

UNIVERSITY OF ABERDEEN

UNIVERSITY COURT

Minutes of meeting held on 19 May 2009

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

Apologies for absence were received from Ms J Craw, Mr P Haley, Mr B Lockhart, Sir Moir Lockhead, Professor B MacGregor, Mr D McKay and Professor G Robinson,

MINUTES

187 The Court approved the minutes of the meeting held on 24th March 2009.

DECLARATION OF INTEREST

188 Mr Ruddiman declared an interest in the item on the agenda regarding a legal dispute. Mr Ruddiman was a partner in McGrigors, the University's legal advisers.

189 Mr Arthur and Mrs Grant declared an interest as local officers of campus trades unions in the item on the agenda regarding national pay negotiations.

REPORT FROM THE PRINCIPAL

190 The Principal reported on the success of the recent Word Festival which this year had attracted around 11,000 people.

191 The Principal informed Court that members of the University's United States Development Trust Board had recently met in Aberdeen and that the visit had been very successful.

192 The Principal reported that the University was delighted to have recruited Professor Crispin Wright, one of the world's leading philosophy scholars.

193 The Principal then discussed a number of major mid to long-term issues the University needed to consider in the near future. These included the size and composition of the student population, the ability of the University's existing campuses to handle future growth, the University's relationship with the State, internationalisation and fundraising. Following discussion, it was noted that the Principal intended to prepare a discussion paper for the University community and that this would be shared with Court at its next meeting.

REPORTS FROM COMMITTEES

OPERATING BOARD

194 The Court received a report from the Operating Board meeting of 5th May 2009, together with the unconfirmed minutes of that meeting.

Committee Structure

195 Mr Cannon introduced a paper, which had been endorsed by the Governance Committee, which set out the Operating Board's proposals on the future committee structure. The proposals had subsequently been considered by the Senate and the Business Committee of the General Council and the paper included a summary of the comments that had been received from those bodies. The proposals were due to be considered by the Joint Negotiating and Consultative Committee and the Support Staff Liaison Committee.

196 Mr Cannon noted that it had been agreed to revise the proposals in or order to clarify issues that had been raised by the Senate and these would be considered at the next meeting of Senate.

197 The Court noted the paper and that final proposals would be brought to its next meeting, following further consultation with the relevant University committees.

Rowett Building

198 The Operating Board recommended to Court:

- that an indicative budget of £4m be allocated to allow the Rowett build project to proceed to the tender stage; and
- that proposals relating to the funding of the new build be presented to the next meeting of the Board in light of the change in timing of the disposal of the Rowett Estate, resulting from a change in market conditions.

199 Professor Logan highlighted the fact that the Scottish Government's Rural and Environment Research and Analysis Directorate (RERAD) required its £12M capital funding contribution to be committed by March 2010. Professor Logan informed Court that he was to meet officials with RERAD to discuss any flexibility in the timing of the spend.

200 In discussion, it was agreed that it would be helpful at a future meeting to remind Court of the agreed schedule of delegation between Court and Operating Board.

201 The Court approved the recommendations made by the Operating Board.

Financial Planning

202 The Court noted that the Operating Board had received the following papers on financial planning: analysis of the Scottish Funding Council (SFC) Main Grant Letter; recession/scenario planning; Revenue Budgets for 2009/10 to 2011/12 (*See Minutes 223-231*)

203 The Court noted that the Operating Board had also considered a paper on the ongoing work to prioritise future capital projects, following which the next version of the 10-year plan would be brought to the Board and to Court.

Ongoing Legal Dispute

204 The Court noted that the Operating Board had received an update on an ongoing legal dispute with a former member of staff. (*See Minutes 239-240*)

Pay Negotiations

205 The Court noted that the Operating Board had received an update on pay negotiations. (*See Minute 235*)

AUDIT

206 Mr Amore introduced a report from the Audit Committee and the unconfirmed minutes of the meeting held on 23rd April 2009.

Internal Audit Reports

207 The Court noted that the Committee had approved three Internal Audit Reports: School of Language & Literature, Insurance Cost Management and Capital Project – Sports Centre.

Tendering for Internal and External Audit Services

208 The Court also noted progress on the tendering process for Internal Audit services and the intention to tender for External Audit Services for a contract to commence on 1 January 2010.

GOVERNANCE

- 209 Sir Don Cruickshank introduced a report from the Governance Committee and the unconfirmed minutes of the meeting held on 24 March 2009.

Appointment of Vice-Chair of Court/Senior Governor

- 210 The Committee had considered the appointment of a successor to the current Senior Governor/Vice-Chairman of Court. The Court noted that the position had been advertised widely and received a copy of the role description.

