

# UNIVERSITY OF ABERDEEN

## UNIVERSITY COURT

Minutes of meeting held on 29 March 2011

Present: Sir Moir Lockhead (in the Chair), Principal, Mr A Amoore, Mr A Arthur, Professor P Edwards, Professor C Fynsk, Mr J Hall, Professor D Houlihan, Provost W Howatson, Mr G Hunter, Mr B Lockhart, Professor S Logan, Professor P McGeorge, Dr M Mackie, Mr B Pack, Mr R Parker, Mr S Robertson, Dr N Vargesson, with Professor C Gane, Professor M Greaves (*vice* Professor Haites), Professor B MacGregor, Professor P Morgan, Professor A Rodger (for Mins 158-222), Mr S Cannon, Mrs C Banks, Ms I Bews, Mr A Donaldson, Ms E Forster (for Mins 158-213), Mr L Forsyth, Mr P Haley, Mrs C Inglis, Ms J Sewel and Mr B Purdon (Clerk).

Apologies were received from Dr A Baxter, Ms J Crow, Sir Don Cruickshank, Mrs K McPhail, Mr K Murray, Cllr J Stewart and Mr R Ruddiman.

### MINUTES

158 The Minutes of the meeting held on 7 December 2010 were approved.

### DECLARATION OF INTERESTS

159 Mr Arthur declared an interest as President of the local branch of the University and College Union (UCU) and Professor Rodger declared an interest as a member of the Scottish Funding Council (SFC).

### REPORT FROM SENIOR GOVERNOR

160 The Senior Governor welcomed Mr James Hall to his first meeting of Court.

161 The Senior Governor noted that Sir Don Cruickshank's term of office as a member of Court would conclude in May 2011. The Court recorded its appreciation of the considerable contribution that Sir Don had made to the work of the Court and the University.

162 The Senior Governor also advised Court that he had received from Sir Don Cruickshank some suggestions for further governance reform and that he had asked Mr Hall to undertake a short review of these and to report back to Court in due course.

163 The Senior Governor congratulated Mr Parker on his election as President of the National Union of Students (Scotland).

164 The Senior Governor noted that in the New Year Honours list Professor Lewis Ritchie, Department of General Practice and Primary Care, had received a Knighthood and Ms Myra Pearson, formerly Head of the School of Education, an OBE. The Court recorded its congratulations to both.

### REPORT FROM THE PRINCIPAL

165 The Principal reported that the University had recently made three senior appointments in the area of Divinity of academics of significant international standing who would further add to the considerable strength of the University in this area.

166 The Principal reported that, following consultation with staff on the University's structures, it had been agreed to retain the current arrangements.

- 167 The Principal updated Court on developments in the debate around the future of higher education in Scotland since the publication of the Scottish Government's Green Paper. The main political parties had with reference to the forthcoming Scottish Parliamentary Elections set out their positions on the key issues of funding, with three of them committed to maintaining the principle of 'free higher education'. An expert working group, set up by the Scottish Government, had reported on the potential gap with English universities but there remained a difference of interpretation between Universities Scotland and the Scottish Government as to which assumptions were most realistic.
- 168 The Principal also drew Court's attention to the emerging position for UK Research Councils' funding and the SFC's Research Excellence Grant. It was expected that the trend towards funding being concentrated on areas of excellence would continue.
- 169 The Principal also noted to Court that the UKBA had revised significantly its proposals for the reform of the student visa system. The revisions had largely taken account of concerns raised by the University and others. There remained some areas of concern, most notably with respect to the issue of Post-Study Work Visas for students and staff visas. The Court noted that lobbying regarding these would continue.

#### REPORT FROM THE OPERATING BOARD

- 170 Mr Pack introduced a report from the Operating Board meetings of 26 January 2011 and 8 March 2011 (*copy filed with the principal copy of the minutes*).

