meeting held on 17th March 2008 were approved.

DECLARATION OF INTEREST

263 The Principal declared an interest as a member of the governing body of the Rowett Research Institute.

STATEMENT BY PRINCIPAL

264 The Principal drew to the attention of Court copies of the University's latest *Innovate* magazine.

265 The Principal informed Court that the construction of the Aberdeen Sports Village was progressing well and was ahead of schedule.

266 The Principal also drew to the attention of Court the fact that the University's sports teams had enjoyed a very successful year and he highlighted a number of teams which had achieved notable success at the national level.

267 In discussion, a member of Court noted that the College of Life Sciences of Medicine was to be awarded Investors in People status. The member also congratulated the University on surpassing the £100 million milestone in its Sixth Century Fundraising Campaign.

ROWETT RESEARCH INSTITUTE

268 Professor Logan introduced a paper on the progress of merger discussions with the Rowett Research Institute (RRI), including an updated Draft Merger Agreement and proposing the next steps to take forward the sale of the RRI estate.

269 The Court noted that the University had received informal assurances from senior officials within RERAD:

- that funding would continue under the current research programme to a new merged institute
- that the University, post merger, would be entitled to bid for RERAD future funding
- that a capital grant of £12m would be made available to fund a new building
- that a grant of £3m to support the pension deficit would be forthcoming
- that a grant of £900k to support restructuring would be forthcoming.

- 270 The Court noted however, that a formal written assurance from the Cabinet Secretary had been sought as a matter of urgency. In addition, in accordance with the requirements of the Memorandum and Articles of Association of the RRI, formal ministerial approval for the merger had also been sought.
- 271 The Court noted that firm information regarding the pensions deficit had not yet been received from the Government Actuarial Department (GAD). A holding response from GAD had indicated that the information required might not be available until late May. Consequently, assurance of the presumption in the Business Plan, that any shortfall after funding from RERAD would be met in full (from RERAD or from RRI Ltd funds currently held), was not yet available.
- 272 The Business Plan, previously considered by Court, included an indicative assumption that the sale of the estate would realise a minimum of £25m. This figure was believed appropriate in the light of information available and in particular, an offer of £25m held by the RRI from a local developer (phasing of payments over 8 years reflected a net present value of £21m). Alternative professional valuations for the estate have indicated c. £21m.
- 273 The Court noted that subsequent to consideration of the matter at its last meeting, further information relating to the process by which the current offer had been obtained by the RRI had emerged, and had raised concerns for the University. The convenor of the JPFEC and the University Secretary had since met with the Chairman of the RRI and its Director and Chief Executive, to discuss the RRI estate realisation process. The Court noted that it had been agreed that the University would work with the RRI to market the estate in an open and transparent manner and in accordance with best practice in the public sector. The Court also noted that it was recognised that a new building of c£40m on the Foresterhill site was required to deliver the vision for the merger, and that this required a minimum sum of £25m to be realised from the sale of the Rowett estate. It had also been agreed that if it were possible to achieve this value from a sale in advance of the merger date of 30 June 2008, then, subject to an agreed and appropriate process, the RRI should proceed with a sale. If that were not possible, then the view was that the merger should still go ahead on 30 June 2008, but, thereafter, the value in the estate would be realised by the University. Detailed planning on a proposed building with an indicative cost of £40m would begin immediately. Should the sale of the land fail to realise the required value within the timescale previously agreed, a consequence would be that the University would carry the risk. The revised Merger Agreement incorporated the University's acceptance of the risk being passed to it in relation to the realisation value of the RRI estate (section 7.2.4).
- 274 The Court noted that the RRI Senior Management Team had agreed that a restricted tender process should now take place. While acknowledging that the RRI had sole ownership rights over the estate until the date of merger, it had also been agreed that in consultation with the RRI, leadership of the estate realisation process should be provided through the University. It had further been agreed that consultation with the City Planning Department should commence as soon as possible.
- 275 The Court noted that the proposed merger date remained midnight on 30 June 2008, although there were still a number of important issues which needed to be resolved.
- 276 After discussion, the Court approved the proposed way forward in relation to the sale of the RRI estate, and confirmed its ongoing approval of the current target merger date of midnight on 30 June 2008. The Court noted it would be invited to make a final decision on the merger at its meeting to be held on 24 June 2008.