- 211 The Committee recommended to Court that Sir Moir Lockhead be appointed as Vice-Chair/Senior Governor with effect from 1 August 2009 for a term of three years. The Committee had also endorsed the Chancellor's re-appointment of Dr Mair as Chancellor's Assessor for a further year with effect from 1 August 2009.

- 212 The Court approved the recommendation.

Reappointment of Members of Court

- 213 The Court approved a recommendation from the Committee that Mrs S Grant's term of office as a co-opted member of Court be renewed for a further period of three years with effect from 1st August 2009.

- 214 The Court also noted that the Committee was continuing to identify potential new members of Court.

Change to the Frequency and Format of Court Meetings

- 215 The Court received a recommendation from the Committee to change the frequency and format of Court meetings. As part of the proposals that had established the Operating Board, the Court had agreed that it should consider whether in future it required to meet as frequently. The Committee had considered the issue further and now recommended that the Court reduce the number of its meetings per academic year from seven to four and make the necessary change to its Standing Orders.

- 216 In discussion, a member of Court emphasised the importance of Court taking a stronger role in terms of its business. The Court agreed to endorse the proposal in principle and noted that a motion to amend the Standing Orders had been proposed. Formal approval of the amendment of Standing Orders and in consequence the reduction in the number of meetings would be sought at the next meeting of Court.

- 217 The Court also noted the proposed schedule of meetings for 2009/10 and 2010/11.

Academic Year 2009/2010

Tuesday 29 th September 2009	9.00am-5.00pm
7 th December 2009	2.00pm (preceded by lunch from 12.30pm)
Tuesday 30 th March 2010	9.00am to 12.00noon followed by lunch
Tuesday 29 th June 2010	9.00am to 12.00noon followed by lunch

Academic Year 2010/2011

Tuesday 28 th September 2010	2.00pm-5.00pm Court Meeting, followed by dinner
Wednesday 29 th September 2010	9.00am-12.00noon Court Meeting (continued from previous day)
Tuesday 14 th December 2010	9.00am to 12.00noon followed by lunch
Tuesday 22 nd March 2011	9.00am to 12.00noon followed by lunch
Tuesday 28 th June 2011	9.00am to 12.00noon followed by lunch

Review of the Committee Structure

- 218 The Court noted that the Committee had considered a paper with recommendations from the Operating Board in relation to the review of the committee structure. (See *Minutes* 195-197.)
- 219 The Court noted that the Committee had discussed the issue of governor engagement in the proposed new structures and their ability at an individual level to exercise scrutiny before matters reached the Court, particularly in terms of those governors who were not members of the Operating Board. The Court noted that this would be monitored by the Governance Committee and that there would be in due course an internal audit review of the governance arrangements which would be considered both by the Governance Committee and by the Audit Committee. It was also noted that the suggestion of a quarterly management report to Court would help to provide those members, not on the Operating Board, with the information necessary to engage fully with University business.
- 220 The Court noted that the Committee had agreed to approve the proposals for a revised committee structure, subject to the addition of the following point in the recommendations:
- “to note that the Governance Committee has emphasised that further to the proposals at section 3.4 (of the paper) any advisory management groups that are established are not part of the governance structure of the University.”

Committee for the Appointment of the Principal

- 221 The Court noted that the search process for the appointment of the next Principal was continuing and that a report on progress from the Committee for the Appointment of the Principal would be provided at the next meeting.

FINANCE AND PLANNING

Analysis of SFC Main Grant Letter 2009/10

- 222 The Director of Finance introduced an analysis of the funding allocation from the Scottish Funding Council (SFC) for 2009/10, which was announced on 31 March 2009. It noted that the University had received an increase of funding of 7.2% compared to a sector average increase of 2.9%; and an increase in research funding of 27%, the highest amongst Scotland's research intensive institutions.
- 223 The Court welcomed this outcome.

Recession Scenario Planning

- 224 The Director of Finance introduced a paper which reviewed the University's main income and expenditure streams and the impact of possible future funding cuts from 2010 or 2011 onwards.
- 225 Three scenarios were included in the paper, based on the following assumptions: no increase in funding for 2010/11; a 5% decrease in core funding; and a 10% decrease in core funding. The Court noted that the different scenarios had been applied to cash balances and that a similar exercise would be carried out in respect of the balance sheet.
- 226 The Court noted the steps being taken to ensure that the University had the flexibility to react in a managed way to any cut in funding, whilst continuing its investment plans.
- 227 In discussion, the Court was assured that the University was not at this stage committing to any of the potential measures to reduce costs, referred to in the paper, and was only gathering the necessary information to enable decisions to be taken quickly, should that be required in the future. The issue of tuition fees in Scotland was also discussed and it was noted that this was likely to be one of the matters to flow from the Principal's discussion paper, which would come to the next meeting of Court.