#### 10-YEAR PLAN

- 171 The Court noted that the Board had received and considered an updated 10-Year Cash Flow Plan and had also received update reports on capital projects.
- 172 The Court noted that the plan incorporated the following changes;
- Cash generated from surpluses in 2010/11 was assumed to be £1.4M after taking account of the additional voluntary severance scheme. Based on the challenges facing the sector the target surplus in 2011/12 and 2012/13 had been reduced to £5M p.a. recognising that income growth would not be in line with previous expectations.
  - The profile of proceeds from Rowett land had been re-phased to reflect current expectations, while maintaining a value of £23M, which would be updated in the summer as additional information became available.
  - The specification for the Rowett Institute of Nutrition and Health (RINH) project had changed reducing the expected costs and amending the spend profile.
  - The profile for the £5M contribution to the Aquatics Centre had been revised.
  - The spend on the 199 bed Hillhead development had been postponed until 2014/15 reflecting updated expectations of demand for student accommodation.
  - The capital grant announced by SFC for 2011/12 of £1.976M was now included.
- 173 The Court noted that the Board had discussed the impact of the College of Life Sciences' review of its requirements in relation to all biological services facilities. This review had taken into account the requirements of the Scottish Government programme funding allocated to the Rowett Institute of Nutrition and Health (RINH), and had concluded that there was no longer a need for a separate facility within the new RINH building. Initial design options for a revised building had identified an improved building layout, maintaining a similar footprint with minimal delay and re-design, at a significantly lower capital budget.

- 174 The Court noted that the 10-Year Plan had retained the approved capped contribution of £5M towards the Aquatics Centre at the Aberdeen Sports Village (ASV). The other partners, Aberdeen City Council and sportscotland had committed £10M and £5M respectively. Final tender prices had been received, and these were being reviewed.
- 175 The Court noted that the University's target surplus for the years 2011/12 and 2012/13 would be finalised through the budget process, with draft budgets being presented to the Operating Board at its May meeting and the June meeting of Court.
- 176 The Court approved the following recommendations;
- (i) that the saving achievable following the completion of the revised specification and design for the RINH building be brought back to the Operating Board for approval in due course, based on an early indication that this will deliver savings in the order of £6M.
  - (ii) that the 199 bed development at Hillhead be postponed until greater certainty on the income attainable from student accommodation for the site was available, with an expectation that construction would be undertaken in 2014/15.
  - (iii) that the 10 year plan be brought back to Court and Operating Board periodically as updated information on projects and capital funding became available, and that a commitment in principle for projects listed in appendix 6 of the plan should be sought as and when they became affordable.
- 177 The Court also agreed to delegate authority to the Director of Finance to liaise with ASV and the funding partners to agree the share structure, negotiate agreement of the revenue funding for the Aquatics Centre, and to write to ASV confirming funding of £5M towards the Aquatics Centre from the University.

BARCLAY'S LOAN AGREEMENT (Note: minute wording agreed with Barclays' lawyers).

- 178 There was produced to the meeting a letter of variation dated 27 January 2011 from Barclays Bank PLC (the "**Bank**") to the Borrower setting out the amendments to a facility agreement dated 20 September 2006 pursuant to which the Bank had offered the Borrower the facilities of £40 million (the "**Letter of Variation**"). It was noted that the Letter of Variation had been approved and accepted by the Operating Board of the University of Aberdeen on 26 January 2011. It was noted that the Operating Board advised the Principal that agreement to the Letter of Variation was required and requested that he authorise the Letter of Variation to be executed. The Letter of Variation was duly executed on behalf of the Borrower on 28 January 2011 by Mr Steven Cannon (Secretary of the Court) and Professor Stephen Logan (Court Member) on the instruction of the Principal.
- 179 The Court resolved that the amendments set out in the Letter of Variation are in the interests of and for the benefit of the Borrower and are most likely to promote the success of the Borrower and that the entry into and execution of the Letter of Variation be and is hereby approved and ratified.

#### CAPITAL PROJECTS

##### *New Library*

- 180 The Court noted that the Board had discussed the programme delay for the new Library, which was around 16 weeks, with the planned building handover being 5 August 2011.

University management was continuing to hold regular budget discussions with the design team and external project management to ensure rigorous cost control. However, recognising that cost control measures might not, in themselves, secure delivery of the project within budget, the University had instructed its external advisers to explore with the main contractor the possibility of entering into a commercial settlement to remove continuing uncertainties around the cost of the project and as yet unsettled claims against the construction contingency. The Board had endorsed this approach, and agreed to delegate authority to the Convener of the Operating Board and the Senior Governor to approve details of any settlement.