GOVERNANCE REFORM

- 277 Mr Cannon introduced a paper (copy filed with the principal copy of the minutes) on the reform of the University's governance structures and reminded Court that it had previously welcomed, in principle, the idea of a new governance structure, central to which would be the establishment of an Operating Board, comprising Executive and Non Executive members (both academic and independent). The Court had invited the Governance Committee to develop more detailed proposals to allow the formation of a new structure to move forward.
- 278 The paper reported the Governance Committee's recommendations regarding how an Operating Board might be composed and how it might function relative to Court and other parts of the University. The Court noted that it was recommended by the Governance Committee that the Operating Board, once established, be asked to consider which Court Committees and Joint Court and Senate committees should be retained. It would then be for Court, in consultation with the Senate, to approve any further changes to the Committee structure. At this time the Court was asked to approve the recommendations as a basis to consult on the general principle of an Operating Board with the forthcoming meetings of the Senate and the Business Committee of the General Council.
- 279 The Court noted that final recommendations would be brought back to the June Court with a view to an Operating Board being established with effect from September 2008 and the abolition of the Joint Planning, Finance and Estates Committee. Members of Court were invited to submit nominations for the vacancies for independent members of the Board.
- 280 The Court approved the paper for further consultation with Senate, the Business Committee of the General Council and campus Trade Unions.

KEY PERFORMANCE INDICATORS

- 281 Professor Logan introduced a paper with draft proposals for a new set for University Key Performance Indicators (KPIs). The paper followed the publication in 2006 of a report by the Committee of University Chairmen on the monitoring of institutional performance and the use of KPIs. The Court at its Strategy Day had considered this new guidance and the paper sought to build on that discussion with these proposals for a new set of KPIs.
- 282 In discussion, it was agreed that it would be helpful if the KPIs could be refined to allow members of Court to see which of the supporting indicators had informed the colour coding of the high level KPIs.
- 283 It was also noted that in the area of retention two supporting indicators had been categorised as red. The Vice-Principal for Learning and Teaching explained that the University had in the course of the year initiated a number of steps to understand better and to address the complex matter of retention rates. The Court noted that it would receive a paper on the issue of retention in due course.
- 284 The Court agreed that it should at least once a year receive the full set of KPIs and that at appropriate other points in the year it should consider indicators on particular areas as appropriate.

FORESTERHILL DEVELOPMENT FRAMEWORK

- 285 Professor Logan introduced a paper regarding the Development Framework produced by NHS Grampian and the University for the Foresterhill site over the next 10 to 20 years.
- 286 The Development Framework was based on previously established principles and required approval by both parties prior to wider public consultation. The Framework set out the zones for future development and their planned use. The Court noted that a report on the consultation process would be presented in due course.

- 287 The Court approved the recommendation that the University adopt the principles of the Foresterhill Development Framework, and use this Framework to guide the future development of the site.
- 288 The Court also noted that the Joint Working Group which had developed the Framework had made a number of other detailed recommendations in respect of the development of the site. These were:
- That procedures should be set up such that suitable advice might be obtained to review all future developments and comment on their compliance with the principles of the Development Framework.
 - That as early as possible, infrastructure improvements be considered to set up the principles of the Loop Road Strategy Model, including accommodation which requires to be relocated.
 - That further work be undertaken to demonstrate that the NHS's preferred option for the redevelopment of the hospital was viable and deliverable.
 - That a more detailed development brief be considered for Zones U8, U9 and P12 to accommodate Phase 2 of the Life Sciences Innovation Unit, the Dental School and the possible research facility.
 - That the current Foresterhill Site Agreement be reviewed, both in light of the Development Framework, and in response to individual development opportunities as they come forward.
- 289 The Court noted that these points would be considered in more detail and further reports would be made to Court as appropriate.

SFC FUNDING AWARDS

Analysis of Main Grant Letter

- 290 Professor Logan introduced a paper summarising the outcome for the University of the Scottish Funding Council (SFC) main grants for Teaching and Research for 2008/09.
- 291 The overall outcome was that the University would receive an increase in funding of 4.4% with grants totalling £84.4 million. He reminded Court that the SFC had received a tight settlement from the Scottish Government. The average increase across the higher education sector had been 3.4% so the University had received an above average increase in its funding. It had received an increase of 10.4% for research, the highest of any research intensive university in Scotland.
- 292 The Court noted the main points.