Budget Planning 2009/10

- 228 The Director of Finance introduced a paper with draft Revenue Budgets 2009/10 to 2011/12, with the budgets for years 2 and 3 of the period regarded as indicative only.
- 229 The Court noted the challenging savings targets reflected by the budgets and that tight budgetary controls would be required to achieve these.
- 230 The Court approved the Revenue Budgets for 2009/10.

Operational Performance Indicators

- 231 Professor Logan introduced a paper on Performance Indicators. These provided a measure of the progress achieved in previous years and illustrated the performance required to achieve proposed budgets for the period 2009/10 to 2011/12.
- 232 In discussion, it was noted that the low numbers of part-time students remained an issue but that a number of new courses had been introduced and Curriculum Reform would enable the University to improve further its part-time study provision. The Court also noted that retention of students continued to be an issue although a significant amount of work had been done to ameliorate the position.
- 233 The Court noted the paper.

STAFFING

Update on National Pay Negotiations

- 234 The Court received and considered an update on National Pay Negotiations. The Court was informed by the Director of Human Resources, that since the paper had been issued the Universities and Colleges Union had called off a proposed ballot on industrial action, following a challenge to its legality.

Model Statute

- 235 The Director of Human Resources introduced a paper regarding revisions to the Employment Statute, which was the governance instrument covering aspects of the terms of employment of academic staff and those who are required to undertake teaching and/or research duties. The Court had previously approved a proposal to take forward revisions and since then the University had been working in partnership with the other pre-1992 institutions in Scotland and with representatives of the UCU. Unfortunately, it had not been possible to agree a way forward at a national level and Institutions were now required to progress with revisions on an individual basis.
- 236 The Court noted that it was now proposed that the draft revisions be reworded in the style required for submission to the Privy Council and that the University circulate these for comment within the University community. At a later stage and following Privy Council approval, negotiations with all recognised campus trades unions would be undertaken, regarding the content of the local employment procedures.
- 237 The Court approved the commencement of the process required to take forward revisions to the Statute in line with Privy Council requirements.

LEGAL DISPUTE

- 238 Mr Cannon introduced a paper which reported on an ongoing dispute involving a former member of academic staff and his collaboration with a commercial partner.
- 239 The Court noted the main points of the dispute and the advice given by the Operating Board and agreed that the University Executive should continue to seek the guidance of the Operating Board as the case progressed.

PANDEMIC FLU

- 240 Mr Cannon reported on the University's preparations for pandemic influenza. Plans were being managed by a University Pandemic Influenza Group and the Operating Board and Court would be updated, as necessary.

- 241 The Court noted the update.

DEGREE RESOLUTIONS

*Draft Resolution No 261 of 2009
[Changes to Regulations for Various Degrees]*

- 242 The Court noted that the draft Resolution No 261 of 2009 [Changes in Regulations for Various Degrees] had been approved by the Senate and had been considered by the Business Committee of the General Council. Following this process, one amendment to the Regulations (Regulation 21) had been proposed. The Court approved the Resolution, subject to that amendment being made. (*copy filed with the principal copy of the minutes*).

*Draft Resolution No 262 of 2009
[Regulations for the Degree of Master in Science (MSci)]*

- 243 The Court, noted that the draft Resolution No 262 of 2008 [Regulations for the Degree of Master in Science (MSci)] had been approved by the Senate and had been considered by the Business Committee of the General Council. As no other representations had been received, the Court approved the Resolution. (*copy filed with the principal copy of the minutes*).

CHANCELLOR'S ASSESSOR

- 244 The Court noted that the Chancellor had informed the Secretary that he had re-appointed Dr A Mair as his Assessor on Court for a period of one year with effect from 1 August 2009 to 31 July 2010 (*See also Minute 211 above*).

SENATE REPORT

- 245 The Court approved a recommendation from Senate that the UHI Millennium Institute academic area in Marine Science be validated under the terms of the accreditation agreement currently in force between the University and UHI, to deliver the research degree programmes of MSc, MPhil and PhD. This recommendation had been approved both by the Senate at its meeting on 6 May and by the Academic Standards Committee (Postgraduate).

CURRICULUM REFORM

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

CUC GUIDANCE ON GOVERNANCE

- 247 The Court received and noted a paper on new governance publications available from the Committee of University Chairmen (CUC) and the Leadership Foundation for Higher Education.

FUTURE BUSINESS

- 248 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

- 249 The Court noted that the date of the next meeting was Tuesday 30 June 2009 at 2.00pm in the Court Room.