*Marischal College*

- 181 The Court noted that the Board had received a paper on work to finalise an agreement with Aberdeen City Council for the disposal of University retained areas of Marischal College, which comprised around 30% of the total space pre-development, through a ground lease.
- 182 The Court noted that Board had been advised that before the University retained elements could be used again, significant capital investment was required to bring the fabric and infrastructure up to standard. The proposed ground lease would see the Council assume this responsibility and give the University defined access rights to key areas, in exchange for the University agreeing to forgo; (i) monies retained by the Council from the initial premium paid to the University due to uncertainty over the costs and risks associated with a corroding beam on the main façade - a sum of £800K had been retained but the cost of this work was expected to be in the region of £100k; and (ii) any proceeds that might otherwise be generated from a sale on the open market.
- 183 The Court noted that the Board had agreed to delegate authority to the Senior Vice Principal and Director of Estates to finalise the transaction with Aberdeen City Council for the disposal through a ground lease of the retained elements of Marischal College, subject to securing the terms and conditions outlined in the paper.
- 184 In response to a question as to whether this was a decision that should be reserved to the Court, it was advised that the decision was consistent with the agreed schedule of delegation between Court and the Operating Board. It was agreed that the Court should review the schedule of delegation to the Operating Board at its next meeting.

PENSIONS

*University of Aberdeen Superannuation and Life Assurance Scheme*

- 185 The Court noted that the Board had received and considered an update on the proposed benefit changes to the University of Aberdeen Superannuation and Life Assurance Scheme (UASLAS). Following a consultation period, which ended on 30 November 2010, University representatives had met with the Unions to discuss the consultation and to agree a set of changes that would be acceptable to both parties. These changes had been agreed with the Trustees of the Scheme.
- 186 The Court approved the following changes to the scheme:
- (i) that UASLAS move to a Career Average Revalued Earnings (CARE) Scheme for all staff where future year increases are in line with Consumer Prices Index (CPI), capped at 2.5%, rather than actual pay increases.
  - (ii) that pension increases on future service be based on CPI capped at 5%.
  - (iii) that a rule be inserted in the Scheme to state that the Trustees would have discretion to award above 5% increase in pension subject to availability of funds and by reference to the prevailing rate of CPI increase, and if the CPI figure increased to 10% there would be a discussion between the Trustees and the University.
  - (iv) that the Scheme changes take effect from 1 August rather than 1 April.
  - (v) that clearer statements be produced annually for members.
  - (vi) that should USS proposed changes significantly alter prior to implementation of the UASLAS changes, then further consideration be given to the benefit changes for UASLAS.
- 187 The Court noted that the University had also proposed changes to the early retirement terms for pre 1994 members, giving a Normal Retirement Age (NRA) of 65 for all staff. However, as the saving for the pre 1994 group (approx 113 staff) was low (0.4%), the deficit could be contained so that the University contributions continued at around 17.1%, and therefore this proposal could be dropped.

- 188 The Court noted that the Board had also approved the draft 2010 Actuarial Valuation which resulted in an ongoing annual contribution of 17.5% for the University, based on a 15 year recovery period. In addition, the Board had agreed that the Director of Finance should take forward the proposal regarding a contingent asset for the Scheme, which would be presented to a future meeting of the Board.

#### UNIVERSITY SUPERANNUATION SCHEME

- 189 The Court noted that that the consultation on USS had concluded and that the national USS joint negotiating committee, which had comprised employers and University and College Union (UCU) representatives, had been scheduled to meet on 2 March to discuss proposed changes to the USS, but that UCU representatives had elected not to participate in the meeting.

#### FINANCIAL AND SCENARIO PLANNING

- 190 The Court noted that the Board had received and considered updates on the financial environment, and had discussed the scenario plans being developed by the Colleges and administration to address future funding cuts. (See *Minutes* 215-216)

#### BUDGET PLANNING ASSUMPTIONS

- 191 The Court noted that the Board had received and considered the underlying planning assumptions for use in preparing financial budgets for the years 2011/12 to 2013/14. It had discussed the assumption in relation to the University's historical cost surplus, which was required to fund the Capital Programme, and agreed that in reviewing the 10 Year Plan project timings should also be revisited to identify any opportunities for reducing the historical cost surplus over the next few years. Subject to this review, the Board had approved the planning assumptions to be used in preparing financial budgets for the years 2011/12 to 2013/14.