Capital Funding Allocation 2008-11

- 293 Professor Logan introduced a letter received from the SFC, detailing the capital funding it would award over the period of 2008-2011.
- 294 The University's share of this funding would be £23.6 million in total over the three year period. This had not been budgeted for and would now be incorporated into the University's 10-Year Plan, due to be considered at the next meeting of Court.
- 295 The Court noted the capital allocation by SFC to the University for the period 2008-2011.

JOINT PLANNING, FINANCE AND ESTATES COMMITTEE

Revenue Budgets 2008/09 to 2010/11

- 296 Ms Bews introduced a paper from the Joint Planning, Finance and Estates Committee which recommended that Court approve the draft revenue budgets for 2008/09 to 2010/11.

297 The Court noted that the proposed budgets for years two and three of the period were less certain, particularly in view of the Cabinet Secretary's comments that the Spending Review was effectively looking at one year only, and the impact of the 2008 Research Assessment Exercise on research funding in the following two years was as yet unknown.

298 The Court approved the revenue budgets for 2008/09 to 2010/11

Car Parking Policy

299 Mr Cannon introduced a paper on revised Car Parking Policy and Operational Regulations, on the recommendation of the Joint Planning, Finance and Estates Committee.

300 The Court had previously approved the introduction of charges for car parking, subject to staff consultation on the operation of the charging system. As a result of this consultation, a number of revisions had been made to the Operational Regulations, including the introduction of differential charging, based on salary and the emissions category of the vehicle.

301 In discussion, it was noted that it had been agreed that the Policy should be subject to an equality impact assessment and it would be reviewed in light of the results of that assessment. It was also noted that the Policy included a degree of flexibility to consider representations regarding individual cases.

302 The Court approved the revised Car Parking Policy and Operational Regulations and the timescale for implementation.

PREPAREDNESS FOR AN INFLUENZA PANDEMIC

303 Mr Cannon introduced a paper summarising the steps undertaken by the University to plan for an influenza pandemic and the further work that that was planned to improve preparedness.

304 In discussion, it was noted that communication was a key issue and that the increased presence on campus of members of the public should be addressed.

305 The Court noted the paper.

UNIVERSITIES FINANCIAL COMPARISON

306 Ms Bews introduced a comparative analysis of the accounts of key competitor universities for the year ended 31st July 2007.

307 The Court noted the analysis.

GOVERNANCE COMMITTEE

Revised Remit and Composition

308 The Court received a paper from the Governance Committee, recommending approval of a number of revisions to its remit and to the rules governing its composition with regard to who might serve as its Convener.

309 The Court noted and approved the revisions to the remit (*copy filed with the principal copy of the minutes*). The Court also noted that Sir Don Cruickshank had been appointed Convener of the Governance Committee.

Re-appointment of Co-opted Member

310 The Court approved the recommendation of the Governance Committee that Sir Don Cruickshank be re-appointed as a co-opted member of Court for a further term of three years, from 24 May 2008 to 23 May 2011.

Appointment to Rowett Research Institute Company

- 311 The Court approved a recommendation that Mr Moir Lockhead be appointed as a Director of the Rowett Research Institute Company post merger.

ROWETT RESEARCH INSTITUTE: DESIGNATION AS A SCHOOL

- 312 The Court, subject to the formal approval of the merger (*See Minutes 268-276 & 320-321*), approved a recommendation that on incorporation, the Institute be accorded the status of School within the College of Life Sciences and Medicine, being represented on the Senate by the Head of School and two elected members of Grade 6 or above.

SENATE REPORT

Research Ethics Framework and Guidelines on Keeping Research Records

- 313 The Court, for its part, approved the Research Ethics Framework and the Guidelines on Keeping Research Records (*Copy filed with the principal copy of the minutes*). The Court noted that changes would be made to the Code of Practice Governing Research Students to take account of the Framework and Guidelines and that they would be taken forward by the Academic Standards Committee (Postgraduate).

Amendment to the Composition of the University Committee on Teaching and Learning

- 314 The Court, for its part, approved amendments to the remits of the University Committee on Teaching and Learning and the Academic Standards Committee (Postgraduate) (*Copy filed with the principal copy of the minutes*).

Policy on Student Complaints

- 315 The Court, for its part, approved amendments to the Policy on Student Complaints. (*Copy filed with the principal copy of the minutes*). The changes made ensured that the way in which the grounds for appeal to Court were detailed in the Policy were consistent with those in the Policy on Academic Appeals.