#### STUDENT POPULATION PLANNING ASSUMPTIONS

- 192 The Court noted that the Board had been advised that overall international student numbers were lower than budgeted for, although the January intake for these students had been higher than anticipated, leading to an improvement of £300k on the outturn tuition fee forecast. The assumption for 2011/12 would be to maintain international numbers at existing levels.
- 193 The Court noted that an International Student Recruitment Working Group had been established to look at diversifying and expanding international student markets in future years. The Group had proposed 2011/12 international tuition fees to be in line with competitors and to reflect current market conditions. Analysis of the international tuition fee income generated by comparator universities had indicated that the University's fees were at the lower end of the market. The Court noted that the Board had further agreed that University management should review and amend its full-cost and international tuition fees on a regular basis in line with market conditions, providing the Student Association with the opportunity to comment on any proposed changes.
- 194 The Court noted that the undergraduate UK/EU population remained buoyant with increased applications for places, and an actual population in excess of the limit applied by the Scottish Funding Council, despite intake targets being reduced to manage the population. Under current SFC policy, the University was required to repay a sum equivalent to the tuition fees of students in excess of the limit. This had now been confirmed by SFC as £1.05M, which was less than the estimated £1.4M.
- 195 The Court noted that in a change to previous years, and in response to the commitment made by the Scottish Government to maintain the student population at 2010/11 levels in 2011/12, SFC had set each institution a student population target which was the same as the 2010/11 actual population. The Court noted that for 2011/12 only, SFC had increased the University's limit by 800 places in order to allow its population target to be met without the population limit being exceeded. The policy on student numbers and limits beyond 2011/12 was not yet known.

#### VOLUNTARY SEVERANCE

- 196 The Court noted that the Board had received an update on the progress of the 2010 Voluntary Severance Scheme and had approved a proposal to launch a short-lived scheme of voluntary severance, focussing on academic staff, from 1 February 2011 until 28 March 2011.

#### ACADEMIC EXPECTATIONS

- 197 The Court noted that the Board had received an early draft of proposed Academic Expectations (formerly the Framework for Academic Excellence) and an update on changes to the draft resulting from consultation. While broadly supportive of the approach, in reviewing the draft at its January meeting the Board had noted the need for detailed work on the criteria and the baseline expectations across different subject areas. (See *Minutes* 231-234)

#### JOINT INSTITUTE OF ENGINEERING

- 198 The Court noted that the Board had received updates on the continuing discussions on the creation of a Joint Institute of Engineering. (See *Minutes* 211-213)

#### HIGHER EDUCATION POLICY: SCOTTISH HIGHER EDUCATION GREEN PAPER

- 199 The Court noted that the Board had discussed the Scottish Government's Green Paper on Scottish Higher Education, which had invited comments on the issues that would require to be taken into consideration in delivering a "Scottish solution". The Board had approved the University's response, subject to it being amended to reflect the Board's comments. (See *Minute* 266)

#### RENEWABLE ENERGY: ONSHORE WIND

- 200 The Court noted that the Board had received and considered an outline proposal in relation to renewable energy which aimed to mitigate against the Carbon Reduction Commitment Tax and rising energy costs, and also to meet the University's commitment to reducing carbon emissions. The University and RGU had engaged in initial discussions with the Aberdeen Endowment Trust regarding a joint venture to construct wind turbines on land owned by the Trust. The Court noted that the Board had agreed that the University should progress these discussions, with a view to developing a full business plan.

#### REPORTING COMMITTEES

- 201 The Court noted that the Board had received reports from the Risk Management Committee on ongoing project risk assessments, and on changes being implemented to the University's Risk Management processes and Corporate Risk Register. It had approved plans for roll-out and training in relation to the new Corporate Risk Register.
- 202 The Court noted that the Board had also received reports from the Health and Safety Committee and the Aberdeen Sports Village Monitoring Group.

#### STRATEGIC PLANNING

##### STRATEGIC PLAN

- 203 The Principal introduced to Court the final draft of the University's 2011-15 Strategic Plan, which had been endorsed by Senate at its meeting held on 9 February 2011 and was underpinned by detailed Operational Plans and the Corporate Risk Register.
- 204 In discussion, it was noted that the targets in the Plan were for a five year period and did not, therefore, reflect the ten year vision of 50:10:1 that the Principal had previously described to Court (Top Fifty in the world, Top Ten in the UK and First in Scotland). The Senior Governor noted that the Court should monitor progress not only against the five year targets but also towards the Principal's ten year vision.

- 205 The Court also noted that the University should continue to consider how to improve the employability of its graduates which, in turn, would raise the profile and esteem of the University.
- 206 The Court approved the University's 2011-2015 Strategic Plan. The Court noted that a communications strategy to promote the Plan internally and externally had been developed. The Court further noted the planned actions to support the implementation of the Plan and its progress monitoring through the Operational Plans and six monthly progress reports to the Operating Board.

#### RISK MANAGEMENT AND THE STRATEGIC PLAN

- 207 Ms Sewel introduced a paper which provided an update on progress on the implementation of the University's new Risk Management arrangements and the development of the Corporate Risk Register in parallel with the new Strategic Plan. (See *Minutes* 203-206)
- 208 In discussion, comment was made on the ranking of some points within the risk map. It was noted that the document would be an evolving one and would be kept under review.
- 209 The Court noted that in accordance with the Risk Management Procedures, the Strategic Risk Register will be routinely considered by the Operating Board with onward reporting to Court. The Operational Plans would also undergo risk assessment and would continually inform the Strategic Risk register during the period of the Plan.
- 210 The Court noted that it would receive a presentation on Risk Management at a future meeting.

#### JOINT INSTITUTE OF ENGINEERING

- 211 Professor Rodger introduced an update paper on the ongoing discussions between the University and the Robert Gordon University to establish a joint Aberdeen Institute of Engineering.
- 212 The paper outlined the key characteristics of the joint Institute including its vision, Governance model, Finance, Academic matters, Marketing and Human Resources.
- 213 The Court noted that a formal proposal for the establishment of the joint Institute, including a business plan, would be submitted to the governing bodies of both universities in June 2011. It was anticipated that the Institute would be launched in September 2011. The Institute would be activities-led and would gradually expand its operations over a five year period with a view to including all appropriate key activities within the Institute by September 2016 (See *Minute* 198).

#### FINANCE

##### SFC BUDGET ANNOUNCEMENTS

- 214 Ms Bews introduced a paper which provided a summary of the funding allocation Letter from the Scottish Funding Council (SFC) for 2011/12.

The Court noted the following key points of the funding allocation were:

- Overall funding to the University had fallen by 7.3% compared to a 7.1% decrease sector wide
- a 10.9% cut in core grants for teaching from the general fund to institutions across the sector
- protection in cash terms of the research budget, and in particular protecting real terms funding for the highest rated research
- the refocusing of funding in support of access and inclusion on a smaller number of institutions regarded as leading on working with disadvantaged groups

- a significant reduction in capital funding of 38% from SFC, although the University's planning assumption had been that no capital funding allocation would be made. Also in relation to capital, the Letter announced a capital funding contribution of £8.6M from BIS across the Scottish sector, which was not expected.
- a clawback of tuition fees from the University for over-recruiting against the SFC limit for undergraduate students of £1.05M which was £400k less than expected.

#### SCENARIO PLANNING AND SFC FINANCIAL FORECASTS

- 215 Ms Bews introduced an update paper on scenario planning (*See Minute 190*).

#### *2010/11 Forecast*

- 216 The Court noted that the University was forecasting to break-even for the current financial year, against a targeted surplus of £5.5M. This did not, however, include any additional expenditure on the current Voluntary Severance Scheme due to close on 31 March 2011. The impact of this out-turn for 2010/11 would be less cash generation to fund the 10 Year Capital Plan and this had been fully incorporated into the current version of the plan. As a result of slippage in some capital projects, and others being delayed or reduced in overall project cost, the borrowing profile was now lower than that presented to the June Court, despite the surplus being forecast not to be achieved in 2010/11.

#### *Scottish Funding Council Budget Allocation 2011/12*

- 217 The Court noted that the financial impact of the SFC funding allocation for 2011/12 was a 7.3% (£5.4M) reduction in the University's revenue allocation. A capital award of £1.976M from SFC and of £593k from the Department of Business, Innovation and Skills to the University had also been announced, which had not been expected and had now been incorporated into the 10 Year Capital Plan.

#### *Budget Process 2011/12*

- 218 The Court noted that taking into account funding cuts from the SFC and the predicted shortfall in overseas tuition fees, the overall funding gap was circa £15M. The two Voluntary Severance Schemes had, to date, realised £7M of recurrent savings and management of staff retirements and vacancies had realised a further £2.5M of recurrent savings. The University continued to develop its strategy for diversification of income with respect to overseas fees, fundraising, research grants and contracts, and other commercial services.
- 219 The Court noted that significant progress had been made in relation to reducing the cost base of the University. It was proposed that, in order to move into 2011/12 with a balanced budget and give the University time to grow income, that the Strategic Investment Fund be reduced (*current assumption was to increase from £2.5M in 2010/11 to £4.5M in 2011/12*) and that the target surplus be reviewed from the current assumption, which was to grow the surplus to £6M. This would better reflect the current funding environment and take into account that the 10 Year Cash Flow Plan demonstrated that a lower surplus could be accommodated without a significant impact on the overall strategy of the University.
- 220 In discussion, it was noted that with the progress that had been made in reducing the cost base, the University should focus on how to increase income generation and that this would be discussed further by Court when considering the budget setting paper at its next meeting.