RESOLUTIONS

Draft Resolution No 253 of 2008
[Changes in Regulations for Various Degrees]

- 316 The Court, having noted that the draft Resolution No 253 of 2008 [Changes in Regulations for Various Degrees] had been approved by the Senate, and had been considered by the Business Committee of the General Council, and that no other representations had been received, approved the Resolution. (*copy filed with the principal copy of the minutes*).

Draft Resolution No 254 of 2008
[Regulations for the Degree of Master of Physics (MPhys)].

- 317 The Court, having noted that the draft Resolution No 254 of 2008 [Regulations for the Degree of Master of Physics (MPhys)] had been approved by the Senate, and had been considered by the Business Committee of the General Council, and that no other representations had been received, approved the Resolution. (*copy filed with the principal copy of the minutes*).

*Draft Resolution No 255 of 2008
Regulations for the Degree of Doctor of Education (EdD)*

- 318 The Court, having noted that the draft Resolution No 255 of 2008 [Regulations for the Degree of Doctor of Education (EdD)] had been approved by the Senate, and had been considered by the Business Committee of the General Council, and that no other representations had been received, approved the Resolution. (*copy filed with the principal copy of the minutes*).

*Draft Resolution No 256 of 2008
[General Regulations for Awards Conferred Jointly with other Degree Awarding Institutions]*

- 319 The Court, having noted that the draft Resolution No 256 of 2008 [General Regulations for Awards Conferred Jointly with other Degree Awarding Institutions] had been approved by the Senate, and had been considered by the Business Committee of the General Council, and that no other representations had been received, approved the Resolution. (*copy filed with the principal copy of the minutes*).

JOINT PLANNING, FINANCE & ESTATES COMMITTEE

Rowett Research Institute Merger

- 320 The Court noted that the Joint, Planning, Finance & Estates Committee had received and considered a paper on merger negotiations with the Rowett Research Institute.
- 321 The Court noted that the Committee had expressed its support for the ongoing negotiations, and, for its part, approved the proposed way forward in relation to the land sale. (*See Minutes 268-276 & 312*)

Scottish Funding Council: Analysis of the Main Grant Letter

- 322 The Court noted that the Committee had received and considered a paper analysing the University's allocation through core grants for teaching and research from the Scottish Funding Council for 2008/09, announced on 20 March 2008 (Circular Letter SFC/10/2008).
- 323 The Court also noted that the Committee had noted that the Scottish Funding Council had announced the allocation of £320M capital funding over the next three years, on 2 May (Circular Letter SFC/20/2008). The University's allocation over the period was £23.7M, £7.8M of which was for spend in 2008/09. (*See Minute 290-292*)

Performance Indicators

- 324 The Court noted that the Committee had received and considered a paper setting out a proposed approach for members of the University Court to monitor institutional performance. (*See Minute 281-284*)

Foresterhill Development Framework

- 325 The Court noted that the Committee had received and considered a paper on the Foresterhill Development Framework. It had noted that the Framework had been jointly developed by the University and NHS Grampian, and had set out future site plans for each organisation over the next ten to twenty years.
- 326 The Court noted that the Committee had requested that a clearer explanation of the outline plans for use of the site be presented to Court, to allow it more fully to review the framework prior to approval. (*See Minute 285-289*)

University of Aberdeen Dental School

- 327 The Court noted that the Committee had received and considered a progress report on the University of Aberdeen Dental School. (*See Minute 343*)

Monthly Management Accounts 2007/08

- 328 The court noted that the Committee had received copies of the Monthly Management Accounts for the period ending 31 March 2008 which had indicated a cumulative surplus before exceptional items of £5.7M against a budgeted surplus of £3M, a positive variance of £2.7M. At this stage, the expectation was that budgets would be met and the target surplus achieved in full.

Capital Expenditure Sub-Committee Report

- 329 The Court noted that the Committee had received and considered a report of the meeting of the Capital Expenditure Sub-Committee held on 22 April 2008, together with a revised business plan for the Matthew Hay project, and an update on progress with the development of a revised business plan for the Oceanlab project. The Matthew Hay project was now fully funded, as indicated by the business plan.
- 330 The Court noted that the Capital Expenditure Sub-Committee had also considered progress reports on various projects, including the Fraser Noble Building, the New Library, Zoology, Life Sciences Innovation, Student Accommodation and the Regional Sports Facilities.

Comparator Universities: Accounts Comparison 2006/07

- 331 The Court noted that the Committee had received and considered a comparative analysis of financial statements of comparator Universities as at July 2007. The comparator group of 12 UK universities had comprised institutions with medical schools and 5 regularly ranked in the top 20. It had noted that the analysis indicated that the University remained in a strong financial position with all indicators being better than, or close to, sector average. (*See Minute 306*)

Undergraduate Admissions

- 332 The Court noted that the Committee had received and considered a report on figures for applications and offers for undergraduate home/EU and overseas applicants.

ELECTION OF RECTOR

- 333 The Court noted that Mr Stephen Robertson had been elected Rector for a three-year period from 1 July 2008.

ELECTION OF GENERAL COUNCIL ASSESSORS

- 334 The Court noted that Mr Robert Ruddiman had been re-elected and Mr Brian Lockhart elected to serve as General Council Assessors on the Court from 1 October 2008 to 30 September 2012

GOVERNANCE COMMITTEE

- 335 The Court noted that the Committee had considered the future recruitment of co-opted members. It had agreed that the University should in the near future advertise for co-opted members. The Committee would consider this and other potential mechanisms for the recruitment of members at its next meeting.
- 336 Members of Court were invited to forward to the Clerk any suggestions as to individuals that the Committee might wish to consider as potential future co-opted members of Court.

AUDIT COMMITTEE

- 337 The Court noted that the Committee had approved the following internal audit reports from Deloitte & Touche; Utilities (Report No. 1 of 2007/08); Budgetary Control (Report No. 2 of 2007/08); Students' Association (Report No. 3 of 2007/08); School of Medicine (Report No. 5 of 2007/08).

- 338 The Committee had also approved Follow-Up Report 1 of 2006/07 Recommendations (Report No. of 2007/08), in respect of the following areas: Consultancy Services, People Management, Implementation of Framework Agreement and Payroll System, Payroll and Personnel, Working Capital Management, and Knowledge Transfer Partnerships.
- 339 The Court noted that in respect of the audit report on the Students' Association, the Committee was concerned that it contained one Priority 1 recommendation ("Major issues that need to be brought to the attention of senior management and the Audit Committee"), and nine Priority 2 recommendations. The overall conclusion of the report was that there were many areas capable of considerable improvement.
- 340 The Court noted that the priority 1 recommendation had related to the monitoring of health and safety compliance in relation to the activities of Association clubs and societies. The priority 2 recommendations had related to club safety codes and risk assessments, budget setting, financial management and cash handling, governance administration and the management and allocation of resources.
- 341 The Court noted that the University Secretary was working with the Students' Association in addressing the report's recommendations.
- 342 The Court noted that the Committee received regular reports on recommendations outstanding from previous audit cycles to ensure that they were being appropriately progressed.

DENTAL SCHOOL

- 343 The Court noted a paper giving an update on the progress of the new Dental School.

PAPERS AVAILABLE ON REQUEST

- 344 The Court was informed that the following papers were available on request from Policy, Planning & Governance:
- (i) INTAKE TARGETS FOR THE CONTROLLED SUBJECTS IN HIGHER EDUCATION INSTITUTIONS FOR ACADEMIC YEAR 2008-09: SFC Circular, SFC/08/2008, dated 29 February 2008, announcing the AY 2008-09 intake targets for the controlled subjects of medicine, dentistry, nursing and midwifery pre-registration education, and initial teacher education.
 - (ii) ABERDEEN SPORTS VILLAGE AS OLYMPIC TRAINING VENUE: Media release on the selection of sporting facilities in Aberdeen as potential training venues for the 2012 Olympics and Paralympic Games in London.
 - (iii) UCEA: REFORM OF NATIONAL NEGOTIATION AND JNCHES: UCEA Updates 08:031 and 08:34 on correspondence between the UCU and UCEA and latest developments in relation to the reforms to national bargaining arrangements and the reform of the Joint Negotiating Committee for Higher Education Staff (JNCHES).
 - (iv) RESEARCH EXCELLENCE FRAMEWORK: UPDATE PAPER FROM THE UNIVERSITY MANAGEMENT GROUP ON PROGRESS WITH THE DEVELOPMENT OF THE RESEARCH EXCELLENCE FRAMEWORK.

FUTURE BUSINESS

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

DATE OF NEXT MEETING

- 346 It was noted that the next scheduled meeting of Court would be held on Tuesday 24th June 2008 at 2pm, Court Room.