#### *Scottish Funding Council Financial Forecast*

- 221 The Court noted a copy of the draft financial forecast to SFC which was to be submitted by 31<sup>st</sup> March 2011. It would be made clear in the accompanying commentary to SFC that the forecast would be subject to change and that the request for a forecast for 2011/12 did not fit with the University's budget setting process.

#### VOLUNTARY SEVERANCE UPDATE

- 222 Mrs Inglis introduced an update paper on the Voluntary Severance Scheme. The Court noted that this had resulted in 12.3 academic staff (full time equivalent) leaving the University, which produced an overall recurrent saving of £915.4k at a cost of £1.06M.

#### ACCOUNTS COMPARISONS OF SCOTTISH AND PEER COMPETITOR UNIVERSITIES

- 223 Ms Bews introduced a paper which provided a comparative analysis of the University's financial statements against those of the other Scottish universities and selected universities in the rest of the UK.
- 224 The Court noted that the analysis indicated that the University remained in a relatively strong financial position with all indicators being better than, or close to, sector average. In discussion, it was noted that the analysis underlined the potential to improve in relation to international fees, postgraduate numbers and research income.
- 225 The Court agreed that in future it would be helpful to have an indication of which institutions the University perceived as being the most useful benchmark comparator.

#### ESTATES

##### STUDENT ACCOMMODATION STRATEGY

- 226 Mr Forsyth introduced a paper which provided an update on the University's current approach to the provision of student accommodation and its plans for future developments within this area. The Court noted that the document had been produced in line with the aims and objectives of the University's new Strategic Plan.

#### HUMAN RESOURCES

##### INDUSTRIAL RELATIONS

- 227 Mrs Inglis introduced a paper on industrial relations which reported on developments in respect of the 2010/11 national collective pay and pensions negotiations. The Court noted that the UCU was in dispute with the University on these two issues and two separate days of industrial action had taken place on 17 March and 24 March 2011.

##### REMUNERATION POLICY

- 228 Mrs Inglis introduced a paper which had been prepared to update Court on the current operation of the Remuneration Committee and the recent issue of new guidance by the Committee of University Chairs (CUC) on good practice for Remuneration Committees in higher education.
- 229 The Court noted that in light of the current financial and economic climate, and the contractual obligation to senior staff to receive, automatically, an uplift to salary following the outcome of national collective bargaining, the policy adopted by the Remuneration Committee in 2009 and 2010 had been endorsed by the Committee for adoption again in 2011, namely:
- No consolidated increases would be considered outwith the level that was being budgeted for the national pay award
  - Any contractual pay awards – consolidated or non-consolidated - would be honoured by the Remuneration Committee
  - Exceptional cases for non-consolidated awards could be presented to the Committee for consideration as part of the annual review of Professorial and Senior Staff salaries and each case would be determined on its individual merits.

- 230 The Court noted that The Hutton Review of Fair Pay had recently been published and that the Remuneration Committee would consider the implications of this at its next meeting. Further guidance from the CUC was also anticipated. It was already evident, however, that the review would require greater transparency and public disclosure of executive salaries. In discussion, it was noted that the Remuneration Committee would report to the June meeting of Court and that this would include an update on the implications of the Hutton Review and on the appraisal process for senior management.

#### ACADEMIC EXPECTATIONS

- 231 Professor Logan introduced a paper setting out a proposed Framework of Academic Excellence which was intended to support the achievement of the objectives within the new Strategic Plan.
- 232 The Court noted that purpose of the Framework was to establish clear standards of contribution for academic staff and would form the starting position from which Schools and Colleges could plan to enhance their academic achievements over the course of the next few years.
- 233 The Court noted that the Framework had been subject to consultation within the University and had been modified accordingly.
- 234 Following discussion, the University Court approved the recommendation that it formally adopt the Framework of Academic Expectations and invited the Executive to further develop and implement it as appropriate.

#### CURRICULUM REFORM AND STUDENT AFFAIRS

##### PRESENTATION ON CURRICULUM REFORM

- 235 Professor McGeorge provided Court with a presentation on the progress of Curriculum Reform.
- 236 The Court noted that the new Curriculum had received very positive feedback from students and external examiners. In discussion, it was suggested that the University should continue to promote the benefits of the new curriculum to graduate employers.

##### REPORT FROM STUDENT AFFAIRS COMMITTEE

- 237 Mr Cannon introduced a report from the Student Affairs Committee which highlighted a number of new initiatives between the University and the student community. The Court agreed it should consider further some of the items in the report and other student issues at a future meeting.

#### COMPOSITE REPORT FROM COURT COMMITTEES AND JOINT COMMITTEES OF COURT AND SENATE

##### GOVERNANCE COMMITTEE

##### *Vice-Principal Member of Court*

- 238 The Court approved a recommendation from the Governance Committee that Professor Peter McGeorge Vice-Principal (Learning and Teaching) be appointed as an *ex officio* member of Court.

##### *Benchmarking Against Guidance on Good Governance*

- 239 The Court noted that the Governance Committee had considered comparisons of the University's governance practice to the UK Corporate Governance Code as revised in May 2010 and to the Committee of University Chairmen Governance Code of Practice as revised in 2009. The Committee had noted that the University's governance compared satisfactorily to the two sets of guidance but agreed to consider further the areas the benchmarking review had identified for possible review.

### *Membership of Court and Recruitment of Court Members*

- 240 The Court noted that the Governance Committee had considered the independent membership of Court for 2010/11 and beyond, and had discussed the two current vacancies for co-opted independent members of Court. The Committee had also noted that there would be a further co-opted vacancy from 23 May 2011.
- 241 The Court noted that the Committee had also agreed that nominations and/or applications should be invited from the University community for one of the co-opted vacancies that had latterly been reserved to a member of non-academic staff.

### *Attendance at Court and Key Committee meetings*

- 242 The Court noted that the Governance Committee had considered a report on the attendance of members of the University Court at Court meetings and other key committees, and noted that this year the University had been required to disclose this information in its audited 2010 Annual Accounts. The Senior Governor would discuss any attendance issues going forward with members as appropriate.

### *Major Gift Proposal*

- 243 The Court noted that the Governance Committee had considered a paper which summarised a prospective gift to the University in support of the proposed Aquatic Centre at the Aberdeen Sports Village, and had agreed that there were no significant risks in accepting the donation and that it should be accepted.

### AUDIT COMMITTEE

- 244 The Court noted a report of the principal items of business considered by the Audit Committee at its meeting on 27 January 2011.

### COMMITTEE ON RESEARCH, INCOME-GENERATION AND COMMERCIALISATION

- 245 The Court noted a report of the principal items of business considered by the Committee on Research, Income-Generation and Commercialisation at its meeting on 7 December 2011.

### UNIVERSITY COMMITTEE ON TEACHING AND LEARNING

- 246 The Court noted a report of the principal items of business considered by the University Committee on Teaching and Learning at its meeting on 26 January 2011.

### CHAPEL COMMITTEE

- 247 The Court noted a report of the principal items of business considered by the Chapel Committee at its meeting on 8 February 2011.

### STAFFING AND DEVELOPMENT COMMITTEE

- 248 The Court noted a report of the principal items of business considered by the Staffing and Development Committee at its meetings on 21 December 2010 and 1 March 2011.

## ROUTINE BUSINESS REPORT

### VICE-PRINCIPAL'S APPOINTMENTS

- 249 The Court approved, on the recommendation of the Principal, that Professor MacGregor's period of appointment as Vice-Principal be extended until 31 July 2011.
- 250 The Court noted that arrangements would be taken forward to advertise the roles of Head of College in the Colleges of Life Sciences & Medicine and Physical Sciences, and also of Vice Principal (Research and Knowledge Exchange) with the view to securing appointments to take effect during session 2011/12.

- 251 The Court also noted that new Vice Principal portfolios in International Activities and External Affairs would be developed to support the University's strategic ambitions in relation to Internationalisation and Engagement & Partnership.

SENATE

*Draft Resolution No of 2011 [Changes to Regulation for Various Degrees]*

- 252 The Court approved the draft Resolution No of 2011 [Changes to Regulations for Various Degrees] from the Senate and agreed to forward it to the General Council and to make it generally available in terms of Section 6 of the Universities (Scotland) Act 1966.

*Validation Agreement with International Christian College*

- 253 The Court approved, on the recommendation of the Senate, the Validation Agreement with the International Christian College in Glasgow for a period of five years from 1 April 2011.

*Draft Resolution No 265 of 2010 [The John Simpson Chair in Medical Education]*

- 254 The Court noted that the Senate, for its part, approved the draft Resolution No 265 of 2010 [The John Simpson Chair in Medical Education]. The Court also noted that in accordance with the provisions of Section 6(2) of the Universities (Scotland) Act 1966, the Senate had agreed to pass the draft Resolution forthwith.

*Policy and Procedures on Academic Appeals and Student Complaints*

- 255 The Court noted that the Senate, for its part, had approved the new Policy and Procedures on Academic Appeals and Student Complaints and had noted that they would be implemented with immediate effect.

- 256 The Court also noted that the Senate had approved associated changes to other existing policies governing representations against non-progression and termination of study to ensure alignment with the new Policy and Procedures on Academic Appeals and Student Complaints and to simplify the processes. The changes would also take account of amendments made to the regulations governing student progression in the Degrees of Bachelor of Medicine and Bachelor of Surgery (MBChB) and Bachelor of Dental Surgery (BDS). In this regard, the Senate had approved the Policy on Undergraduate Student Progress and the Policy on Fitness to Practise and changes to the associated Guidance Notes.

APPOINTMENT OF LEGAL SERVICES TO THE UNIVERSITY

- 257 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. With the period of appointment of the University's current provider of legal services due to end on 31 July 2011, the Court approved the establishment and composition of a Legal Services Tender Panel to invite and evaluate tenders for legal services.

DECISIONS TAKEN UNDER DELEGATED AUTHORITY

*Revised Appeals and Complaints Procedures*

- 258 The Court homologated the decision taken by the Senior Governor, Principal and the Senior Vice-Principal to approve the immediate introduction of the Policy and Revised Procedures on Academic Appeals and Complaints.

### *Appointment of Solicitor to Hear Appeals*

- 259 The Court homologated the decision taken by the Senior Governor, Principal and the Senior Vice-Principal to approve the appointment of a further two solicitors, Mr David Burdside and Ms Lili Hunter, to undertake appeals from staff against dismissal as was required by the University Commissioners (Statute Modifications) (University of Aberdeen) Order 1992.
- 260 The Court also noted that at its meeting of 29 June 2010, the Court had been asked to approve the appointment of Mr Alex Green of The Law Agency as a solicitor of 10 years' standing to hear appeals against dismissal under the above stated Ordinance. That approval had been given but had not been recorded in the minutes of that meeting. The Court agreed that this should be correctly recorded by way of an addendum to minutes 219 of 29 June 2010.

### *Standing Delegated Authority Between Meetings*

- 261 The Court approved the following procedure for decisions required between meetings under delegated authority:
- (i) that routine decisions required to be taken between meetings be delegated to a small group consisting of the Senior Governor, the Principal and the Senior Vice-Principal, subject to any such decisions being reported to the next meeting of Court.
  - (ii) that decisions on financial or estates matters that would otherwise require Court approval, but which for reasons of urgency cannot be deferred to the next meeting of Court, should be delegated to a small group consisting of the Senior Governor, the Convenor of the Operating Board, the Principal and Senior Vice-Principal or three of the four should one be unavailable.
  - (iii) that decisions on matters related to governance that would otherwise require Court approval, but which for reasons of urgency cannot be reserved to the next meeting of Court, should be delegated to a small group consisting of the Senior Governor, Convenor of the Governance Committee and the Principal.

### DRAFT ORDINANCE NO 141 [AMENDMENT OF POWERS OF THE UNIVERSITY COURT]

- 262 The Court received a copy of Ordinance No 141 [Amendment of Powers of the University Court] approved by the Court on 7 December 2010 and which had now been approved by Her Majesty in Council on 15 December 2010.

### DRAFT ORDINANCE NO 142 (EMPLOYMENT) (PROPOSED REVISIONS TO STATUTORY INSTRUMENT 1992 NO 2704 EDUCATION (MODEL EMPLOYMENT STATUTE))

- 263 The Court noted that it has been advised by the Privy Council that it must further approve draft Ordinance No 142 (Proposed Revisions to Statutory Instrument 1992 No 2704 Education (Model Employment Statute) because, while Court had previously approved the Draft Ordinance, this had been done before the award of the necessary powers to do so designated in Ordinance No 141 [Amendment of Powers of the University Court].
- 264 The Court approved draft Ordinance 142 for onward submission to the Privy Council.

### RISK MANAGEMENT POLICY AND PROCEDURES

- 265 The Court approved a new policy and procedures for Risk Management within the University.

### SCOTTISH HIGHER EDUCATION GREEN PAPER: BUILDING A SMARTER FUTURE

- 266 The Court received and noted the University's response to the Scottish Government's consultation on the Scottish Higher Education Green Paper which had been published on 16 December 2010 with a response date of 28 February 2011 (*See Minute 199*).

MANAGEMENT ACCOUNTS

- 267 The Court noted a summary of the management accounts for the period to 31 January 2011.

DATE OF NEXT MEETING

- 268 The Court noted that the date of its next meeting was Tuesday 28 June 2011 at (9.00am-12noon).